



To: Members of the County Council

Date: 27 May 2013

Direct Dial: 01824712589

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Dear Councillor

You are invited to attend a meeting of the **COUNTY COUNCIL** to be held at **10.00 am** on **TUESDAY, 4 JUNE 2013** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN LL15 1YN**.

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 DECLARATIONS OF INTEREST

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 CHAIRMAN'S DIARY (Pages 5 - 6)

To note the civic engagements undertaken by the Chairman of the Council (copy enclosed).

5 MINUTES (Pages 7 - 18)

To receive the minutes of the meeting of County Council held on 7 May 2013 (copy enclosed).

6 ADOPTION OF THE DENBIGHSHIRE LOCAL DEVELOPMENT PLAN 2006 - 2021 (Pages 19 - 24)

To consider a report by the Head of Planning and Public Protection (copy enclosed). This report informs Members of the findings of the binding Inspectors' Report into the Denbighshire Local Development Plan 2006-2021; requests formal adoption of the Local Development Plan; outlines the process for monitoring and review of the Local Development Plan and seeks approval to carry forward the current suite of Supplementary Guidance Notes (SPGs) for use with the Local Development Plan.
(Appendices to follow)

7 ANNUAL IMPROVEMENT REPORT (Pages 25 - 56)

To consider a report by the Corporate Improvement Manager (copy enclosed), for Members to consider the Annual Improvement Report for Denbighshire County Council issued by the Wales Audit Office (WAO) in May 2013.

8 ELECTRONIC VOTING PROCEDURES (Pages 57 - 60)

To consider a report by the Democratic Services Manager (copy enclosed) for members to deliberate the electronic voting procedures.

9 COUNTY COUNCIL FORWARD WORK PROGRAMME (Pages 61 - 66)

To consider the Council's forward work programme (copy enclosed).

MEMBERSHIP

Councillors

Ian Armstrong
Raymond Bartley
Brian Blakeley
Joan Butterfield
Jeanette Chamberlain-Jones
Bill Cowie
Ann Davies
James Davies

Gwyneth Kensler
Geraint Lloyd-Williams
Margaret McCarroll
Jason McLellan
Barry Mellor
Win Mullen-James
Bob Murray
Peter Owen

Meirick Davies
Richard Davies
Stuart Davies
Peter Duffy
Hugh Evans
Peter Evans
Bobby Feeley
Carys Guy
Huw Hilditch-Roberts
Martyn Holland
Colin Hughes
Rhys Hughes
Hugh Irving
Alice Jones
Huw Jones
Pat Jones

Dewi Owens
Merfyn Parry
Paul Penlington
Arwel Roberts
Gareth Sandilands
David Simmons
Barbara Smith
David Smith
Bill Tasker
Julian Thompson-Hill
Joe Welch
Cefyn Williams
Cheryl Williams
Eryl Williams
Huw Williams

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Agenda Item 4

Digwyddiadau wedi eu mynychu gan y Cadeirydd / Events attended by Chairman

27.04.13 – 24.05.13

Dyddiad / Date	Digwyddiad / Event	Lleoliad / Location
02.05.13	Ymweliad Gweinidog Dros Gyllid Finance Minister Visit Trefnwyd gan/ Arranged by Pennaf Is Gadeirydd wedi mynychu / Vice Chair attended	Rhuddlan
03.05.13	Cyfarfod Blynyddol a Sefydlu Maer Newydd Annual General Meeting and Installation of New Mayor	Dinbych Denbigh
04.05.13	Cinio Elusenol Maer Prestatyn Mayor of Prestatyn Charity Dinner	Prestatyn
Cadeirydd Newydd / New Chairman		
09.05.13	Seremoni Dinasyddiaeth Citizenship Ceremony	Rhuthun Ruthin
11.05.13	Cinio Elusenol Maer Towyn & Bae Cinmel Towyn & Kinmel Bay Mayor's Charity Dinner	Rhyl
15.05.13	Cyfarfod Sefydlu Maer Newydd Y Rhyl Rhyl Mayor's Inaugural Evening	Rhyl
16.05.13	Cyflwyno Medalau Ymerodraeth Prydeinig i Breswylwyr o Glwyd (Trefnwyd gan Swyddfa'r Arglwydd Raglaw, Sir y Fflint) Presentation of British Empire Medals to Clwyd Recipients (Organised by the Lord Lieutenant's Office, Flintshire)	Bodelwyddan
17.05.13	Cinio Elusenol Maer Wrecsam Mayor of Wrexham Charity Dinner	Wrecsam Wrexham
19.05.13	Te Sul a Sgwrs Sunday Tea and Chat	Bodelwyddan
20.05.13	Cyfarfod Blynyddol a Sefydlu Maer Newydd Annual General Meeting and Installation of New Mayor	Rhuthun Ruthin
24.05.13	Noson Diwylliannol Cymru/Iwerddon Irish/Welsh Cultural Evening	Prestatyn

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COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 7 May 2013 at 10.00 am.

PRESENT

Councillors Ian Armstrong, Raymond Bartley (Vice-Chair), Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones (Chair), Bill Cowie, Ann Davies, James Davies, Richard Davies, Stuart Davies, Hugh Evans, Peter Evans, Bobby Feeley, Carys Guy, Huw Hilditch-Roberts, Martyn Holland, Colin Hughes, Rhys Hughes, Hugh Irving, Alice Jones, Huw Jones, Pat Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Margaret McCarroll, Jason McLellan, Barry Mellor, Win Mullen-James, Bob Murray, Peter Owen, Dewi Owens, Merfyn Parry, Paul Penlington, Gareth Sandilands, David Simmons, Barbara Smith, David Smith, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams, Eryl Williams and Huw Williams

ALSO PRESENT

Chief Executive (MM), Corporate Director: Economic and Community Ambition (RM), Head of Legal and Administration (RGW), Head of Business Planning and Performance (AS), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Meirick Davies and Arwel Roberts

2 DECLARATIONS OF INTEREST

Councillors Brian Blakeley, Stuart Davies, Hugh Evans, Carys Guy, Huw Hilditch-Roberts, Geraint Lloyd-Williams, Barry Mellor, David Simmons and Cheryl Williams declared a personal interest in the item "Workforce Efficiencies" (Agenda Item 10).

3 CHAIRMAN OF THE COUNTY COUNCIL

The retiring Chairman, Councillor Jeanette Chamberlain-Jones delivered a speech during which she reflected upon her time as Chairman and highlighted a number of events which had taken place over the last twelve months including the Royal Jubilee and the Olympics. The retiring Chairman also reflected upon the floods which had taken place within the county and the people affected who had lost so much. The heavy snow which had affected so many people and caused such hardship and she paid tribute to the services who dealt with the adverse conditions. The retiring Chairman also made reference to her husband's serious car accident and mentioned that he was now well on the road to recovery. She also thanked Councillor Bill Cowie who had stepped in as her escort at some events whilst her husband recovered. The retiring Chairman also took the opportunity to mention how proud she was of the Council, whose officers, and members of staff had dealt with all the difficulties of the last 12 months and thanked them enormously. The

retiring Chairman also took the opportunity to thank fellow councillors for their support. Special thanks were extended to the Vice Chairman, Raymond Bartley and his wife Dorothy. Thanks were also extended to Eleri Woolford, Member Support and Development Manager, Lona Haf Williams, Member Support Officer, Cannon John Glover, Gary Williams, Head of Legal and Democratic Services and Steve Price, Democratic Services Manager.

The retiring Chairman presented cheques from money raised during her time as Chairman to her chosen charities:

- (i) Jackie Jeffrey accepted the cheque for £2000 on behalf of St. Kentigern Hospice, St. Asaph
- (ii) Martin Jones, Coxon of Rhyl Lifeboat accepted the cheque for £2000
- (iii) Miriam Wright accepted the cheque for £1000 on behalf of Vision Support. Dennis Williams who worked in the Resource Centre in Rhyl and John Graham a Trustee of Vision Support were also in attendance for the presentation of the cheque.

The retiring Chairman also presented gifts to her Chaplain, Cannon John Glover, the Member Support and Development Manager, the Member Support Officer, Councillor Bill Cowie, the Head of Legal and Democratic Services and the Democratic Services Manager in recognition of their support over the past twelve months.

At this point the retiring Chairman invited nominations for the appointment of Chairman of the County Council for 2013/14. The Leader, Councillor Hugh Evans proposed Councillor Raymond Bartley be elected Chairman outlining the personal qualities and experience he would bring to the position. Councillor David Smith seconded the proposition adding that it was a pleasure to second Councillor Bartley and wished him well with the nomination. There being no further nominations and following a vote by show of hands, Councillor Raymond Bartley was unanimously elected Chairman of the Council for the 2013/14 municipal year.

The retiring Chairman wished the incoming Chairman all the best for the future and invested him with the Chairman's Chain of Office following which he completed his Declaration of Acceptance of Office. The retiring Chairman's Consort invested the new Chairman's Consort with the Chain of Office. The incoming Chairman paid tribute to the work undertaken by the retiring Chairman and presented her with the Past Chairman's badge, plaque and a gift on behalf of the Council.

The incoming Chairman named Reverend Wayne Roberts as his Chaplain for the year and advised of his chosen charities – St. Kentigern Hospice, St. Asaph and Ty Gobaith/Hope House Hospice.

4 VICE CHAIRMAN OF THE COUNTY COUNCIL

The Chairman sought nominations for the appointment of Vice Chairman.

Councillor Joan Butterfield proposed that Councillor Brian Blakely be elected Vice Chairman of the Council for the 2013/14 municipal year. She referred to Councillor

Blakeley's vast experience and the fact he was so well respected in both the town of Rhyl and the County. Councillor Colin Hughes seconded the nomination. There being no further nominations and following a vote by show of hands, Councillor Brian Blakeley was unanimously elected Vice Chairman of the Council for the 2013/14 municipal year.

The Chairman invested Councillor Blakeley with the Vice Chairman's Chain of Office following which he completed his Declaration of Acceptance of Office.

The new Chairman's Consort invested the new Vice-Chairman's Consort with the chain of office.

At this juncture Group Leaders paid tribute to the work of the retiring Chairman over the last twelve months and congratulated Councillors Raymond Bartley and Brian Blakeley upon being elected Chairman and Vice Chairman respectively.

At this juncture (10.50 a.m.) Council adjourned for a refreshment break and reconvened at 11.10 a.m.

5 POLICE AND CRIME COMMISSIONER

The Chair welcomed Mr Winston Roddick, Police and Crime Commissioner and also Hannah Humphreys, Chief Executive for the Police Commissioner.

Mr Roddick congratulated both Councillors Raymond Bartley and Brian Blakeley on their election as Chair and Vice-Chair, respectively, of Denbighshire County Council and wished them both luck for the future.

Mr Roddick outlined his aims for the future.

The over-riding duties were to deliver an efficient and effective police force which clearly demonstrated value for money and, above all, cut crime. Achieving those aims would reassure the public they were safe in their homes and in public places. The relationship between the Police and Crime Plan and the police budget would be of the highest importance and consideration of ensuring they were linked to the fluctuating nature of demands, capacity, and capability, and that these were directly affected by budgetary constraints.

Within the Police and Crime Plan were four main objectives:-

- (i) Reduce crime and anti-social behaviour
- (ii) Protect people and reduce harm
- (iii) Deliver a quality service that meets the needs of our communities
- (iv) Promote a well led, organised, and skilled workforce.

Three main outcomes which were to be achieved through the objectives were:-

- (i) Security in the home
- (ii) Safety in public places
- (iii) Visible and accessible policing.

The duration of the Plan was five years which would be reviewed at regular intervals in light of changes to the Secretary of State's guidance and any other material changes of circumstances.

A Police and Crime Panel had been developed in 2012. The Panel had the statutory responsibility to scrutinise the activities of the Police and Crime Commissioner.

The Police and Crime Commissioner together with the Chief Constable had set up a Joint Audit Committee, the function of which was to support and challenge certain activities undertaken by the police force and the Police and Crime Commissioners office and to provide constructive solutions for improvements.

An Operational Delivery Plan would be set up to address rural crime, which had recently been on the increase.

A dedicated rape and sexual abuse team/ unit had been set up. This was to be operational imminently.

The Council Tax precept had been increased and with the additional funding, 51 additional police officers were to be recruited.

Following the presentation, members took the opportunity to raise questions with the Police and Crime Commissioner:-

- (i) The Victims Code of Practice was currently being re-drafted. Previously funding had been distributed by the Home Office and ring fenced but that function would be taken over by the Police and Crime Commissioner and it would not be ring fenced.
- (ii) The Police and Crime Commissioner has visited the impoverished areas of the west and south west of Rhyl. There was excellent use of video cameras within the area. The presence of more police officers on the street was paramount.
- (iii) The additional 51 police officers were not yet in post but would be imminently.
- (iv) The aim was to stop repeat offenders and to achieve this, working together with other partnerships had to take place. The cost to the community would be higher if a crime had been committed. There would be the expense of incarceration, the effect on the victim could be enormous and the cost of attending to the victim would be huge. In the long run it saved tax payers money to deter crime.
- (v) The Police and Crime Commissioner had no role regarding the fixed penalty notices. He could reflect on this issue and investigate if issuing of fixed penalty notices was reducing crime.
- (vi) The Police and Crime Commissioner currently had a staff of six. A Finance Officer was yet to be appointed. It was important to have a link with youth, but the Police and Crime Commissioner confirmed a Youth Commissioner would not be appointed.
- (vii) Following the termination of the farm watch scheme a new scheme would be put in place which would assist with the reduction of rural crime.

- (viii) Community Safety was an extremely important issue, but the police were not the only ones who needed to secure this and work was underway to ensure partnership working. If Councillors had any issues which needed to be referred to the Police and Crime Panel, these needed to be directed through Councillor Bill Cowie, who was the Panel representative.
- (ix) The Owl system was good but there was an issue depending in which postcode area residents lived. For example living in a rural area in Denbighshire which had a postcode "CH", all crime alerts received were for Flintshire which had no bearing on the Denbighshire area postcode.
- (x) The outcomes were measured by the Plan being in existence. Statistics showed whether aims had been successful. Outcomes were measured with reference to an action plan which the Chief Constable had drawn up.

The Chairman thanked the Police and Crime Commissioner for attending the Annual Council meeting and wished him well for the future in his post.

At this juncture (12.05 p.m.) Council adjourned for lunch and re-convened at 1.00 p.m.

Prior to the commencement of the afternoon session of the meeting, the Chairman informed Annual Council that the order of business would be amended. Workforce Efficiencies would be brought forward on the Agenda but all other items were to run in order. The minutes would reflect the re-arranged order of items.

At this point, Councillor Huw Jones offered his congratulations to Prestatyn Town Football Club on their cup win yesterday. Both Councillor Huw Jones and Councillor Win Mullen James offered congratulations to Rhyl Football Club who had completed the football season without losing a single game. Other clubs mentioned who had also done well this season were St. Asaph and Llandyrnog.

6 URGENT MATTERS AS AGREED BY THE CHAIR

None.

7 MINUTES

The minutes of the Council meeting held on Tuesday, 9th April, 2013 were submitted.

Accuracy – Page 6, Item 5 – Councillor Alice Jones stated within the last paragraph on page 6 it should read "Emergency Surgery Services" and not "Emergency Services".

Matters Arising - Page 6, Item 5. Councillor Alice Jones informed Members that a response had been received from Sally Baxter, BCUHB who was aware members were concerned with the emergency surgery service at Ysbyty Glan Clwyd. As yet, no decision had been made, but if there was substantial change to current arrangements, there would be a formal consultation.

Page 10, Item 9 – Councillor Colin Hughes confirmed the Ministry of Justice had been in contact with Denbigh town Council and confirmed the land in question would be large enough to home the new prison.

8 WORKFORCE EFFICIENCIES

The Chief Executive introduced the report detailing the savings required to achieve the workforce efficiencies identified in the budget.

The Chief Executive clarified that the item had been considered at the previous Council meeting which had been held on 9th April 2013. It had been apparent from that meeting that members of LJCC did not feel sufficiently involved and Members wanted the Council to work very hard with trade unions to reach an agreed settlement.

Work had been on-going since the meeting of 9th April. Two meetings of LJCC had since taken place. A decision had been reached to recommend the proposal to Members and the Trade Unions.

The Corporate Director: Economic and Community Ambition clarified that discussions had taken place with Joint Secretaries, Trade Unions and LJCC. The three main areas of concern from the Trade Unions were:-

- Inclusion of a clause within individual contracts of employment requiring employees for whom travel is an essential part of their job to make their own care available for that travel
- Impact of proposals on lower paid employees
- Lack of detailed discussion on the proposed changes to pay protection and disturbance allowance.

The proposal for consideration by Trade Unions was now:-

- (1) To achieve permanent budget savings from workforce costs amounting to £510k by March 2015. £200k of these savings were required in 2013/14 with the balance to be found in 2014/15.
- (2) These would be achieved by:
 - a. Immediate removal of the Essential User Lump Sum payment with effect from 1st June 2013. This would secure £194k saving in 2013/14.
 - b. To allow time for staff to adjust to the changes, mileage rates would harmonise on the existing Casual User rate of 52.2p per mile for a transitional period, following which the rate for all staff would harmonise on the HMRC rate (currently 45p per mile up to 10,000 miles)
 - c. The transitional period would be as follows:
 - 10 months (to end March 2014) at 52.2p, followed by
 - 3 months (to end June 2014) at 47p
 - Reducing to HMRC rate (currently 45p) for all users from 1 July 2014

- d. This would allow £426k saving to be achieved on a recurrent basis from 1 April 2015. The transitional period would, however, incur additional cost to the authority from what had been assumed in the Medium Term Financial Plan. The impact of this was factored into the saving shown above for 2013/14. For 2014/15, the additional cost/slippage in savings was estimated at £142k.
 - e. The Employers and Unions would work together to secure additional temporary in-year cash savings to cover this slippage.
- (3) In order to minimise the impact on individual members of staff, any employee travelling over 6,500 miles in a year would be offered dedicated use of a pool car. This would be a voluntary arrangement and would be on offer to staff from 1st June 2013.
 - (4) Some employees would continue to have an essential requirement to travel as a core part of their job. This would be specified in individual contracts but staff would not be required to use their own vehicle for this if they did not wish or were not able. They would, however, be expected to undertake travel timeously and in accordance with the requirements of their role. The Council was committed to working with any member of staff who wished to explore alternative travel arrangements and to agreeing suitable alternative arrangements with them, including access to pool vehicles.
 - (5) The Trade Unions agreed to recommend this proposal to their Members and to work with the Council to promote a positive response to any ballot with the intention of securing a collective agreement.
 - (6) The Trade Unions further agreed to commit to full and meaningful negotiations and to work with Employers to secure the remaining £72k workforce savings required to meet the target identified in the Medium Term Financial Plan, recognising that the Council had already reduced this target from £1.5M to £762k.
 - (7) Negotiations would be undertaken with the target of reaching agreement on the remaining £72k by no later than 30 September 2013, for implementation in full during 2014/15
 - (8) The starting point for the balance of £72k savings would be proposed changes to the pay protection and disturbance mileage arrangements; however, Employers were open to considering other alternatives proposed by the Trade Unions and commit to working with them to explore all realistic alternatives proposed.
 - (9) Both sides were committed to reach agreement on a proposal to recommend both to Trade Union members and to full Council in time for the Council meeting on 7th May 2013. If no agreement had been reached, Employers reserved the right to present their own proposals to Council in lieu of an agreed position.

RESOLVED that Council:

- (a) Agree the revised proposal developed following further negotiations with the Trade Unions as set out above.
- (b) Note that the Trade Unions will now ballot their members on the recommended proposal with the aim of securing a collective agreement.
- (c) Note the budget pressure of £143k in 2014/15 arising from the proposed transitional arrangements and the commitment of the Trade Unions to work with the Council to identify in-year savings to cover the pressure.

(d) Note that negotiations on the final £72.5k savings will be concluded with the Trade Unions by no later than 30th September 2013.

9 LOCAL GOVERNMENT (WALES) MEASURE 2011

Councillor Barbara Smith, Lead Member for Modernising and Performance presented the report (previously circulated) updating members of the progress made in respect of the implementation of the Measure and to seek Members' views regarding the way forward in respect of those matters awaiting implementation.

The Head of Legal and Democratic Services clarified he was not seeking a decision on the report but for Members views prior to the matters contained within it receiving more detailed consideration and then a final decision made by Council.

There were 10 parts to the Measure. Parts 1, 5 and 6 were most relevant to Denbighshire County Council.

Part 1 – Strengthening Local Democracy.

- To provide for the conduct of a survey of councillors and unsuccessful candidates in the last election which asked prescribed questions regarding gender, age, language, race, disability, sexual orientation, religion, health, education and employment. The responses were to be submitted to the Welsh Government who must publish the results within 12 months.
- A survey had been conducted and repeated due to a relatively low response to ascertain the preference of timings and locations of meetings. The information would be fed into work being carried out by officers for the Chief Executive in respect of meeting times and locations. The responses to the survey had indicated no appetite for change.
- The provision for members to attend meetings remotely was not yet in force, but guidance was awaited. There would be a lot of governance and technological issues to deal with before remote attendance would be in place. Meetings would not be quorate if less people were in the meeting room than were attending remotely. The Welsh Government had given all Local Authorities in Wales a grant for the scheme. Webcasting of meetings would enable members of the public to view meetings either live or on the internet. There had been arranged a webcasting demonstration which was to take place on 15 May.
- There would need to be a requirement for each local authority to make arrangements for individual Members to draw up an annual report of their activities as a member. The authority must also make arrangement for publication of these annual reports. A template of the annual report would be drawn up to enable members to just enter the narrative.
- Local Authorities would need to secure the provision of reasonable training and development opportunities for members. Members would have the opportunity to review their training and development needs on an annual basis.

Part 5 – Local Authority Functions: Discharge by Committees and Councillors.

There was a provision to make more flexible the criteria for establishing area committees and to delegate decision making powers to them.

There was also provision for the Leader to make arrangements for a non-executive member to make delegated decisions in respect of an executive function. Council could also delegate decisions in respect of non-executive functions to non-executive members. These powers could only be exercised in respect of the Councillor's own ward or in respect of an outside body to which they had been appointed. The Welsh Ministers could make an Order specifying functions that were not to be delegated and may issue guidance. They had not done either yet.

Part 6 – Overview and Scrutiny

Power for one or more Local Authorities to have a Joint Scrutiny Committee. In setting up a Joint Scrutiny Committee, Councils must have regard to guidance issued by Welsh Ministers.

Where two or more authorities appointed a joint scrutiny committee they must enter into an agreement which identified matters about which the committee may make reports and recommendations.

The Chair of the Joint Scrutiny Committee would be entitled to a payment in accordance with the Independent Remuneration Panel's recommendation. In Denbighshire's case this would be a senior salary at the level paid to Scrutiny Chairs.

Endeavouring to ensure members of the public were much more engaged and aware of the scrutiny process.

Councillor Bobby Feeley expressed her views as follows:-

- she understood the Measure was meant to strengthen democracy but it seemed that the Welsh Government wanted to make more decisions as to how local members worked.
- Remote working could be a problem if more than a dozen members decided to work remotely.
- Annual reports – there would be an issue regarding the costs of translations?
- Delegated decisions – this could cause more incorrect decision making.
- Guidance would be required as to how members of the public could have more say and output.

Councillor Feeley stated she would be reluctant to see any change put into place to question the democratic process. Councillor Feeley also stated she was unhappy about the financial aspects of the measure and expressed concern it would undermine the already fragile local authority.

RESOLVED that following consideration of the report and subject to the above, the Members noted the report.

10 DATA PROTECTION AND FREEDOM OF INFORMATION POLICIES AND PROCEDURES.

The Head of Business Planning and Performance (HofBPP) presented the report (previously circulated) to provide the Council with the reviewed Freedom of Information and Data Protection Policies and Procedures.

HofBPP clarified that a lot more information was now held electronically. This issue had been the subject of a Wales Audit Office Report and Internal Audit Report. There was a requirement to have amended policies in place ready for changes coming into effect by the EU early next year.

RESOLVED that the Council:-

- (i) Approve both policy and procedure documents
- (ii) Approve the amendments to the officer scheme of delegation in relation to the Access to Information Exemptions Panel
- (iii) Delegate the Senior Information Risk Officer role to the head of Business Planning and Performance and the Data Protection Officer role to the Deputy Monitoring Officer.
- (iv) Authorise the Monitoring Officer to amend Constitution in respect of recommendation (ii) and (iii).

11 ANNUAL REPORT OF THE COUNCIL'S SCRUTINY COMMITTEE

Councillor Colin Hughes presented the Scrutiny Committee's Annual report (previously circulated) for Members consideration.

Councillor Hughes expressed his thanks to the Democratic Services Manager, the Scrutiny Co-ordinator and the Democratic Services Officer for all their hard work to produce the document.

Self-Evaluation had not been included in the Annual Report due to the fact that Denbighshire this year, like all other local authorities in Wales, was participating in the Scrutiny Improvement Study facilitated by the Wales Audit Office (WAO). Therefore, it was decided that undertaking a separate self-evaluation for the purposes of the Annual Report would not be an effective use of resources.

Councillor David Smith expressed his disappointment of the fact that the self-evaluation had not been included within the Annual Report.

RESOLVED that the Council accept the Annual Report of Council's Scrutiny Committee 2012/ 13.

12 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services (HLDS) submitted the Council Forward Work Programme.

RESOLVED that the Council's Forward Work Programme be noted.

The meeting concluded at 2.30 p.m.

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Report To: COUNCIL

Date of Meeting: 4th June 2013

Lead Member / Officer: Councillor Eryl Williams

Report Author: Graham Boase, Head of Planning and Public Protection

Title: Adoption of the Denbighshire Local Development Plan 2006 - 2021

1. What is the report about?

- 1.1 This report informs Members of the findings of the binding Inspectors' Report into the Denbighshire Local Development Plan 2006-2021; requests formal adoption of the Local Development Plan; outlines the process for monitoring and review of the Local Development Plan and seeks approval to carry forward the current suite of Supplementary Guidance Notes (SPGs) for use with the Local Development Plan. This report is accompanied by a number of appendices which are attached and listed below. Paper copies are available for viewing in the Members' Room.

Appendix 1: Denbighshire County Council Local Development Plan, including Proposals Maps, as amended by the Inspectors' binding recommendations

Appendix 2: Report on the Examination into Denbighshire County Council Local Development Plan 2006-2021 (Inspectors' Report)

Appendix 3: List of adopted Supplementary Planning Guidance Notes

Appendix 4: Adoption Statement

Appendix 5: Sustainability Appraisal Report

Appendix 6: Equality Impact Assessment template

2. What is the reason for making this report?

- 2.1 A decision is required on adoption of the Local Development Plan, the carry forward of current SPGs and the production of new SPGs, infrastructure plan(s), development briefs as necessary and where appropriate prior to the development of the 25 additional sites.

3. What are the Recommendations?

- 1. That the Council formally adopts the Denbighshire County Council Local Development Plan (including Proposals Maps) (attached as Appendix 1), as amended by the Inspectors' binding recommendations (attached as Appendix 2), in accordance with Section 67 of the Planning & Compulsory Purchase Act 2004 and**

Regulation 25 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005.

- 2. That the Council agrees to carry forward the list of adopted Supplementary Planning Guidance Notes attached as Appendix 3 for use in the determination of planning applications, pending a full review of all existing guidance.**
- 3. That the Council agrees that SPGs, infrastructure plan(s), development briefs etc as necessary will be required, where appropriate, prior to the development of the 25 additional sites.**

4. Report details.

Background

- 4.1 The LDP is a statutory document, which allocates sites for **potential** development and contains specific policies to guide/control the way development should be carried out. It therefore provides a level of certainty for developers who want to invest in the County and provides the basis for the Council in determining planning applications. It is key to the successful delivery of the Council's corporate priorities of 'Ensuring access to good quality housing' and 'Developing the local economy' by allocating land to meet the County's needs in terms of attracting new employment uses, providing new housing (including affordable housing), establishing community and recreational facilities, improving road and other infrastructure etc. The production of the LDP is therefore a key document in facilitating economic development across the County.
- 4.2 Following agreement at full Council on 20th May 2011, the LDP and its evidence base was formally submitted to the Planning Inspectorate for public Examination. As part of the Examination, Public Hearing Sessions were held in January - February 2012, with additional Hearing Sessions held in May 2012. The Inspectors issued their initial findings regarding housing need & supply on 14th June 2012. This made it clear that whilst they were satisfied with the Council's proposed growth levels; additional housing supply was required in order to meet the Council's own identified future need for housing. In response to this, an additional 21 sites were identified and following consultation Council agreed to submit these sites, together with a phasing policy, to the Inspectors. Further Hearing Sessions were held in February this year, to enable these sites to be discussed and to provide the opportunity for any objectors to present their concerns and evidence to the Inspectors. In total there have been 28 separate Public Hearing Sessions held over a 13 month period during which the Inspectors have heard all the evidence/arguments put forward by the Council and a large number of other interested individuals/organisations for and against a whole host of potential development sites and policies.
- 4.3 The role of the Inspectors was to consider the LDP, together with all the evidence that has informed its development, including comments made as a result of public consultation and the Public Hearing Sessions, and report back

to the Council on whether they consider the Council's LDP to be 'sound'. The Inspectors' report is binding on the Council.

Inspectors' Report

4.4 The Inspectors have now issued their final report on the Examination. The Inspectors' Report comprises a covering report and an appendix setting out a list of all the changes required to be made to the Plan. This is attached as **Appendix 2**. In summary, the Inspectors have found the LDP to be **sound and deliverable**, subject to some amendments.

4.5 In summary the key points raised are:

- Legal requirements and procedural tests have been met.
- The overall strategy and distribution of growth is supported, including the Bodelwyddan KSS.
- The overall housing figure of 7,500 dwellings is supported but additional housing allocations are to be included to increase the land supply. These are the 21 sites proposed by Council plus four sites included in the earlier consultation (March/April 2012) which were not proposed for allocation by Council. These four sites are:
 - Land off The Paddock, St Asaph
 - Bryn Gobaith, St Asaph
 - Ffordd Hendre, Meliden
 - Rear of Castle View & The Hollies, Llangollen
- The Council's proposed phasing policy for the development of the additional sites has **not** been included in the plan.
- A minimum density requirement of 35 dwellings per ha is to be included. This will not apply to villages and a small number of individual sites.
- Amendments to the Affordable Housing policy:
 - Developments of 10 or more dwellings will make on-site provision of 10% affordable housing
 - Developments of 3-9 dwellings will make a financial contribution
 - The above requirements will be increased once sale prices are 10% and 20% above 2009 prices.
- The Area of Outstanding Beauty (AOB) is to be partially removed from the proposals maps and not afforded the same level of protection as the Area of Outstanding Natural Beauty (AONB).

Whilst there has been some disquiet amongst Members at the inclusion of additional sites and the exclusion of the phasing policy, it is clear from the Inspectors' Report that without these changes the LDP would not have been considered sound.

4.6 The Inspectors' report has been made available for viewing via the Council's website and paper copies deposited in all the Council's libraries and one-stop-shops and Bodelwyddan Community Centre. Copies are also available in the Members' Room.

Adoption

- 4.7 The Council is required to adopt the LDP as amended by the Inspectors' binding report by a resolution of the Council and this must be done within 8 weeks of receipt of the Inspectors Report (Received 26/04/2013). Should the Council not agree to adopt the LDP, Welsh Government does have the power to intervene and approve the LDP on the Council's behalf. Welsh Government also has the power to intervene at any stage in the process up to the Council formally adopting the Plan if there is the view that the LDP/Inspectors Report is technically unsatisfactory. The amended LDP is attached as **Appendix 1**. The LDP will become operative on the date it is adopted by the Council and therefore will be used for **guiding** planning decisions from that date. The adoption of the LDP is therefore the adoption of an important, high level, strategic Plan. None of the development sites contained within the Plan are granted planning permission by virtue of adopting the Plan. Before any development can take place each site must be subject to the submission of a formal planning application and its careful consideration by the Council. If the Council is unhappy with the details of any such planning application it is entirely within its power to refuse the application planning permission. Grounds for such refusals can be strengthened by the adoption of SPGs, infrastructure plan(s), development briefs etc as necessary requiring sites to provide required infrastructure. On adoption of the LDP the Denbighshire UDP will be superseded and cancelled. Once adopted the Council must post a public notice in the local newspapers and notify those people who have requested to be kept informed, directing them to the Adoption Statement (attached as Appendix 4).
- 4.8 Without an adopted LDP the Council will find it difficult to control the level and extent of development in the County, i.e. it would be difficult to resist planning proposals on sites not included in the Plan, because of a lack of sufficient housing land supply. Not adopting the Plan will therefore encourage those promoting sites that were not included in the Plan to submit planning applications for their development. It would also be more difficult to refuse sites contained within the unadopted Plan on matters of detail, including necessary infrastructure requirements as there would be no associated SPGs, infrastructure plan(s), development briefs etc, as necessary, and where appropriate for the addition 25 sites.
- 4.9 If the Plan is adopted any development proposals for sites allocated will therefore still be subject to the usual considerations at the planning application stage. A number of the additional 25 sites **will** rely on the provision of new infrastructure to be delivered and it is proposed that a detailed assessment of infrastructure requirements, together with an associated SPG, infrastructure plan(s), development briefs etc as appropriate be produced as and when required prior to the development of those sites. The phasing policy put forward by the Council was designed to regulate the release of housing sites. The Inspector did not accept this policy, however the approach proposed would allow the Council to have some control over the delivery of development. Without adequate provision for infrastructure, development proposals would be refused planning permission, a decision that will carry more weight with an adopted LDP, than without an adopted LDP. Members will therefore still have the final say in terms of granting planning permission

for any of the sites allocated in the plan after careful consideration of the details of the proposals.

- 4.10 An adopted LDP will provide a robust, up to date framework to allow the Council to guide and control future development in the County, together with allocating land to meet the County's needs for new housing, employment, etc. The Inspector has found the Plan 'sound' and has agreed with the majority of the Council's policies. Councillors undoubtedly have concerns about the addition of further sites and lack of a phasing policy. However, control over future development can be properly exercised through the adoption of the LDP and the development and use of infrastructure plans and site development briefs to be adopted as SPG. It is therefore recommended that Council adopt the LDP.

Monitoring and Review

- 4.11 Once adopted the Council must submit an Annual Monitoring Report on the LDP to Welsh Government. This will examine whether the Plan's policies are working and whether any policies need to be reviewed. The Council must review the Plan 4 years after adoption. A review could result in a full or partial change to the Plan, or no change at all. Any elements changed will be the subject of a public consultation, a formal decision by Members and any subsequent examination.

Supplementary Planning Guidance

- 4.12 The Council has a series of adopted SPG notes which were prepared to supplement policies contained within the UDP. A list of adopted SPGs is included in **Appendix 3** to this report.
- 4.13 In order to ensure conformity with LDP policies (and changes in other policy/legislation), a review of each of the existing SPGs will be carried out as soon as is practicable following adoption of the LDP. In the interim, it is proposed that these be carried forward for use in the determination of planning applications. Additional SPGs, infrastructure plan(s), development briefs etc will also be required as soon as is practicable following adoption of the LDP.

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

- 5.1 The LDP will have a direct role to play in achieving the priorities of 'Developing the Local Economy' and 'Ensuring Access to Good Quality Housing' through the policies and proposals within it, influencing development on the ground.

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

- 6.1 The vast majority of costs in progressing the LDP have already been incurred. Having an adopted LDP will impact positively on most services in the Council given that it is a key strategic document that will promote economic development throughout the County. Failure to adopt the LDP will undoubtedly have further and potentially significant cost implications to the Council

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

7.1 The completed EqIA template is attached as **Appendix 6** to this report. This concludes that an EqIA is not required for adoption of the LDP. An EqIA was previously carried out on the content of the LDP and reported to Full Council in May 2011.

8. What consultations have been carried out with Scrutiny and others?

8.1 The LDP has been developed through extensive consultation and all representations received have been passed on the Inspectors and have been considered by them. The public Hearing Sessions have enabled those invited to present their evidence verbally to the Inspectors.

9. Chief Finance Officer Statement

The costs associated with progressing the LDP should be contained within existing resources. The Council has a specific reserve within the accounts to contribute to the costs of producing the Plan should additional funding be required.

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

Under Section 113 of the Planning & Compulsory Purchase Act any person can challenge the validity of the LDP on the grounds that it is not within the appropriate power or that requirements in Part 6 of the Act or the LDP regulations have not been complied with. In such circumstances an application can be made to the High Court and this must be made within 6 weeks of the publication of the adoption notice. The risks associated with not agreeing to adopt the LDP are outlined in the body of the report above.

11. Power to make the Decision

11.1 Local Government Act 2000, Planning & Compulsory Purchase Act (2004), and associated regulations and guidance.

Report To: County Council

Date of Meeting: 4 June 2013

Lead Member / Officer: Cllr Barbara Smith / Alan Smith

Report Author: Tony Ward

Title: Annual Improvement Report: Denbighshire County Council

1. What is the report about?

- 1.1. This paper presents the latest Annual Improvement Report for Denbighshire County Council, issued by the Wales Audit Office (WAO) in May 2013. The report is attached at Appendix I.

2. What is the reason for making this report?

- 2.1. This report provides information regarding the latest Annual Improvement Report for Denbighshire County Council. This is the key external regulatory report received by the council each year.

3. What are the Recommendations?

- 3.1. It is recommended that Members consider the report and highlight any issues of concern or that require further clarification by the Wales Audit Office (who will be represented at the meeting).

4. Report details.

- 4.1. Each year, the Auditor General must report on how well Welsh councils, fire and rescue authorities and national parks are planning for improvement and delivering their services. Drawing on the work of the relevant Welsh inspectorates, as well as work undertaken on his behalf by the Wales Audit Office, this report presents a picture of improvement over the last year. The report is in three main sections, which cover, for the most part, Denbighshire County Council's (the Council) delivery and evaluation of services in relation to 2011-12, and its planning of improvement for 2012-13.
- 4.2. Overall the Auditor General has concluded that: the Council is making good progress in delivering its improvement programme but there is scope to improve the quality of some of the performance measures and evidence the Council uses to judge its effectiveness.
5. The Auditor General has made no new recommendations this year. However, the report does set out the progress the Council is making to address the recommendations and proposals for improvement made in previous reports.

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

6.1. The report does not require a decision.

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

7.1. There is no cost implication associated with this report.

8. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

8.1. There is no requirement for an equality impact assessment as this report will not result in a decision which will result in any change for staff or the community. It will therefore not have a disproportionate negative impact on people who share particular protected characteristics.

9. What consultations have been carried out with Scrutiny and others?

9.1. A draft of the Annual Improvement Report was presented to, and discussed with, the Chief Executive, and feedback was provided prior to the report being finalised. The Annual Improvement Report will be presented to Performance Scrutiny Committee in June 2013 (as it focusses on performance issues) and also to Council in June 2013 as it is a key report for the authority.

10. Chief Finance Officer Statement

10.1. Not required.

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

11.1. The Corporate Risk Register contains all the significant corporate risks which, if they were to occur, may impact on the ability of the council to delivery continuous improvement.

12. Power to make the Decision

12.1. The report does not require a decision.



WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

Annual Improvement Report

Denbighshire County Council

Issued: May 2013

Document reference: 258A2013

About the Auditor General for Wales

The Auditor General is independent of government and is appointed by Her Majesty the Queen. He leads the Wales Audit Office and is held accountable by the Public Accounts Committee of the National Assembly for the Wales Audit Office's work.

The Auditor General is the external auditor of the Welsh Government and its sponsored and related public bodies, the Assembly Commission and National Health Service bodies in Wales. He also appoints the external auditors of Welsh local government bodies, including unitary authorities, police, probation, fire and rescue authorities, national parks and community councils. The Auditor General's appointed auditors are responsible for the annual audit of nearly £5.5 billion of funding that is passed by the Welsh Government to local government in the form of general and specific grants. Local government, in turn, raises a further £2.1 billion through council tax and business rates.

As well as carrying out financial audit, the Auditor General's role is to examine how public bodies manage and spend public money, including achieving value in the delivery of public services. The Wales Audit Office aims to make public money count, by promoting improvement, so that people in Wales benefit from accountable, well-managed public services that offer the best possible value for money. It is also committed to identifying and spreading good practice across the Welsh public sector.

This Annual Improvement Report has been prepared on behalf of the Auditor General for Wales by Huw Lloyd Jones and Gwilym Bury under the direction of Alan Morris.

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Summary report

- 1 Each year, the Auditor General must report on how well Welsh councils, fire and rescue authorities and national parks are planning for improvement and delivering their services. Drawing on the work of the relevant Welsh inspectorates, as well as work undertaken on his behalf by the Wales Audit Office, this report presents a picture of improvement over the last year. The report is in three main sections, which cover, for the most part, Denbighshire County Council's (the Council) delivery and evaluation of services in relation to 2011-12, and its planning of improvement for 2012-13.
 - the Council's programme to improve roads is progressing but, following the 2012 floods, an independent investigation will determine whether actions are needed to ensure flood risk in the County is appropriately managed in the future; and
 - the Council continues to make good progress with its planned actions to improve the way it works.
- 2 Overall the Auditor General has concluded that: the Council is making good progress in delivering its improvement programme but there is scope to improve the quality of some of the performance measures and evidence the Council uses to judge its effectiveness.
- 3 In the first part of our report, we conclude that the Council is making good progress in delivering improvement in its priority areas:
 - performance continues to improve in most aspects of the Council's work to adapt service delivery to address demographic change;
 - there has been progress in supporting regeneration projects in Rhyl but, in challenging economic times, progress has been slow in supporting economic growth across Denbighshire as a whole;
 - Estyn has judged that the Council provides good quality education services for children and young people and that prospects for further improvement are good;
- 4 The second part of the report finds that the Council's corporate performance management arrangements support reliable self-evaluation but there is scope to improve the quality of some of the evidence the Council uses to judge its effectiveness.
- 5 Finally, the third part of the report sets out our views on how well the Council is planning for, and making arrangements to support, improvement. We conclude that the Council's arrangements to support improvement are good. In particular:
 - the Council has discharged its improvement reporting duties under the Measure;
 - the Council has complied with its responsibilities under the Equality Act 2010 and its *Welsh Language Scheme*; and
 - the Council continues to make good progress in addressing the proposals for improvement identified in our previous assessments.

Recommendations

- 6 I make no new recommendations this year. This report sets out the progress the Council is making to address the recommendations and proposals for improvement made in my previous reports. Those proposals for improvement are set out in my improvement assessment letters issued to the Council during the course of the year. [Appendix 5](#) gives more detail. These letters are available on our website www.wao.gov.uk.

Detailed report

Introduction

- 7 Under the Local Government (Wales) Measure 2009 (the Measure), the Auditor General must report each year on how well Welsh councils, fire and rescue authorities and national parks are planning for improvement and delivering their services. **Appendix 1** provides more information about the Auditor General's powers and duties under the Measure.
- 8 With help from Welsh inspectorates, Estyn (for education) and the Care and Social Services Inspectorate for Wales (the CSSIW), we have brought together a picture of what the Council is trying to achieve and how it is going about it. This report also sets out the progress the Council has made since the Auditor General published his last annual improvement report, drawing on the Council's own self-assessment.
- 9 We do not undertake a comprehensive annual review of all Council arrangements or services. The conclusions in this report are based on our cumulative and shared knowledge and the findings of prioritised work undertaken this year.
- 10 Given the wide range of services provided and the challenges facing the Council, it would be unusual if we did not find things that can be improved. The Auditor General is able to:
- recommend to Ministers of the Welsh Government that they intervene in some way;
 - conduct a special inspection and publish the report with detailed recommendations;
 - make formal recommendations for improvement – if a formal recommendation is made the Council must respond to that recommendation publicly within 30 days; and
 - make proposals for improvement – if we make proposals to the Council, we would expect it to do something about them and we will follow up what happens.
- 11 We want to find out if this report gives you the information you need and whether it is easy to understand. You can let us know your views by e-mailing us at info@wao.gov.uk or writing to us at 24, Cathedral Road, Cardiff CF11 9LJ.

The Council is making good progress in delivering its improvement programme but there is scope to improve the quality of some of the evidence the Council uses to judge its effectiveness

The Council is making good progress in delivering improvement in its priority areas

Performance continues to improve in most aspects of the Council's work to adapt service delivery to address demographic change

12 The Council's *Corporate Plan 2009-2012* included the objective of 'adapting service delivery to address demographic changes'. It noted that the population of Denbighshire was growing by about 1,000 people each year and the population was ageing. It said there was a need to attract young people and encourage Denbighshire's young people to make a future in the county so that, over time, a more balanced population could be achieved. This would involve modernising education, having suitable housing available and using the *Local Development Plan* to outline the future infrastructure for residential, business and service areas in the county. The initial priorities, however, were to be directed towards:

- independence and choice for older people – older people are able to live independently for longer;
- independence and choice for people with learning disabilities; and
- community initiatives meet the needs of an increasing population of older and disabled people.

13 We found that the Council's performance continues to improve in most aspects of its work to adapt service delivery to address demographic change.

Arrangements to support independence for older people continue to improve

14 The Council has identified a range of actions to aid independent living that include:

- increasing support for those who have had falls, hospital treatment or other situations through reablement services;
- improving supported housing options through 'extra care housing';
- reducing the number of people needing support in care homes; and
- increased use of telecare.

In 2011-12, performance on all these actions improved from the previous year.

15 The CSSIW concluded in its Director's report¹ about 2011-12, published in October 2012, that there was positive change and improvement in adult services but the assessment of the needs of carers remained an area for improvement. The following is a summary extracted from the full report.

1 An annual review of a Council Social Services performance undertaken by the CSSIW which includes an assessment of a Council's self-evaluation of its performance (often called the 'Directors report'). The CSSIW provides an overall evaluation of performance and identifies areas of progress and areas for development.

- 16 The CSSIW found that the Council has made progress in developing a wide range of services and mainstream local community facilities to encourage independence. A reablement service has been successfully implemented. Two-thirds of people referred to it do not require a further service and the majority of people surveyed provide positive feedback of their experience. The Council is seeking ways to extend the reablement service model to people provided with services by the independent sector.
- 17 The CSSIW identified that the Council had succeeded in providing alternatives to residential care through an increased provision of extra care housing, and the further development of existing sheltered housing and community living schemes. Many services are provided in partnership with health, the independent or voluntary sector. Other positive developments include the extension of telecare to 450 additional people and delivering over 80 per cent of equipment that helps to maintain people's mobility and independence within five working days.
- 18 The CSSIW also identified that the Council had introduced specific measures to increase the involvement of users of social services in their planning and delivery. This was a central feature in the development of community living services, for example, and is also illustrated by the training of five older people under the Dignity in Care and Equalities (DICE) initiative. This helped to cascade the DICE message to older people, to staff employed by the Council and to the independent and voluntary sectors through training events. Another initiative is the inclusion of mental health service users as paid members of service planning boards.
- 19 A number of initiatives have been used to improve services to carers and the Council reports that all carers who are assessed are provided with a service. However, only approximately one third of carers were offered or provided with an assessment or review. A waiting list for assessments was developed in 2011-12 and increased funding has been made available to address increased demand. This is an area that the CSSIW identified as requiring improved performance.
- Progress is being made in supporting independence for people with learning disability**
- 20 The Council has increased both the number and rate of adults with learning disabilities who are supported in the community and reduced the number and rate of those supported in care homes. In addition, the project to provide new accommodation for people with learning disabilities was completed in July 2012.
- 21 A key measure to increase the numbers of people who exercise full choice and control of their personal support is through better promotion and improved take-up of direct payments. The CSSIW reported that the take-up of Direct Payments in Denbighshire is still low compared to some other councils. The Council took steps to try to improve take-up during 2011-12 but the effectiveness of the measures remains to be seen.

Some progress is being made with the plans to support community initiatives to meet the needs of older and disabled people

- 22 The Council uses a range of local indicators to judge success in encouraging and facilitating a healthy lifestyle and the well-being of older and disabled people. The performance measures the Council has chosen to reflect progress against this objective show a positive picture overall.
- 23 However, the number of people supported into education, training, or employment was below the Council's target and the number of people participating in disability sport sessions declined from 8,504 to 3,012 in 2011-12. The appointment of a Disability Sports Officer has coincided with some increase in sports participation during 2012.

There has been progress in supporting regeneration projects in Rhyl but, in challenging economic times, progress has been slow in supporting economic growth across Denbighshire as a whole

- 24 The Council's 2011-12 improvement objective for 'regenerating our communities' had three intended outcomes:
- reducing socio-economic deprivation in the northern coastal strip;
 - supporting sustainable economic growth; and
 - reducing the rate of decline in the rural economy.

Progress has been made in supporting key regeneration projects in Rhyl and the Council has begun to identify the resources necessary to achieve the ambitions it shares with partners for the town

- 25 The Council is seeking to reduce high deprivation in the northern coastal strip – particularly in parts of Rhyl. The Council and its partners did not achieve all the targets and planned actions for 2011-12 in relation to increasing satisfaction with the area as a place to live or reducing the numbers living in poverty. However, the Council and its partners were successful in reducing criminal damage, continuing to support a number of capital projects including the start of work on the new bridge and harbour improvements at Foryd Harbour. Key decisions were taken on the retention of the Sky Tower as an iconic building and the demolition of the Honey Club as part of the eyesore removal project.
- 26 The Council has made good progress in licensing 41 houses in multiple occupancy, achieved its target of licensing 30 houses per year for 2011-12 and increasing the percentage of year 11 pupils in Rhyl continuing in education.
- 27 The Council has again not met its aim of reducing the rate of Job Seekers Allowance claimants in Rhyl compared to elsewhere in Denbighshire. As in 2010-11, the level of claimants will have been affected by the general problems in the economy. As we stated in our last *Annual Improvement Report*, the size of the task of regeneration in Rhyl is daunting and the Council's influence is limited. Significant capital investment is required with major attractions

and sites in need of improvement and development. However, Welsh Government, Council and European Union capital funding for the Foryd Harbour development, including a new cycle and footbridge, demonstrates progress.

- 28 Management accountability for the regeneration objective was re-assigned during 2012 following senior management restructuring and the appointment of a new strategic director. We found that this change had led to increased impetus and focus for the work at Rhyl. Some of this impetus has focused on the *Rhyl Going Forward* delivery plan, which pulls together the various strands of existing work into a clearer and more focused framework. However, as we reported last year, the Council also recognises the need to clearly identify what support is required from all its services and its partners to contribute to the implementation of the strategy, especially to the regeneration of West Rhyl. We shall continue to monitor progress on this work during 2013-14.

The Council has delivered many actions to support the County's economy but its measures of success show limited progress in very challenging economic times

- 29 The Council set itself a range of actions to support economic development and has successfully carried out many of these but, in very challenging economic times, it is difficult to judge the impact of the Council's intervention.

- 30 The Council achieved its target for reducing the ratio of house prices to average earnings but this outcome may only reflect the economic problems leading to reduced housing prices.

- 31 The target to reduce the level of Job Seekers Allowance claimants compared to Wales was missed, but this indicator has fluctuated and may not be a reflection on the effectiveness of the Council's work to support economic growth. The reduction during 2011-12 in the percentage of economic inactivity in Denbighshire is positive and is greater than the average for Wales.

- 32 The Council's arrangements for administering housing benefit are supporting improvement; processes should ensure that timely payments are made to the right people and the service is generally effective and responsive. The average processing time for new housing benefit claims are the same as the Welsh average at 20 days, and have improved from the previous year. Average processing time for dealing with change of circumstance notifications is better than the Welsh average. A higher percentage of new claims were decided within 14 days than in the previous year. The level of activity in counter fraud has increased with a higher number of fraud referrals, investigations and successful sanctions than in the previous year. The total number of applications for reconsideration or revision, and the total number of appeals has reduced. The performance of a small number of indicators declined during 2011-12. Notably the percentage of

overpayments identified and recovered has fallen, and it is taking the service longer to deal with applications for reconsideration or revision, and appeals.

The Council's work to reduce the rate of decline of the rural economy shows progress in line with its targets

- 33 The Council achieved the targets it set itself to reduce the rate of decline in the rural economy, and exceeded targets to support micro rural enterprises and the number of jobs created in such businesses. Member Area Groups continue to tackle small-scale issues seen as affecting the local rural economy, such as the Neuadd Pwllglas refurbishment project in Ruthin.

Estyn has judged that the Council provides good quality education services for children and young people and that prospects for further improvement are good

- 34 Her Majesty's Inspectorate for Education and Training in Wales (Estyn) and the Wales Audit Office undertook an inspection of the Council's education services for children and young people. The report was published in February 2012. The following is an extract summary from the full report.
- 35 Estyn identified that, in Denbighshire, levels of free-school-meals and other deprivation measures had increased at a faster rate than across Wales in the three years preceding the inspection. Despite this, performance had also improved at a faster rate than across Wales in both key

stages 2 and 4 during this time. Key stage 3 performance had kept pace with that across Wales until 2010, although it improved more slowly in 2011. In 2011, the percentage of learners gaining the core subject indicator in key stages 2 and 4 were above the all-Wales average. This level of performance compared well with other authorities when contextual information is taken into account. However, in key stages 1 and 3 performance dropped below Welsh averages.

- 36 Estyn concluded that Denbighshire's performance against the Welsh Government's benchmarks for performance based on free-school-meal entitlement had improved over the last five years. Overall, progress between primary and secondary schools was good. In 2011, the gap in performance on the core subject indicator between boys and girls was less than the average for Wales at all key stages. Particular groups of learners, including vulnerable groups and those with additional learning needs, were generally attaining their expected levels. Learners were making good progress in gaining skills in first and second language Welsh, and generally achieving good standards in both subjects. The percentage of learners leaving primary school with functional literacy improved in 2011, and was better than the average across Wales. Learners who receive support to improve their literacy and numeracy skills made good progress and many maintained this improvement to end of the key stage. The percentage of Year 11 learners not in education, training or employment has decreased steadily in recent years and was better than the average for Wales.

- 37 Estyn found that support for school improvement had improved significantly since the previous inspection. The authority's school improvement and inclusion services had been restructured under one head of service. This restructuring had considerably strengthened joint working between officers within the authority, and was helping to improve the achievement of all learners.
- 38 The inspection found that the Council has very good arrangements to support and challenge schools, and knows its schools very well. Data is analysed thoroughly and used effectively to challenge progress and target interventions. Officers evaluate thoroughly the quality of leadership and management in schools and compare these with headteachers' own evaluations. As a result, the rigour and consistency of officers' and members' challenge to leadership and management in schools contribute well to improving standards. Challenge is a very strong feature of the authority's work. At the time of the authority's inspection the number of Denbighshire schools requiring follow-up after an inspection was among the lowest in Wales. The Council's Partnership Agreement with schools sets out clear criteria to define an appropriate level of support and intervention. Good procedures also exist to identify areas of specific risk and respond effectively to them. As a result, officers accurately identify schools needing additional support, leading to a steady improvement in standards. Systematic weakness in school leadership and management is addressed effectively to make sure that schools improve quickly enough.
- 39 Statutory processes in relation to pupils with additional learning needs are effective. Rigorous systems for moderating requests for additional support have resulted in a reduction in the number of statements of special educational needs issued. Good relationships and communication with parents and schools help keep the number of referrals to the Special Educational Needs Tribunal for Wales consistently low, with just one appeal conceded since 2009. The authority educates just over half of the learners with statements in mainstream schools, with most of these pupils attending mainstream classes with their peers. This means that most learners are educated near to their own home. Very few learners attend independent special schools, enabling the authority to spend nearly all the special needs budget on learners in its own schools.
- 40 Estyn concluded that overall value for money in education services was good. The budgets per pupil for both primary and secondary education were just below the Wales average, but attainment at most key stages was above average. The Council is developing its arrangements to assess the outcomes and value for money from services commissioned from external agencies, although these were not in place for all such services at the time of the inspection.
- 41 The Council is well placed to deliver its plans for 21st century schools, and has made good progress in delivering its Modernising Education programme. It has agreed an appropriate framework for school reorganisation and is delivering this framework through an effective process of area reviews. The Council has already made

good progress in addressing its identified priorities to increase Welsh medium provision and to reduce surplus capacity. Officers keep asset management surveys up-to-date and use these to prioritise maintenance.

The Council's programme to improve roads is progressing but following the 2012 floods an independent investigation is taking place to see if any improvement actions are needed to ensure flood risk in the County is appropriately managed in the future

42 In 2011-12, a Council improvement priority is 'securing a sustainable road network and flood defences'. The Council has reported that it did not meet all its targets for improving the condition of roads in 2011-12. Indicators for the condition of B and C roads improved but the trend of deterioration in the condition of A roads continued. Concern from the public about the condition of roads and awareness of the Council's performance contributed to the Council's decision to identify additional funding for roads maintenance in 2011-12. Part of the £1.5 million identified to invest in Council priorities has been used to pay for prudential borrowing of approximately £7 million for major highways works. New equipment has also been purchased. The Road Condition Index is a new indicator to provide more comprehensive information about the condition of the roads network in the county, and allows the Council more opportunity to target future investment in areas such as the Dee Valley, where roads appear to be in a very poor condition.

43 One of the reasons for keeping roads in good condition is to improve safety. Road safety is now being actively monitored by the Council through measures for skid resistance, accidents per kilometre, take-up of cycle and safety training, and insurance claims. In 2001-12 all these indicators met the Council's targets.

44 The Highways and Infrastructure service was, until October 2012, a jointly managed service with Conwy County Borough Council, with teams and elements of the service becoming increasingly integrated. In 2012, the two councils undertook a joint review of the effectiveness of these partnership arrangements. The review's resulting Business Plan showed that a fully integrated Highways service would not produce any significant savings or efficiencies. Following a senior management restructuring, the service is no longer jointly managed but the two Councils continue to look for further opportunities to rationalise management, reduce costs and improve services by strengthening those areas of sub-service that are already under single management and other opportunities where collaboration might bring benefits to residents.

45 The Council's objective is to reduce the number of properties at risk of flooding. A recent Environment Agency report² states that Denbighshire has approximately 3,000 properties at significant risk of flooding and about 14,000 further properties at moderate or low risk. The Council aimed to reduce the risk of flooding for 1,575 high-risk properties during 2009-2012, largely through the completion of flood defence schemes

² *Flooding in Wales: A national assessment of flood risk*, Environment Agency, September 2011

at Llangollen, Denbigh, Corwen and West Rhyl. The schemes were largely funded through government grants. These schemes have reduced the risk of flooding for 995 properties. Work has commenced on the West Rhyl coastal defence scheme, which should be completed in 2013-14. A new flood defence scheme for Corwen has now attracted Welsh Government funding and work is about to start.

- 46 In November 2012, there was serious flooding across North Wales and at 10 locations across Denbighshire, with considerable damage to property and the death of a vulnerable elderly resident. The Council set up a flood investigation working group, which has already produced some interim recommendations. The investigations are being carried out under the Flood and Water Management Act 2010, working in partnership with Environment Agency Wales and the North and Mid Wales Trunk Roads Authority. The purpose of the investigation is to clarify why the flooding happened, how likely it is for that scale of flooding to happen again and whether any improvement actions are needed to ensure flood risk in the County is appropriately managed in future. The final results of the investigation are due to be reported in the Summer of 2013.

The Council continues to make good progress with its planned actions to improve the way it works

- 47 In the *Corporate Plan 2009-2012*, the Council made a pledge to become a 'high performing Council, close to the community'. One of the Council's improvement objectives is to improve the way it works. We found that the Council continues to make good progress with the actions planned to address this objective.
- 48 The Council's target is to be in the top half of Welsh councils for performance in a basket of 19 indicators drawn from the National Strategic Indicators (NSIs), which all councils are required to measure. Whilst the indicators are not always good measures of outcomes for residents, they are drawn from across a range of services and do provide useful information on the delivery of services. They include indicators for: educational attainment for pupils aged 16; the timeliness of issuing of statements of special educational need; support for potentially homeless households; affordable housing units provided; changes of school for children in care; and levels of waste that are recycled.
- 49 In 2011-12, the Council achieved further progress with 15 of the 19 indicators in the top quartile for Wales. There are three indicators where recorded performance levels are in the bottom half of councils in Wales and the Council has addressed in its annual report what action it plans to improve performance.

- 50 The Council achieved a higher percentage of its outcome measure targets during 2011-12 (61 per cent) when compared to 2010-11 (55 per cent), although this is lower than the percentage achieved in 2009-10 (66 per cent).
- 51 We highlighted in last year's *Annual Improvement Report* the need for the Council more clearly to express the success criteria for achieving its ambition to be 'close to the community', and to clarify the accountability and monitoring for this aim. During the last year, the Council has identified two methods for measuring success in bringing the Council 'close to the community'. The first was by delivering the outcomes of its corporate priorities, which have been developed to address community needs. The second was by considering the results of the latest Residents' Survey.
- 52 The Residents' Survey, which was conducted for the first time in 2009 and then again in 2011, went out to a random selection of 6,000 households in Denbighshire. The Council survey suggested that more people in Denbighshire in 2011 felt the Council acted on their concerns and treated people fairly.
- 53 During 2011-12, the Council's Corporate Director for Learning and Communities has led on the development of a new programme of work to ensure that the Council continues to become 'closer to the community'. The Council has, for example, implemented a number of initiatives during 2011-12, including the town plans and member area groups (MAGs). The town plans aim to enable local communities to take a more active role in the planning of initiatives to revitalise their local areas. The member area groups aim to improve the process for consultation with local members on community issues.
- 54 As part of the Council's commitment to bring itself 'closer to the community' the Council reports progress in meeting specific improvements across the County's six community areas. The improvements set for each community area reflect the local priorities agreed during the consultation on the Corporate Plan. The analysis of progress on the community improvements is largely descriptive, such as the section on work in improving the Rhyl Harbour area, and it is not always clear how residents have directly benefited.

The Council's corporate performance management arrangements support reliable self-evaluation but there is scope to improve the quality of some of the evidence the Council uses to judge its effectiveness

- 55 Our last *Annual Improvement Report* (January 2012) concluded that the Council's performance management arrangements were soundly based and developing satisfactorily, with clear and effective leadership by senior officers and councillors. This continues to be the case. The performance scrutiny committee and the twice-yearly service challenges receive performance information of consistent quality and in an easily understood format. In addition to the service challenge, the Council's Cabinet reviews performance on a quarterly basis. There remains scope to improve the quality of questions asked by some committee members at service challenges to ensure a more consistent focus on the right issues.
- 56 We found that the Council has created a strong central policy team that oversees, co-ordinates, and actively manages performance. This has enabled the Council to implement a well-understood and consistent system for performance management. Staff within services acknowledge that they are responsible for their performance and understand how their work relates to delivering the Council's Improvement Objectives and corporate priorities.
- 57 In June 2012, we reported the results of our audit of the accuracy of a sample of the Council's performance indicators. Though our sample was smaller this year than in the past, the results were satisfactory and we qualified none of the Council's performance indicators.
- 58 There are examples of strong self-evaluation within individual services. The CSSIW has concluded that the Director's report³, demonstrated that clear leadership and performance management arrangements are in place and that the Director's report gives a comprehensive and detailed explanation of the past year, setting the local context with a clear account of the achievements and challenges Social Services has faced, and continues to face. It makes reference to the Council's achievements and future plans, and acknowledges areas where performance still needs to improve, or where service developments have not yet been achieved. The report also explains why changes that may not be immediately popular are being made, and provides an opportunity for readers of the report to provide feedback. The Council has provided the CSSIW with detailed position statements for adult and children's services, plus supporting evidence.
- 59 The Estyn inspection also found that the Council robustly reviews and challenges its education services for children and young people annually to secure improvement and value for money. The Council had strengthened its arrangements to support schools in financial difficulties and improved the effectiveness of monitoring and management of recovery plans. Good progress has been made in developing workforce planning arrangements in the authority and for schools.

3 An annual review of a Council Social Services performance undertaken by the CSSIW which includes an assessment of a Council's self-evaluation of its performance (often called the 'Directors report'). The CSSIW provides an overall evaluation of performance and identifies areas of progress and areas for development.

- 60 The Council's annual Performance Report (the Report) was published before the statutory deadline of 31 October 2012. The Report assesses the Council's performance in the preceding financial year (2011-12) and clearly sets out how the Council has sought to discharge its duties under the Measure.
- 61 The Report includes details of performance as measured by the national statutory performance indicators and provides a clear and well-structured focus on the Council's progress in the delivery of its Improvement Objectives. The Report is concise and well written and, for most of the Improvement Objectives set for 2011-12, reports clear, outcome-based performance. The narrative helpfully links the Improvement Objectives to the tables of statutory and key performance indicators. Where the output or outcome was not achieved, the Report includes a brief explanatory commentary.
- 62 We found that the Performance Report is clearly presented and easy to read and uses a consistent reporting structure to evaluate and report performance for each of the Improvement Objectives. Improvement Objectives are crosscutting and identify opportunities to promote integration across services and departments to deliver effectively the intended improvement. The Report includes some comments on areas where progress in delivering actions has been slow, or performance has fallen. For example, with regard to the indicator for the risk management of adult protection referrals, the Council notes that performance has declined, and outlines why this has happened.
- 63 As required, the Report includes an explanation of how its contents contribute to the Council's statutory duty to 'make arrangements to secure continuous improvement and account for it'.
- 64 The final section of the report summarises the Council's performance against its chosen 19 national indicators, and an outline of its performance management framework. The 19 national indicators are assessed by the Council to be the most suitable basket of indicators by which to judge if it is a 'high performing Council' but a summary which includes all of the 41 national indicators would give a clearer and more comprehensive assessment of progress.
- 65 Each Improvement Objective is supported by a series of activities and measures that are managed and delivered by the appropriate service area and monitored throughout the year as part of the Council's performance management framework. Importantly, the Council has introduced key internal processes within this system to both challenge and manage improvement.
- 66 We identified a number of aspects in which the Report does not adhere as well as it might to Welsh Government guidance. In particular:
- The Report does not provide a rounded summary of progress against aspects of some Improvement Objectives. For example, it is a key Welsh Government priority that all social housing should comply with the Welsh Housing Quality Standard (WHQS). The Council has reported WHQS performance through the various structures of its

performance management framework, but this information is not included in the Performance Report. The proportion of Council-managed social rented homes that met the WHQS has increased to 86 per cent in 2012, but nowhere does the Report note that the Welsh Government target is for all homes to meet the WHQS by March 2013. The latest estimate indicates that the Council will be only one of four councils to achieve the target by the end of 2013.

- In some of the Improvement Objectives, the Council acknowledges that focus of activity is very narrow and does not allow for a rounded assessment of progress. For instance, the regeneration Improvement Objective Outcome on sustainable economic growth is narrowly focused on three indicators, and a further three performance measures. No additional measures or actions have been included, for example, on either sustainability or quality of accommodation. These are equally as important as existing indicators on house prices, and the absence of this information presents only a partial picture of how well the Council is performing in this area.
- There is also only very limited reference in the Report to the status and outcomes of the Council's current regional and sub-regional collaborative projects. There is no reference in particular to recent performance difficulties with the Highways collaboration project with Conwy County Borough Council, aspects of which were the subject of a critical joint report by Conwy and Denbighshire's Internal Audit services.

67 On 28 September 2012, the auditor appointed by the Auditor General gave an unqualified opinion on the Council's 2011-12 accounts. The appointed auditor also issued his *Annual Audit Letter* before the end of November 2012 – [Appendix 3](#) gives more detail.

The Council's arrangements to support improvement are good

The Council has discharged its improvement reporting duties under the Measure

- 68 Following the local government elections in May 2012, the Council decided to develop a new Corporate Plan following a considerable amount of consultation and engagement with residents and its staff, including a residents' survey and workshops with young people.
- 69 The Council agreed and published its new *Corporate Plan 2012-17: An excellent council, close to the community* (the Plan) in October 2012. Our audit and assessment work found that the Plan meets the requirements of the Measure. The Council has set out a clear rationale for selecting the areas it is focusing on improving, based on its current performance, stakeholder and partner views and recent consultation activity with citizens. The Council has produced a Welsh language version of the Plan and provided summary versions on its website and in its newsletter, *County Voice*.
- 70 The Plan clearly sets out the Council's contribution to Denbighshire's Local Service Board community strategy, *The Big Plan for Denbighshire*. The Corporate Plan has seven Improvement Objectives relating to: education and school buildings; developing the local economy; improving roads; protecting vulnerable people; clean and tidy streets; access to good quality housing; and modernising the Council.
- 71 The Council has clearly stated what the Improvement Objectives aim to achieve and has included broad details, linked to its Medium Term Financial Plan, on the resources available, both revenue and capital, to support their delivery.
- 72 The clarity of the link between the Improvement Objectives and accompanying measures of success, baseline data and targets for improvement is not yet consistent across all seven Improvement Objectives. Some links are very clear and show the intended impact of improvement. The measures of success for the Improvement Objective to improve roads, for example, focus on an overall reduction in the percentage of roads being classed as being in poor condition, and improvement in residents' satisfaction with the quality of roads. It is therefore clear what the Council is seeking to improve.
- 73 In some other Improvement Objectives, the measures for assessing whether anyone is better off are not yet as detailed or effective. The Council reports that it intends to address this issue through publishing the technical guidance which will define indicators to measure success for all the Improvement Objectives and the 'excellence threshold' that the Council is aiming to achieve during the lifetime of the Corporate Plan.

The Council has complied with its responsibilities under the Equality Act 2010 and its Welsh Language Scheme

- 74 The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 (the Act) sets out specific requirements for local authorities in Wales. The Act required councils to develop and publish Equality Objectives and a Strategic Equality Plan by 2 April 2012. There is significant alignment between the requirement to produce Equality Objectives and the 'Fairness' element that authorities must consider in setting Improvement Objectives under the Measure. The Council's Corporate Plan includes an equality impact assessment, which includes some information on the Council's equality work, particularly in relation to research and reports on topics relating to protected groups and the Council's future plans for engagement with these groups. We believe the Council has met the requirements of the Act in setting its Improvement Objectives.
- 75 The role of the Welsh Language Commissioner was created by the Welsh Language (Wales) Measure 2011. Over time, new powers to impose standards on organisations will come into force through legislation. Until that time, the Commissioner will continue to review Welsh language schemes by virtue of powers inherited under the Welsh Language Act 1993. The Commissioner works with all local authorities in Wales to inspect and advise on the implementation of language schemes. It is the responsibility of local authorities to provide services to the public in Welsh in

accordance with the commitments in their language schemes. Every local authority is committed to providing an annual monitoring report to the Commissioner outlining its performance in implementing the language scheme. The Commissioner analyses every monitoring report; provides a formal response and collects further information as required.

- 76 The Commissioner judged that Denbighshire County Council has set in place a robust governance process, and the Bilingual Members Forum will consider the impact on the language when the Council discusses, confirms and implements its policies. The Council has also reviewed its Equality Relevance Assessment Form, which includes the Welsh language, to ensure that new policies or plans do not have a detrimental effect on the language. With more effective monitoring, the Council has ensured enhanced accountability and scrutiny regarding the language, but the process of monitoring contractors will need tightening in the year to come. The Council has committed to guarantee a Welsh language service in its main public contact centres, by ensuring contact details such as the bilingual helpline, e-mail addresses and the website are given appropriate publicity.

The Council continues to make good progress in addressing the proposals for improvement identified in our previous assessments

- 77 The Council complied with the requirement to make arrangements to secure continuous improvement during 2011-12 and has made good progress in most areas for improvement identified in previous audit letters and reports.
- 78 The Council undertook a corporate governance review as part of the process to update and agree its Annual Governance Statement. The review found that the Council had adequate arrangements in place for meeting the six principles in the framework but the review of the effectiveness of the arrangements identified significant governance risks relating to partnership and information. We have conducted further work at all councils in Wales on the production of the Annual Governance Statements and we shall produce a national report in due course.
- 79 Managerial responsibility within the Council for *Rhyl Going Forward* is still undergoing a period of transition as part of the reorganisation of duties amongst the Council's heads of service. At senior level, the newly appointed Corporate Director of Economic and Community Ambition has assumed responsibility for economic development. We shall provide a further assessment of progress with regard to the *Rhyl Going Forward* delivery plan later in the year.

Appendices

Appendix 1 Status of this report

The Local Government (Wales) Measure 2009 (the Measure) requires the Auditor General to undertake an annual improvement assessment, and to publish an annual improvement report, for each improvement authority in Wales. This requirement covers local councils, national parks, and fire and rescue authorities.

This report has been produced by the Wales Audit Office on behalf of the Auditor General to discharge his duties under section 24 of the Measure. The report also discharges his duties under section 19 to issue a report certifying that he has carried out an improvement assessment under section 18 and stating whether, as a result of his improvement plan audit under section 17, he believes that the authority has discharged its improvement planning duties under section 15.

Improvement authorities are under a general duty to 'make arrangements to secure continuous improvement in the exercise of [their] functions'. Improvement authorities are defined as local councils, national parks, and fire and rescue authorities.

The annual improvement assessment is the main piece of work that enables the Auditor General to fulfil his duties. The improvement assessment is informed by a forward-looking assessment of an authority's likelihood to comply with its duty to make arrangements to secure continuous improvement. It also includes a retrospective assessment of whether an authority has achieved its planned improvements in order to inform a view as to the authority's track record of improvement. This report also summarises the Auditor General's conclusions on the authority's self-assessment of its performance.

The Auditor General may also in some circumstances carry out special inspections (under section 21), which will be reported to the relevant authorities and Ministers, and which he may publish (under section 22). This published *Annual Improvement Report* summarises audit and assessment reports including any special inspections (under section 24).

An important ancillary activity for the Wales Audit Office is the co-ordination of assessment and regulatory work (required by section 23), which takes into consideration the overall programme of work of all relevant regulators at an improvement authority. The Auditor General may also take account of information shared by relevant regulators (under section 33) in his assessments.

Appendix 2

Useful information about Denbighshire and Denbighshire County Council

The Council

The Council spends approximately £234.8 million per year (2012-13 budget), including specific Welsh Government grants. This equates to about £2,500 per resident. In the same year, the Council also planned to spend £41.2 million on capital items.

The average band D council tax in 2011-12 was £1,024 per year. This increased by 2.8 per cent to £1,052 for 2012-13. Eighty-four per cent of Denbighshire's housing is in council tax bands A to D. The average band D council tax is the sixth highest in Wales although recent annual increases have been below average.

The Council is made up of 47 elected members who represent the community and make decisions about priorities and use of resources. The Leader is Councillor Hugh H Evans OBE. The political make-up of the Council is as follows:

- 8 Conservatives
- 13 Independent
- 8 Plaid Cymru
- 18 Labour

The Council's Chief Executive is Dr Mohammed Mehmet and his management team includes:

- Corporate Director: Modernisation and Wellbeing – Sally Ellis
- Corporate Director Economic and Community Ambition – Rebecca Maxwell
- Corporate Director: Learning and Communities – Hywyn Williams

Other information

The Assembly Members for Denbighshire are:

- Ann Jones, Vale of Clwyd, Labour Party
- Darren Millar, Clwyd West, Conservative Party
- Ken Skates, Clwyd South, Labour Party

Regional Assembly Members are:

- Llyr Huws Gruffydd, Plaid Cymru
- Mark Isherwood, Welsh Conservative Party
- Aled Roberts, Welsh Liberal Democrats
- Antoinette Sandbach, Welsh Conservative Party

The Members of Parliament for Denbighshire are:

- Chris Ruane, Vale of Clwyd, Labour
- David Jones, Clwyd West, Conservative
- Susan Elan Jones, Clwyd South, Labour

For more information see the Council's own website at www.Denbighshire.gov.uk or contact the Council at County Hall, Wynnstay Road, Ruthin, LL15 1YN. Telephone: 01824 706000.

Appendix 3

Appointed Auditor's Annual Audit Letter

Dr. Mohammed Mehmet
Chief Executive
Denbighshire County Council
County Hall
Wynnstay Road
Ruthin
Denbighshire
LL15 1YN

Dear Mohammed

Appointed Auditor's Annual Audit Letter

This letter summarises the key messages arising from my statutory responsibilities under the Public Audit (Wales) Act 2004 as the Appointed Auditor and my reporting responsibilities under the Code of Audit Practice.

The Council complied with its responsibilities relating to financial reporting and use of resources

It is the Council's responsibility to:

- put systems of internal control in place to ensure the regularity and lawfulness of transactions and to ensure that its assets are secure;
- maintain proper accounting records;
- prepare a Statement of Accounts in accordance with relevant requirements; and
- establish and keep under review appropriate arrangements to secure economy, efficiency and effectiveness in its use of resources.

The Public Audit (Wales) Act 2004 requires me to:

- provide an audit opinion on the Statement of Accounts;
- review the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources; and
- issue a certificate confirming that I have completed the audit of the Statement of Accounts.

Local authorities in Wales prepare their Statement of Accounts in accordance with the requirements of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom. This Code is based on International Financial Reporting Standards. On 28 September 2012 I issued an unqualified audit opinion on the Statement of Accounts stating that they present a true and fair view of the Council's financial position and transactions. My report is contained within the Statement of Accounts. The key matters arising from the audit were reported to members of the Corporate Governance Committee in my Audit of Financial Statements report on the 26 September 2012.

My consideration of the Council's arrangements to secure economy, efficiency and effectiveness has been based on the audit work undertaken on the Statement of Accounts as well as placing reliance on the work completed as part of the Improvement Assessment under the Local Government (Wales) Measure 2009. Overall, I am satisfied that the Council has appropriate arrangements in place. The Auditor General may highlight areas where the effectiveness of these arrangements has yet to be demonstrated or where improvements could be made when he publishes his Annual Improvement Report.

The Council's Corporate Plan (2012 to 2017) sets out how much additional money they plan to invest over the next five years in order to achieve their ambitions. Whilst I believe the Council is well placed to address its financial challenges, the amount of additional investment (£134m) over and above resources already committed to its priority areas is significant. Managing this level of investment will require robust governance procedures and continued consultation and engagement. As a result, the Council are re-visiting their medium term financial strategy and ensuring arrangements are put in place to manage this level of spend on an on-going basis.

I issued a Certificate confirming that the audit of the accounts has been completed on 28 September 2012.

The financial audit fee for 2011-12 is currently expected to be in line with the agreed fee set out in the Annual Audit Outline.

Yours sincerely

Derwyn Owen
For and on behalf of the Appointed Auditor

29 November 2012

Local electors and others have a right to look at the Council's accounts. When the Council has finalised its accounts for the previous financial year, usually around July or August, it must advertise that they are available for people to look at. You can get copies of the accounts from the Council; you can also inspect all books, deeds, contracts, bills, vouchers and receipts relating to them for 20 working days after they are made available. You can ask the auditor questions about the accounts for the year that they are auditing. For example, you can simply tell the auditor if you think that something is wrong with the accounts or about waste and inefficiency in the way the Council runs its services. For more information see the Wales Audit Office leaflet, *Council accounts: your rights*, on our website at www.wao.gov.uk or by writing to us at the address on the back of this report.

Appendix 4

Denbighshire County Council's improvement objectives and self-assessment

The Council's improvement objectives

The Council is required by the Welsh Government to make plans to improve its functions and the services it provides. Each year it must publish these plans along with specific 'improvement objectives' that set out the key things that the Council intends to do to improve. The Council must do this as soon as possible after 1 April each year.

The Council published its improvement objectives for 2012-13 in October 2012. The details are available on the Council's website at www.denbighshire.gov.uk. They are:

Key improvement objective priorities 2011-12	Key improvement objective priorities 2012-13
Adapting service delivery to address demographic changes.	Developing the local economy.
Reducing deprivation and growing Denbighshire's economy sustainably by strategically targeting resources.	Improving performance in education and the quality of school buildings.
Modernising the education service to achieve a high level of performance across the county.	Improving our roads.
Securing a sustainable road network and flood defences.	Vulnerable people are protected and able to live as independently as possible.
Improving the way the Council works.	Clean and tidy streets.
	Ensuring access to good quality housing.
	Modernising the council to deliver efficiencies and improve services for our customers.

The Council's self-assessment of performance

The Council's self-assessment of its performance during 2011-12 can be found on the Council's website at www.denbighshire.gov.uk.

Appendix 5

Proposals for improvement 2012-13

Over the course of our work in 2012-13 we have made some new proposals for improvement. These have previously been reported to the Council and are set out below for information. We will continue to monitor and report on the progress made by the Council in implementing the proposals under our future programme of work.

Proposals for improvement

P1 Provide a wider evidence base of information to enable the Council to assess whether it has met its Improvement Objectives.

P2 Include more information on the status and outcomes of the Council's collaborative projects.

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Gwefan: www.wao.gov.uk

Report To: Council

Date of Meeting: 4 June 2013

Lead Member / Officer: Head of Legal and Democratic Services

Report Author: Head of Legal and Democratic Services

Title: Electronic Voting System

1. What is the report about?

1.1 The operation of the electronic voting system in the Council Chamber and the constitutional implications of changing the way in which it is used.

2. What is the reason for making this report?

2.1 To provide information regarding the operation of the electronic voting system, requests that have been made for information from the system and the implications of changing the way in which the system is used.

3. What are the Recommendations?

3.1 That Council decides as to the future operation of the electronic voting system in the Council Chamber, on access to the voting records produced and any necessary amendments to the Council's standing orders.

4. Report details.

4.1 The Council's Standing Orders set out the way in which voting takes place at meetings of the Council or its committees. The Standing Orders provide for voting to take place by way of a show of hands or affirmation of the meeting. The majority of meetings are held in meeting rooms other than the Council Chamber in County Hall where there are no electronic voting facilities. Only Full Council and Planning Committee regularly meet in the Council Chamber.

4.2 The electronic voting system in County Hall's Chamber is used to produce quick, accurate numbers of members voting for, against or abstaining on a motion. The system also records the way that each member casts their vote and those records are occasionally requested by councillors, the press and members of the public. Owing to the use made of the voting system, the Council is currently unlikely to release information of individual votes cast (even following a Freedom of Information Act request) because the Council cannot guarantee the accuracy of the information.

4.3 Because the electronic voting system is only used to record the number of votes cast for, against or to abstain in respect of any matter to be decided at a

meeting extra precautions would have to be in place to guarantee the accuracy of the record of votes allocated to named councillors. These would include procedures to ensure that members never moved from an allocated seat (or that their voting card always moved with them) and thorough checks being made on the issuing of voting cards to eliminate any possibility of errors. Councillors might also have to assume responsibility for ensuring they have been allocated the correct voting card. As these measures are not needed to allow the voting system to accurately count the number of votes cast they have not been introduced and the electronic record of individual votes cast is viewed as a by-product of the system; not a guaranteed record. It should be noted that the additional precautions could be introduced if public access to the named voting records is agreed by Council, but this should not be retrospective i.e. for any meetings held prior to the extra measures.

4.4 There is already a procedure in the Standing Orders for recording the way votes are cast, which involves each councillor declaring how they are voting. This is called a recorded vote. A recorded vote will be taken where one sixth of the members present demand it. The results of a recorded vote will be set out in the minutes of the relevant meeting.

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

This decision does not impact directly on the corporate priorities.

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

There are no additional costs directly associated with this report.

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

Consultations

7.1 The electronic voting records and procedures have been considered by the Corporate Governance Committee on the 10 April 2013 and the group leaders on the 3 May 2013. The Committee and group leaders were in favour of allowing public access to the electronic records of how members voted as it supported openness and transparency, but also wanted all members to be aware of the issues involved.

Equality Impact Assessment

7.2 An equality impact assessment assesses the likely impact of decisions on people who share protected characteristics. The issues covered in this report are not considered to have any impact and a formal assessment has therefore not been undertaken.

8. Chief Finance Officer Statement

There are no obvious financial implications arising from this report.

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

This report outlines the risks attached to making the electronic voting records available to the public. The report also highlights the measures that would be needed if the Council decides to make the records available in the future.

10. Power to make the Decision

10.1 Local Authorities (Standing Orders) (Wales) Regulations 2006

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County Council Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Council Decision required (yes/no)	Author – Lead member and contact officer
Council Briefing 24 June	1	Rhyl/Prestatyn Coastal Development	To provide an update on progress with the development.	N/A	Jamie Groves / Alastair McNab / Tom Booty
	2	Emergency Planning	Don Norris to attend to present on role of members	N/A	Rebecca Maxwell
	3	Presentation on Modernising Programme	To receive a presentation on the Modernising Programme	N/A	Cllr Barbara Smith / Sally Ellis
	4	Member Engagement & Flexible Working (tbc)	To consider recent consultation with members	N/A	Cllr Barbara Smith / Steph O'Donnell / Chris Davies / Steve Price
9 July	1	Annual Council Reporting Framework (social services functions)	It is a statutory requirement that the Annual Report be presented to Full Council each year.	Yes	Cllr Bobby Feeley / Sally Ellis / Craig Macleod
	2	Final Budget Position and Revenue Outturn 2012/13	To receive the Final Budget Position and Revenue Outturn 2012/13	Yes	Cllr Julian Thompson-Hill / Paul McGrady
	3	Local Housing Strategy	To agree the Local Housing Strategy	Yes	Cllr Hugh Irving / Peter McHugh / Sue Lewis
	4	Investigators' Report on the	To consider the findings of	Tbc	Cllr David Smith /

County Council Forward Work Plan

Meeting		Item (description / title)	Purpose of report	Council Decision required (yes/no)	Author – Lead member and contact officer
		Floods	the report into flooding in Denbighshire		Rebecca Maxwell
	5	Appointment to the Police and Crime Panel	To consider DCC's appointment following the Panel's meeting on 4 June	Yes	Cllr David Smith / Gary Williams / Steve Price
	6	Draft Economic & Community Ambition Strategy	To consider approval for public consultation	Yes	Cllr Hugh Evans / Rebecca Maxwell
Council Briefing – Budget 15 July		Reserved for an all-Council budget workshop			Cllr Julian Thompson-Hill / Paul McGrady
10 September	1	Investigators' Report on the Floods at Glasdir, Ruthin	To consider findings of the report into flooding at Glasdir, Ruthin	Tbc	Cllr David Smith / Rebecca Maxwell
Council Briefing 16 September	1	Regeneration Strategy		N/A	Rebecca Maxwell
	2	Alliance Leisure (No more items to be added to this session)	To explain in detail the framework arrangements between Alliance Leisure and the Council	N/A	Jamie Groves / Alastair McNab

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8 October	1	Annual Performance Review 2012-13	To review the final draft of the Council's Annual Performance Review 2012-13 and approve the document for publication before the statutory deadline of 31 October 2013		Cllr Barbara Smith / Tony Ward
	2	Draft Economic & Community Ambition Strategy	To consider approval of the Strategy following the public consultation	Yes	Cllr Hugh Evans / Rebecca Maxwell
Council Briefing – Budget 21 October		Reserved for an all-Council budget workshop			Cllr Julian Thompson-Hill / Paul McGrady
5 November	1	Older People's Commissioner for Wales	To brief Members on the work of the Commissioner	N/A	Cllr Bobby Feeley / Sally Ellis
Council Briefing – 18 November	1	Natural Resources Wales	To consider issues relating to the new body & the management of natural resources	N/A	Rebecca Maxwell

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Meeting	Item (description / title)		Purpose of report	Council Decision required (yes/no)	Author – Lead member and contact officer
3 December	1	Update on the draft budget for 2014 / 15	To consider an update on the developing budget	No	Cllr Julian Thompson-Hill / Paul McGrady
Council Briefing – Budget 9 December	Reserved for an all-Council budget workshop				Cllr Julian Thompson-Hill / Paul McGrady
Council Briefing 27 January					
4 February					
25 February	1	Supplementary Planning Guidance Masterplan for the North Wales Hospital	To seek approval to adopt the SPG	Yes	Graham Boase
8 April					
Council Briefing 28 April					
13 May					

County Council Forward Work Plan

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ANNUAL MEETING				

Note for officers – Full Council Report Deadlines

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
<i>June</i>	20 May	<i>July</i>	25 June	<i>September</i>	27 August

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