

To: Members of the Communities  
Scrutiny Committee

Date: 27 January 2017

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e-mail: democratic@denbighshire.gov.uk

Dear Councillor

You are invited to attend a meeting of the **COMMUNITIES SCRUTINY COMMITTEE** to be held at **9.30 am** on **THURSDAY, 2 FEBRUARY 2017** in **CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN.**

**PLEASE NOTE: THERE WILL BE A PRE MEETING BRIEFING SESSION FOR COMMITTEE MEMBERS AT 9.00 A.M.**

Yours sincerely

G. Williams  
Head of Legal, HR and Democratic Services

## **AGENDA**

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

#### **1 APOLOGIES**

#### **2 DECLARATION OF INTERESTS (Pages 5 - 6)**

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

#### **3 URGENT MATTERS AS AGREED BY THE CHAIR**

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

#### **4 MINUTES (Pages 7 - 14)**

To receive the minutes of the Communities Scrutiny Committee held on 15 December 2016 (copy enclosed).

**5 POLICE AND CRIME COMMISSIONER**

To discuss with the Police and Crime Commissioner his vision and priorities for the region.

**9.35 a.m. – 10.15 a.m.**

**6 DENBIGHSHIRE'S DRAFT HOME TO SCHOOL TRANSPORT POLICY**  
(Pages 15 - 44)

To consider a report by the Head of Education (copy enclosed) updating members on the review of Denbighshire's Home to School Transport Policy and presenting the draft new policy for members' consideration prior to consultation with stakeholders.

**10.15 a.m. – 10.45 a.m.**

~~~~~ **BREAK (10.45 a.m. – 11.00 a.m.)** ~~~~~

**7 WELSH AMBULANCE SERVICE TRUST**

To receive a presentation from the Welsh Ambulance Service Trust and discuss with them the problems and pressures faced by the Service in Denbighshire.

**11.00 a.m. – 11.45 a.m.**

**8 DENBIGHSHIRE COUNTY COUNCIL'S RESIDENTS SURVEY 2017**  
(Pages 45 - 48)

To consider a report by the Head of Business Improvement and Modernisation (copy enclosed) outlining a revised approach to the 2017 Residents Survey and seeking members' views on the proposed new arrangements.

**11.45 a.m. – 12.15 p.m.**

**9 SCRUTINY WORK PROGRAMME (Pages 49 - 66)**

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

**12.15 p.m.**

**10 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

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

**PART 2 - CONFIDENTIAL ITEMS**

No Items.

## **MEMBERSHIP**

### **Councillors**

Huw Hilditch-Roberts (Chair)

Rhys Hughes (Vice-Chair)

Brian Blakeley

Anton Sampson

Bill Cowie

David Simmons

Peter Evans

Cefyn Williams

Martyn Holland

Cheryl Williams

Bob Murray

### **Voting Co-opted Members for Education (Agenda Item No. 6 only)**

Kathleen Jones

Gareth Williams

John Piper

### **COPIES TO:**

All Councillors for information

Press and Libraries

Town and Community Councils

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## LOCAL GOVERNMENT ACT 2000

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### Code of Conduct for Members

### DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a \*member/co-opted member of  
*(\*please delete as appropriate)*

**Denbighshire County Council**

**CONFIRM** that I have declared a \***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-  
*(\*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)\**

Signed

Date

\*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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## COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in Conference Room 1a, County Hall, Wynnstay Road, Ruthin, LL15 1YN on Thursday, 15 December 2016 at 9.30 am.

### PRESENT

Councillors Brian Blakeley, Bill Cowie, Peter Evans, Huw Hilditch-Roberts (Chair), Martyn Holland, Rhys Hughes (Vice-Chair), Bob Murray, David Simmons, Cefyn Williams and Cheryl Williams

Observers – Councillors Meirick Davies and Arwel Roberts

Cabinet Lead Members – Councillors David Smith and Eryl Williams.

### ALSO PRESENT

Corporate Director: Economic and Community Ambition (RM), Head of Legal, HR and Democratic Services (GW), Head of Education (KIE), Education Planning & Resources Manager (IL), Head of Highways and Environmental Services (TW), Flood Risk Manager- Highways and Environmental Services (WH), Development Manager- Planning and Public Protection (PM), Scrutiny Co-ordinator (RE) and Committee Administrator (SJ).

Co-opted Member Kathy Jones was present for Agenda item 5.

Natural Resources Wales representative Keith Ivens attended in relation to Agenda item 6 at the Committee's invitation.

### 1 APOLOGIES

Apologies for absence were received from Co-opted members Debra Houghton, John Piper and Gareth Williams.

### 2 DECLARATION OF INTERESTS

Councillor Huw Hilditch-Roberts declared a personal interest in agenda item 5.

### 3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

### 4 MINUTES

The Minutes of the meeting of the Communities Scrutiny Committee held on the 27 October, 2016 were submitted:-

Matters arising:-

The following points were raised in relation to Pages 14 to 19: 'County-wide impact of the increase in car parking charges':

(i) in response to an observation that if a Head of Service disregarded recommendations made by a scrutiny committee when deciding on a policy under powers delegated to him/her as an individual, it was not an effective use of members' time to discuss the proposals. The Chair advised that, since this particular decision had been taken 'Lead Officer Delegated Decisions' were now subject to a similar process as those of a Lead Member, with the potential for Scrutiny to call-in a Lead Officer decision for scrutiny, prior its implementation. The Committee asked that the guidance on this process be circulated to members for information.

(ii) Councillor Martyn Holland advised that the statement in the minutes relating to the fact that Mold Town Council subsidised car parking charges in car parks in Mold was incorrect. The Lead Member for Public Realm advised that he had been informed that this was the case from a reliable source. Members asked the Scrutiny Co-ordinator to contact the Clerk to Mold Town Council to establish whether the Council was actually subsidising parking charges in the town; and

(iii) the Traffic, Parking and Road Safety Manager had queried the wording of resolution (x) on page 19 and had asked that it be amended to read "that a further progress report be presented to the Committee in six months' time to provide an update on the recommendations contained in Appendix A of the report submitted on 27th October 2016, along with the draft car park asset management plan for members' observations".

**RESOLVED:** *subject to the provision of the above information and the amendment, as drafted in (iii) above, that the minutes be approved as a true and correct record of the proceedings.*

## **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** *that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 16 of Part 4 of Schedule 12A of the Local Government Act 1972.*

## **PART II**

### **5 DENBIGHSHIRE'S HOME TO SCHOOL TRANSPORT POLICY**

The Chair welcomed Mrs Kathy Jones, who had recently been appointed by the Catholic Church to serve as its co-opted representative for education related matters on Scrutiny, to her first meeting.

The Lead Member for Education introduced the confidential report (previously circulated) which updated the Committee on the review of the County's Home to School Transport Policy which was currently underway. A copy of the latest version of the draft Policy was appended to the report for members' information. The Head of Education gave a brief overview of the background which had led to the decision to review the policy in 2014, and the subsequent current review of the Policy. She



advised that legal counsel had been sought on elements of the revised Policy to ensure that they conformed with the requirements which governed home to school transport as well as other legislation relating to safeguarding and well-being. Members were advised by the Head of Education and other officers that the reviewed Policy, as far as reasonably possible, had regard to points raised previously by councillors and parents during the implementation of the policy following the 2014 review, the requirements of the Learner Travel (Wales) Measure 2008, the close relationship between 'feeder' primary schools and their related high schools, hazardous routes to school policy, discretionary travel policy and also the accessibility of the appeals process for parents/guardians.

Responding to members' questions the Lead Member, Head of Education, Head of Legal, HR and Democratic Services and the Education Resources and Support Manager (Planning and Resources) advised that:

- the Council was of the view that it was important to take legal advice on the contents of the draft policy before consulting with the public on the proposals contained within it;
- permitting parents/guardians to meet with officers as part of the Appeals process had proved extremely useful. Discussions with parents/guardians would now be built into the policy in relation to 'discretionary provisions', as it was during such discussions and face to face conversations that individual circumstances were properly explored and understood;
- the term 'nearest suitable school' did include transport to faith high schools out of the county if that was the pupil's nearest faith school;
- legal opinion had already been received on some elements of the revised policy, counsel's advice on other elements was still awaited. The opinion received to date was favourable;
- the primary aim of the revised policy was to ensure that the right pupils were receiving the transport they were entitled to receive to their 'nearest appropriate school'. Once that had been determined consideration could be given to concessionary travel applications, including clear communication to parents/guardians of pupils awarded concessionary travel on the length of time of the concessionary travel award;
- all applications for travel arrangements, statutory and discretionary, would be impact assessed;
- anomalies which had come to light under the previous review i.e. long-standing relationships with a high school in a 'feeder school' capacity would be addressed within the policy in order not to have a negative impact on specific schools and their pupils;
- every effort would be made to undertake the public consultation on the revised policy during term time to ensure that all stakeholders would have ample opportunity to submit their views;
- as part of the consultation process meetings would be held to discuss the proposed revised policy with interested parties i.e. School Governors Forum, Head teachers' Conference; all school governors etc. Reference to the revised policy and the consultation process would be included in the new Education Newsletter which was scheduled to be distributed to parents early in the new year;
- the timescale for the policy review process, including the consultation stage, was outlined in the report. It was anticipated that the public consultation

stage would commence early in the new year with a view to finalising the policy during the early summer and Council ratifying it in September 2017 for implementation in September 2018;

- it was acknowledged that there would be an impact on the Council's budget once the revised policy was implemented. The Council had a statutory obligation to provide school transport to those pupils who qualified for it, including pupils with special educational needs (SEN), therefore any additional funding would have to be found;
- it was vital to get the policy right to enable correct calculations of the actual budget required to deliver it;
- if anyone had concerns with respect to whether a particular school was delivering the curriculum in line with its category designation, those concerns should be raised with the Education Service to enable it to investigate them.

Prior to concluding the discussion the Chair thanked the Lead Member and officers for all the work that had been undertaken during the last two years with a view to developing a fair and equitable policy. It was of the utmost importance to balance the budget with Council's statutory obligations. Acknowledging that there would always be some anomalies when the rules were applied he advised that the Committee had been encouraged by the fact that discussions would be held with parents/guardians of individual pupils who appealed decisions, or who contacted the Council querying their entitlement. He emphasised the need for all county councillors to be briefed on the revised policy prior to the public consultation on it. The Committee:

**RESOLVED: -**

- (i) subject to the above observations to support the proposal to progress with the consultation phase in due course, once legal counsel's opinion had been received on all aspects of the revised policy referred to him/her for advice; and*
- (ii) that prior to public consultation the revised draft policy be referred back to the Committee for approval to consult.*

## **PART 1**

### **6 WATER MANAGEMENT AND FLOOD MITIGATION**

Mr Keith Ivens, Natural Resources Wales' (NRW) Operations Manager and the Council's Senior Engineer – Flood Risk Management were welcomed to the meeting by the Chair to facilitate a discussion on water management and flood mitigation measures in Denbighshire.

During the discussion members raised a number of concerns with respect to the maintenance of rivers, streams, ditches and cuts, enquiring on who was responsible for maintaining and clearing them.

In response to the Committee's questions both officers advised that:

- both the local authority and NRW worked closely together to mitigate the risk to life and property of flooding from 'main' rivers;

- details of planned maintenance work on all main rivers and watercourses within NRW's jurisdiction were listed on the annual 'North Wales Routine Maintenance Programme 2016/17' on the NRW's website;
- the NRW's maintenance schedules were drawn up based on an assessment of risk and budget allocation available. Modelling work had already been programmed in for 2017-18 for the purpose of understanding if the infrastructure and maintenance of Rhyl Cut could be improved. However, Rhyl Cut was not currently considered to be a high risk area, because there were three exit points for water from the Cut, including the pumping station located there;
- indications pointed towards an increase in periods of high intensity rainfalls in recent years and this was proving difficult to both predict and manage in relation to watercourse maintenance work;
- responsibility for overseeing watercourse maintenance and management across Wales was determined by each watercourse's designation. NRW was responsible for overseeing 'main rivers' – these included main/larger rivers, streams and some smaller watercourses. Every other open watercourse, known as 'ordinary watercourses', are overseen by the local authority in its capacity and the 'Lead Local Flood Authority'. Information on watercourse designation was available on the NRW's website;
- NRW was allocated a budget that was 'ring-fenced' for the purpose of maintaining 'main rivers' for irrigation purposes and for mitigating the risk of flooding from those rivers. Local authorities (lead local flood authorities) had to finance any flood risk management work from within its non-ring-fenced budget;
- whilst NRW, local authorities and individual landowners had duties in relation to water management and flood risk these were split into two categories – responsibilities and jurisdiction. Duties which fell into the former category placed a legal responsibility on the riparian landowner to undertake flood mitigation/water management work. Whilst NRW and local authorities have legislative powers to carry out works on watercourses, they were under no obligation to do so;
- capital funding allocated to NRW tended to be towards high risk flood mitigation work e.g. flood alleviation work, whilst the revenue funding was more likely to be used for flood prevention/river maintenance work;
- Riparian landowner duties in relation to watercourses as per the Land Drainage Act 1991 extend to ensuring that the water flows through the land unimpeded;
- the pumping station by the Lyons Holiday Camp in Rhyl, which failed during a heavy rainfall event in summer 2016, was the property of Welsh Water not NRW. The Council had contacted Welsh Water to seek reassurances regarding the reliability of this pump;
- the main focus of the NRW's work was to undertake flood mitigation and management work where there was a threat to life or property. If problems were identified which did not pose a risk to life or property they would inform the riparian landowner of the problem. NRW has a guidance document available for riparian landowners, which was promoted widely via the farming unions. The Council also was in regular contact with landowners on issues of risk or concern;
- A study has been undertaken by NRW the looking at the potential effectiveness of 'natural flood risk management' i.e. the catchment area for the rivers Elwy and Clwyd. An example of natural flood risk management is NRW working in conjunction with Coed Cymru, where trees had been planted with a view to reducing the amount of water that ran downstream and slowing its flow. The

study concluded that opportunities for natural flood risk management were fairly limited in the Elwy and Clwyd catchments.

- whilst it had long been acknowledged that forestation was an effective method by which to reduce the amount of water flowing downstream and for stemming the speed of the flow, recent research suggested that small scale felling, such as that proposed for the Clocaenog Forest area near Cyffylliog for the purpose of erecting wind turbines, should not have a long term adverse effect on river levels and water flow in that area or further downstream. Members were sceptical of this assumption;
- no 'greening' measures, similar to those trialled in the north of England where farmers were encouraged not to dredge or open up new ditches with a view to mitigating the risk of flooding, had been undertaken in Denbighshire;
- that schemes similar to the Pontbren Farmers scheme in the Llanfair Caereinion area of north Powys may prove beneficial in other areas for agricultural, bio-diversity, water management and flood mitigation purposes;
- for large housing developments the developers, as part of the planning application, were required to demonstrate that they would not increase the rate of surface water run-off water in watercourses etc. Generally developers tended to apply to Welsh Water for permission to connect to the local sewer system. This was permitted where 'feasible'. If there was no capacity in the sewer system the developer then tended to apply for planning permission for a private treatment plant, which was an approach that NRW tended to view unfavourably;
- NRW were willing to discuss with landowners any plans they may have for dredging or managing watercourses on their land. Permits were required for the purpose of undertaking this type of work. However, the permit application process was fairly flexible and could accommodate an application for periodic permits e.g. an annual dredging/maintenance permit;
- NRW would normally not remove objects/foreign bodies from rivers unless they posed a risk to life or property, or an immediate threat of flooding;
- NRW would generally not force landowners to carry out watercourse maintenance work unless there was a risk to life or property. If it was deemed that there was such a risk the NRW could access the land to undertake the work and reduce the risk, and then subsequently charge the landowner for the work carried out. To the representative's knowledge this approach had not been utilised in recent years;
- health and safety concerns relating to bridge structures, even if the pressure on them was due to water torrents, was a matter for the local authority not for NRW as structures such as bridges were the responsibility of the local authority; and
- it was anticipated that the UK's decision to withdraw from the European Union would, in the long-term, have a detrimental effect on the NRW's funding for large capital projects, as all recent major flood alleviation/sea defence schemes had been delivered in the main with European funding;

Members asked that:

- concerns raised with respect to water run-off from hardstanding areas into local cuts in the Meliden area once developments in the Local Development Plan (LDP) are built be raised by NRW officials at their next operational meeting;
- that NRW and Council officials meet with county councillors in the Rhyl and Prestatyn area to discuss concerns with regards to flood risks in the local area; and

- due to the complexities surrounding matters relating to water and flood risk management, including different organisations' roles and responsibilities in relation to watercourses and structures spanning rivers and on riverbanks, that a presentation be given to all county councillors during a Council Briefing session on all these aspects. It was suggested that for ease of reference that illustrations be used to explain the various responsibilities, and examples used to highlight how all stakeholders work together to avoid situations escalating to serious incidents;

The Chair thanked both officers for attending and for answering members' questions. He felt that the Council had a role to play in communicating clarity about each individual stakeholder's role and responsibilities in relation to water management and flood mitigation work. It was therefore:

**RESOLVED: - that**

***(i) a presentation be given during a Council Briefing meeting post the May 2017 local authority elections for the purpose of assisting councillors to understand both the County Council, as the Lead Local Flood Authority, and Natural Resources Wales' statutory responsibilities with respect of water and flood management, including coastal and river maintenance responsibilities, and how both organisations work together to mitigate the risk of flooding; and***

***(ii) in the meantime, a press release be prepared and issued for inclusion in the Farm and Country supplement of the Daily Post on how riparian landowners can apply for permits to undertake periodic maintenance work on watercourses that traverse their land.***

## **7 SCRUTINY WORK PROGRAMME**

A copy of a report by the Scrutiny Coordinator (SC), which requested the Committee to review and agree its forward work programme and which provided an update on relevant issues, had been circulated with the papers for the meeting.

A copy of the 'Member's proposal form' had been included in Appendix 2. The SC requested that any proposals be submitted to herself. The Cabinet Forward Work Programme had been included as Appendix 3, and a table summarising recent Committee resolutions and advising on progress with their implementation, had been attached at Appendix 4.

The Committee considered its draft Forward Work Programme for future meetings, Appendix 1 and the following amendments and additions were agreed:-

- The Police Chief Constable be invited to attend Communities Scrutiny Meeting held on the 2nd February 2017.
- Draft Home to School Transport report be added to 2nd February 2017.
- Draft Seagull Action Plan be moved from February's meeting to the 23rd March 2017 Agenda.
- County-wide impact of the increase in car parking charges and the draft Car Park Asset Management Plan be moved from March's meeting to the 15th June 2017 agenda.

***RESOLVED that, subject to the above additions and agreements, the Forward work Programme as set out in Appendix 1 to the report be approved.***

**8 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

No reports were received

Meeting concluded at 11:55 a.m.

|                             |                                                             |
|-----------------------------|-------------------------------------------------------------|
| <b>Report To:</b>           | <b>Communities Scrutiny Committee</b>                       |
| <b>Date of Meeting:</b>     | <b>2<sup>nd</sup> February 2017</b>                         |
| <b>Lead Member/Officer:</b> | <b>Lead Member for Education/Head of Education</b>          |
| <b>Report Author:</b>       | <b>Head of Education</b>                                    |
| <b>Title:</b>               | <b>Denbighshire's Draft Home to School Transport Policy</b> |

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**1. What is the report about?**

1.1 To update on the review of the Denbighshire's Home to School Transport Policy.

**2. What is the reason for making this report?**

2.1 To allow Members to consider the proposed changes to the Policy.

**3. What are the Recommendations?**

That Members:

3.1 consider the information provided herein and comment accordingly

3.2 support the approach outlined in the new draft policy; and

3.3 support progression to the consultation phase, with the Well-being Impact Assessment being undertaken beforehand.

**4. Report details**

**4.1 Background**

4.1.1 The report to Communities Scrutiny Committee on 30<sup>th</sup> June 2016 provided the full background regarding implementation of Denbighshire's current Home to School Transport Eligibility Policy (Sept 2015). It also highlighted the Judicial Review challenge received in November 2015 and the Authority's response.

4.1.2 As part of the 2015 Policy implementation, Members requested that a review be undertaken after 12 months to assess the implications of the policy change. This review has been completed and a new draft Home to School Transport Policy is available for consultation. This is shown in Appendix 1.

4.1.3 This new draft policy has addressed concerns previously raised by Members, parents and officers. It also incorporates guidance provided by external legal counsel relating to the Judicial Review challenge, as well as guidance provided on the new draft. The wording of the policy has been revised to ensure clarity and that it accurately reflects the Learner Travel (Wales) Measure 2008 (hereafter known as 'the Measure').

4.1.4 Legal counsel has also been sought to ensure the draft policy complements Denbighshire's School Admissions policy, and provides consistency of approach. This guidance has now been incorporated into the draft.

## 4.2 Main Changes to Denbighshire's Home to Transport Policy

4.2.1 The new draft encompasses the core principals and duties in the Measure. The Authority has also considered the issues which have arisen since implementation of the current 2015 Policy. This has resulted in a number of key additions to the new draft which are outlined here.

4.2.2 **Feeder Schools (Sections 2.4 and 3.4)** – Within the Measure Local Authorities are required to provide transport to the 'nearest suitable school' if pupils meet the stated distance criteria:

- Primary School pupils if they live more than 2 miles away from a school; or
- Secondary School pupils if they live more than 3 miles away from school.

Within Denbighshire it is recognised that there are certain schools which have close relationships with the secondary schools they feed. Strict adherence to nearest suitable school in the current policy has, in certain areas, been raised as a concern and has potentially worked against some of these feeder relationships.

Therefore in the new draft applications for school transport to secondary schools will be based on nearest suitable school or whether the pupil attended a designated Primary feeder school. Transport on the basis of feeder will be provided under discretionary arrangements.

This arrangement is still dependent on the distance criteria in the Measure being met. It is noted that school transport to Primary Schools will continue to be made solely on the basis of nearest suitable school. School Transport to secondary schools made under feeder arrangements must also pass a test of 'reasonableness' - which is as follows; pupils must:

- **Have been attending their nearest suitable primary school from their home location as assessed at the point of admission.**
- **Meet the distance criteria in the Measure for secondary schools.**
- **If learners move house before commencing secondary school, their entitlement will require re-assessment, as per the criteria shown in section 2.**
- **In instances where learners have not attended their nearest suitable primary school by parental/carer preference, section 3.4 will not apply. The assessment of school transport applications will then be based solely on nearest suitable Secondary school.**

The feeder relationships between schools is shown in the appendix of the Policy. This Appendix also shows any other nearest suitable schools, as well as the Welsh Language and Faith status of all schools.



- 4.2.3 **Pick-Up Points and Hazardous Routes (Sections 2.9 & 2.10)** – Following the judicial review challenge, the use of pick-up points in relation to hazardous routes was clarified by legal counsel. This guidance directly informed the Authority’s approach to addressing the issues raised under discretionary arrangements. This guidance presently sits alongside the current policy and is shown in Appendix 2 of this report. This guidance has now been absorbed into the new draft to ensure that the Authority’s approach is clear and transparent.
- 4.2.4 **Discretionary Provisions (Section 3.11)** – The section covering discretionary arrangements has been strengthened to ensure it is clear when discretion can be applied. This is also linked to the revised Appeals process and is designed to ensure parents/carers highlight their personal situations and circumstances so that they may be taken into account during the appeal.
- 4.2.5 **Appeals (Section 7)** – The time scale for appeal has been amended to ensure that all elements of the appeal have been investigated. This extended time scale will also permit a panel of independent officers, from outside of Education Support, to meet and make the final decision. It is also proposed to give parents the opportunity to attend the appeal to deliver their information, or they can submit their supportive evidence in written form.
- 4.3.6 **Other Notable Changes:**
- Measurement of Distance (Section 2.5)** – There is now greater clarity regarding how the distance from home to school is measured and the criteria used.
- Parental/Carer School Preference (Section 2.7)** – Strengthening of the statements which ensure that parents/carers consider the implications of school transport before expressing a preference for a school place through the Admissions process.
- Transport for ALN and LAC Children (Sections 2.11 & 2.12)** – Greater clarity around the discretionary arrangements in support of Additional Learning Needs and Looked after Children.
- Dual Residency (Section 2.13)** – This section has been re-worded.
- Post 16 transport / 14.19 learning network (Section 3.5 & 3.6)** – The wording has been slightly amended to more closely reflect the arrangements in place.
- Managed Schools Transfers (Section 3.9)** – This section was amended to ensure that parent/carers engagement has occurred with the school prior to considering the option of transferring. Evidence must be available from the appropriate professionals to enable the Authority to make a decision regarding home to school transport.
- Transport Provision (Section 6)** – This section has been re-worded by Passenger Transport and Education Support to ensure clarity. Behaviour on transport has been strengthened. It specifically includes a statement that parents/carers are expected to support the Authority, schools, transport

operators and staff in maintaining good behaviour' on Council services. This section also includes details of the Monitoring of Service, which will ensure that those travelling are all eligible.

**Links to Relevant Documentation (Section 9)** – This new section has been developed to signpost readers to relevant web pages which contain the legislation and guidance.

**School Bus Travel Behaviour Code (Appendix 2)** – Details of this Welsh Government initiative and guidance is provided in the Appendix.

#### 4.3.7 **Transport to Welsh Language and Faith Schools**

As with the current policy, the Authority will continue to provide free transport to the nearest suitable Welsh Language or Faith school, if this is the parental/carers preference. This is made under the discretionary arrangements in Section 3.

#### 4.4 **Budgetary Implications**

4.4.1 Education Support is working with Passenger Transport on the cost implications of the new draft, particularly the proposed feeder school arrangements. However, as mentioned in previous Scrutiny reports, ensuring that the school transport budget is scaled correctly to meet the statutory requirements is of critical importance. Estimations of the budget pressure for 2016/17 is in the order of £300k.

#### 4.5 **Policy Review – Next Steps**

4.5.1 The revised time line is shown below. The review of the policy will need to be fully completed and ratified 12 months before implementation.

- **New Policy presented to Scrutiny 2<sup>nd</sup> February 2017**
- **Well-being impact assessment concluded by March 2017**
- **Consultation with all stakeholders from March 2017**
- **New Policy finalised by June/July 2017**
- **Policy ratification by Council by September 2017**
- **Implementation of new Policy from September 2018**

4.5.2 It is appreciated that that language in the new draft has to reflect the language used in the Measure; however, Education Support are to develop a Frequently Asked Questions (FAQs) section which will sit alongside the new policy. This will be informed by the outcomes of the consultation. This may also include 'real life' scenarios which reflect application of the policy so readers can easily understand its requirements. As part of this process the views of this Scrutiny committee would be welcomed.

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

The services described herein are all in support of the priority of "Improving Education".

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

The budgetary implications are being investigated. There is an expectation that the cost of service will increase to meet the statutory obligations under the Learner Travel (Wales) Measure 2008 and the changes in the policy.

**7. What are the main conclusions of the Well-being Impact Assessment (WBIA) undertaken on the decision?**

Well-being Impact Assessment is to be progressed in February ready for wider consultation in March.

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

This Scrutiny report is the second consultation with Members regarding the new draft. Consultation with all relevant stakeholders is planned as per the time line shown in 4.5.1.

**9. Chief Finance Officer Statement**

Elected Members originally agreed to review the Transport Policy at the Freedoms and Flexibilities Members Workshop held in June 2014. The process mentioned here is an extension of this work. Discussions around the appropriateness of the school transport budget are also raised as part of this report.

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

There may be adverse publicity in updating this Policy, although the amendments are clarifying the obligations under the Learner Travel (Wales) 2008 and responding to issues and concerns previously highlighted in the current policy.

**11. Power to make the Decision**

- The Learner Travel (Wales) Measure 2008
- Section 7.4.1 of the Council's Constitution outlines Scrutiny's powers with respect of policy development and review.

**Contact Officer**

Education Resources and Support Manager, Planning and Resources

Tel: 01824 712692

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# Appendix

## Denbighshire County Council

### Home to School Transport Policy Education and Children Services

#### Document Control

#### *Document Amendment Record*

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## 1.0 INTRODUCTION

- 1.1 Denbighshire County Council has a duty to provide school transport in accordance with Learner Travel (Wales) Measure 2008 and the Learner Travel: Statutory Provision and Operational Guidance 2014.
- 1.2 To meet this requirement the Authority will have regard to the following when making arrangements for learners who are ordinarily resident within Denbighshire:
  - The age of the learner
  - The distance from home to school
  - The nature of the route from home to school
  - Requests for Welsh or English medium education
  - Requests for Faith based education
  - The needs of learners with disabilities or additional learning needs
  - The needs of learners who are 'looked after' by the Local Authority
  - The needs of learners with dual residency
- 1.3 This list is not exhaustive and the Authority must consider each learners individual circumstances, taking into account any representations made by parents/carers and relevant professionals. In certain circumstances the Measure permits the Local Authority to apply discretion in relation to the services provided. These discretionary elements are outlined in section 3 of this policy.
- 1.4 The Authority must provide free home to school transport in certain circumstances. These are outlined in section 2. The duty to provide such transport only applies if a child is ordinarily resident in the Authority's area.
- 1.5 The Local Authority will endeavour to provide safe, efficient and cost effective transport to those learners who qualify under this policy at all times.
- 1.6 There may be circumstances where alternative provision would prove more cost effective than that provision stated in the policy. The Local Authority therefore reserves the right to apply discretion where appropriate if it can be demonstrated that the alternative is more cost effective and efficient.
- 1.7 Home to school transport is provided for eligible learners between their home address or allocated pick-up point, and the qualifying school where they are registered. Free transport is not provided from or to addresses of other family members or friends, parent's work addresses or child care facilities of any sort.
- 1.8 This Policy is effective from 1<sup>st</sup> September 2018. School transport arrangements assessed and provided under Denbighshire's previous policy will continue unless there is a material change in circumstances which would necessitate a new application being made, e.g. moving home or school. Details of how to make an application are outlined in section 4.

## 2. HOME TO SCHOOL TRANSPORT

### 2.1 Qualifying Schools

Denbighshire County Council will provide free transport to learners who meet the entitlement criteria set out in this policy. The policy refers to transport to and from qualifying schools in the following categories:

- a community, controlled, foundation or voluntary aided school
- a non-maintained special school
- a pupil referral unit
- an independent school named in a statement of special educational needs
- a voluntary aided trust school

### 2.2 Distance Criteria

The Learner Travel (Wales) Measure stipulates that free transport will only be provided to learners of compulsory school age if the distance from home to their nearest suitable school is at least:

- (a) 2 miles for Primary School pupils
- (b) 3 miles for Secondary School pupils

### 2.3 Nearest Suitable School

The nearest suitable school is a school that provides education appropriate to the age, ability, aptitude of the learner, and any learning needs that they may have. It will normally be a school in the area the learner resides, or another school (e.g. out of county) if this is closer to home.

Denbighshire residents can find their nearest local school by visiting the '[My Property](#)' link on Denbighshire's website homepage, or by visiting: [www.mylocalschool.wales.gov.uk](http://www.mylocalschool.wales.gov.uk)

### 2.4 Feeder Schools

The Authority recognises that certain Primary schools are natural feeders for certain Secondary Schools. The relationships between these schools are shown in Appendix 1. Under discretionary arrangements the Authority may also provide free school transport to the designated secondary school, even if this is not the nearest suitable secondary school. Further information is shown in section 3.4 under Discretionary School Transport.

### 2.5 Measurement of Distance

For assessments under the distance criteria in section 2.2, the calculation from home to school will adhere to guidance provided in the Learner Travel: Statutory Provision and Operational Guidance 2014. The route to school will be measured from the home boundary to the nearest school gate, and may



include footpaths, bridleways and other pathways, as well as adopted roads. It is not necessarily the shortest distance by road.

Where learners are reasonably expected to walk to school, the distance is measured by the shortest available route along which a child, accompanied as necessary by a responsible adult, may walk in reasonable safety; whilst having regard to the age and needs to the child. If the property is on an un-adopted road it will be measured from where the property meets the adopted highway or adopted path. All calculations of distance will be made using the Authority's chosen software package.

For assessments over the distance criteria mentioned in section 2.2, the distance from home to nearest suitable school will be measured along the shortest available road route, i.e. from the home boundary to the nearest school gate using the Authority's chosen software package. However, if the property is on an un-adopted road it will be measured from where the un-adopted road meets the adopted highway.

For all calculations the measurement of distance will be to the nearest 0.1 of a mile.

## **2.6 Primary and Secondary School Transport**

For Primary and Secondary Schools, the Authority will provide free transport to the nearest suitable school in line with the criteria of this policy. Discretionary provision may also apply, by virtue of the criteria shown in section 3.

## **2.7 Parental / Carer Preference of School**

Parents / carers have the right to express a preference for admission of their child to any school, subject to availability of places. If the application is accepted, the parent / carer loses their entitlement to free transport if it is not their nearest suitable school or, the designated secondary school for the primary feeder school they attended.

This is consistent with meeting the requirements as outlined in section 1.46 of the Learner Travel: Statutory Provision and Operational Guidance June 2014.

**IMPORTANT - Parents/ Carers are advised to consider the school transport implications before making an expression of preference for a school place. See section 2.3 on nearest suitable school.**

## **2.8 School Admissions**

If parents / carers have been unable to secure a place for their child at their nearest suitable school, or if their designated secondary school (from the appropriate feeder primary school) is full, then free transport will be provided to the next nearest suitable school, providing the distance criteria in section 2.2 is met.

## 2.9 **Pick-up Points**

Denbighshire County Council considers that in general the provision of shared pick-up points can be part of a suitable transport arrangement within the meaning of section 3 of the Learner Travel (Wales) Measure 2008.

For learners who qualify for transport there will be an expectation that they will depart from a pre-determined pick-up point, unless otherwise stated when the application is determined. The Authority will endeavour to locate pick-up points reasonably close from to learners' homes (no more than 3 miles) in the expectation that parents / carers will be able to make use of their designated pick-up point in order to ensure for their child a safe and timely journey to and from school. Any measurement of distance will follow the principals as outlined in section 2.5. The assessment will also have regard to hazardous routes, following the principals set out in section 2.10.

It is parental / carer's responsibility to ensure that their child reaches the pick-up point in a timely manner and that they board the vehicle safely. They must also ensure there is a responsible adult to meet their child on the return journey, if the age or needs of the child call for the provision of an escort.

If a responsible adult is not there to meet a child, whose age or needs call for the provision of an escort, then additional costs will be recharged, as it may be necessary for Officers to seek guidance from Children Services and, if required, arrange for the child to be taken to a Local Authority place of care.

**Note:** Nothing in this Policy creates an expectation that all children should walk to the pick-up points, as in some cases this will be inappropriate. If a parent / carer believes that the use of a pick-up point is not suitable for their child, they should bring their concerns to the attention of the Authority, which will then investigate the circumstances to determine whether the Authority needs to make any additional or alternative transport arrangements for that child. Additional or alternative arrangements can be made under section 3 and 4 of the Learner Travel (Wales) Measure 2008. Discretionary arrangements may also be made under section 6 of the Measure.

The Local Authority reserves the right to review the pick-up points to ensure a safe route is maintained at all times and subject to ensuring the most cost effective provision is in place.

Once eligibility for school transport has been confirmed, Denbighshire's Passenger Transport department will contact parents / carers and provide details regarding the pick-up point used and the timings of the service.

## **2.10 Hazardous Routes**

For learners who live below the statutory qualifying distance shown in section 2.2, the Local Authority will provide transport to school if the route is deemed hazardous. Hazardous routes are assessed by an appropriate Denbighshire Road Safety Officer following the guidance provided in the Learner Travel: Statutory Provision and Operational Guidance June 2014.

Where pick-up points are used the Local Authority will also consider if there are hazardous routes which could reasonably prevent learners walking to these locations, accompanied as necessary by a responsible adult. In such instances the Local Authority, after assessment, **will** provide transport from home to the pick-up point, or direct to school (whichever is more efficient) on a discretionary basis.

It is noted that where parents / carers have exercised their right to a school by parental preference (see section 2.7), the requirement for arranging school transport is the responsibility of the parent / carer.

The Local Authority will maintain a register of all Denbighshire routes which have been assessed, and as new routes are evaluated these will be added to the register. The Authority will review the complete register every 5 years to ensure that all routes are still categorised correctly.

## **2.11 Additional Learning Needs (ALN)**

The Local Authority will make suitable and relevant educational provision for all children with additional learning needs to ensure they are able to develop to their maximum potential.

The level of need is assessed by relevant professionals in Denbighshire's Education department, and which informs the type of transport that will be provided. Transport will then be provided in line with the advice given and reviewed on an annual basis.

If a child has a Statement of Special Educational Needs or an Education Health and Care Plan (EHC Plan), school transport may be included as part of the non-educational provisions made for the child as part of their Statement/EHC Plan. If it is, then transport will be provided. However, free transport may not be provided if parents / carers exercise their right to preference of school which is not the nearest suitable (See section 2.7).

If school transport is not included in a child's Statement/EHC Plan then they may still be entitled to home to school transport under the policy provided that the school they are attending is the nearest appropriate school with a place, and they meet the eligibility criteria.

## **2.12 Looked After Children (LAC)**

A Looked After Child is the term used within the Children Act 1989 to describe children who are under the age of 18 and are provided with care and accommodation by the Local Authority's Children Services department; often with foster carers.

The Learner Travel (Wales) Measure 2008 states the same assessment criteria shall apply to Looked After Children as to children who are not looked after; however, there is no requirement that they attend the nearest suitable school to their home or placement address.

If the Looked After Child attends a school closer than the minimum distance shown in section 2.2, free transport will not be provided. Exceptions by virtue of the criteria shown in section 3 may also still apply.

If the Looked After Child attends a school over the distance shown in section 2.2, transport will be provided to the appropriate school to ensure minimum disruption and continuity of education, while also maintaining child wellbeing. For journeys from placements out of county, or entailing long journeys, a reasonableness test may be applied. This test will have regard to the distance, time of journey and the proximity of other suitable establishments.

## **2.13 Dual Residency**

The Local Authority will provide transport for learners who, due to their family circumstances, may reside in more than one residence; with at least one residence being in Denbighshire. However, this is provided that the school attended is the nearest suitable school from the main residence, or agreed to be the most suitable school taking account of the locations of both residences. Proof of dual residency must be provided and the main residence is usually the property to which child benefit is paid.

If the second residence is in a different Local Authority area, then it is the responsibility of that Authority to consider transport arrangements for that route to school. Parents should therefore apply to the relevant Local Authority.

### **3. DISCRETIONARY SCHOOL TRANSPORT**

#### **3.1 Discretionary Arrangements**

Within sections 3 and 4 of the Learner Travel (Wales) Measure 2008, Local Authorities can make additional or alternative arrangements regarding school transport. Discretionary arrangements can also be made under section 6 of the Measure; in which case the cost of such arrangements may also be charged to the parent / carer responsible.

#### **3.2 Faith Schools**

On a discretionary basis the Authority will provide transport to the nearest suitable Faith school if this is the parental preference. This will apply even if the school is not their nearest suitable school. The distance criteria in section 2.2 will still apply. See the table in Appendix 1 for further details of Faith schools. This discretionary arrangement is in accordance with the requirements of section 9 of the Learner Travel (Wales) Measure 2008.

If the nearest suitable Faith school is outside of County then transport would still be provided by the Authority.

#### **3.3 Welsh or English Medium Education**

In accordance with section 10 of the Learner Travel (Wales) Measure 2008, the Authority promotes access to Welsh medium education by providing discretionary transport to the nearest suitable Welsh or English medium education, if this is parental preference. This will apply even if the school is not their nearest suitable school.

For Welsh Medium education it would be a school which is categorised as either 1 or 2 within the Welsh Government guidelines on Welsh Medium Provision. The table in Appendix 1 shows Denbighshire's Welsh Medium School categories.

If the nearest Welsh or English medium school is outside of County then transport would still be provided by the Authority. Preference will only be considered against Welsh Medium or English Medium schools. The distance criteria in section 2.2 will still apply.

#### **3.4 Feeder Schools Arrangements**

On a discretionary basis the Authority recognises that certain Primary schools are natural feeder schools for certain Secondary schools. Therefore in regard to Secondary education, free school transport may be provided to either the nearest suitable Secondary School or the recognised feeder Secondary school; providing that the learner lives over the distance criteria in section 2.2, and the journey is agreed to be reasonable; this criteria is shown below.

The Authority reserves the right to apply a test of reasonableness to those parents / carers requesting secondary school transport on the basis of feeder schools. To receive free transport on this basis the learner must:

- Have been attending their nearest suitable primary school from their home location as assessed at the point of admission.
- Meet the distance criteria in section 2.2 for secondary schools.
- If learners move house before commencing secondary school, their entitlement will require re-assessment, as per the criteria shown in section 2.
- In instances where learners have not attended their nearest suitable primary school by parental / carer preference, section 3.4 will not apply. The assessment of school transport applications will then be based solely on nearest suitable Secondary school.

### **3.5 Post 16 Transport**

The Local Authority provides discretionary transport beyond statutory school age where a Denbighshire learner resides 3 miles or more from the nearest suitable school or college. The learner must be studying full time and be less than 19 years of age on 1st September of the academic year in which the course is taken. Transport will be provided to the nearest secondary school designated by the Authority to serve the learner's home address only, or in the case of full-time vocational courses, to the nearest college. Transport between learning establishments working in a partnership is provided through the 14-19 Learning Network, as detailed in section 3.6 below.

### **3.6 14-19 Learning Network**

The Authority currently makes provision for a network of transport routes in between some schools and colleges, working in partnership to allow access to a comprehensive range of educational courses. Transport will be provided free of charge when a learner must travel between establishments to access the necessary partnership courses. All arrangements for this travel are made through participating schools and colleges.

### **3.7 School Reorganisation**

In cases where school reorganisation has taken place, the Local Authority will consider the most appropriate options for school transport. This may include providing free transport for a specified period of time dependant on circumstances. Such arrangements will be provided on a discretionary basis and will be documented within the reorganisation process; so that relevant schools, governing bodies, parents, and any other stakeholders, are all aware of the terms of the arrangement.

### **3.8 Moving Home**

In cases where a learner, who has been in receipt of free school transport, moves home part way through the academic year, transport will not be continued if they are no longer attending their nearest suitable school.

If part way through a GCSE year (school years 10 and 11) the Authority will continue to provide discretionary transport until the academic years have been completed.

This undertaking is dependent upon the learner being ordinarily resident in the Authority's area. **Note:** The Local Authority also reserves the right to test the reasonableness of the transport requested under this condition, having regard to the distance, time of journey and the proximity of other suitable establishments.

All other reassessments of eligibility will follow the criteria set out in section 2. This section shall not apply where parents / carers have previously exercised a preference as detailed in section 2.7.

### **3.9 Managed School Transfers**

Where managed school transfers are supported by both the new destination school head teacher and Education Services, parents will be aware of this action and be included in these discussions at school level. School transport in these circumstances may be supported on a discretionary basis where it forms part of the action and agreement of all parties to pursue a change of school in the interests of the learner.

It is the parent / carer's responsibility to ensure that they fully engage with the Authority and the school when pursuing a managed transfer. These matters need to be verified and evidence available. This allows Education Support to make an informed decision based upon the evidence supporting the transport request.

Where no evidence is available and/or where parent / carers refuse to engage in the process with the school and Education Services, the transport request will be refused. This will be based upon the lack of evidence available for an informed decision to be made.

### **3.10 Withdrawal of Discretionary Transport**

A Local Authority can withdraw the provisions of discretionary school transport, provided it has agreed and published the relevant changes to the policy before the 1st October of the year preceding the academic year in which the changes will come into force.

### **3.11 Other Discretionary Provisions**

Under sections 3 and 4 of the Learner Travel (Wales) Measure 2008 the Local Authority can make additional or alternative arrangements regarding school transport. Other discretionary arrangements regarding school transport can also be made applied under section 6 of the Measure. The Head of Education may apply these powers for free transport in cases such as:

- The safeguarding of a learner, or where there is likely to be significant detrimental impact to that learner's welfare.
- Transport on medical grounds may also be applicable under this criteria, including cases where the parent has a disability that restricts the ability of a learner to travel to school without transport for period of time; or where a learner is temporarily incapacitated through illness or injury.
- Temporary or emergency housing of a family outside of the previous residential area, normally through the Authority's Housing Service, to minimise disruption of education.

This list is not exhaustive and there may be other circumstances where discretion can be applied; however, to ensure consistency of approach regarding discretion evidence may be requested from relevant professionals and the assessment will be recorded.

Where short term discretionary transport arrangements are put in place the Authority will inform parents / carers when these arrangements are to end.



## 4 MAKING A SCHOOL TRANSPORT APPLICATION

4.1 A school transport application is required when:

- Starting Primary School (not nursery)
- Starting Secondary School
- Moving into Year 7 in a middle school
- Going from year 11 to sixth form / college; or
- Changing home location or school

4.2 You can make a school transport application online at

<https://www.denbighshire.gov.uk/schooltransport>

Alternatively you can download the application from the website, or request a blank form be posted to you, and send to the address shown on the form.

4.3 The Authority will inform you of the outcome of the application within 15 working days of receiving your form. If you are successful, you will receive details of pick-up times and locations during the summer holidays for September starts or as soon as possible for applications mid-school year. These details will be sent to you by Denbighshire's Passenger Transport department.

4.4 If your circumstances change during the school year, you must inform the Local Authority. If for example you move home or change school then you need to reapply for school transport at that time. If you are applying for transport during the school year, please do so as soon as you can after your new address is confirmed.

4.5 Full details of all transport related issues can be found in the Denbighshire Parent Handbook:

[www.denbighshire.gov.uk/en/resident/education/school-admissions.aspx](http://www.denbighshire.gov.uk/en/resident/education/school-admissions.aspx)

## **5. OTHER INFORMATION**

### **5.1 Nursery Education**

The Authority does not provide transport for children attending nursery school or nursery classes at the age of 3 or 4. Transport is provided for eligible children from the commencement of the school year in which the child attains the age of 5 and starts full-time education, normally in reception class.

### **5.2 Out of School Clubs**

The Authority will not provide transport to or from out of school clubs (i.e. breakfast club, after school clubs etc.) or extra-curricular activities that fall outside the statutory curriculum. It is the parent's / carer's responsibility to ensure that appropriate transport arrangements are put in place if these services are accessed.

### **5.3 Policy Changes**

Should it be required to amend this policy, the Authority must follow the requirements as set out in the Learner Travel Information (Wales) Regulations 2009. This requires that the Authority consult, agree and publish changes to the policy before the 1st October of the year preceding the academic year in which the changes come into force.

Should it be required, the Authority can also issue additional clarification guidance alongside this policy. Any such guidance will be available on the Authority's website.

## **6. Transport Provision**

### **6.1 Mode of Transport**

The Authority will endeavour to provide the most suitable mode of transport for all eligible learners that is safe and provides the most cost effective method of transport. This may be via bus, coach, minibuss, or taxi school contracts, or existing public transport. These services and the associated contracts are arranged and managed by Denbighshire's Passenger Transport department.

### **6.2 Concessionary Transport**

If a learner does not qualify for free school transport as set out in this policy, and there are spare seats available on an Authority service, these may be offered as concessionary seats. The following conditions will apply:

- A reasonable charge per term will be applied. This will be reviewed annually before the new school year.
- Concessions may be withdrawn at short notice when seats become unavailable or if they are required for an eligible learner. In such cases a proportional refund will be calculated and given back to the parent / carer.
- Concessionary passes cannot be issued at short notice at the start of the academic year as it is necessary to identify whether there are spare seats on contract vehicles.
- Concessionary seats cannot be offered where public transport runs alongside school transport. In such circumstances, parents are expected to use existing public transport.

### **6.3 Transport Payments**

There may be circumstances where parents can be offered a nominal payment towards the cost of transporting their children. This is an option only used in exceptional circumstances, and if there are difficulties in arranging school transport for eligible learners. Parents / carers are under no obligation to accept the offer of reimbursement which would usually be a set mileage rate for the miles travelled during two return journeys per day; however this may be deemed the most reasonable mode of transport.

### **6.4 Behaviour on Transport**

Learners travelling on service or contract vehicles provided by the Authority are expected to behave well at all times and comply with the requirements of the School Travel Code, see Appendix 2. This full document is [available here](#).

Any Learners who misbehave, cause, or risk causing damage or injury to the vehicle, driver or passengers, or in any way threaten the safety of the other passengers and/or vehicle, may have their transport eligibility withdrawn. Any learners who are who are not entitled to free school transport but travel on contract services on a concessionary basis, will also be subject to the same rules.

The behaviour of learners on school transport services is of the utmost importance, so parents / carers are therefore expected to support the Authority, the schools, transport operators and their staff in maintaining good behaviour. It should be clearly understood that in cases of misbehaviour the ultimate sanction is the removal of the right to receive transport. In such cases the responsibility and full cost of transport to and from school will then fall to the parent / carer.

The Authority encourages feedback from service providers and schools regarding use of the school transport services provided. A log will be maintained of incidents and any related investigation. If necessary parents / carers will be informed of incidents if it can be shown that a child or children have been causing problems.

#### **6.5 Monitoring of Services**

The Authority reserves the right to randomly check school transport services to ensure that those travelling are all eligible. Where learners are found to be travelling who are not eligible, Passenger Transport will record these instances and contact the relevant parents / carers to inform them of their options.

#### **6.6 Disclosure and Barring Service (DBS) Checks**

Denbighshire's Passenger Transport department manage and arrange all the necessary school transport contracts with the appropriate service providers. This includes undertaking DBS checks for all drivers and passenger school escorts. Note: school escorts are only employed on Primary School Services where deemed appropriate, or if the child's additional learning needs make it appropriate.

#### **6.7 Adverse Weather Conditions**

Adverse weather can have an impact on school transport services and their continued provision; therefore, with safety paramount, the transport providers will take the ultimate decision as to whether a service will operate. In severe weather, especially if forecasts are predicting worsening weather, contractors will be advised not to run services.

The Passenger Transport department will make every effort to inform schools when home to school transport is likely to be disrupted. Details of such changes will also be available on the Council's website.

## **7. APPEALS**

**7.1** The parent / carer will normally be notified in writing within 15 working days of an unsuccessful school transport application. The Authority will also offer the parent /carer an opportunity to appeal, and advise on the procedure. The appeal must be sent to the Authority no later than 20 working days after the date of refusal.

**7.2** Parents / carers should write to the Authority indicating their wish to appeal. This should be sent to [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) stating the reasons for the appeal and raising any circumstances which they believe relevant, and may impact the decision. Additional evidence in support of these circumstances should also be provided to the Local Authority along with the appeal. The appeal and any additional information may also be posted to the following address:

Education Support,  
Denbighshire County Council,  
PO Box 62,  
Ruthin,  
LL15 9AZ

**7.3** A panel of independent officers from within Denbighshire Council will consider the appeal against the Home to School Transport Policy and make a decision based on the information provided. The decision of the appeal panel will be available within 20 working days of the appeal being received.

The panel will be made up of Local Authority officers who were not involved in the initial request for school transport. The panel meeting will be recorded and minutes provided. The panel will consider all the evidence provided in support of the appeal. If they so wish, parents / carers may attend to provide a brief summary of their appeal. Education Support officers will also have opportunity to provide details of their assessment to the panel.

**7.4** After the appeal hearing the parent / carer will be notified by Education Support of the outcome of their appeal in writing. Following this decision there are no further grounds for appeal.

## 8. CONTACT DETAILS

### 8.1 Transport Applications

For queries related to applications please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 706100

### 8.2 Passenger Transport Services

For queries related to operational service issues please email [passenger.transport@denbighshire.gov.uk](mailto:passenger.transport@denbighshire.gov.uk) or telephone 01824 706100

### 8.3 14-19 Transport

For queries related to inter-establishment transport for the 14-19 learning network, please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 706100

### 8.4 Transport Complaints

If you wish to make a complaint please email [passenger.transport@denbighshire.gov.uk](mailto:passenger.transport@denbighshire.gov.uk) or telephone 01824 706100

### 8.5 School Admissions

For queries related to School Admissions please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 706100

### 8.6 ALN Transport

For queries related to ALN Transport please email [admissions@denbighshire.gov.uk](mailto:admissions@denbighshire.gov.uk) or telephone 01824 708064

## 9. Links to Relevant Documentation

The Learner Travel (Wales) Measure 2008 is available in Welsh and English at [www.legislation.gov.uk](http://www.legislation.gov.uk)

Learner Travel Statutory Provision and Operational Guidance 2014  
<http://gov.wales/docs/dcells/publications/140616-ltog-en-v2.pdf>

Teitio gan Ddysgwyr Darpariaeth Statudol a Chanllawiau Gweithredol Mehefin 2014  
<http://gov.wales/docs/dcells/publications/140616-ltog-cy-v2.pdf>

Behaviour code  
<http://gov.wales/topics/educationandskills/allsectorpolicies/learner-travel/travel-code/?lang=en>

Learner Travel Information (Wales) Regulations 2009.

10. APPENIDIX 1

FEEDER SCHOOLS

| Secondary School Cluster                                 | Recognised Feeder Primary Schools | Faith School              | Other Nearest Suitable School  |
|----------------------------------------------------------|-----------------------------------|---------------------------|--------------------------------|
| <b>Ysgol Dinas Bran</b><br><br>Welsh Language Category 2 | Bryn Collen                       | No                        |                                |
|                                                          | Caer Drewyn                       | No                        |                                |
|                                                          | Carrog                            | No                        |                                |
|                                                          | Gwernant<br>Welsh Category 1      | No                        |                                |
|                                                          | Bro Dyfrdwy<br>Welsh Category 1   | No                        | Y Berwyn /<br>Ysgol Brynhyfryd |
| <b>Ysgol Glan Clwyd</b><br><br>Welsh Language Category 1 | Dewi Sant<br>Welsh Category 1     | No                        |                                |
|                                                          | Henllan<br>Welsh Category 1       | No                        |                                |
|                                                          | Tremeirchion<br>Welsh Category 1  | Yes<br>Church in<br>Wales |                                |
|                                                          | Twyn o'r Nant<br>Welsh Category 1 | No                        |                                |
|                                                          | Y Llys<br>Welsh Category 1        | No                        |                                |
|                                                          | Pantpastynog<br>Welsh Category 1  | Yes<br>Church in<br>Wales | Ysgol Brynhyfryd               |
| <b>Rhyl High School</b>                                  | Bryn Hedydd                       | No                        |                                |
|                                                          | Christchurch                      | No                        |                                |
|                                                          | Emmanuel                          | No                        |                                |
|                                                          | Llywelyn                          | No                        |                                |
|                                                          | Y Castell                         | No                        | Emrys Ap Iwan                  |
| <b>Prestatyn High School</b>                             | Bodnant                           | No                        |                                |
|                                                          | Clawdd Offa                       | No                        |                                |
|                                                          | Hiraddug                          | No                        |                                |
|                                                          | Melyd                             | No                        |                                |
|                                                          | Penmorfa                          | No                        |                                |



| <b>Secondary School Cluster</b>                               | <b>Recognised Feeder Primary Schools</b> | <b>Faith School</b>    | <b>Other Nearest Suitable School</b>                         |
|---------------------------------------------------------------|------------------------------------------|------------------------|--------------------------------------------------------------|
| <b>Ysgol Brynhyfryd</b><br><br>Welsh Language Category 2      | Betws GG<br>Welsh Category 1             | No                     |                                                              |
|                                                               | Borthyn                                  | Yes<br>Church in Wales | St Brigid's                                                  |
|                                                               | Bro Cinmeirch<br>Welsh Category 1        | No                     | Ysgol Glan Clwyd                                             |
|                                                               | Bro Elwern<br>Welsh Category 1           | No                     |                                                              |
|                                                               | Bro Famau                                | No                     | Mold Alun                                                    |
|                                                               | Bryn Clwyd                               | No                     |                                                              |
|                                                               | Carreg Emlyn<br>Welsh Category 1         | No                     |                                                              |
|                                                               | Dyffryn Ial<br>Welsh Category 2          | Yes<br>Church in Wales | Mold Alun, St Brigid's,<br>Maes Garmon                       |
|                                                               | Gellifor                                 | No                     |                                                              |
|                                                               | Llanbedr                                 | Yes<br>Church in Wales |                                                              |
|                                                               | Llanfair<br>Welsh Category 2             | Yes<br>Church in Wales | St Brigid's                                                  |
|                                                               | Pen Barras<br>Welsh Category 1           | No                     |                                                              |
|                                                               | Pentrecelyn<br>Welsh Category 1          | No                     |                                                              |
|                                                               | Rhewl<br>Welsh Category 2                | No                     |                                                              |
|                                                               | Rhos Street                              | No                     |                                                              |
| <b>Denbigh High School</b>                                    | Bodfari                                  | No                     |                                                              |
|                                                               | Cefn Meiriadog                           | No                     | Emrys Ap Iwan                                                |
|                                                               | Esgob Morgan                             | Yes<br>Church in Wales | St Brigid's / Rhyl HS / BEJ                                  |
|                                                               | Faenol                                   | No                     | Emrys Ap Iwan                                                |
|                                                               | Frongoch                                 | No                     |                                                              |
|                                                               | Pendref                                  | No                     |                                                              |
|                                                               | St Asaph                                 | Yes<br>Church in Wales | Infants only: Esgob Morgan,<br>Trefnant, St. Brigid's or BEJ |
|                                                               | Trefnant                                 | Yes<br>Church in Wales |                                                              |
|                                                               | Y Parc Infants                           | No                     |                                                              |
| <b>Blessed Edward Jones</b><br><br>Roman Catholic High School | Ysgol Mair                               | Yes<br>Roman Catholic  | Rhyl High School                                             |

## 11. APPENDIX 2

### SCHOOL BUS TRAVEL BEHAVIOUR CODE

- When at the bus stop, always wait sensibly, off the road.
- Make an agreement with your parent / carer what to do if the bus does not arrive or if you miss it.
- When the bus arrives, wait for it to stop. Never push or rush for the door.
- Show your bus pass (if you have been given one) when you get on the bus.
- On a school bus stay in your seat for the whole journey.
- On a public bus find a seat if one is available.
- Never block the aisle with your bag or other belongings.
- Always wear a seatbelt if one is provided.
- You must not distract the driver when he or she is driving.
- Never eat or drink on the bus.
- Never throw anything in or from the bus.
- Never damage or vandalise any part of the bus.
- Never operate the bus doors or exits, except in an emergency.
- Always follow the instructions of the driver or passenger assistant at all times.
- If there is an accident, stay on the bus until you are told to leave. If it is unsafe to stay on the bus then leave by the safest exit.
- Never try and get on or off the bus until it has stopped.
- Always get off the bus sensibly, taking all your belongings with you.
- Never cross the road in front of or close behind the bus.

# Travel Behaviour Code

Your safety is very important. You must behave responsibly and safely when travelling to and from school or college, whether you go there by bus, train, taxi, bicycle, walking or any other way. If you get a bus to school or college, you must also follow the rules in the School Bus Travel Behaviour Code.

If you do not follow this Code, for your own safety, and other people, local authorities, schools and colleges can take action against you. This might involve taking away your right to school transport and even excluding you from school.

| <h2>Your Responsibility</h2>                                                                                                                                                                                                                                     | <h2>Your Safety</h2>                                                                                                                                                                                                                                                                            | <h2>Your Rights</h2>                                                                                                                                                                                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>• Always respect others, including other pupils, drivers and the public.</li><li>• Always respect vehicles and property.</li><li>• Always be polite.</li><li>• Never drop litter.</li><li>• Always obey the law.</li></ul> | <ul style="list-style-type: none"><li>• Always behave well when travelling.</li><li>• Always follow the driver's instructions when travelling.</li><li>• You must not distract drivers.</li><li>• Always cross the road safely and sensibly.</li><li>• Always travel by a safe route.</li></ul> | <ul style="list-style-type: none"><li>• To be safe when travelling.</li><li>• To be treated fairly and with respect.</li><li>• To tell someone if somebody or something is causing you problems.</li><li>• Not to be bullied or picked on.</li></ul> |
| <p><b>Please tell a teacher, parent or driver about any bad behaviour or bullying you see.</b></p>                                                                                                                                                               |                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                      |



|                             |                                                                     |
|-----------------------------|---------------------------------------------------------------------|
| <b>Report to:</b>           | <b>Communities Scrutiny Committee</b>                               |
| <b>Date of Meeting:</b>     | <b>2<sup>nd</sup> February 2017</b>                                 |
| <b>Lead Member/Officer:</b> | <b>Leader/<br/>Head of Business Improvement &amp; Modernisation</b> |
| <b>Report Author:</b>       | <b>Head of Business Improvement &amp; Modernisation</b>             |
| <b>Title:</b>               | <b>Denbighshire County Council Residents Survey 2017</b>            |

## **1. What is the report about?**

The report outlines a revised approach to the 2017 Residents Survey.

## **2. What is the reason for making this report?**

The Residents survey is an important test of public opinion for the Council. Members wanted reassurance that the next survey would be designed to get a greater response rate from citizens.

## **3. What are the Recommendations?**

That the Committee comments on the proposed new arrangements.

## **4. Report details**

The Council has been conducting a bi-annual residents' survey since 2011, seeking views on a variety of subjects, including how well informed people feel, the effectiveness of customer services; overall perception of the Council etc. Recently, surveys have also included questions on well-being, and how people feel.

Initially these surveys were carried out by external agencies, largely by post, attracting between 5,000 and 6,000 responses. The cost of these exercises was c£25K. More recently, in an attempt to reduce the cost to the Council, more work has been undertaken in-house, including the analysis of results, but also including a reduced spend on postal circulation (one of the main expenses). The cost of the survey has reduced accordingly, down to c£10K in 2013 and then down to c£3K for the 2015 exercise, which was conducted entirely on-line.

A consequence has been that the response rate to the survey has reduced accordingly, perhaps indicating a continuing reliance on traditional communication methods in the county. The 2015 exercise only attracted about 750 responses, making it difficult to validate the results statistically. Members felt that this was too low to be useful, and that the next survey should seek to increase the number of respondents, even if this meant greater expense.

To address this issue, the target number of respondents for the 2017 survey should be 2-3000, as this would give us sufficient volume to draw statistically valid conclusions. We have the expertise to analyse the results in house, but we'll invest in communication methods that will help us reach more people.

- This will include postal communication as well as using the Council's website.
- The Council's media and press office will develop a formal campaign to support the survey.
- If need be, we will use the services of an external provider to deliver targeted support.
- We hope to have developed a Citizens' Panel by then too, based on the people who have already engaged with us during the County Conversation, and this will also be a source of respondents.
- The intention is to spend c£12K on the exercise overall.

The timing of this survey is important, especially in an election year. The optimum time for 2017 would be to align the residents' survey with the consultation required on the contents of the Council's new corporate plan, which will be during August-September. The survey can be used to consult on the plan's priorities at the same time as covering the core range of questions used in the last survey, providing a baseline for the new Council to measure its performance.

This represents a 'middle way' for the residents' survey in terms of cost. Although it is only a snapshot of public opinion at the time it is conducted, it has a value. Increasingly we are also using other methods of understanding public views, based on continuous sampling in some cases, for example through the CRM system. The County Conversation is also set to continue, becoming a continuous engagement activity rather than a one-off exercise. These developments should help the Council better understand what its citizens think about it, and what concerns them, so that the residents' survey itself becomes one part of a broader overall pattern of community engagement.

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

The Council has a long term goal to engage effectively with its communities; the proposed changes to the Residents' survey will support this.

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

The costs are identified in report, and will be met from a reserve established for this purpose within Business Improvement and Modernisation (BIM).

**7. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report.**

A WIA is not required for this report.

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

CET has been involved in the development of this proposal

**9. Chief Finance Officer Statement**

The Service has identified funding for the additional cost of the survey. A more statistically valid rate of response would help to inform the development of future policies and decisions.

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

There is a reputational and regulatory risk for the Council if we fail to understand the views of our residents.

**11. Power to make the Decision**

This report does not require a decision.

Scrutiny's role with respect of policy development and ensuring that the Council's policies meet the needs and aspirations of local inhabitants are laid out in Section 7 of the Council's Constitution.

**Contact Officer:**

Head of Business Improvement and Modernisation

Tel: 01824 706246

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|                         |                                       |
|-------------------------|---------------------------------------|
| <b>Report to:</b>       | <b>Communities Scrutiny Committee</b> |
| <b>Date of Meeting:</b> | <b>2 February 2017</b>                |
| <b>Lead Officer:</b>    | <b>Scrutiny Co-ordinator</b>          |
| <b>Report Author:</b>   | <b>Scrutiny Co-ordinator</b>          |
| <b>Title:</b>           | <b>Scrutiny Work Programme</b>        |

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## **1. What is the report about?**

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

## **2. What is the reason for making this report?**

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

## **3. What are the Recommendations?**

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

## **4. Report details**

- 4.1 Section 7 of Denbighshire County Council's Constitution sets out each Scrutiny Committee's terms of reference, functions and membership, as well as the rules of procedure and debate.
- 4.2 The Constitution stipulates that the Council's scrutiny committees must set, and regularly review, a programme for their future work. By reviewing and prioritising issues, members are able to ensure that the work programme delivers a member-led agenda.
- 4.3 For a number of years it has been an adopted practice in Denbighshire for scrutiny committees to limit the number of reports considered at any one meeting to a maximum of four plus the Committee's own work programme report. The aim of this approach is to facilitate detailed and effective debate on each topic.
- 4.4 In recent years the Welsh Government (WG) and the Wales Audit Office (WAO) have highlighted the need to strengthen scrutiny's role across local government and public services in Wales, including utilising scrutiny as a means of engaging with residents and service-users. Going forward scrutiny will be expected to engage better and more frequently with the public with a view to securing better decisions which ultimately lead to better outcomes for citizens. In future the WAO will measure scrutiny's effectiveness in fulfilling these expectations.

- 4.5 Having regard to the national vision for scrutiny whilst at the same time focussing on local priorities, the Scrutiny Chairs and Vice-Chairs Group (SCVCG) has recommended that the Council's scrutiny committees should, when deciding on their work programmes, focus on the following key areas:
- budget savings;
  - achievement of the Corporate Plan objectives (with particular emphasis on the their deliverability during a period of financial austerity);
  - any other items agreed by the Scrutiny Committee (or the SCVCG) as high priority (based on the PAPER test criteria – see reverse side of the 'Member Proposal Form' at Appendix 2) and;
  - Urgent, unforeseen or high priority issues

#### 4.6 Scrutiny Proposal Forms

As mentioned in paragraph 4.2 above the Council's Constitution requires scrutiny committees to prepare and keep under review a programme for their future work. To assist the process of prioritising reports, if officers are of the view that a subject merits time for discussion on the Committee's business agenda they have to formally request the Committee to consider receiving a report on that topic. This is done via the submission of a 'proposal form' which clarifies the purpose, importance and potential outcomes of suggested subjects. No officer proposal forms have been received for consideration at the current meeting.

- 4.7 With a view to making better use of scrutiny's time by focussing committees' resources on detailed examination of subjects, adding value through the decision-making process and securing better outcomes for residents, the SCVCG has decided that members, as well as officers, should complete 'scrutiny proposal forms' outlining the reasons why they think a particular subject would benefit from scrutiny's input. A copy of the 'member's proposal form' can be seen at Appendix 2. The reverse side of this form contains a flowchart listing questions which members should consider when proposing an item for scrutiny, and which committees should ask when determining a topic's suitability for inclusion on a scrutiny forward work programme. If, having followed this process, a topic is not deemed suitable for formal examination by a scrutiny committee, alternative channels for sharing the information or examining the matter can be considered e.g. the provision of an 'information report', or if the matter is of a very local nature examination by the relevant Member Area Group (MAG). In future no items will be included on a forward work programme without a 'scrutiny proposal form' being completed and accepted for inclusion by the Committee or the SCVCG. Assistance with their completion is available from the Scrutiny Co-ordinator.

#### Cabinet Forward Work Programme

- 4.8 When determining their programme of future work it is useful for scrutiny committees to have regard to Cabinet's scheduled programme of work. For this purpose a copy of the Cabinet's forward work programme is attached at Appendix 3.

#### Progress on Committee Resolutions

- 4.9 A table summarising recent Committee resolutions and advising members on progress with their implementation is attached at Appendix 4 to this report.

## **5. Scrutiny Chairs and Vice-Chairs Group**

- 5.1 Under the Council's scrutiny arrangements the Scrutiny Chairs and Vice-Chairs Group (SCVCG) performs the role of a coordinating committee. The Group last met on 17 January 2017. At that meeting a number of requests for items to be scrutinised were considered. This Committee has been asked to invite representatives from the Nat West Bank to meet with members to discuss the potential impact on the county's residents and businesses of their decision to close all branches in Denbighshire, bar one. The Committee is also asked to examine the Bank's proposals for delivering services in future and to mitigate the effect of its decisions to close on residents and businesses. As a result of inviting Bank representatives to meet with members at its March meeting the Group suggested rescheduling consideration of the Draft Seagull Action Plan until the Committee's June meeting. The Committee is asked to confirm these arrangements.

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

Effective scrutiny will assist the Council to deliver its corporate priorities in line with community needs and residents' wishes. Continual development and review of a coordinated work programme will assist the Council to deliver its corporate priorities, improve outcomes for residents whilst also managing austere budget cuts.

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

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

## **8. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report**

A Well-being Impact Assessment has not been undertaken in relation to the purpose or contents of this report. However, Scrutiny's through it work in examining service delivery, policies, procedures and proposals will consider their impact or potential impact on the sustainable development principle and the well-being goals stipulated in the Well-being of Future Generations (Wales) Act 2015.

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

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

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

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

## 11. Power to make the decision

Section 7.11 of the Council's Constitution stipulates that scrutiny committees and/or the Scrutiny Chairs and Vice-Chairs Group will be responsible for setting their own work programmes, taking into account the wishes of Members of the Committee who are not members of the largest political group on the Council.

**Contact Officer:**

Scrutiny Coordinator

Tel No: (01824) 712554

e-mail: [rhian.evans@denbighshire.gov.uk](mailto:rhian.evans@denbighshire.gov.uk)

## Communities Scrutiny Committee Forward Work Plan

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

| Meeting  | Lead Member(s)             | Item (description / title)                                                     | Purpose of report                                                                                                                                                                                                                                                                                                               | Expected Outcomes                                                                                                                                                                                                                                                                                                                                                                                                                      | Author                                  | Date Entered           |
|----------|----------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------|
| 23 March | <b>Cllr. Bobby Feeley</b>  | 1. Supporting Independence in Denbighshire (SID)                               | To update the Committee on the merger of the management function of the Supporting Independent Living (SIL), Reablement and Health & Social Care Support Worker (HSCSW) Services in the county. Report to include information on the indicators used to measure the services' effectiveness in delivering the intended outcomes | An evaluation of whether the new management structure is delivering the intended outcomes, whether the outcome measures are appropriate and support the delivery of seamless health and social care services that support the delivery of the corporate priorities of protecting vulnerable people, supporting them to live independently for as long as possible, and ensuring that they have access to good quality adequate housing | Phil Gilroy/Jane Moore                  | October 2016           |
|          | <b>Cllr. Eryl Williams</b> | 2. Review of Primary School Provision in the Ruthin area<br><b>[Education]</b> | To outline the lessons learnt during the process of reviewing primary school provision in the Ruthin area (the report to highlight procedural flaws identified during and                                                                                                                                                       | To improve processes relating to reviewing school provision in the county for the purposes of any future reviews                                                                                                                                                                                                                                                                                                                       | Karen Evans/Geraint Davies/James Curran | By SCVCG November 2016 |

## Communities Scrutiny Committee Forward Work Plan

| Meeting | Lead Member(s)                                        | Item (description / title) |                                                                          | Purpose of report                                                                                                                                                                                                                                         | Expected Outcomes                                                                                                                                                                                                                                                                                                                                                                                          | Author                            | Date Entered                                                                   |
|---------|-------------------------------------------------------|----------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------------------------------------------------------------------|
|         |                                                       |                            |                                                                          | at the conclusion of the review process as well as methods/processes that worked well, and the impact on pupils at the schools subject to the review)                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                            |                                   |                                                                                |
|         | <b>Cllr. David Smith</b>                              | 3.                         | Water Management – Glasdir area, Ruthin                                  | To examine the ownership and/or responsibility for the flood and drainage in the Glasdir area (including the housing estate, new schools site, culverts under the relief road, holding ponds, Mwrog St. etc.)                                             | An in-depth understanding of how flood risks and drainage in the area for the purpose of providing clarity with respect of the pending development of the new schools. The Committee's findings will be reported to the Planning Committee in due course.                                                                                                                                                  | Graham Boase/Tony Ward/Wayne Hope | By SCVCG September 2016 (rescheduled with the Chair's agreement November 2016) |
|         | <i>Representatives from the Nat West Bank invited</i> | 4.                         | <i>Nat West Bank's vision for banking services in Denbighshire (tbc)</i> | <i>To discuss with representatives the rationale for closing the majority of branches in the county, examine their proposals for delivering banking facilities in future to its private and business customers in the area and any community benefits</i> | <i>An understanding of the rationale behind the Bank's decision to close branches and of how they propose to deliver banking services to the local community will assist the Council to assess the impact of the decisions and to deliver its corporate priorities of developing the local economy, protecting vulnerable people supporting them to live independently, and of modernising the Council</i> | <i>Nat West Bank officials</i>    | <i>By SCVCG January 2017</i>                                                   |

## Communities Scrutiny Committee Forward Work Plan

| Meeting | Lead Member(s) | Item (description / title)                                                                                                                                       | Purpose of report                                                                                                                                                                                      | Expected Outcomes                                                                                                                                                                                                                                                                                                                                                                                                           | Author                  | Date Entered |
|---------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------|
|         |                |                                                                                                                                                                  |                                                                                                                                                                                                        | <i>they can offer to Denbighshire's communities to compensate for the loss of facilities.</i>                                                                                                                                                                                                                                                                                                                               |                         |              |
| 15 June | TBA            | 1. Caravan Site Regulation Procedure<br><br><b>[WIA required]</b>                                                                                                | To evaluate the implementation of the Caravan Site Regulation Procedure                                                                                                                                | (i) an evaluation of the procedure's effectiveness in ensuring that caravan sites are abiding by their planning and licensing permission ensuring that they help support the development of the local economy and keep vulnerable people safe; and<br><br>(ii) identification of any problems encountered during the procedure's enforcement and/or any anomalies or unforeseen risks that came to light during enforcement | Graham Boase/Paul Mead  | May 2016     |
|         | TBA            | 2. County-wide impact of the increase in car parking charges and the draft Car Park Asset Management Plan<br><br><b>[WIA required on draft asset management]</b> | (i) To report on the progress made in relation to the recommendations agreed by the Committee at its October 2016 meeting<br><br>(ii) To consider the draft asset management plan for the county's car | (i) An assessment of the effect of the increased car parking charges on the county's towns and of the improvements made since the recommendations' approval, to determine whether there has been an adverse effect on the Council's ambition in relation to developing the local economy; and<br><br>(ii) Input into the car park asset management plan with a view to ensuring that it delivers a sustainable programme of | Graham Boase/Mike Jones | October 2016 |

## Communities Scrutiny Committee Forward Work Plan

| Meeting     | Lead Member(s) | Item (description / title)                                | Purpose of report                                                                                                                                                                                                            | Expected Outcomes                                                                                                                                                                                                                                                                                           | Author       | Date Entered                                                         |
|-------------|----------------|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------|
|             |                |                                                           | parks                                                                                                                                                                                                                        | improvements that will support the delivery of clean and tidy streets and developing the local economy corporate priorities                                                                                                                                                                                 |              |                                                                      |
|             | TBA            | 4. Draft Seagull Action Plan<br><br><b>[WIA required]</b> | To monitor progress with the approval and implementation of the Action Plan (including residents and business community feedback on the effectiveness of actions taken to date to reduce seagull nuisance across the county) | Evaluate the effectiveness to date of the actions implemented to minimise the nuisance caused by seagulls to residents and businesses and the impact of these measure on the delivery of the corporate priorities relating to economic development, protecting vulnerable people and clean and tidy streets | Graham Boase | By SCVCG September 2016 (rescheduled December 2016 and January 2017) |
| 20 July     |                |                                                           |                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                             |              |                                                                      |
| 7 September |                |                                                           |                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                             |              |                                                                      |
| 19 October  |                |                                                           |                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                             |              |                                                                      |
| 30 November |                |                                                           |                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                             |              |                                                                      |

**Future Issues**

| Item (description / title)          | Purpose of report                                                 | Expected Outcomes                                                         | Author                     | Date Entered  |
|-------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------|----------------------------|---------------|
| Community Infrastructure Levy (CIL) | To outline the proposals for implementing the CIL in Denbighshire | The development of an appropriate and effective CIL scheme for the County | Graham Boase/Angela Loftus | February 2013 |



## Communities Scrutiny Committee Forward Work Plan

|  |  |  |  |  |
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|  |  |  |  |  |
|--|--|--|--|--|

**For future years**

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**Information/Consultation Reports**

| <b>Information / Consultation</b> | <b>Item (description / title)</b> | <b>Purpose of report</b> | <b>Author</b> | <b>Date Entered</b> |
|-----------------------------------|-----------------------------------|--------------------------|---------------|---------------------|
|                                   |                                   |                          |               |                     |

**Note for officers – Committee Report Deadlines**

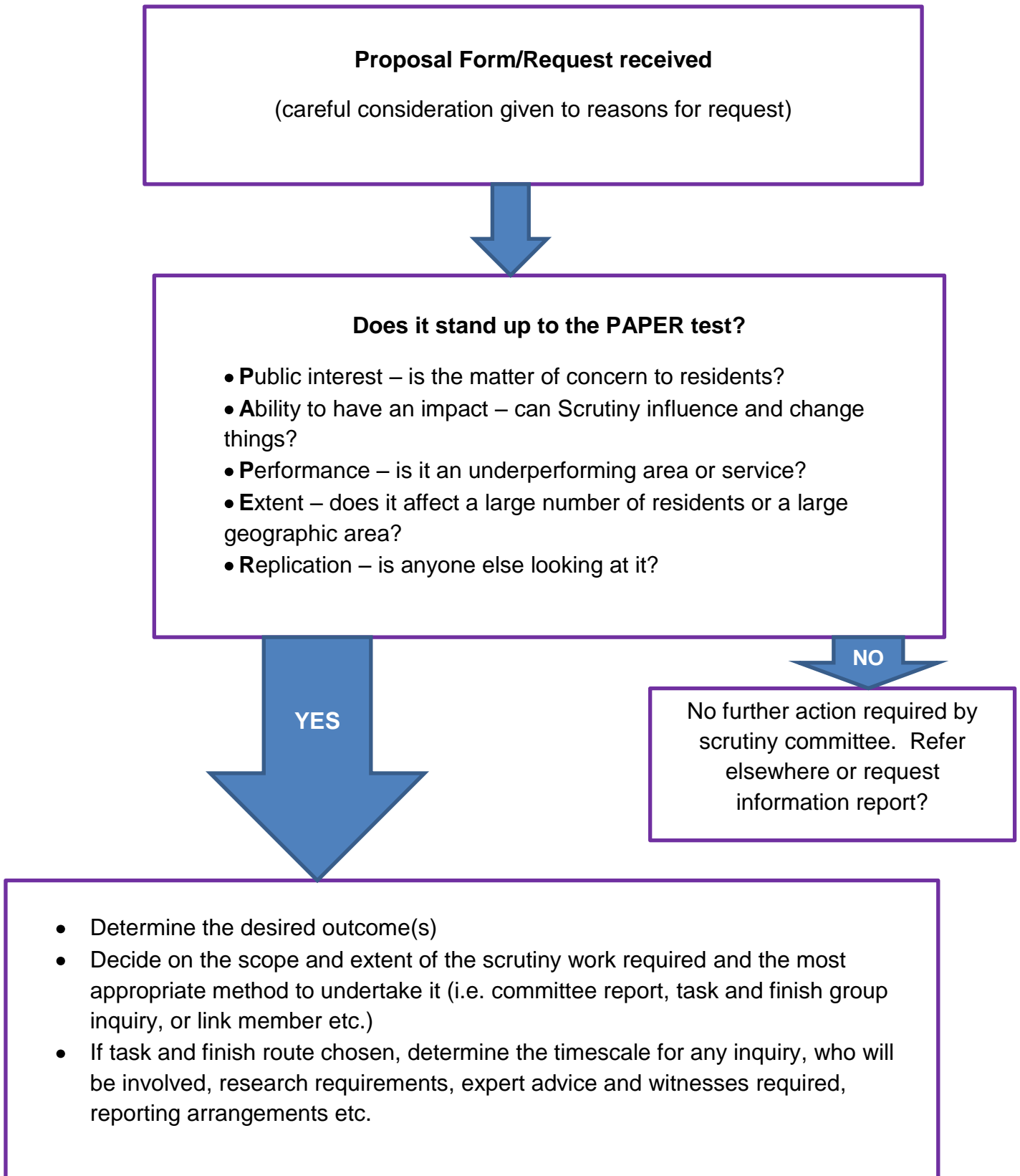
| <b>Meeting</b>  | <b>Deadline</b>        | <b>Meeting</b> | <b>Deadline</b> | <b>Meeting</b> | <b>Deadline</b> |
|-----------------|------------------------|----------------|-----------------|----------------|-----------------|
| 2 February 2017 | <b>19 January 2017</b> | 23 March       | <b>9 March</b>  | 15 June        | <b>1 June</b>   |

Communities Scrutiny Work Programme.doc  
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| <b>Member Proposal Form for Scrutiny Forward Work Programme</b>                                                                                                                        |               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>NAME OF SCRUTINY COMMITTEE</b>                                                                                                                                                      |               |
| <b>TIMESCALE FOR CONSIDERATION</b>                                                                                                                                                     |               |
| <b>TOPIC</b>                                                                                                                                                                           |               |
| <b>What needs to be scrutinised (and why)?</b>                                                                                                                                         |               |
| <b>Is the matter one of concern to residents/local businesses?</b>                                                                                                                     | <b>YES/NO</b> |
| <b>Can Scrutiny influence and change things?</b><br>(if 'yes' please state how you think scrutiny can influence or change things)                                                      | <b>YES/NO</b> |
| <b>Does the matter relate to an underperforming service or area?</b>                                                                                                                   | <b>YES/NO</b> |
| <b>Does the matter affect a large number of residents or a large geographical area of the County</b><br>(if 'yes' please give an indication of the size of the affected group or area) | <b>YES/NO</b> |
| <b>Is the matter linked to the Council's Corporate priorities</b><br>(if 'yes' please state which priority/priorities)                                                                 | <b>YES/NO</b> |
| <b>To your knowledge is anyone else looking at this matter?</b><br>(If 'yes', please say who is looking at it)                                                                         | <b>YES/NO</b> |
| <b>If the topic is accepted for scrutiny who would you want to invite to attend e.g. Lead Member, officers, external experts, service-users?</b>                                       |               |
| <b>Name of Councillor/Co-opted Member</b>                                                                                                                                              |               |
| <b>Date</b>                                                                                                                                                                            |               |

## Consideration of a topic's suitability for scrutiny



## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                                                                                        | Purpose of report                                                                             | Cabinet Decision required (yes/no) | Author – Lead member and contact officer        |
|--------------------|----------------------------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------|
| <b>28 February</b> | 1                          | Finance Report                                                                                         | To update Cabinet on the current financial position of the Council                            | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh |
|                    | 2                          | New Asset Management Strategy                                                                          | Adoption of a new asset management strategy                                                   | Yes                                | Cllr Julian Thompson-Hill / Tom Booty           |
|                    | 3                          | Welsh Language Strategy                                                                                | Consideration of a new Welsh Language Strategy                                                | Yes                                | Councillor Huw Jones / Emlyn Jones              |
|                    | 4                          | DCC Wellbeing Objectives                                                                               | To consider a report on the Council's Wellbeing Objectives                                    | Tbc                                | Councillor Hugh Evans / Alan Smith              |
|                    | 5                          | Rhyl Waterfront Development: Phase 1b commercial elements                                              | For Cabinet to approve the funding model for the commercial elements of the Hospitality Phase | Yes                                | Councillor Hugh Evans / Rebecca Maxwell         |
|                    | 6                          | Y Dyfodol Contract Exemption – Proposal for DCC Supporting People and Clwyd Alyn Partnership Agreement | To seek Cabinet approval to enter into the partnership agreement from October 2018 onwards    | Yes                                | Councillor Bobby Feeley / Liana Duffy           |
|                    | 7                          | Proposed Governance Arrangements for North Wales Economic Growth Bid                                   | To consider the proposed governance arrangements for the North Wales Economic Growth Bid      | Tbc                                | Councillor Hugh Evans / Rebecca Maxwell         |
|                    | 8                          | 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                                                                 |                                    |                                                   |
| <b>28 March</b> | 1 | Finance Report                               | To update Cabinet on the current financial position of the Council                                         | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh   |
|                 | 2 | Welsh in Education Strategic Plan 2017 – 20  | To seek approval of Cabinet of Denbighshire County Council's Welsh in Education Strategic plan 2017 – 2020 | Yes                                | Cllr Eryl Williams / Karen Evans / Geraint Davies |
|                 | 3 | Items from Scrutiny Committees               | To consider any issues raised by Scrutiny for Cabinet's attention                                          | Tbc                                | Scrutiny Coordinator                              |
| <b>25 April</b> | 1 | Finance Report                               | To update Cabinet on the current financial position of the Council                                         | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh   |
|                 | 2 | Corporate Plan Performance Report 2016/17 Q3 | To consider progress against the Corporate Plan                                                            | Tbc                                | Cllr Julian Thompson-Hill / Alan Smith            |
|                 | 3 | Items from Scrutiny Committees               | To consider any issues raised by Scrutiny for Cabinet's attention                                          | Tbc                                | Scrutiny Coordinator                              |
| <b>6 June</b>   | 1 | Finance Report                               | To update Cabinet on the current financial position of                                                     | Tbc                                | Lead Member for Finance, Corporate Plan and       |

## Cabinet Forward Work Plan

| Meeting        | Item (description / title) |                                              | Purpose of report                                                  | Cabinet Decision required (yes/no) | Author – Lead member and contact officer                                |
|----------------|----------------------------|----------------------------------------------|--------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------|
|                |                            |                                              | the Council                                                        |                                    | Performance / Richard Weigh                                             |
|                | 2                          | Corporate Plan Performance Report 2016/17 Q4 | To consider progress against the Corporate Plan                    | Tbc                                | Lead Member for Finance, Corporate Plan and Performance / Alan Smith    |
|                | 3                          | Items from Scrutiny Committees               | To consider any issues raised by Scrutiny for Cabinet's attention  | Tbc                                | Scrutiny Coordinator                                                    |
|                |                            |                                              |                                                                    |                                    |                                                                         |
| <b>18 July</b> | 1                          | Finance Report                               | To update Cabinet on the current financial position of the Council | Tbc                                | Lead Member for Finance, Corporate Plan and Performance / Richard Weigh |
|                | 2                          | Items from Scrutiny Committees               | To consider any issues raised by Scrutiny for Cabinet's attention  | Tbc                                | Scrutiny Coordinator                                                    |
|                |                            |                                              |                                                                    |                                    |                                                                         |

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Note for officers – Cabinet Report Deadlines

| <i>Meeting</i>  | <i>Deadline</i>    | <i>Meeting</i> | <i>Deadline</i> | <i>Meeting</i> | <i>Deadline</i> |
|-----------------|--------------------|----------------|-----------------|----------------|-----------------|
| <i>February</i> | <b>14 February</b> | <i>March</i>   | <b>14 March</b> | <i>April</i>   | <b>7 April</b>  |

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## Progress with Committee Resolutions

| Date of Meeting  | Item number and title                             | Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Progress                                                                                                                                                                               |
|------------------|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15 December 2016 | 5. Denbighshire's Home to School Transport Policy | <p><b>RESOLVED:</b> -</p> <p>(i) subject to the above observations to support the proposal to progress with the consultation phase in due course, once legal counsel's opinion had been received on all aspects of the revised policy referred to him/her for advice; and</p> <p>(ii) that prior to public consultation the revised draft policy be referred back to the Committee for approval to consult.</p>                                                                                                                                                                                                                                                                                                                                                                    | Revised draft policy will be presented to members at the current meeting for comments and to seek the Committee's support to proceed to formal consultation                            |
|                  | 6. Water Management and Flood Mitigation          | <p><b>RESOLVED:</b> - that</p> <p>(i) a presentation be given during a Council Briefing meeting post the May 2017 local authority elections for the purpose of assisting councillors to understand both the County Council, as the Lead Local Flood Authority, and Natural Resources Wales' statutory responsibilities with respect of water and flood management, including coastal and river maintenance responsibilities, and how both organisations work together to mitigate the risk of flooding; and</p> <p>(ii) in the meantime, a press release be prepared and issued for inclusion in the Farm and Country supplement of the Daily Post on how riparian landowners can apply for permits to undertake periodic maintenance work on watercourses that traverse their</p> | <p>Presentation listed on the Council Briefing forward work programme for the meeting in June 2017.</p> <p>An article has been drafted and sent for publication in the Daily Post.</p> |

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