



At: Aelodau'r Pwyllgor Archwilio
Perfformiad

Dyddiad: 18 Hydref 2013

Rhif Union: 01824 712554

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Annwyl Gyngorydd

Fe'ch gwahoddir i fynychu cyfarfod y **PWYLLGOR ARCHWILIO PERFFORMIAD, DYDD IAU, 24 HYDREF 2013** am **9.30 am** yn **YSTAFELL BWLLGOR 1A, NEUADD Y SIR, RHUTHUN LL15 1YN.**

Yn gywir iawn

G Williams
Pennaeth Gwasanaethau Cyfreithiol a Democraidaidd

AGENDA

RHAN 1 – ESTYNNIR GWAHODDIAD I'R WASG A'R CYHOEDD I DDOD I'R RHAN HON O'R CYFARFOD

1 YMDDIHEURIADAU

2 DATGAN CYSYLLTIAD

Dylai Aelodau ddatgan unrhyw gysylltiadau personol neu sy'n rhagfarnu yn unrhyw fusnes a nodwyd i'w ystyried yn y cyfarfod hwn.

3 MATERION BRYD FEL Y'U CYTUNWYD GAN Y CADEIRYDD

Rhybudd o faterion, ym marn y Cadeirydd, y dylid eu hystyried yn y cyfarfod fel mater brys yn unol ag Adran 100B(4) Deddf Llywodraeth Leol 1972.

4 COFNODION Y CYFARFOD DIWETHAF (Tudalennau 5 - 12)

Derbyn cofnodion cyfarfod y Pwyllgor Archwilio Perfformiad a gynhaliwyd ar 19 Medi 2013 (copi ynghlwm).

5 TCC YN SIR DDINBYCH (Tudalennau 13 - 22)

Ystyried adroddiad gan Bennaeth Cynllunio a Gwarchod y Cyhoedd / Rheolwr Gwarchod y Cyhoedd (copi ynghlwm) i ymgynghori gyda'r aelodau am amrywiaeth o opsiynau ar gyfer moderneiddio, uwchraddio a gwella TCC a Thim Cyswllt Tu Hwnt i Oriau Gwasanaeth y Cyngor.

9.35 a.m. – 10.05 a.m.

6 DIWEDDARIAD YNGLYN A THRWDDEDU TACSIS (Tudalennau 23 - 72)

Ystyried adroddiad gan Bennaeth Cynllunio a Gwarchod y Cyhoedd a'r Rheolwr Gwarchod y Cyhoedd (copi ynghlwm) ynglŷn ag effeithiolrwydd gweithdrefnau newydd trwyddedu yn dilyn gweithredu canfyddiadau adolygiad o faterion trwyddedu a gynhaliwyd gan Adran Archwilio Mewnol (gan bwysleisio'n benodol ar drwyddedau tacsî a chyfrifoldebau diogelu).

10.05 a.m. – 10.35 a.m.

~~~~~ **EGWYL 10.35 a.m. – 10.45 a.m.** ~~~~~

**7 DIWEDDARIAD AR Y STRATEGAETH YMYL PALMENTYDD ISEL**  
(Tudalennau 73 - 80)

Ystyried adroddiad gan Bennaeth y Priffyrdd a Gwasanaethau Amgylcheddol (copi ynghlwm) ynglŷn â llunio'r strategaeth a threfn y cyngor ar gyfer darparu myyl palmentydd isel yn y sir a'u perfformiad i gyflawni'r amcanion hyn.

**10.45 a.m. – 11.15 a.m.**

**8 CEISIADAU CYNLLUNIO** (Tudalennau 81 - 92)

Ystyried adroddiad gan Bennaeth Cynllunio a Gwarchod y Cyhoedd / Rheolwr Rheoli Datblygu (copi ynghlwm) i ganfod tueddiadau sy'n ymddangos neu bwysau fydd yn effeithio ar allu'r cyngor i ddarparu eu blaenoriaethau corfforaethol o ran sicrhau mynediad at dai o ansawdd da a datblygu'r economi lleol.

**11.15 a.m. – 11.45 a.m.**

**9 RHAGLEN WAITH ARCHWILIO** (Tudalennau 93 - 110)

Ystyried adroddiad gan Gydlynnydd Archwilio (copi ynghlwm) yn gofyn am adolygiad o raglen waith i'r dyfodol y pwyllgor a diweddarau'r aelodau ynglŷn â materion perthnasol.

**11.45 a.m. – 12.05 p.m.**

## **10 ADBORTH GAN GYNRYCHIOLWYR PWYLLGOR**

Derbyn yr wybodaeth ddiweddaraf gan gynrychiolwyr Pwyllgor sy'n aelodau o Fyrddau a Grwpiau'r Cyngor.

**12.05 p.m. – 12.10 p.m.**

### **RHAN 2 - MATERION CYFRINACHOL - EITEM 5, ATODIAD 1**

Argymhellir, yn unol ag Adran 100A (4) Deddf Llywodraeth Leol 1972, y dylid gwahardd y Wasg a'r Cyhoedd o'r cyfarfod yn ystod trafod y materion canlynol oherwydd y tebygolrwydd y caiff gwybodaeth eithriedig, fel y diffinnir ym Mharagraff 12 Rhan 4 o Atodlen 12A y Ddeddf, ei datgelu.

### **AELODAETH**

#### **Y Cynghorwyr**

William Cowie  
Meirick Davies  
Richard Davies  
Colin Hughes  
Geraint Lloyd-Williams

Peter Owen  
Dewi Owens  
Arwel Roberts  
Gareth Sandilands  
David Simmons

### **COPIAU I'R:**

Holl Gynghorwyr er gwybodaeth  
Y Wasg a'r Llyfrgelloedd  
Cyngorau Tref a Chymuned

Mae tudalen hwn yn fwriadol wag

## PWYLLGOR ARCHWILIO PERFFORMIAD

Cofnodion cyfarfod o'r Pwyllgor Archwilio Perfformiad a gynhaliwyd yn YSTAFELL BWLLGOR 1A, NEUADD Y SIR, RHUTHUN, Dydd Iau, 19 Medi 2013 am 9.30 am.

### YN BRESENNOL

Y Cyngorwyr William Cowie, Meirick Davies, Richard Davies, Colin Hughes, Geraint Lloyd-Williams, Dewi Owens, Arwel Roberts, Gareth Sandilands a/ac David Simmons (Cadeirydd)

### HEFYD YN BRESENNOL

Y Cyngorydd Hugh Irving, Aelod Arweiniol Cwsmeriaid a Chymunedau;  
Y Cyngorydd Barbara Smith, Aelod Arweiniol dros Foderneiddio a Pherfformiad;  
Cyngorydd Eryl Williams, Aelod Arweiniol Addysg

#### **Aelodau cyfetholedig:**

Debra Houghton, Nicola Lewis a'r Dr. Dawn Marjoram.

Cyfarwyddwr Corfforaethol Uchelgais Economaidd a Chymunedol (RM), Rheolwr y Tîm Gwella Corfforaethol (TW), Rheolwr Archwilio (BS), Pennaeth Cwsmeriaid a Chymorth Addysg (JW), Pennaeth Cynllunio Busnes a Pherfformiad (AS), Pennaeth Addysg (KE), Swyddog Cwynion Corfforaethol (CO'G).

Cydlynnydd Archwilio (RE), Swyddog Gwasanaethau Democraidd (KAE) a'r Gweinyddwr Pwyllgorau (SLW)

### **1 YMDDIHEURIADAU**

Derbyniwyd ymddiheuriadau am absenoldeb gan Mrs Gill Greenland (Aelod Cyfetholedig)

### **2 DATGAN CYSYLLTIAD**

Datganodd y Cyngorydd Geraint Lloyd Williams gysylltiad personol sy'n rhagfarnu mewn perthynas ag Eitem 5.

### **3 MATERION BRYN FEL Y CYTUNWYD GAN Y CADEIRYDD**

Ni chodwyd unrhyw faterion bryn.

### **4 COFNODION Y CYFARFOD DIWETHAF**

Cyflwynwyd cofnodion y Pwyllgor Archwilio Perfformiad a gynhaliwyd ar 20 Mehefin, 2013.

***PENDERFYNWYD** y dylid derbyn a chymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 20 Mehefin, 2013 fel cofnod cywir.*

Ar y pwynt hwn, caniatodd y Cadeirydd i'r Cynghorydd Bill Cowie dynnu sylw at fater gan fod yn rhaid i'r Cynghorydd Cowie adael y cyfarfod yn gynnar ar gyfer ymrwymiad a drefnwyd yn flaenorol.

Cafodd y Cynghorydd Cowie, ynghyd â'r Rheolwr Strategol Priffyrdd a'r Rheolwr Adain: Rheoli Rhwydwaith gyfarfod yn ddiweddar ynglŷn â Pholisi'r Cyngor ar gyrbau is. Byddai adroddiad yn cael ei gyflwyno i gyfarfod y Pwyllgor Archwilio Perfformiad ar 24 Hydref 2013. Byddai'r Pennaeth Amgylchedd a'r Rheolwr Strategol Priffyrdd yn bresennol i gyflwyno'r adroddiad.

Roedd y Rheolwr Gwasanaeth: Ansawdd a Datblygu Systemau wedi bod yn trafod gyda'r Adran Briffyrdd ynglŷn â defnyddio Grantiau Cyfleusterau Anabledd (GCA) i ariannu'r gwaith o osod cyrbau is. Byddai Rheolwr presennol y Tîm Gwella Corfforaethol yn dechrau swydd newydd yr wythnos ganlynol fel y Rheolwr Gwasanaeth: Ansawdd a Datblygu Systemau newydd. Cadarnhaodd, unwaith y byddai yn y swydd, y byddai'n gwirio ymarferoldeb defnyddio GCA i ariannu cyrbau is a gwirio fod y Cyngor yn cysylltu gyda chwmnïau ynni a dŵr wrth gynnal gwaith ar briffyrdd a phalmentydd ac ati, i weld a allai cyrbau is gael eu gosod ar yr un pryd os oes angen.

Cadarnhaodd y Cyfarwyddwr Corfforaethol: Uchelgais Economaidd a Chymunedol y byddai yn cysylltu â Phenaethiaid y Gwasanaeth Priffyrdd a'r Gwasanaethau Cymdeithasol i sicrhau fod trafodaethau'n cael eu cynnal yn briodol i hwyluso gosod cyrbau is lle bod angen. Byddai'r mater hefyd yn cael ei godi gyda phob Pennaeth Gwasanaeth i sicrhau y byddai ymagwedd gorfforaethol yn cael ei chymryd i ddarparu cyrbau is unwaith y byddai strategaeth / polisi wedi'i fabwysiadu.

## **5 ARHOLIADAU ALLANOL AC ASESIAU ATHRAWON**

Cyflwynodd yr Aelod Arweiniol ar gyfer Addysg, y Cynghorydd Eryl Williams, adroddiad (a gylchredwyd eisoes), i roi gwybodaeth ynglŷn â pherfformiad ysgolion ar bob cyfnod allweddol a chanlyniadau dros dro arholiadau allanol ar Gyfnod Allweddol 6 ac Ôl-16. Byddai dadansoddiad manwl o ganlyniadau'n cael ei gynnig i Aelodau Pwyllgor ar ôl cyhoeddi gwybodaeth wedi'i wirio a'i feincnodi, a fyddai ar gael ym mis Rhagfyr 2013.

I leihau unrhyw risgiau i gefnogaeth a her ysgolion yn ysgolion Sir Ddinbych, mae Swyddogion Addysg yn yr Awdurdod yn monitro ac yn asesu ansawdd y gefnogaeth ranbarthol oddi wrth GwE (y Gwasanaeth Effeithiolrwydd a Gwella Ysgolion Rhanbarthol).

Mynegwyd pryderon ynglŷn â natur a phwrrpas y profion. Effeithiwyd rhai plant yn emosiynol oherwydd y straen o sefyll y profion. Adroddwyd y pryder gan y Pennaeth Addysg i Lywodraeth Cymru (LIC).

Mynegwyd pryder arall yn sgil y ffaith fod y mwyafrif o athrawon wedi nodi nad oeddynt wedi derbyn hyfforddiant digonol ynglŷn â'r profion.

Rhagwelwyd y dirywiad yng nghanlyniadau Lefel 2 yn Ysgol Uwchradd Prestatyn ac roedd mesurau atodol wedi'u rhoi ar waith felly i geisio lliniaru risg y dirywiad. Holwyd a allai maint yr ysgol fod yn ffactor a oedd yn cyfrannu at hyn. Gwrthodwyd hyn oherwydd y ffaith y gallai perfformiad ysgolion mawr fod yn dda cyhyd a bod strwythurau'r ysgol yn effeithiol. Roedd Cyngor Sir Ddinbych yn gweithio'n agos gydag Ysgol Uwchradd Prestatyn ac roedd disgwyl i swyddogion gwrdd â'r Pennaeth i drafod strategaeth wella a'r mathau o gymorth sydd ar gael gan yr awdurdod addysg lleol a gan GwE.

Yn ystod y drafodaeth ar Ysgol y Santes Ffraid, datganodd y Cynghorydd Geraint Lloyd Williams gysylltiad personol sy'n rhagfarnu gan ei fod yn Llywodraethwr a rhiant yn Ysgol y Santes Ffraid. Gadawodd y Cynghorydd Williams yr ystafell gyfarfod ar y pwynt hwn.

Roedd trafodaethau'n mynd i gael eu cynnal gyda'r Pennaeth Dros Dro yn Ysgol y Santes Ffraid gan fod mater wedi codi yn ymwneud â chyrraeddiad mewn Mathemateg. Byddai strategaeth wella yn cael ei thrafod. Nododd y Pennaeth Addysg ei bod yn ymddangos fod canlyniadau Ysgol y Santes Ffraid yn ddigonol ond roedd lle i wella. Fodd bynnag, roedd amgylchiadau Ysgol y Santes Ffraid yn unigryw.

Cadarnhaodd y Pennaeth Addysg y byddai data Coleg Chweched Dosbarth y Rhyl yn cael ei gasglu pan fyddai'r Coleg yn darparu'r wybodaeth, a byddai'r canlyniadau terfynol ar gael ym mis Ionawr 2014 ynghyd â'r canlyniadau wedi'u dilysu ar gyfer y sir.

**PENDERFYNWYD** fod y Pwyllgor yn derbyn a nodi'r adroddiad yn amodol ar yr uchod.

### **Ar y pwynt hwn (10.15 am) cafwyd toriad am 15 munud**

Ailymunodd y Cynghorydd Geraint Lloyd Williams â'r Pwyllgor.

### **Ailddechreuodd y cyfarfod am 10:30am.**

## **6 CWYNIION PERFFORMIAD EICH LLAIS**

Cyflwynodd yr Aelod Arweiniol Cwsmeriaid a Chymunedau, y Cynghorydd Hugh Irving adroddiad (a gylchredwyd eisoes) yn darparu gwybodaeth i'r Pwyllgor ynglŷn â pherfformiad y Cyngor wrth ddelio ac ymateb i gwynion gan gwsmeriaid. Roedd yr adroddiad hwn yn darparu trosolwg o'r cwynion a dderbyniwyd gan Gyngor Sir Ddinbych dan Bolisi Adborth Cwsmeriaid y Cyngor 'Eich Llais' yn ystod Chwarter 1 2013/14.

Nododd y Pennaeth Cwsmeriaid a Chymorth Addysg fod yr adroddiad yn cael ei gyflwyno i'r Pwyllgor Archwilio Perfformiad bob chwarter blwyddyn. Cytunwyd yn flaenorol y byddai'r Pwyllgor Archwilio Perfformiad yn monitro'r amserlenni ar gyfer delio â chwynion. Roedd tueddiadau cwynion yn cael eu harchwilio ac roedd gwasanaethau'n ceisio dileu cwynion yn y dyfodol. Dymunai'r Pennaeth Cwsmeriaid a Chymorth Addysg dynnu sylw'r Pwyllgor at y ffaith fod gan y Gwasanaethau Cymdeithasol drefn gwyno wahanol ond roedd yn ceisio rheoli

gwybodaeth yn unol â hynny. Byddai'r Gwasanaethau Cymdeithasol bob amser fis ar ei hôl hi gyda'u data. Ar hyn o bryd, deliwyd â 93% o'u cwynion o fewn y terfynau amser gofynnol.

Cadarnhawyd fod llawer o waith eto i'w wneud o fewn Gwasanaethau Cwsmeriaid. Un cam oedd eto i'w gymryd oedd cynnwys enw'r swyddog oedd yn delio â'r gŵyn a chynnwys hynny ar y cofnod ar y system Rheoli Cyswllt Cwsmer ac yn ymddangos ar yr ymateb i'r cynghorydd sir.

Hefyd roedd Ap yn cael ei ddatblygu i alluogi aelodau i gael y wybodaeth ddiweddaraf am weithgareddau yn y gymuned. Rhoddodd y Pennaeth Cwsmeriaid a Chymorth Addysg amlinelliad cryno o'r modd y byddai'r Ap yn gweithio ac eglurodd y byddai'n cael ei gyflwyno dros y mis nesaf.

Byddai digwyddiad gweithdy yn cael ei gynnal ym mis Hydref, ac roedd aelodau wedi'u gwahodd iddo a byddai diweddiad ar wasanaethau cwsmeriaid yn cael ei roi gyda chyfle i drafod materion mewn rhagor o fanylder.

Roedd ailstrwythuro'r Gwasanaeth Tai a Datblygu Cymunedol wedi'i godi fel mater posibl a allai gynyddu nifer y cwynion a dderbyniwyd, gan fod swyddogion tai bellach yn gyfrifol am dros 1000 o achosion yr un. Byddai'r llwyth gwaith yn debyg o arwain at gynnydd mewn lefelau straen. Nododd y Pennaeth Cwsmeriaid a Chymorth Addysg fod y system CRM yn cofnodi pob galwad a dderbyniwyd. Byddai'r system yn amlygu meysydd lle nad oedd ymatebion yn cael eu hanfon o fewn yr amser a ddynodwyd. Byddai adroddiad misol yn cael ei gynhyrchu i aelodau, yn rhoi gwybod iddynt am y nifer llawn o gwestiynau a gyflwynwyd a'r nifer o ymatebion.

Wedi i'r aelodau ymweld â stoc tai'r Cyngor, holodd aelodau a oedd protocol / arfer safonol wedi bodoli er mwyn i Swyddogion Tai adrodd yn ôl i aelodau ar y cynnydd a wnaed wrth fynd i'r afael â materion a nodwyd yn ystod ymweliadau. Cadarnhaodd y Cyfarwyddwr Corfforaethol: Uchelgais Economaidd a Chymunedol y byddai'n gwirio ac yn adrodd yn ôl i'r Pwyllgor.

**PENDERFYNWYD** fod y Pwyllgor yn derbyn a nodi'r adroddiad yn amodol ar yr uchod.

## **7 ADRODDIAD ADOLYGIAD PERFFORMIAD BLYNYDDOL 2012/13**

Cyflwynodd yr Aelod Arweiniol dros Foderneiddio a Pherfformiad, y Cynghorydd Barbara Smith, adroddiad (a gylchredwyd eisoes) a oedd yn galluogi aelodau i graffu ar yr adroddiad drafft, cyn cyflwyno'r drafft terfynol i'r Cyngor ar 8 Hydref 2013.

Mae gofyn i'r Cyngor gyhoeddi adroddiad blynyddol ar ei berfformiad erbyn 31 Hydref pob blwyddyn. Roedd yr adroddiad a gyflwynwyd i'r Pwyllgor yn dangos Adolygiad Perfformiad Blynyddol drafft y Cyngor ar gyfer 2012/13.

Roedd bylchau arwyddocaol o fewn yr adroddiad drafft. Un rheswm am hyn yw nad oedd y dyddiad cau ar gyfer ymatebion i'r arolwg trigolion tan ddydd Gwener 20



Medi. Yn gyffredinol, roedd yr adroddiad yn dangos fod Sir Ddinbych wedi cael blwyddyn arall gadarnhaol yn 2012/13 a'i pherfformiad oedd y gorau yng Ngogledd Cymru unwaith eto. Yr adroddiad oedd blwyddyn gyntaf Cynllun Corfforaethol pum mlynedd. Dangoswyd y rhesymau dros y nifer o eitemau "coch" yn y Cynllun Corfforaethol.

Datblygwyd a chytunwyd ar Gynllun Corfforaethol 5 mlynedd yn ystod 2012. Roedd y Cynllun yn cynnwys y flaenoriaeth Uchelgais Economaidd newydd. Gan fod hon yn flaenoriaeth newydd, roedd angen cwmpasu a diffinio yn ofalus gyda'r bwriad o fesur llwyddiant yn y maes hwn. Roedd yn llawer rhy fuan i ddisgwyl profi llwyddiant yn y maes hwn gan fod y flaenoriaeth Uchelgais Economaidd yn un tymor hir.

Un dangosydd a oedd yn achosi pryder oedd y dirywiad ym mherfformiad yr Adran Gynllunio, ac ymddangosai nad oedd ar hyn o bryd yn llwyddo i ddelio â cheisiadau cynllunio o fewn yr amserlen o 8 wythnos. Gofynnodd Aelodau am gymhariaeth gyda ffigyrau ceisiadau a dderbyniwyd yn 2011/12 a 2012/13 yn ogystal â'r nifer o staff a gyflogwyd o fewn yr Adran Gynllunio dros y ddwy flynedd honno. Cytunwyd y dylid holi'r Pennaeth Cynllunio a Gwarchod y Cyhoedd, yn yr Her Wasanaeth nesaf pam fod perfformiad y Gwasanaeth yn erbyn yn ddangosydd yn is yn 2012/13 nac yn 2011/12.

Gofynnodd Aelodau i ychwanegu dyddiad yr adroddiad Adolygiad Perfformiad Blynyddol i'r clawr blaen er mwyn ei gwneud yn hawdd cyfeirio ato. Dylid hefyd ystyried defnyddio llai o liw (neu raddliwio ar y clawr blaen) er mwyn arbed inc. Gofynnodd Aelodau hefyd i swyddogion ddilysu'r ystadegyn yn ymwneud â'r swm cyfartalog o gostau teithio busnes a hawliwyd fesul gweithiwr y Cyngor cyn cyflwyno'r adroddiad i gael ei gymeradwyo gan y Cyngor Sir, gan fod y cyfanswm yn ymddangos yn ormodol.

***PENDERFYNWYD*** – bod yr Adolygiad Perfformiad Blynyddol drafft 2012/13 yn cael ei gyflwyno i'r Cyngor Sir er mwyn cael ei gymeradwyo.

Dymunodd y Pwyllgor yn dda i Tony Ward yn ei swydd newydd fel Rheolwr Gwasanaeth: Ansawdd a Datblygu Systemau ac anfonwyd eu dymuniadau gorau i'r dyfodol at Craig MacLeod yn ei swydd newydd gyda Chyngor Sir y Fflint a diolchwyd iddo am ei wasanaeth i Sir Ddinbych.

## **8 DYFODOL ADRODD PERFFORMIAD**

Cyflwynodd yr Aelod Arweiniol dros Foderneiddio a Pherfformiad, y Cynghorydd Barbara Smith adroddiad (a gylchredwyd eisoes) i ymgynghori ag aelodau ar y trefniadau i'r dyfodol ar gyfer adrodd ar berfformiad yn erbyn y Cynllun Corfforaethol.

Byddai Rheolwr y Tîm Gwella Corfforaethol yn gadael ei swydd ar 20 Medi 2013 yn sgil dyrchafiad mewnol. Felly, er mwyn sicrhau arbedion effeithlonrwydd, penderfynwyd dileu swydd Rheolwr y Tîm Gwella Corfforaethol a datblygu ffordd newydd o gyflawni busnes craidd y Gwasanaeth. Roedd gwahanol dimau'n adrodd ar berfformiad yn erbyn y Cynllun Corfforaethol a'r Cynllun Mawr, ond byddai'r

ddwy dasg yn cael eu tynnu ynghyd dan swyddogaeth sengl gan fod y ddau gynllun yn defnyddio'r un fframwaith rheoli perfformiad. Yn hytrach nac adrodd bob chwarter a chymryd amser aelodau a swyddogion, awgrymwyd y gellid cyfuno Adroddiad Monitro'r Cynllun Corfforaethol a'r adroddiad ar y Gofrestr Risg yn y dyfodol ac adrodd i'r Pwyllgor Archwilio Perfformiad ddwywaith y flwyddyn ar ddiwedd Chwarter 2 a Chwarter 4. Byddai'r Adroddiad Adolygu Perfformiad Blynyddol drafft yn cael ei gyflwyno i'r Pwyllgor yn ei gyfarfod ym mis Hydref bob blwyddyn.

Cytunwyd y byddai'r adroddiad yn cael ei gyflwyno ddwywaith y flwyddyn ac ar y rhaglen berthnasol, byddai awr yn cael ei neilltuo i glywed yr adroddiad. Oherwydd y trefniant hwn, byddai'r nifer o eitemau ar y rhaglen yn gostwng o 4 i 3 er mwyn caniatáu amser i gael trafodaeth fanwl.

**PENDERFYNWYD** fod y Pwyllgor yn cefnogi'r cynigion i:

- (i) *Ostwng y nifer o Adroddiadau Perfformiad Cynllun Corfforaethol yn ystod y flwyddyn o 4 i 2 y flwyddyn. Yn ychwanegol i hyn, byddai'r pwyllgor yn dal i dderbyn Adroddiad Perfformiad Blynyddol.*
- (ii) *Gostwng maint yr adroddiadau hyn yn ystod y flwyddyn fel eu bod yn canolbwyntio'n unig ar eithriadau mewn perthynas â mesurau a gweithgareddau perfformiad (h.y. pethau y gallent gael dylanwad positif arnynt).*
- (iii) *Alinio'r adolygiadau chwe-misol ar y Gofrestr Risg Corfforaethol fel eu bod yn cael eu hystyried gan y Pwyllgor Archwilio Perfformiad ar yr un pryd â'r Adroddiadau Perfformiad chwe-misol bwriedig ar y Cynllun Corfforaethol.*

## 9 RHAGLEN WAITH ARCHWILIO

Cyflwynwyd Adroddiad gan y Cydlynnydd Archwilio (a gylchredwyd eisoes) yn gofyn i'r Aelodau adolygu Rhaglen Gwaith i'r Dyfodol y Pwyllgor:

- (i) Bydd Ymweliadau â Darparwyr Mewnol yn cael eu cynnwys ar Raglen Gwaith i'r Dyfodol mis Mawrth 2014, ac yn flynyddol wedi hynny.
- (ii) Ychwanegu Cynllun Corfforaethol a Chofrestr Risg Gorfforaethol ar y cyd i gyfarfod mis Mawrth 2014. Symud y gofrestr risg o fis Ionawr 14 i fis Mawrth 14.
- (iii) Cynhaliwyd cyfarfod rhwng Cadeiryddion ac Is-Gadeiryddion Archwilio a'r Aelodau Cabinet yn ddiweddar. Aelodau Arweiniol i fynychu'r Pwyllgor Archwilio pan fod yr adroddiad ar y Rhaglen yn gofyn am hynny. Cytunwyd y bydd y Cynghorydd David Smith yn bresennol ar 24 Hydref 2013.
- (iv) Cafwyd trafodaeth ynglŷn â'r eitem Barcio oedd wedi'i threfnu ar y Rhaglen Gwaith i'r Dyfodol. Roedd wedi'i rhannu yn 2 adran ar hyn o bryd – un adran i'w thrafod gan Archwilio Perfformiad a'r llall i gael ei thrafod yn Archwilio Cymunedau. Byddai'n well gan CET a'r SLT iddi fod yn un eitem. Nododd y Cyfarwyddwr Corfforaethol: Uchelgais Economaidd a Chymunedol mai trafodaeth bolisi ar gyfer y pwyllgor Archwilio Cymunedau oedd hon yn ei barn hi. Cytunwyd ac eiliwyd y dylai'r eitem gael ei thrafod gan y Pwyllgor Archwilio Cymunedau. Cynhaliwyd pleidlais. 3 o blaid a 4 yn erbyn. Cytunwyd felly i beidio a gosod yr eitem ar Raglen Gwaith i'r Dyfodol y Pwyllgor Archwilio Perfformiad nes bod y Pwyllgor Archwilio Cymunedau

wedi ei thrafod yn gyntaf. Cytunwyd gohirio'r eitem o Raglen Gwaith i'r Dyfodol mis Hydref tan ar ôl trafodaeth y Pwyllgor Archwilio Cymunedau ym mis Tachwedd ar effaith strategaeth orfodi parcio'r Cyngor ar allu'r Cyngor i gyflawni ei flaenoriaeth a'i uchelgais gorfforaethol mewn perthynas â datblygu economaidd.

- (v) Ychwanegu Risgiau Adeilad Rhestredig Gradd 2 i Raglen Gwaith i'r Dyfodol cyfarfod mis Rhagfyr 2013.
- (vi) Bydd adroddiad er gwybodaeth yn cael ei gylchredeg ar lefel defnydd y Cyngor o staff dysgu llanw a disgwyliadau'r Awdurdod ohonynt. Gwnaed y cais hwn yn sgil adroddiad cenedlaethol diweddar ar y defnydd o athrawon llanw gan awdurdodau addysg lleol a'r effaith ar safonau addysgol disgyblion.

***PENDERFYNWYD*** y dylid cymeradwyo'r Rhaglen Gwaith i'r Dyfodol yn amodol ar y newidiadau, ychwanegiadau a'r cytundebau uchod.

## **10 ADBORTH GAN GYNRYCHIOLWYR PWYLLGOR**

Rhoddodd y Cynghorydd Richard Davies adroddiad llafar ar y cyfarfod chwarterol diweddar y cafodd gyda'r Gwasanaeth Adnoddau Dynol. Y prif bwyntiau oedd bod cyfraddau absenoldeb salwch yn is na'r un adeg y llynedd ar hyn o bryd. Roedd yr holl Wasanaethau wedi'u hatgoffa o bwysigrwydd sicrhau fod gwiriadau CRB wedi'u diweddarau ac ar y gofyn i gydymffurfio â'r polisi hwn ac ar y polisi yn ymwneud â derbyn geirdaon cyn cadarnhau penodiadau.

**Daeth y cyfarfod i ben am 12.30pm**

Mae tudalen hwn yn fwriadol wag

|                                  |                                                                                                                   |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Adroddiad i'r:</b>            | <b>Pwyllgor Archwilio Perfformiad</b>                                                                             |
| <b>Dyddiad y Cyfarfod:</b>       | <b>24 Hydref 2013</b>                                                                                             |
| <b>Aelod/ Swyddog Arweiniol:</b> | <b>Aelod Arweiniol dros Barth y Cyhoedd</b>                                                                       |
| <b>Awdur yr Adroddiad:</b>       | <b>Pennaeth Cynllunio a Gwarchod y Cyhoedd/<br/>Rheolwr Gwarchod y Cyhoedd</b>                                    |
| <b>Teitl:</b>                    | <b>Gwasanaeth Teledu Cylch Caeedig (TCC) a<br/>Galwadau Ffôn tu allan i Oriau Gwaith Arferol<br/>Sir Ddinbych</b> |

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## **1. Beth yw cynnwys yr adroddiad?**

- 1.1 Ymgynghori â'r Aelodau ar nifer o ddewisiadau i foderneiddio, uwchraddio a gwella Gwasanaeth Teledu Cylch Caeedig (TCC) a thîm Galwadau Ffôn tu allan i Oriau Gwaith Arferol y Cyngor.

## **2. Beth yw'r rheswm dros lunio'r adroddiad hwn?**

- 2.1 Yn y cyfarfod ym mis Ebrill dyma'r Aelodau'n gofyn yn arbennig am adroddiad ar y wybodaeth ddiweddaraf ar y cynnydd sydd wedi'i wneud gyda chynigion i ddatblygu gwasanaeth Teledu Cylch Caeedig (TCC) a Galwadau Ffôn tu allan i Oriau Gwaith Arferol.

## **3. Beth yw'r Argymhellion?**

Bod yr Aelodau yn:

- 3.1 nodi ac yn gwneud sylwadau ar gynnwys yr adroddiad, wedi'i gefnogi gan fentrau arfaethedig, a chytuno ar yr angen i Swyddogion ymgymryd â dadansoddiad achos busnes manwl ar bob un o'r cynigion; a
- 3.2 phenderfynu os ydyw'n briodol i'r Pwyllgor ystyried adroddiad sy'n rhoi diweddariad ar y cynnydd o fewn 6 mis.

## **4. Manylion am yr adroddiad**

- 4.1 Mae canolfan gwasanaeth Teledu Cylch Caeedig (TCC) a Galwadau Ffôn tu allan i Oriau Gwaith Arferol yn cael ei weithredu a'i reoli gan y Wasanaeth Cynllunio a Gwarchod y Cyhoedd. Mae'r ganolfan wedi'i lleoli yng Ngorsaf yr Heddlu, y Rhyl.
- 4.2 Mae darparu gwasanaeth TCC i fannau cyhoeddus yn gyfraniad allweddol at gyfrifoldebau Sir Ddinbych o dan y Ddeddf Trosedd ac Anhrefn 1998, ac yn cael ei gydnabod gan y Bartneriaeth Diogelwch Cymunedol (Heddlu Gogledd Cymru yn arbennig), Swyddogion Gorfodi yn y Cyngor a'r Aelodau o ddarparu gwasanaeth rhagorol a hanfodol. Er hynny, mae'r TCC mewn manau

cyhoeddus yn brin yn y Rhyl, Prestatyn a rhan fechan o Ruddlan h.y. nid yw'n wasanaeth eang gan y Cyngor.

- 4.3 Prif ddiben y system yw cefnogi'r ffordd y mae'r Bartneriaeth Diogelwch Cymunedol yn lleihau'r lefel o drosedd yn ogystal â lleihau'r gofid o drosedd, a sicrhau amgylchedd cyhoeddus diogel ar gyfer unigolion sy'n byw, yn ymweld, ac sy'n gweithio yn yr ardal.
- 4.4 Swyddogion y Cyngor sy'n rhedeg ystafell reoli'r TCC, ac maent yn gweithio sifftiau er mwyn cael gwasanaeth 24 awr, 7 diwrnod yr wythnos, 365 diwrnod y flwyddyn. Gan ei fod yn waith 24/7 maent hefyd yn gyfrifol am Reoli Cyswllt Cwsmer y Cyngor (yr unig fan cyswllt) tu allan i oriau gwaith arferol (e.e. mae'r tîm yn derbyn galwadau i'r Cyngor gan y cyhoedd yn ystod nosweithiau/hwyr nos, penwythnosau, gwyliau cyhoeddus ayb).
- 4.5 Bydd aelodau'n ymwybodol mai dim ond yn ddiweddar y gwnaethpwyd penderfyniad ar brosiect dichonoldeb sydd wedi bod ar y gweill ers tro byd i sefydlu ystafell reoli TCC ar gyfer Gogledd Cymru. Penderfynwyd nad oedd y Rhanbarth eisiau symud ymlaen â'r prosiect ac fe gytunodd Swyddogion a Swyddog Arweiniol y Cyngor â'r penderfyniad hwnnw. Drwy gymryd na fydd y Prosiect Rhanbarthol yn symud yn ei flaen mae Swyddogion ac Aelodau yn eiddgar i weld sut y gellir datblygu tîm TCC/Galwadau tu allan i Oriau Gwaith Arferol er mwyn cynnig gwasanaeth ehangach a mwy effeithiol. Rhaid gwneud hynny yn erbyn Cynllun Ariannol Tymor Canolig y Cyngor sydd wedi rhoi targed i'r tîm TCC/Galwadau tu allan i Oriau Gwaith Arferol o leihau ei gyllideb o draean (o lefel cyllideb 10/11 o £341k) erbyn blwyddyn ariannol 2014/15. Felly, erbyn 2014/15 dylid lleihau'r gyllideb o £341k y flwyddyn i £228k (hy arbediad net o £113k). Mae £50k o'r arbediad hynny wedi'i wneud yn barod, sy'n golygu bod angen cael gafael ar £63k dros y 18 mis nesaf.
- 4.6 Mae Swyddogion wedi llunio rhestr o gynigion ar sut i drawsnewid swyddogaethau'r tîm a gwneud arbedion ar yr un pryd, a chyn symud ymlaen i wneud dadansoddiad o achos busnes mwy manwl ar bob un o'r opsiynau gofynnwyd i'r Aelodau am eu safbwyntiau.
- 4.7 Mae'r holl gynigion wedi eu hatodi i Atodiad 1 ac wedi eu sefydlu ar braesept o gynnal y gwasanaeth 24/7 ar gyfer TCC a chanolfan galw tu allan i Oriau Gwaith Arferol y Cyngor. Mae Atodiad 1 wedi ei eithrio rhag datgeliad cyhoeddus yn unol â pharagraff 14 o Atodiad 12A i Ddeddf Llywodraeth Leol 1972.
- 4.8 Yn dibynnu ar safbwyntiau'r Aelodau, bydd yr holl gynigion wedi eu cynnwys yn Atodiad 1 yn cael eu harchwilio ymhellach drwy ymgymryd â dadansoddiad achos busnes manwl ar bob un. Bydd y gwaith hwn yn cynnwys Swyddogion o

bob cwr o'r Cyngor, ond yn arbennig adrannau Gwarchod y Cyhoedd, Eiddo, Hamdden, Addysg, Priffyrdd, Tai a Chyllid.

## **5. Sut y mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

5.1 Mae'r gwasanaeth TCC a Galwadau Tu Allan i Oriau Gwaith yn cyfrannu'n uniongyrchol at flaenoriaethau corfforaethol o ddiogelu'r diamddiffyn yn ein cymunedau, cadw ein strydoedd yn lân a thaclus a dod â'r Cyngor yn nes at y gymuned.

## **6. Beth fydd y gost a sut y bydd yn effeithio ar wasanaethau eraill?**

6.1 Nid oes costau uniongyrchol yn gysylltiedig â'r adroddiad hwn. Bydd unrhyw oblygiadau yn y gyllideb ar gyfer y dyfodol yn cael ei asesu trwy ddadansoddiad achos busnes manwl ar gyfer pob opsiwn. Yn dibynnu ar ganlyniadau'r dadansoddiad achos busnes manwl efallai y bydd yna oblygiadau ehangach, ond bydd angen ystyried y rhain bryd hynny.

## **7. Beth yw prif gasgliadau'r Asesiad o Effaith ar Gydraddoldeb a gynhaliwyd am y penderfyniad? Wedi gwneud (AoEaG) ar y penderfyniad? Dylid atodi'r templed AoEaG fel atodiad i'r adroddiad hwn.**

7.1 Mae effaith posib yr opsiynau hyn wedi cael asesiad AoEaG. Os penderfynir symud ymlaen ag unrhyw un o'r cynigion a soniwyd amdanynt yn gynharach yna rhaid eu hasesu am effaith cydraddoldeb fel rhan o ddadansoddiad achos busnes manwl.

## **8. Pa ymgynghoriadau sydd wedi eu gwneud â'r pwyllgor Archwilio ag eraill?**

8.1 Dim ar hyn o bryd, er disgwylir y bydd angen ymgynghoriad pellach ar nifer o opsiynau arfaethedig cyn y gellir eu gweithredu.

## **9. Datganiad y Prif Swyddog Cyllid**

9.1 Mae'r achos busnes angen ystyried yr arbedion arfaethedig yn y dyfodol gyda TCC ac effaith lleihad yn y gyllideb. Ar hyn o bryd nid oes goblygiadau ariannol pellach.

## **10. Pa risgiau posib sy'n bodoli ac oes yna unrhyw beth y gallwn ei wneud i'w lleihau nhw?**

10.1 Nid oes unrhyw risgiau uniongyrchol yn gysylltiedig â'r adroddiad hwn.

## **11. Grym i wneud Penderfyniad**

11.1 Dim angen penderfyniad ffurfiol.

11.2 Erthygl 6.3.2(c) o Gyfansoddiad y Cyngor sy'n amodi y gall y pwyllgor Archwilio "ystyried unrhyw fater sy'n effeithio'r ardal neu ei drigolion", ac Erthygl 6.3.3(a) yn nodi fod y pwyllgor Archwilio yn gallu "cynorthwyo'r Cyngor a'r Cabinet i ddatblygu ei gyllideb a'i fframwaith polisi..."

**Swyddog Cyswllt:**

Pennaeth Cynllunio a Gwarchod y Cyhoedd  
01824 706925



Yn rhinwedd Paragraff(au) 12 Rhan 4, Atodlen 12A  
Deddf Llywodraeth Leol 1972.

Document is Restricted

Mae tudalen hwn yn fwriadol wag

|                            |                                                                                |
|----------------------------|--------------------------------------------------------------------------------|
| <b>Adroddiad i'r:</b>      | <b>Pwyllgor Archwilio Perfformiad</b>                                          |
| <b>Dyddiad y Cyfarfod:</b> | <b>24 Hydref 2013</b>                                                          |
| <b>Aelod Arweiniol:</b>    | <b>Aelod Arweiniol dros Barth y Cyhoedd</b>                                    |
| <b>Awdur yr Adroddiad:</b> | <b>Pennaeth Cynllunio a Gwarchod y Cyhoedd/<br/>Rheolwr Gwarchod y Cyhoedd</b> |
| <b>Teitl:</b>              | <b>Diweddariad ynglŷn â Thrwyddedu Tacsis</b>                                  |

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## 1. Am beth mae'r adroddiad yn sôn?

- 1.1 Mae'r adroddiad yn rhoi diweddariad ynglŷn â swyddogaeth y Cyngor o ran Trwyddedu Tacsis a newidiadau diweddar i weithdrefnau ac awdurdod dirprwyo.

## 2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

- 2.1 Rhoi gwybod i'r Aelodau am y cynnydd sydd wedi ei wneud wrth adolygu swyddogaeth y Cyngor o ran trwyddedu tacsis gan gynnwys rhoi gweithdrefnau gwell a mwy cadarn ar waith er mwyn amddiffyn y cyhoedd, yn enwedig pobl ddiamddiffyn o fewn ein cymunedau.

## 3. Beth yw'r Argymhellion?

Bod yr Aelodau'n ystyried yr wybodaeth a ddarparwyd ac yn rhoi sylwadau yn unol â hynny.

## 4. Manylion am yr adroddiad.

- 4.1 Bydd yr Aelodau'n cofio i adroddiad yn rhoi diweddariad ynglŷn â'r adolygiad cynhwysfawr sy'n digwydd o systemau trwyddedu tacsis gael ei gyflwyno i'r Pwyllgor Archwilio ym mis Tachwedd 2012 a oedd yn rhoi gwybod i'r Aelodau am y rhaglen gwaith sydd gan y Pwyllgor Trwyddedu o'i flaen i'r dyfodol. Cefnogodd yr Aelodau'r dull sy'n cael ei ddatblygu. Yr ydym yn awr yn gallu darparu diweddariad pellach ar y gwaith a wnaed hyd yma.

- 4.2 Ar hyn o bryd yn Sir Ddinbych mae:

| <b>Math o Drwydded</b>                                      | <b>Y Nifer sydd wedi eu Rhoi</b> |
|-------------------------------------------------------------|----------------------------------|
| Gweithredwyr Cerbydau Hurio Preifat Trwyddedig              | 17                               |
| Cerbydau Hurio Preifat Trwyddedig                           | 84                               |
| Gyrrwr Hurio Preifat Trwyddedig                             | 49                               |
| Cerbydau Hacni Trwyddedig (Tacsis)                          | 238                              |
| Gyrrwyr cerbydau hacni a cherbydau hurio preifat trwyddedig | 338                              |

Caiff trwyddedau eu derbyn, eu hystyried a'u cyhoeddi gan Swyddogion Trwyddedu yn Adain Gwarchod y Cyhoedd. Caiff trwyddedau cerbydau eu cyhoeddi gan y Gwasanaethau Fflyd unwaith fod hynny wedi cael ei awdurdodi gan Swyddogion Trwyddedu. Mae a wnelo system weinyddu trwyddedu fodd bynnag, â nifer o Swyddogion, gan gynnwys Swyddogion Trwyddedu, Swyddogion Gorfodi Diogelwch Cymunedol, Swyddogion o'r Gwasanaethau Fflyd, Aelodau ac asiantaethau allanol, gan gynnwys yr heddlu. Mae'n bwysig, felly, i sicrhau fod system gadarn yn ei lle y mae'r holl bartion yn ei deall. Yn ychwanegol at system weinyddu Trwyddedu mae angen cyfundrefn orfodi gref, ragweithiol o dan arweiniad tîm Gorfodi Diogelwch Cymunedol y Cyngor, sydd hefyd yn dod o dan Adain Gwarchod y Cyhoedd. Caiff gorfodi ei wneud yn aml trwy ddull partneriaeth gyda Swyddogion yn gweithio'n agos ag Asiantaethau Gorfodi eraill.

- 4.3 Yn ogystal â thrwyddedu tacsis a'r gorfodi sy'n digwydd yn gysylltiedig â hynny, mae'r weinyddiaeth Trwyddedu a'r Swyddogion Gorfodi Diogelwch Cymunedol hefyd yn trwyddedu ac yn rheoleiddio amrywiaeth o weithgareddau trwyddedig eraill e.e. Trwyddedau Eiddo a Thrwyddedau Personol at ddibenion gwerthu alcohol, trwyddedau safle gamblo, masnachu stryd, rheoliadau marchnad ac ati.
- 4.4 Mae cyfanswm yr incwm a dderbyniwyd gan yr holl faterion sy'n gysylltiedig â thrwyddedu yn Adain Diogelu'r Cyhoedd oddeutu £225k ac mae tua £115k ohono wedi ei gynhyrchu o weithgareddau sy'n gysylltiedig â thacsis.
- 4.5 Er mwyn sicrhau bod y broses o drwyddedu tacsis mor gadarn â phosibl cynhaliwyd adolygiad meddwl trwy systemau llawn o'r prosesau trwyddedu tacsis. Hwyluswyd hyn gan archwiliad mewnol a oedd yn cynnwys Swyddogion Trwyddedu, Swyddogion Gorfodaeth Diogelwch Cymunedol, Swyddogion y Gwasanaethau Fflyd, Swyddogion Cyfreithiol, Swyddogion y Gwasanaethau Cymdeithasol a Swyddogion Heddlu Gogledd Cymru.
- 4.6 Adolygodd y grŵp 8 proses unigol gogyfer â thrwyddedu tacsis a chynhyrchu gweithdrefnau newydd diwygiedig. Cafodd y rhain eu hadolygu maes o law gan gyfreithiwr trwyddedu arbenigol (James Button) i sicrhau eu bod yn gadarn yn gyfreithiol.
- 4.7 Cafodd yr holl weithdrefnau diwygiedig eu cyflwyno i Bennaeth Cynllunio a Gwarchod y Cyhoedd i'w cymeradwyo fis Mai 2013 a chawsant eu cymeradwyo wedi hynny gan y Pwyllgor Trwyddedu fis Mehefin 2013. Maent bellach yn cael eu gweithredu gan swyddogion. Roedd y gweithdrefnau newydd yn cynnwys newidiadau i'r cytundeb dirprwyo. Yn Atodiad 1 mae dogfennau'r weithdrefn newydd fel y cawsant eu cymeradwyo gan y Pwyllgor Trwyddedu.
- 4.8 Yn ychwanegol at yr adolygiad o weithdrefnau, rydym hefyd yn cynnal adolygiad llawn o'n polisiau trwyddedu tacsis. Mae hyn yn cynnwys safonau ar gyfer euogfarnau ac ymddygiad gyrwyr, cod gwisg, safonau cerbydau a safonau eraill. Dechreuwyd y broses hon wrth ymgysylltu â'r cyhoedd i ddarganfod yr hyn mae trigolion ac ymwelwyr yn ei feddwl am y fasnach

dacsis a'u profiadau o ddefnyddio tacsis o fewn y sir. Mae canfyddiadau'r ymarferiad hwnnw'n cael eu cywain yn awr cyn cynnal unrhyw drafodaethau mewnol pellach ynglŷn â chynnwys unrhyw Bolisi diwygiedig i'r dyfodol.

- 4.9 Bwriad Polisi diwygiedig yw rhoi safonau uwch i ni a ddylai godi safonau hyd yn oed ymhellach o fewn y fflyd tacsis. Mae'n fwrriad hefyd i gyflwyno system o bwyntiau cosb am dorri amodau'r drwydded; fel y gellir cymryd camau gorfodi cynyddrannol yn erbyn deiliaid trwydded sy'n torri amrywiaeth o amodau'n rheolaidd. Y gobaith oedd y byddai'r Polisi diwygiedig yn cael ei adrodd wrth y Pwyllgor Trwyddedu fis Rhagfyr. Fodd bynnag, mae'r prosiect yn fwy cymhleth nag a ragwelwyd i ddechrau, ac felly gofynnir fis Rhagfyr i'r Pwyllgor Trwyddedu adolygu ei Raglen Gwaith i'r Dyfodol, gan gynnwys nodi pryd fyddai'r amser gorau i adrodd ynglŷn â'r polisi diwygiedig. Yn Atodiad 2 mae copi o Raglen Gwaith i'r Dyfodol y Pwyllgor Trwyddedu.
- 4.10 Mae swm sylweddol o waith gorfodi wedi cael ei wneud yn ystod y cyfnod diwethaf i fynd i'r afael â'r gyrywyr a gweithredwyr nad ydynt yn cydymffurfio. Mae hyn wedi bod yn rhan o ddull gweithredu aml-asiantaeth ar y cyd â VOSA, Heddlu Gogledd Cymru ac asiantaethau eraill, gan gynnwys yr Adran Gwaith a Phensiynau. Mae nifer o ymgyrchoedd wedi cael eu cynnal, lle mae tacsis wedi cael eu stopio ar y ffordd a'u harchwilio er mwyn gwneud yn siŵr eu bod yn ddiogel a'u bod yn cael eu gweithredu yn unol ag amodau eu trwydded. Mae hyn wedi arwain at ddiarddel sawl un a gwahardd eraill ac at fod rhai tacsis wedi cael eu tynnu oddi ar y ffordd ar unwaith oherwydd safon wael y cerbydau. Mae'r ymgyrchoedd hyn yn cael effaith wrth wella safonau a bellach mae ymwybyddiaeth a dealltwriaeth o fewn y fasnach y byddwn yn cymryd camau cadarn a chymesur yn erbyn gweithredwyr nad ydynt yn cydymffurfio. Yn Atodiad 3 mae eitemau sy'n ymwneud â chysylltiadau cyhoeddus mewn perthynas â Gwaith Gorfodi Tacsis dan arweiniad ein tîm Gorfodaeth Diogelwch Cymunedol.

## **5. Sut y mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

- 5.1 Mae'r gwaith i adolygu'r broses o drwyddedu tacsis, gyda phwyslais arbennig ar ddiogelu'r cyhoedd yn cyfrannu'n uniongyrchol at y flaenoriaeth gorfforaethol o 'Amddiffyn pobl ddi-amddiffyn' a hefyd at y nod ehangach a'r Canlyniad Gwasanaeth o gadw ein cymunedau'n ddiogel.

## **6. Beth fydd y gost a sut y bydd yn effeithio ar wasanaethau eraill?**

- 6.1 Bydd y gost yn cael ei diwallu o fewn cyllidebau gwasanaeth a bydd y gweithdrefnau newydd yn gwella trefniadau llywodraethu mewnol wrth ymdrin â'r fasnach tacsis ac wrth ddiogelu'r cyhoedd.

## **7. Beth yw prif gasgliadau'r asesiad a gynhaliwyd ynglŷn ag effaith y penderfyniad ar gydraddoldeb?**

- 7.1 Nid oes angen asesiad o effaith y penderfyniad hwn ar gydraddoldeb. Mae Aseidiadau o Effaith ar Gydraddoldeb wedi eu cynnal a byddant yn cael eu cynnal ar gyfer pob adolygiad gweithdrefn a pholisi.

**8. Pa ymgynghoriadau a gynhaliwyd â'r Pwyllgor Archwilio a phwyllgorau eraill?**

8.1 Ymgynghorwyd trwy gydol y broses hon gyda Swyddogion Cynllunio a Gwarchod y Cyhoedd, Swyddogion y Gwasanaethau Fflyd, Swyddogion y Gwasanaethau Cyfreithiol, Swyddogion Heddlu Gogledd Cymru, Swyddogion y Gwasanaethau Cymdeithasol, y fasnach dacsis drwyddedig ac aelodau o'r cyhoedd. Caiff y Pwyllgor Trwyddedu ei ddiweddarau'n llawn, ac mae'n awdurdodi newidiadau i bolisiau a gweithdrefnau ac yn gwneud penderfyniadau ar ystod o faterion trwyddedu.

**9. Datganiad y Prif Swyddog Cyllid**

Nid oes goblygiadau ariannol pellach, caiff y costau eu diwallu o fewn cyllidebau presennol.

**10. Pa risgiau sy'n bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**

Mae'r adolygiad o weithdrefnau a pholisiau wedi'i gynllunio i leihau'r risg o gamweinyddu gweithdrefnol ac nid er mwyn sicrhau bod y Cyngor yn cymryd camau priodol i reoleiddio'r fasnach tacsis a diogelu'r cyhoedd.

**11. Grym i wneud Penderfyniad**

Mae Erthygl 6.3.3(a) Cyfansoddiad y Cyngor yn nodi beth yw grymoedd y Pwyllgorau Archwilio mewn perthynas â datblygu polisi.


**Swyddog Cyswllt:**

Pennaeth Cynllunio a Gwarchod y Cyhoedd  
01824 706925

## Planning and Public Protection Service

**Name of Procedure:**

**Procedure for dealing with expired insurance and compliance documents**

|                                                             |                                                                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                                  | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                         | Agreed: 12th June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                                |
| <b>Agreed by:</b>                                           | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                                 | Annual                                                                                                            |
| <b>Review date:</b>                                         | May/June 2014                                                                                                     |
| <b>Equality Impact Assessment completed:<br/>(date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                          | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                           | Public Domain                                                                                                     |
| <b>Head of Service Approval:<br/>(signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

### VERSION CONTROL:

| Reference: | Status: | Authorised by:      | Date:    |
|------------|---------|---------------------|----------|
| V01        | Final   | Licensing Committee | 12.06.13 |

## 1. Purpose

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers to be clear on what process need to be followed when dealing with insurance and compliance documents and to ensure that legislation is adhered to.

## 2. Related Documents

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976 Section 49

Blue Book (Conditions and Policy)

Flowcharts Attached

## 3. Officer Delegations

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below.

| <b>FUNCTION</b>                                             | <b>OFFICER</b>                                                                                                                      |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Suspension of vehicle licence under Section 60 LG(MP)A 1976 | Head of Service or<br>Public Protection Manager or<br>Senior Licensing Officer or<br>Senior Community Safety<br>Enforcement Officer |

## 4. Legislation/Policy

There is no specific section of the legislation that requires a proprietor of a vehicle licence to provide continuous cover of insurance and compliance/MOT certificates. It is a condition of their licence, contained within the policy and conditions.

The existing policy states:

The licensee shall ensure that renewed motor insurance cover and certificate of compliance are submitted to the Licensing Officer, in original form, either prior to or on their expiry. Failure to provide such documentation will result in the immediate suspension of licences.

## 5. Process

- i) Weekly report printed from Licensing System of documents that have expired
- ii) Suspension notice issued and signed by SLO/LEO. Suspension will only take effect after 21 days so it will give the licensee time to submit the updated document.



- iii) Update licensing system
- iv) Notify School Transport and Social Services Contract Teams
- v) If the documents are received within the 21 days then the suspension will be lifted
- vi) SLO to issue a letter lifting the suspension.
- vii) Inform School Transport and Social Services Contract Teams that the vehicle is no longer suspended
- viii) Update Licensing system.
- ix) If the documents are not received within the 21 days then the suspension is in force and Enforcement will be instructed to remove the plate(s) from the vehicle if the licence holder has not surrendered it.
- x) The vehicle will remain suspended until such time as original renewal documents have been received
- xi) Once documents have been received follow step (v) – (viii) above.

## **6. Right of Appeal**

The proprietor has a right of appeal against any of the Council's decisions , to the Magistrates Court .

## **7. Review of Procedure**

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.




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## Planning and Public Protection Service

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**Name of Procedure:**

**Procedure for the Grant/Renewal of a Private Hire Operator Licence**

|                                                             |                                                                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                                  | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                         | Agreed: 12 <sup>th</sup> June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                    |
| <b>Agreed by:</b>                                           | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                                 | Annual                                                                                                            |
| <b>Review date:</b>                                         | May/June 2014                                                                                                     |
| <b>Equality Impact Assessment completed:<br/>(date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                          | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                           | Public Domain                                                                                                     |
| <b>Head of Service Approval:<br/>(signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

**VERSION CONTROL:**

| <b>Reference:</b> | <b>Status:</b> | <b>Authorised by:</b> | <b>Date:</b> |
|-------------------|----------------|-----------------------|--------------|
| V01               | Final          | Licensing Committee   | 12.06.13     |

## 6. PURPOSE

To ensure consistency of administering and enforcing the Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers accepting and processing applications for new and renewal Operator Licences and to ensure that legislation is adhered to.

## 7. RELATED DOCUMENTS

Local Government (Miscellaneous Provisions) Act 1976

Blue Book (Conditions and Policy)

Flowchart 1 Grant of a Private Hire Operator Licence

2 Renewal of a Private Hire Operator Licence

## 8. OFFICER DELGATAIONS

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below.

| <b>FUNCTION</b>                                | <b>OFFICER</b>                                                           |
|------------------------------------------------|--------------------------------------------------------------------------|
| Processing of application                      | Licensing Support Officer                                                |
| Rejection of application                       | Public Protection Manager or Senior Licensing Officer                    |
| Referral of application to Licensing Committee | Public Protection Manager or Senior Licensing Officer                    |
| Grant/renewal of application                   | Public Protection Manager or Senior Licensing Officer                    |
| Refusal of application                         | Head of Service or Public Protection Manager or Senior Licensing Officer |

## 4. LEGISLATION

Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 gives the Local Authority power to licence Private Hire Operators, which states:

'55(1) subject to the provisions of this Part of the Act, a district Council shall, on receipt of an application for any person for the grant to that person of a licence to operate private hire vehicles grant to that person an operator's licence:

provided that a district council shall not grant a licence unless they are satisfied that the applicant is a fit and proper person to hold an operator's licence.

## 5. GENERAL NOTES

Once an application has been received, the only ground for refusal is whether the applicant is a fit and proper person.

It is not possible to obtain an enhanced DBS (Disclosure and Barring Service) Check (formerly a CRB Check) for an operator licence applicant. An Operator applicant is not on the DBS's list of relevant occupations for an enhanced disclosure. A basic disclosure can be obtained along with a statutory declaration.

Conditions may be attached to an Operator's Licence but they must be reasonably necessary.

## **6. PROCESSING APPLICATION FOR GRANT (flow chart 1)**

- i. Licensing Support Officer to check the application form is completed and signed by applicant/dated. If not complete reject application
- ii. Is the applicant a licensed driver with the County? If yes then a new DBS is not required but if he is not a licensed driver then a basic disclosure and signed statutory declaration must be produced – see section 10 below
- iii. Has the applicant stated he has a radio licence? If so you must see a copy of it. If applicant fails to produce reject application
- iv. Licensing Support Officer to receipt fee – Code to H290019428
- v. If application complete pass to SLO for determination
- vi. SLO to determine whether applicant is a fit and proper person in line with legislation
- vii. If deemed NOT fit then application must be referred to Licensing Committee
- viii. SLO to prepare committee report, for committee to determine application
- ix. If deemed FIT then the application can be granted by SLO
- x. Licensing Support Officer to enter application onto licensing system
- xi. Licence to be signed by SLO (authorised officer) and one copy sent to Licence Holder/one copy to go on file.
- xii. An Operator file will need to be prepared and documents filed
- xiii. Licensing Support Officer to inform Planning if application is granted

## **7. PROCESSING APPLICATION FOR RENEWAL (see flowchart 2):**

- i. Each month, Licensing to produce a monthly licensing system report detailing the operator licences due for renewal
- ii. Print renewal form and letter from licensing system and send out to licence holder. Ensure that the renewal documents are sent out to licence holder with at least one month notice of expiry.
- iii. Licensing Support Officer must check to ensure that all the required information has been fully completed on the application form and signed/dated.
- iv. If the applicant is not a licensed driver, we need to ensure that the applicant has not declared any new convictions or pending prosecutions on the application form. If applicants circumstances have changed move onto step xi below
- v. If the application requires supporting documents eg Radio Licence check documents thoroughly to ensure that it has a valid date in force
- vi. Check correct fee received (see table of fees attached)
- vii. Licensing Support Officer to receipt fee (Code to H290019428)

- viii. Licensing Support Officer to update licensing system and produce the renewal licence
- ix. Licence to be signed by SLO and one copy sent to licence holder and one to be attached to renewal documents.
- x. Documents to be filed in Operator file.
- xi. **IF APPLICANT DECLARES** new convictions SLO to inform School Contracts and Social Services Contracts
- xii. **IF APPLICANT DECLARES** a pending prosecution SLO to liaise with Licensing Manager and dependant on allegation SLO to take either no action, refer to committee or wait until the outcome of the Court hearing.
- xiii. SLO to prepare a report for Committee for determination

## **8. APPLICATION NOT RECEIVED BEFORE EXIPRY:**

If the application is not renewed by the expiry date of the existing licence then refer the matter to Enforcement Team the day after the expiry date

## **9. DBS AND STATUTORY DECLARATION**

It is very unusual for new applications to be received for an Operator's Licence when the applicant is not already an existing licensed driver within the County, but on occasions this may happen and then we must ask the applicant to submit a basic disclosure from the DBS along with a Statutory Declaration signed by a Solicitor.

## **10. REJECTION OF APPLICATION**

Rejection of application would take place if:

- a. if the applicant has not provided all appropriate supporting documents
- b. If the applicant has not fully completed the application form.

Insert reasons for rejection in the body of letter.  
Rejection Letter must be signed by SLO

## **11. REFUSAL TO GRANT**

A Local Authority has very little reasons for refusal of a licence if the applicant complies with all the application requirements. The only grounds are whether the applicant is a fit and proper person which will be determined by scrutinising the information on the application form, basic DBS and statutory declaration or if the applicant is a licensed driver he/she would have an enhanced DBS.

## **12. COMMITTEE DECISION**

On occasions Officers may need to refer applications to the Licensing Committee for determination as to whether the applicant is a fit and proper person to hold an Operator Licence. Members may resolve to take one of the following decisions:

1. **Grant**
2. **Refuse**

Members need to give appropriate reasons for refusal

### **13. RIGHT OF APPEAL**

Section 55(4) - any person aggrieved by the refusal of a district council to grant an operator's licence under this section or by any conditions specified in such a licence, may appeal to a magistrates' court.

### **14. REVIEW OF PROCEDURE**

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.






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## Planning and Public Protection Service

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### Procedure:

### Procedure for the Grant/Renewal of a Hackney Carriage and Private Hire Vehicle Licence

|                                                             |                                                                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                                  | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                         | Agreed: 12 <sup>th</sup> June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                    |
| <b>Agreed by:</b>                                           | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                                 | Annual                                                                                                            |
| <b>Review date:</b>                                         | May/June 2014                                                                                                     |
| <b>Equality Impact Assessment completed:<br/>(date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                          | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                           | Public Domain                                                                                                     |
| <b>Head of Service Approval:<br/>(signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

#### VERSION CONTROL:

| Reference: | Status: | Authorised by:      | Date:    |
|------------|---------|---------------------|----------|
| V01        | Final   | Licensing Committee | 12.06.13 |

### 9. PURPOSE

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers accepting and processing applications for new and renewal vehicles and ensure that legislation is adhered to.

## 10. RELATED DOCUMENTS

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976

Blue Book (Conditions and Policy)

|           |   |                                               |
|-----------|---|-----------------------------------------------|
| Flowchart | 1 | Grant of a Private Hire Vehicle Licence       |
|           | 2 | Grant of Hackney Carriage Vehicle licence     |
|           | 3 | Renewal of a Private Hire Vehicle Licence     |
|           | 4 | Renewal of a Hackney Carriage Vehicle Licence |

## 11. OFFICER DELEGATIONS

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below.

| <b>FUNCTION</b>                                | <b>OFFICER</b>                                                           |
|------------------------------------------------|--------------------------------------------------------------------------|
| Processing of application                      | Licensing Support Officer                                                |
| Rejection of application                       | Public Protection Manager or Senior Licensing Officer                    |
| Referral of application to Licensing Committee | Public Protection Manager or Senior Licensing Officer                    |
| Grant/renewal of application                   | Public Protection Manager or Senior Licensing Officer                    |
| Refusal of application (as per policy)         | Head of Service or Public Protection Manager or Senior Licensing Officer |

## 12. LEGISLATION

### Private Hire Vehicles

Section 48 of the LG(MP)A'76 give the Council the power to grant an application to use a vehicle as a private hire vehicle, provided that they are satisfied that the vehicle is:

- i. suitable in type, size and design for use as a PHV
- ii. not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage
- iii. in a suitable mechanical condition
- iv. safe and comfortable
- v. that there is in force in relation to the use of the vehicle a policy of insurance

### Hackney Carriage Vehicles

Section 37 of the TPCA'47 gives the Council power to licence a hackney carriage. The legislation does not contain detailed requirements as found in the LG(MP)A'76

## **NEW VEHICLE APPLICATIONS (Flow Chart 1 & 2)**

### **13. Pre-Inspections**

- i. Licensing Enforcement Officer (LEO) to inspect all new vehicles to ensure compliance with the vehicle specification as detailed in the policy.
- ii. If LEO satisfied that vehicle meets specification a notice to that effect will be issued to the proprietor authorising the vehicle to undergo the Council's Compliance test
- iii. If LEO is not satisfied that the vehicle meets the specifications then the LEO must issue a rejection letter with details of reasons for rejection eg vehicle is a left hand drive/bodywork is in poor condition

### **14. Testing Requirements**

Following the pre-inspection all suitable vehicles (as deemed by LEO) must undertake a Compliance Test at the County's Fleet Services Depot in Bodelwyddan.

### **7. Processing application for GRANT (PHV flowchart 1, H/C Flowchart 2):**

- xiv. Application received – check all documents are present
- xv. If the application is for a new to fleet PHV check to see if applicant has a current Operating Licence (see section 11 below)
- xvi. Check Insurance document has appropriate cover for use and has a valid date in force (see section 9 below)
- xvii. Check details on V5 match application details (see section 10 below)
- xviii. Check correct fee received (see table of fees attached)
- xix. Pass to SLO to check application

**If SLO satisfied that the above requirements are complete ONLY then move to next step. If Not satisfied SLO to issue rejection letter (see section 5 below).**

- xx. Receipt fee - Code to H290019428
- xxi. Allocate licence number from VIP and Licensing system. You must select the next highest free number. NB do not use a number that has previously been issued before even if the licence has been surrendered or revoked.
- xxii. Enter insurance/certificate of compliance/V5 details onto Licensing System
- xxiii. Enter vehicle details VIP and issue Plate/Door Stickers

- xxiv. Issue paper licence from Licensing System
- xxv. Licence to be signed by SLO (authorised officer) and 2 copies sent to Licence Holder/one copy to go on file.
- xxvi. Documents to be filed

#### **8. Processing application for RENEWAL (PHV flowchart 3, H/C flowchart 4):**

- xiv. Each month, produce a monthly licensing system report detailing the vehicle licences due for renewal
- xv. Print renewal form and letter from licensing system and send out to licence holder. Ensure that the renewal documents are sent out to licence holder with at least one month notice of expiry.
- xvi. Applications must be submitted to Licensing Section. Licensing Support Officer must check to ensure that all the required information has been fully completed on the application form and signed/dated.
- xvii. If the application requires supporting documents eg Insurance/Compliance please check documents thoroughly to ensure that the correct cover for use and has a valid date in force (see section 9 below)
- xviii. Check correct fee received (see table of fees attached)
- xix. Receipt fee – Code to H290019428
- xx. VIP to be updated and new plate printed
- xxi. Update licensing system and produce the paper licence
- xxii. Licence to be signed by SLO and one copy sent to licence holder and one to be attached to renewal documents.
- xxiii. Documents to be filed in Operator file.

#### **9. APPLICATION NOT RECEIVED BEFORE EXPIRY:**

- i. If the application is not renewed by the expiry date of the existing licence then refer the matter to Enforcement Team the day after the expiry date

#### **10.INSURANCE DOCUMENTS**

Inspection of the insurance document must be done before authorising the application. Officer must be looking for the following:

- a. Insurance document relates to the vehicle application or is included on a schedule for fleet vehicle cover
- b. Start and expiry date of cover. Application cannot be accepted if cover has expired or if the start date commences after grant of licence. I.e. cover must start on the date the licence has been granted for.
- c. The cover must be for the carriage of passengers for hire and reward or for private hire/public hire. NB the carriage of school children as part of a contract is not sufficient even if the applicant “only carries out school contracts”.
- d. Full Certificate or cover notes may be accepted.

***If in doubt of any certificate or cover note please see SLO.***

## **11. VEHICLE REGISTRATION DOCUMENTS (V5)**

Part of the application procedure is for the production of a V5 document . This cannot always be produced if the vehicle has just been purchased and the applicant has sent the V5 to the DVLA in Swansea for a change of owner details.

If the applicant cannot produce a V5 then proof of ownership should be sought until the applicant can produce the updated V5 eg receipt for purchase from garage.

## **12. OPERATOR'S LICENCE**

If the application is for a PHV you must check the following information:

- a. Does the applicant have an Operator Licence? If not, does the application detail another Operator who the applicant is proposing to work under? If not, then the application must be rejected

## **13. APPLICATION FORM**

All applicants must sign the application form

## **14. REJECTION OF APPLICATION**

Rejection of application would take place if:

- c. the vehicle does not meet the specifications as per policy
- d. if the applicant has not provided all appropriate supporting documents
- e. If the applicant does not have an Operating Licence or has not specified details of an Operating Licence that the vehicle will be attached to.

Insert reasons for rejection in the body of letter.

If the application has been rejected because the vehicle does not meet the Council's requirements (a) above, the applicant can request his/her application be referred to the Licensing Committee for consideration  
Rejection Letter must be signed by SLO

## **15. REFUSAL TO GRANT**

A Local Authority has very few reasons for refusal of a licence if the applicant complies with all the application requirements. However the Council can refuse an application if the grant of that licence would breach the overriding aim of protecting the public eg if the application comes from a known or suspected criminal

## **16. COMMITTEE DECISION**

On occasions Officers may need to refer applications to the Licensing Committee for determination as to whether the vehicle is fit for purpose or if the vehicle does not meet the specifications as detailed in the policy.  
Members may resolve to take one of the following decisions:

**3. Grant**

**4. Refuse**

Members need to give appropriate reasons for refusal

**17. RIGHT OF APPEAL**

A person aggrieved by the Council's decision has rights of appeal:

- If an application for a private hire vehicle licence is refused, or granted subject to conditions which are considered unacceptable, an appeal lies to the magistrates court (section 48(7) LG(MP)A 1976);
- If an application for a new hackney carriage vehicle licence is refused, an appeal lies to the Crown Court (section 7, Public Health Acts Amendment Act 1907);
- If an application for a hackney carriage vehicle licence is granted subject to conditions which are considered unacceptable, an appeal lies to the magistrates court (section 47(3) LG(MP)A 1976);
- If an application for renewal of either a hackney carriage or private hire vehicle licence is refused, an appeal lies to the magistrates court (section 60(3) LG(MP)A 1976);


**18. REVIEW OF PROCEDURE**

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.

**Planning and Public Protection Service**

**Name of Procedure:**

**Procedure for the Grant/Renewal of a Hackney Carriage and Private Hire Driver Licence**

|                                                         |                                                                                                                   |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                              | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                     | Agreed: 12 <sup>th</sup> June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                    |
| <b>Agreed by:</b>                                       | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                             | Annual                                                                                                            |
| <b>Review date:</b>                                     | May/June 2014                                                                                                     |
| <b>Equality Impact Assessment completed: (date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                      | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                       | Public Domain                                                                                                     |
| <b>Head of Service Approval: (signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

|                         |                |                       |              |
|-------------------------|----------------|-----------------------|--------------|
| <b>VERSION CONTROL:</b> |                |                       |              |
| <b>Reference:</b>       | <b>Status:</b> | <b>Authorised by:</b> | <b>Date:</b> |
| V01                     | Final          | Licensing Committee   | 12.06.13     |

## 15.PURPOSE

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers accepting and processing applications for new and renewal drivers and ensure that legislation is adhered to.

## 16.RELATED DOCUMENTS

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976

Blue Book (Conditions and Policy)

|             |                                                                                  |
|-------------|----------------------------------------------------------------------------------|
| Flowchart 1 | Grant of a Private Hire/hackney carriage driver Licence                          |
| 2           | Renewal of a Private Hire/Hackney Carriage driver licence (no medical or DBS)    |
| 3           | Renewal of a Private Hire/Hackney Carriage driver Licence (with DBS and medical) |
| 4           | Renewal of a Private Hire/Hackney Carriage driver licence (with medical)         |
| 5           | Renewal of a Private Hire/Hackney Carriage driver licence (with DBS)             |

## 17.OFFICER DELEGATIONS

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below.

| <b>FUNCTION</b>                                   | <b>OFFICER</b>                                                           |
|---------------------------------------------------|--------------------------------------------------------------------------|
| Processing of application                         | Licensing Support Officer                                                |
| Rejection of application                          | Public Protection Manager or Senior Licensing Officer                    |
| Referral of application to Licensing Committee    | Public Protection Manager or Senior Licensing Officer                    |
| Grant/renewal of application                      | Public Protection Manager or Senior Licensing Officer                    |
| Refusal of application (as per conviction policy) | Head of Service or Public Protection Manager or Senior Licensing Officer |

## 18.LEGISLATION

### Private Hire Drivers

Section 51 of the LG(MP)A76 give the Council the power to grant an application for a driver licence, provided that they are satisfied that the person is:

- unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence



- b) to any person who has not for at least 12 months been authorised to drive a motor car, or it not at the date of the application for a driver's licence so authorised.

### **Hackney Carriage Drivers**

Section 46 of the TPCA'47 gives the Council power to licence a hackney carriage driver. Section 59 of the LG(MP)A'76 contains identical requirements for hackney carriage drivers as for private hire drivers. .

## **5. NEW DRIVER APPLICATIONS (Flow Chart 1)**

### **Processing application for GRANT :**

- xxvii. Licensing Support Officer to check application form fully completed and all supporting documents are present :
- xxviii. DBS/Medical/Statutory Declaration/DVLA driving licence/photos/DVLA mandate, if not complete Support Officer to reject application – SLO to sign the rejection letter if application received via post
- xxix. If all documents present and application form fully completed then you can proceed to process the DBS application form
- xxx. Licensing Support Officer to check the required identification documents have been produced – must be original documents (see section below)
- xxxi. Licensing Support Officer to receipt fee - Code to H290019422
- xxxii. Licensing Support Officer to complete section W & X on the DBS form and open process on the licensing system
- xxxiii. Licensing Support Officer to pass DBS form/application to drive and all supporting documents to SLO
- xxxiv. SLO to verify all information on the DBS is correct before signing and sending it in the post to DBS
- xxxv. SLO to complete DVLA mandate and send to DVLA
- xxxvi. SLO to update DBS spreadsheet and licensing system
- xxxvii. SLO to inform the First Contact Team and School Transport of the application allowing 14 days for consultation (see section 17 below)
- xxxviii. Applicant may now take his/her knowledge test (see section 12 below)
- xxxix. Once DBS returned and comments from First Contact Team and School Transport (if applicable), SLO to scrutinise results and if a **SATISFACTORY DBS** received as determined by Policy– SLO to update DBS spreadsheet and enter DBS details on licensing system
- xl. SLO to pass application to Licensing Support Officer for issuing licence and badge
- xli. Licence to be signed by SLO (authorised officer) and one copy sent to Licence Holder/one copy to go on file.
- xlii. **UNSATISFACTORY DBS** received as determined by Policy SLO to either:
  - a. Issue Licence with warning letter
  - b. Refer application to Licensing Committee – issue letter to applicant and invite First Contact Team and School Transport to meeting (if submitted representations)

- c. Refuse the application – right of appeal to magistrates Court within 21 days. No right to drive whilst appealing
- xl. School Transport and First Contact Team informed of decision.
- xli. Documents to be filed

## **6. RENEWAL DRIVER APPLICATION**

### Processing application for **RENEWALS**

|              |                              |
|--------------|------------------------------|
| Flowchart 2. | Renewal no medical or DBS    |
| 3            | Renewal with DBS and medical |
| 4            | Renewal with medical         |
| 5            | Renewal with DBS             |

- xxiv. Licensing Support Officer to produce a monthly licensing system report detailing the driver licences due for renewal
- xxv. Print renewal form and letter from licensing system and send out to licence holder. Please ensure that the renewal documents are sent out to licence holder with at least 6 weeks notice of expiry.
- xxvi. Renewal applications received - Support Officer must check to ensure that all the required information has been fully completed on the application form and signed/dated. If not rejection letter sent and signed by SLO
- xxvii. If the application requires supporting documents e.g. DBS or medical certificate please check documents thoroughly to ensure that they meet the requirements (see sections 10 & 11 below)
- xxviii. Licensing Support Officer to inform the First Contact Team and School Transport of the renewal application allowing 14 days for consultation (see section 17 below)
- xxix. Check correct fee received (see table of fees attached)
- xxx. Licensing Support Officer to receipt fee – Code to H290019422
- xxxi. If application is a renewal with no medical/DBS then process on licensing system
- xxxii. Print 3 copies of the licence, one for applicant/one employer/one file
- xxxiii. Licence to be signed by SLO
- xxxiv. Documents to be filed.

## **7. APPLICATION NOT RECEIVED BEFORE EXPIRY:**

- i. If the application is not renewed by the expiry date of the existing licence then SLO to issue a letter stating licence has lapsed and request return of driver's badge.
- ii. SLO to inform School Contracts and Social Services Contracts that licence not renewed

## **8. APPLICATION RECEIVED AFTER EXPIRY**

- i. If the renewal application is submitted after the expiry date then it must be rejected and a new full application submitted
- ii. SLO to issue a rejection letter stating reasons for rejection

## **9 DVLA DRIVING LICENCE**

Both parts of the DVLA driving licence must be produced with the application. We cannot accept the old style driving licence, it must be a photographic style licence for DBS purposes. If an applicant produces an old style licence we must reject the application and advise the applicant to apply for a new style licence. When accepting a new style licence the accepting Officer must be looking for the following:

- e. Does the name and address on the application match the one that appears on the DVLA driving licence – if not reject application
- f. Has the applicant held a DVLA driving licence for 12 months – if not reject application
- g. Has the applicant accrued any penalty points? If yes and there are 10 or more penalty points on the licence the application must be referred to the Licensing Committee by SLO for determination. For points less than 10 please pass the application to the SLO for determination – SLO to refer to Conviction Policy and if necessary take appropriate steps.

***If in doubt of any DVLA driving licence please see SLO.***

## **10. MEDICAL CERTIFICATE**

Part of the application procedure is for the production of a Group 2 medical certificate. Due to the cost involved in applicants having to undergo a medical, applicants do not have to produce this document with the application. Applicants can wait until a satisfactory DBS has been received and the passing of the knowledge test. **It should be noted that an application will not be granted until the production of a satisfactory medical certificate.**

Medical Certificates can be accepted from either the applicants REGISTERED GP or Occupational Health Unit at Glan Clwyd Hospital. The preferred option is the applicants GP but it is known that GP's only undertake medicals at a certain time and to obtain an appointment for a medical can sometimes result in applicants waiting weeks/months for an appointment.

## **11. DBS(previously known as CRB)**

The Disclosure and Barring Service (DBS) application form and supporting identification must accompany the application form for a licence. We cannot accept the DBS on its own. Officers must be satisfied that the applicant has met all other licensing requirements before applying to the DBS. There are guidance notes issued by the DBS that you must follow, which are attached. If you are in doubt about anything please consult with SLO.

## **12. KNOWLEDGE TEST**

All new applicants must sit a knowledge test and pass each section with 2 out of 3. The applicant must make an appointment for their test in order for the test paper to be prepared and to ensure a room is available. The test may be taken verbally if preferred by the applicant. Officers must ensure that they assist applicants with any disability, but they must not make any hints/clues to the answers. Officers may explain a question if the applicant does not understand.

If the applicant fails to pass the test then he/she may re-take the test after 7 days. If the applicant fails the test for a second time then each further test may be taken after 7 days but will be subjective to an administrative fee each time. There is no limit to the number of tests an applicant can take.

### **13. APPLICATION FORM**

The application form must be fully completed, signed and dated. If there is any part of the application form that has not be completed then the application must be rejected. If you reject the application please return **all** documents, do not keep any part of the application i.e. supporting documents.

### **14. REJECTION OF APPLICATION**

Rejection of application would take place if:

- f. the applicant has not fully completed the application form
- g. the applicant has not fulfilled the DBS requirements
- h. the applicant has not submitted a photographic driving licence

Insert reasons for rejection in the body of letter.

Rejection Letter must be signed by SLO

Documents and letter must be sent recorded delivery.

### **15. REFUSAL TO GRANT/RENEW**

A Local Authority is under a duty to grant a private hire driver licence if the applicant complies with all the application requirements.

A similar but not identical requirement exists in relation to hackney carriage drivers licences..

As this Council issues dual licences which allow a licensee to drive both hackney carriages and private hire vehicles, the process is treated the same.

### **16. RIGHT OF APPEAL**

Sections 52 and 59 of the LG(MP)A 1976 provide a right of appeal to a magistrates' court to anyone aggrieved by the refusal to grant a drivers' licence or by any conditions attached to such a licence.

### **17. PARTNER AGENCIES**

It will be standard procedure to consult with School Transport and Social Services on new applications. The purpose of this is to establish whether the applicant is known to either or both services and , whether in their opinion granting a licence could pose a risk to the public. If either service provides information to Officers and the DBS is returned clear, then the SLO will need to consult with the Licensing Manager as to whether the information received from our partners can be used to determine the

application. If the DBS reply shows convictions that would result in the application being referred to the Licensing Committee then the information from our partners can be used to assist Members in their deliberations.

## **18. COMMITTEE DECISION**

On occasions Officers may need to refer applications to the Licensing Committee for determination as to whether the applicant is a fit and proper person to hold an Hackney Carriage and Private Hire Vehicle Driver licence. Members may resolve to take one of the following decisions:

5. **Grant**

6. **Refuse**

Members need to give appropriate reasons for refusal

## **19. REVIEW OF PROCEDURE**


This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.



**Planning and Public Protection Service**

**Name of Procedure:**

**Procedure for the Suspension/Revocation of a Hackney Carriage and Private Hire Driver Licence**

|                                                             |                                                                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                                  | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                         | Agreed: 12 <sup>th</sup> June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                    |
| <b>Agreed by:</b>                                           | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                                 | Annual                                                                                                            |
| <b>Review date:</b>                                         | May/June 2014                                                                                                     |
| <b>Equality Impact Assessment completed:<br/>(date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                          | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                           | Public Domain                                                                                                     |
| <b>Head of Service Approval:<br/>(signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

**VERSION CONTROL:**

| <b>Reference:</b> | <b>Status:</b> | <b>Authorised by:</b> | <b>Date:</b> |
|-------------------|----------------|-----------------------|--------------|
| V01               | Final          | Licensing Committee   | 12.06.13     |

## 19. Purpose

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers to follow when information/complaints have been received from interested parties on alleged conduct/inappropriate behaviour of an existing licensed driver and to ensure that legislation is adhered to.

## 20. Related Documents

Town Police Clauses Act 1847  
Local Government (Miscellaneous Provisions ) Act 1976  
Blue Book (Conditions and Policy)  
Flowcharts Attached

## 21. Officer Delegations

The Local Government (Miscellaneous Provisions) Act 1976 section 61 gives the Local Authority powers to suspend or revoke private hire or hackney carriage driver's licence.

The Licensing Committee have delegated the function of suspension and revocation to the Head of Service.

The Head of Service has delegated the suspension to Senior Officers.

The Head of Service has delegated the option of revocation to the Public Protection Manager along with the Chair or Vice Chair of Licensing. In the absence of the Public Protection Manager the Head of Service has delegated this function to the Head of Legal and Democratic Services in consultation with Chair or Vice Chair of Licensing.

| <b>FUNCTION</b>                 | <b>OFFICER</b>                                                                                                                                                                                                                              |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Suspension of driver licence    | Head of Service or<br>Public Protection Manager or<br>Senior Community Safety<br>Enforcement Officer or<br>Senior Licensing Officer                                                                                                         |
| Immediate Revocation of licence | Head of Service or<br>Public Protection Manager along with<br>Chair of Licensing (Vice Chair in the<br>Chair's absence) or<br>Head of Legal and Democratic<br>Services along with Chair of Licensing<br>(Vice Chair in the Chair's absence) |

## 4. Legislation

Section 61 of the LGMPA 76 give a local authority powers to suspend or revoke a drivers' licence issued under section 51 of the LGMPA 76 or



section 46 of the Town Police Clauses Act 1847, or refuse to renew a drivers' licence on any of the following grounds:

- a) that he has since the grant of the licence –
  - (i) been convicted of an offence involving dishonesty, indecency or violence; or
  - (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or the LGMPA 76; or
- b) any other reasonable cause.

## **5. PROCESS**

- i) Information is received from partners/interested parties on conduct of existing driver or conviction as detailed in section 4 above.
- ii) If the allegation is a Child Protection/Vulnerable Adult concern then pass the details onto First Contact Team immediately who will carry out their own investigations and make a decision on whether a Part IV meeting will take place.
- iii) For all allegations eg public safety/fit and proper/child protection/vulnerable adults, then the details are to be passed onto Enforcement Team to log on to Complaints database.
- iv) Enforcement Officer to gather evidence and consult with the Senior Enforcement Officer when all evidence is present
- v) Is further action required? If no then update house file otherwise proceed to next step
- vi) If further action is required, and the matter requires immediate action on a public safety issue then Enforcement Officer to consult with Legal Team and if there is sufficient evidence then the licence must be revoked
- vii) EO to prepare a revocation letter for Head of Service/Public Protection Manager to sign and issue to driver.
- viii) Inform School Transport and Social Services Contracts that driver licence has been revoked – right of appeal to driver
- ix) EO to notify complainant/partner of action taken
- x) If immediate action is not required, then officers to consider the evidence and if matter warrants a suspension then SLO to issue suspension notice

## **6. Decisions**

Officers will take the appropriate action under the scheme of delegation. An email will be sent to Licensing Committee Members to inform them of what actions Officers have taken.

## **7. Right of Appeal**

A person aggrieved by the Council's decision has rights of appeal to the Magistrates Court.


## **8. Review of Procedure**

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.

**Planning and Public Protection Service**

**Name of Procedure:**

**Procedure for the Suspension/Revocation of a Hackney Carriage and Private Hire Vehicle Licence**

|                                                             |                                                                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                                  | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                         | Agreed: 12 <sup>th</sup> June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                    |
| <b>Agreed by:</b>                                           | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                                 | Annual                                                                                                            |
| <b>Review date:</b>                                         | May/June 2014                                                                                                     |
| <b>Equality Impact Assessment completed:<br/>(date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                          | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                           | Public Domain                                                                                                     |
| <b>Head of Service Approval:<br/>(signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

**VERSION CONTROL:**

| <b>Reference:</b> | <b>Status:</b> | <b>Authorised by:</b> | <b>Date:</b> |
|-------------------|----------------|-----------------------|--------------|
| V01               | Final          | Licensing Committee   | 12.06.13     |

**22.Purpose**

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers to follow when suspending or revoking a vehicle licence and to ensure that legislation is adhered to.

### 23. Related Documents

Town Police Clauses Act 1847  
 Local Government (Miscellaneous Provisions) Act 1976  
 Blue Book (Conditions and Policy)  
 Flowcharts Attached

### 24. Officer Delegations

The Licensing Committee have delegated the function of suspension down to the Head of Service. The Head of Service has delegated this function down to Officers.

| <b>FUNCTION</b>                                  | <b>OFFICER/COMMITTEE</b>                                                                                                       |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Suspension of a Vehicle Licence under Section 60 | Public Protection Manager or Senior Community Enforcement Officer or Senior Licensing Officer or Community Enforcement Officer |
| Suspension of a Vehicle Licence under Section 68 | Public Protection Manager or Senior Community Enforcement Officer or Senior Licensing Officer or Community Enforcement Officer |
| Revocation of Vehicle Licence under Section 60   | Head of Service or Public Protection Manager or Senior Community Enforcement Officer or Senior Licensing Officer               |

### 4. Legislation

Section 60 of the LGMPA 76 give a local authority powers to suspend and revoke or refuse to renew a hackney carriage or private hire vehicle licence for one of the following reasons:

- i. that the vehicle is unfit for use as a hackney carriage or private hire vehicle.
- ii. Any offence under, or non-compliance with, the provisions of the Act of 1847 or 1976 by the operator or driver, or
- iii. Any other reasonable cause

Section 68 of the LGMPA 76 allows an authorised officer of the council or a police constable to inspect and test any hackney carriage or private hire vehicle or any taximeter, and if necessary, suspend the licence and direct that it must be inspected before the licence is reinstated. If the suspension is not lifted within 2 months, the licence is deemed to have been revoked.

## **5. PROCESS**

- i) Information received from partner agencies/VOSA checks, renewal applications or general enforcement duties highlighting a problem vehicle
- ii) Receiving Officer to pass details onto Enforcement Team for logging onto Complaints system
- iii) Enforcement Officer to gather evidence to establish what action should be taken
- iv) Enforcement Officer to consult with Senior Enforcement Officer
- v) Does the vehicle require inspecting and testing? If it does then please follow the Section 68 suspension process below, otherwise please move onto Section 60 Suspensions as detailed below:

## **6. Section 60 Suspension and Revocation**

This process will be used when a vehicle is no longer deemed fit for use during life of the licence or renewal. For clarification purposes the fitness of the vehicle will relate to its mechanical condition, safety and comfort. Also when an offence under the LG (MP)A 1976 or the TPCA 1847 in respect of the operator or driver for any non-compliance, or for any other reasonable cause.

- i) A Suspension Notice issued must be issued to the proprietor in writing stating the ground on which the vehicle licence is being suspended and the reasons for decision. This must be issued within 14 day of the decision.
- vi) The decision will take effect at the end of the period of 21 days beginning with the day on which the notice is given. This must be made clear in the notice.
- vii) Enforcement Officer to update licensing system
- viii) Once the vehicle has been deemed fit for use the suspension must be lifted in writing.
- ix) Enforcement Officer to update licensing system and house file
- x) For refusal to renew a vehicle licence the application should be referred to the Licensing Committee to make a decision on the fitness of the vehicle to act as a licensed vehicle. In these cases then a Section 68 suspension should be issued – please see below
- xi) Enforcement Officer to prepare report for committee and invite proprietor to the meeting

## **7. Section 68 Immediate Suspension or Revocation**

This process will be used when a vehicle has been initially inspected (not a compliance or MOT eg VOSA inspection or a complaint received that vehicle is not fit) and an authorised officer or police constable require the vehicle to be re-

inspected and sent for a compliance test to ascertain its fitness to be a licensed vehicle or when the accuracy of the meter may be questioned.

- i) Enforcement Officer to issue an immediate suspension notice in writing requiring the proprietor to make its vehicle/taximeter available for further inspection and testing at Fleet Services . The notice must state a reasonable date and time for the vehicle to be inspected.
- ii) The notice must state that the vehicle will remain suspended until such time as the authorised officer or constable is satisfied that it is fit for purpose as a licensed vehicle.
- iii) If the vehicle is not deemed fit for the suspension to be lifted before the expiration of a period of two months, the licence shall be deemed revoked.
- iv) Enforcement Officer to prepare a notice of revocation to the proprietor as detailed below
- v) SEO or SLO to sign notice
- vi) Enforcement Officer to update licensing system and house file

## **8. NOTICE OF SUSPENSION/REVOCATION/REFUSAL TO RENEW**

Notice of any decision to suspend, revoke or refuse to renew a vehicle licence must be given to the proprietor in writing, stating the grounds on which the licence has been suspended, revoked or refused, together with reasons for that decision. This must be within 14 days of the decision.

## **9. Decisions**

Officers will take the appropriate action under the scheme of delegation. An email will be sent to Licensing Committee Members to inform them of what actions Officers have taken.

## **10. Right of Appeal**

The proprietor has a right of appeal against any of the Council's decisions, to the Magistrates Court (section 60 of the LGMPA)


## **11. Review of Procedure**

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.

**Planning and Public Protection Service**

**Name of Procedure:**

**Procedure for the Transfer of interest/replacement vehicle of a Hackney Carriage and Private Hire Vehicle Licence**

|                                                             |                                                                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                                  | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                         | Agreed: 12 <sup>th</sup> June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                    |
| <b>Agreed by:</b>                                           | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                                 | Annual                                                                                                            |
| <b>Review date:</b>                                         | May/June 2014                                                                                                     |
| <b>Equality Impact Assessment completed:<br/>(date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                          | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                           | Public Domain                                                                                                     |
| <b>Head of Service Approval:<br/>(signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

**VERSION CONTROL:**

| <b>Reference:</b> | <b>Status:</b> | <b>Authorised by:</b> | <b>Date:</b> |
|-------------------|----------------|-----------------------|--------------|
| V01               | Final          | Licensing Committee   | 12.06.13     |

## 25. Purpose

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers accepting and processing applications for vehicle transfers and to ensure that legislation is adhered to.

There is no mention within the legislation of hackney carriage or private hire for the transferring the licence to a substitute vehicle. In the absence of a statutory mechanism, a practical approach has been taken.

## 26. Related Documents

Town Police Clauses Act 1847  
Local Government (Miscellaneous Provisions) Act 1976 Section 49  
Blue Book (Conditions and Policy)  
Flowcharts Attached

## 27. Officer Delegations

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below.

| <b>FUNCTION</b>                                | <b>OFFICER</b>                                                           |
|------------------------------------------------|--------------------------------------------------------------------------|
| Processing of application                      | Licensing Support Officer                                                |
| Rejection of application                       | Public Protection Manager or Senior Licensing Officer                    |
| Referral of application to Licensing Committee | Public Protection Manager or Senior Licensing Officer                    |
| Grant of application                           | Public Protection Manager or Senior Licensing Officer                    |
| Refusal of application (as per policy)         | Head of Service or Public Protection Manager or Senior Licensing Officer |

## **TRANSFER OF INTEREST OF LICENCE TO ANOTHER PERSON**

This process should be followed when an existing licence holder wishes to transfer the licence into another person's name

- i. Applicant submits a Transfer Consent Form
- ii. Licensing Support Officer to check that all details have been fully completed on the transfer form and signed/dated. If not fully completed reject application
- iii. The applicant must submit a valid insurance document in their name. (Please see note 8 below)
- iv. Check the correct payment has been received (see table of fees attached)
- v. Issue receipt code to H29 001 9428



- vi. Licensing Support Officer to update licensing system and print 2 copies of the transferred licence
- vii. One copy of licence to be attached to application and documents and one to be issued to the licence holder.
- viii. File documents on operator file.

## **TRANSFER/CHANGE OF VEHICLE**

Within the lifetime of a licence, it may be necessary or desirable to replace the original vehicle with another eg because it is newer or because of accident damage or breakdown. In the absence of a statutory mechanism, a practical approach is required. It is necessary for the proprietor to surrender his licence in respect of the original vehicle and a new licence issued in respect of the replacement vehicle. Please follow the following procedures:

### **28. Pre-Inspections**

- i. Licensing Enforcement Officer (LEO) to inspect all new vehicles to ensure compliance with the vehicle specification as detailed in the policy.
- ii. If LEO satisfied that vehicle meets specification a notice to that effect will be issued to the proprietor authorising the vehicle to undergo the Council's Compliance test
- iii. If LEO is not satisfied that the vehicle meets the specifications then the LEO must issue a rejection letter with details of reasons for rejection eg vehicle is a left hand drive/bodywork is in poor condition

### **29. Testing Requirements**

Following the pre-inspection all suitable vehicles (as deemed by LEO) must undertake a Compliance Test at the County's Fleet Services Depot in Bodelwyddan.

### **6. Processing application for Transfer of vehicle:**

- xliv. Have you received the existing licence and vehicle plate/s in order to surrender the licence? If no, please do not proceed until such time as you have same.
- xlvi. Application received by Licensing Support Officer
- xlvii. Senior Licensing Officer (SLO) to check all details on application form fully completed, signed and dated
- xlviii. Check Insurance document has appropriate cover for use and has a valid date in force (see note 8 below)
- xlix. Check details on V5 match application details (see note 9 below)
  - l. Check correct fee received (see table of fees attached)

**If SLO satisfied that the above requirements are complete ONLY then move to next step. If Not satisfied SLO to issue rejection letter (see section 11 below).**

- li. receipt fee – Code to H290019428

- lii. enter application details on Licensing System -insurance/certificate of compliance/V5 details
- liii. Enter details of V5 onto VIP and issue Plate/Door Stickers
- liv. Licence to be printed
- lv. Licence to be signed by SLO (authorised officer) and 2 copies sent to Licence Holder/one copy to go on file.
- lvi. Documents to be filed

## **8. Insurance Documents**

Inspection of the insurance document must be done before authorising application. Officer must be looking for the following:

- h. Insurance document relates to the vehicle application or is included on a schedule for fleet vehicle cover
- i. Start and expiry date of cover. Application cannot be accepted if cover has expired or if the start date commences after grant of licence. The cover must start on the date the licence has been granted for.
- j. The cover must be for the carriage of passengers for hire and reward or for private hire/public hire. NB the carriage of school children as part of a contract is not sufficient even if the applicant "only carries out school contracts".
- k. Full Certificate or cover notes may be accepted.

***If in doubt of any certificate or cover note please see SLO.***

## **9. Vehicle Registration Documents (V5)**

Part of the application procedure is for the production of a V5 document . This cannot always be produced if the vehicle has just been purchased and the applicant has sent the V5 to the DVLA in Swansea for a change of owner details.

If the applicant cannot produce a V5 then proof of ownership should be sought until the applicant can produce the updated V5 eg receipt for purchase from garage.

## **11.Rejection of Application**

Rejection of application would take place if:

- i. the vehicle does not meet the specifications as per policy
- j. if the applicant has not provided all appropriate supporting documents
- k. If the applicant does not have an Operating Licence.

Insert reasons for rejection in the body of letter.

The applicant can request his/her application be referred to the Licensing Committee for consideration if rejected on the grounds detailed in (a) above. Rejection Letter must be signed by SLO

## **12. Refusal to grant**

A Local Authority has very few reasons for refusal of a licence if the applicant complies with all the application requirements. However, in both cases there is a discretion given to the authority. In relation to hackney carriages, the council must consider the use of the vehicle, especially in relation to out of district use. In relation to both types of vehicles it must be possible for the Council to refuse an application if the grant of that licence would breach the overriding aim of protecting the public.

## **13. Right of Appeal**

A person aggrieved by the Council's decision has rights of appeal:

- If an application for a private hire vehicle licence is refused, or granted subject to conditions which are considered unacceptable, an appeal lies to the magistrates court (section 48(7) LG(MP)A 1976);
- If an application for a new hackney carriage vehicle licence is refused, an appeal lies to the Crown Court (section 7, Public Health Acts Amendment Act 1907);
- If an application for a hackney carriage vehicle licence is granted subject to conditions which are considered unacceptable, an appeal lies to the magistrates court (section 47(3) LG(MP)A 1976);

## **14. Committee Decision**

On occasions Officers may need to refer applications to the Licensing Committee for determination as to whether the vehicle is fit for purpose or whether the vehicle meets the specification as detailed in the policy. Members may resolve to take one of the following decisions:

### **7. Grant**

### **8. Refuse**

Members need to give appropriate reasons for refusal

## **15. Review of Procedure**


This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.



**Planning and Public Protection Service**

**Name of Procedure:**

**Procedure for the notification of a Hackney Carriage and Private Hire vehicle driver conviction**

|                                                         |                                                                                                                   |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Author / Custodian:</b>                              | Nicky Jones                                                                                                       |
| <b>Date agreed and implemented:</b>                     | Agreed: 12 <sup>th</sup> June 2013<br>Implemented: 1 <sup>st</sup> August 2013                                    |
| <b>Agreed by:</b>                                       | Licensing Committee                                                                                               |
| <b>Frequency of Review:</b>                             | Annual                                                                                                            |
| <b>Review date:</b>                                     | May/June 2013                                                                                                     |
| <b>Equality Impact Assessment completed: (date)</b>     | N/A                                                                                                               |
| <b>Member involvement (if any)</b>                      | Licensing Committee                                                                                               |
| <b>Internal or Public Domain:</b>                       | Public Domain                                                                                                     |
| <b>Head of Service Approval: (signature &amp; date)</b> | <br>22 <sup>nd</sup> May 2013 |

**VERSION CONTROL:**

| <b>Reference:</b> | <b>Status:</b> | <b>Authorised by:</b> | <b>Date:</b> |
|-------------------|----------------|-----------------------|--------------|
| V01               | Final          | Licensing Committee   | 12.06.13     |

### 30. Purpose

To ensure consistency of administering and enforcing the Hackney Carriage and Private Hire legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers to be clear on what process need to be followed when information about a conviction is received on a licensed driver and to ensure that legislation is adhered to.

### 31. Related Documents

Town Police Clauses Act 1847  
Local Government (Miscellaneous Provisions) Act 1976 Section 49  
Guidelines relating to the Relevance of Convictions Policy  
Blue Book (Conditions and Policy)  
Flowcharts Attached

### 32. Officer Delegations

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below.

In the event of defining minor/non minor offences, it will be at the discretion of the Head of Service or Public Protection Manager or Senior Licensing Officer

| <b>FUNCTION</b>                                                                                              | <b>OFFICER</b>                                        |
|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Issue warning letter to licence holder if minor offence/less than 10 points in total on DVLA driving licence | Public Protection Manager or Senior Licensing Officer |
| Referral to Committee if 10 points or over on DVLA driving licence or for non minor offence                  | Public Protection Manager or Senior Licensing Officer |

### 33. Legislation/Policy

There is no specific section of the legislation that requires a licensed driver to inform the council that he/she has received a conviction. It is a condition of their licence, contained within the policy and conditions.

The existing policy states the driver shall:

- i) Disclose to the Council, in writing, details of any criminal or motoring convictions imposed on him during the period of licence, within 7 days of a convictions being obtained.
- ii) In cases of motoring offences for both Hackney Carriage and Private Hire Drivers where an applicant or licence holder had 10 or more valid penalty point endorsed on their driving licence the matter would be referred to the Licensing Committee for determination/consideration

### 34. Process

- xii) If information has come directly from licensee then move onto step (iii)
- xiii) If information has come via other sources SLO to write to licensee requesting a change of detail form to be completed and submitted within 7 days
- xiv) Licence holder must complete a change of details form
- xv) Driver file and change of details form to be passed to SLO for consideration
- xvi) **If the conviction is relating to a motoring offence** the DVLA licence must be produced (unless it is with DVLA Swansea then we will ask the licence holder to complete a DVLA Mandate)
- xvii) Does the DVLA licence now have 10 points or more? If so then the SLO must refer the matter to the Licensing Committee for consideration
- xviii) If the DVLA licence has less than 10 points the SLO will issue a letter to the licence holder warning him/her of their conduct
- xix) **For non motoring offences** the SLO must refer to policy guidelines on convictions and if the conviction does not fall within policy then the matter should be referred to Licensing Committee
- xx) SLO to determine whether the licence holder is a threat to public safety and/or child protection/vulnerable adult if so the matter should be referred to Enforcement for consideration of suspension or Social Services First Response Team immediately
- xxi) **If the offence falls within policy guidelines** then the SLO to have an informal interview with the licence holder within 10 working days of receiving the notification and to keep a record on file for future reference
- xxii) School Transport and Social Services should be informed of the matter
- xxiii) Licensing System updated and driver file

### 6. Committee Decision

On occasions Officers may need to refer applications to the Licensing Committee for determination as to whether the applicant is a fit and proper person to continue to hold a Hackney Carriage and Private Hire Vehicle Driver Licence. Members may resolve to take one of the following decisions:

#### 9. **Issue Warning**

#### 10. **Suspend**

Members may decide to suspend for a period of time. Reasons must be given for suspension

#### 11. **Revocation**

The Committee may decide to revoke the licence, reasons must be given for revocation

## **7. Right of Appeal**

A person aggrieved by the Council's decision has rights to appeal to the Magistrates Court.

## **8. Review of Procedure**

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.



Appendix 2

**REPORT TO: LICENSING COMMITTEE**

**DATE: 18 September 2013**

**REPORT BY: THE HEAD OF PLANNING AND PUBLIC PROTECTION**

**SUBJECT: LICENSING COMMITTEE WORK PROGRAMME 2012/14**

| <b>DATE</b>       | <b>REPORT</b>                                                                                       | <b>COMMENT</b>                                                                                        |
|-------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 18 September 2013 | Review of House to House and Street Collection Policies                                             | Update report on the results of the consultation undertaken on the revised policies                   |
|                   | Review of Licensing Fees and Charges for 2014/15                                                    | Report for Members' consideration and approval                                                        |
| December 2013     | Review of the existing Sex Establishment Policy                                                     | Report for Members' consideration                                                                     |
|                   | Report for Members' consideration and approval for Officers to consult with all interested parties  | Review of existing policy and conditions for Hackney Carriage and Private Hire Vehicles and Operators |
|                   | Report on implementing a Penalty Point System for Hackney Carriage and Private Hire licence holders | Report for Members' consideration                                                                     |
| March 2014        | Agree Forward Working Programme priorities for 2014/15                                              |                                                                                                       |
|                   | Review of the existing Street Trading Policy                                                        | Report for Members' consideration and approval for Officers to consult all interested parties         |
|                   | Sex Establishment Renewal                                                                           | Report for Members' to consider the renewal of existing Sex Establishment Licence                     |

Mae tudalen hwn yn fwriadol wag

**Press Release Oct 2013**

**Putting taxi passenger safety first**

Taxi operators must protect the safety of the public - that's the message from Denbighshire County Council, North Wales Police and the Vehicle and Operator Service Agency following a joint road safety initiative in Rhyl.

Officers from the Council's Community Safety Enforcement team worked with the police's Road Policing Unit and VOSA, carrying out detailed roadworthiness checks on 11 taxis in the town.

The checks resulted in five taxis being immediately prohibited and suspended by VOSA officers and Council Licensing/ Community Safety Enforcement Officers for a range of issues, including a defective tyre, defective brakes, seat belt, suspension, windscreen and warning lights.

Three taxi drivers were issued with deferred suspensions by Council Officers in relation to taxi licensing conditions, bodywork damage and lighting defects. Deferred suspension is when they can continue to operate the taxi but they have to get some works done or face suspension afterwards for not getting them done.

Councillor David Smith, Cabinet Lead Member for Environment, said: "These operations must send a clear message to all taxi proprietors that Denbighshire County Council, the Police and VOSA are jointly committed to a course of action that will seek out any vehicles that are not fit for purpose. This activity is also designed to gain the confidence of the paying public who use such vehicles and all those persons who use the roads of Denbighshire.

The Council will continue to work in partnership with North Wales Police and VOSA in carrying out taxi and private hire vehicle roadworthiness checks and take appropriate action where necessary".

Sergeant Tony Gatley of the Roads Policing Unit said: "It is disappointing that once again we detected an unacceptable number of offences that resulted in immediate prohibitions with respect to vehicles that were being used to transport members of the public. People however should be reassured in that we will continue with our work in an aim to ensure the safety of everyone who uses the roads of North Wales."

**Examples of News Articles**

**Taxis are targeted in police crackdown**

By OWEN HUGHES

DEFECTIVE tyres, no MOT, failing to wear seatbelts and using a mobile phone while driving were just some of the offences detected by officers during a Taxi Enforcement Operation.

Police targeted vehicles at Rhyl and Prestatyn on Thursday alongside VOSA and Denbighshire County Council.

A total of 25 vehicles were stopped, which included taxis and other road users. A number of offences were found including driving whilst using a mobile phone, failing to wear seat belts, no current MOT, defective tyres, and no headlamp.

One vehicle was hauled off the road for a defective tyre while three vehicles were given delayed prohibitions for an oil leak and defective tyres.

**DANGEROUS TAXIS FORCED OFF ROAD**

**'Serious defects' found in cabbie clampdown**

By OWEN HUGHES

DANGEROUS taxis have been hauled off the road in a police and council crackdown to ensure the safety of passengers.

Cabbies were pulled over in Denbighshire by officers from North Wales Police as part of an enforcement campaign.

Checks on the roadworthiness of 15 taxis were then carried out, supported by VOSA and Licensing staff from Denbighshire council.

Four vehicles were immediately halted due to "serious defects" and the cabbies told to have the repairs carried out before they can drive them again. Other drivers were given notice to carry out works.

FULL STORY - PAGE 11

DAILY POST June 27, 2012



DENBIGHSHIRE

**Taxi firm boss loses his licence appeal**

By GARETH HUGHES

A DISTRICT Judge has ruled a taxi boss is not a fit and proper person to hold a licence.

Now Drew Bloor, the boss of Yellow Line Taxis and chairman of Denbighshire Taxi Drivers' Association, could face a bill of almost £12,000 after losing his appeal against Denbighshire and Conwy

county councils.

Both authorities, who share licensing services, had revoked Mr Bloor's licences six months ago after it was found that he had not disclosed convictions for minor motoring offences when he first applied for a new licence in 2005. The court also

heard Mr Bloor, of Lon Clwyd, Denbigh, had failed to disclose he had been arrested and interviewed in connection with an alleged serious sex offence in 2000. Though he was never charged he should have mentioned the fact on his Conwy Council form. He claimed the form had been completed



Drew Bloor

by a member of staff.

Tony Rose, representing Mr Bloor, said it had to be conceded he should not have lied about his 2004 convictions but the offences were so minor that, had they been disclosed, he would almost certainly have been granted his licence.

He argued councillors had been wrong to consider unsubstantiated

complaints made by parents that Mr Bloor had been taking photographs outside Cefnmeiriadog primary school - complaints which had led to his suspension last June.

But the District Judge said Mr Bloor had perpetrated the fraud each year since 2005 by failing to mention the convictions, and that put his credibility into question.

|                            |                                                        |
|----------------------------|--------------------------------------------------------|
| <b>Adroddiad i'r:</b>      | <b>Pwyllgor Archwilio Perfformiad</b>                  |
| <b>Dyddiad y cyfarfod:</b> | <b>24 Hydref 2013</b>                                  |
| <b>Swyddog Arweiniol:</b>  | <b>Pennaeth Gwasanaethau Priffyrdd ac Amgylcheddol</b> |
| <b>Awdur yr Adroddiad:</b> | <b>Rheolwr Asedau</b>                                  |
| <b>Teitl:</b>              | <b>Diweddariad ar Strategaeth Ymyl Palmentydd Isel</b> |

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## 1. Am beth mae'r adroddiad yn sôn?

Diweddaru aelodau ar y cynnydd a wneir ar ddatblygu'r Strategaeth Ymyl Palmentydd Isel, sefydlu llwybrau allweddol mewn cymunedau, ac amserlen sy'n blaenoriaethu gwaith.

## 2. Beth yw'r rheswm dros lunio'r adroddiad hwn?

Darparu gwybodaeth a cheisio safbwyntiau Aelodau ar gynnydd hyd yn hyn ynglŷn â phroblemau ymyl palmentydd isel amrywiol sy'n ymwneud â mesuryddion perfformiad yn y Cynllun Corfforaethol

## 3. Beth yw'r Argymhellion?

Bod yr Aelodau'n nodi a rhoi sylwadau ar y cynnydd a wnaed hyd yn hyn.

## 4. Manylion am yr adroddiad.

Mae Cynllun Gwasanaeth 2013/14 yn nodi

*Canlyniad 1 - Bod gan breswylwyr ac ymwelwyr â Sir Ddinbych fynediad i rwydwaith ffyrdd sydd wedi'i reoli'n dda*

I gefnogi'r Canlyniad fod yna Weithgaredd Gwella:

*Datblygu a gweithredu polisi yn ogystal â llwybrau allweddol ar gyfer cynyddu'r nifer o ymyl palmentydd isel mewn lleoliadau strategol*

Cafodd hynny hefyd ei gynnwys yng Nghynllun Gwasanaeth 2012/13 ond ni symudwyd ymlaen â hynny.

Datblygwyd dangosydd er mwyn mesur cynnydd yn gyffredinol:

*Y ganran o lwybrau allweddol lle mae ymyl palmentydd isel yn eu lle.*

Y cam cyntaf yn y broses hon yw datblygu polisi a dealltwriaeth o beth yw llwybr allweddol e.e. rhwng canolfannau o boblogaeth a chyfleusterau iechyd neu hamdden, rhwng cyfleusterau gofal a theithiau bws, o feithrinfeydd dydd a thai lleol, ayyb.

I gychwyn y broses lluniwyd a datblygwyd drafft o gynllun y prosiect â'r Swyddog Cydraddoldeb Corfforaethol. Mae'r cynllun wedi'i atodi fel Atodiad A. Mae nod y prosiect yn gyffredinol wedi'i grynhof yn y frawddeg ganlynol: Creu symudiad di-rwystr i bawb.

Mae angen ymyl palmentydd isel ar gyfer diogelwch priffyrdd ond maent yn achosi anhawster neu berygl posib i bobl â nam ar eu golwg, pobl mewn cadeiriau olwyn neu ar sgwteri symudedd, pobl gyda phram a choets, pobl anabl sydd â'r gallu i gerdded, a hyd yn oed i siopwyr gyda bagiau siopa trwm/trolïau.

Bydd ymyl palmentydd isel yn gwella neu'n sicrhau mynediad i siopau a gwasanaethau ac yn cefnogi annibyniaeth unigolyn ac adfywiad posib i ganol trefi lleol.

Mae cyfarfodydd wedi eu trefnu i ddeall pa wybodaeth sydd ar gael yn fewnol ynglŷn â lleoliad defnyddwyr posib a hefyd i drafod y posibilrwydd o ddarparu cyllideb benodol i'w defnyddio gan yr adran Gwasanaethau Cymdeithasol i ymdrin â cheisiadau 'unwaith ac am byth' tu allan i'r meini prawf sefydledig.

Y cam nesaf yw trefnu ymgynghoriad â'r gymuned leol. Bydd hynny'n canolbwyntio ar fynediad lleol i bencampwyr/grwpiau, a defnyddir yr ymgynghoriad i ddatblygu meini prawf. Mae'r cyfarfod hwn wedi'i drefnu ar gyfer 5 Tachwedd 2013.

Defnyddir y cyfalaf y bydd yr adran Priffyrdd yn ei dderbyn gan y Cyngor ar gyfer cynlluniau traffig, gwaith llenwi tyllau, goleuadau stryd ayb. Byddai'n syniad cadw arian o'r gyllideb Priffyrdd o'r neilltu ar gyfer ymyl palmentydd isel. Costau gwaith ar y cyfryw yn oddeutu £600 ar gyfer pob croesfan, felly byddai dyraniad cychwynnol o £30,000 yn briodol i ddatblygu rhaglen gynaliadwy. Lle bynnag fo'n bosib defnyddir cyllid allanol, ee datblygu llwybrau beicio.

Mae hyd yn oed archwiliad cryno o leoliadau yn dynodi fod yna angen go iawn i wella'r sefyllfa ond mi fydd adnoddau'n brin ac felly mae'n rhaid i'r polisi adlewyrchu'r cyfyngiadau hyn drwy roi arweiniad amlwg (yn deillio o adborth gan fudd-ddeiliaid) ar sut i flaenoriaethu llwybrau. Gall ffactorau o'r fath gynnwys:-

1. Materion diogelwch uniongyrchol – e.e. llefydd croesi sy'n bodoli eisoes ond sy'n berygl neu wedi eu difrodi.
2. Budd/effaith mwyaf
  - a. canolbwyntio ar brif lwybrau i gerddwyr rhwng canolfannau poblogaeth a chyfleusterau lleol
  - b. pan fydd creu un groesfan yn cysylltu â llwybrau sy'n bodoli eisoes
  - c. lle gwyddys fod yna nifer fawr o ddefnyddwyr posib e.e. Canolfannau Iechyd, Gofal dydd/llely lloches, cartrefi gofal preswyl, meithrinfeydd, Gorsafoedd Bws, Cyfleusterau Hamdden, Gorsafoedd Rheilffordd

3. meysydd parcio – rhaid i bob maes parcio gynnig llefydd parcio i'r anabl ac mae llawer yn cynnig llefydd parcio i rieni a phlant. Nid yw llawer yn sicrhau fod mynediad tu allan i berimedr y maes parcio.
4. Parcio ar y stryd – mynediad o lefydd anabl ar, ac ar hyd, y briffordd yn agos i'w gilydd
5. Gwneud y mwyaf o unrhyw gyfle i ddatblygu llwybrau pan fydd gweithgaredd cynnal a chadw neu weithgaredd priffyrdd yn cymryd lle, yn cynnwys gwasanaethau eraill.
  - a. Proses ffurfiol i sicrhau bod yr holl gynlluniau priffyrdd yn ystyried ac yn cynnwys, lle bynnag fo hynny'n bosibl, ymyl palmentydd isel.
  - b. Trafodaethau rheolaidd â'r adran Gwasanaethau ynglŷn ag unrhyw gyfleoedd o fuddsoddiad posib yn y Cyngor i ychwanegu ymyl palmentydd isel
  - c. Gwneud y mwyaf o'r cyfleoedd a geir trwy'r broses gynllunio

Dylid adolygu'r cwynion a dderbyniwyd yn barod fel tystiolaeth ychwanegol ac yna delio â'r cwynion trwy'r broses hon neu trwy ddyraniad Gwasanaethau Cymdeithasol penodol.

Unwaith y penderfynir pa lwybrau strategol a gyfeirir atynt yna gallwn wella'r ymdriniaeth drwy weithredu'r canlynol:-

1. mapiau o lwybrau sy'n hygyrch i gadair olwyn/pram – er y nod yw cael gwared ar yr angen ond mi fydd hynny'n cymryd amser
2. Gwarchod ymyl palmentydd isel - peintio llinellau melyn neu wyn pan fo hynny'n bosib a gorfodi rhagweithiol
3. Canllawiau wedi eu diffinio'n glir ynglŷn â cheisiadau cynllunio ar gyfer datblygiadau newydd ochr yn ochr â llwybrau cyflawn gyda mynediad i gyfleusterau lleol.
4. Rhaglen o archwiliadau mynediad ar gyfer canol pob tref.
5. Trafodaeth barhaus â'r grŵp ffocws
6. Mae'r Gwasanaethau Cymdeithasol yn ymdrin â'r materion sy'n disgyn tu allan i'r meini prawf uchod.

Mae cyfle wedi codi i ymgymryd â gwaith sy'n cysylltu'r Ganolfan Feddygol yn y Rhyl â Chanol y Dref. Mae'r tîm traffig yn ymgymryd â gwaith ar West Kinmel Street yn cynnwys 2 ymyl palmentydd isel. Bydd hynny'n cael ei gynyddu i 13 ymyl palmentydd isel a bydd yna gysylltiad rhyngddynt i ganol y dref. Mae hynny'n cydymffurfio â'r meini prawf a ddisgrifiwyd uchod ond yn bennaf yn cael ei wneud pan fydd cyfle i wneud hynny.

Bydd gwaith arall uniongyrchol yn cael ei wneud â'r grŵp ymgynghori ar ôl y cyfarfod.

## **5. Sut y mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

Bydd y strategaeth a gytunwyd arni yn arwain at ddarparu rhagor o ymyl palmentydd isel ar draws y Sir mewn lleoliadau a fydd yn elwa fwyaf ohonynt. Mae hynny wedi cael ei ddatblygu fel gweithred gwella i gefnogi blaenoriaeth y Cyngor ar gyfer gwella'r ffyrdd. Bydd hefyd yn cefnogi'r flaenoriaeth i sicrhau fod pobl ddi-amddiffyn yn

cael eu diogelu ac yn gallu byw bywyd mor annibynnol â phosib ac efallai'n helpu i ddatblygu'r economi leol.

**6. Beth fydd y gost a sut y bydd yn effeithio ar wasanaethau eraill?**

Bydd y gyllideb derfynol yn cael ei ddyrannu o ddyraniad presennol yr adran Priffyrdd. O fewn y gyllideb honno darperir elfen ar gyfer anghenion unwaith ac am byth sydd ddim yn cyd-fynd â'r meini prawf a gytunwyd arnynt ond sydd wedi eu pennu fel agweddau hanfodol. Gwasanaethau Cymdeithasol fydd yn blaenoriaethu'r prosiectau ad hoc hyn ond yr adran Priffyrdd fydd yn eu caffael er mwyn cael gafael ar raddau cystadleuol.

**7. Beth yw prif gasgliadau'r asesiad a gynhaliwyd ynglŷn ag effaith y penderfyniad ar gydraddoldeb? Dylid cynnwys templed yr Asesiad o Effaith ar Gydraddoldeb a gwblhawyd fel atodiad i'r adroddiad.**

Y bwriad yw cynnwys safbwyntiau gan gymaint o fudd-ddeiliaid ag sy'n bosib fel bod modd cyfeirio at anghenion pawb mewn modd sydd â ffocws iddo ac sy'n gynaliadwy.

**8. Pa ymgynghoriadau a gynhaliwyd â'r Pwyllgor Archwilio a phwyllgorau eraill?**

Ymgynghoriad â'r Gwasanaethau Cymdeithasol  
Ymgynghoriad â'r grŵp ffocws/defnyddiwr

**9. Datganiad y Prif Swyddog Cyllid**

Dylid trosglwyddo'r Strategaeth o fewn y gyllideb bresennol a ddyrannwyd i'r gwasanaeth Priffyrdd a bydd yn ysgafnhau'r risgiau a nodir isod

**10. Pa risgiau sy'n bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**

Ar hyn o bryd mae yna risg ein bod yn gosod ymyl palmentydd isel mewn modd mympwyol sydd ddim yn cyfeirio at y gofynion go iawn, ac felly mae'n wastraff adnodd. Bydd y polisi hwn yn cael gwared ar y risg hynny ac yn cyflwyno ymdriniaeth â ffocws arno gydag adnoddau addas.

Er nad yw'r Ddeddf Gwahaniaethu ar Sail Anabledd, o ran priffyrdd, heb gael ei herio ryw lawer mae yna wastad risg, a gofynnir i'r sir ddangos ei ymrwymiad i gydymffurfio â'r Ddeddf yn y cyd-destun hwn ac felly bydd yr ymdriniaeth hon yn helpu i ddelio â gweithred bosib o'r fath.

**11. Grym i wneud Penderfyniad**

Deddf Priffyrdd 1980

Deddf Gwahaniaethu ar Sail Anabledd 1995



Mae Erthygl 6.3.3 yn nodi'r rôl Archwilio o ran datblygu polisi

**Swyddog Cyswllt:**  
Rheolwr Asedau  
Ffôn: 01824 706875

Mae tudalen hwn yn fwriadol wag

**CYNLLUN GWEITHREDU I DDATBLYGU A GWEITHREDU  
STRATEGAETH YMYL PALMENTYDD ISEL**

Creu symudiad di-rwystr i bawb!

|     | GWEITHRED                                                                                                                | GAN BWY                                  | ERBYN PRYD             |
|-----|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------|------------------------|
| 1.  | Sefydlu:<br>Cwrdd â Karen Beattie i drafod yr ymdriniaeth Cysylltu â Gwasanaethau Cymdeithasol                           | Mike Hitchings                           | Gorffennaf 2013        |
| 2.  | Datblygu drafft o'r meini prawf i sefydlu 'llwybrau strategol' yn ein cymunedau a wnaethpwyd cyn y cyfnod ymgynghori     | Mike Hitchings/Tim Towers/Erail          | Awst / Medi 2013       |
| 3.  | Adnabod y gyllideb ac elfen benodol ar gyfer blaenoriaethau Gwasanaethau Cymdeithasol tu allan i'r prosesau strategol.   | Mike Hitchings/Gwasanaethau Cymdeithasol | Hydref 2013            |
| 4.  | Cyflwyno i'r Grŵp Buddsoddi Strategol fel rhan o gynnyg cyfalaf Gwasanaethau Prifffyrdd ac Amgylcheddol yn ei gyfanrwydd | Mike Hitchings                           | Tachwedd 2013          |
| 5.  | Ymgynghori â'r grwpiau perthnasol, aelodau (MAGs?), Gwasanaethau Cymdeithasol                                            | Mike Hitchings/Tim Towers                | Tachwedd/Rhagfyr 2013. |
| 6.  | Cyflwyno meini prawf i bob cymuned a sefydlu llwybrau strategol                                                          | Tim Towers                               | Rhagfyr 2013           |
| 7.  | Adolygu'r cyfleusterau go iawn ar bob un o'r llwybrau hyn a phenderfynu os oes angen ymyl palmentydd isel                | Ian Hewitt                               | Rhagfyr 2013           |
| 8.  | Llunio meini prawf blaenoriaethu a'u defnyddio ar gyfer prosiectau posib                                                 | Tim Towers                               | Rhagfyr 2013           |
| 9.  | Datblygu rhaglen 3 blynedd a chyfathrebu â budd-ddeiliaid                                                                | Tim Towers                               | Rhagfyr 2013           |
| 10. | Gweithredu'r cynlluniau wedi eu blaenoriaethu ar gyfer 13/14 ar unwaith                                                  | Richard Jones                            | Mawrth 2014            |
| 11. | Gweithredu                                                                                                               | Richard Jones                            | O Ebrill 2014          |

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|                                  |                                                                          |
|----------------------------------|--------------------------------------------------------------------------|
| <b>Adrodd i'r:</b>               | <b>Pwyllgor Archwilio Perfformiad</b>                                    |
| <b>Dyddiad y Cyfarfod:</b>       | <b>24 Hydref 2013</b>                                                    |
| <b>Aelod/ Swyddog Arweiniol:</b> | <b>Aelod Arweiniol Parth Cyhoeddus</b>                                   |
| <b>Awdur yr Adroddiad:</b>       | <b>Pennaeth Cynllunio a Gwarchod y Cyhoedd / Rheolwr Rheoli Datblygu</b> |
| <b>Teitl:</b>                    | <b>Ceisiadau Cynllunio</b>                                               |

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## **1. Beth yw cynnwys yr adroddiad?**

Mae'r adroddiad yn ymwneud â pherfformiad y Cyngor yn nhermau faint o amser mae'n cymryd i benderfynu ar geisiadau cynllunio.

## **2. Beth yw'r rheswm dros lunio'r adroddiad hwn?**

Gofynnwyd am yr adroddiad hwn gan yr Aelodau er mwyn adnabod tueddiadau neu bwysau a all effeithio ar flaenoriaethau corfforaethol y Cyngor o ran sicrhau mynediad at dai o ansawdd a datblygu'r economi leol.

## **3. Beth yw'r Argymhellion?**

Mae'r adroddiad hwn er gwybodaeth a sylwadau Aelodau.

## **4. Manylion am yr Adroddiad.**

4.1 Gofynnwyd am yr adroddiad hwn yn dilyn cynnwys yr Adroddiad Perfformiad Blynyddol ar raglen y Pwyllgor Archwilio ar 19 Medi 2013.

4.2 Gofynnodd yr Aelodau am ffigurau er mwyn cymharu blynyddoedd ariannol 2011/12, 2012/13 a 2013/14 (hyd yma) gan eu bod yn teimlo bod arnynt angen eglurhad ynglŷn â pham nad yw Sir Ddinbych yn chwarter uchaf Cymru o ran yr amser mae'n cymryd i benderfynu ar geisiadau deiliaid tŷ o fewn 8 wythnos. Mae'r adroddiad hwn yn darparu gwybodaeth ddigonol i ganiatáu'r Aelodau i wneud sylwadau ar berfformiad y Cyngor o ran yr amser mae'n cymryd i ddelio gyda cheisiadau cynllunio o bob math.

4.3 Mae'r unig ystadegau yn yr Adroddiad Perfformiad Blynyddol sy'n gysylltiedig â'r mater hwn yn ymwneud â chanran y ceisiadau deiliaid tŷ sy'n cael eu penderfynu o fewn 8 wythnos. Er bod hyn yn rhoi syniad da ynglŷn â sut mae'r Awdurdod yn perfformio o'i gymharu ag Awdurdodau eraill yng Nghymru o ran math penodol o gais, mae'r Aelodau wedi gofyn am eglurhad pellach ynglŷn â pherfformiad y Cyngor yng nghyd-destun yr holl geisiadau cynllunio.

4.4 Mae Atodiad 1 yn cynnwys tablau sy'n cynnwys gwybodaeth ynglŷn â'r amser mae'n cymryd i benderfynu ar wahanol fathau o geisiadau cynllunio rhwng

2011/12 a chwarter cyntaf y flwyddyn hon (Ebrill - Mehefin). Mae Atodiad 1 hefyd yn cymharu ein perfformiad â pherfformiad Awdurdodau eraill yng Nghymru.

- 4.5 Felly mae Atodiad 1 yn darparu dadansoddiad cynhwysfawr o'r perfformiad yn nhermau'r amser mae'n cymryd i wneud penderfyniad ar gais cynllunio. Ar y cyfan ystyrir bod ein perfformiad yn dda. Fodd bynnag y prif faterion sy'n codi yn 2012/13 yw:

Rydym yn y 9<sup>fed</sup> safle yng Nghymru o ran % y ceisiadau sy'n cael eu cymeradwyo (dros y canolrif)

Rydym yn y 7<sup>fed</sup> safle yng Nghymru o ran yr amser y mae'n cymryd i benderfynu ar geisiadau 'mawr' (dros y canolrif)

Rydym yn yr 17eg safle yng Nghymru o ran yr amser y mae'n cymryd i benderfynu ar geisiadau 'bach' (dan y canolrif)

Rydym yn y 15fed safle yng Nghymru o ran yr amser y mae'n cymryd i benderfynu ar geisiadau 'deiliaid tŷ' (dan y canolrif)

Rydym yn y 9<sup>fed</sup> safle yng Nghymru o ran yr amser y mae'n cymryd i benderfynu ar geisiadau 'eraill' (dros y canolrif)

- 4.6 O ran meysydd ar gyfer eu gwella fe ddylem edrych ar yr amser mae'n cymryd i benderfynu ar geisiadau 'bach' a cheisiadau 'deiliaid tŷ'.

- 4.7 Ar gyfer y ddau uchod roedd ein perfformiad yn 2011/12 yn well na'n perfformiad yn 2012/13.

|             | <b>2011/12</b> | <b>2012/13</b> |
|-------------|----------------|----------------|
| Bach        | 70%            | 57%            |
| Deiliaid Tŷ | 90%            | 82%            |

Felly mae cryn le i wella eleni. Mae arwyddion cynnar yn dangos ein bod ar y trywydd cywir i wneud y gwelliannau hyn drwy gymharu perfformiad 2012/13 â pherfformiad chwarter cyntaf y flwyddyn hon.

|             | <b>2012/13</b> | <b>Chwarter Cyntaf Eleni</b> |
|-------------|----------------|------------------------------|
| Bach        | 57%            | 67%                          |
| Deiliaid Tŷ | 82%            | 86%                          |

- 4.8 Wrth gwrs, bydd ein perfformiad yn amrywio o flwyddyn i flwyddyn yn dibynnu ar newidynnau fel adnoddau staff, salwch, cymhlethdod ceisiadau ac ati a bydd ein safle yng Nghymru yn dibynnu ar berfformiad Awdurdodau eraill.

- 4.9 Yn y pen draw mae'r perfformiad o ran yr amser mae'n cymryd i benderfynu ar geisiadau yn seiliedig ar y pwyslais a'r pwysigrwydd y mae Awdurdod yn ei roi ar yr amser y dylid treulio ar geisiadau o'i gymharu ag ymgysylltu â'r gymuned ac ansawdd y penderfyniad a wneir. Mae Swyddogion yn credu ein bod ar y cyfan yn canfod y cydbwysedd cywir rhwng yr amser a dreulir ar geisiadau ac ymgysylltu ag Aelodau, bod yn agosach at y gymuned ac ansawdd y penderfyniad. Wedi dweud hynny mae'r rhai olaf o'r rhain yn anodd eu mesur ac yn oddrychol. Er bod amser yn haws ei fesur na'r materion goddrychol, mae Swyddogion yn credu bod cyfrifo amser yn ddull bras o feirniadu sut mae

cynllunio yn cyfrannu at y ddwy flaenoriaeth sy'n gysylltiedig â thair a'r economi.

**5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

Mae'r Adain Gynllunio yn cyfrannu at gwrdd â blaenoriaethau'r Cyngor drwy sicrhau mynediad at dai o ansawdd a datblygu'r economi leol.

**6. Faint fydd hyn yn ei gostio a sut bydd yn effeithio ar wasanaethau eraill?**

Does dim goblygiadau o ran cost ynghlwm wrth yr adroddiad hwn ac ni fydd yn effeithio ar wasanaethau eraill.

**7. Beth yw prif gasgliadau'r asesiad a gynhaliwyd ynglŷn ag effaith y penderfyniad ar gydraddoldeb? Dylid cynnwys templed yr Asesiad o Effaith ar Gydraddoldeb a gwblhawyd fel atodiad i'r adroddiad.**

Amherthnasol.

**8. Pa ymgynghoriadau a gynhaliwyd â'r Pwyllgor Archwilio a phwyllgorau eraill?**

Nid oes ymgynghoriad wedi ei gynnal er mwyn llunio'r adroddiad hwn.

**9. Datganiad y Prif Swyddog Cyllid**

Nid oes goblygiadau ariannol o ganlyniad i'r adroddiad hwn.

**10. Beth yw'r risgiau ac a allwn ni wneud rhywbeth i'w lleihau nhw?**

Nid yw'r lefel bresennol o berfformiad yn cyflwyno risg i'r Cyngor.

**11. Pŵer i wneud Penderfyniad**

Mae erthyglau 6.1 a 6.3.4(b) o Gyfansoddiad y Cyngor yn nodi swyddogaeth a phŵer y Cyngor o ran rheoli perfformiad a monitro gwasanaethau.

**Swyddog Cyswllt:**

Pennaeth Cynllunio a Gwarchod y Cyhoedd  
01824 706925

Mae tudalen hwn yn fwriadol wag



## **Appendix 1 – Planning Applications**

### **2011/12**

|                                                                                                                                       | Local Target | Actual Achieved |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|
| Percentage of all applications determined within the statutory time scale                                                             | 75%          | 78%             |
| Percentage of major planning applications determined during the year within 13 weeks                                                  | 40%          | 45%             |
| Percentage of minor planning applications determined during the year within 8 weeks                                                   | 70%          | 70%             |
| Percentage of householder planning applications determined during the year within 8 weeks                                             | 90%          | 90%             |
| Percentage of all other planning applications determined during the year within 8 weeks (mineral, general regs, advert and all other) | 80%          | 82%             |

### **2012/13**

|                                                                                                                                       | Local Target | Actual Achieved |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|
| Percentage of all applications determined within the statutory time scale                                                             | 70%          | 71%             |
| Percentage of major planning applications determined during the year within 13 weeks                                                  | 40%          | 42%             |
| Percentage of minor planning applications determined during the year within 8 weeks                                                   | 60%          | 57%             |
| Percentage of householder planning applications determined during the year within 8 weeks                                             | 80%          | 82%             |
| Percentage of all other planning applications determined during the year within 8 weeks (mineral, general regs, advert and all other) | 70%          | 74%             |

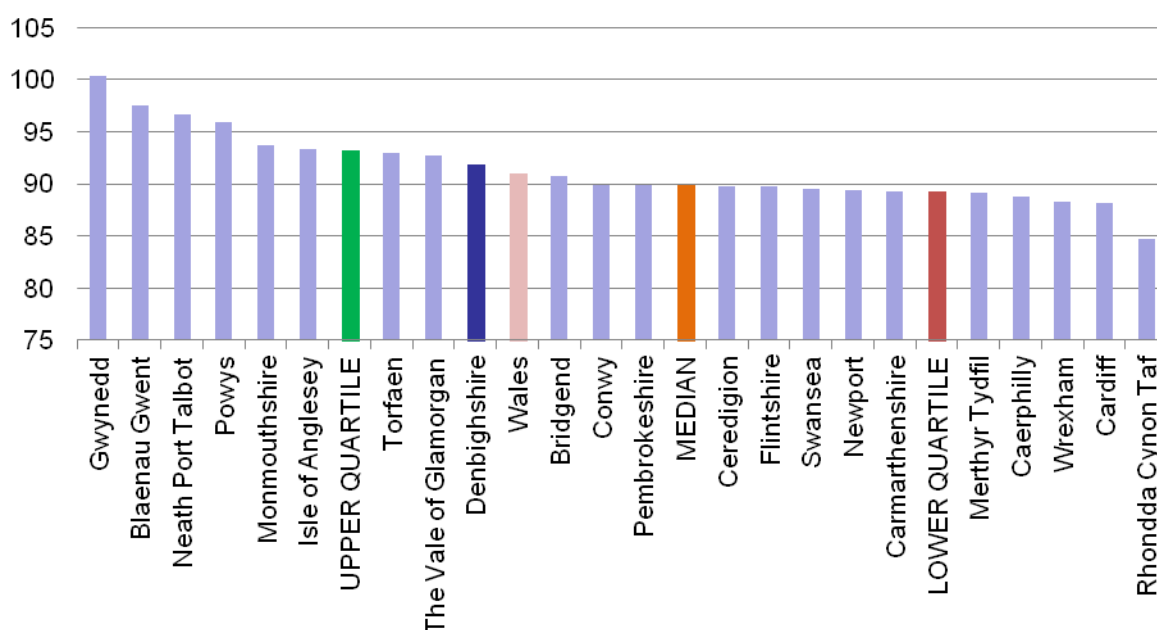
### **Quarter 1 of 2013/14**

|                                                                                                                                       | Local Target | Actual Achieved |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|
| Percentage of all applications determined within the statutory time scale                                                             | 70%          | 74%             |
| Percentage of major planning applications determined during the year within 13 weeks                                                  | 40%          | 67%             |
| Percentage of minor planning applications determined during the year within 8 weeks                                                   | 60%          | 67%             |
| Percentage of householder planning applications determined during the year within 8 weeks                                             | 80%          | 86%             |
| Percentage of all other planning applications determined during the year within 8 weeks (mineral, general regs, advert and all other) | 70%          | 66%             |

## DEVELOPMENT CONTROL & COMPLIANCE

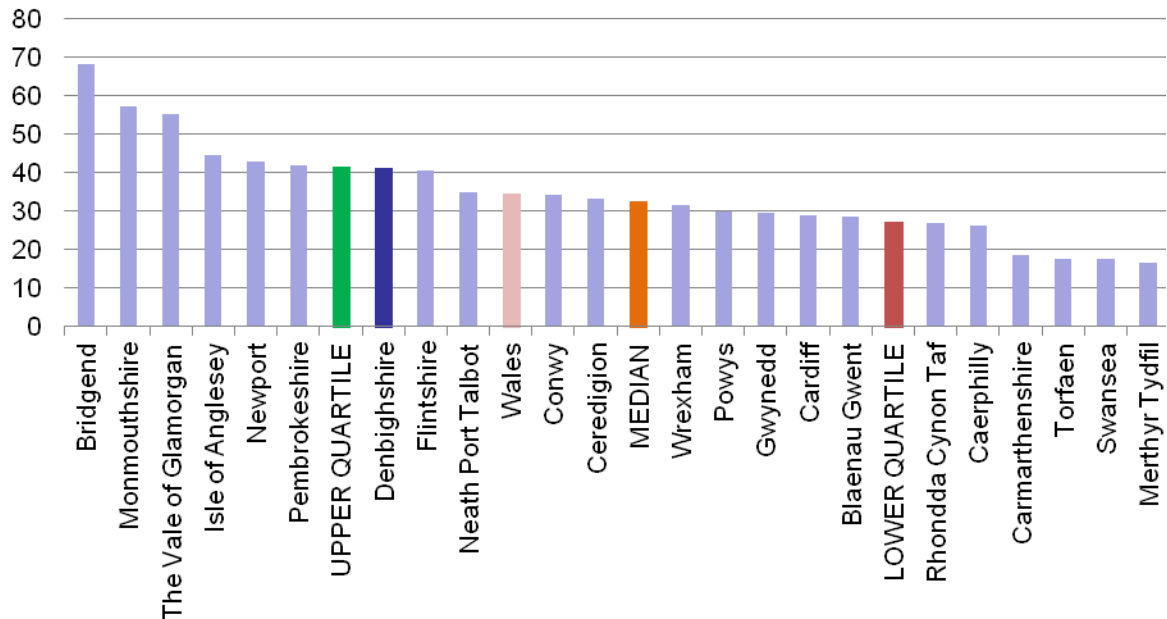
A number of national performance measures are collected to demonstrate performance and assist in comparison between local authority planning services. These include planning application approval rates but focus is overwhelmingly on the speed at which planning applications are processed. The Service has raised the point that there is great diversity in the type and complexity of planning applications received and that the broad categories utilised in the measures can be a blunt tool for analysis.

**Planning Applications Approved (%)**  
Financial Year 2012-13



Analysis of the longer-term trend shows increasing percentage of approvals, across Wales, particularly since 2008-09. In 2012-13, Denbighshire approved 92% of planning applications determined with a total of 623 applications. This performance places Denbighshire above the Median for Welsh local authorities or 9<sup>th</sup> of the 22 authorities. It was the third highest in North Wales and an increase of 1.8% from 2011-12. This indicates a fourth year of genuine progress, which could imply that negotiations are being carried out with developers in order to secure a more acceptable scheme, which can often take longer for a decision to be made, and therefore affect the speed of determination .

**Major Planning Applications determined within 13 weeks (%)  
Financial Year 2012-13**



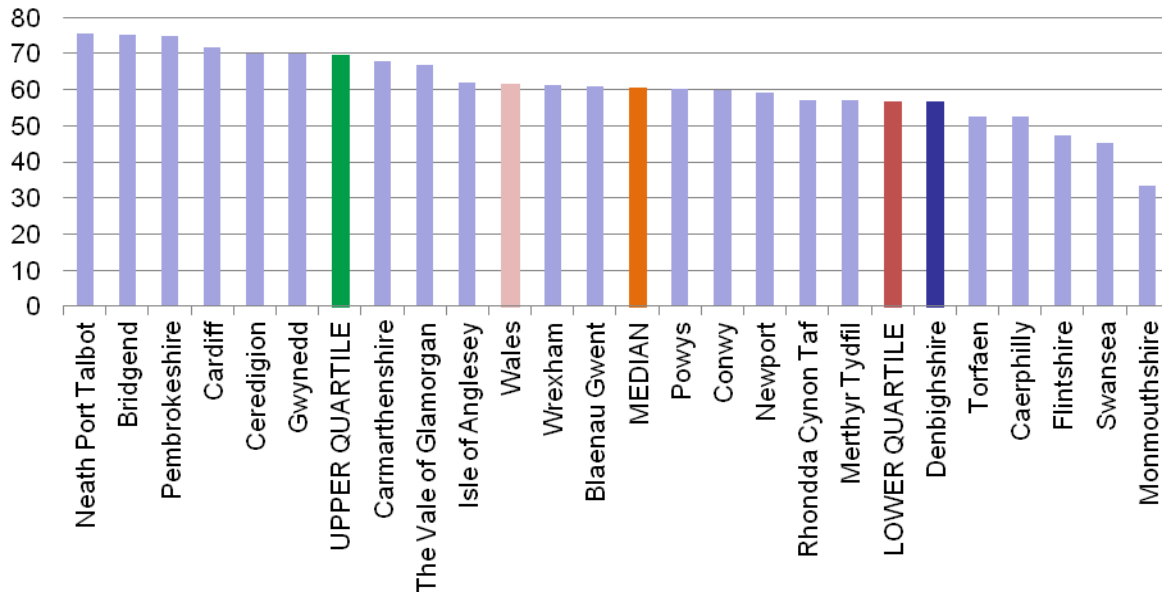
Denbighshire determined 41% of major planning applications within 13 weeks in 2012-13 (i.e. 7 out of 17). This placed Denbighshire above the median in 7<sup>th</sup> out of 22 Authorities. A 'Major' Development is one where:

- The number of dwellings to be constructed is 10 or more, or the site area is 0.5 hectares or more; or
- Commercial or industrial floor space is 1,000 square metres or more, or the site area is 1 hectare or more

Denbighshire had the highest percentage figures compared to our neighbouring local authorities, Flintshire, Conwy, Wrexham, Gwynedd and Powys. Bridgend had the highest percentage overall with 68% and determined 17 out of 25 major planning applications within 13 weeks.

The 2012-13 figures represent a small fall in percentage terms. In 2011-12, the figure was 46% i.e. 5 out of 11 determined in 13 weeks.

**Minor Planning Applications determined within 8 weeks (%)  
Financial Year 2012-13**



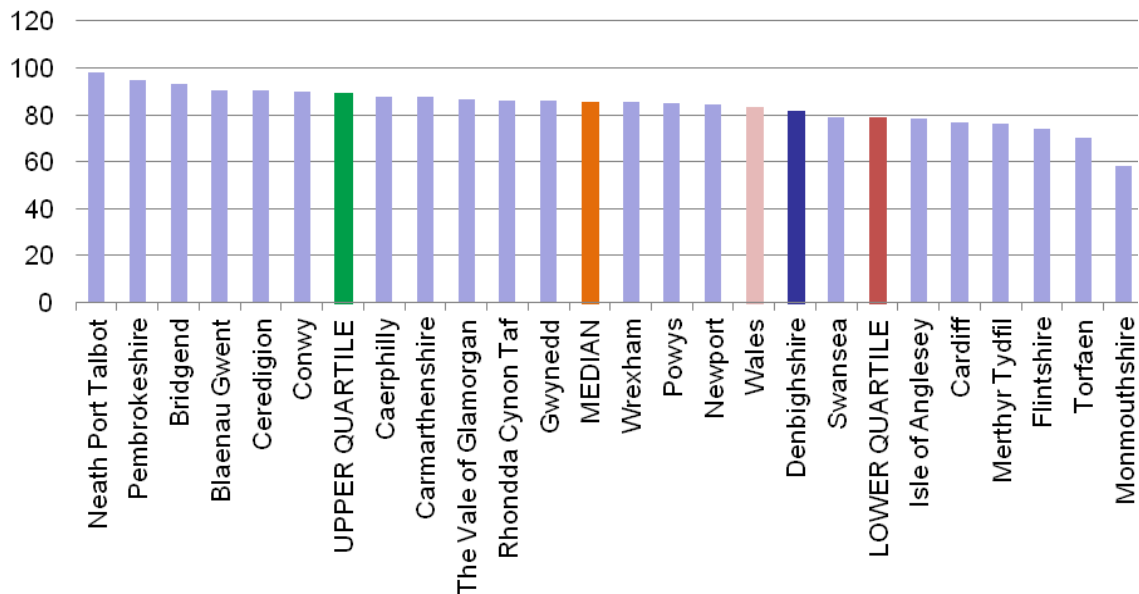
In 2012-13, Denbighshire determined 56% of minor planning applications within 8 weeks (i.e. 180 out of 318). This placed Denbighshire in the lower quartile in 17<sup>th</sup> out of 22. A 'Minor' Development is one where the development:

- Does not meet the criteria for major development; or
- Is not of a type defined as householder development

The highest percentage in North Wales was 70% for Gwynedd with 317 applications being determined within 8 weeks out of a total of 452.

In 2011-12, Denbighshire had the highest percentage of minor planning applications determined within 8 weeks in North Wales with 70% (i.e. 243 out of 347)

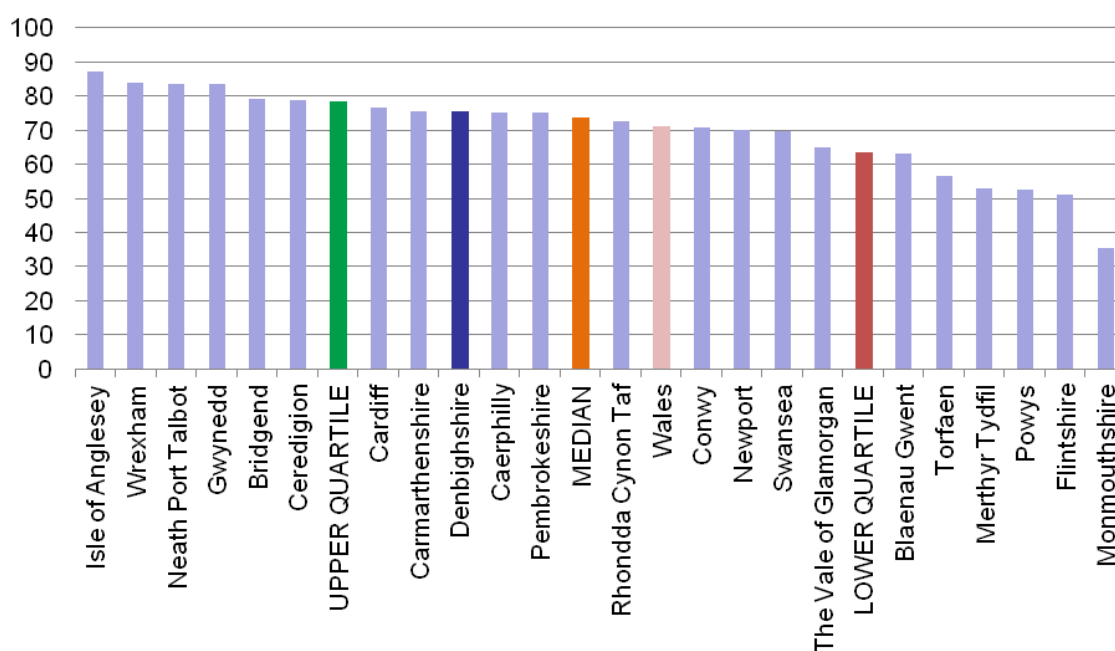
**Householder Planning Applications determined within 8 weeks (%)**  
**Financial Year 2012-13**



In 2012-13, 82% of householder planning applications in Denbighshire were determined within 8 weeks (i.e. 239 out of 292), this placed Denbighshire below the median being 15 out of 22. A 'Householder' application included the development of an existing residential property and does not alter the number of dwellings. (They also exclude permitted developments).

This is a decrease of 8% for Denbighshire compared to the figure in 2011-12. The highest overall percentage was 98% for Neath Port Talbot. The highest percentage in North Wales was Conwy with 90%.

**All Other Planning Applications determined within 8 weeks  
(%)  
Financial Year 2012-13**



Denbighshire determined 76% of all other planning applications within 8 weeks in 2012-13 (i.e. 37 out of 49). This placed Denbighshire above the median in 9<sup>th</sup> out of 22.

‘All other’ planning applications include:

- Mineral applications
- General regulation applications
- Advertisement applications
- Any other applications not included in other categories

In comparison, Anglesey determined the highest percentage (87%) of all other planning applications within 8 weeks. In 2011-12, Denbighshire determined 82% of all other planning applications within 8 weeks which is a decrease of 6.1% in 2012-13.

## WORKLOADS AND EFFICIENCY

The table below shows a comparison of staff and workloads between Denbighshire and some of its neighbouring local authority’s planning functions, as at September 2013. The table shows that Denbighshire has the lowest number of staff dealing with planning applications and the highest caseload per officer.

|                                          | <b>Conwy</b>                                                  | <b>Denbighshire</b>                             | <b>Flintshire</b>                       |
|------------------------------------------|---------------------------------------------------------------|-------------------------------------------------|-----------------------------------------|
| No of officers dealing with applications | 5 No. full time<br>2 No. part time<br><b>7 in total (exc.</b> | 1 No. full time<br>Principal<br>1 No. part time | 4 No. Senior Planners<br>5 No. Planners |

|                          |                                           |                                                                                                              |                                                                |
|--------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
|                          | <b>Manager)</b>                           | Principal<br>3 No. Planners<br>1 No. Temporary<br>Renewables Officer<br><b>6 in total (exc.<br/>Manager)</b> | 2 No. Team<br>Leaders<br><b>13 in total (exc.<br/>Manager)</b> |
| Caseloads per<br>officer | Major 20 - 30<br>Minor between<br>30 – 40 | Major 24<br>Minor 51                                                                                         | Major 30<br>Minor 40                                           |

Mae tudalen hwn yn fwriadol wag



|                            |                                       |
|----------------------------|---------------------------------------|
| <b>Adroddiad i'r:</b>      | <b>Pwyllgor Archwilio Perfformiad</b> |
| <b>Dyddiad y Cyfarfod:</b> | <b>24 Hydref 2013</b>                 |
| <b>Awdur yr Adroddiad:</b> | <b>Y Cydlynnydd Archwilio</b>         |
| <b>Teitl:</b>              | <b>Rhaglen Waith Archwilio</b>        |

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**1. Beth yw cynnwys yr adroddiad?**

Mae'r adroddiad yn cyflwyno drafft rhaglen waith i'r dyfodol y Pwyllgor Archwilio Perfformiad i'r aelodau ei hystyried.

**2. Beth yw'r rheswm dros lunio'r adroddiad hwn?**

Gofyn i'r Pwyllgor adolygu a chytuno ar ei raglen waith i'r dyfodol, a rhoi'r wybodaeth ddiweddaraf i aelodau ar faterion perthnasol.

**3. Beth yw'r Argymhellion?**

Argymhellir y dylai'r Pwyllgor ystyried yr wybodaeth a ddarparwyd a chymeradwyo, adolygu neu addasu eu rhaglen gwaith i'r dyfodol fel yr ystyrir yn briodol.

**4. Manylion am yr Adroddiad.**

- 4.1 Mae Erthygl 6 Cyfansoddiad Cyngor Sir Ddinbych yn nodi cylch gorchwyl, swyddogaethau ac aelodaeth pob Pwyllgor Archwilio, tra bo rheolau'r gweithdrefnau i bwyllgor archwilio wedi'u gosod yn Rhan 4 y Cyfansoddiad.
- 4.2 Mae'r Cyfansoddiad yn amodi bod yn rhaid i bwyllgorau archwilio'r Cyngor baratoi ac adolygu rhaglen ar gyfer eu gwaith i'r dyfodol. Drwy adolygu a blaenoriaethu materion mae modd i aelodau sicrhau fod y rhaglen waith yn cyflwyno rhaglen dan arweiniad yr aelodau.
- 4.3 Arfer sydd wedi'i fabwysiadu yn Sir Ddinbych ers nifer o flynyddoedd yw bod pwyllgorau archwilio'n cyfyngu ar nifer yr adroddiadau a ystyrir mewn unrhyw gyfarfod i uchafswm o bedwar, yn ogystal ag adroddiad rhaglen waith y Pwyllgor ei hun. Nod y dull hwn yw hwyluso cael trafodaeth fanwl ac effeithiol ar bob pwnc.
- 4.4 Gofynnir i'r Pwyllgor ystyried ei raglen waith ddrafft ar gyfer cyfarfodydd y dyfodol, fel y manylir yn atodiad 1, a'i chymeradwyo, ei diwygio neu ei newid fel yr ystyrir yn briodol gan ystyried:
- materion a godwyd gan aelodau'r Pwyllgor
  - y materion a gyfeiriwyd ato gan y Grŵp Cadeiryddion ac Is-Gadeiryddion Archwilio

- Perthnasedd i flaenoriaethau'r Pwyllgor/y Cyngor/y Gymuned
  - Cynllun Corfforaethol y Cyngor ac Adroddiad Blynyddol Cyfarwyddwr Gwasanaethau Cymdeithasol
  - bodloni'r llwyth gwaith
  - amseroldeb
  - canlyniadau
  - gwybodaeth a materion allweddol i'w cynnwys mewn adroddiadau
  - a fydd y swyddogion a/neu aelodau'r Cabinet perthnasol yn cael gwahoddiad (gan ystyried a yw eu presenoldeb yn angenrheidiol neu yn ychwanegu gwerth). (Ym mhob sefyllfa bydd y penderfyniad yn cael ei rannu gyda'r aelod arweiniol perthnasol)
  - cwestiynau i'w gofyn i swyddogion / aelodau arweiniol y Cabinet.
- 4.5 Wrth ystyried eitemau i'w cynnwys yn y rhaglen waith i'r dyfodol, efallai y byddai aelodau'n cael budd o ystyried y cwestiynau canlynol wrth benderfynu a yw eitem yn addas neu beidio:
- beth yw'r mater?
  - pwy yw'r budd-ddeiliaid?
  - beth sy'n cael ei ystyried mewn mannau eraill?
  - beth sydd angen i archwilio ei wybod? a
  - pwy sy'n gallu cynorthwyo?
- 4.6 Fel y crybwyllwyd ym mharagraff 4.2 uchod, mae Cyfansoddiad y Cyngor yn gofyn i bwyllgorau archwilio baratoi ac adolygu rhaglen ar gyfer eu gwaith i'r dyfodol. Er mwyn cynorthwyo'r broses o flaenoriaethu adroddiadau, os yw'r swyddogion o'r farn fod pwnc yn haeddu cael amser i'w drafod ar raglen fusnes y Pwyllgor, mae'n rhaid iddynt wneud cais ffurfiol i'r Pwyllgor ystyried derbyn adroddiad ar y pwnc hwnnw. Gwneir hyn trwy gyflwyno 'ffurflen gynnig' sy'n egluro pwrpas, pwysigrwydd a chanlyniadau posibl y pynciau a awgrymir. Does dim un ffurflen gynnig wedi dod i law i'w hystyried yn y cyfarfod cyfredol.

#### Rhaglen Waith i'r Dyfodol y Cabinet

- 4.7 Wrth benderfynu ar eu rhaglen waith i'r dyfodol mae'n bwysig fod pwyllgorau archwilio yn ystyried amserlen rhaglen waith y Cabinet. Ar gyfer y diben hwn, mae rhaglen waith y Cabinet wedi ei chynnwys yn Atodiad 2.

#### Datblygiad Penderfyniadau'r Pwyllgor

- 4.9 Yn Atodiad 3 mae tabl yn crynhoi penderfyniadau diweddar y Pwyllgor a gwybodaeth am y datblygiadau yn sgîl y penderfyniadau.

### **5. Grŵp Cadeiryddion ac Is-Gadeiryddion Archwilio**

Dan drefniadau archwilio'r Cyngor mae Grŵp Cadeiryddion ac Is-Gadeiryddion Archwilio (GCIGA) yn gweithredu fel pwyllgor cydlynu. Nid yw'r Grŵp wedi cyfarfod ers cyfarfod diwethaf y Pwyllgor ar 19 Medi. Bydd cyfarfod nesaf y Grŵp ar brynhawn 24 Hydref 2013.

**6. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

Bydd archwilio effeithiol yn gymorth i'r Cyngor gynnal y blaenoriaethau corfforaethol yn unol ag anghenion cymunedau a dymuniadau trigolion. Bydd datblygu ac adolygu'r rhaglen waith gydlynol yn barhaus yn cynorthwyo'r Cyngor i fonitro ac adolygu materion polisi.

**7. Beth yw prif gasgliadau'r asesiad a gynhaliwyd ynglŷn ag effaith y penderfyniad ar gydraddoldeb? Dylid atodi'r templed AoEaG fel atodiad i'r adroddiad hwn.**

Ni chynhaliwyd Asesiad o Effaith ar Gydraddoldeb er diben yr adroddiad hwn gan nad yw ystyried rhaglen waith i'r dyfodol y Pwyllgor yn debygol o gael effaith andwyol neu annheg ar bobl sy'n rhannu nodweddion sydd wedi'u diogelu.

**8. Beth fydd y gost a sut y bydd yn effeithio ar wasanaethau eraill?**

Mae'n bosib y bydd yn rhaid i wasanaethau neilltuo amser swyddog i gynorthwyo'r Pwyllgor gyda'r eitemau a nodwyd yn y rhaglen waith a chydag unrhyw gam gweithredu yn dilyn ystyried yr eitemau hynny.

**9. Pa ymgynghoriadau a gynhaliwyd?**

Does dim angen cynnal ymgynghoriad ar yr adroddiad hwn. Fodd bynnag, mae'r adroddiad ei hun a'r ystyriaeth a roir gan y Pwyllgor i'w raglen waith ar gyfer y dyfodol yn gyfystyr ag ymgynghoriad gyda'r Pwyllgor o ran ei raglen waith.

**10. Pa risgiau sy'n bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**

Nid oes risg wedi ei ganfod o ran y Pwyllgor yn ystyried ei raglen waith. Fodd bynnag, wrth adolygu ei raglen waith yn rheolaidd gall y Pwyllgor sicrhau bod meysydd sy'n peri pryder yn cael eu hystyried a'u harchwilio fel y maent yn dod i'r amlwg a bod argymhellion yn cael eu gwneud er mwyn mynd i'r afael â nhw.

**11. Grym i wneud Penderfyniad**

Yn unol ag Erthygl 6.3.7 Cyfansoddiad y Cyngor mae'n rhaid i bwyllgorau archwilio'r Cyngor baratoi rhaglen waith a'i hadolygu.

**Swyddog Cyswllt:**

Y Cydlynnydd Archwilio

Rhif ffôn: (01824) 712554

E-bost: [dcc\\_admin@sirddinbych.gov.uk](mailto:dcc_admin@sirddinbych.gov.uk)

Mae tudalen hwn yn fwriadol wag

**Note: Any items entered in italics have not been approved for inclusion at the meeting shown by the Committee. Such reports are listed here for information, pending formal approval.**

| Meeting     | Lead Member(s)                                                                       | Item (description / title)                                        | Purpose of report                                                                                                                                                                                                                                   | Expected Outcomes                                                                                                                                                                                                                                     | Author                       | Date Entered   |
|-------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------|
| 12 December | <b>Cllr. Barbara Smith</b><br><i>(not required but can attend at own discretion)</i> | 1. Corporate Plan QPR: Q2 2013/14 and the Corporate Risk Register | To monitor the Council's progress in delivering the Corporate Plan 2012-17 and the latest version of the Council's Corporate Risk Register following the latest formal review by CET                                                                | Ensuring that the Council meets its targets, delivers its Corporate Plan and the Council's services in line with its aspirations and to the satisfaction of local residents; and identification of effective measures to address the high level risks | Alan Smith/Nicola Kneale     | February 2013  |
|             | <b>Cllr. Hugh Irving</b><br><i>(required)</i>                                        | 2. Your Voice' complaints performance (Q2)                        | To scrutinise Services' performance in complying with the Council's complaints process                                                                                                                                                              | Identification of areas of poor performance with a view to the development of recommendations to address weaknesses.                                                                                                                                  | Jackie Walley/Clare O'Gorman | February 2013  |
|             | <b>Cllr. David Smith</b><br><i>(required)</i>                                        | 3. Grade II Listed Buildings                                      | To detail the number (and location) of all Grade II listed buildings in the County, listing those which are at risk of posing a problem to the Authority in the near future and the measures which are being taken to mitigate the risks identified | To mitigate the risks to the Council of it not being able to deliver its corporate priorities due to external factors relating to Grade II listed buildings which have the potential to damage the Authority's reputation                             | Graham Boase/Phil Ebbrell    | September 2013 |
|             | <b>No further items to be included for December meeting</b>                          |                                                                   |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                       |                              |                |

Tudalen 98

| Meeting         | Lead Member(s)             | Item (description / title)                                                      | Purpose of report                                                                                                                                                                                                                                                                                                                         | Expected Outcomes                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Author                                    | Date Entered   |
|-----------------|----------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|----------------|
| 16 January 2014 | <b>Cllr. Eryl Williams</b> | 1. Verified External Examinations and Teacher Assessments<br><b>[Education]</b> | To review the performance of schools, including PR6 and that of looked after children                                                                                                                                                                                                                                                     | Scrutiny of performance leading to recommendations for improvement                                                                                                                                                                                                                                                                                                                                                                                                     | Julian Molloy                             | January 2013   |
|                 | <b>Cllr. Eryl Williams</b> | 2. Estyn Action Plan<br><b>[Education]</b>                                      | To<br>(i) monitor the progress achieved to date in implementing the actions to address the 2 recommendations in the 2012 Estyn Inspection of the Quality of Education Services; and<br>(ii) inform members of proposed changes to education delivery, performance/attainment measures and future inspection arrangements and expectations | (i) Better quality services and better outcomes for pupils through early identification of any slippages in progressing actions, or in implementing mitigating measures to address identified risks; and<br>(ii) identification of measures to address national policy requirements/challenges and consequential inspection arrangements with a view to mitigating the risk of disruption to pupils and teachers and deterioration in performance and attainment rates | Joint report by Karen Evans/Diane Hesketh | June 2013      |
|                 | <b>Cllr. David Smith</b>   | 3. Fly Tipping                                                                  | To detail the number of fly tipping incidents in the county,                                                                                                                                                                                                                                                                              | Improve the environment of the                                                                                                                                                                                                                                                                                                                                                                                                                                         | Steve Parker/Vince                        | September 2013 |

Tudalen 99

| Meeting     | Lead Member(s)            | Item (description / title)                  | Purpose of report                                                                                                                                                                                                                                                  | Expected Outcomes                                                                                                                                                                     | Author                       | Date Entered  |
|-------------|---------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------|
|             |                           |                                             | the Council's performance in responding to those incidents and in recording statistics relating to fly tipping in comparison to other authorities across Wales. Details also to be provided on the definition of 'excellence' with regards to reducing fly tipping | county and the quality of life of residents and visitors, whilst delivering the corporate priority of clean and tidy streets                                                          | Russell                      |               |
| 20 February | <b>Cllr. Hugh Irving</b>  | 1 'Your Voice' complaints performance (Q3)  | To scrutinise Services' performance in complying with the Council's complaints process                                                                                                                                                                             | Identification of areas of poor performance with a view to the development of recommendations to address weaknesses.                                                                  | Jackie Walley/Clare O'Gorman | February 2013 |
|             |                           |                                             |                                                                                                                                                                                                                                                                    |                                                                                                                                                                                       |                              |               |
| 20 March    | <b>Cllr. Bobby Feeley</b> | 1. In-House Provider Visit 2013/14 Overview | To consider feedback on the visits undertaken in-house social care providers which highlight the quality, customer experience and good practice/improvement actions for the providers                                                                              | To monitor the quality of services provided and identify any issues which arise from the visits which require to be addressed in order to improve the quality of the service provided | Phi Gilroy                   | August 2013   |
|             |                           |                                             |                                                                                                                                                                                                                                                                    |                                                                                                                                                                                       |                              |               |
| 1 May       |                           |                                             |                                                                                                                                                                                                                                                                    |                                                                                                                                                                                       |                              |               |
| June 2014   | <b>Cllr. Hugh Irving</b>  | 1 Your Voice' complaints performance (Q4)   | To scrutinise Services' performance in complying with the Council's complaints                                                                                                                                                                                     | Identification of areas of poor performance with a view to the development                                                                                                            | Jackie Walley/Clare O'Gorman | February 2013 |

Tudalen 100

| Meeting      | Lead Member(s)                  | Item (description / title)                                                      | Purpose of report                                                                                                                                                                             | Expected Outcomes                                                                                                                                                                                                                                     | Author                   | Date Entered   |
|--------------|---------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------|
|              |                                 |                                                                                 | process                                                                                                                                                                                       | of recommendations to address weaknesses.                                                                                                                                                                                                             |                          |                |
|              | <b>Cllr. Barbara Smith</b>      | 2. Corporate Plan QPR: Q4 2013/14 and Corporate Risk Register                   | To monitor the Council's progress in delivering the Corporate Plan 2012-17 and consider the latest version of the Council's Corporate Risk Register following the latest formal review by CET | Ensuring that the Council meets its targets, delivers its Corporate Plan and the Council's services in line with its aspirations and to the satisfaction of local residents; and identification of effective measures to address the high level risks | Alan Smith/Nicola Kneale | February 2013  |
|              | <b>3 items maximum for June</b> |                                                                                 |                                                                                                                                                                                               |                                                                                                                                                                                                                                                       |                          |                |
|              |                                 |                                                                                 |                                                                                                                                                                                               |                                                                                                                                                                                                                                                       |                          |                |
| Sept/October | <b>Cllr. Barbara Smith</b>      | 1. Annual Performance Review 2013/14                                            | To seek Scrutiny's view on the Council's Annual Performance Review report prior to its submission to County Council for approval                                                              | Participation in the consultation on the Annual Report will assist the Committee to identify areas of weakness and build them into its future work programme with a view to realising improvements going forward                                      | Alan Smith               | September 2013 |
|              | <b>Cllr. Eryl Williams</b>      | 2. Provisional External Examinations and Teacher Assessments <b>[Education]</b> | To review the performance of schools and that of looked after children                                                                                                                        | Scrutiny of performance leading to recommendations for improvement                                                                                                                                                                                    | Julian Molloy            | September 2013 |



**Future Issues**

| Item (description / title)                                                                                                                                                                                                  | Purpose of report                                                                                                                                                                                                                                                                                                                                                       | Expected Outcomes                                                                                                                                                                                            | Author            | Date Entered                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------------|
| <i>Parking Enforcement (deferred until after Communities Scrutiny Committee has considered a report on the impact of the Council's Parking Enforcement Strategy on economic development scheduled for 25 November 2013)</i> | <i>To examine the statistics on the number of Penalty Charge Notices (PCNs) issued during 2012/12 and 2013/14 to date, the breakdown of PCNs per MAG area (and per town), the number of prosecutions arising from the issue of CPNs (and the associated costs of pursuing prosecutions), cost of the running the service and the income generated for the Authority</i> | <i>Assurances that the Service is demonstrating value for money and supporting the Council's delivery of its corporate priorities of developing the local economy and maintaining clean and tidy streets</i> | <i>Mike Jones</i> | <i>By the SCVCG September 2013</i> |
|                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                              |                   |                                    |

**Information/Consultation Reports**

| Date                | Item (description / title)                                                       | Purpose of report                                                                                                                                                                                                                                                                                                                                              | Author      | Date Entered   |
|---------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------|
| <b>October 2013</b> | Use of Supply Teachers<br><b>[Education – to be shared with coopted members]</b> | To detail the use made of supply teachers within the county during recent years and to date this year. The report to detail the costs to the Council of hiring supply teachers, the lengths of time for their hire, the expectations/objectives given to them upon engagement and the quality monitoring arrangements in place to evaluate their effectiveness | Karen Evans | September 2013 |

**Note for officers – Committee Report Deadlines**

| Meeting     | Deadline           | Meeting         | Deadline              | Meeting     | Deadline          |
|-------------|--------------------|-----------------|-----------------------|-------------|-------------------|
| 12 December | <b>28 November</b> | 16 January 2014 | <b>2 January 2014</b> | 20 February | <b>6 February</b> |

Performance Scrutiny Work Programme.doc  
 Updated 08/10/13 RhE

Tudalen 101

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Cabinet Forward Work Plan

Appendix 2

Tudalen 103

| Meeting    | Item (description / title) |                                   | Purpose of report                                                                                                                                                     | Cabinet Decision required (yes/no) | Author – Lead member and contact officer            |
|------------|----------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------------------------|
| 29 October | 1                          | Finance Report Update             | To update Cabinet on the current financial position of the Council                                                                                                    | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady            |
|            | 2                          | Faith Based Provision             | To note the findings of the formal consultation on the faith review and to consider whether to proceed to the publication of the proposal by way of statutory notice. | Yes                                | Cllr Eryl Williams / Jackie Walley                  |
|            | 3                          | Items from Scrutiny Committees    | To consider any issues raised by Scrutiny for Cabinet's attention.                                                                                                    | Tbc                                | Scrutiny Coordinator                                |
|            | 4                          | Community Infrastructure Levy     | To develop a Community Infrastructure Levy                                                                                                                            | Tbc                                | Cllr David Smith / Eleri Evans / Angela Loftus      |
|            | 5                          | Business Rates Write-offs PART II | To authorise any business rates write offs                                                                                                                            | Yes                                | Cllr Julian Thomspen-Hill / Paul McGrady / Ian Paul |
|            | 6                          | GIFT Tender Exemption             | To approve the GIFT Tender exemption and award the contract                                                                                                           | Yes                                | Cllr Bobby Feeley / Sally Ellis / Gary Major        |

Cabinet Forward Work Plan

Tudalen 104

| Meeting            |   | Item (description / title)                                                    | Purpose of report                                                  | Cabinet Decision required (yes/no) | Author – Lead member and contact officer |
|--------------------|---|-------------------------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------|------------------------------------------|
|                    |   |                                                                               |                                                                    |                                    |                                          |
| <b>26 November</b> | 1 | Finance Report Update                                                         | To update Cabinet on the current financial position of the Council | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady |
|                    | 2 | Establishment of an AONB Joint Committee                                      | To approve the establishment of a joint committee                  | Yes                                | Cllr Huw Jones / Lisa Jones              |
|                    | 3 | Items from Scrutiny Committees                                                | To consider any issues raised by Scrutiny for Cabinet's attention. | Tbc                                | Scrutiny Coordinator                     |
|                    | 4 | Vibrant and Viable Places - Funding bid for Rhyl Town Centre projects         | To update members on progress.                                     | No                                 | Cllr Hugh Evans / Tom Booty / Sian Owen  |
|                    | 5 | Procurement Business Case for a combined Denbighshire and Flintshire service. | To consider Business Case                                          | Yes                                | Cllr D I Smith / Paul McGrady            |
|                    | 6 | Response to the Consultation on Town & Area Plans                             | To consider the response to the consultation on Town & Area Plans  | Tbc                                | Cllr Hugh Evans / Rebecca Maxwell        |
|                    | 7 | Approval of Contract Award for Sub-regional Young Carers' Service             | To award the contract                                              | Yes                                | Vicky Allen                              |
| <b>17 December</b> | 1 | Finance Report Update                                                         | To update Cabinet on the current financial position of the Council | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady |

Cabinet Forward Work Plan

| Meeting                | Item (description / title) |                                                                                                            | Purpose of report                                                                                                             | Cabinet Decision required (yes/no) | Author – Lead member and contact officer                              |
|------------------------|----------------------------|------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------------------------------------------|
|                        | 2                          | Corporate Plan QPR: Quarter 2 2013/14                                                                      | To monitor the Council's progress in delivering the Corporate Plan 2012 -17                                                   | Tbc                                | Cllr Barbara Smith / Tony Ward                                        |
|                        | 3                          | Items from Scrutiny Committees                                                                             | To consider any issues raised by Scrutiny for Cabinet's attention                                                             | Tbc                                | Scrutiny Coordinator                                                  |
|                        | 4                          | Response to the Consultation on Town & Area Plans                                                          | To consider the response to the consultation on Town & Area Plans                                                             | Tbc                                | Cllr Hugh Evans / Rebecca Maxwell                                     |
|                        | 5                          | Public Realm Strategy                                                                                      | To approve the Council's Public Realm Strategy following the conclusion of the public consultation on its aims and objectives | Yes                                | Cllr. David Smith/ Hywyn Williams                                     |
|                        |                            |                                                                                                            |                                                                                                                               |                                    |                                                                       |
| <b>14 January 2014</b> | 1                          | Finance Report Update                                                                                      | To update Cabinet on the current financial position of the Council                                                            | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady                              |
|                        | 2                          | West Rhyl Housing Improvement Project                                                                      | Concept design of open green space to be considered                                                                           | Tbc                                | Cllr Hugh Evans / Carol L Evans                                       |
|                        | 3                          | North Wales Schools and Public Buildings Contractor Framework (NWSPBC Framework) - Contractors Appointment | A decision is required to award the places to become part of the NWSPBC Framework following the                               | Yes                                | Cllr Julian Thompson-Hill / Tania Silva / Sion Evans / Stuart Andrews |

Cabinet Forward Work Plan

| Meeting            |   | Item (description / title)                                      | Purpose of report                                                                           | Cabinet Decision required (yes/no) | Author – Lead member and contact officer |
|--------------------|---|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------|
|                    |   |                                                                 | tender process.                                                                             |                                    |                                          |
|                    | 4 | Items from Scrutiny Committees                                  | To consider any issues raised by Scrutiny for Cabinet's attention.                          | Tbc                                | Scrutiny Coordinator                     |
|                    | 5 | Procurement Business Case for Three Counties                    | To consider the Business Case                                                               | Yes                                | Cllr D.I. Smith / Paul McGrady           |
|                    |   |                                                                 |                                                                                             |                                    |                                          |
| <b>18 February</b> | 1 | Finance Report Update                                           | To update Cabinet on the current financial position of the Council                          | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady |
|                    |   |                                                                 |                                                                                             |                                    |                                          |
|                    | 2 | Items from Scrutiny Committees                                  | To consider any issues raised by Scrutiny for Cabinet's attention.                          | Tbc                                | Scrutiny Coordinator                     |
|                    | 3 | Advocacy Provision for Children and young people in North Wales | To commission a regional N. Wales advocacy service for vulnerable children and young people | Tbc                                | Cllr Bobby Feeley / Michelle Hughes      |
|                    |   |                                                                 |                                                                                             |                                    |                                          |
| <b>25 March</b>    | 1 | Finance Report Update                                           | To update Cabinet on the current financial position of the Council                          | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady |
|                    | 2 | Corporate Plan QPR: Quarter 3 2013/14                           | To monitor the Council's progress in delivering the Corporate Plan 2012 -17                 | Tbc                                | Cllr Barbara Smith / Tony Ward           |

Cabinet Forward Work Plan

| Meeting         | Item (description / title) |                                       | Purpose of report                                                           | Cabinet Decision required (yes/no) | Author – Lead member and contact officer |
|-----------------|----------------------------|---------------------------------------|-----------------------------------------------------------------------------|------------------------------------|------------------------------------------|
|                 | 3                          | Items from Scrutiny Committees        | To consider any issues raised by Scrutiny for Cabinet's attention           | Tbc                                | Scrutiny Coordinator                     |
| <b>29 April</b> | 1                          | Finance Report Update                 | To update Cabinet on the current financial position of the Council          | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady |
|                 | 2                          | Items from Scrutiny Committees        | To consider any issues raised by Scrutiny for Cabinet's attention.          | Tbc                                | Scrutiny Coordinator                     |
| <b>27 May</b>   | 1                          | Finance Report Update                 | To update Cabinet on the current financial position of the Council          | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady |
|                 | 2                          | Items from Scrutiny Committees        | To consider any issues raised by Scrutiny for Cabinet's attention.          | Tbc                                | Scrutiny Coordinator                     |
| <b>June</b>     | 1                          | Finance Report Update                 | To update Cabinet on the current financial position of the Council          | Tbc                                | Cllr Julian Thompson-Hill / Paul McGrady |
|                 | 2                          | Corporate Plan QPR: Quarter 3 2013/14 | To monitor the Council's progress in delivering the Corporate Plan 2012 -17 | Tbc                                | Cllr Barbara Smith / Tony Ward           |
|                 | 3                          | Items from Scrutiny Committees        | To consider any issues                                                      | Tbc                                | Scrutiny Coordinator                     |

Cabinet Forward Work Plan

| Meeting | Item (description / title) | Purpose of report                          | Cabinet Decision required (yes/no) | Author – Lead member and contact officer |
|---------|----------------------------|--------------------------------------------|------------------------------------|------------------------------------------|
|         |                            | raised by Scrutiny for Cabinet's attention |                                    |                                          |
|         |                            |                                            |                                    |                                          |

Note for officers – Cabinet Report Deadlines

| <i>Meeting</i> | <b><i>Deadline</i></b>   | <i>Meeting</i>  | <b><i>Deadline</i></b>    | <i>Meeting</i>  | <b><i>Deadline</i></b>   |
|----------------|--------------------------|-----------------|---------------------------|-----------------|--------------------------|
|                |                          |                 |                           |                 |                          |
| <i>October</i> | <b><i>15 October</i></b> | <i>November</i> | <b><i>12 November</i></b> | <i>December</i> | <b><i>3 December</i></b> |

Updated 10/10/2013 - KEJ

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## Progress with Committee Resolutions

| Date of Meeting   | Item number and title                       | Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Progress                                                                                                                                                                                                                                                              |
|-------------------|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 19 September 2013 | 7. Annual Performance Review Report 2012/13 | <b>RESOLVED</b> that, subject to the above, the draft 2012/13 Annual Performance Review be submitted to County Council for approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | The Annual Performance Review for 2012/13 was submitted to County Council at its meeting on 8 October for approval. It will be published in line with the statutory requirement by 31 October 2013                                                                    |
|                   | 8. Future of Performance Reporting          | <b>RESOLVED</b> that the Committee support the proposals:<br>(i) To reduce the number of in-year Corporate Plan Performance Reports from four to two per year. In addition to this, the Committee would continue to receive an Annual Performance Report.<br>(ii) To reduce the scale of the in-year reports so that they only focus on exceptions in relation to performance measures and activities (i.e. the things they could positively influence).<br>(iii) To align the bi-annual reviews of the Corporate Risk Register so that they are considered by the Performance Scrutiny Committee at the same time as the proposed bi-annual Corporate Plan Performance Reports | See Appendix 1: the combined Corporate Plan Performance Monitoring and Corporate Risk Register Report will be presented to the Committee in December 2013 and June 2014, with the draft Annual Performance Review Report scheduled for presentation in September 2014 |

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