

To: Members of the County Council

Date: 26 June 2019

Direct Dial: 01824706141

e-mail: democratic@denbighshire.gov.uk

Dear Councillor

You are invited to attend a meeting of the **COUNTY COUNCIL** to be held at **10.00 am** on **TUESDAY, 2 JULY 2019** in the **COUNCIL CHAMBER, COUNTY HALL, RUTHIN LL15 1YN**.

Yours sincerely

G Williams  
Head of Legal, HR and Democratic Services

## **AGENDA**

### **1 APOLOGIES**

### **2 DECLARATIONS OF INTEREST (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 CHAIRMAN'S DIARY (Pages 7 - 8)**

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

### **5 MINUTES (Pages 9 - 18)**

To receive the minutes of the:

- (i) Annual Meeting of Council held on the 14<sup>th</sup> May 2019 (copy enclosed), and
- (ii) Special meeting of Council held on the 30<sup>th</sup> May 2019 (copy enclosed).

## **6 QUESTION BY THE PUBLIC**

Ms Gwyneth Ellis, Cynwyd, has submitted the following question:

“Does the Council acknowledge the Charter between Denbighshire’s city, town and community councils and Denbighshire County Council, and strive to cooperate with the local councils in accordance with that Charter?”

## **7 NOTICE OF MOTION (Pages 19 - 20)**

A Notice of Motion put forward by Councillors Graham Timms, Mabon ap Gwynfor and Joseph Welch for consideration by Council (copy attached).

## **8 SENIOR PAY CHANGES 2019 (Pages 21 - 40)**

To consider a report by the HR Manager (copy attached) about proposed changes to the remuneration of four heads of service which will be required to facilitate the Leisure Alternative Delivery Model.

## **9 IMPLEMENTATION OF AN ALTERNATIVE DELIVERY MODEL (ADM) FOR VARIOUS LEISURE RELATED ACTIVITIES / FUNCTIONS (Pages 41 - 90)**

To consider a joint report by Councillors Bobby Feeley, Cabinet Lead Member for Well-being and Independence and Julian Thompson-Hill, Cabinet Lead Member for Finance, Performance and Strategic Assets (copy enclosed) to obtain Council’s approval of the draft Articles of Association and Member Agreement as set out in the Appendices to this report.

## **10 STANDARDS COMMITTEE ANNUAL REPORT (Pages 91 - 96)**

To consider a report by the Monitoring Officer (copy enclosed) to present the work of the committee and its findings and observations, to all Council Members as part of the Committee’s drive to increase standards of ethical behaviour and compliance with the Members Code of Conduct.

## **11 ANNUAL PERFORMANCE REVIEW 2018 - 19 (Pages 97 - 166)**

To consider a report from the Strategic Planning and Performance Team Leader (copy attached) to approve the Annual Performance Review 2018 – 19.

## **12 ANNUAL REPORT OF THE CORPORATE GOVERNANCE COMMITTEE (Pages 167 - 172)**

To consider a report by the Head of Legal, HR and Democratic Services (copy attached) about the work of the Corporate Governance Committee for the municipal year 2018/19.

**13 COMMITTEE TIMETABLE 2020** (Pages 173 - 190)

To consider a report from the Democratic Services Manager and Committee Administrator (copy enclosed) to approve a committee timetable for 2020.

**14 COUNTY COUNCIL FORWARD WORK PROGRAMME** (Pages 191 - 194)

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

**MEMBERSHIP**

**Councillors**

Councillor Meirick Lloyd Davies (Chair)

Councillor Alan James (Vice-Chair)

Mabon ap Gwynfor  
Brian Blakeley  
Joan Butterfield  
Jeanette Chamberlain-Jones  
Ellie Chard  
Ann Davies  
Gareth Davies  
Hugh Evans  
Peter Evans  
Bobby Feeley  
Rachel Flynn  
Tony Flynn  
Huw Hilditch-Roberts  
Martyn Holland  
Hugh Irving  
Brian Jones  
Huw Jones  
Pat Jones  
Tina Jones  
Gwyneth Kensler  
Geraint Lloyd-Williams  
Richard Mainon  
Christine Marston

Barry Mellor  
Melvyn Mile  
Bob Murray  
Merfyn Parry  
Paul Penlington  
Pete Prendergast  
Arwel Roberts  
Anton Sampson  
Peter Scott  
Glenn Swingler  
Andrew Thomas  
Rhys Thomas  
Tony Thomas  
Julian Thompson-Hill  
Graham Timms  
Joe Welch  
Cheryl Williams  
David Williams  
Eryl Williams  
Huw Williams  
Emrys Wynne  
Mark Young

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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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# Agenda Item 4

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

<u>Dyddiad/Date</u>	<u>Digwyddiad/Event</u>	<u>Lleoliad/Location</u>
22/03/19	Dawns Maer Llanelwy yn Oriol House, Llanelwy Mayor of St. Asaph's Charity Ball	Llanelwy / St. Asaph
22/03/19	Cyngerdd Elusennol y Cadeirydd Sir Y Fflint Chairman of Flintshire County Council's Charity Dinner (Is-Gadeirydd wedi mynychu/Vice-Chair attended)	Yr Wyddgrug / Mold
27/03/19	Ymweliad Ysgol i Neuadd y Sir School Visit to County Hall	Rhuthun / Ruthin
31/03/19	Gwasanaeth Cysegru'r Clychau wedi'u Hadfer a Chymun yn Eglwys Sant Pedr Service of 'Hallowing' The Restored Bells and Holy Eucharist at St. Peter's Church	Rhuthun / Ruthin
04/04/19	Ymweliad Gweinidogol gan Hannah Blythin AM â'r Rhyl Ministerial Visit by Hannah Blythin AM to Rhyl	Y Rhyl / Rhyl
05/04/19	Cyngerdd Elusen Cadeirydd Cyngor Sir Ynys Môn yn Ysgol Gyfun Llangefni Isle of Anglesey County Council's Chairman Charity Concert at Ysgol Gyfun	Llangefni
07/04/19	Gwasanaeth Dinesig Maer Rhuddlan Mayor of Rhuddlan's Civic Service (Is-Gadeirydd wedi mynychu/Vice-Chair attended)	Rhuddlan
25/04/19	Cyflwyno Tystysgrif ynglŷn â statws Rhuthun fel 'Tref sy'n Gyfeillgar i Fysiau' Presentation of Certificate concerning Ruthin's status as a 'Coach friendly town'	Rhuthun /.Ruthin
26/04/19	Noson Sgod a Sglod Maer Rhuddlan a Chwis Lluniau Mayor of Rhuddlan's Fish & Chip Evening and Picture Quiz	Rhuddlan
27/04/19	Noson Elusen Maer Tref y Rhyl Rhyl Town Council Mayor's Charity Evening	Y Rhyl / Rhyl
30/04/19	Dathliad/Digwyddiad Menter Gogledd Cymru Enterprise North Wales Celebration and Final Event 2019	Llandudno
03/05/19	Sefydliad y Maer a Cyfarfod Blyneddol Cyngor Tref Dinbych Installation of Mayor and Annual Meeting of Denbigh Town Council	Dinbych / Denbigh
08/05/19	Noson Wobrwyo Tenantiaid Tai Sir Ddinbych 2019 Denbighshire Housing Tenant Awards 2019 (Is-Gadeirydd wedi mynychu/Vice-Chair attended)	Y Rhyl / Rhyl

10/05/19	Noson Elusennol Maer Prestatyn Mayor of Prestatyn Charity Evening	Prestatyn
15/05/19	Cyfarfod Blynyddol Cyngor Tref y Rhyl a Noson Sefydlu'r Maer Rhyl Town Council Annual General Meeting and Mayor Making Evening	Y Rhyl / Rhyl
16/05/19	Ymweliad y Dirprwy Gweinidog dros Dai a Llywodraeth Leol â'r Safle Treulio Anaerobig yn y Waen Ministerial visit by Dep Minister for Housing and Local Government to the Waen Anerobic Digestion Facility	Rhuallt
17/05/19	Seremoni Dinesig Citizenship Ceremony (Is-Gadeirydd wedi mynychu/Vice-Chair attended)	Rhuthun / Ruthin
18/05/19	Gwyl Fwyd Rhuddlan Rhuddlan Food Festival (Is-Gadeirydd wedi mynychu/Vice-Chair attended)	Rhuddlan
25/05/19	Diwrnod y Lluoedd Arfog a Rhoddi Rhyddfraint Y Sir I Wasanaeth Llongau Tanfor y Llynges Armed Forces Day and Freedom of the County to the Navy Submarine Service	Caergybi / Holyhead



**COUNTY COUNCIL**

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 14 May 2019 at 10.00 am.

**PRESENT**

Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Meirick Davies (Vice-Chair), Hugh Evans, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Hugh Irving, Alan James, Brian Jones, Huw Jones, Tina Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Richard Mainon, Christine Marston, Barry Mellor, Melvyn Mile, Bob Murray, Merfyn Parry, Paul Penlington, Pete Prendergast, Arwel Roberts, Anton Sampson, Peter Scott (Chair), Glenn Swingler, Andrew Thomas, Rhys Thomas, Tony Thomas, Graham Timms, Joe Welch, David Williams, Huw Williams, Emrys Wynne and Mark Young

**ALSO PRESENT**

Chief Executive (JG), Head of Legal, HR & Democratic Services (GW), Head of Planning and Public Protection (EJ), Senior Planning Officer (LG), and Committee Administrator (SLW)

**1 APOLOGIES**

Apologies for absence were received from Councillors Gareth Davies, Peter Evans, Bobby Feeley, Martyn Holland, Pat Jones, Julian Thompson-Hill, Cheryl Williams and Eryl Williams

**2 DECLARATIONS OF INTEREST**

Councillors Tina Jones and Paul Penlington declared a personal interest in item 7 - Denbighshire's Replacement Local Development Plan - Draft Preferred Strategy.

**3 APPOINTMENT OF THE CHAIR OF COUNTY COUNCIL**

The retiring Chair, Councillor Peter Scott, invited nominations for the appointment of Chair of County Council for the 2019/2020 municipal year.

Councillor Rhys Thomas proposed Councillor Meirick Lloyd Davies to be elected Chair.

Councillor Ann Davies seconded the proposal.

There being no further nominations, and following a vote by a show of hands, Councillor Meirick Lloyd Davies was unanimously elected to be Chair of the Council for the 2019/2020 year.

The retiring Chair delivered a short speech during which he reflected upon his time as Chair during the past 12 months.

He expressed his thanks to Councillor Meirick Lloyd Davies and his wife Nesta for their support during the past year. Thanks were also extended to officers and staff for their support and in particular to Eleri Woolford (Member Support & Development Manager), Sue License (Personal Assistant to Head of Legal, HR & Democratic Services), and Sharon Evans (Business Co-ordinator: Leaders Office) for all their work and support during his time as Chair.

The retiring Chair raised a total of £14,500 for his chosen charity – St. Kentigern Hospice.

Laura Parry accepted the cheque on behalf of St. Kentigerns Hospice explaining that the Hospice was currently undertaking a £3million project to support more people within the community. She offered thanks for all the support given and the money raised would make such a difference to the Hospice.

The retiring Chair wished the incoming Chair best wishes for the future and invested him with the Chair's Chain of Office, following which, he completed his Declaration of Acceptance of Office.

The incoming Chair named his wife, Nesta Davies, as his consort.

The incoming Chair then advised his chosen charities would be:-

- Breast Cancer UK, and
- Prostate Cancer UK

#### **4 APPOINTMENT OF THE VICE-CHAIR OF COUNTY COUNCIL**

The Chair sought nominations for the appointment of Vice-Chair.

Councillor Joan Butterfield proposed that Councillor Alan James be elected Vice-Chair of the Council for the 2019/2020 municipal year. She referred to Councillor James' vast experience.

Councillor Barry Mellor seconded the nomination.

There being no further nominations and following a vote by a show of hands, Councillor Alan James was unanimously elected Vice-Chair of the Council for the 2019/2020 municipal year.

The Chair invested Councillor Alan James with the Vice-Chair's Chain of Office, following which, he completed his Declaration of Acceptance of Office.

The incoming Vice-Chair named his wife, Win Mullen-James, as his consort.

The Leader, Group Leaders and Members paid tribute to the work of the retiring Chair over the previous twelve months and congratulated Councillors Meirick Lloyd Davies and Alan James upon being elected Chair and Vice-Chair respectively.

**At this juncture (10.30 a.m.) there was a 20 minute break.**

The meeting reconvened at 10.50 a.m.

**5 URGENT MATTERS AS AGREED BY THE CHAIR**

None.

**6 MINUTES**

The minutes of Full Council held on 28 March 2019 were submitted.

*RESOLVED that, subject to the above, the minutes of Full Council held on 28 March 2019 be confirmed as a correct record and signed by the Chair.*

**7 DENBIGHSHIRE'S REPLACEMENT LOCAL DEVELOPMENT PLAN - DRAFT PREFERRED STRATEGY**

Councillor Tina Jones declared a personal interest as she was the owner of a piece of land in Prestatyn.

Councillor Paul Penlington declared a personal interest as his mother-in-law was the owner of a piece of land within the LDP.

Councillor Brian Jones, Lead Member for Highways, Planning and Sustainable Travel, introduced the report (previously circulated) presenting the recommendation from the Strategic Planning Group and Cabinet regarding the Replacement LDP Draft Preferred Strategy and to seek approval to consult on the draft Preferred Strategy.

During discussions the following points were raised:

- Councillor Tony Flynn queried why Town Councillors had not been kept informed. It was clarified that three drop-in sessions had been held for City, Town and Community Councils to engage at an early stage of the process. If the recommendations were agreed by Council, as part of the consultation process, further engagement would take place with the City, Town and Community Councils.
- Councillor Graham Timms also confirmed that all County Councillors and City, Town and Community Councillors had been informed of the meetings taking place and the County Councillors had received the documents throughout the process. Councillor Timms expressed concern due to the fact that the Lead Member, Councillor Brian Jones, had not supported the process or the LDP and he did not propose the recommendation at the Cabinet meeting.
- During the aforementioned Cabinet meeting, the webcast had ceased to broadcast due to an issue with the external internet feed which had been out of the control of the council and it had affected a large surrounding area.
- Land for industrial use was raised and it was confirmed that the details would be considered in more detail following the consultation period. It was again clarified that the report presented to members was to obtain agreement from Council to go out to consultation.

- Elements which would be affected by the LDP were raised:
  - Welsh language – there was a language policy and there would be ample opportunity to scrutinise the Welsh language aspect.
  - Affordable housing – the definition of affordable housing was contained within paragraphs 8 – 10. There would be a need to look at each specific area within the county to deliver a balance. This would be looked at in more detail during the next stage of the plan.
  - Employment – there was a requirement to ascertain what would be appropriate in each location and again, that would be looked at during the next stage of the plan.
- Councillor Richard Mainon spoke regarding the previous LDP in comparison to the proposed LDP in relation to Bodelwyddan. He expressed his dissatisfaction with the proposed LDP.
- Social Housing – the Senior Planning Officer confirmed social housing was outside her expertise but it would be dependent on funding from both Central Government and Welsh Government.
- As part of the preparation of the Deposit LDP an effective and appropriate monitoring framework would be developed and included within the Plan and would form the basis for undertaking the Annual Monitoring Report (AMR). The AMR would represent the main method for measuring and assessing the progress in the implementation of the policies and proposals of the adopted Revised LDP.
- Land Use – the best use of brown land was a priority. The Plan was subject to sustainability appraisals and habitat regulations to ensure the environmental impact was as little as possible.

At this juncture, Councillor Joan Butterfield requested a recorded vote.

The Head of Legal, HR and Democratic Services stated that at least one sixth of the members' present would have to be in agreement with the recorded vote. More than one sixth of those present stood in agreement to the recorded vote.

Prior to the vote taking place, Councillor Anton Sampson requested a short adjournment for political groups to have brief discussions. This was seconded by Councillor Ann Davies and was unanimously agreed.

**At this juncture (11.45 a.m.) there was a ten minute adjournment.**

**The meeting reconvened at 11.55 a.m.**

Councillor Sampson requested reassurance that the matter could be further scrutinised.

It was confirmed by the Head of Legal, HR & Democratic Services that following the eight week consultation, responses would be fed back, analysed and reported to SPG. The consultations responses would then be put forward at Cabinet and Full Council.

The recorded vote took place as follows:

In favour of the recommendations contained within the report – Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Meirick Lloyd Davies, Hugh Evans, Huw Hilditch-Roberts, Hugh Irving, Alan James, Tina Jones, Huw Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Barry Mellor, Melvyn Mile, Bob Murray, Merfyn Parry, Paul Penlington, Peter Prendergast, Arwel Roberts, Anton Sampson, Glenn Swingler, Tony Thomas, Rhys Thomas, Graham Timms, Joe Welch, David Williams, Huw Williams, Emrys Wynne, and Mark Young.

Against the recommendations contained within the report – Councillors Tony Flynn, Rachel Flynn, Richard Mainon, Christine Marston, Peter Scott, and Andrew Thomas.

Abstain – Councillor Brian Jones.

In favour – 32

Against – 6

Abstain – 1

Therefore, it was:

**RESOLVED** that Council:

- (i) *Approved the Draft Replacement LDP Preferred Strategy (Appendix 2) for consultation;*
- (ii) *Authorise the Head of Planning and Public Protection to make any minor wording and grammatical changes to the Draft LDP Preferred Strategy which may arise prior to consultation to ensure consistency with the LDP evidence base and Planning Policy Wales (Edition 10 December 2018);*
- (iii) *Confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 3) as part of its consideration.*

## **8 COUNTY COUNCIL FORWARD WORK PROGRAMME**

The Head of Legal, HR and Democratic Services introduced the Council's Forward Work Programme together with the Council Briefing Forward Work Programme (previously circulated).

It was confirmed that a Special Council meeting would take place on 30 May 2019 to discuss the Leisure ADM.

The next Council Briefing was to take place on 3 June 2019.

**RESOLVED** that, subject to the above, the Council and Council Briefing Forward Work Programme be approved and noted.

**The meeting concluded at 12.05 p.m.**

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## **COUNTY COUNCIL**

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin LL15 1YN on Thursday, 30 May 2019 at 10.00 am.

### **PRESENT**

Councillors Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies (Chair), Hugh Evans, Peter Evans, Bobby Feeley, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Alan James (Vice-Chair), Brian Jones, Pat Jones, Tina Jones, Gwyneth Kensler, Richard Mainon, Christine Marston, Barry Mellor, Melvyn Mile, Bob Murray, Merfyn Parry, Paul Penlington, Pete Prendergast, Arwel Roberts, Anton Sampson, Glenn Swingler, Andrew Thomas, Rhys Thomas, Tony Thomas, Julian Thompson-Hill, Graham Timms, Joe Welch, Cheryl Williams, David Williams, Emrys Wynne and Mark Young

### **ALSO PRESENT**

Chief Executive (JG), Corporate Director: Economy and Public Realm (GB), Head of Legal, HR and Democratic Services / Monitoring Officer (GW), Head of Finance / Section 151 Officer (RW) and Democratic Services Manager (SP).

#### **1 APOLOGIES**

Apologies for absence were submitted by Councillors Mabon ap Gwynfor, Hugh Irving, Huw Jones, Geraint Lloyd-Williams and Peter Scott.

#### **2 DECLARATIONS OF INTEREST**

The following members declared a personal interest in agenda item 4: Implementation of an Alternative Delivery Model (ADM) for Various Leisure Related Activities / Functions:

Councillor Gwyneth Kensler – as secretary of Theatr Twm o'r Nant because the Theatre received support from leisure for the 'Night Out – Noson Allan' scheme and assistance from the Pavilion Theatre technical team. In addition, her husband was a member of one of the Council's leisure centres.

Councillor Joseph Welch – as his children accessed leisure services provided by the Council.

Councillor Emrys Wynne – as a member of Ysgol Brynhyfryd's Governing Body. The personal interest related to the school's use of the Ruthin leisure centre's facilities during school hours.

Councillors Gareth Davies, Rachel Flynn and Paul Penlington declared personal interests from their memberships of Denbighshire Leisure.

Councillor Tony Flynn queried whether his former role as a director of Clwyd Leisure represented a personal interest? The Monitoring Officer advised that as Clwyd Leisure no longer existed the role did not constitute a personal interest under the Code of Conduct.

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

There were no urgent matters.

### **4 IMPLEMENTATION OF AN ALTERNATIVE DELIVERY MODEL (ADM) FOR VARIOUS LEISURE RELATED ACTIVITIES/FUNCTIONS**

Before proceeding with this item Councillor Bobby Feeley paid tribute to the election team responsible for the efficient running of the recent elections to the European Parliament. Councillor Arwel Roberts endorsed Councillor Feeley's comments.

Councillors Bobby Feeley and Julian Thompson-Hill presented the joint report seeking Council's view in respect of the draft Business Case (Appendix A) for establishing a Local Authority Trading Company (LATC), for a range of previously agreed "in scope" leisure related activities/functions.

Councillor Feeley reported on the 'vastly improved' services and improvements achieved in respect of Denbighshire's leisure facilities and activities over the last 10 years. She outlined some of the new and improved facilities and advised that the total subsidy to support leisure services was roughly the same as it had been in 2012. She noted that many of the improvements had been secured using existing resources or self-funded borrowing to invest in new or improved facilities.

Members were provided with details of the Board that would oversee the LATC together with an indicative membership of that Board. Councillor Feeley highlighted the proposed arrangements that would allow the LATC to be successful and continue to flourish in a commercial environment whilst protecting and retaining the Council's interests and ultimate control of Denbighshire Leisure.

Councillor Thompson-Hill reported on the financial reasons behind the establishment of an Alternative Delivery Model (ADM) which was forecast to provide significant savings for the Council whilst enabling the service to trade more commercially to help sustain facilities for the future. In summary, the savings were estimated at £1,107k with large savings on National Non-Domestic Rates (NNDR) and VAT payments. After outlining known costs and contingencies, it was estimated that net annual savings in the first year would be £800k. Currently, the 'in scope' facilities and services, i.e, those proposed to be transferred to the LATC, received a Council subsidy of around £3 million a year, but that subsidy would be lowered by the savings achieved by the LATC model.

Members discussed the following points:

- The buildings/grounds currently used for the delivery of the in scope leisure services would be leased to the LATC on peppercorn rents for a 10 year period. Provision would be made within the leases to protect the existing



service level agreements with schools, and maintain the current access to the buildings for elections and emergency requirements, etc.

- The lessons learnt from Denbighshire's experience of using Clwyd Leisure to manage facilities and those from other local authorities' experience of ADMs.
- The level of assurance and risk around achieving savings through reductions in NNDR and VAT payments and the risk to the model if future legislation changed and prevented the forecast savings from being realised. Members were advised that these risks existed and had been explored within the business case. As a result of the Council retaining ownership, the lease agreement would provide for recovery of LATC assets by the Council under certain conditions.
- Confirmation that affected staff would be transferred to the new LATC under TUPE regulations and be subject to the same terms and conditions as other Denbighshire staff. The Head of Legal clarified that because the Council would own the company, the LATC would not be able to vary the pay and conditions of its staff from those employed directly by the Council without the Council's agreement, which was very unlikely to be given. Additionally, he advised that because the LATC would be owned by the authority any differential in pay and conditions could lead to equal pay claims from staff who were subsequently left with less favourable pay or conditions. This legal challenge provision for equal pay was another reason why the same pay and conditions would be maintained by the LATC and the Council.
- There were potential opportunities for the LATC to commercially trade to a value of up to 20% of its annual turnover and to add other activities or functions to the LATC in the future if the model was as successful as expected. These aspects were not built into the business plan as the intention was to focus at this point on successfully establishing the LATC.
- The advantages to the Council of retaining profits made from having its own LATC run leisure services rather than outsourcing them to a commercial operator.
- Following a transitional period to prepare for the transfer of services, it was intended for the LATC to go live in April 2020.

At this juncture the meeting adjourned for a short comfort break and on resuming members considered excluding the press and public from the meeting.

#### *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 business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 12 and 14 of Part 4 of Schedule 12A of the Act.

Members reviewed the proposed senior staffing arrangements and appointments processes for the LATC. The Chief Executive confirmed that the proposals would necessitate some restructuring of staff and management arrangements and she would keep members appropriately informed about changes.

(At this juncture the meeting resumed in open session.)

**RESOLVED** that Council:

- (i) Supports the final Business Case for the Project;*
- (ii) Supports the establishment of a not for profit Local Authority Trading Company limited by Guarantee (LATC);*
- (iii) Supports the appointment of the Corporate Director: Economy and Public Realm to the Board of the LATC;*
- (iv) Supports the retention of the current name 'Denbighshire Leisure' for the LATC; and*
- (v) Confirms that it has read, understood and taken account of the Well-being Impact Assessment, (Appendix B, Ref no 564), as part of its consideration.*

The Lead Member for Finance, Councillor Julian Thompson-Hill, took the opportunity to note that the Head of Finance / Section 151 Officer, Richard Weigh, was leaving Denbighshire County Council and today was his last full Council meeting. He highly commended Mr Weigh's contribution and achievements in successfully fulfilling a difficult role during a challenging financial climate. Members warmly endorsed Councillor Thompson-Hill's tribute.

## **5 COUNTY COUNCIL FORWARD WORK PROGRAMME**

The Head of Legal, HR and Democratic Services presented Council's forward work programme (previously circulated). Members agreed to defer the Annual Report of the Scrutiny Committees from the July meeting to the October 2019 meeting of Council.

**RESOLVED** – *that, subject to the above, Council approves the forward work programme.*

**A Notice of Motion put forward by Councillors Graham Timms, Mabon ap Gwynfor and Joseph Welch for consideration by Council:**

“We are facing a Climate and Ecological Emergency

The global consensus is that climate change is causing a significant risk to our health, economy, and environment and is threatening the well-being of future generations.

Scientific evidence clearly tells us that we have fewer than 11 years to prevent catastrophic climate change. Furthermore, this year we have the clearest evidence ever that biodiversity loss is increasing and that this threatens the planet’s life-support systems upon which we all depend.

Nature is in serious decline, our biodiversity and soils are in decline or are being degraded. We are sustaining our own lives, whilst reducing the ability of future generations to sustain theirs. This is not an acceptable legacy to leave our children and grandchildren.

The future of humankind depends on today’s brave and enterprising leaders to make the necessary changes to secure the environment, for our own future and the future of generations yet to come.

Denbighshire County Council will

- Immediately declare a Climate and Ecological Emergency.
- Commit to making the authority net carbon zero by 2030 at the latest.
- Set up a task and finish group to draw up a clear plan within 6 months to achieve the above, including ways to enhance biodiversity in Denbighshire.
- Call on the Welsh Government and UK Government to provide assistance and resources to enable us to reduce greenhouse gas emissions and enhance biodiversity.
- Work with partners across the public, private and third sector to help solve this climate and ecological emergency.”

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**Report to:** County Council

**Date of Meeting:** 2<sup>nd</sup> July, 2019

**Lead Member / Officer:** Cllr Julian Thompson-Hill

**Report Author:** Catrin Roberts, HR Manager

**Title:** Senior Pay Changes 2019

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## 1. What is the report about?

The report is about proposed changes to the remuneration of four Heads of Service which will be required to facilitate the Local Authority Trading Company for Leisure that was agreed at Full Council on the 30<sup>th</sup> May, 2019. **Please note that these changes will only be implemented once the Local Authority Trading Company for Leisure is implemented.**

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

The establishment of the LATC for Leisure creates an opportunity to look at the distribution of responsibilities across Council service areas with the intention of absorbing these amongst the remaining heads of service, and at the same time provides savings for the Council of approximately £800k per annum.

This is not a full restructure of the senior leadership team. In these challenging times it is felt that maintaining stability and confidence is essential, although there are some changes proposed that are not a direct consequence of the LATC's establishment but which creates a better fit or distribution of responsibilities.

There is likely to be a second phase of senior leadership restructuring, dependent upon the outcome of the Corporate Support Services Review which is currently at the business case stage.

In addition to the above the Head of Finance left the Council at the end of June. As there are changes to this required to facilitate the LATC for Leisure, arrangements need to be made for the post to be advertised reflecting the amended grade and duties.

## 3. What are the Recommendations?

- Full Council agree to the recommendations of the Senior Leadership Remuneration Panel for the Senior Leadership Team.

## 4. Report details

The restructure proposed below allows the deletion of a Head of Service post (following the transfer of the existing FAH Head of Service to the LATC for Leisure) and creates the opportunity to enhance synergies between some key service areas.

<b>Service Area</b>	<b>Proposed Change</b>
FAH: Community Housing	Move to Customers, Communication & Marketing
FAH: Corporate Property & Housing Stock	Move to Finance
FAH: Contracts & Facilities	Move to Highways and Environment
FAH: Strategic Asset Management	Move to Finance
FAH: Community Wellbeing – Excluding Strategic Leisure*	Move to Customers, Communication & Marketing
FAH: Assets & Communities - Harbour only*	Move to Highways and Environment
HES: Countryside & Heritage Services	Move to Planning and Public Protection
HES: Passenger Transport	Move to Planning and Public Protection

\*The rest of FAH: Assets and Communities and Strategic Leisure are within the scope of the LATC for Leisure.

The staffing implications from the proposals are:

- One Head of Service post (Head of Facilities, Assets and Housing) to be deleted with current Head of Service transferring to the LATC for Leisure.
- Review the SLT service portfolio to ensure it reflects the increased operational responsibilities of remaining Head of Services. This will also give full flexibility for second stage of the restructure and properly reflect equal strategic responsibility of all Head of Service in working alongside lead members and in their roles as members of the Senior Leadership Team.

As a result the Head of Service job description and portfolios were updated (Appendix 1) to reflect the above changes. These were then submitted to Kornferry Hay for them to conduct an evaluation of the following roles who had significant changes:-

- Head of Highways & Environment
- Head of Finance & Section 151 Officer
- Head of Customer, Communications and Marketing
- Head of Planning and Public Protection

Evaluation rationales have been provided by Kornferry Hay (Appendix 1) and all four posts score in excess of 800 points.

In accordance with the grading structure as agreed by Full Council on the 10<sup>th</sup> May, 2016 as part of the original Senior Leadership review any posts which score in excess of 800 are to receive SLT 2 (£85,689 - £88,321). The Head of Customer,

Communication and Marketing and the Head of Finance and Section 151 Officer previously scored less than 800, so would increase to SLT 2.

The SLT Remuneration Panel discussed alternative options as follows:-

- Appoint an additional Head of Service at SLT 1 to lead on the remaining services which would cost an additional £70,267 - £72,422 per annum plus oncosts of approximately 40%
- Add the services to the portfolios of SLT 2 posts. However, this would result in large portfolios in both breadth and responsibility and which do not reflect the synergies between services. This would make the portfolios unmanageable and would have a negative impact on both operational service delivery and the Council's capacity to respond to changes in strategy and demand.

In accordance with the process, this proposal has been submitted to the Independent Review Panel for Wales for their consideration. The IRP have responded stating that they are content with the information and evidence that has been provided. A copy of their response is attached in Appendix 2

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

Having a fair and transparent approach to Senior Leadership pay will contribute towards retaining and recruiting high calibre of leaders as well as a well-motivated workforce who in turn will contribute towards achieving the corporate priorities.

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

There will be an increased in the salary for the two posts as it changes the pay grade from SLT 1 (£70,267 - £72,422 per annum) to SLT2 (£85,689 - £88,321 per annum) which including on-cost will cost approximately £38,000 in total per annum. An estimate of the additional costs associated with this were assumed in the contingency noted within the business case for the Leisure ADM recently reported to council.

The overall number of posts within the SLT structure remaining within the Council will reduce by 1 and save £250,000 in senior management costs to the Council over a 3 year period.

The increased cost of £38,000 will help to facilitate the budgeted reduction of approximately £800,000 from the creation of the LATC for Leisure.

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

A Well-being Impact Assessment has not been completed as the change is covered by the Well-Being Impact Assessment for Senior Officer Pay.

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

This has been reported to the SLT Remuneration Panel who have agreed the proposal.

**9. Chief Finance Officer Statement**

The additional cost pressure to the revenue budget arising from the decision will be funded from the corporate contingency allocation that was established as part of the 2019/20 budget.

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

Failure to pay the level of the independent evaluation for these roles once the LATC for Leisure is set up and the restructure implemented, could potentially lead to a legal claim made against the authority as it is in breach of the agreed procedure for establishing Chief Officer Pay. There is also equal pay risk in that there are members of the opposite gender who are receiving the grade associated with their independently evaluated grade.

**11. Power to make the Decision**

S38 (1) of the Localism Act 2011 and section 112 of the Local Government Act 1972 covering the power to appoint officers.

Paragraph 6 of Part 2 of Schedule 3 to the Local Government (Standing Orders)(Wales) Regulations 2006 as amended, requires that the decision to determine the level of remuneration, or any change to the level of remuneration, of a Chief officer must be made by Full Council.



# Head of Roles JE Review

Date: May 2019

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## Head of Highways and Transport

Know How		Problem Solving			Accountability		Total job size	Profile
F II 3	400	E+ 4	50%	200	E+ 3 P	304	904	A3

### Rationale of Evaluation

The changes made to this role do not warrant any changes to the evaluation as of September 2018. We have reviewed the information contained in the updated profile and feel that the evaluation still stands. There has been a significant change in headcount, however this alone has not made a change to the scoring. Please see the previous rationale below:

Reporting to one of two Corporate Directors, the role is responsible for contributing to the broad strategic leadership of the Council, leading specifically the Highways and Environment Services of the Council's longer-term strategy. It is responsible for driving the service delivery and performance across these two broad functional areas, for setting standards and for identifying future opportunities and new ways of working

It is required to set the tone for their part of the organisation, develop the business plan and objectives and lead a high performing delivery organisation. The role is required to integrate a range of services and related activities to deliver to Council requirements.

The role requires the job holder to have considerable seasoning and experience and be able to integrate sub functions into the management of broad functional areas of the organisation. It provides functional leadership and has Council wide impact.

It manages an operational budget of £29.3m, a capital budget of £6.5m and 343 Council employees. [nb this headcount is not accurate, which we recognise, but the change does not make a difference to job size]

There is a requirement in the role to reshape policy and be open to external influences. In addition, the role requires a considerable degree of interpretative, evaluative and/or constructive consideration to address issues that are noticeably different from what has been encountered previously.



## Head of Planning and Public Protection

Know How		Problem Solving			Accountability		Total job size	Profile
F II 3	400	E+ 4	50%	200	E+ 4 S-	264	864	A2

### Rationale of Evaluation

The Head of Planning and Public Protection is responsible for the strategic leadership on the development, adoption and implementation of the council's statutory Local Development Plan and Housing Strategy. The role calls for a seasoned professional with deep expertise within their area of specialism, with experience of developing and delivering performance management, and budget management processes at a senior level. This role in particular will need significant experience in leading a built service of a public protection related service. This role will need to be planning with a long term, strategic vision, with an expectation to ensure that robust plans are in place for the strategic leadership of a number of areas to protect the public and ensure they are fit for future. There will be a requirement to bring together a number of areas to deliver a cohesive service to the residents of Denbighshire. Excellent communication skills required to lead strategically and to influence stakeholders at all levels.

This role will be required to deliver strategic leadership, with some direction on what needs to be achieved for the County within the area of expertise, but scope to define the vision and strategy for the area within this overarching direction. Innovation required in order to ensure that the Council are delivering creative solutions for residents.

Working under direction from the Corporate Director, and working within legislation and strategic objectives of the Council. The role holder will be free to define priorities for their area, and deliver on these. Impacting across the whole Council and on residents directly.



# Head of Customer, Communications and Marketing

Know How		Problem Solving			Accountability		Total job size	Profile
F II 3	400	E+ 4	50%	200	E+ 3 P	304	904	A3

## Rationale of Evaluation

The Head of Customer, Communications and Marketing is responsible for the strategic leadership of Customer Services, Libraries, Marketing and Communications, whilst having absorbed the Community Housing services and Housing Capital programme responsibilities. This has increased the breadth of scope that this role covers and as such the level of knowledge and understanding within this area will have increased. The role calls for a seasoned professional with significant experience in a business and commercial environment, with significant range of experience in people, financial management and strategic service planning. The range of activities that this role oversees will now include all events within Community Housing services. Excellent communication skills required in order to influence at a strategic level, and to work in partnership with internal and external stakeholders at all levels.

This role will be responsible for setting direction and vision for this area with overarching strategy guiding the priorities for the Council, but this role free to set the priorities within this area. There will be scope to define how best to lead this area, with guidance set on what needs to be achieved. Innovation and creative thinking necessary to be successful at this level to remain ahead of trends and to deliver on the needs of the residents.

Working under direction from the Chief Executive and Members guidance, this role will have freedom to ensure that the needs of the residents are met, and to ensure that they deliver exception Comms to all customers. Impacting indirectly across the Council, with activities undertaken by this role having a large impact on the perception of the Council by residents



## Head of Finance and S151 Officer

Know How		Problem Solving			Accountability		Total job size	Profile
F II 3	400	E+ 4	50%	200	E+ 4 C	230	830	A1

### Rationale of Evaluation

The Head of Finance will need to be a seasoned professional with significant range of experience in people, financial management and strategic service planning. There is also a requirement to have experience of managing a complex budget in a large organisation. This will be paired with the relevant professional qualifications and / or Memberships. This role will take on responsibility for the property portfolio and as such the breadth of knowledge required and the scope that this role will cover will increase. The role will be expected to bring together a range of activities to deliver a cohesive service for the organisation. There will be a requirement to ensure that a number of streams of activity are pulling in the same direction. Excellent communication skills required to lead and influence strategically, liaising with a number of partners, internally and externally.

This role will be setting strategy for this area, with an overarching strategic vision given from Corporate Directors, Members, and the Chief Executive. There will be a requirement to use innovative thinking in order to ensure that the needs of the community are met.

The role will need to ensure that they work within legislative requirements, and meet all governance guidelines. There will also be an expectation to meet the strategic vision of the organisation, whilst having an indirect impact across the Council.



## Introduction to Job Evaluation

**The Hay Guide Chart and Profile method of determining the relative importance of individual jobs is, like most evaluation methods, predominantly a judgmental process. Only rarely, and then incompletely, can relativities be determined quantitatively. The objective of any job evaluation method is to assist those involved in making consistent judgements. These judgements must be explicable and take into account the value standards of the organisation in which they exist. Hay Guide Charts and Profiles provide a framework for making such judgements, and for checking and assessing their overall consistency.**

Our experience, over many years of working closely with a wide range of organisations, has led us to conclude that there are three broad facets which determine the size and importance of any job. These are:

**ACCOUNTABILITY:** The extent to which the position is held responsible for achieving results, and the degree to which it can directly or indirectly influence the business.

**PROBLEM SOLVING:** The degree to which the job is required to analyse events, draw conclusions, offer advice, make judgements or be innovative and creative.

**KNOW-HOW:** The amount of knowledge, skill and experience both general and specific that is needed to meet the Accountability and Problem Solving requirements.

Hay Group has developed a methodology which allows clients to measure their jobs against these criteria, giving the required degree of structure which ensures consistent judgements but maintaining the essential flexibility necessary to reflect different organisations and environments. To emphasise their supportive rather than directive nature they are called 'Guide Charts'. A chart exists for each of the three elements.



## Know-How

Measures the total amount of skill, knowledge and experience required to meet the demands of the job. The three different types of sub-elements of Know-How are examined below:

1. The depth and range of practical, technical, specialist, professional and general skills in the job and the requirement for hard updated knowledge in practical procedures, or specialised techniques or professional disciplines, i.e. those aspects that immediately spring to mind when one thinks about "job knowledge".
2. The degree of planning, organising, supervising, co-ordinating and managing involved and the requirement to exercise skills in supervision or management. These include planning, co-ordination, control and direction.
3. The extent of human relations skill required and the requirement to influence and/or lead others.

## Problem Solving

Measures the requirement for self starting thinking inherent in the job - it is not simply a reflection of the need to overcome operational problems. It measures both the diversity of the situations encountered and the complexity of thought required to analyse and draw conclusions, on the following two factors:

- The complexity and intensity of problems arising in the job and the nature and scope of the thinking required to solve them. How broad or detailed are the policies, procedures and precedents forming a job's thinking environment?
- The amount of analysis, judgement and innovation involved in analysing situations and making recommendations.

## Accountability

Measures the extent to which the job is responsible for the achievement of results, and the degree to which it can directly or indirectly influence the conduct of the organisation. It has three sub-elements:

- Freedom to Act - the extent of discretion allowed in the job.
- Impact - the extent to which the job has direct or indirect (advisory) impact on end results.
- Magnitude - an indication of the size of the organisation or part of the organisation influenced by the job.





As with the Know-How Guide Chart, each of the other Guide Charts yields numbers (units of job content) which quantify the judgements made. The total of these job units is a reflection of the "size" of the job and forms, when compared with those of other jobs, the pattern of internal relativities upon which the salary structure is based. Certain relationships exist between these common elements. Different types of job will need different combinations of the three. The shape and composition of jobs will differ but their relative value to the organisation can still be explained and expressed through describing the jobs in terms of Know-How, Problem Solving and Accountability.

The evaluated jobs are now subject to two independent checks designed to highlight any inconsistencies which may have been made during evaluation. These checks are:

**Profiling:** A process which examines the proportion of these elements present in each job, and focuses attention on the relationship between these proportions within job families.

**Sorethumbing:** The jobs are listed in order of evaluated job size and any inconsistencies with previous assessments of rank or grade checked to ensure that the reasons for these changes are understood and valid.

### **General Use of the Hay Group Scheme**

The Hay Group scheme has found widespread acceptance as it is based on the step difference principle, which is applicable to any job from the shop floor to the Chairman, can relate different cultures and styles of organisation, and has been shown to be effective in both private and public sectors. Consequently it is now used by more organisations on a world-wide basis than any other single type of evaluation scheme.



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### About Korn Ferry

Korn Ferry is the preeminent global people and organizational advisory firm. We help leaders, organizations, and societies succeed by releasing the full power and potential of people. Our nearly 7,000 colleagues deliver services through our Executive Search, Hay Group and Futurestep divisions. Visit [kornferry.com](http://kornferry.com) for more information.



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Judith Greenhalgh  
Chief Executive  
Denbighshire County Council  
[judith.greenhalgh@denbighshire.gov.uk](mailto:judith.greenhalgh@denbighshire.gov.uk)

17 June 2019

Dear Ms Greenhalgh

**Review of Senior Leadership Structure – Denbighshire County Council**

Your submission in respect of changes to the salaries of the Head of Finance and the Head of Communication and Housing was considered by the Independent Remuneration Panel for Wales at its meeting on 10 June. All members of the Panel were present and therefore the meeting was quorate.

In respect of the function of the Panel related to the salaries of chief officers the remit and guidance from the Welsh Government allows the Panel to:

- a) Approve the proposal
- b) Express concerns about the proposal
- c) Recommend a variation to the proposal

Having examined the submission from your authority it is the decision of the Panel to approve the proposal as submitted of the pay and grading structure to the two Chief Officer posts as proposed.

Yours sincerely

John Bader

Chair

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**Chief Officer Pay Scale 2019**

		<b>Hay Evaluation Score</b>
<b>SLT4 (Chief Executive)</b>	£132,664	1401 and above
	£130,674	
	£128,714	
<b>SLT3 (Directors)</b>	£107,708	1101 - 1400
	£106,092	
	£104,500	
<b>SLT2 (Head of Service)</b>	£88,321	801 - 1100
	£86,995	
	£85,689	
<b>SLT1 (Head of Service)</b>	£72,422	Score of up to 800
	£71,336	
	£70,267	

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Report To:	Council
Date of Meeting:	2nd July 2019
Lead Member / Officer:	Cllr Bobby Feely & Cllr Julian Thompson-Hill
Report Author:	Graham Boase
Title:	Implementation of an Alternative Delivery Model (ADM) for various leisure related activities/functions

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

The report is about the Articles of Association required to be agreed by Council in readiness for the formation of a not for profit Local Authority Trading Company Limited by Guarantee for the delivery of various leisure related activities and functions.

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

To obtain Council's approval of the draft Articles of Association and Member Agreement as set out in the Appendices to this report.

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

- 3.1 That Council approves the draft Articles of Association and Member Agreement as set out in the Appendices to this report in respect of the not for profit Local Authority Trading Company Limited by Guarantee
- 3.2 That Council authorises the ADM Project Board in consultation with the Lead Member for Well-being and Independence and the Lead Member for Finance, Performance and Strategic Assets to agree the final wording of the documents referred to in 3.1 above.

## **4. Report details**

- 4.1 On 30<sup>th</sup> May 2019 Council agreed to support the creation of a not for profit Local Authority Trading Company Limited by Guarantee (ADM) as an alternative delivery model for the delivery of various leisure related activities and functions.
- 4.2 This is the type of Company normally incorporated for non-profit making functions, with no share capital and 'members', rather than shareholders. The members undertake to contribute a predetermined nominal sum (eg £10.00) to the liabilities of the company which becomes due in the event of the company being wound up – ie the guarantee.

4.3 The constitutional document of a company limited by guarantee is its Articles of Association registered for public inspection at Companies House (Articles).  
The options for the ADM are to:

- Adopt Model Articles prescribed by Companies Act 2006 as its Articles.
- Adopt Articles which are based on the Model Articles with changes specific to the ADM's requirements.
- Exclude the Model Articles in their entirety and create new bespoke Articles.

Local authority companies generally adopt articles based on the Model Articles and amend these articles with specific articles designed to provide the local authority with protections and control in the running of the company. This is the approach that has been adopted in relation to the draft Articles for the ADM which have been drafted by specialist external legal advisers and are contained in Appendix 1 to this report.

4.4 In considering the drafting of the Articles the main consideration has been the achievement of the objectives set out in the business case approved by Cabinet and Council which were to take advantage of the tax benefits of an ADM whilst maintaining as much control as possible for the Council. In order to achieve this the Articles set out clear objects for the ADM on a non-profit distributing basis, and reserve many powers that might otherwise be exercised by the ADM's Board of Directors to the Council.

4.5 In addition to the Articles there will be a Members Agreement between the Council and the ADM which will set out a number of matters that are not included in the Articles.

This will include:

- Reserved matters that cannot be actioned by the ADM without the consent of the Council.
- Obligations on the ADM to provide financial information/notifications to the Council
- Approval by the Council of annual business plan/budgets
- Provision for the role of a Strategic Governance Board/Member Committee to manage the relationship between the Council and the ADM
- The ability of the Council to audit the ADM
- The requirement for the ADM to adopt all of the Council's employment terms, conditions, policies and procedures.

4.6 It is important that these documents are read in conjunction with each other as, together, they provide a complete picture of what the ADM may do and how the council will retain control of it. Although the draft Articles confer several powers on the ADM, the Member Agreement sets out the control measures that the Council will have in place to control the exercise of them.

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

- 5.1 The decision will not impact adversely on the Corporate Priorities, as the ADM will be contracted by the Council to provide the existing services associated with the in scope activities/functions.

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

- 6.1 There is a one off project cost of circa £200k if the implementation of the ADM is approved. The business case has calculated that a net revenue saving of £800k will be achieved in year 1.

## **7. What are the main conclusions of the Well-being Impact Assessment (WIA)?**

- 7.1 The WIA was carried out by a multidisciplinary group of officers representing Leisure, HR, Finance, Business Support, Support Services, Community Wellbeing, Corporate Property, Strategic Planning & Performance and Project Management.
- 7.2 Overall the impact of the project was assessed as neutral, reflecting that at this stage the consideration is about an alternative way of delivering a defined set of activities/functions, it is not about delivering different or alternative activities/functions.

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

### 8.1 External consultation

- Discussion with legal and VAT experts who have provided expertise to the project.
- Other local authorities who have established ADM's for their lessons learnt.
- Welsh Audit Office for advice
- 'Local Partnerships' an external organisation who have provided guidance in respect of the process.
- Rhyl Town Council in respect of their interest within SC2.
- Trade Unions in respect of the impacts on staff.
- Arts Council for Wales in respect of grant funding

### 8.2 Internal Consultation

- Cabinet Briefing, Cabinet, Council, Members Budget Workshop where the Project has been shared informally, and a Member Workshop specifically about the ADM.
- All MAGs
- Reports to SLT in respect of the Project Brief, and the restructuring of services required should the project be approved.

- Staff briefings which included face to face information sharing with all Managers within FAHS, a written staff briefing to all leisure related staff, and Middle Managers across the Council, face to face staff briefings with all leisure staff, and formal consultation with all staff affected by any restructuring of services.

## **9. Chief Finance Officer Statement**

9.1 There is an opportunity to make significant savings by delivering the facilities highlighted through a different legal structure. As the Council continues to have to manage growing pressures with reducing resources, the creation of a local authority controlled company to operate the facilities and services highlighted, provides the vehicle to generate a level of savings without having to cut services. The report sets out the estimated savings and costs associated with the decision.

9.2 There is an expectation from the Budget Board that a new ADM will continue to contribute to the Council's savings agenda and this will have to be reflected in future business plans. The proposed company model provides a legal structure that allows for commercial growth to be considered, which if successful, may contribute to the savings agenda and help to reduce the level of financial support from the council.

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

10.1 There are risks associated with the implementation of the ADM and these are included within the business case. The key risks are:-

- Changes in National Legislation in the future could prevent the anticipated business rate savings from being fully realised.
- The VAT savings cannot be fully achieved through a non for profit LATC model and/or charitable status is required for those to be fully realised, which increases the regulated regime and associated cost.
- There are unforeseen additional one-off or on-going costs with the establishment of the ADM not have not been taken into account at the implementation stage.
- The ADM is not as financially successful as hoped and any resultant additional costs fall back on the Council to fund and/or the Company is unable to make the adequate reinvestment into its day to day business activities due to lack of funds.

## **11. Power to make the Decision**

s2 Local Government Act 2000

s95 Local Government Act 2003

Local Government (Best Value Authorities)(Power to Trade)(Wales) Order 2006

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY GUARANTEE

ARTICLES OF ASSOCIATION

Of

**[DENBIGHSHIRE LEISURE LIMITED]**

**PRIVATE COMPANY LIMITED BY GUARANTEE**

**Articles of Association of**

**Denbighshire Leisure Limited**

**1. DEFINITIONS**

1.1 In these articles, unless the context requires otherwise;

**Act** means the Companies Act 2006

**Articles** means the Company's Articles of Association from the time being in force

**elected member** means an elected member of the Member.

**Interested Director** has the meaning provided for in Article 12.1

**Member** means a member of the Company, which at the time of adoption of these Articles is Denbighshire County Council

**Model Articles** the model articles of association for private companies limited by guarantee contained in Schedule 2 to the Companies (Model Articles) Regulations 2008, as amended prior to the date of adoption of these Articles

1.2 In these Articles words importing individuals shall, unless the context otherwise require, include corporations and words importing the singular number shall include the plural, and vice versa and words importing the masculine gender only shall include the feminine gender.

**2. MODEL ARTICLES**

2.1 The Model Articles, shall apply to the Company save in so far as they are excluded or varied hereby and such Model Articles (save as so excluded or varied) together with the following articles shall be the Articles of the Company.

### 3. **LIABILITY OF MEMBERS**

3.1 The liability of each Member is limited to £10, being the amount that each Member undertakes to contribute to the assets of the Company in the event of its being wound up while he is a Member or within one year after he ceases to be a Member, for

3.1.1 payment of the Company's debts and liabilities contracted before he ceases to be a Member,

3.1.2 payment of the costs, charges and expenses of the winding up, and

3.1.3 adjustment of the rights of the contributories among themselves.

### 4. **OBJECTS**

4.1 The Company's objects (**Objects**) are:

4.1.1 to provide and manage leisure, sports, cultural and heritage services for the benefit of the public

4.1.2 liaise, cooperate and partner, wherever appropriate, with all statutory, voluntary and other bodies in the pursuance of these services

4.1.3 to enter into partnerships or arrangements of all kinds to sustain, improve or extend facilities and services

4.1.4 to ensure sustainability of services by maximising income and by seeking all possible avenues of funding for the services

4.1.5 promoting, maintain and improving access to suitable services, activities and facilities

4.1.6 bringing together and coordinating the efforts of persons (corporate or otherwise) concerned or interested in the attainment of all or any of the company's objects

4.1.7 to improve health and well-being, by promoting increased participation to reduce obesity, anti-social behaviour and the health inequality gap

4.1.8 to promote jobs and strengthen the local economy

## 5. POWERS

5.1 In pursuance of the Objects, the Company has the power to:

- 5.1.1 buy, lease or otherwise acquire and deal with any property real or personal and any rights or privileges of any kind over or in respect of any property real or personal and to improve, manage, develop, construct, repair, sell, lease, mortgage, charge, surrender or dispose of or otherwise deal with all or any part of such property and any and all rights of the Company;
- 5.1.2 borrow and raise money in such manner as the directors shall think fit and secure the repayment of any money borrowed, raised or owing by mortgage, charge, lien or other security on the Company's property and assets;
- 5.1.3 invest and deal with the funds of the Company not immediately required for its operations in or upon such investments, securities or property as may be thought fit;
- 5.1.4 subscribe for, take, buy or otherwise acquire, hold, sell, deal with and dispose of, place and underwrite shares, stocks, debentures, debenture stocks, bonds, obligations or securities issued or guaranteed by any government or authority in any part of the world;
- 5.1.5 lend and advance money or give credit on such terms as may seem expedient and with or without security to customers and others, to enter into guarantees, contracts of indemnity and suretyships of all kinds to receive money on deposit or loan upon such terms as the Company may approve and to secure or guarantee the payment of any sums of money or the performance of any obligation by any company, firm or person including any holding company or subsidiary;
- 5.1.6 lobby, advertise, publish, educate, examine, research and survey in respect of all matters of law, regulation, economics, accounting, governance, politics and/or other issues and to hold meetings, events and other procedures and co-operate with or assist any other body or organisation in each case in such way or by such means as may, in the opinion of the directors, affect or advance the principal object in any way;



- 5.1.7 pay all or any expenses incurred in connection with the promotion, formation and incorporation of the Company and to contract with any person, firm or company to pay the same;
- 5.1.8 enter into contracts to provide services to or on behalf of other bodies;
- 5.1.9 provide and assist in the provision of money, materials or other help;.
- 5.1.10 open and operate bank accounts and other facilities for banking and draw, accept, endorse, issue or execute promissory notes, bills of exchange, cheques and other instruments;
- 5.1.11 incorporate subsidiary companies to carry on any trade; and
- 5.1.12 do all such other lawful things as are incidental or conducive to the pursuit or to the attainment of the Objects set out in article 4.

## 6. **INCOME**

- 6.1 The income and property of the Company shall be applied solely in promoting the Objects.
- 6.2 No dividends or bonus may be paid or capital otherwise returned to the Member, provided that this article 6 shall not prevent any payment by the Company of:
  - 6.2.1 reasonable out of pocket expenses properly incurred by any director;
  - 6.2.2 reasonable and proper remuneration and/or expenses to a Member, any other officer or servant of the Company for any services rendered to the Company or in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company;
  - 6.2.3 any interest on money lent by any Member at a reasonable and proper rate;  
or
  - 6.2.4 reasonable and proper rent for premises demised or let by a Member.

## 7. **WINDING UP**

- 7.1 On the winding-up or dissolution of the Company, any assets or property that remains available to be distributed or paid, shall be distributed or paid to the Member for the time being in proportion to their voting rights on a poll at general meetings of the Company.

## 8. **DIRECTORS' MEETING**

8.1 A director may waive the requirement that notice of a meeting of the directors be given to him at any time before or after the date on which the meeting is held by notifying the Company to that effect. Where a director gives such notice to the Company after the meeting has been held, that does not affect the validity of the meeting or of any business conducted at it.

## 9. **QUORUM FOR DIRECTORS METING**

9.1 The quorum for the transaction of business of the directors shall be any three directors. Article 11(2) of the Model Articles shall be modified accordingly.

9.2 If the total number of directors for the time being is less than the quorum required [or does not include a director who is not an elected member,] the directors must not take any decision other than a decision to call a general meeting so as to enable the Member to appoint further directors. Article 11(3) of the Model Articles shall not apply to the Company.

## 10. **CASTING VOTE**

10.1 If the numbers of votes for and against a proposal at a meeting of directors are equal, the chairperson or other director chairing the meeting shall not have a casting vote. Article 13 of the Model Articles are excluded.

## 11. **INFORMATION SHARING**

11.1 Any director shall be entitled from time to time to disclose to the Member such information concerning the business and affairs of the Company as he shall at his discretion see fit, subject only to the condition that if there be more than one shareholder, the director concerned shall ensure that each of the shareholders receives the same information on an equal footing.

## 12. **AUTHORISATION OF DIRECTORS' CONFLICTS OF INTEREST**

12.1 For the purposes of section 175 of the Act, the Member (and not the directors) shall have the power to authorise any matter which would or might otherwise constitute or give rise to a breach by a director (**Interested Director**) of the duty to avoid conflicts of interest set out in that section of the Act. Any reference in these articles to a conflict of interest includes a conflict of interest and duty and a conflict of duties.

- 12.2 The Interested Director must provide the Member with such details as are necessary for the Member to consider any request to authorise a conflict of interest.
- 12.3 Authorisation of a matter under article 12 shall be effective only if:
- 12.3.1 the matter in question shall have been proposed in writing for consideration by the directors, or in such other manner as the directors may determine;
  - 12.3.2 any requirement as to the quorum at the meeting of the directors at which the matter is considered is met without counting the director in question and any other interested director (together the Interested Directors); and
  - 12.3.3 the matter was agreed to without the Interested Directors voting or would have been agreed to if the votes of the Interested Directors had not been counted.
- 12.4 Any authorisation by a Member of a matter under Article 12 may
- 12.4.1 extend to any actual or potential conflict of interest which may reasonably be expected to arise out of the matter so authorised.
  - 12.4.2 be on such terms and/or conditions as the Member may determine, whether at the time such authorisation is given or subsequently and may be varied or terminated by the Member at any time. Such terms or conditions may include (without limitation) terms and conditions as to the duration, renewal and/or revocation of the authorisation, and/or the exclusion of the Interested Directors from all information and discussion of the matter in question. A director shall comply with any obligations imposed on him pursuant to any such authorisation.
- 12.5 A director, notwithstanding his office, may be a director or other officer of, employed by, an elected member of or otherwise interested in, the Member and no authorisation under article 12 shall be necessary in respect of any such interest.
- 12.6 Any director shall be entitled from time to time to disclose to a Member such information concerning the business and affairs of the Company as he shall at his discretion see fit.
- 12.7 If a director receives or has received any information otherwise than by virtue of his position as a director of the Company and in respect of which he owes a duty of confidentiality to another person, the director is under no obligation to:

12.7.1 disclose any such information to the Company, the directors or any other director or employee of the Company; or

12.7.2 use or apply any such information in connection with the performance of his duties as a director;

provided that to the extent that such duty of confidentiality arises out of a situation or relationship which would or might otherwise constitute or give rise to a breach by the director of the duty to avoid conflicts of interest set out in section 175 of the 2006 Act, this article shall apply only if such situation or relationship has been authorised by the Member under article 12.

12.8 A director shall not, save as otherwise agreed by him, be accountable to the Company for any benefit which he (or a person connected with him) derives from any matter authorised by the Member under article 12 and any contract, transaction or arrangement relating thereto shall not be liable to be avoided on the grounds of any such benefit.

### **13. APPOINTMENT AND REMOVAL OF DIRECTORS**

13.1 Unless otherwise determined by ordinary resolution, the number of directors is not subject to any maximum and the minimum number is [four].

13.2 Notwithstanding any other provision of these Articles, the Member may at any time and from time to time appoint any person to be a director or remove any director from office,

13.3 Every such appointment or removal shall be effected by notice in writing to the Company and shall take effect immediately (or on such later date, if any, specified in the notice). Any such notice of appointment or removal may consist of several documents in similar form, each signed by or on behalf of the Member.

### **14. TERMINATION OF A DIRECTOR'S APPOINTMENT**

14.1 Notwithstanding any other provision of these Articles, a person ceases to be a director, in the following circumstances;

14.1.1 as soon as he has for more than three consecutive months been absent without permission of the directors from meetings of directors held during that period and the directors resolve that his office be vacated; or

14.1.2 being an elected member at the time of his appointment as a director, he ceases to be an elected member or is disqualified as an elected member at any time; or

14.1.3 being an officer of the Member at the time of his appointment as a director, his employment by the Member is terminated for any reason.

**15. DELEGATION AND COMMITTEES**

15.1 The directors may not delegate any of the powers which are conferred upon them under these Articles to any person or committee without the prior written consent of the Member. Model Article 5(1) and 6 (1) are excluded.

**16. MEMBERS**

16.1 The subscriber to the Memorandum is the first Member.

16.2 No person shall be admitted as a member unless he or she is approved by the existing Member.

**17. MEMBERS' RESERVE POWER AND APPROVAL RIGHTS**

17.1 The Member may, by special resolution, direct the directors to take, or refrain from taking, specified action.

17.2 No such special resolution invalidates anything which the directors have done before the passing of the resolution.

**18. QUORUM FOR GENERAL MEETINGS**

18.1 No business other than the appointment of the chairman of the meeting is to be transacted at a general meeting if the persons attending it do not constitute a quorum.

18.2 One person entitled to vote shall be a quorum if that person is a duly authorised representative of the controlling Member.

18.3 At any time where the company has one Member:

18.3.1 any decision that may be taken by the company in general meeting may be taken by that Member solely; and

18.3.2 such decision is effective as if agreed by the company in general meeting.

18.4 The Directors may attend and speak at general meetings, with the prior consent of the Member. Article 26 (1) of the Model Articles are modified accordingly.

18.5 Article 26 (2) of the Model Articles shall not apply to the Company.

19. **PROXIES AND CORPORATE REPRESENTATIVES**

19.1 The failure of any proxy or corporate representative to vote in accordance with any instructions given by the Member by whom such proxy or corporate representative is appointed shall not invalidate the result of any vote in which the proxy or corporate representative has participated and the Company and the directors shall be under no duty to enquire as to the instructions given to any such proxy or corporate representative.

20. **MEANS OF COMMUNICATION TO BE USED**

20.1 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:

20.2 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, 48 hours after it was posted (or five working days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five working days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

20.2.1 if properly addressed and delivered by hand, when it was given or left at the appropriate address;

20.2.2 if properly addressed and sent or supplied by electronic means, one hour after the document or information was sent or supplied; and

20.2.3 if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is deemed to have received) notice of the fact that the material is available on the website.

For the purposes of this article, no account shall be taken of any part of a day that is not a working day.

20.3 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the 2006 Act.

## 21. **INDEMNITY**

21.1 The Company may indemnify any relevant officer out of the assets of the Company from and against any loss, liability or expense incurred by him or them in relation to the Company (including any liability incurred in connection with the activities of the Company or an associated company in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the 2006 Act)) **provided that** this article shall have effect, and any indemnity provided by or pursuant to it shall apply, only to the extent permitted by, and subject to the restrictions of, the 2006 Act. This article does not allow for or provide (to any extent) an indemnity which is more extensive than as permitted by the 2006 Act and any such indemnity is limited accordingly. This article is also without prejudice to any indemnity to which any person may otherwise be entitled. Article 38 of the Model Articles shall not apply to the Company.

21.2 To the extent permitted by, and subject to the restrictions in, the 2006 Act and without prejudice to any indemnity to which he may otherwise be entitled, the board shall have the power to provide funds to meet any expenditure incurred or to be incurred by any relevant officer in defending any criminal or civil (including regulatory) proceedings, or in connection with an application under the 2006 Act, or to enable him to avoid incurring such expenditure.

21.3 Without prejudice to the provisions of article 39 of the Model Articles, the directors may exercise all the powers of the Company to purchase and maintain insurance for the benefit of any person who is a relevant officer or an employee or former employee of the Company or any associated company or who is or was a trustee of a retirement benefits scheme or another trust in which a relevant officer or an employee or former employee is or has been interested, indemnifying him against liability for negligence, default, breach of duty or breach of trust or any other liability which may lawfully be insured against by the Company.

21.4 In these articles:

21.5 companies are **associated** if one is a subsidiary of the other or both are subsidiaries of the same body corporate;

21.6 **relevant officer** means any current or former director, alternate director, secretary or other officer of the Company or an associated company (including any company which is a trustee of an occupational pension scheme (as defined in section 235(6) of the 2006 Act)), other than any person (whether an officer or not) engaged by the Company (or associated company) as an auditor, to the extent he acts as an auditor.

## 22. **RIGHT TO INSPECT ACCOUNTS AND OTHER RECORDS**

22.1 The Member and its authorised representatives shall have the right, on giving to the Company reasonable advance notice, during normal business hours to inspect the books and records of the Company and any subsidiary of the Company. Article 36 of the Model Articles shall not apply to the Company.



SCHEDULE 2

MODEL ARTICLES FOR PRIVATE COMPANIES LIMITED  
BY GUARANTEE

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## PART 1

### INTERPRETATION AND LIMITATION OF LIABILITY

#### **Defined terms**

1. In the articles, unless the context requires otherwise—
  - “articles” means the company’s articles of association;
  - “bankruptcy” includes individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;
  - “chairman” has the meaning given in article 12;
  - “chairman of the meeting” has the meaning given in article 25;
  - “Companies Acts” means the Companies Acts (as defined in section 2 of the Companies Act 2006), in so far as they apply to the company;
  - “director” means a director of the company, and includes any person occupying the position of director, by whatever name called;

“document” includes, unless otherwise specified, any document sent or supplied in electronic form;

“electronic form” has the meaning given in section 1168 of the Companies Act 2006;

“member” has the meaning given in section 112 of the Companies Act 2006;

“ordinary resolution” has the meaning given in section 282 of the Companies Act 2006;

“participate”, in relation to a directors’ meeting, has the meaning given in article 10;

“proxy notice” has the meaning given in article 31;

“special resolution” has the meaning given in section 283 of the Companies Act 2006;

“subsidiary” has the meaning given in section 1159 of the Companies Act 2006; and

“writing” means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

Unless the context otherwise requires, other words or expressions contained in these articles bear the same meaning as in the Companies Act 2006 as in force on the date when these articles become binding on the company.

### **Liability of members**

2. The liability of each member is limited to £1, being the amount that each member undertakes to contribute to the assets of the company in the event of its being wound up while he is a member or within one year after he ceases to be a member, for—

- (a) payment of the company’s debts and liabilities contracted before he ceases to be a member,
- (b) payment of the costs, charges and expenses of winding up, and
- (c) adjustment of the rights of the contributories among themselves.

## **PART 2**

### **DIRECTORS**

#### **DIRECTORS’ POWERS AND RESPONSIBILITIES**

##### **Directors’ general authority**

3.—Subject to the articles, the directors are responsible for the management of the company's business, for which purpose they may exercise all the powers of the company.

#### **Members' reserve power**

4.—(1) The members may, by special resolution, direct the directors to take, or refrain from taking, specified action.

(2) No such special resolution invalidates anything which the directors have done before the passing of the resolution.

#### **Directors may delegate**

5.—(1) Subject to the articles, the directors may delegate any of the powers which are conferred on them under the articles—

- (a) to such person or committee;
- (b) by such means (including by power of attorney);
- (c) to such an extent;
- (d) in relation to such matters or territories; and
- (e) on such terms and conditions;

as they think fit.

(2) If the directors so specify, any such delegation may authorise further delegation of the directors' powers by any person to whom they are delegated.

(3) The directors may revoke any delegation in whole or part, or alter its terms and conditions.

#### **Committees**

6.—(1) Committees to which the directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of the articles which govern the taking of decisions by directors.

(2) The directors may make rules of procedure for all or any committees, which prevail over rules derived from the articles if they are not consistent with them.

### **DECISION-MAKING BY DIRECTORS**

#### **Directors to take decisions collectively**

7.—(1) The general rule about decision-making by directors is that any decision of the directors must be either a majority decision at a meeting or a decision taken in accordance with article 8.

(2) If—

- (a) the company only has one director, and
- (b) no provision of the articles requires it to have more than one director,

the general rule does not apply, and the director may take decisions without regard to any of the provisions of the articles relating to directors' decision-making.

#### **Unanimous decisions**

- 8.**—(1) A decision of the directors is taken in accordance with this article when all eligible directors indicate to each other by any means that they share a common view on a matter.
- (2) Such a decision may take the form of a resolution in writing, copies of which have been signed by each eligible director or to which each eligible director has otherwise indicated agreement in writing.
- (3) References in this article to eligible directors are to directors who would have been entitled to vote on the matter had it been proposed as a resolution at a directors' meeting.
- (4) A decision may not be taken in accordance with this article if the eligible directors would not have formed a quorum at such a meeting.

### **Calling a directors' meeting**

- 9.**—(1) Any director may call a directors' meeting by giving notice of the meeting to the directors or by authorising the company secretary (if any) to give such notice.
- (2) Notice of any directors' meeting must indicate—
- (a) its proposed date and time;
  - (b) where it is to take place; and
  - (c) if it is anticipated that directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- (3) Notice of a directors' meeting must be given to each director, but need not be in writing.
- (4) Notice of a directors' meeting need not be given to directors who waive their entitlement to notice of that meeting, by giving notice to that effect to the company not more than 7 days after the date on which the meeting is held. Where such notice is given after the meeting has been held, that does not affect the validity of the meeting, or of any business conducted at it.

### **Participation in directors' meetings**

- 10.**—(1) Subject to the articles, directors participate in a directors' meeting, or part of a directors' meeting, when—
- (a) the meeting has been called and takes place in accordance with the articles, and
  - (b) they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- (2) In determining whether directors are participating in a directors' meeting, it is irrelevant where any director is or how they communicate with each other.
- (3) If all the directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

### **Quorum for directors' meetings**

- 11.**—(1) At a directors' meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.

- (2) The quorum for directors' meetings may be fixed from time to time by a decision of the directors, but it must never be less than two, and unless otherwise fixed it is two.
- (3) If the total number of directors for the time being is less than the quorum required, the directors must not take any decision other than a decision—
- (a) to appoint further directors, or
  - (b) to call a general meeting so as to enable the members to appoint further directors.

### **Chairing of directors' meetings**

- 12.**—(1) The directors may appoint a director to chair their meetings.
- (2) The person so appointed for the time being is known as the chairman.
- (3) The directors may terminate the chairman's appointment at any time.
- (4) If the chairman is not participating in a directors' meeting within ten minutes of the time at which it was to start, the participating directors must appoint one of themselves to chair it.

### **Casting vote**

- 13.**—(1) If the numbers of votes for and against a proposal are equal, the chairman or other director chairing the meeting has a casting vote.
- (2) But this does not apply if, in accordance with the articles, the chairman or other director is not to be counted as participating in the decision-making process for quorum or voting purposes.

### **Conflicts of interest**

- 14.**—(1) If a proposed decision of the directors is concerned with an actual or proposed transaction or arrangement with the company in which a director is interested, that director is not to be counted as participating in the decision-making process for quorum or voting purposes.
- (2) But if paragraph (3) applies, a director who is interested in an actual or proposed transaction or arrangement with the company is to be counted as participating in the decision-making process for quorum and voting purposes.
- (3) This paragraph applies when—
- (a) the company by ordinary resolution disapplies the provision of the articles which would otherwise prevent a director from being counted as participating in the decision-making process;
  - (b) the director's interest cannot reasonably be regarded as likely to give rise to a conflict of interest; or
  - (c) the director's conflict of interest arises from a permitted cause.
- (4) For the purposes of this article, the following are permitted causes—
- (a) a guarantee given, or to be given, by or to a director in respect of an obligation incurred by or on behalf of the company or any of its subsidiaries;
  - (b) subscription, or an agreement to subscribe, for securities of the company or any of its subsidiaries, or to underwrite, sub-underwrite, or guarantee subscription for any such securities; and

(c) arrangements pursuant to which benefits are made available to employees and directors or former employees and directors of the company or any of its subsidiaries which do not provide special benefits for directors or former directors.

(5) For the purposes of this article, references to proposed decisions and decision-making

processes include any directors' meeting or part of a directors' meeting.

(6) Subject to paragraph (7), if a question arises at a meeting of directors or of a committee of directors as to the right of a director to participate in the meeting (or part of the meeting) for voting or quorum purposes, the question may, before the conclusion of the meeting, be referred to the chairman whose ruling in relation to any director other than the chairman is to be final and conclusive.

(7) If any question as to the right to participate in the meeting (or part of the meeting) should arise in respect of the chairman, the question is to be decided by a decision of the directors at that meeting, for which purpose the chairman is not to be counted as participating in the meeting (or that part of the meeting) for voting or quorum purposes.

### **Records of decisions to be kept**

**15.** The directors must ensure that the company keeps a record, in writing, for at least 10 years from the date of the decision recorded, of every unanimous or majority decision taken by the directors.

### **Directors' discretion to make further rules**

**16.** Subject to the articles, the directors may make any rule which they think fit about how they take decisions, and about how such rules are to be recorded or communicated to directors.

## **APPOINTMENT OF DIRECTORS**

### **Methods of appointing directors**

**17.—**(1) Any person who is willing to act as a director, and is permitted by law to do so, may be appointed to be a director—

- (a) by ordinary resolution, or
- (b) by a decision of the directors.

(2) In any case where, as a result of death, the company has no members and no directors, the personal representatives of the last member to have died have the right, by notice in writing, to appoint a person to be a director.

(3) For the purposes of paragraph (2), where 2 or more members die in circumstances rendering it uncertain who was the last to die, a younger member is deemed to have survived an older member.

### **Termination of director's appointment**

**18.** A person ceases to be a director as soon as—

- (a) that person ceases to be a director by virtue of any provision of the Companies Act 2006 or is prohibited from being a director by law;
- (b) a bankruptcy order is made against that person;

- (c) a composition is made with that person's creditors generally in satisfaction of that person's debts;
- (d) a registered medical practitioner who is treating that person gives a written opinion to the company stating that that person has become physically or mentally incapable of acting as a director and may remain so for more than three months;
- (e) *[paragraph omitted pursuant to The Mental Health (Discrimination) Act 2013]*
- (f) notification is received by the company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms.

### **Directors' remuneration**

- 19.**—(1) Directors may undertake any services for the company that the directors decide.
- (2) Directors are entitled to such remuneration as the directors determine—
- (a) for their services to the company as directors, and
  - (b) for any other service which they undertake for the company.
- (3) Subject to the articles, a director's remuneration may—
- (a) take any form, and
  - (b) include any arrangements in connection with the payment of a pension, allowance or gratuity, or any death, sickness or disability benefits, to or in respect of that director.
- (4) Unless the directors decide otherwise, directors' remuneration accrues from day to day.
- (5) Unless the directors decide otherwise, directors are not accountable to the company for any remuneration which they receive as directors or other officers or employees of the company's subsidiaries or of any other body corporate in which the company is interested.

### **Directors' expenses**

- 20.** The company may pay any reasonable expenses which the directors properly incur in connection with their attendance at—
- (a) meetings of directors or committees of directors,
  - (b) general meetings, or
  - (c) separate meetings of the holders of debentures of the company, or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the company.

## **PART 3**

### **MEMBERS**

#### **BECOMING AND CEASING TO BE A MEMBER**



### **Applications for membership**

- 21.** No person shall become a member of the company unless—
- (a) that person has completed an application for membership in a form approved by the directors, and
  - (b) the directors have approved the application.

### **Termination of membership**

- 22.—**(1) A member may withdraw from membership of the company by giving 7 days' notice to the company in writing.
- (2) Membership is not transferable.
- (3) A person's membership terminates when that person dies or ceases to exist.

## **ORGANISATION OF GENERAL MEETINGS**

### **Attendance and speaking at general meetings**

- 23.—**(1) A person is able to exercise the right to speak at a general meeting when that person is in a position to communicate to all those attending the meeting, during the meeting, any information or opinions which that person has on the business of the meeting.
- (2) A person is able to exercise the right to vote at a general meeting when—
- (a) that person is able to vote, during the meeting, on resolutions put to the vote at the meeting, and
  - (b) that person's vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other persons attending the meeting.
- (3) The directors may make whatever arrangements they consider appropriate to enable those attending a general meeting to exercise their rights to speak or vote at it.
- (4) In determining attendance at a general meeting, it is immaterial whether any two or more members attending it are in the same place as each other.
- (5) Two or more persons who are not in the same place as each other attend a general meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

### **Quorum for general meetings**

- 24.** No business other than the appointment of the chairman of the meeting is to be transacted at a general meeting if the persons attending it do not constitute a quorum.

### **Chairing general meetings**

- 25.—**(1) If the directors have appointed a chairman, the chairman shall chair general meetings if present and willing to do so.
- (2) If the directors have not appointed a chairman, or if the chairman is unwilling to chair the meeting or is not present within ten minutes of the time at which a meeting was due to start—
- (a) the directors present, or

- (b) (if no directors are present), the meeting, must appoint a director or member to chair the meeting, and the appointment of the chairman of the meeting must be the first business of the meeting.
- (3) The person chairing a meeting in accordance with this article is referred to as “the chairman of the meeting”.

### **Attendance and speaking by directors and non-members**

- 26.**—(1) Directors may attend and speak at general meetings, whether or not they are members.
- (2) The chairman of the meeting may permit other persons who are not members of the company to attend and speak at a general meeting.

### **Adjournment**

- 27.**—(1) If the persons attending a general meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a meeting a quorum ceases to be present, the chairman of the meeting must adjourn it.
- (2) The chairman of the meeting may adjourn a general meeting at which a quorum is present if—
- (a) the meeting consents to an adjournment, or
  - (b) it appears to the chairman of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.
- (3) The chairman of the meeting must adjourn a general meeting if directed to do so by the meeting.
- (4) When adjourning a general meeting, the chairman of the meeting must—
- (a) either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors, and
  - (b) have regard to any directions as to the time and place of any adjournment which have been given by the meeting.
- (5) If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the company must give at least 7 clear days’ notice of it (that is, excluding the day of the adjourned meeting and the day on which the notice is given)—
- (a) to the same persons to whom notice of the company’s general meetings is required to be given, and
  - (b) containing the same information which such notice is required to contain.
- (6) No business may be transacted at an adjourned general meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.

## **VOTING AT GENERAL MEETINGS**

### **Voting: general**

- 28.** A resolution put to the vote of a general meeting must be decided on a show of hands unless a poll is duly demanded in accordance with the articles.

## **Errors and disputes**

- 29.**—(1) No objection may be raised to the qualification of any person voting at a general meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.
- (2) Any such objection must be referred to the chairman of the meeting whose decision is final.

## **Poll votes**

- 30.**—(1) A poll on a resolution may be demanded—
- (a) in advance of the general meeting where it is to be put to the vote, or
  - (b) at a general meeting, either before a show of hands on that resolution or immediately after the result of a show of hands on that resolution is declared.
- (2) A poll may be demanded by—
- (a) the chairman of the meeting;
  - (b) the directors;
  - (c) two or more persons having the right to vote on the resolution; or
  - (d) a person or persons representing not less than one tenth of the total voting rights of all the members having the right to vote on the resolution.
- (3) A demand for a poll may be withdrawn if—
- (a) the poll has not yet been taken, and
  - (b) the chairman of the meeting consents to the withdrawal.
- (4) Polls must be taken immediately and in such manner as the chairman of the meeting directs.

## **Content of proxy notices**

- 31.**—(1) Proxies may only validly be appointed by a notice in writing (a “proxy notice”) which—
- (a) states the name and address of the member appointing the proxy;
  - (b) identifies the person appointed to be that member’s proxy and the general meeting in relation to which that person is appointed;
  - (c) is signed by or on behalf of the member appointing the proxy, or is authenticated in such manner as the directors may determine; and
  - (d) is delivered to the company in accordance with the articles and any instructions contained in the notice of the general meeting to which they relate.
- (2) The company may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes.
- (3) Proxy notices may specify how the proxy appointed under them is to vote (or that the proxy is to abstain from voting) on one or more resolutions.
- (4) Unless a proxy notice indicates otherwise, it must be treated as—
- (a) allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting, and
  - (b) appointing that person as a proxy in relation to any adjournment of the general meeting to which it relates as well as the meeting itself.

### **Delivery of proxy notices**

- 32.**—(1) A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at a general meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the company by or on behalf of that person.
- (2) An appointment under a proxy notice may be revoked by delivering to the company a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.
- (3) A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.
- (4) If a proxy notice is not executed by the person appointing the proxy, it must be accompanied by written evidence of the authority of the person who executed it to execute it on the appointor's behalf.

### **Amendments to resolutions**

- 33.**—(1) An ordinary resolution to be proposed at a general meeting may be amended by ordinary resolution if—
- (a) notice of the proposed amendment is given to the company in writing by a person entitled to vote at the general meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chairman of the meeting may determine), and
  - (b) the proposed amendment does not, in the reasonable opinion of the chairman of the meeting, materially alter the scope of the resolution.
- (2) A special resolution to be proposed at a general meeting may be amended by ordinary resolution, if—
- (a) the chairman of the meeting proposes the amendment at the general meeting at which the resolution is to be proposed, and
  - (b) the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.
- (3) If the chairman of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chairman's error does not invalidate the vote on that resolution.

## **PART 4**

### **ADMINISTRATIVE ARRANGEMENTS**

#### **Means of communication to be used**

- 34.**—(1) Subject to the articles, anything sent or supplied by or to the company under the articles may be sent or supplied in any way in which the Companies Act 2006 provides for documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the company.

(2) Subject to the articles, any notice or document to be sent or supplied to a director in connection with the taking of decisions by directors may also be sent or supplied by the means by which that director has asked to be sent or supplied with such notices or documents for the time being.

(3) A director may agree with the company that notices or documents sent to that director in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

### **Company seals**

**35.**—(1) Any common seal may only be used by the authority of the directors.

(2) The directors may decide by what means and in what form any common seal is to be used.

(3) Unless otherwise decided by the directors, if the company has a common seal and it is

affixed to a document, the document must also be signed by at least one authorised person in the presence of a witness who attests the signature.

(4) For the purposes of this article, an authorised person is—

(a) any director of the company;

(b) the company secretary (if any); or

(c) any person authorised by the directors for the purpose of signing documents to which the common seal is applied.

### **No right to inspect accounts and other records**

**36.** Except as provided by law or authorised by the directors or an ordinary resolution of the company, no person is entitled to inspect any of the company's accounting or other records or documents merely by virtue of being a member.

### **Provision for employees on cessation of business**

**37.** The directors may decide to make provision for the benefit of persons employed or formerly employed by the company or any of its subsidiaries (other than a director or former director or shadow director) in connection with the cessation or transfer to any person of the whole or part of the undertaking of the company or that subsidiary.

## **DIRECTORS' INDEMNITY AND INSURANCE**

### **Indemnity**

**38.**—(1) Subject to paragraph (2), a relevant director of the company or an associated company may be indemnified out of the company's assets against—

(a) any liability incurred by that director in connection with any negligence, default, breach of duty or breach of trust in relation to the company or an associated company,

(b) any liability incurred by that director in connection with the activities of the company or an associated company in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the Companies Act 2006),

(c) any other liability incurred by that director as an officer of the company or an associated company.

(2) This article does not authorise any indemnity which would be prohibited or rendered void by

any provision of the Companies Acts or by any other provision of law.

(3) In this article—

(a) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate, and

(b) a “relevant director” means any director or former director of the company or an associated company.

## **Insurance**

**39.**—(1) The directors may decide to purchase and maintain insurance, at the expense of the company, for the benefit of any relevant director in respect of any relevant loss.

(2) In this article—

(a) a “relevant director” means any director or former director of the company or an associated company,

(b) a “relevant loss” means any loss or liability which has been or may be incurred by a relevant director in connection with that director’s duties or powers in relation to the company, any associated company or any pension fund or employees’ share scheme of the company or associated company, and

(c) companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate.

\_\_\_\_\_ 2019

**DENBIGHSHIRE COUNTY COUNCIL**

**DENBIGHSHIRE LEISURE LIMITED**

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**Members' agreement relating to**

**DENBIGHSHIRE LEISURE LIMITED**

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This agreement is dated

2019

**Parties**

- (1) **DENBIGHSHIRE COUNTY COUNCIL** whose principal office is at .....(the **Council**); and
- (2) **DENBIGHSHIRE LEISURE LIMITED** a company incorporated and registered in England and Wales with registered number [ ] whose registered office is at [ ](the **Company**).

**Introduction**

- (A) The Company was incorporated under the Companies Act 2006 on [ ] 2019 as a private company limited by guarantee. At the date of this Agreement the Council is the only member.
- (B) This Agreement sets out the terms upon which the Council will participate in the Company as its member.

**Agreed terms**

1. **INTERPRETATION AND DEFINITIONS**

1.1 In this Agreement:

<b>Annual Accounts Date</b>	the accounting reference date of the Company from time to time;
<b>Board of Directors</b>	the board of directors of the Company;
<b>Board Meeting</b>	a meeting of the Board of Directors;
<b>Business</b>	the business of the Company described in clause 2 and the Business Plan and such other business as the Member may agree from time to time in writing should be carried on by the Company;
<b>Business Plan</b>	the business plan adopted in accordance with clause 2 and clause 6 and applicable from time to time;
<b>Business Day</b>	a day other than a Saturday or Sunday or public holiday in England and Wales;
<b>Director</b>	any director for the time being of the Company, including where applicable any alternate director;



<b>Environmental Information Regulations</b>	means the Environmental Information Regulations 2004;
<b>FOIA Information</b>	the Freedom of Information Act 2000; has the meaning given to it under section 84 of the FOIA;
<b>Member</b>	any member of the Company, being the Council at the date of this Agreement;
<b>Membership</b>	the act of being a member of the Company;
<b>Member Committee</b>	a group which will be constituted and operate in accordance with clause 5;
<b>Member Committee Meeting</b>	a meeting of the members of the Member Committee;
<b>Security Interest</b>	any mortgage, charge, pledge, lien, hypothecation, assignment by way of security, guarantee, indemnity, debenture, declaration of trust, right of set off or combination of accounts or any other type of preferential arrangement (including without limitation, a title transfer and retention of title) or any encumbrance or security interest whatsoever, howsoever arising and whether monetary or not;
<b>Subsidiary Undertaking</b>	a subsidiary undertaking as defined in section 1162 of the Companies Act 2006.

- 1.2 Any reference to a statute or statutory provision is a reference to it as it is in force from time to time, taking account of any change, extension, consolidation or re-enactment and includes any subordinate legislation for the time being in force made under it.
- 1.3 Clause headings in this Agreement are for convenience only and do not affect the construction of any provision.
- 1.4 References to any gender shall include the other genders and references to the singular shall include the plural and vice versa.
- 1.5 Any reference to a person (which for the purposes of this Agreement shall include a firm, unincorporated association, body corporate, government, state or agency of

state, any association or partnership or joint venture (whether or not having a separate legal personality)) shall include its successors in title.

1.6 In this Agreement all obligations and liabilities on the part of the Member are (unless expressly stated otherwise) several and shall be construed accordingly.

1.7 Any reference to a document **in the agreed form** shall be a reference to that document in the form agreed and initialled by or on behalf of each of the Member for the purpose of identification and attached to this Agreement.

## 2. THE BUSINESS OF THE COMPANY

2.1 The parties acknowledge and agree that unless and until they agree otherwise, the business of the Company shall be the provision of [ ] in accordance with the Business Plan. The Company shall:

2.1.1 carry on and conduct its business and affairs in a proper and efficient manner, for its own benefit, on sound commercial profit-making principles; and

2.1.2 transact all its business on arm's length terms.

2.2 The first Business Plan of the Company is in agreed form and will be approved by the Board of Directors as soon as reasonably practicable following execution of this Agreement. The Company shall circulate a revised version of the then current Business Plan to the Member Committee by the end of **[December]** in each year and invite the Member Committee to provide comments on the proposed Business Plan. Following the receipt of such comments, the Board of Directors shall (in accordance with this Agreement) consider and, if appropriate, update and revise the proposed Business Plan and forward it to the Member for consent in accordance with clause 6 no later than the end of January. No adoption, variation or replacement of any Business Plan shall take effect unless such adoption, variation or replacement has received consent in accordance with clause 6.

2.3 Each Business Plan shall be substantially in the format of the first Business Plan and shall be for a [ ] year period.

2.4 Notwithstanding any other provision of this clause 2 following the requisite approval by the Directors of a new proposed Business Plan or an amended or updated and revised Business Plan, such draft Business Plan shall become, or such amended or updated Business Plan shall become, the Business Plan of the Company. For any

period when a proposed Business Plan presented under clause 2.2 has not been approved in accordance with clause 6 and adopted by the Directors in accordance with this Agreement, the relevant existing Business Plan shall continue to be the Business Plan of the Company.

2.5 The principal place of business of the Company and the principal place for management of the Company shall be within the boundaries of Denbighshire, unless otherwise agreed in writing by the Council.

### 3. **CONDUCT OF THE COMPANY'S AFFAIRS**

3.1 With the exception of those matters requiring consent pursuant to clause 6, the day-to-day management of the Company shall be vested in the Directors. Without prejudice to the generality of the foregoing, the Directors will determine the general policies of the Company and the manner in which the Business is to be carried out to those matters requiring consent pursuant to clause 6 and to any other express provisions of this Agreement.

3.2 The Company shall not carry out any activity which would render the Council being a Member unlawful.

3.3 The Company will if it requires any approval, consent or licence for the carrying on of its Business in the manner in which it is from time to time carried on or proposed to be carried on, use all reasonable endeavours to obtain and maintain the same in full force and effect.

3.4 The Company shall permit any Director to discuss the affairs, finances and accounts of the Company and its subsidiaries at any time with any officers and employees designated in writing by the Council for this purpose. All books, records, accounts and documents relating to the business and the affairs of the Company and its subsidiaries shall be open to the inspection of any officers and employees designated in writing by the Council for this purpose, who shall be entitled to make any copies thereof as he or she deems appropriate to keep the Council properly informed about the business and affairs of the Company or to protect its interests as a Member.

3.5 The Company agrees with the Council that it will maintain effective and appropriate control systems in relation to the financial, accounting and record-keeping functions of the **Company** and will generally keep the Council informed of the progress of **the Company's** business and affairs and in particular will procure that the Council is given such information and such access to the officers, employees and premises of the

**Company** as it may reasonably require for the purposes of enabling it to monitor its investment in the **Company** and to comply with its obligations under the [Prudential Code for Local Authorities.]

3.6 The Company shall not breach nor cause the Council to be in breach of the relevant provisions of the [Local Authorities (Companies) Order 1995, Part V of the Local Government and Housing Act 1989 or the Local Government Public Involvement in Health Act 2007 or its obligations under the Public Contracts Regulations 2015 or any European Directive on public procurement.]

3.7 The Company shall:

3.7.1 identify the participation of the Council on all its official business stationery;  
and

3.7.2 not engage in any party political publicity.

3.8 The Company agrees that it shall adopt such of the Council's employment terms, conditions, policies and procedures, including those in relation to any employees employed by the Company, as are notified to the Company by the Council from time to time.

#### 4. **THE BOARD OF DIRECTORS**

4.1 The Board of Directors shall consist of not less than [4] Directors.

4.2 Board Meetings shall be held no less than [ ] times in every year and at not more than three monthly intervals. All Board Meetings shall be held at [ ].

4.3 Unless otherwise agreed by all the Directors, not less than 10 Business Days' notice shall be given to each of the Directors of all Board Meetings. The notice convening a Board Meeting shall include an agenda specifying in reasonable detail the matters to be discussed, together with any relevant papers for discussion at such meeting. If any matter is not identified in reasonable detail the Board of Directors shall not decide on it unless all Directors agree in writing

#### 5. **MEMBER COMMITTEE**

5.1 The Member Committee shall not have powers to make decisions on behalf of the Council or the Company. The purpose of the Member Committee shall be to:

- 5.1.1 recommend, where relevant, the appointment of the Chairman of the Board and approve best practice policies in relation to such an appointment;
  - 5.1.2 receive and review and comment on or recommend any amendments to the Business Plan;
  - 5.1.3 review the financial performance of the Company; and
  - 5.1.4 make recommendations to the Council on how it should exercise the functions flowing from its Membership.
- 5.2 A Member Committee Meeting shall be held no less than every [quarter].
- 5.3 The Member Committee may call an extraordinary committee and [the Chairman and Managing Director] will be required to attend provided they are given not less than 10 Business Days' notice in writing.
- 5.4 The Board of Directors shall send a report at least [twice] a year to each member of the Member Committee. The report shall provide all information reasonably required for the Member Committee to conduct an effective review of the following items:
- 5.4.1 the services provided by the Company, with quality performance matched against contractually agreed service levels;
  - 5.4.2 progress against the Business Plan and financial projections;
  - 5.4.3 management accounts and key financial metrics;
  - 5.4.4 the review of future service developments and opportunities; and
  - 5.4.5 information and assessment of any additional ad-hoc requests.

For the avoidance of doubt, the list of items in this clause 5.4 is not exhaustive and ad hoc meetings of the Member Committee can be called at other times by notice in writing from at least two members of the Member Committee.

- 5.5 Unless otherwise agreed by a member of the Member Committee appointed by the Council before a Member Committee Meeting not less than 10 Business Days' notice shall be given to each of the members of the Member Committee and to the directors of the Company which shall include an agenda specifying in reasonable detail the matters to be discussed, together with any relevant papers for discussion at such meeting.

- 5.6 The Company will supply members of the Member Committee with the agendas and support papers provided to the Board of Directors and shall do so at the same time, as far as possible, as the relevant board receives those agendas and papers (except for minutes, which need only be supplied after signature). In addition, the Company will supply the members of the Member Committee with all information and data reasonably requested by the Member Committee to enable it to reach an informed judgment on any matter within its purview.
- 5.7 The Company shall ensure that at least one representative shall attend each meeting of the Member Committee who shall be a Director and qualified to address the issues on the agenda for the meeting.

## 6. **RESERVED MATTERS**

- 6.1 Each of the parties shall take all such steps and do all such acts and things as may be necessary or desirable, including, without limitation, exercising all voting and other rights and powers of control available to it in relation to the Company, so as to procure (insofar as it is able to do so by the exercise of those rights and powers) that at all times during the term of this Agreement no **Company** Member shall, except with the prior consent of the Council, take any action or pass any resolution in respect of:
- 6.1.1 altering in any respect its articles of association or the rights attaching to the Membership;
  - 6.1.2 permitting the registration of any person as a Member of the Company;
  - 6.1.3 declaring or paying any dividend;
  - 6.1.4 re-registering the Company as a public limited company, or as any entity other than a company limited by guarantee;
  - 6.1.5 forming any Subsidiary Undertaking or acquiring shares in any other company or participating in a joint venture (incorporated or not);
  - 6.1.6 amalgamating or merging with any other company or business undertaking;  
or
  - 6.1.7 passing any resolution for its winding up or presenting any petition for its administration, unless it has become insolvent;

- 6.1.8 changing the nature of the Business or commencing any new business which is not ancillary or incidental to the Business;
- 6.1.9 engaging in any business other than as contemplated by the Business Plan or defraying any monies other than in good faith for the purposes of or in connection with the carrying on of such business;
- 6.1.10 appointing or removing any Director;
- 6.1.11 the grant of any power of attorney or the appointment of any agent, or the entry into any other agreement which devolves or transfers management control of the Company from the Board of Directors;
- 6.1.12 agreeing to remunerate (by payment of fees, the provision of benefits-in-kind or otherwise) any Director;
- 6.1.13 the entry into any service contract, terms of appointment or other agreement with a Director;
- 6.1.14 agreeing to remunerate (by payment of fees, the provision of benefits-in-kind or otherwise) any key employee of, or consultant to, the Company at a rate in excess of **£50,000** per annum or increasing the remuneration of any such person to a rate in excess of **1%** per annum;
- 6.1.15 paying or agreeing to pay any cessation payments with employees
- 6.1.16 establishing or amending any profit-sharing, bonus or other incentive scheme of any nature for directors or employees;
- 6.1.17 making any bonus payment to any director or key employee;
- 6.1.18 instituting, settling or compromising any material legal proceedings instituted or threatened against it or submitting any dispute to arbitration or alternative dispute resolution;
- 6.1.19 borrowing any monies (other than normal trade credit);
- 6.1.20 changing its name or its registered office;
- 6.1.21 replacing or modifying the Business Plan;
- 6.1.22 creating or granting any Security Interest over the whole or any part of its business, undertaking or assets or agreeing to do so;

6.1.23 entering into any arrangement, contract or transaction outside the normal course of its business or otherwise than on arm's length terms;

6.1.24 making any loan (otherwise than by way of deposit with a bank or other institution the normal business of which includes the acceptance of deposits) or granting any credit (other than in the normal course of trading) or giving any guarantee or indemnity; or

6.1.25 entering into an agreement to do any of the foregoing.

## 7. PRODUCTION OF ACCOUNTS AND REPORTS

7.1 The Company shall instruct its accountants to prepare a balance sheet of the Company, as at the Annual Accounts Date each year and a consolidated profit and loss account of the Company, for the 12 month financial period ending on the Annual Accounts Date each year to be presented to the Member within **3** calendar months after the end of the period to which such accounts relate. The Company shall appoint an independent auditor to audit the balance sheet and profit and loss account for the Company.

7.2 The Company will provide to the Member full details of any actual or prospective material change in the Business or the financial position or affairs of the Company, as soon as such details are available.

7.3 All accounts referred to in this clause shall be prepared in pounds sterling and in accordance with applicable law and generally accepted accounting standards, principles and practices in the United Kingdom.

## 8. ANTI-CORRUPTION

8.1 In this clause:

**Adequate Procedures** means adequate procedures, as referred to in section 7(2) of the Bribery Act 2010 and any guidance issued by the Secretary of State under section 9 of the Bribery Act 2010;

**Associated Person** means in relation to a party to this Agreement, any person (including an officer, employee, agent or Subsidiary Undertaking) who performs services for or on behalf of that party;



**Corrupt Activity** means extortion, fraud, deception, collusion, cartels, abuse of power, embezzlement, trading in influence, money-laundering or any similar activity including without limitation any activity, practice or conduct which would constitute an offence under sections 1, 2 or 6 Bribery Act;

8.2 Each party declares and undertakes to the other parties that:

8.2.1 it has not and will not in relation to the Company or the operation of the Business, engage in any Corrupt Activity;

8.2.2 it will not authorise or acquiesce in or turn a blind eye to, any Corrupt Activity;

8.2.3 it has and will maintain in place, or in the case of the Company it will put and maintain in place, Adequate Procedures designed to prevent any Associated Person from undertaking any conduct that would give rise to an offence under section 7 of the Bribery Act 2010;

8.2.4 it has not and will not engage in any activity, practice or conduct which could place the Company or any other party in breach of section 7(1) Bribery Act;

8.2.5 from time to time, at the reasonable request of the other party, it will confirm in writing that it has complied with its undertakings under this clause 8.2 and will provide any information reasonably requested by the other party in support of such compliance; and

8.2.6 it will ensure that its Associated Persons will comply with its commitments under this clause 8.

## 9. **NO FETTER**

Nothing in this Agreement shall operate to bind the Company or any Council to the extent that it constitutes an unlawful fetter on any statutory power of the Company or the Council.

## 10. **DURATION AND TERMINATION**

10.1 This Agreement shall continue in full force and effect, unless otherwise agreed in writing by the Council, provided that this Agreement shall cease to have effect as regards any Member who ceases to hold any Membership in the Company, except for any provisions which are expressed to continue in force thereafter.

10.2 Termination of this Agreement pursuant to this clause shall not release any party from any liability which at the time of termination has already accrued to another party or which may accrue after termination of this Agreement in respect of any act or omission prior to such termination.

## 11. **CONFIDENTIALITY**

11.1 This clause applies to:

11.1.1 all information of a confidential nature disclosed (whether in writing, verbally or by any other means and whether directly or indirectly) by one party to one of the other parties whether before or after the date of this Agreement;

11.1.2 any information concerning the business affairs of one party or other information confidential to that party which one of the other parties learns as a result of the relationship between the parties pursuant to this Agreement; including any information relating to any party's products, operations, processes, plans or intentions, product information, know-how, design rights, trade secrets, market opportunities and business affairs (together, **Confidential Information**).

11.2 In this clause, in relation to a particular item of Confidential Information:

11.2.1 the **Disclosing Party** means the party by whom (or on whose behalf) that Confidential Information is disclosed or (where there is no such disclosure) the party to whom the Confidential Information relates, or to whom the Confidential Information is proprietary or who otherwise desires that the confidentiality of the Confidential Information is respected; and

11.2.2 the **Receiving Party** means the other party.

11.3 During the term of this Agreement and after termination of this Agreement for any reason whatsoever, the Receiving Party shall:

11.3.1 keep the Confidential Information confidential;

11.3.2 not disclose the Confidential Information to any other person other than with the prior written consent of the Disclosing Party or in accordance with this clause 11; and

- 11.3.3 not use the Confidential Information for any purpose other than the performance of its obligations and the exercise of its rights under this Agreement.
- 11.4 Notwithstanding clause 11.3, the Receiving Party may disclose Confidential Information as follows:
- 11.4.1 to its professional advisers (each, a Recipient) providing the Receiving Party ensures that each Recipient is made aware of and complies with all the Receiving Party's obligations of confidentiality under this Agreement as if the Recipient was a party to this Agreement; and
- 11.4.2 to other parties to this Agreement, and where disclosure is required by law, by any court of competent jurisdiction or by any appropriate regulatory body.
- 11.5 This clause 11 shall not apply to any Confidential Information which:
- 11.5.1 is at the date of this Agreement or at a later date comes into the public domain other than through breach of this Agreement by the Receiving Party or any Recipient;
- 11.5.2 was known by the Receiving Party before receipt from (or on behalf of) the Disclosing Party (or, as appropriate, before the Receiving Party learnt of the same pursuant to this Agreement) and which had not previously been obtained under an obligation of confidence; or
- 11.5.3 subsequently comes lawfully into the Receiving Party's possession from a third party, free of any obligation of confidence.
- 11.6 The Company acknowledges that the Council is subject to the requirements of the FOIA, the Environmental Information Regulations and other access to information and propriety controls as provided in legislation, and shall facilitate the Council's compliance with its Information disclosure requirements pursuant to and in the manner provided for in clauses 11.7 and 11.10.
- 11.7 If a Council receives a Request for Information in relation to Information that the Company is holding and which the Council does not hold itself, the Council shall refer to the Company such Request for Information as soon as practicable and in any event within five Business Days of receiving a Request for Information, and the Company shall:

- 11.7.1 provide the Council with a copy of all such Information in the form that the Council requires as soon as practicable and in any event within 10 Business Days (or such other period as the Council acting reasonably may specify) of the Council's request; and
  - 11.7.2 provide all necessary assistance as reasonably requested by the Council to enable the Council to respond to a Request for Information within the time for compliance set out in Section 10 of the FOIA or Regulation 5 of the Environmental Information Regulations.
- 11.8 Following notification under clause 11.7, and up until such time as the Company has provided the Council with all the Information specified in clause 11.7, the Company may make representations to the Council as to whether or not or on what basis Information requested should be disclosed, and whether further information should reasonably be provided in order to identify and locate the information requested, provided always that the Council shall be responsible for determining, at its absolute discretion:
  - 11.8.1 whether Information is exempt from disclosure under the FOIA and the Environmental Information Regulations; and
  - 11.8.2 whether Information is to be disclosed in response to a Request for Information, and in no event shall the Company respond directly to a Request for Information.
- 11.9 The Company acknowledges that (notwithstanding the provisions of clause 11.1) the Council may, acting in accordance with the Department of Constitutional Affairs' Code of Practice on the Discharge of Functions of Public Authorities under part I of the Freedom of Information Act 2000, be obliged under the FOIA or the Environmental Information Regulations to disclose Information concerning the Company:
  - 11.9.1 in certain circumstances without consulting with the Company; or
  - 11.9.2 following consultation with the Company and having taken its views into account.
- 11.10 The Company shall transfer to the relevant Council any Request for Information received by it as soon as practicable and in any event within 3 Business Days of receiving it.

11.11 The Company acknowledges that any lists provided which list or outline Confidential Information are of indicative value only and that the Council may nevertheless be obliged to disclose Confidential Information in accordance with clause 11.9.

## 12. **GENERAL**

12.1 Except where this Agreement provides otherwise, each party shall pay its own costs relating to or in connection with the negotiation, preparation, execution and performance by it of this Agreement and of each agreement or document entered into pursuant to this Agreement and the transactions contemplated by this Agreement.

12.2 No variation of this Agreement shall be valid unless it is in writing and signed by or on behalf of each of the parties.

12.3 No delay, indulgence or omission in exercising any right, power or remedy provided by this Agreement or by law shall operate to impair or be construed as a waiver of such right, power or remedy or of any other right, power or remedy.

12.4 No single or partial exercise or non-exercise of any right, power or remedy provided by this Agreement or by law shall preclude or restrict any other or further exercise of such rights, power or remedy or of any other right, power or remedy.

12.5 A waiver of a breach of any of the terms of this Agreement or of a default under this Agreement does not constitute a waiver of any other breach or default and shall not affect the other terms of this Agreement.

12.6 A waiver of a breach of any of the terms of this agreement or of a default under this Agreement will not prevent a party from subsequently requiring compliance with the waived obligation.

12.7 The rights and remedies provided by this Agreement are cumulative and are not exclusive of any rights, powers or remedies provided by law.

12.8 If any provision of this Agreement is or becomes illegal, invalid or unenforceable under the law of any jurisdiction, that shall not affect or impair:

12.8.1 the legality, validity or enforceability in that jurisdiction of any other provision of this Agreement; or

12.8.2 the legality, validity or enforceability under the law of any other jurisdiction of that or any other provision of this Agreement.

12.9 This Agreement, and the documents referred to in it, constitute the entire agreement and understanding between the parties and supersede any previous agreement, understanding or arrangement between the parties relating to the subject matter of this Agreement.

12.10 Each of the parties acknowledges and agrees that:

12.10.1 in entering into this Agreement, and the documents referred to in it, it does not rely on, and shall have no remedy in respect of, any statement, representation, assurance, warranty or understanding of any person (whether party to this Agreement or not) other than as expressly set out in this Agreement or those documents;

12.10.2 the only remedy available to it arising out of or in connection with this Agreement or its subject matter shall be for damages for breach of contract under the terms of this Agreement;

12.10.3 nothing in this clause shall operate to limit or exclude any liability for fraud.

12.11 No person who is not a party to this Agreement shall have any right to enforce this Agreement or any agreement or document entered into pursuant to this Agreement pursuant to the Contracts (Rights of Third Parties) Act 1999.

### 13. **ASSIGNMENT**

13.1 This Agreement is personal to the parties and neither party shall assign, transfer, charge, make the subject of a trust or deal in any other manner with this Agreement or any of its rights or obligations under it, or purport to do any of the same, nor sub-contract any or all of its obligations under this Agreement without the prior written consent of the other party save where the Council's function are transferred or assigned to a successor body. Each party is entering into this Agreement for its benefit and not for the benefit of another person.

### 14. **NO PARTNERSHIP OR AGENCY**

14.1 Nothing in this Agreement is intended to or shall operate to create a partnership, or to authorise any party to act as agent for any other or to establish any other fiduciary relationship between the parties. No party shall have authority to act in the name or on behalf of or otherwise to bind any other party in any way (including but not limited

to the making of any representation or warranty, the assumption of any obligation or liability and the exercise of any right or power).

## 15. **NOTICES**

15.1 Any notice or other communication given under this Agreement:

15.1.1 shall be in writing;

15.1.2 shall be signed by or on behalf of the party giving it;

15.1.3 shall be served by delivering it by hand or sending it by pre-paid recorded delivery or registered post or by fax at the address or fax number set out in clause 15.2 of the party due to receive it and marked for the attention of the person named in clause 15.2 (or at such other address in the United Kingdom or fax number or marked for the attention of such other person as last notified in writing to the other parties;

15.1.4 shall be deemed to have been received:

(a) if delivered by hand, at the time of actual delivery;

(b) in the case of pre-paid recorded delivery or registered post, two Business Days after the date of posting; and

(c) in the case of fax, at the time of completion of transmission.

15.2 The addresses of the parties for the purposes of clause 15.1 are as set out at the beginning of this Agreement and the notice details and fax numbers are as follows:

15.3 To prove delivery it shall be sufficient to prove that the envelope containing the notice was addressed to the address of the relevant party set out in clause 15.2 and delivered either to that address or into the custody of the postal authorities as a pre-paid recorded delivery, registered post or airmail letter, or that the notice was transmitted by fax to the fax number of the relevant party set out in clause 15.2.

15.4 In this clause if deemed receipt occurs before 9am on a Business Day the notice shall be deemed to have been received at 9am on that day, and if deemed receipt occurs after 5pm on a Business Day, or on a day which is not a Business Day, the notice shall be deemed to have been received at 9am on the next Business Day.

15.5 For the avoidance of doubt, a notice or other communication given under this Agreement shall not be validly served if sent by e-mail.

16. **COUNTERPARTS**

16.1 This Agreement may be executed in any number of counterparts and by different parties on separate counterparts (which may be facsimile copies), but shall not take effect until each party has executed at least one counterpart. Each counterpart shall constitute an original, and all the counterparts together shall constitute a single agreement.

17. **APPLICABLE LAW**

17.1 The parties agree that this Agreement and any dispute or claim arising out of or in connection with this Agreement, its negotiation or its subject matter, or any non-contractual obligation arising in connection with the foregoing, shall be governed by and construed in accordance with English and Welsh law.

17.2 Each of the parties irrevocably agrees to submit to the exclusive jurisdiction of the courts of England and Wales in relation to any claim or matter arising out of or in connection with this Agreement, its negotiation or its subject matter, or any non-contractual obligation arising in connection with the foregoing.

This Agreement has been executed on the date stated at the beginning of this Agreement.



Execution page

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**Report To:** Full Council

**Date of Meeting:** 2<sup>nd</sup> July 2019

**Lead Member / Officer:** Ian Trigger, Chair of Standards Committee

**Report Author:** Gary Williams – Monitoring Officer

**Title:** Standards Committee Annual Report

---

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

This is the fourth Annual Report of Standards Committee to the Full Council and covers the calendar years 2017 and 2018. It was agreed that the Chair will present their report on this basis annually to the Full Council, in order to keep Members informed of trends; issues in respect of compliance with the Members Code of Conduct generally across the County and the work of the Committee in driving up standards of behaviour at the County level, but also at Town, City and Community levels. It was not possible to bring a report last year, therefore this report covers a two year period.

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

It was agreed by Standards Committee that an Annual Report should be presented on the work of the committee and its findings and observations, to all Council Members as part of the Committee's drive to increase standards of ethical behaviour and compliance with the Members Code of Conduct.

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

That Members note the contents of the report.

## **4. Report details**

4.1 Standards Committee's main role is to monitor adherence to the Members Code of Conduct. All members are aware that their Code is founded on principles by which Members should conduct themselves based upon the 7 Nolan Principles of Public Life. In Wales there are ten principles which are set out in Appendix 1 to this report.

4.2 The Standards Committee consists of the following Member types – 2 County Councillors, 4 Independent (co-opted) Members, and 1 Community Council Member (who is not also a twin hatted Member). The majority of the Members

are therefore not elected, but are recruited from members of the public as per the requirements of the standards legislation in Wales. The Committee can also only be quorate when at least half of those Members present are the Independent members.

Independent members are recruited via a public advert, which is open to all save for strict criteria in respect of not previously being an Officer or Member of the Council within certain time frames, being of good standing and having certain attributes as laid down in the legislation. Other than this the opportunity is open to persons from all walks of life, in order to represent the views of the public with regard to the standards they expect of their elected members.

4.3 During the period covered by this report the Committee met on 7 occasions. There are a number of standing items received by the Committee:

(a) Attendance at Meetings

Reports from Standards Members in respect of their attendance and observations at Committee and Council meetings whether at County or Community level. Denbighshire County Council Standards Committee has a proactive approach to raising standards and awareness of the Code of Conduct. Committee Members attend to observe conduct and general effectiveness of the meetings; will then feed back to the Committee, who may make recommendations in respect of any training needs or trends or patterns of conduct. The Committee is keen to make it clear that their approach in attending in person at meetings is to provide support and education, in order to target resources to improve standards and the public's confidence in the vital work being done at community level, on a voluntary basis, and not from any enforcement or critical angle. The Committee fully recognises the value such councils and their members add to local communities.

(b) Overview of Complaints lodged against Members with the Public Services Ombudsman for Wales (the Ombudsman).

The report is presented in a closed session and members are provided with a limited amount of detail in respect of ongoing complaints as well as those that have been turned down by the Ombudsman for investigation. Sufficient detail is provided to enable members to consider if training or other actions can be recommended to particular town, city and community councils which are experiencing issues or an increase in complaints.

There has been a general increase in the number of complaints made to the Ombudsman over the past two years. The majority of these complaints relate to complaints against members of Town, City and Community Councils and are very often brought by other members of the same council. The vast majority of these complaints have not been investigated by the Ombudsman who applies a two stage test, firstly whether there is any evidence to suggest that a breach of the Code has occurred, and secondly,

whether it is in the public interest for his office to commit resources to an investigation.

(c) Forward Work Programme.

This encourages a more strategic approach to the role of the Committee as a proactive one not just reactive to complaints.

(d) Code of Conduct Casebook.

The Ombudsman produces a quarterly summary of complaints that have been considered by his office setting out what action has been taken in respect of the complaints, and where relevant, the sanction imposed.

- 4.4 The Committee has considered a number of other matters during this reporting period. These include the consideration of applications for dispensations by members of Bodelwyddan Town Council and Llanbedr Dyffryn Clwyd Community Council in order that they may take part in debates on matters of importance to their communities. The Committee has also reviewed its procedures for the granting of dispensations and introduced a standard application form.

The Committee has also reviewed the training materials used in training elected members on the Code of Conduct following the production of a training pack by WLGA. In addition the Committee has reviewed the Council's Local Resolution Procedures for dealing with low level member on member complaints at County Council.

The Committee has considered the Council's Social Media Guidance insofar as it relates to the conduct of elected members. Social media is increasingly becoming a source of complaint by the public and elected members in respect of the conduct of members.

During this reporting period the Committee has also received reports on the Sanctions Guidance produced by the Adjudication Panel for Wales, and as a result, has amended the Council's Hearing Procedures for dealing with complaints referred to the Standards Committee by the Ombudsman following his investigation of a complaint.

- 4.5 During this period there have been two meetings of the North Wales Standards Committee Forum (the Forum). The Forum was comprised of the Chairs and Vice-Chairs of the Standards Committees of each of the 6 North Wales Councils together with the Snowdonia National Park and the North Wales Fire and Rescue Service. The Forum meets to discuss common interests and the Ombudsman attends occasionally. Ceridigion and Powys & Mid-West Fire and Rescue Authority have now joined the forum.

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

A fully functioning and representative Standards Committee which upholds the high standards expected of members helps underpin the Council's exercise of its democratic functions.

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

There are no implications for other services as a result of this report. .

**7. What consultations have been carried out?**

No consultations have been carried out save that Standards Committee has been consulted on the content.

**8. Chief Finance Officer Statement**

Not required.

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

There are no identified risks.

**10. Power to make the Decision**

The Local Government Act 2000; the Standards Committee (Wales) Regulations 2001 and the Standards Committee (Wales) (Amendment) Regulations 2006.

## Appendix 1

### **THE PRINCIPLES**

#### *Selflessness*

1. Members must act solely in the public interest. They must never use their position as members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

#### *Honesty*

2. Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

#### *Integrity and Propriety*

3. Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

#### *Duty to Uphold the Law*

4. Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

#### *Stewardship*

5. In discharging their duties and responsibilities members must ensure that their authority's resources are used both lawfully and prudently.

#### *Objectivity in Decision-making*

6. In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, members must make decisions on merit. Whilst members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

#### *Equality and Respect*

7. Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion, and show respect and consideration for others.

#### *Openness*

8. Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

#### *Accountability*

9. Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

*Leadership*

10. Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.



**Report To:** County Council

**Date of Meeting:** 2<sup>nd</sup> July 2019

**Lead Member / Officer:** Cllr Julian Thompson-Hill, Lead Member for Finance, Corporate Plan & Performance / Alan Smith, Head of Business Improvement & Modernisation

**Report Author:** Iolo McGregor, Strategic Planning & Performance Team Leader

**Title:** **Annual Performance Review 2018-19**

---

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

- 1.1 This report accompanies the council's draft Annual Performance Review for 2018-19, which the council is required to publish by 31st October each year under the Local Government (Wales) Measure 2009.
- 1.2 Ordinarily only the quarter 4 progress report is presented at this time of year. However, with changes to the way national measures are being reported, it was decided to bring the Annual Performance Review forward in a bid to present more current information to Members and Officers. National measures will be reported separately as they become available.
- 1.3 As well as providing the quarter 4 / end of year update on the delivery of the Corporate Plan 2017-2022, specific projects for delivery in 2019-20 are also highlighted, which previously formed part of our Annual Delivery Document.
- 1.4 The Annual Performance Review also includes case studies and examples of progress against our corporate priorities from the council's wider portfolio (i.e. it is not strictly limited to Corporate Plan projects). This recognises that services do other important work outside of the Corporate Plan that benefits residents.

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

- 2.1 To provide information regarding the council's progress as at the end of quarter 4, 2018-19 in delivering the Corporate Plan outcomes.
- 2.2 To inform members about Corporate Plan projects planned for delivery in 2019-20, which the council is required to publish to meet its improvement duty under the Local Government (Wales) Measure 2009.
- 2.3 Regular reporting is an essential monitoring requirement of the Corporate Plan to ensure that the council exercises its duty to improve. We monitor our performance regularly, taking quarterly reports to Scrutiny and Cabinet meetings, and produce an Annual Performance Review to evaluate progress.

2.4 A decision is required to approve the Annual Performance Review 2018-19.

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

It is recommended that, subject to any agreed changes, Council approve the Annual Performance Review 2018-19.

### **4. Report details**

4.1 The council's Corporate Plan 2017-2022 sets the strategic direction for the council and its priorities for the five-year period. The detail about what the council intends to do each year to help deliver these priorities is set out in annual service plans. The projects originate from Service and Programme Plans. Progress will be reported to Performance Scrutiny and Cabinet through our Quarterly Performance Reports.

4.2 This annual performance report provides a retrospective evaluation of the council's success in delivering against these plans during 2018-19, and whether the council has successfully fulfilled its obligation to make arrangements to secure continuous improvement. It also looks ahead to what will be delivered in 2019-20.

4.3 Appendix I contains narrative on the progress in delivering our corporate priorities, including the current status and programme progress. Included in each corporate priority subsection there are also case studies, sustainable development and equality & diversity information included. The Corporate Project Register, Corporate Risk Register, and Corporate Plan Performance Management Framework can be found at the back of the document. The latter gives the quarter 4 / annual position for 2018-19.

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

The Annual Performance Review includes an evaluation of the council's success in delivering against its corporate priorities.

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

There is no cost associated with this decision. Upon agreement of the recommendation, the document will be translated and made available online, and a press release will be issued informing people of the document's publication and its location.

### **7. What are the main conclusions of the Well-being Impact Assessment?**

A Well-being Impact Assessment (WIA) is not required for this report. This report provides a retrospective evaluation of the council's performance, and the decision to approve the report has no potential impact on people sharing protected characteristics. A WIA was undertaken on the Corporate Plan itself, and was presented to County Council when the plan was approved in October 2017.

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

The report has been developed by the Strategic Planning Team in consultation with other council services. The performance information contained within the document has been provided by services, and has been drawn from the Verto performance management system. Consultation has taken place with the Senior Leadership Team (SLT), Performance Scrutiny and Cabinet prior to seeking County Council approval.

**9. Chief Finance Officer Statement**

There are no significant financial implications arising from the report.

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

Failure to publish the Annual Review by the 31 October deadline would likely result in statutory recommendations from the Wales Audit Office, with significant implications for the reputation of the council.

**11. Power to make the Decision**

The Corporate Plan and the Annual Performance Review are key elements of the Wales Programme for Improvement (2010), which is underpinned by the statutory requirements of the Local Government Act 1999 and Local Government (Wales) Measure 2009.

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# Annual Performance Review 2018-19



This document presents the council's performance against its priorities in 2018-19 (quarter 4 update in appendix III), including the Public Sector Equality Duty; outlines our plans for Corporate Plan delivery in 2019-20; shows the progress of council projects; and highlights the council's progress in managing its risks.

## Language Signpost

Os oes angen mwy o wybodaeth arnoch, gofynnwch i rywun yr ydych yn eu hadnabod sydd yn siarad Cymraeg neu Saesneg i ffonio 01824 706291

If you need further information, please ask someone you know who speaks English or Welsh to telephone 01824 706291

Jeżeli potrzebują państwo dalszych informacji, proszę poprosić kogoś, kto mówi po angielsku lub walijsku żeby zadzwonił pod numer 01824 706291

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### For more information, or to let us know what you think, contact us:



By EMAIL:

[strategicplanningteam@denbighshire.gov.uk](mailto:strategicplanningteam@denbighshire.gov.uk)



By TELEPHONE:

01824 706291

Rydym yn croesawu galwadau ffôn yn Gymraeg /  
We welcome telephone calls in Welsh.



By POST:

Strategic Planning & Performance Team  
Denbighshire County Council, PO Box 62, Ruthin, LL15 9AZ  
We welcome correspondence in Welsh. There will be no delay in responding to  
correspondence received in Welsh.

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## Introduction by the Leader & Chief Executive

Every year we review our performance and evaluate success in delivering real benefits for our communities. 2018-19 represents the 2nd year of our ambitious Corporate Plan, which we continue to be proud of. The plan is based on thorough research of the strengths, challenges, and future risks and opportunities for our communities, coupled with extensive and in-depth conversations with our residents and professional colleagues. This report evaluates our progress so far.

We also know that we can't deliver this alone. This is a plan for our communities, and its scope has not been limited to that which is in the council's 'gift' to deliver. Therefore, working with residents, public sector partners, not-for-profit sector colleagues and the private sector will be important if we are to achieve our goals. You can read more about our approach to delivering against our plan by reading the Sustainable Development section under each priority.

In our approach to embed our equality duty, we confirm again our commitment to celebrating diversity and promoting equality in everything that we do, to improve the quality of life for everyone living, working and visiting Denbighshire. This commitment is demonstrated throughout the activities that take place in our Corporate Plan. Again, you can read commentary on how we are delivering for people with protected characteristics in the Diversity and Equalities section under each priority.

We are pleased to say that we have made good progress with our priorities during 2018-19. Rather than just 'making simple changes' our Corporate Plan challenges us to be more adventurous in stepping out of a business as usual mind-set and acting to change how things are done. New initiatives have and are in development with more people becoming involved and more collaborative working being progressed. Our aim is to focus on the impact we're having on the day-to-day lives of our residents. You can read about our plans for delivery in the year ahead at the end of each priority section in this document.



Judith Greenhalgh  
Chief Executive



Cllr Hugh H Evans  
Leader



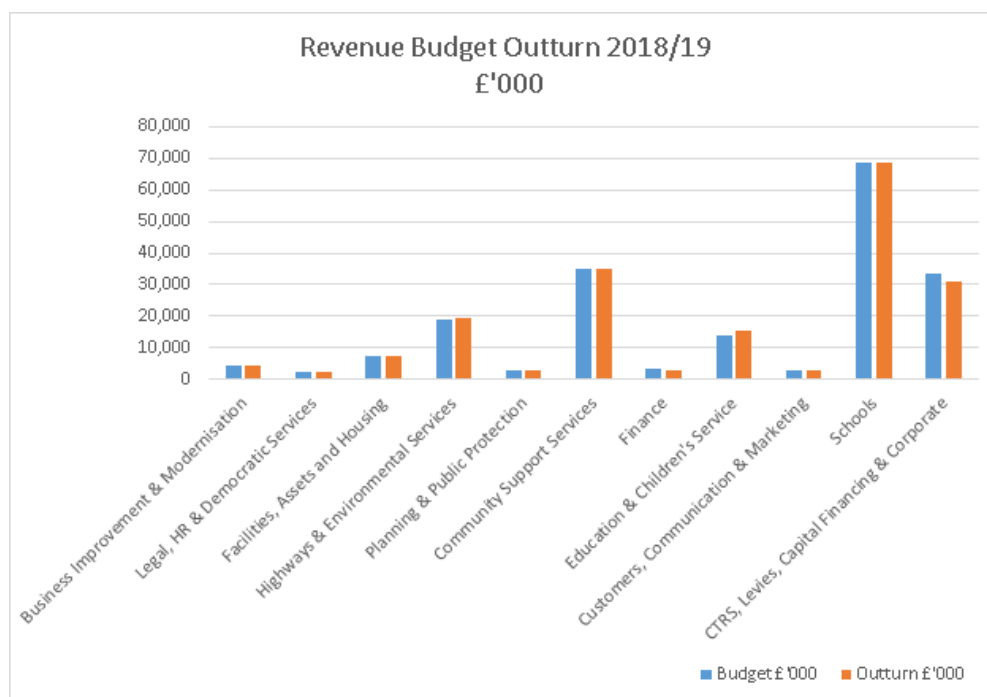


## Finance

The council sets a revenue budget each year. This revenue budget covers the costs of services that the council provides, and is paid for by Welsh Government Grants, Council Tax and Business Rate payers, and service users. For 2018-19 the gross revenue budget was £305.8m.

As part of the ongoing reductions to public spending, the funding available to local government has continued to reduce and the council has had to bridge a gap of £4.6m to balance the budget. The council identified £3.0m of corporate savings and a planned cash contribution of £2.0m from the use of balances and a specific budget mitigation reserve. This meant that services were protected as much as possible, and that they contributed £1.6m in efficiency savings.

To deliver its budgets for 2018-19, the council underwent a rigorous budget process to identify areas for savings and cuts. We asked all services except schools to identify efficiency savings amounting to 1% of their net budgets. Services other than schools and those delivering social care were also asked to identify further savings of 2.8%. In the autumn a series of meetings involving Cabinet members and Heads of Service considered the budget proposals, service reserves and further possible savings. All of this information informed the Medium Term Financial Plan, which sets out how the council will make these savings and takes account of known and likely changes to the council's budget settlement. Prior to approval by County Council, the savings were agreed with Heads of Service and Lead Cabinet Members, and presented to a series of councillor budget workshops. The table below shows where the council spends its money:



**Key:**

CTRS = Council Tax Reduction Scheme.

'Levies' is the levy paid to the Fire Service.

Capital Financing is the annual loan repayment and interest costs of council debt incurred to fund capital expenditure.

By the end of the year the council spent £0.481m less than it budgeted for on services and corporate budgets, including schools delegated budgets. Service balances at year-end were £0.309m. Although it remains a difficult financial period for schools, investment in school budgets in 2018-19 (which more than funded inflationary pressures) and the close working relationship between the council and schools in producing robust three year financial plans, has resulted in an improved financial position for schools. Schools reported an in-year underspend of £0.173m resulting in a net deficit balance of £0.171m. During the year the council made a net contribution to a budget mitigation reserve. This is part of the council's ongoing budget strategy.

There have continued to be reductions in the council's funding. However, due to the use of cash from the Budget Mitigation Reserve (£2.0m) and the identification of savings from corporate budgets (£0.5m), the level of savings and efficiencies required from services and schools for 2019-20 has been kept as low as possible (£3.9m from services and £1.3m from schools). The budget process for 2020-21 is also underway. An initial budget gap of £5.5m has been identified for 2020-21 and the council's Budget Board is leading the response and approach to this challenge.

## Funding the Corporate Plan

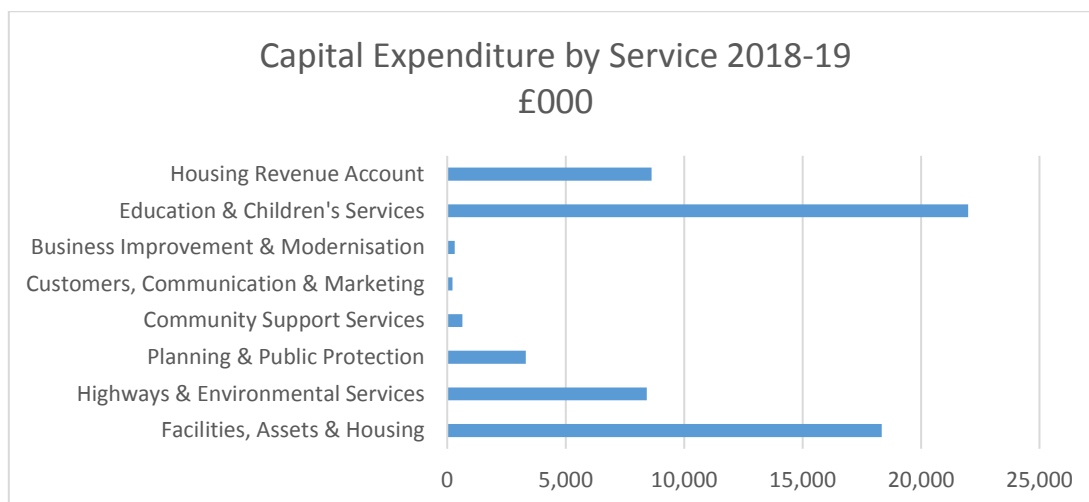
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Projects that support our Corporate Plan priorities will require significant capital investment, others revenue funding, and some may be delivered at no additional cost. We think we need to invest somewhere in the region of an additional £135m in our corporate priorities during the life of the Plan, if we are to achieve all that we'd like. To pay for the capital investment identified, we will need to commit revenue budget and cash to the priorities. During 2017-18 we identified £0.5m of our revenue budget for 2018-19 and £1m cash to support the new corporate priorities. A further revenue contribution of £0.5m was secured through the 2019-20 budget process.

Although £135m is a large sum, the council would not have to provide all of this money itself, in reality contributing around £71m of the £135m. For example, we plan to use income from housing rent to help fund the new council housing; and we expect that grants from the Welsh Government will be available to help fund the planned work to our flood defences, and to improve schools. During 2018-19 the council continued to deliver significant investment in schools, which included £12.8m on the new Christ the Word Catholic School in Rhyl, and £5.6m on new schools in Llanfair Dyffryn Clwyd and Clocaenog.

With these levels of additional investment in the Corporate Plan, we must deliver drastic improvements. If we are successful – and we believe we will be – Denbighshire will be fit for the future, and continue to be one of the best places in the UK to live, learn, work and visit.

Total capital expenditure across council service areas is shown below:



### Are we doing the right things?



Our recent Residents' Survey received 2,571 responses and covered eight topic areas. Questions were aligned to our Corporate Plan priorities, and the results support the interventions we're making, based on the issues identified. Results and key messages relating to the priorities are included in our [Residents' Survey Report](#).

Our programme management approach to delivering our Corporate Plan ensures that we stay focused on our long-term goals, take collective responsibility for the actions that we take and our approach to those actions, and regularly check that the direction we're taking remains relevant and sufficiently ambitious.

We have two established Programme Boards:

- Young People and Housing Board
- Communities and Environment Board

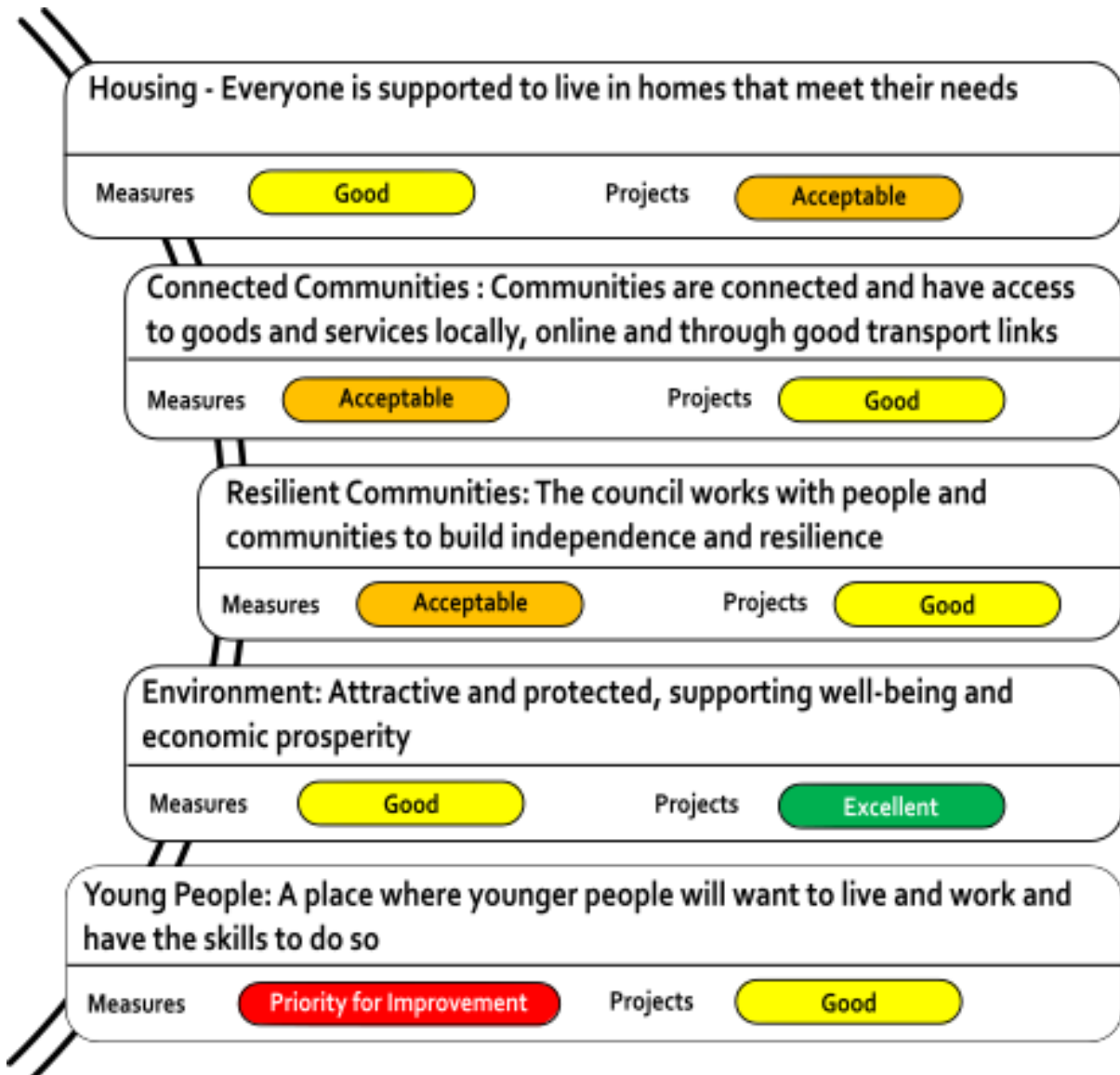
In April 2019 a special joint board 'review' was held to examine our progress towards achieving our Corporate Plan vision, identifying any gaps, and checking that the required resources and governance are in place. Boards, which comprise of senior managers and Cabinet members, confirmed our approach and the projects that we have in place. Some additional activity to enhance the benefits from our work was also identified, which we will take forward in 2019-20. You can find out about the projects that we are delivering under 'What are we doing in 2019-20?' at the end of each priority below.

## Performance Summary

This is the summary position for our Corporate Plan in 2018-19.

The overall evaluation for each priority has been determined by the performance measures that we have in place (see appendix III for details of these).

The projects evaluation section for each priority has been determined by the status of its projects.



As you can see, at this early stage in the Plan's delivery, it's possible for our performance against our Measures to be poor but our Projects to be strong.

As we progress towards the completion of this Plan, we'd envisage that both would match positively (i.e. we would aspire for both to be at least 'Good').

So far, the Corporate Plan has delivered...



Superfast coverage has increased

2017 **83%** → 2018 **91%**

4G coverage on A and B roads increased by over

**300%**

Number of areas without 10mbps broadband speeds incapable of streaming high definition video

**almost halved**

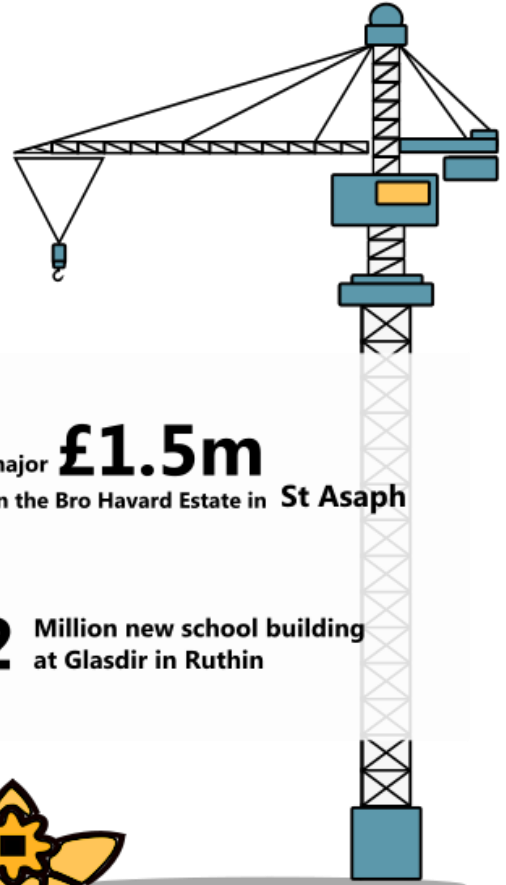


Community Resource Team established in **Ruthin**



**1st**

roadside nature reserve to protect an animal created at Boncyn Foel Bach, Hiraethog



We have delivered a major **£1.5m** improvement project on the Bro Havard Estate in **St Asaph**

**£11.2** Million new school building at Glasdir in Ruthin



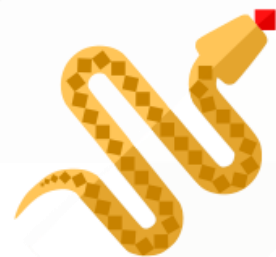
**5,800** native broadleaved trees planted

**1st**

local authority in the UK to use herbicide-free weed killer

Denbighshire children have designed a logo to promote the council's

**Bee Friendly status**



## HOUSING: Everyone is supported to live in homes that meet their needs

**Key Measures:**

Good

**Project Progress:**

Acceptable

An additional 124 new homes were delivered in Denbighshire during 2018-19. This is on target with our Corporate Plan's aspiration of delivering an additional 1,000 homes over five years. We have also delivered 23 affordable homes in 2018-19. Our ambition is to deliver 260 by 2022.

We know that a substantial number of people in Denbighshire are unable to afford market rent or purchase. In response to this a new Affordable Housing Register to help people secure their own home was launched: Tai Teg. This register offers an opportunity to access a range of opportunities through new builds and vacancies within existing housing for people who are employed but who cannot afford market housing. This is a partnership project being led by Grŵp Cynefin with North Wales councils and other housing associations.

For details of support available and eligibility criteria, please visit the [Tai Teg](#) website.

The Single Access Route to Housing (SARTH) register had 1,148 people on it as at 31<sup>st</sup> March 2019.

In our Residents' Survey 2018, for the first time we asked about levels of satisfaction with housing throughout the County.

- 42% of respondents were satisfied with the availability of housing, while 26% were dissatisfied (33% had no opinion).

- When it came to the standard of housing, over half of respondents (52%) were satisfied, and 17% were dissatisfied (30% did not know).

We recognise the supply and quality challenge with housing in Denbighshire,

which is why the provision of and access to new homes is a corporate priority. Being more adventurous, for the first time in 25 years the council will be building some of its own homes. The additional council housing developments project involves using the funds within the Housing Revenue Account to support investment in the provision of 170 additional homes for social rent by 2022. The first developments are scheduled in Rhyl and Prestatyn and will involve the construction of new energy efficient homes.

Our project to bring 500 empty homes back into use will work closely with private landlords to reduce the number of empty homes in

the County, addressing those that have become a focus for crime, anti-social behaviour and neglect. Homes may lie empty for a variety of reasons, including difficulty in establishing ownership, inability to sell, family disputes, the need for significant work, or the owner having an unrealistic value. The aim is to unlock the potential of

### DID YOU KNOW?

For the 1st time in 25 years, Denbighshire is building new Council homes

### DID YOU KNOW?

We've already brought 332 empty properties back into use

long-term empty homes, and promote attractive, safe and sustainable neighbourhoods. We have a package of financial assistance that provides grants and loans for improvement work, and we also provide advice and support. However, there will be times when it is necessary to use enforcement measures, particularly in cases where owners are unwilling to engage.

## Case studies

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### Improving Neighbourhood Environments

In 2018-19 we completed a major £1.5million environmental improvement project on the Bro Havard Estate in St Asaph, Denbighshire Housing, along with the contractor, undertook the following works for the benefit of tenants and the community:

- Highway reconstruction.
- A new road on Stanley Park.
- Additional parking facilities.
- Improved pedestrian links.
- Additional traffic calming measures.
- Soft landscaping.

This closely links to our Environment Priority, as the landscaping consisted of native species tree planting, shrubs and wild flower areas that will provide year round colour and interest for the residents, as well as enhancing the biodiversity on the estate.

### Preventing Homelessness

Our Tenancy Support Team are experienced at helping those on the edge of homelessness. In a recent case, an individual (who was in employment but whose hours were not enough to claim working tax credits or to come off the benefit cap they had been granted) sought the team's advice because they were in debt to their landlord. The council helped to reach an agreement with

the tenant and the landlord to backdate a Discretionary Housing Payment (DHP) to help reduce the arrears, whilst giving the individual concerned budgeting advice and support. This person is now managing their finances well and paying their rent shortfall on time.



## Sustainable Development

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We are committed to raising the energy efficiency standards of our current housing stock. Originally we had pledged that all of our stock would reach the energy efficiency rating of 'C' by 2022. However, as we have developed our approach we now know that this would not be financially realistic. We anticipate, however, that 70% will achieve the standard by the end of the Corporate Plan. This pledge compliments our Environment Priority, and will also prevent the risk of fuel poverty for our residents.

Our Corporate Plan outlines our commitment to increase the supply and accessibility of housing to people with protected characteristics, particularly those of age and disability. In response we are collaborating with Registered Social Landlords, private landlords, and homebuilders.

We have made a joint commitment to end homelessness in North Wales. The six counties of North Wales, have joined in partnership with the Chartered Institute of Housing Cymru, to publish:

## [‘People, Homes and Services: A regional approach to tackling homelessness in North Wales.’](#)

Recognising that homelessness, and the issues that cause it, have no regard for local authority boundaries and that if we are really going to address this issue, then all six councils need to work together to join up data, services and solutions.

### Equality and Diversity

By managing a diversity of housing stock and creating acceptance for alternative living, Denbighshire County Council endeavours to facilitate everyone’s right to a safe and secure place to live.

We now have 17 Syrian families living in the County. The families are housed in County-wide locations. The Home Office have determined that the scheme will come to an end as at 31st March 2020, and not at the end of that year as originally assumed. The final date for accepting families will be 31st December 2019. This means that Denbighshire’s revised target will be 20 families, adhering to our commitment of resettling 5 families in each year of the scheme.

Enabling people to better maintain their independence and continue to live safely in their own homes is important to us, and we are continuing to support people to achieve this. A total of 131 Disabled Facilities Grants were delivered throughout 2018-19 (an increase of 30 from the previous year).

Long-term Specialist Housing for people with Complex Disabilities was secured for 10 people during 2018-19 compared with 7 in 2017-18. These efforts have reduced the specialist housing waiting list. However, some long-term complex cases will take more significant efforts to resolve.

### What are we doing in 2019-20?

We will continue to deliver against the projects that support this priority throughout 2019-20.

- **Empty Homes Back Into Use:** We will raise awareness of the issue of empty homes and the role the council can play in assisting to bring them forward by attending landlord forums, City, Town & Community Council meetings, and other interested parties. We will also continue to work with Registered Social Landlords, private landlords and internal partners to explore innovative ways of bringing more empty homes back into use. For 2019-20 we aim to bring back at least 130.
- **Additional Council Housing:** We aim to have completed the first development in Rhyl by summer 2019, and continue to make progress with the development of sites across the County. By March 2020, we will have provided 12 additional Council Homes and we expect that planning permission will have been granted for developments that will provide a further 43 Council Homes.
- **Extra Care Housing:** We will progress with our Extra Care Housing in Ruthin and Denbigh. The completion of the Denbigh site remains as autumn 2020; and the building works for Ruthin will start in October 2020 at the latest.
- **Affordable Housing:** At least an additional 53 affordable homes will be brought forward in 2019-20. Our recent review of the Corporate Plan will also see a project developed to explore the provision of housing for young people.



## CONNECTED: Communities are connected and have access to goods and services locally, online and through good transport links

### Key Measures:

Acceptable

### Project Progress:

Good

At January 2019, Denbighshire had 91.1% coverage of superfast broadband (>30mbps) – an increase of 0.3% since the last period. In terms of UK rankings, Denbighshire's position has slipped further still since the last period. Out of all 650 constituencies in the UK, Vale of Clwyd is 393<sup>rd</sup>, Clwyd South has improved slightly to 532<sup>nd</sup>; however, Clwyd West has slipped from 571 to 573. Our ambition was to have, as a minimum, 90% coverage at this stage in the delivery of our Corporate Plan.

Currently 5.29% of premises in Denbighshire have broadband speeds of 10mbps or below.

The Connected Nations Spring Update published in January 2019 has shown that 4G coverage on A and B roads from all four network operators has improved very slightly from 48.08% to 49.59%. The general trend, which is not expected to change, is that the percentage coverage in Denbighshire is lower than that across Wales, which is in turn lower than the UK average. Our ambition was to have achieved 60% by March 2019, and 80% by the end of the Plan. We will continue to monitor the data closely as we work with mobile providers to improve connectivity.

We recognise more needs to be done, and we will be progressing with our project to make superfast broadband and mobile networks available to everyone in Denbighshire. Our ambition is for there to be 100% superfast coverage with no premises

with broadband speeds of 10mbps or below by 2022.

We recently asked residents about their experiences of using the internet and mobile phones, in addition to questions we've asked before about their experiences of public transport.

- 35% of respondents said they experienced difficulty in accessing local public services by public transport.
- 51% had difficulty accessing public services because of problems with mobile phones, and 52% because of problems with the internet.
- 52% agreed with the statement that 'poor broadband / mobile phone signal hinders me from accessing services'.
- When asked how happy people felt to use the internet to access services, 82% of people reported that they were happy, and 72% said they were happy to access services via mobile phone.

In terms of barriers to accessing digital services, roughly one in ten said they did not have the skills to use the internet or reported that they could not afford to use the internet. Two in ten people reported that they could not afford a mobile phone.

We recognise that some residents experience barriers accessing the internet and problems travelling around. For this reason we have a number of new projects to ensure communities have good digital and transport infrastructure.

Based on a number of factors (including broadband and mobile network availability, digital skills, basic skills, age, education, income and health), the overall likelihood of digital exclusion in Denbighshire is considered to be high. A business case to work with partners to support people in Denbighshire to reduce digital exclusion is now being developed.

In order to make it easier for people to access services online, we will ensure that council information and services will be easy and simple to use. For example, we are introducing a new Customer Relationship Management (CRM) system.

While endeavouring to make it easier for people to do what they need to do online, travel remains a crucial feature of good connectivity. Travel has been highlighted as a problem and as a barrier to accessing work, education and services for some time. The difficulty has been most closely associated with the perceived inadequacy of bus services, particularly in rural areas.

For example, based on 2014 Welsh Index of Multiple Deprivation (WIMD) data, 8 of 58 of Lower Super Output Areas (LSOAs) in Denbighshire were among the 10% most deprived in Wales in terms of Access to Services. Typically, the LSOAs that performed poorly in this category did not usually feature other deprivation factors.

We are developing a project to improve travel connectivity across the County, which will probably be delivered in stages. This is likely to involve public transport, active travel, online payment options (for parking for example), electric vehicle charging, and potentially schemes for people in or at risk of poverty who struggle to get work. It will be a complex project and significant work with

partners and residents will be required to ensure it is based around user needs.

Good travel connectivity requires a safe and maintained road and bridge infrastructure. In 2018-19, Denbighshire's performance against national road condition indicators was as follows.

In poor condition:

- 3.4% of principal roads (A), a decline compared to 2.7% in 2017-18.
- 4.7% of non-principal (B), an improvement from 5.1% in 2017-18.
- 8.2% of C roads, improved from 10.2% in 2017-18.

Our overall road condition score for 2018-19 was 379,974, slightly worse than the previous year (362,092).



Our response to the percentage of damaged roads and pavements made safe within the target time slightly increased to 97.5% between January and April 2019. Of the total number of 203 incidents for the period, 198 were made safe within the timescale.

Despite this, our Residents' Survey 2018 shows a decline in satisfaction with our road and street maintenance since 2015 (from 57% down to 42%; and from 54% to 49% respectively).

The discrepancy between this and our comparatively healthy / improving measures is because the national indicators are based

on a survey that looks at more than just the surface condition, considering conditions at foundation level too. The Residents' Survey results will be based on perceptions of road condition that are limited to what people see at a surface level. A road in poor condition may appear to be in good condition but at foundation level it could be on the point of failure, and vice versa.

A project to improve infrastructure to make it easier to stage events in the County has been approved. The project is focused on making it easier for communities to host events through a mobile inventory of equipment to hire, and through 'rural focus area' / town centre events infrastructure investments in four areas. Infrastructure investments could include plug-in power, changing pedestrian / traffic flow or other events-related equipment. This could also provide areas with the infrastructure needed to develop a 'town centre experience', e.g. live performances, and can be used to support visitor growth and business development. Schemes will be developed in partnership with stakeholders in each of the areas, specified and tendered. Key to the success of these investments is making it easier and cheaper for communities to host events, especially where such events have a strong historical foundation of success and there is confidence that they will continue to take place in the future.

## Case studies

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### Fflecsi

Extra public transport was made available in July 2018 thanks to a pilot scheme in parts of south Denbighshire. The scheme called 'Fflecsi', operates alongside existing local bus services to give rural residents in the pilot

villages a service on at least five days a week (between 9am and 2.45pm). The pilot will be evaluated in 2019-20.



### A community pilot exploring community-led options and approaches to improving connectivity

We are exploring options to encourage local schemes to improve connectivity where:

- Housing exists in areas of poor broadband coverage and speed;
- Falls into either an area with no superfast coverage, or is not likely to be part of Superfast Cymru 2 roll out.

The focus on this work will be community-led, with the council and social housing partners taking a supportive role.

## Sustainable Development

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As a council, we recognise the importance of staying connected. This means investing in the technologies that will keep our

communities connected in the long-term, which is why we are working with partners such as the Welsh Government's Superfast Cymru project.

We also recognise that connectivity is complex. While we want to improve travel infrastructure in Denbighshire, we also recognise that some people may want to remove the need to travel at all, by accessing goods and services (or working) online. We know some residents may not feel confident, or lack the skills or means to access services online. For this reason, all of our Corporate Plan projects are managed together as a programme to ensure we plan in a joined-up way that maximises opportunities.

Active Travel means walking and cycling (including electric wheelchairs and mobility scooters) for everyday short-distance journeys, such as journeys to school, work, or for access to shops, services and bus / rail stations. By investing in active travel we are encouraging people to adopt healthier lifestyles and promoting lower carbon transport. This is a preventative approach that integrates complementary goals, and will require working with our partners to design and deliver the solution.

### Equality and Diversity

Keeping our communities connected allows everyone to have a voice. Whether this means the ability to access the internet, reach a meeting, or communicate in their chosen language.

We continue to monitor the percentage of people reporting they were able to communicate with us in their preferred language. 97.7% of Community Support Services' service users say they are able to communicate in their preferred language.

Improvements to active travel routes are also benefiting people with disabilities through improved accessibility, particularly in relation to routes linked to schools.

Our corporate plan projects to improve council information and services online and to tackle digital exclusion will include interventions to ensure services are accessible for everyone.



### What are we doing in 2019-20?

We will continue to deliver against the projects that support this priority throughout 2019-20:

- **Access to Work, Education and Services:** We will undertake research to help us understand the problems that people face in accessing work, education and key services. We will continue to invest in active travel and parking improvements, and we will review the effectiveness of the Fflecsi pilot in August 2019.
- **Roads & Bridges:** During 2019-20, we will deliver the third year of a 10-year maintenance programme for bridges and other highways structures. The aim of this programme is to minimise the need to implement weight restrictions on our bridges.
- **Superfast Broadband and Mobile Networks for All:** During 2019-20 we

will support a community pilot; ensure new housing developments are fit for purpose from a connectivity perspective; improve information about options for improving connectivity; and explore whether our own assets could be used to improve connectivity.

- **Accessible Information and Services:** From March 2019 we will be implementing our new Customer Relationship Management system. The new system will give us better performance information about the number of transactions taking place online, on the telephone, or face to face.

- **Digital Exclusion:** Subject to approval and funding, in July 2019 we will target those most likely to be digitally excluded so that they have the skills and means to use digital services.
- **Event infrastructure:** Work will commence in September 2019 to improve the way the council handles 'big event' enquiries. We will also work with communities to develop an inventory of mobile equipment that will be available to hire and to identify areas in need of fixed events infrastructure.



RESILIENT COMMUNITIES: The council works with people and communities to build independence and resilience

Key Measures:

Acceptable

Project Progress:

Good

We've been working closely with our residents to make it easier for them to deal with challenges in their lives, both by improving support and by listening more closely to our communities and helping them achieve their goals.

DID YOU KNOW?

In the Residents' Survey 2018, 85% of you felt a strong or some sense of belonging with your local area

In the Residents' Survey 2018, new questions were asked regarding community cohesion and resilience.

The results showed that:

- 67% of respondents felt their local area was a place where people from different backgrounds get on well together, and 18% disagreed (15% did not know).
- 59% thought that their local area was a place where people will pull together to improve the local area, with 30% disagreeing (11% were unsure).

In 2018-19 we completed our Community Planning and Development Resource project with many community planning activities being held throughout the County. Driven by the aspiration of supporting communities, we have published Community Development

web pages that offer advice and guidance on a range of subjects to support their planned activities.

Find out more: [Community planning](#)

During 2019 more events are planned to take place. These will be themed in order to allow focus on key areas of interest for communities across Denbighshire and funding priorities for the Clocaenog and Brenig Windfarm funds, which are due to open to applications during the year. The first of these events will be held in May, focusing on exploring the use of community share offers and community led enterprises to support community resilience.

DID YOU KNOW?

You can find out what funds are available for your community on our website [Community funding and grants](#)

The average length of time adults (aged 65 or over) are supported in residential care homes for the year decreased to 993 days. Although this is high in relation to the Wales average (800), it is understood that Denbighshire has a high average age population. This is the first time our figure has been below 1,000 days.

We have worked, and continue to work, to reduce the number of new admissions to residential care homes through the use of both modern and traditional care packages

in the home, and by working with people to maximise their independence.



2018-19 saw the launch of our [County Conversation Portal](#) to make it even easier for you to tell us what you think.

We will use the [County Conversation Portal](#) to ask you for your thoughts and give you the opportunity to get involved!

This priority itself does much to tackle key equality concerns, through user empowerment and involvement in the shaping of services to:

- Ensure people can access the right information first time, however they contact the council.
- Support carers to help them sustain their roles as carers.
- Facilitate Community Development and Empowerment.
- Strengthen our approach to tackling domestic abuse.

Because of changes to the way the North Wales Police record domestic crimes, we will need to change our Corporate Plan measures around domestic abuse. We will now look to use the National Incident Category List (NICL) for our data.

Another of our indicators originally agreed upon was to show the percentage of projects that have considered the 10 National Principles of Engagement within their Well-being Impact Assessment. This has not proved a useful measure, and it is felt that there are now more meaningful engagement measurement tools available, which we will explore in 2019-20 in place of this.

Projects around tackling domestic abuse (through awareness for staff and young people), and enabling information that supports resilience and independence are also being progressed.

It's important to note that many of the projects under this priority put in place preventative measures that should have a positive effect but will take time to realise.

Feedback from the 2018-19 Community Support Services annual "Have Your Say" citizen survey showed that:

- ✓ 84.5% felt they have been actively involved in decisions about their care and support (147 out of 174 people).
- ✓ 97.7% were able to communicate in their preferred language (167 out of 171 people).
- ✓ 97.1% felt that they were treated with dignity and respect (166/171).

A significant project is that of designing seamless health and social care services in the form of Community Resource Teams. Denbighshire is working in partnership with Betsi Cadwaladr University Health Board (BCUHB) to deliver this project, with BCUHB being the lead delivery partner. The aim of the Community Resource Teams is to deliver comprehensive, flexible and responsive multi-agency and multi-disciplinary community health and social care services. These are easily and seamlessly accessible from the citizen's perspective. Ruthin's Community Resource Team was established in February 2019. Rhyl's has been in place since 2017. The project will next look at Denbigh.

We're also currently running a project to support adult carers so that:

- Carers will be more resilient and independent.
- Carers will be well informed and will feel supported within their communities.
- Carers will be able to live a fulfilled life.
- Carers will be able to care for longer, if that is their choice.
- Citizens of Denbighshire, and those working within Denbighshire, will have a greater understanding of the importance of supporting carers.

### DID YOU KNOW?

Across Wales, 370,000 people are carers, supporting a loved one who is older, disabled or seriously ill. Denbighshire has 11,600 carers

83% of carers have reported that they feel safe, up from 71% the previous year. 75% of adults reported that they feel safe, up from 73%.

During 2018-19, the council dealt with 622 adult protection enquiries. Following an in-year dip, at year end the council completed 68% of these within 7 days. This is still below the Wales average of 85%, but changes have been made to staffing and our approach to general case management to improve performance. When available, you can read our 2018-19 [Director of Social Services Annual report on this webpage.](#)

### Case studies

#### Carer's story

Here is the story of one carer, who has recently moved to the area with her family:

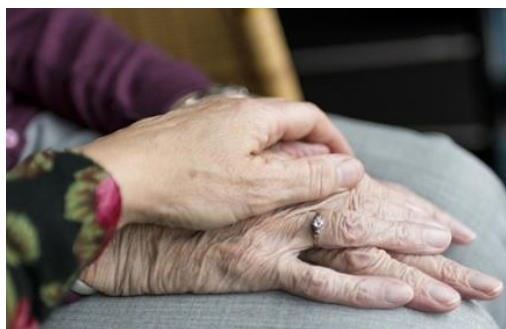
### DID YOU KNOW?

We were named Best Local Authority Arts Project Encouraging Community Cohesion for our Lost in Art project

*"Together with my partner, I have been caring for my partner's mother who had Dementia for 14 months now. She is 93 years old. My role involves helping her with everyday tasks such as dressing, washing and helping her get up in the morning and putting her to bed at night.*

*I feel that it is better for her to be cared for in familiar surroundings at home with people she knows. As she has Dementia, no day is the same, so we just take each day as it comes.*

*We are fortunate to have support from the council, which allows my partner and I to have some free time to go out together. The support pays for someone to come and sit with her whilst we go out. I also have had good support and information from the North East Wales Carers Information Service (NEWCIS)."*



For more information about carers and how to get an assessment, contact:

Denbighshire's Single Point of Access on

**0300 456 1000**

or

North East Wales Carers Information Service (NEWCIS) on **01745 331181**



## Community Navigator - Bringing information out to the community

*"I recommended the DEWIS Cymru website to someone who recently moved into the area and was feeling lonely. When I next saw them, they were delighted and listed all the clubs they were interested in attending. They said it was a brilliant resource and thanked me for being so supportive."*

## Sustainable Development

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Within this priority we are taking forward an important engagement project that intends to both strengthen our approach to managing our involvement processes, and also move towards more of a co-production type of model. This will see residents being involved with shaping services much earlier than is usually the case, and in an ongoing manner. Developments here will lay the foundations for stronger involvement in general. A number of projects that are planned will require a collaborative approach, namely:

- Improving support for carers.
- Integration of health and social care.
- Tackling domestic abuse.

All are also driven by a desire to prevent further need.

We are currently carrying out a consultation to help us improve support for carers in Denbighshire, to ensure that they are actively involved in shaping our services. More information can be found on [our website](#).

Denbighshire County Council supports Dewis Cymru in their goal to provide a place for information about well-being in Wales. Dewis Cymru is a single point of information

for over 6,000 local and national services aimed at maintaining personal well-being. By supporting this service we hope to help people work out what matters to them, and to give them information and services to help with their well-being, and a place to go for information if they wish to help someone else.

June 2018 saw an exciting chapter for Denbigh Library and One Stop Shop as it opened its doors to the public following a major refurbishment that has modernised facilities and provided new areas for community involvement.

The brand new refurbished building included:

- New reception / One Stop Shop enquiry desk.
- Dedicated self-service computer to access council and partner online service.
- New self-service issuing kiosk.
- Redesigned flexible children's zone.
- Refurbished meeting room.
- Free Wi-Fi.
- New and improved Tourist Information Point.
- Exhibition of local history items and information.
- Flexible consultation areas for community use and library activities / events, information surgeries and private 1-2-1's, which can be opened up into one large area.
- Relaxing area for informal study.
- IT learning / educational zone for training.

## Equality and Diversity

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In July 2018, Blue badge holders living in Denbighshire saw the introduction of being able to park in the council's public car parks for an additional hour, granting the

additional hour on top of the expiry time printed on your pay and display ticket. The extra hour was deemed as a 'reasonable adjustment' under the Equality Act 2010, and has also been implemented by some other councils that charge blue badge holders for parking.

During October 2018 half term, Rhyl Library hosted Storytime with Mama G, a drag queen who tells stories with an LGBT theme. Combining panto, drag and the traditional art of story-telling, Mama G shares tales that celebrate being who you are and loving who you want. 36 parents and children attended the free session at Rhyl Library and it was received very positively.

LGBT picture books are now available at the library, which include; 'And Tango Makes Three', 'King and King', and 'Daddy, Papa and Me'.

Dementia Friends training and training to raise awareness of Dementia, is held across Denbighshire with many venues (such as libraries) acting as community hubs, open to community groups during out of library hours with meeting rooms and moveable furniture. We also now have a new project where we are working towards becoming a Dementia Friendly Council.

#### DID YOU KNOW?

Denbighshire will be working towards becoming a Dementia Friendly Council

The council has been working to respond to the requirements of the Social Service and Well-being (Wales) Act 2014 through its programme to modernise the way social services deliver. This work places greater emphasis on the outcomes of individuals, including outcome-focused conversations. Children and adults receiving support and

service provision are offered a "What Matters" conversation for individual support packages.

The Older People's Commissioner for Wales has launched a strategy for 2019-22, "[Making Wales the Best Place in the World to Grow Older](#)". The Commissioner has set out three key priorities and will be taking action to end ageism and age discrimination, stop the abuse of older people and enable everyone to age well. We have examined the Strategy in detail to ensure that our work aligns with the three key priorities identified by the Commissioner, and we are confident that we will be delivering against the activities outlined, either through our Corporate Plan projects, or with our service provisions. We will, nonetheless, be looking to refresh our Ageing Well in Denbighshire Action Plan by the end of 2019.



#### What are we doing in 2019-20?

We will continue to deliver against the projects that support this priority throughout 2019-20:

- **Community Planning:** We will be developing resources to support access to approximately £850k of Wind Farm community grant funding by March 2020.

- **Access to Information:** We will ensure people have access to consistently good information in a variety of formats (e.g. online, face-to-face). Dewis Cymru will offer the main platform for gathering well-being information. We will work to ensure that services and partners maximise its use (complimented by our Libraries, Talking Points, Family Information Service, Community Navigators and Flexible Funding Programme) by December 2019.
- **Having your Say:** We will enhance use of the [County Conversation Portal](#) by March 2020 to ask you for your thoughts, and give you the opportunity to get involved with as much as possible.
- **Reduce Domestic Abuse:** We intend to develop a County-wide approach to reducing violence, domestic abuse and sexual violence against men and women over the duration of the Corporate Plan.
- **Supporting Carers:** We will be refreshing and agreeing new actions to support carers in Denbighshire by March 2020. We will also offer an E Learning module related to carers, which will be mandatory for personnel, offering awareness of carer roles and responsibilities and how we may help

individuals. Training should be completed by December 2019, with monitoring processes in place at that time.

- An interdependent project will offer continued support for care leavers to engage with appropriate career pathways and opportunity for education, employment and training, developing their readiness for work.
- **Seamless Health & Social Care:** We will be establishing a Community Resource Team in Denbigh by March 2020. This will include maintaining our focus on recruitment and retention of high quality Social Services staff in an environment of increasing complexity and decreasing resources.
- **Dementia Friendly Council:** By March 2020 we will develop a corporate approach to work jointly with the Alzheimer's Society, aspiring to become a Dementia Friendly organisation. Our work to increase the number of Dementia Friendly communities within Denbighshire will be progressed and we will demonstrate actions to deliver positive outcomes for people living with Dementia, or for carers of those living with Dementia in the County.

## ENVIRONMENT: Attractive and protected, supporting well-being and economic prosperity

### Key Measures:

Good

### Project Progress:

Excellent

Results from the Residents' Survey 2018 showed high levels of satisfaction with open spaces in Denbighshire, resulting in:

- 87% were satisfied with the local countryside.
- 70% were satisfied with the County's beaches.
- 64% were satisfied with local parks.

Weekly countryside volunteer tasks have taken place at Glan Morfa in Rhyl throughout the autumn and winter, which has resulted in this year's allocation of 2,400 trees (4,800 in total so far) being planted. The tree planting has provided an ideal focus for participation by the local community, various groups and local schools. The overall aim is to transform a former tip with numerous environmental quality issues into an attractive Green Open Space and Community Woodland. Strong links have been made with a variety of schools and local groups who will be attending regular volunteer sessions at the site throughout 2019.

Tree planting has also commenced in Upper Denbigh with 1,000 trees of local provenance being planted on the boundaries to the allotment site. This not only contributes to our tree planting target in Upper Denbigh but also ensures that allotment sites in Denbighshire are more biodiversity friendly. In total 1,800 trees / shrubs will have been planted.

### Other Biodiversity project highlights:

- New adder survey sites.
- Work to support our Sand Lizards.
- A project to survey and support our dormouse habitats.
- Volunteer training to assist with biodiversity surveys.
- Guest lectures with Glyndwr University.
- Biodiversity Days with the Assistant Rangers.

At the end of the year, the numbers of black grouse, little terns, adders, sand lizards and bees was at an 'acceptable' level (according to our own performance standards). These species and groups of species are considered to be of particular importance due to a combination of their small or declining populations, and limited range. We have outlined plans to improve the populations of these species over the course of the 5 year plan.

### DID YOU KNOW?

There were 664,502 visits to our countryside and heritage sites during 2018-19

October 2018 saw us become the first local authority in the UK to use the latest herbicide-free weed killing technology. The council's Countryside Service took delivery of the new 'Foamstream M600', which uses heat and an organic foam made from olive oil to kill weeds. The foam is non-toxic and will enable the council to reduce the amount of herbicides it uses to control unwanted growth of plants and non-native invasive

weeds, including in sensitive areas such as Sites of Special Scientific Interest, Special Areas of Conservation, and County wildlife sites.

### DID YOU KNOW?

Denbighshire is the 1<sup>st</sup> in the UK to have a Roadside Nature Reserve to preserve adders

Based on a National Flood Risk Assessment in 2012, 16,750 properties in Denbighshire were in a flood zone, which is between 20% and 30% of all properties in the County. The 'Flooding in Wales' report identified 3,250 properties as being in severe risk of flooding, with a further 13,200 at moderate or low risk. The East Rhyl Coastal Defence Scheme is 'on target' and is anticipated to be completed in 2020, with 500 properties of those properties at severe risk benefitting from a reduced risk of flooding.

The council has drafted and consulted on a new tourism strategy, which focusses on how we can make the most of our assets as a County; our seaside, our market towns, our heritage assets and our wonderful countryside. A significant proportion of our business already comes from tourism and this continues to grow. The new strategy will be published very soon!

### Case studies

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#### Storm Hector – 'Terns' out Volunteers

At the end of June 2018 the little tern colony was subject to Storm Hector, which caused damage to nests and fences. More than 20 volunteers, members of the North Wales Little Tern Group, and staff from Denbighshire Countryside Service helped clean up the site, rescue eggs and repair damage caused to fences. This community

response has mitigated the impact on the colony. This breeding colony is the only one in Wales, and one little tern ringed 25 years ago is believed to be the oldest recorded in the world. Seasonal viewing structures and a visitor centre also opened at the site in 2018.



#### Bee Friendly

Last year the council was awarded 'Bee Friendly' status from the Welsh Government. Early 2019 we offered children aged 5-14yrs the chance to design the council's 'Bee Friendly' logo.

We are continuing our work with schools and community groups to create bee and bug 'hotels', reduce the use of pesticides and herbicides, and identify sites to improve for pollinators by planting wildflowers and sowing wildflower seeds.

#### Reeds for Grebes

Reed bed creation at Rhyl's Brickfields Pond has provided an ideal habitat for small fish and insect larvae, which attracted a rare visitor in December 2018. A Slavonian grebe, which is 'red listed' by the RSPB, is believed to have been blown off its usual flight path but had found somewhere to rest up and feed before continuing on its journey.

#### Sustainable Development

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This Corporate Plan's focus on the preservation of the natural environment and maintenance of its biodiversity was as a result of our County Conversation

engagement. As part of this exercise voices from young people in the community were heard and listened to. They were concerned about the future of the environment and wanted the council to more actively pursue change under this theme.

We are working closely with Natural Resources Wales to plant 18,000 trees by 2022, a long-term commitment to the environment, and to provide shaded community recreation spaces.

2018-19 saw plans to change waste and recycling collections in Denbighshire being given the go-ahead, which include:

- A new weekly collection for recyclables such as paper, glass, cans, and plastic.
- A new weekly collection for nappies and incontinence wear.
- A weekly collection for food waste.
- A new fortnightly collection for clothes and small electrical items.

The aim is to encourage more recycling on top of the council's current rates (64%) to meet the Welsh Government's 70% target by 2025, with an expectancy that the target will rise to 80% in future. The new facilities that are needed to support the service should be in place early 2021, with the aim of the whole County being moved across to the new service by July 2021.

In-keeping with the low carbon theme, we plan to reduce the level of our carbon emissions from our own assets and we'll ensure that all new-build council homes have an energy efficiency rating of 'A'. This demonstrates our approach to maximising benefits from projects, integrating with our Housing Priority. Originally we had committed to reduce our carbon emissions

by at least 15% by 2022. However, on review we believe we can actually achieve much more than this and will look now to setting ourselves a new target.



## Equality and Diversity

In Denbighshire we have made huge progress to not only safeguard our astounding natural resources, but to also make it easier than ever for all people to experience them. The Little Tern Colony near Prestatyn is one of the most productive colonies in the UK, and the last one in Wales. It is located in a spectacular coastal setting and within a Special Protection Area. Although it is already a popular place to visit, the intention is to provide volunteering / environmental education opportunities across all sections of society. Funding has been secured to provide free transport from deprived wards to the colony, and to help raise awareness a video of the colony and life cycle of Little Terns (narrated by Iolo Williams) has been produced. In addition to this, a boardwalk to the colony has just been completed, which will allow access for the very first time for wheelchair users and prams.

An all-terrain Tramper / mobility scooter is now available for the public to use at Loggerheads Country Park. The scooter is available through a booking service to enable people with mobility problems to join their friends and family on days out in the park.

Brand new state of the art audio tours have been launched at Plas Newydd and Ruthin Gaol. With voiceover work provided by local

people, these new tours will be easy to use, lightweight, and contain updated and new information about Plas Newydd, Ruthin Gaol, and the people connected with these historic buildings. There is also an all new interactive digital Children's Tour to encourage younger audiences to explore and learn whilst taking part in a fun quiz. All audio tours are available in Welsh and English, with more languages being added throughout 2019.

### What are we doing in 2019-20?

We will continue to deliver against the projects that support this priority throughout 2019-20:

- **East Rhyl Coastal Defence Scheme:** By 2022 it is anticipated that 500 properties will benefit from a reduced risk of flooding. A project is being developed to clarify our approach to our flood risk management work, but will require sizeable capital investment.
- **Tree Planting:** We will continue with our ambitious programme to plant 18,000 trees by the end of 2022. In 2019-20 we will plant a further 4,300 (2,400 in Rhyl and 1,900 in Denbigh).
- **Biodiversity Project:** This project will help us to understand, protect, and promote awareness of important and vulnerable habitats and species in the County. During 2019-20 we will, with volunteers, continue to survey 7 of our most vulnerable species by carrying out over 40 surveys.
- **Carbon Emissions and Energy Efficiency:** We are committed to reducing our carbon footprint through a number of initiatives, which will improve

our energy consumption, the efficiency of our housing, and the sustainability of our fleet. In April 2019 two 100% electric vehicles join our fleet, and in October we will switch to using only renewable electricity in our own buildings.

- **Access to the Countryside:** An exciting 3 year ENRaW funded project will nurture healthy and resilient ecosystems along a large habitat corridor through the counties of Denbighshire, Flintshire and Conwy. This will link some of the most deprived populations in Wales to the wider countryside and protected sites. A Delivery Plan has been developed and year 1 will be implemented 2019-20.
- **Reducing Plastics:** The council will be taking forward a new project to reduce its consumption of plastics, presenting proposals to Council by December 2019.
- **Supporting Tourism:** We will be developing a 'Vale of Clwyd' brand to bring visitors to our towns, also building on the regeneration of Rhyl to bring more visitors and businesses to our largest town.
- In July we will 'soft-launch' a Tourism Ambassador Scheme, which will include a new website with training modules and resources on the area's natural and cultural assets. These will be available on a variety of themes, including towns, walking, cycling, history, welsh language / culture, and the arts. This will be fully implemented by February 2020.
- **Renewable Energy:** We will scope a new renewable energy project with a view to increasing renewable energy provision across the County.

## YOUNG PEOPLE: A place where younger people will want to live and work and have the skills to do so

**Key Measures:** Priority for improvement

**Project Progress:** Good

In our Residents' Survey 2018, for the first time we asked residents to comment on a range of 'opportunities' throughout the County.

In particular, 'opportunities for young people' results showed:

- 19% of residents agreed that sufficient job opportunities for young people were available.
- 28% of residents agreed that sufficient opportunities for young people to develop their skills were available.
- 50% of residents agreed that sufficient leisure opportunities for young people were available.



The council recognises the challenge that it has set itself with this priority, with performance against the measures that we have chosen being a priority for improvement in most cases. This only emphasises that we were right to include this in our Corporate Plan and that it is a priority for us to improve. We will always aspire to achieve the best for our children and young

people, and hopefully the progress of our projects over the next three years will make a positive contribution towards that aim.

The job seekers allowance claimant count for 18-24 year olds has increased each quarter throughout the year, sitting at 5.5% by March 2019. This is 1.3% behind the Welsh average, compared to just 0.1% in quarter 1. There is a strong focus on upskilling and job creation for young people within this priority and we have projects to support improvements in these areas (see case studies and sustainable development sections below).

Nearly 30% of children in Denbighshire have an unhealthy weight or are obese. This is behind the national average of 27%. We will be starting a new cooking initiative in schools in 2019-20, which will hopefully help our young people make healthy life choices.

Based on the latest published position, data reveals that attendance in both primary and secondary schools has fallen below the Welsh average, being 94.4% and 93.4% in each respectively. The council works closely with schools to ensure that they are engaging with the council's policies, putting interventions in place where procedures are not robust.

Changes to the national curriculum and assessments framework poses a real challenge to us when it comes to understanding the attainment of pupils in Denbighshire, particularly as we are no longer able to compare with other Welsh authorities. When this situation is clarified,



we will need to change the performance measure that we initially chose for our Corporate Plan, which examined the gap between attainment at key stage 2 (Core Subject Indicator) and key stage 4 (Level 2 inclusive of Welsh / English and Maths). These two measures were felt to be commensurate with one another at the start of the Plan. However, this is no longer felt to be the case, following changes to the way key stage 4 attainment is now assessed. This impacted adversely on Denbighshire in 2018, with 47.5% of pupils achieving the expected outcome at key stage 4, inclusive of Welsh / English and Maths (Level 2+). This falls behind the Welsh average of 55.1%. This situation has been examined in detail by our Performance Scrutiny Committee, and is being closely monitored by the council and the regional school improvement consortium, GwE.

[Ysgol Bro Cinmeirch](#) in 2018-19. Building works for [Ysgol Carreg Emlyn](#) were completed in May 2019, whilst a further 2 projects – [Ysgol Llanfair](#) and a 3-16 Catholic school, [Christ the Word Catholic School](#) – will be completed in 2019. You can read about all our school builds under '[Education Matters](#)', [County Voice 2019, issue 1](#), or follow [our blog](#) to keep up to date!



According to the new Welsh Government condition category measure, as at the end of 2018-19, 34 schools are providing education in buildings that have the lowest suitability and condition categories (C & D), down from 36 in the previous year. The 21st Century Schools Programme Band B programme will reduce this figure over time, though there will still be Denbighshire schools in these lower condition categories.

### DID YOU KNOW?

So far more than 3,500 pupils in Denbighshire have benefitted from new school buildings

Our Modernising Education Programme is responsible for reviewing school provision in Denbighshire and investing in school buildings and facilities. The first wave of funding for 21<sup>st</sup> Century schools is coming to an end this year. To date there have been 7 primary and 2 secondary school projects completed; including, in 2018-19, the new building for [Ysgol Pen Barras and Rhos Street School](#), and the completion of a Safer Route in Communities project which opened a new walking and cycling path. Improvement works were also complete at

### DID YOU KNOW?

So far more than £90 million has been invested in Denbighshire's schools

There has been some work done this year to better understand volunteering opportunities that are available to young people across a range of our services, looking at our Youth Service, Countryside Service, the Welsh Bacallaureate delivered through

schools, and our TRAC programme (which seeks to engage those likely to fall out of education, employment or training). Quantifying the number of opportunities provided, or the number of young people participating has proved problematic across these four areas. However, improvements to tracking volunteer opportunities are being implemented currently, which will improve reporting in 2019-20. The only measure that we have currently looks at the achievement of the Skills Challenge Certificate, part of the Welsh Baccalaureate, which comprises of a community volunteering component. 65% achieved this at key stage 4 in 2018. The Welsh average was 73%.

## Case studies

### Young Person Employment Bursary

During 2018-19, Denbighshire started offering a Young Person Employment Bursary, which seeks to encourage people aged 18-35 to upskill and boost their earning potential. The project has the potential to help up to 80 individuals a year, with funding of between £250 and £2,000 per person. The take up for this has been lower than anticipated, and we are now looking at promoting this in different ways.

So far we have had 24 enquiries resulting in 20 applications, eight of which are being progressed through Working Denbighshire. The scheme has had its first application approved, a young individual who wants to upskill in their chosen profession of dentistry. Once they have completed their qualification, we have estimated that their salary should increase by 10% per annum.

### To apply for a Young Person Bursary, you need to be:

- Aged 18-35 (at point of application and approval);
- Living in Denbighshire;
- Earning below £20,326;
- In employment (at least 16hrs) and able to demonstrate availability of suitable positions with a County based company.

### Find out more:

[Young Person Employment Bursary](#)

### Working Denbighshire

In 2018-19, the council set-up our Working Denbighshire Strategy, which seeks to tackle poverty through employment, better coordinating support that helps people into work. This is achieved through collaboration with our partners from across public, private, community and voluntary service provision. It provides support for residents aged 16 and over who are furthest from the labour market back into education, employment and training.

It is too early to report on the project's long-term outcomes, but it ambitiously seeks to:

- Reduce the number of people claiming unemployment.
- Increase household income.
- Reduce the number of households with an income less than 60% of the GB median household income.



## March for Business 2019



Denbighshire's business community took part in the fourth March for Business month, which saw more than 530 attendees take part in 26 varied events, the highest figures so far.

### Ready for Work

The Ready for Work project aimed to educate pupils about the variety of career opportunities open to them, and the associated career pathways and skill sets required. The project did this through the delivery of a range of initiatives, enabling pupils to access more in-depth careers advice, have mentoring support, access to employers and individuals with specific expertise, and opportunities to develop the relevant skills and be aware of the expectations and requirements of employers.

In its second year, Ready for Work continued to deliver successful career events targeted at year 9 pupils, attracting 1,402 pupils at events held in Prestatyn, Denbigh and Llangollen, with over 20 businesses in attendance at each.

The intended alumni scheme and Public Sector Mentoring Programme have had less success within the project, struggling for take-up by schools, and capacity making delivery difficult. The project will be closed early in 2019-20, but it is hoped that

successful elements will be able to continue through the Working Denbighshire strategy. However, our measure for pupils engaging with the mentoring scheme will be withdrawn from our performance framework as a consequence.

### Supporting Parents in Denbighshire

Our Support for Parents project seeks to promote positive parenting to improve life outcomes for children. In 2018-19 the project has focussed on implementing the Solihull Approach. Initially this was piloted with a small number of schools, but the interest was such that it is now been rolled out to all primary schools. The initiative provides resources to support parents with their children from conception through to adolescence. Feedback from those involved has been positive. The intention is to extend this provision to secondary schools as well during 2019-20.

### Sustainable Development

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There is a strong focus within this priority on the mental well-being and 'life skills' preparation of young people. This emphasis is as a direct result of involving young people with the County Conversation exercise, with a view to preventing circumstances that would compromise a young person's ability to thrive. Through our County Conversation with young people, we have also been able to better understand their aspirations for the future, and in particular the types of jobs young people will find rewarding and provide both profitable and fulfilling careers that are important to them. It is with this in mind that

a number of projects in this priority aim to not only provide young people with qualifications, but to provide the jobs and skills needed for the next generation of work.

For example (pending funding) we have exciting plans for a digital skills and entrepreneurial hub in Rhyl, to provide enterprising business start-ups with the abilities and networks to help them succeed in a growing digital sector. Alongside this we also have a project that is seeking to provide “move-on” premises for growth sector businesses that have outgrown their current accommodation. This retains the existing business within the County and creates opportunities for new high-skilled jobs.

We have invested heavily in the future of Rhyl, through a strategic programme of projects named the ‘Rhyl Master Plan’. As part of this programme, the renovation of the Rhyl waterfront has received a £25m investment with the intention to provide a boost to the Rhyl economy and creation of over 250 jobs.

## SC2



SC2, officially opened on 5<sup>th</sup> April 2019, the £15m waterpark includes Wales’ first TAG Active play arena, indoor and outdoor water play for all ages and abilities, flume rides, beach style paddling, feature slides and themed food outlets. As the centrepiece of Rhyl’s waterfront development programme, SC2 is expected to attract an extra 350,000 visitors per year to the town.

## Equality and Diversity

In Denbighshire we know that young people need the best start in life to continue to grow be happy, healthy and prosperous. Through the Corporate Plan we have made provision to offer the same opportunities to all young people.

The Childcare Offer for Wales provides eligible parents of 3 and 4 year olds with 30 hours per week of early education and childcare for up to 48 weeks of the year. Denbighshire had applied to be included in the early roll-out of the scheme in September 2018, but disappointingly was informed by the Welsh Government that only a partial rollout would be applied to Denbighshire, and not until April 2019. As a consequence, the council received a great deal of negative feedback from parents, childcare providers and political bodies. Childcare Offer leads in Denbighshire worked hard to find a solution with Welsh Government that would provide Denbighshire families with the equal opportunity to access the offer sooner rather than later. Consequently, in November 2018 we received the excellent news that it would be rolled out across the whole of Denbighshire in January 2019. Following this, a rigorous engagement and publicity campaign was undertaken to engage with as many parents and childcare providers as possible.

So far we have had 737 applications, achieving a 70% uptake. In Denbighshire there are 125 registered childcare settings, and 116 of these have signed up to deliver the offer. These numbers are some of the highest uptake in Wales. Parents have reported to childcare settings that they have been able to increase their hours in work or

indeed return to work with this additional help. It has been positively received across parents, childcare providers and elected members due to the turnaround and speed of uptake.

In partnership with the regional school improvement consortium, GwE, the council maintains close scrutiny of school standards; at all times seeking to identify and remove barriers to learning for all individuals and cohorts, including those identified with any additional learning needs, and those with English as an additional language.

In 2018, the attainment gap between boys and girls (Level 2+) at KS4 was around 17%, with 40% of boys achieving the expected standard, and 57% of girls.

Further work has been done in 2018-19 to embed and understand the output from the Pupil Attitude to Self and School (PASS) Survey, which has now been rolled out to all primary and secondary schools. This survey scores the attitude and behaviour of our young people against key well-being factors, benchmarked against other UK schools that also use the tool. 86% of pupils responded positively in 2018-19 when questioned about their feelings about school.

At a school and pupil level the data can help reveal inequalities at an early stage because the data is broken down by gender, year, ethnicity, free school meal uptake, and pupils with English as an additional language. The project seeks to support schools to consider areas for improvement, removing barriers to learning for our young people.

The 21<sup>st</sup> Century schools programme considers key concerns in relation to the learning environment:

- Access – particularly for people with mobility impairments, a range of planning guidance and building regulation can be considered.
- Gendered facilities – the provision of appropriate facilities for trans pupils has been an issue in the past within the County and needs to be considered.
- Provision of facilities for religious worship.

To diversify the voices being heard in the running of our schools, Denbighshire developed a promotional campaign to encourage individuals from diverse backgrounds to become school governors.

Working Denbighshire has begun an exciting new initiative to support people who don't speak English or Welsh as a first language. It aims to help them on their route to employment, cultural orientation, volunteering placements, and to help them integrate into their local community and reduce social isolation. The English for Speakers of Other Languages (ESOL) courses are being delivered in partnership with Adult Learning Wales.

### **What are we doing in 2019-20?**

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We will continue to deliver against the projects that support this priority throughout 2019-20.

- **Modernising Education:** We will continue to deliver on the 21<sup>st</sup> Century Schools programme, modernising our school facilities to ensure that our children have a learning environment that supports their education. Ysgol Carreg Emlyn will be handed over to teachers and pupils in June 2019; Ysgol Llanfair during the autumn term; and

Christ the Word in September. By the end of 2019, we will have a clearer direction for our second phase of delivery (Band B), which will focus on Llangollen, Denbigh and Rhyl.

- The council has also secured £1.3m from the Welsh Government for a Welsh Language Development Centre in St Asaph, which we aim to deliver by September 2020; and £2.8m for 7 Child Care Centre projects across the County. In 2019-20 we will prioritise Rhyl and Denbigh, looking at St Asaph and Llangollen in 2020-21.
- **Entrepreneur Hub and TechZone:** Pending the approval of funding, we will deliver the entrepreneur hub in Rhyl, and the “move-on” accommodation for growing businesses in St Asaph by the end of 2019-20.
- **Working Denbighshire and Employment Bursary:** Continue with our Working Denbighshire Strategy and Young Person’s Employment Bursary, attracting and helping more young people into employment, and to up-skill in their chosen careers, climbing the ladder into the jobs that they aspire to. Denbighshire’s Work Start Scheme will offer 15 paid, and 15 unpaid placements during 2019-20. The Employment Bursary can help up to 80 individuals a year with funding of between £250 and £2,000 per person.

- **Understanding Pupil Well-being:** Support schools to make good use of the data that they have around the well-being of their pupils. This relates to our project which provides the Pupil Attitude to Self and School (PASS) Survey to all primary and secondary schools in the County. We will look to run the survey again in both primary and secondary schools during the autumn term.
- **Support for Parents:** We will develop a corporate approach to supporting parents to provide their children with the best start in life, building on the work already piloted with the implementation of the Solihull Approach in primary schools. By the end of 2019-20 this will be rolled out in all primary schools, and will seek to roll this out further to secondary schools.
- **Cooking Skills for Schools:** We will begin the delivery of a 6 week cooking course from September, targeted at key stage 2 and 3 pupils in 30 schools (primary and secondary). This new project aims to upskill staff and pupils, teaching essential cooking knowledge and skills. Parents can also get involved! We aim to train staff in at least ten schools by the end of 2019-20.
- **Voice of Young People:** We will engage with Young People as part of this priority to ensure that we prioritise the right topics for young people’s development.

## Sustainable Development

Sustainable development is embedded in the way that we do things at Denbighshire County Council, and is a key consideration for our programme board approach to delivering our corporate priorities.

Our [Well-being Impact Assessment website](#), which is well-used by staff and referenced by councillors to better enable informed decision-making that checks the extent to which the Sustainable Development principles have been applied for any given project, as well as the likely impact (positive or otherwise) within the context of the seven well-being goals. This has been well-received, and there is interest from partners and the community in its use.

A process for considering and responding to Community Risk has been devised, by which County-wide risks are recorded and reflected in our Local Assessment of Well-being in order to enable us to identify priorities.

During this process we also recognised that our approach to engagement needed to shift, so that residents are involved in discussions about decisions that affect them much earlier on in the process than was previously the case. To facilitate this, a new [County Conversation Portal](#) has been launched to better enable us to organise our engagement activity, and to monitor the approach that is taken in order to enable us to look for opportunities to continuously improve.

## Equality and Diversity

Through the projects that we deliver, our Corporate Plan commits the council to:

- Engage, where appropriate, with groups that represent people with protected characteristics.
- Consider limitations to physical access, in particular with new builds, but also with regard to access to information and services.
- Consider the appropriateness of the facilities that we have available within the council's estate for use by those people with protected characteristics.
- Engage, challenge and, where possible, remove barriers to opportunities (including work) for those with protected characteristics.

- Condemn hate related bullying and harassment.

Our project and programme management processes, which support the delivery of all projects in the Corporate Plan, enforce these principles; and in particular the council's approach to [Well-being Impact Assessments](#) of all projects, plans and policies requiring decision is well embedded and understood by staff and councillors.

Our [Equality and Diversity pages](#) on our website also celebrate diversity and promote equality in everything that we do to improve the quality of life for everyone living, working and visiting Denbighshire.

The council is a member of the North Wales Public Sector Equality Network (NWPSSEN),

which is a valued forum for sharing best practice and learning around equality issues that the public sector is facing. NWPSEN membership includes the Equality and Human Rights Commission and Welsh Government.

### **Other actions in support of our Public Sector Equality Duty include:**

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#### **Training**

We provide equality training for staff via an online equality ELearning module. This training is provided for all new employees, and is mandatory for all personnel.

#### **Engagement**

Our [County Conversation Portal](#) is used to find out what's most important to our communities and helps us to make sure we focus on the right areas.

All the work undertaken on County Conversation has involved contact with groups from protected characteristics.

#### **Reporting**

Each year we are required, as a Local Authority, to publish reports for Welsh Government detailing our commitment and compliance with equality legislation, and to regularly report on pay systems and assess the equality of pay.

At Denbighshire County Council we support the principle of diversity and equality as we need people from diverse backgrounds to ensure that we are representative of the County. We are committed to providing equal pay for work of equal value and aim to provide an equitable pay structure.

We have produced the Public Sector Equality Duty report for 2017-2018 detailing our commitment and compliance with this legislation. We have also created a Gender Pay Report 2017-2018 reviewing the average earnings between men and women within the council. [Click here to view the most recent reports.](#)

As a public authority in Wales we have a duty to set equality objectives with measurable equality outcomes. Our objectives aim to promote equality of opportunity. Within service provision we take into account due regard, as per the Equality Act 2010, to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

## **Welsh Language**

The council's Welsh Language Strategy, now at the end of its second year, is the council's response to the Welsh Language Commissioner's national standards for the

language. It ensures that the Welsh language is treated no less favourably than the English language. Our Strategy has been broken down into five distinct areas: Children and



Young People (including education and youth work); Business and the Economy; Communities; Internal Administration within the council; and the strategic development of the Welsh Language in Denbighshire. Progress against our Strategy is reported on our [Welsh Language Standards webpage](#).

Work has continued through 2018-19 to ensure that the council's internal webpages are now fully bilingual for the benefit of staff. We have also developed a mandatory Welsh awareness E-Learning module, which provides a background to the development of the Welsh language.

A new post was introduced in 2018 to enhance opportunities to promote the Welsh Language. This post provides support for compliance with the Welsh Language Standards; day-to-day guidance for staff wishing to promote the Welsh language; and encourages innovative promotion of the Welsh language to create a positive attitude towards the Welsh language.

Each service within the council also has a Welsh Language Champion who regularly monitors progress with the Standards, shares best practice, and acts as a 'critical friend'. They carry out 'mystery shopper' checks and arrange awareness sessions and activity for colleagues and learners.

The council recently held its first staff Eisteddfod! It comes at a time when there is a lot of focus on the Welsh language and the Eisteddfod's return to Denbighshire in May 2020. The response and support received was overwhelming, with over 70 members of staff entering the competitions. Plans are already in the pipeline for 2020.

We want to support employees on their language journey. We encourage employees to practice, and we arrange various informal opportunities throughout the year including:

- **Tea & Talk:** Informal sessions to increase staff confidence in speaking Welsh
- **Staff Choir:** Formed in 2018, Côr Sain y Sir has 20 members ranging from Welsh learners to fluent speakers. They sing Welsh songs and perform in various events such as the council's carol service and community housing awards.
- **Welsh Walking Club:** Going on walks once a week during lunchtime in order to practice spoken Welsh.

We are also in the process of introducing a new Welsh language skills framework (a way assessing language skills based on types of communication tasks), which employees are able to undertake to determine skill and training needs.

A constituted Welsh Language Steering Group has been created to act as a critical friend to the authority. There are 11 members in total representing all political groups. Their meetings are open to the public, where a variety of issues are considered, including progress with the Welsh in Education Strategic Plan; Welsh Language Standards; Welsh Language Strategy; and an update on Eisteddfod yr Urdd's return to the County in 2020.

All services are also required to produce an annual workforce plan which must consider the number of Welsh speakers employed within services. All Heads of Service are asked to consider whether they have enough Welsh speakers to provide a fully bilingual service to the public.

## Project Register

Every three months the council's Corporate Executive Team (CET) receives an update on all corporate projects that are underway in Denbighshire. A Project Register (appendix I) provides the most recent status information extracted from Project Highlight Reports, written by the Project Manager, and approved by the Project Executive.

Currently no projects on the register are compromised; however, two are recorded as being at risk:

- The first relates to Ysgol Llanfair, which is experiencing delays due to the time needed for the legal process to connect the foul drain to the nearby village hall.

The council aims to have the school open during the autumn term.

- The second project at risk relates to our remodelling of waste services. This is because we were experiencing challenges around the costs and timescales of delivering a new central depot. These difficulties have now been overcome.

Project Managers are supported by ongoing training and advice, including the Prince2 qualification where necessary. The council also has a bi-annual project manager's forum to share best practice and project learning.

## Risk

The council's Corporate Risk Register (appendix II) enables us to manage the likelihood and impact of significant risks to our business and services. It evaluates the effect of any current actions that we are undertaking, and highlights areas where tighter control may be needed.

The Corporate Risk Register is developed and owned by the Corporate Executive Team (CET) and Cabinet. It is formally reviewed twice yearly by Cabinet and CET at Cabinet Briefing. Informal reviews can occur at any time, as necessary. We also manage risk registers for our Corporate Plan programmes, projects and services.

During the year, we did not experience any unforeseen risks and none of our risks developed into an adverse issue. We are responding to one risk around significant liabilities resulting from alternative delivery

models (ADM) for services to inform our approach to developing a proposal for a leisure ADM.

Two new risks were created this year. The first to capture the risk that any negative impacts of leaving the European Union cannot be mitigated by the council. This risk is managed regularly and most recently stimulated council-wide consideration of potential supply chains that could be at risk. The second new risk was developed to enable closer monitoring and management of the risk that partners don't have the resources, matching priorities or commitment to support delivery of shared plans and priorities.

Following an internal audit recommendation, we aligned our corporate risks with our performance framework. For example, our corporate safeguarding risks are now

associated with corporate safeguarding indicators.

In our February 2019 review, we adapted our approach to mitigating two of our corporate risks:

- **The risk of an ineffective response to a serious unexpected event:** Our Senior Leadership Team will agree a new policy to ensure business continuity whereby staff are not required to access council buildings in a crisis situation.

- **The risk that programme and project benefits are not fully realised:** We agreed to hold a review to ensure that the Corporate Plan programme consists of sufficient activity to deliver its benefits, and to check that appropriate governance and resources are in place to deliver. This took place in April.

Next year, we will be adopting a risk appetite approach, which will be a natural step in maturing our approach to risk management.

## External Regulators

The work of all councils in Wales is scrutinised by external regulators to ensure that we use public money efficiently and effectively to deliver benefits for our communities.

The Wales Audit Office (WAO) has an annual programme of audit and assessment work that it undertakes in the council. Specific to Denbighshire County Council, in 2018-19 the WAO undertook reviews of our leisure services, and flood prevention work. Once published, the recommendations from these reports will be shared with elected members and appropriate actions agreed.

A report on the [effectiveness of the council's scrutiny arrangements](#) was published in June 2018. The recommendations from this were:

- Review the adequacy of support arrangements, in terms of both the amount and type of support that overview and scrutiny committees may need.
- Cabinet members should routinely present reports and respond to questions from overview and scrutiny committee members about the council's policies and decisions, in accordance with statutory guidance.

Both of these recommendations have been implemented.

There were no other local reports with recommendations for the council, published by the WAO, Estyn, or Care Inspectorate Wales in 2018-19.

## Appendix I – Project Register (May 2019)

Delivery Confidence	Project Name	Milestone	Cost	Benefits	Cash Benefits	Risk
	East Rhyl Coastal Defence Scheme					
	PLANT Project : Urban Tree Planting					
	Improving biodiversity in Denbighshire					
	People are involved in shaping and improving services					
	Supporting Carers in Denbighshire					
	Make superfast broadband and mobile networks available to everyone					
	Improve infrastructure to make it easier to stage events					
	Reducing carbon emissions from council assets					
	Ensure council information and services are accessible online					
	Community Resource Teams					
	To maintain, enhance, protect and preserve Denbighshire's 'living assets' for future generations					
	Young Person Employment Bursary					
	Ready for Work					
	The Denbighshire Working Start Scheme					
	Develop technology based shared entrepreneur space, Rhyl					
	TechZone / ParthDechnoleg: Growth Sector Move-on Accommodation					
	Ruthin Area Review: New Area School for Ysgol Carreg Emlyn					
	Denbigh Extra Care Housing					
	New build- Christ the Word 3-16 Catholic school in Rhyl					
	Ruthin Review - New School for Llanfair DC					
	Ruthin Extra Care Housing (Phase 2)					
	Monitoring and supporting positive pupil attitudes to self and school/well-being					
	Additional council housing developments					

Work with RSLs and the private sector to deliver additional affordable homes					
Bring 500 Empty Homes back into use					
Transition to the new 3-16 Catholic school in Rhyl					
Remodelling Waste Service Operations					
Corporate Support Services Review					
Rhyl Waterfront Development					
SC2 (Rhyl Waterpark)					
Children's Village (underground) car park refurbishment					
Rhyl Queen's building redevelopment Phases I and II					
Rhyl Public Realm Strategy					
Rhyl Town Centre Gateway Schemes 1 and 2 (123-129 High Street and 129-131 High Street)					
West Rhyl Neighbourhood Management					
Rhyl Town Centre Focussed Enforcement					
Rhyl Post Office					
Edward Henry Street					
Housing Renewals Theme Project					
Rhyl Town Centre Master Plan					
Centralised Mailroom Project					
Unlocking the Asylum: North Wales Hospital Archive 1848-1995					
Commercialisation of the Digital Records Bureau					
Outsourcing of Dolwen Care Home					
CRM					
Working Denbighshire Strategy					
Schools' ICT Networks					
Gypsy and Traveller (GT) Accommodation project					
Capita Regional MIS					
Universal Credit in Denbighshire					
PROCUREMENT: Local Supplier Development					
Former North Wales Hospital					

## Appendix II – Risk Register (May 2019)

<b>LIKELIHOOD</b>	<b>A</b> Almost Certain					
	<b>B</b> Highly Likely					
	<b>C</b> Probable					
	<b>D</b> Possible					
	<b>E</b> Rare					
		<b>5</b> Very Low	<b>4</b> Low	<b>3</b> Medium	<b>2</b> High	<b>1</b> Very High
<b>IMPACT</b>						

Risk Description	Inherent Risk	Residual Risk
The risk of a serious safeguarding error where the council has responsibility, resulting in serious harm or death	B <sub>2</sub>	D <sub>2</sub>
The risk that the economic and financial environment worsens beyond current expectations, leading to additional demand on services and reduced income.	C <sub>1</sub>	C <sub>3</sub>
The risk of an ineffective response to a severe weather, contamination, public safety (including cyber-attack) or public health event.	D <sub>2</sub>	E <sub>2</sub>
The risk of a significantly negative report(s) from external regulators.	C <sub>2</sub>	D <sub>3</sub>
The risk of significant liabilities resulting from alternative models of service delivery	B <sub>2</sub>	E <sub>2</sub>
The risk of a health & safety incident resulting in serious injury or the loss of life. (Where H&S is referred to, this incorporates fire safety)	C <sub>2</sub>	E <sub>2</sub>
The risk that the impact of welfare reform (Universal Credit) is more significant than anticipated by the council.	B <sub>2</sub>	D <sub>3</sub>
The risk that programme and project benefits are not fully realised.	B <sub>2</sub>	D <sub>2</sub>
The risk that effective partnerships and interfaces between BCUHB and Denbighshire County Council (DCC) do not develop, leading to significant misalignment between the strategic and operational direction of BCUHB and DCC	A <sub>1</sub>	C <sub>2</sub>
The risk that even if the settlement is as anticipated, decisions that are necessary to identify and deliver the savings programme and enable a balanced budget are not taken or implemented quickly enough	B <sub>1</sub>	C <sub>2</sub>

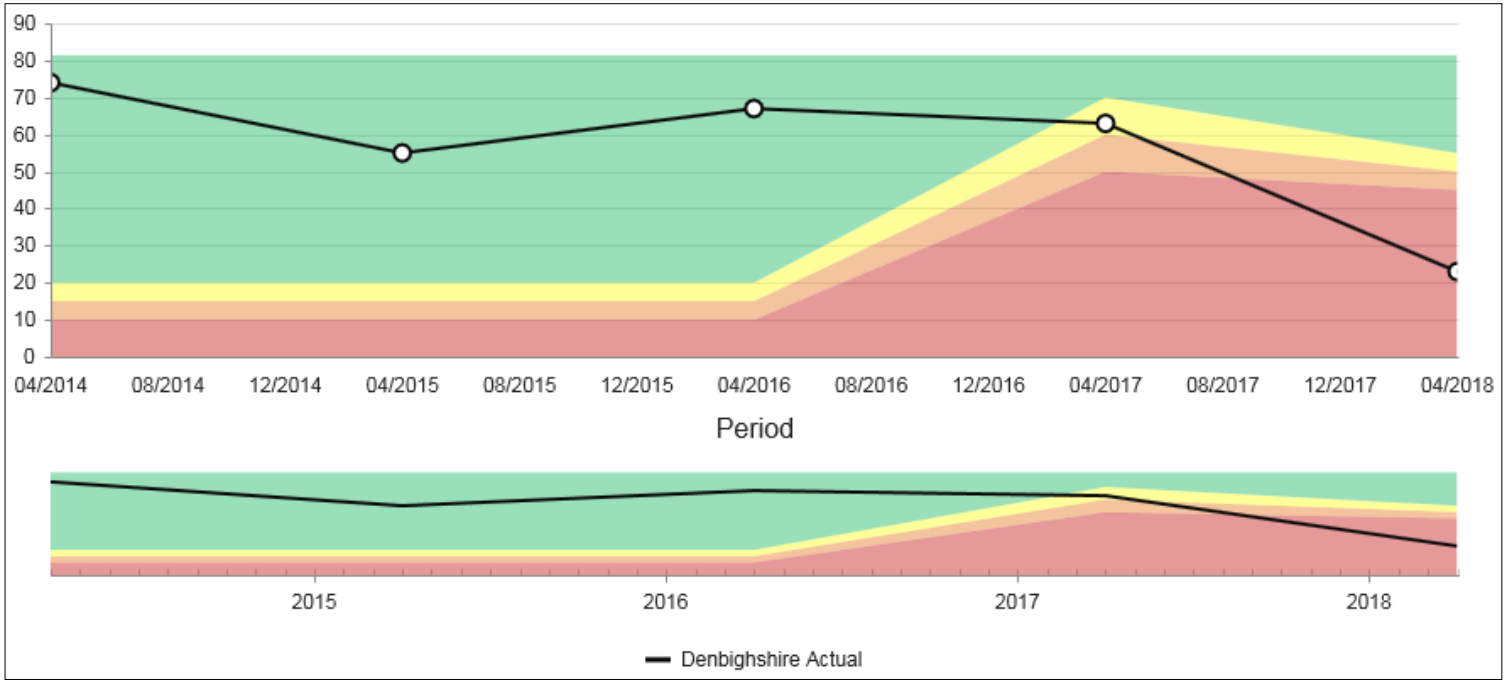
The risk that appropriate capacity and skills to sustain service and corporate performance is not available	C <sub>3</sub>	D <sub>3</sub>
The risk of fraud and corruption resulting in financial and reputational loss and possibly impacting on service delivery.	B <sub>2</sub>	E <sub>2</sub>
The risk that the cost of care is outstripping the council's resource	B <sub>1</sub>	C <sub>2</sub>
The risk that demand for specialist care cannot be met locally	B <sub>2</sub>	C <sub>2</sub>
The risk that the return on investment that Denbighshire receives from the Regional Growth Deal is disproportionate	C <sub>1</sub>	C <sub>1</sub>
The risk that any negative impacts of leaving the European Union cannot be mitigated by the council	B <sub>1</sub>	B <sub>1</sub>
The risk that partners don't have the resources, matching priorities or commitment to support delivery of shared plans and priorities	B <sub>1</sub>	C <sub>2</sub>

**Priority 1 - Housing: Everyone is supported to live in homes that meet their needs**

**Measures Status**      **Acceptable**

**PPPAH001**      **The additional supply of affordable housing, including social housing, provided during the year**

Annual	04/14	04/15	04/16	04/17	04/18
	74.00	55.00	67.00	63.00	23.00



**Latest Data Comment**

Annual 2018-19      There are a number of significant schemes in the pipeline with, as a minimum, an additional 53 affordable housing units being brought forward in 2019-20.

**CPBIM101i**      **The percentage of residents reporting they felt satisfied with the availability of housing in their area (Residents Survey)**

04/18
42.00

**Latest Data Comment**

2018      For the first time the survey asked residents about their level of satisfaction with the availability and the standard of housing throughout the County. The survey found that 42% of respondents were satisfied with the availability of housing while 26% were dissatisfied and 33% had no opinion.

**CPBIM102i**      **The percentage of residents reporting they are satisfied with the standard of housing in their area (Residents Survey)**



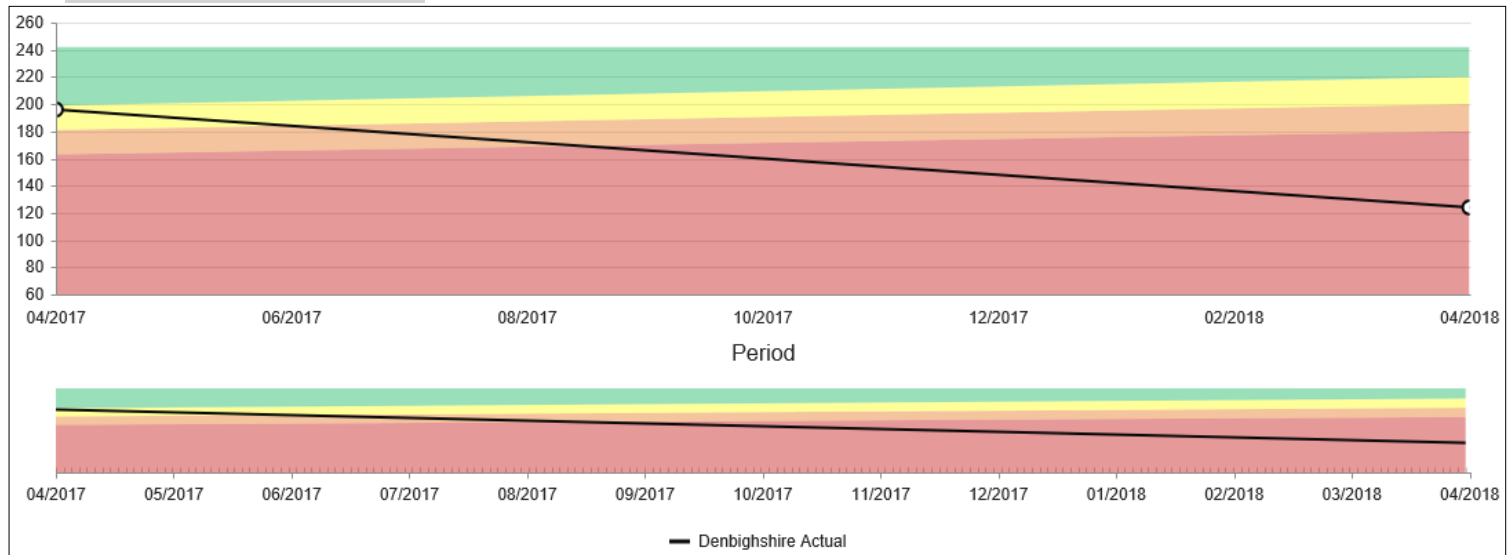
04/18
52.00

**Latest Data Comment**

2018 For the first time the survey asks residents about their level of satisfaction with the availability and the standard of housing throughout the County. The survey found that for the standard of housing, over half of respondents (52%) were satisfied, 17% dissatisfied and 30% did not know.

**CPPPP103i Number of additional homes provided in Denbighshire**

04/17	04/18
196.00	124.00



**Latest Data Comment**

Annual 2018-19 The completion figure of 124 is out for consultation with the house builders at the moment with a deadline of 31st May to respond; therefore this figure is 'provisional'. The number of completions for 2018-19 is lower than in previous years and below the threshold of 200 per annum. There have however been a significant number of planning permissions and commencements made on large sites which will feed through as completions next year.

**CPFAH104i The additional supply of Council Houses provided**

10/17	04/18
0.00	0.00

**Latest Data Comment**

Annual 2018-19 It is expected that works to convert a former HMO into 3 apartments in Rhyl and to construct 4 apartments to the Passivhaus standard in Prestatyn will be completed during 2019-20. In addition, 4 former council homes were bought back during 2018-19 which increased the supply of social rented homes in the County.

**CPCSS105i Number of additional Extra Care Homes supported by DCC**

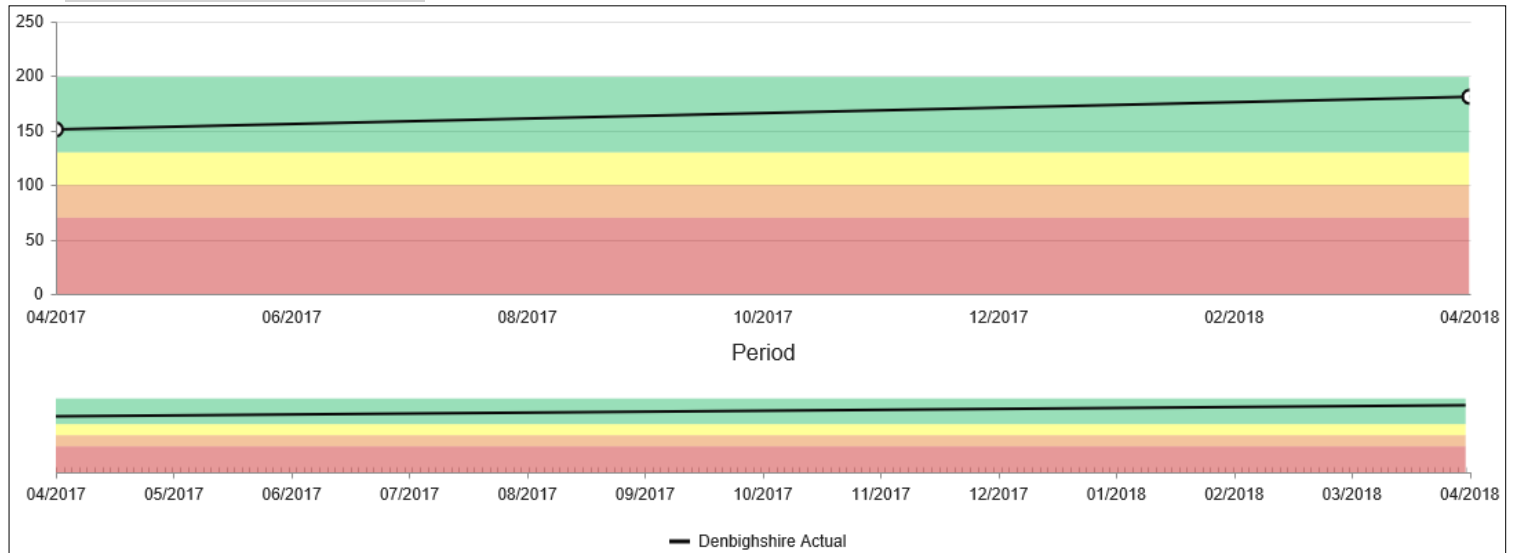
04/17	04/18
0.00	0.00

**Latest Data Comment**

Annual 2018-19 Additional units to be delivered from the Ruthin & Denbigh Extra Care developments; 51 units in Denbigh and approximately 30 units in Ruthin.

**CPPPP107i** Number of empty properties brought back into use (old definition)

04/17	04/18
151.00	181.00



**Latest Data Comment**

Quarterly and Annual 2018-19 Class C exemptions only - Q1: 48 + Q2: 61 + Q3: 53 + Q4: 19 = 2018-19 total 181

**CPFAH108i** Number of people on SARTH waiting list

10/17	01/18	04/18	07/18	10/18	01/19
1194.00	1289.00	1217.00	1169.00	1182.00	1148.00

**Latest Data Comment**

31<sup>st</sup> March 2019 This is a count only. As at the end of March 2019 there were 1,148 people registered on the SARTH waiting list.

**PPP121iAnnual** The number of private sector homes improved in standard and quality due to intervention from the council

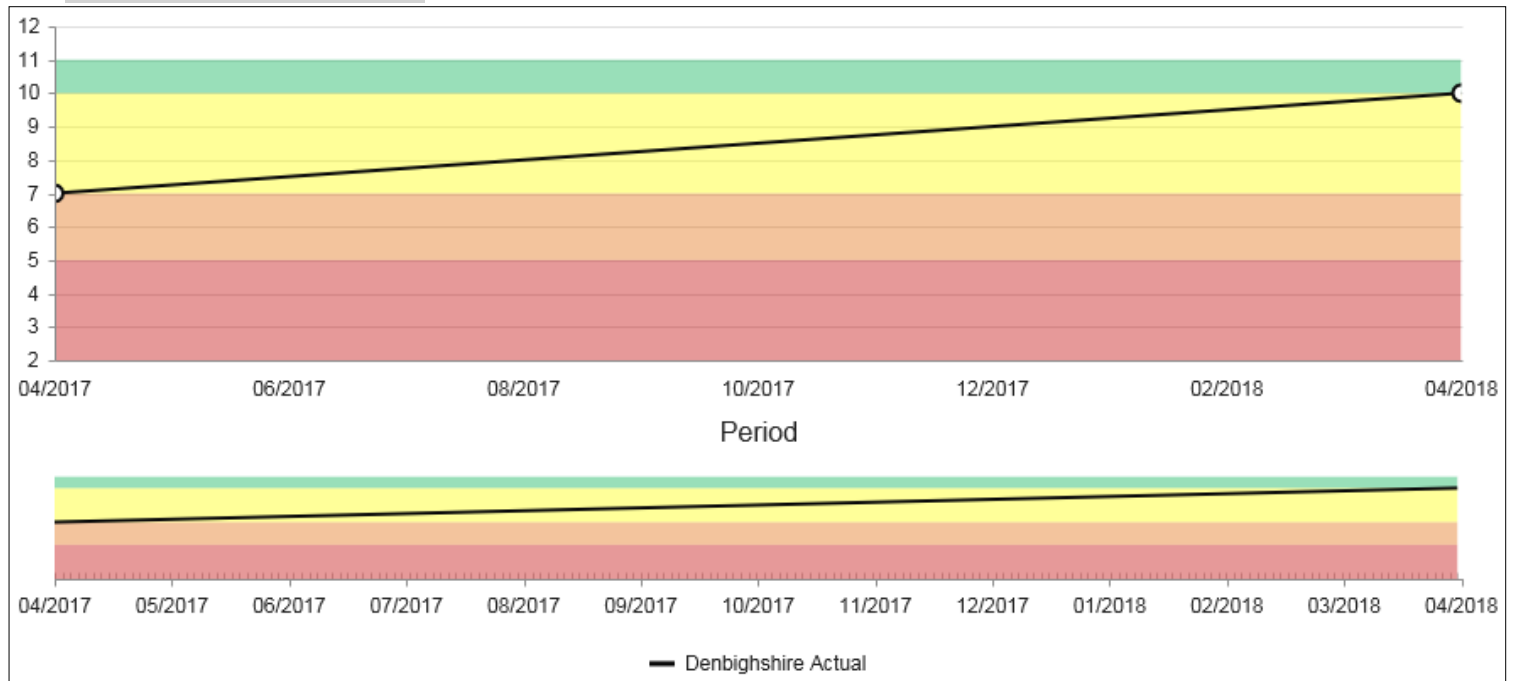
04/18
819.00

**Latest Data Comment**

Annual 2018-19 Number of high risk private sector dwelling (category 1 hazard) improved to an acceptable level – 81. Number of dwellings to benefit from energy efficiency improvement – 617. Number of dwellings to benefit from grants and loans to improve their homes - 121

<b>CPCSS104i</b>	<b>The number of people who were on the Complex Disabilities Specialist Housing Needs Register for whom supported housing has been secured (Annual)</b>
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04/17	04/18
7.00	10.00



Latest Data Comment	
Annual 2018-19	2018-19 = 10 people (increased from 7 in 2017-18) who were on the Complex Disabilities Specialist Housing Needs Register for whom supported housing has been secured.

PROJECTS				
PR003628	Denbigh Extra Care Housing		14/03/16	30/10/20
PR004023	Ruthin Extra Care Housing (Phase 2)		14/02/17	28/02/22
PR004433	Additional Council Housing Developments		01/04/16	31/03/22
PR004447	Work with RSLs and the private sector to deliver additional affordable homes		01/04/17	31/03/22
PR004448	Bring 500 Empty Homes back into use		01/04/17	31/03/22

**Priority 2 - Connected Communities: Communities are connected and have access to goods and services locally, online and through good transport links**

<b>Measures Status</b>	<b>Acceptable</b>
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<b>CPCCM209i</b>	<b>The percentage of transactions undertaken via the web, compared to the total number of transactions undertaken using all access channels</b>
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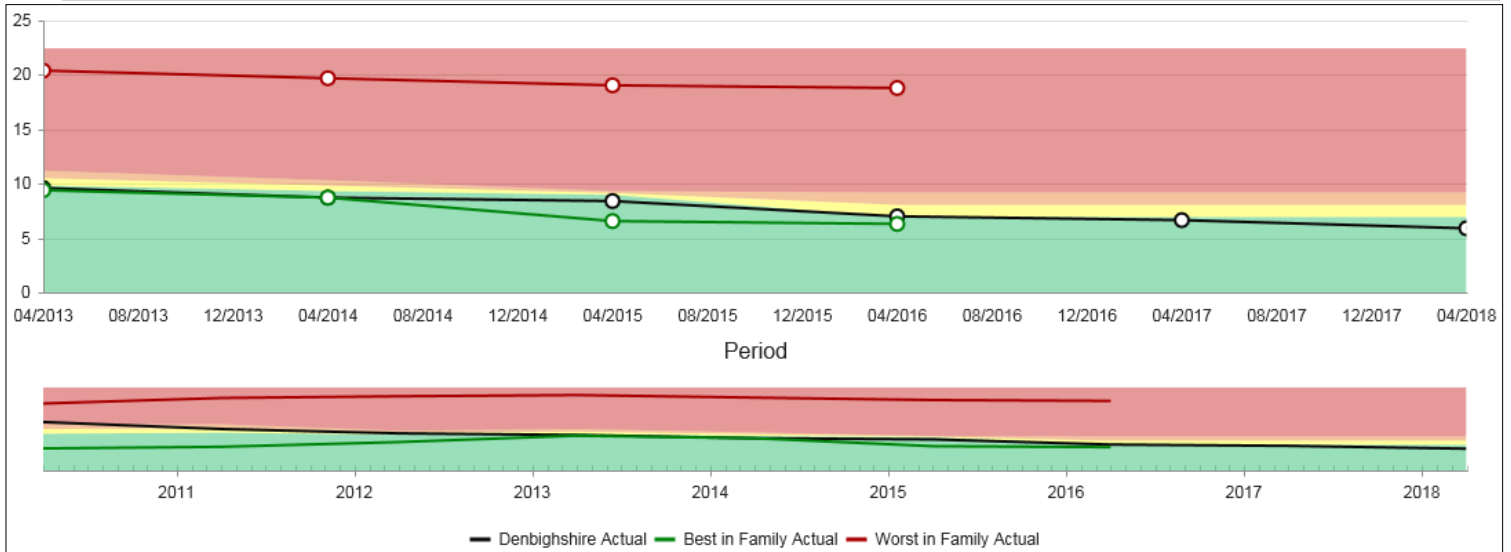
04/17	07/17	10/17	01/18	04/18	07/18	10/18	01/19
31.00	32.00	47.00	31.00	30.00	29.12	33.16	Unavailable

**Latest Data Comment**

Quarter 4 2018-19 New Customer Relationship Management (CRM) is being introduced. Comparative data for access channels (phone /web/face to face) is incomplete / unavailable due to transition during the period of implementation.

**THS012Annual** The percentage of principal (A) and non-principal (B) and (C) roads that are in overall poor condition

04/11	04/12	04/13	04/14	04/15	04/16	04/17	04/18
11.20	10.05	9.60	8.72	8.40	7.00	6.65	5.90

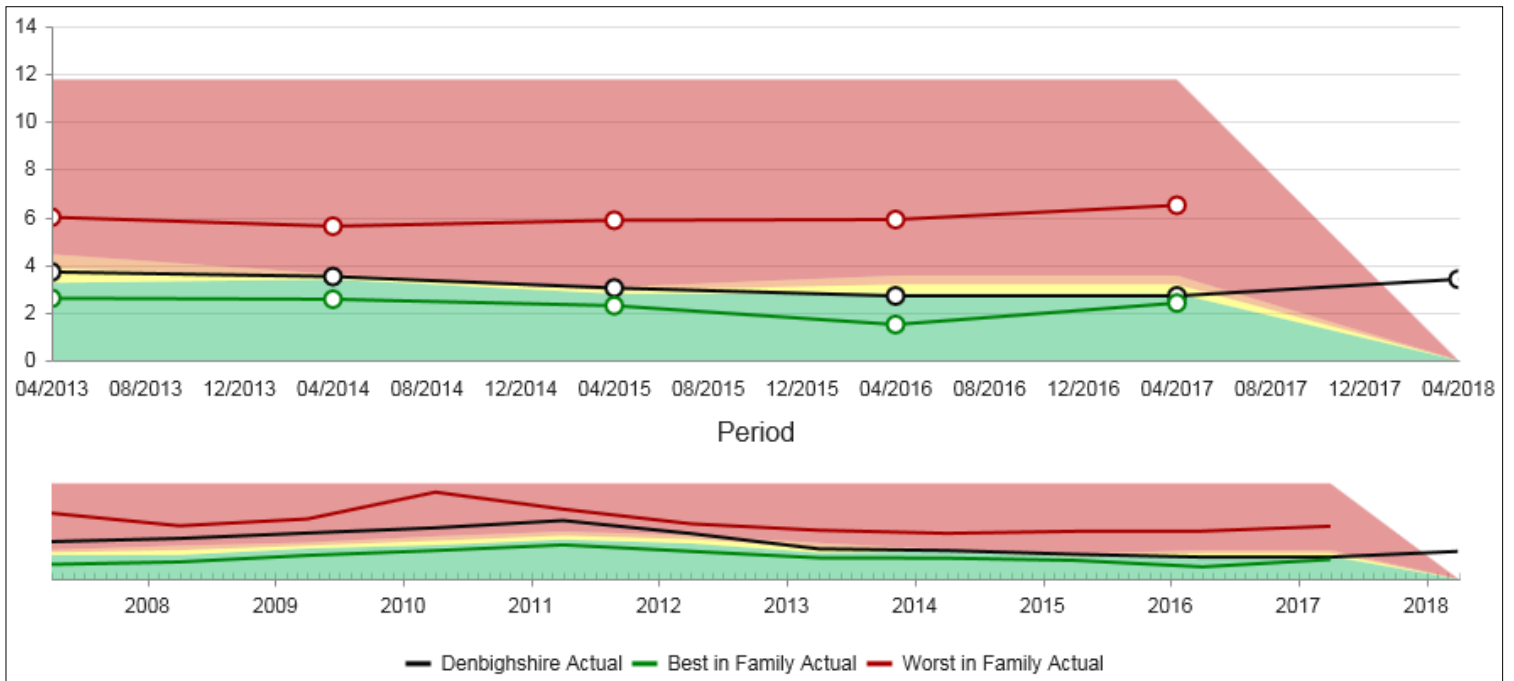


**Latest Data Comment**

Annual 2018-19 A roads deteriorated by 0.7%, B Roads improved by 0.4% and C roads improved by 1.9%

**PAM020Annual** The percentage of principle A roads that are in overall poor condition

04/11	04/12	04/13	04/14	04/15	04/16	04/17	04/18
7.20	5.60	3.70	3.51	3.03	2.70	2.70	3.40

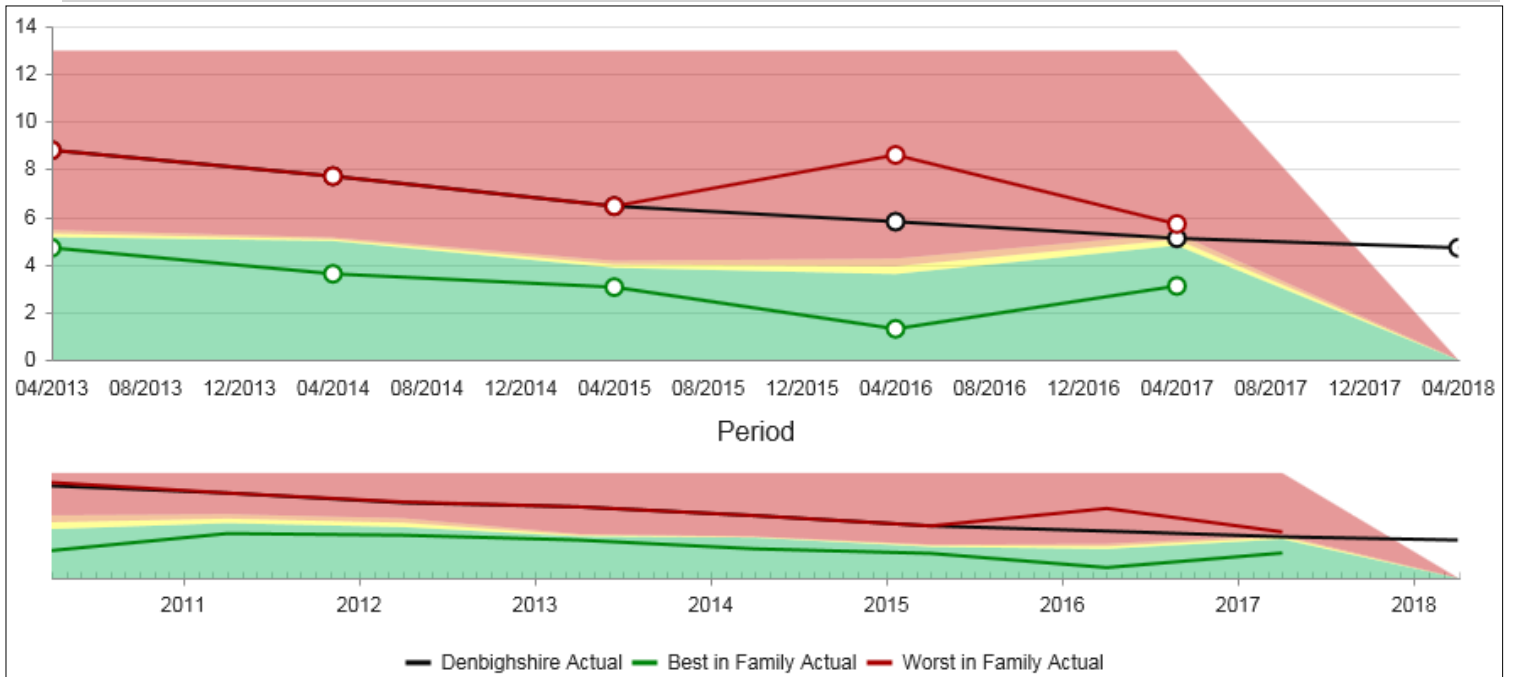


**Latest Data Comment**

Annual 2018-19 2018-19 = 3.4%. (263 kilometres surveyed with 8.8 kilometres identified in overall poor condition). Performance status against our 'family group' of similar local authorities and our National all Wales position will be known later in the year when data is published.

**PAMo21Annual The percentage of non-principal/classified B roads that are in overall poor condition**

04/11	04/12	04/13	04/14	04/15	04/16	04/17	04/18
10.50	9.30	8.80	7.71	6.45	5.80	5.10	4.70

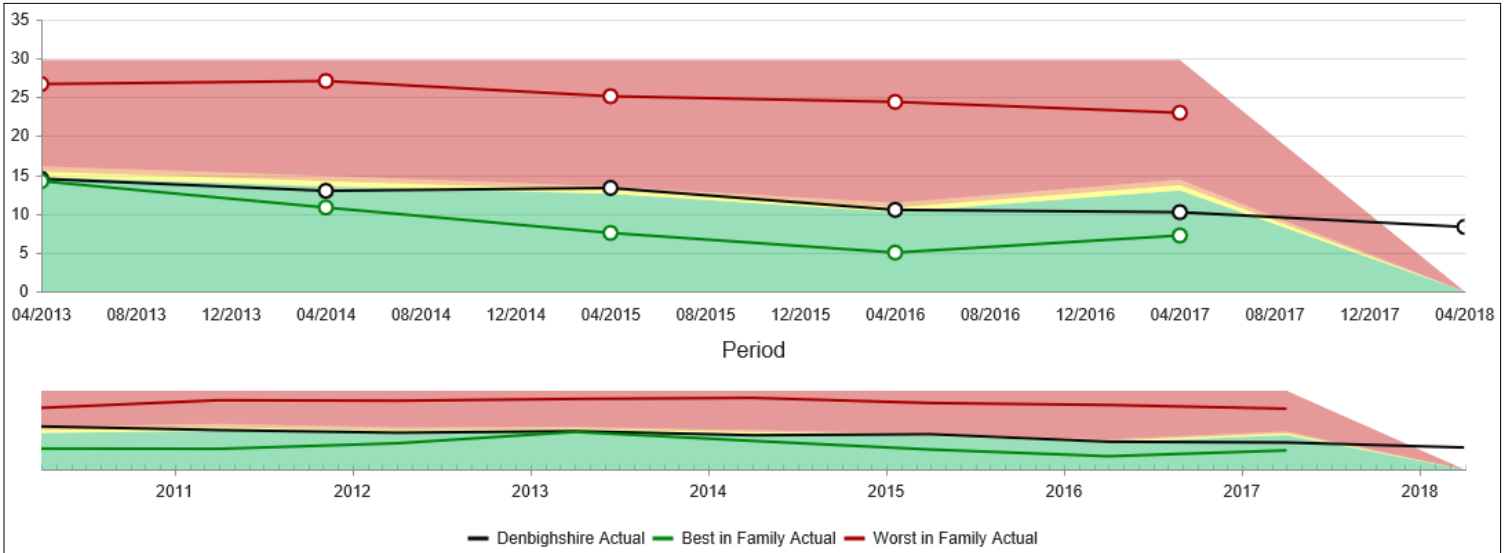


**Latest Data Comment**

Annual 2018-19 2018-19 = 4.7% (279 kilometres surveyed with 13 identified in overall poor condition). Performance status against thresholds for our 'family group' of similar local authorities and our National position of all Wales will be known later in the year when data is published.

**PAMo22Annual The percentage of non-principal/classified C roads that are in overall poor condition**

04/11	04/12	04/13	04/14	04/15	04/16	04/17	04/18
14.90	13.90	14.50	12.95	13.32	10.50	10.20	8.30

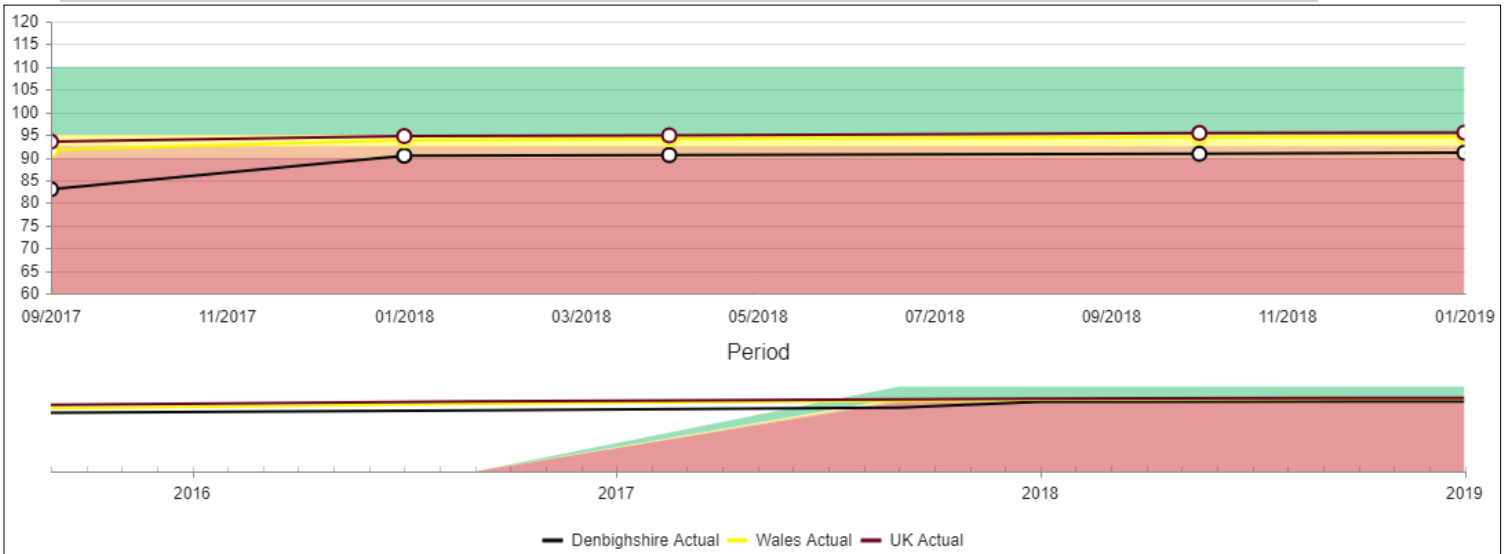


### Latest Data Comment

Annual 2018-19  
 2018-19 = 8.3% (415 kilometres surveyed with 34 kilometres identified in overall poor condition). Performance against our 'family group' of similar local authorities and our National position will be known later in the year when data is published.

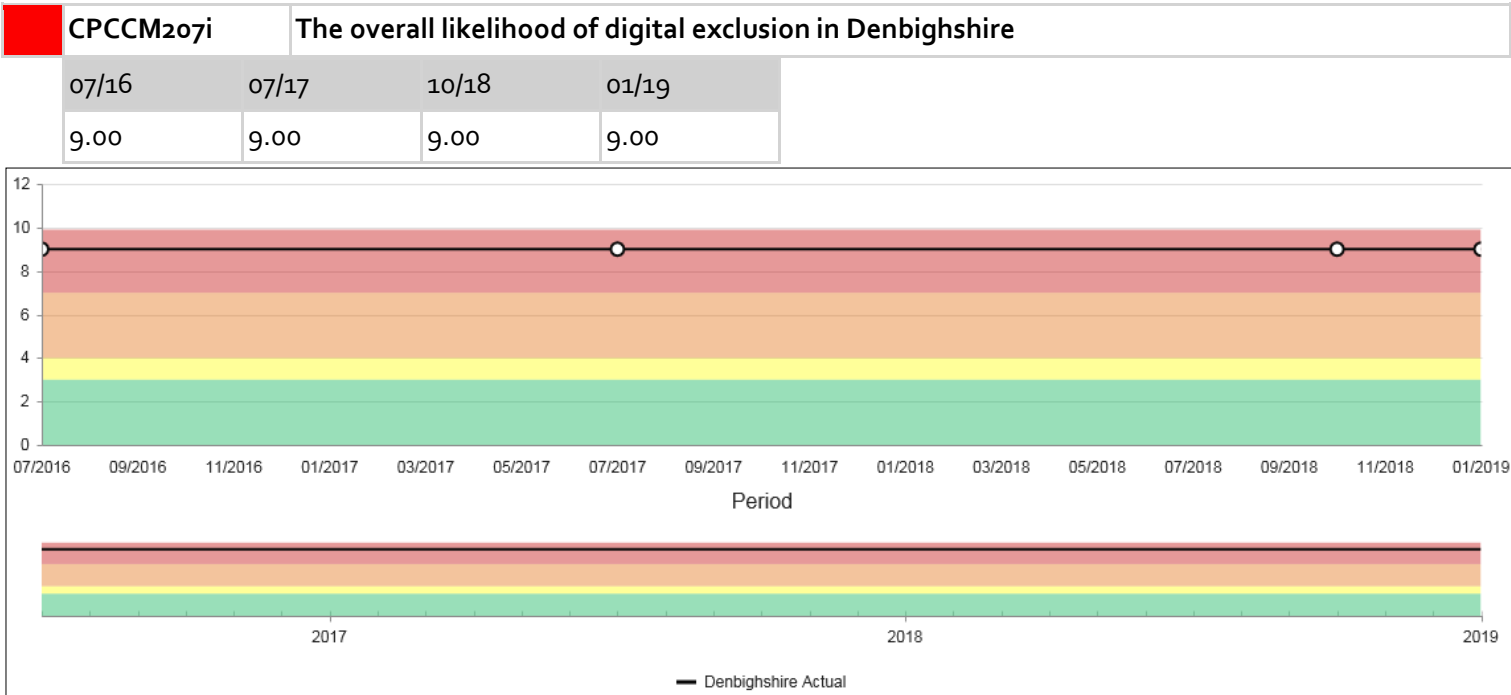
### CPBIM201i The percentage of Superfast Coverage in Denbighshire (>30 Mbps)

09/15	09/16	09/17	01/18	04/18	10/18	01/19
75.90	79.20	83.00	90.40	90.50	90.80	91.10



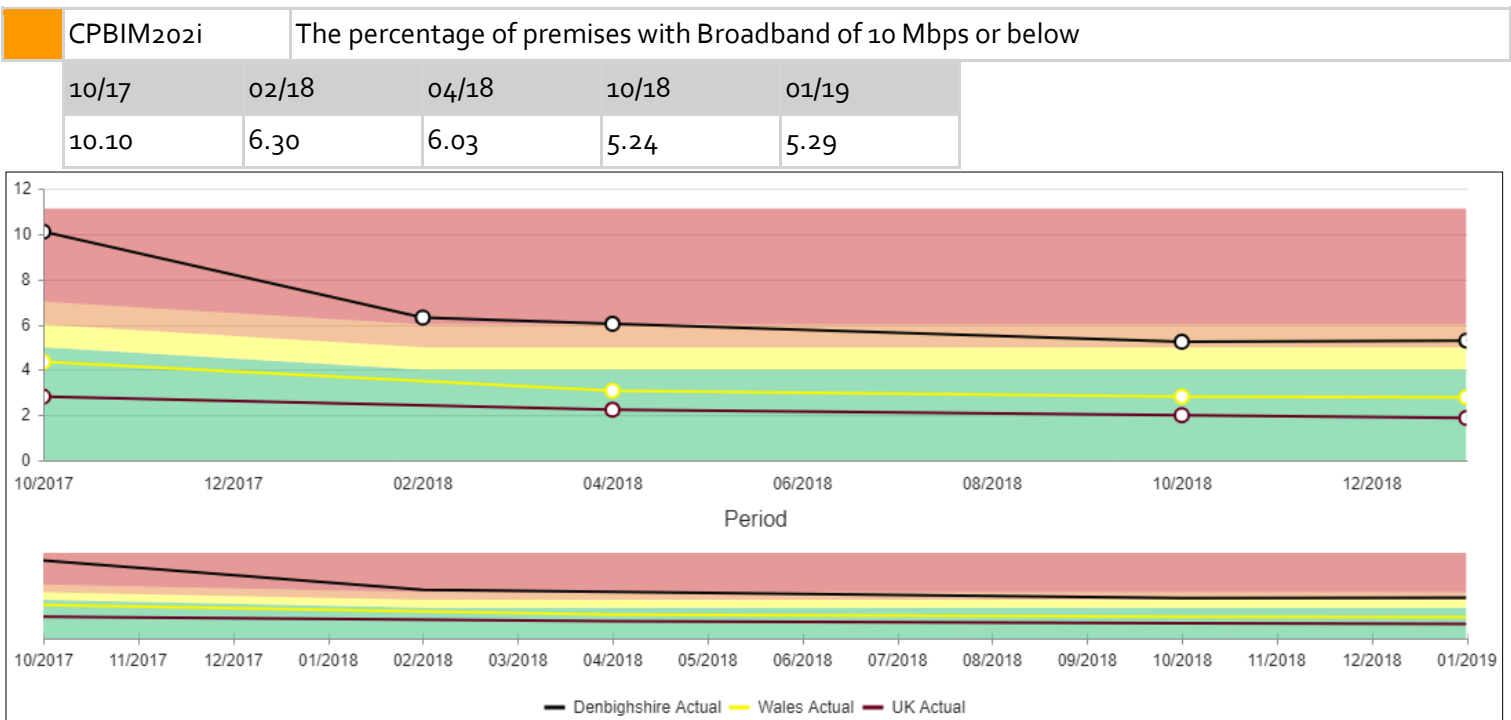
### Latest Data Comment

January 2019  
 Denbighshire, as at January 2019, had 91.1% coverage of superfast broadband (>30mbps). An increase of 0.3% since the last period. In terms of rank, out of all 650 constituencies in the UK, Vale of Clwyd is 393rd, Clwyd South has also improved slightly to 532<sup>nd</sup>; however, Clwyd West has slipped from 571 to 573. We have slipped further still since the last period, when ranked against other UK authorities. Based on our thresholds our ambition was to have – as a minimum – 90% coverage at this stage in the delivery of our corporate plan. On this basis, performance is considered to be orange: acceptable.



**Latest Data Comment**

January 2019    The likelihood of exclusion is ranked on a 9-point scale, with 9 indicating the highest likelihood. The score is based on a combination of digital indicators and social indicators.

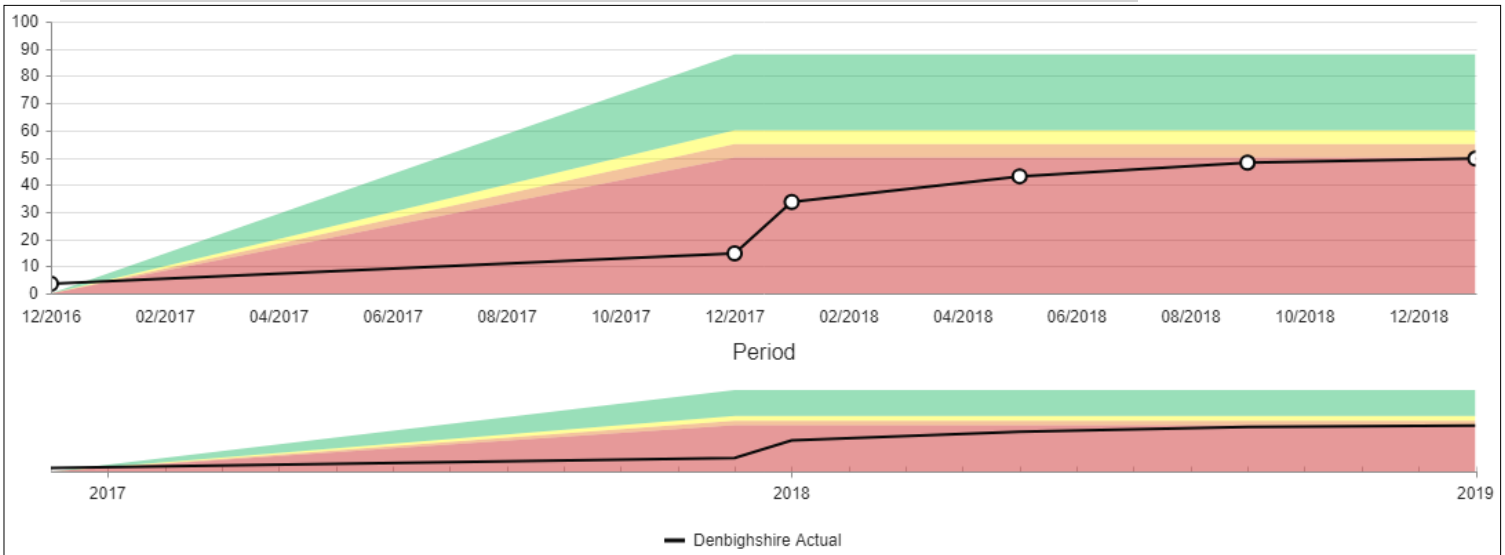


**Latest Data Comment**

Quarter 4 2018-19    Performance has worsened by 0.5% to 5.29% of areas in Denbighshire having broadband speeds of 10mbps down. The reasons for this are unclear at this stage.



12/16	12/17	01/18	05/18	09/18	01/19
3.56	14.72	33.65	43.08	48.08	49.59



**Latest Data Comment**

January 2019 The Connected Nations Spring Update published in January 2019 has shown that 4G coverage on A and B roads from all four network operators has improved very slightly from 48.08% to 49.59%. Performance is still considered to be red: priority for improvement. The general trend, which is not expected to change, is that the % of coverage in Denbighshire is lower than that across Wales, which is in turn lower than the UK average.

**CPCCM2o8i** Percentage of Lower Super Output Areas (LSOAs) in Denbighshire in the 10% most deprived in Wales in terms of Access to Services (Wales Index of Multiple Deprivation)

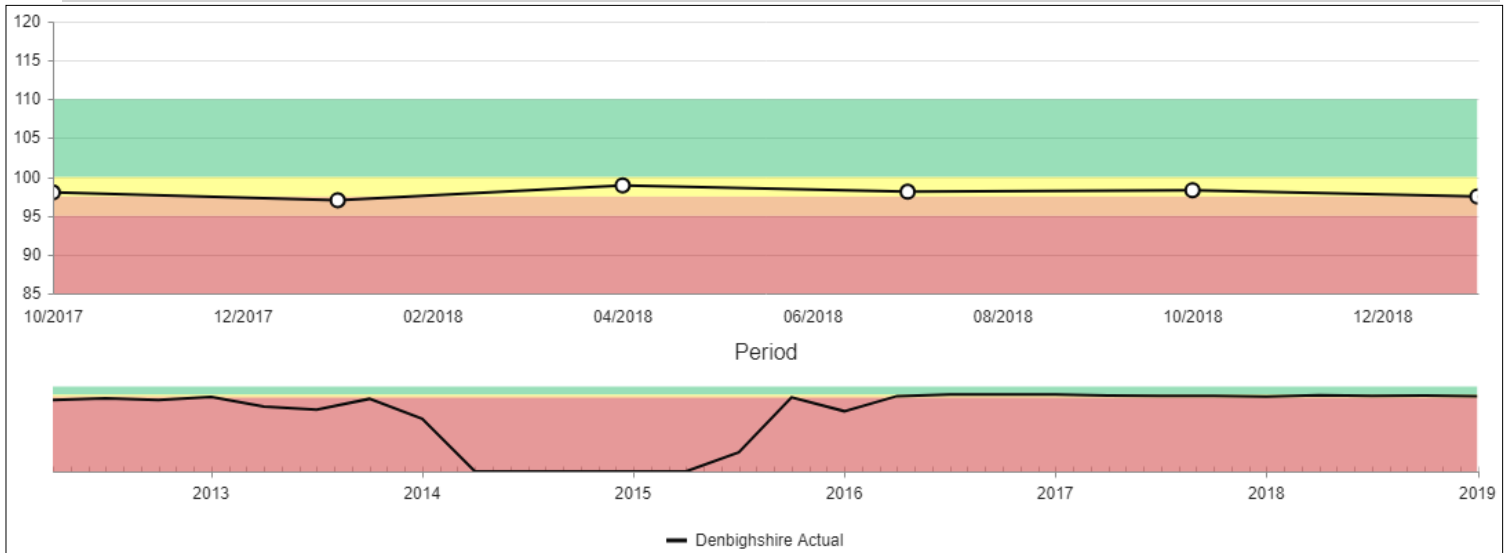
**Latest Data Comment**

WIMD Data 14% 8 of 58 of LSOAs in Denbighshire are among the 10% most deprived in Wales (2014). Llandrillo is the most deprived in Denbighshire in terms of access to services and the 7th most deprived in Wales overall.

**CPQHESCAT1** Percentage of damaged roads and pavements made safe within target time (CAT1 - Category 1 defects dealt within timescale)



04/17	07/17	10/17	01/18	04/18	07/18	10/18	01/19
98.70	98.00	98.00	97.00	98.90	98.11	98.30	97.50



#### Latest Data Comment

Quarter 4 2018-19 Target time based on seven calendar days. Between 1st Jan - 31 Mar 2019 there were 203 CAT 1 defects recorded, 198 of which were completed within target time.

**HESRCSI** 6 monthly Road Condition Score for around 75% of the remaining network (some C roads and almost all unclassified roads)

04/18	10/18
362092.00	379974.00

#### Latest Data Comment

2018-19 The results have been collated and a report is being discussed with councillors. The 2018-19 score is 379974 showing that roads have worsened overall.

### PROJECTS

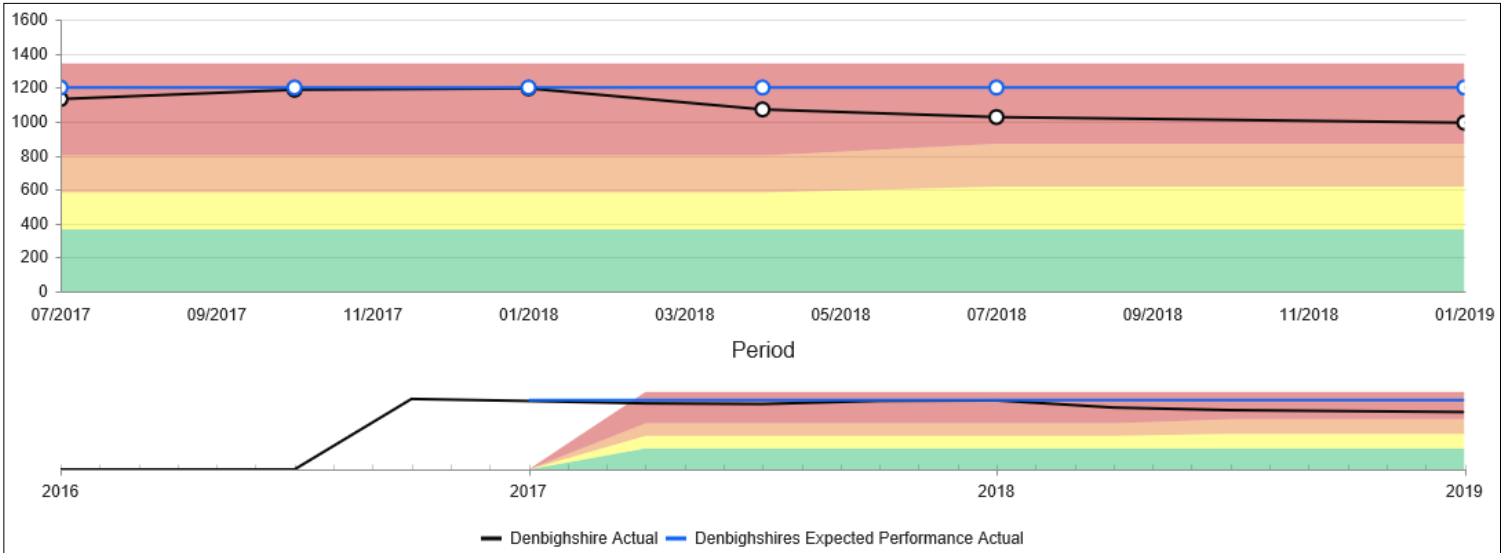
PR004434	Digital Access Points	14/09/17	31/03/22
PR004436	Target those most likely to be digitally excluded so they have the skills and means to use digital services	01/01/18	31/12/22
PR004444	Invest in roads and bridges to maintain a viable, sustainable infrastructure	01/04/18	31/03/22
PR004484	Make superfast broadband and mobile networks available to everyone	22/02/18	31/03/22
PR004487	Better enable people to travel to work, education and services	01/03/18	31/03/22
PR004632	Improve infrastructure to make it easier to stage events	01/04/18	31/03/22
PR004707	Ensure Council Information and Services are Accessible Online	24/04/18	04/10/20

### Priority 3 - Resilient Communities: The council works with people and communities to build independence and resilience

Measures Status **Acceptable**

**QCSS005m** The average length of time adults (aged 65 or over) are supported in residential care homes

01/17	04/17	07/17	10/17	01/18	04/18	07/18	01/19
1184.00	1143.00	1132.00	1187.00	1195.00	1071.00	1026.00	993.00



### Latest Data Comment

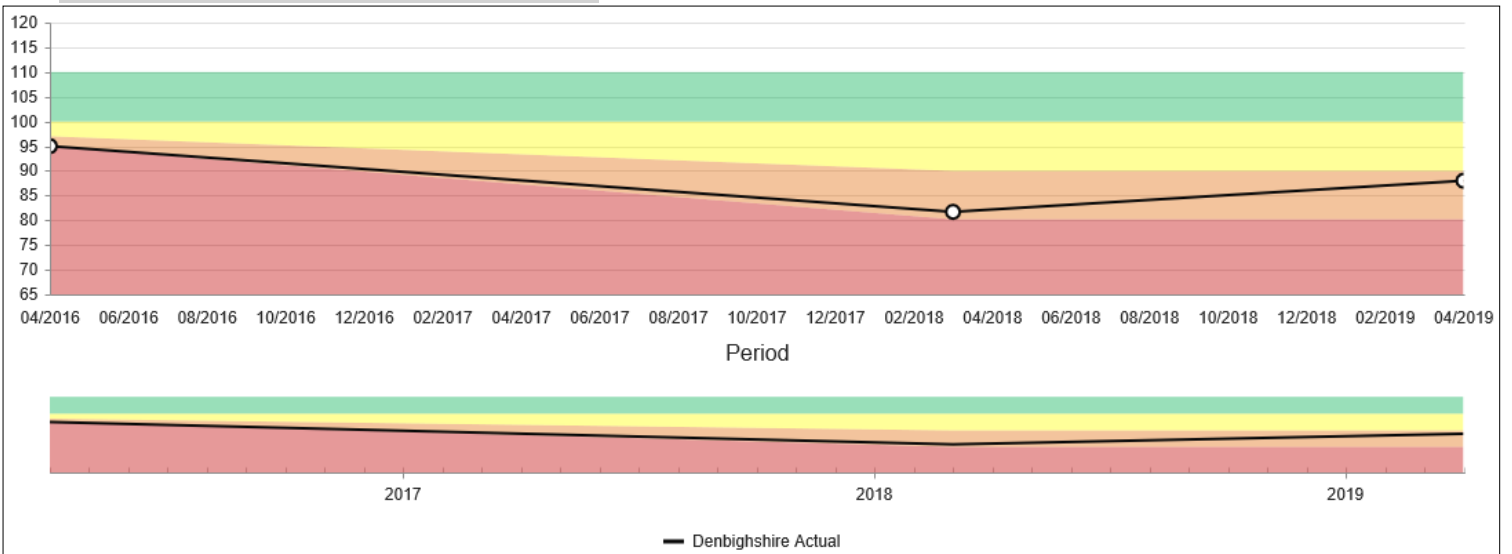
Quarter 4  
2018-19

The average length of time adults (aged 65 or over) are supported in residential care homes for the year decreased to 993 days. Although this is high in relation to the Wales average (800), it is understood that Denbighshire has a high average age population. This is the first time our figure has been below 1,000 days.

### AnnualCSS002m

The percentage of people reporting they have received the right information or advice when they needed it

04/16	03/18	04/19
95.00	81.70	88.00



### Latest Data Comment

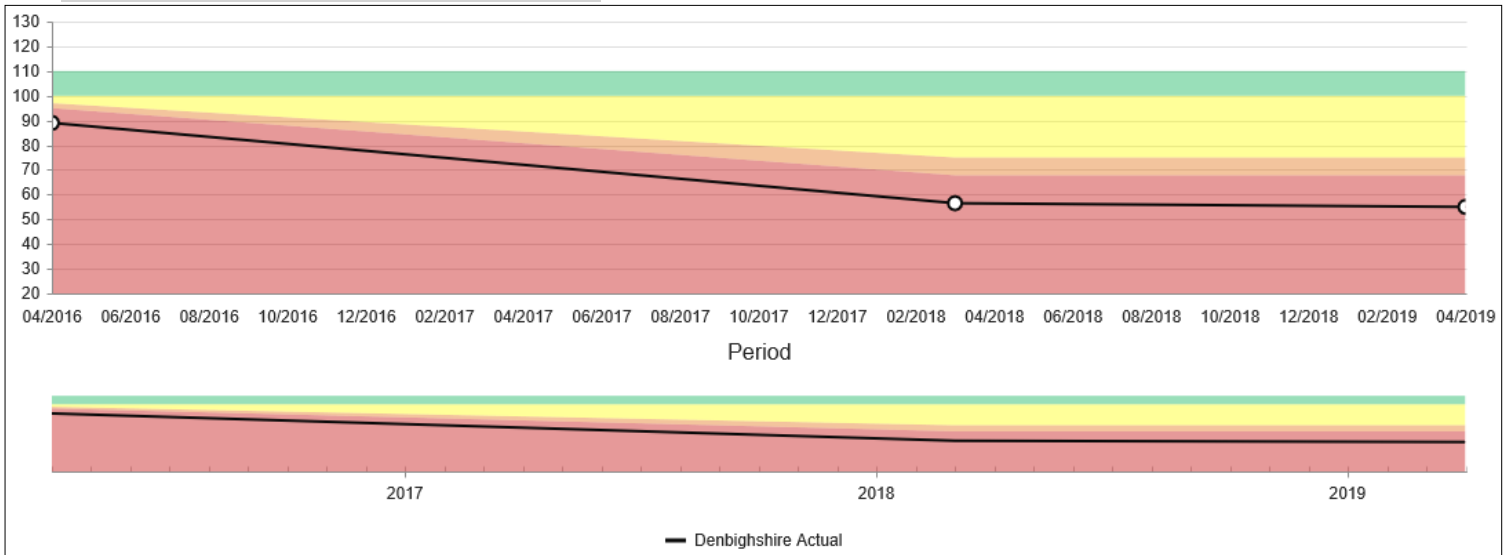
April 2019

88% of adults felt they had the right information or advice.

### AnnualCSS004m

The percentage of carers reporting they feel supported to continue in their caring role

04/16	03/18	04/19
89.00	56.50	55.00

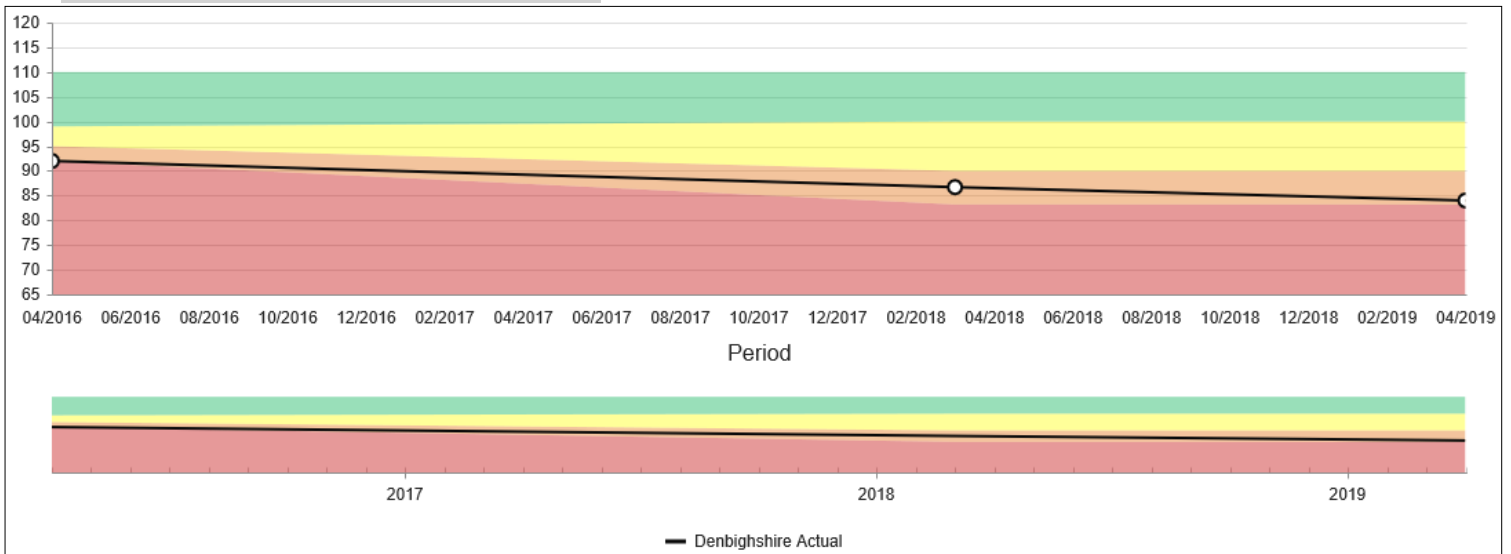


**Latest Data Comment**

April 2019      55% of carers felt supported to continue in their caring role. This is being followed up through the Supporting Carers Project and through engagement with carers.

**AnnualCSSo14m**      The percentage of people reporting that they know who to contact about their care and support

04/16	03/18	04/19
92.00	86.70	84.00



**Latest Data Comment**

April 2019      84% of adults said they know who to contact about their care and support. Operational teams are looking at how this can be improved.

**CSSAGGRo3**      Number of assessments of need for support for carers undertaken during the year

10/16	04/17	10/17	01/18	04/18	07/18	10/18	01/19
386.00	0.00	387.00	525.00	49.00	91.00	144.00	234.00

**Latest Data Comment**

Quarter 4 2018-19	This is a count only and as at March 2019 - 234 assessments were carried out for carers.
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<b>CPBIM301i</b>	<b>The percentage of people who agree "my local area is a place where people will pull together to improve the local area"</b>
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04/19
59.00

**Latest Data Comment**

2018	The survey found that most people (59%) thought that their local area was a place where people will pull together to improve the local area, with 30% disagreeing and the remainder (11%) were unsure.
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<b>CPCCM302i</b>	<b>The number of live resources on the Dewis Cymru Platform</b>			
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04/17	04/18	07/18	10/18	01/19
453.00	454.00	441.00	517.00	Data unavailable

**Latest Data Comment**

Quarter 4 2018-19	This is a count only. Quarter 4 data is as yet unavailable.
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<b>CPBIM303i</b>	<b>The percentage of people who feel able to influence decisions affecting their local area</b>
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04/18
27.00

**Latest Data Comment**

2018	The survey found that 27% of respondents felt they were well informed about how to get involved in local decision making, with 59% disagreeing and 14% had no opinion. This is again a slight improvement on the 2015 survey when 64% said that they were not well informed and compares to 52% in 2013 and 48% in 2011.
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<b>CPBIM305i</b>	<b>The number of recorded incidents of domestic abuse</b>						
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06/17	09/17	12/17	01/18	04/18	07/18	10/18	01/19
268.00	299.00	292.00	284.00	348.00	408.00	0.00	0.00

<b>CPBIM306i</b>	<b>The number of repeat offenders of domestic abuse</b>						
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06/17	09/17	12/17	01/18	04/18	07/18	10/18	01/19
28.00	26.00	27.00	28.00	31.00	32.00	0.00	0.00

**Latest Data Comment**

Quarter 4 2018-19	We are advised that there have been further changes in the way NW Police record Domestic Crimes, no longer separating Domestic Abuse from other Domestic Crime; the figures to report on our indicators will therefore, in future, be based upon the new reporting format, which derives from a National Incident Category List (NICL) tag, and our historical figures, previously reported, will need to be amended. Revised figures will be reported in Quarter 1 of the 2019 - 2020 and this will be in the form of a new indicator we will set up that will offer a rolling twelve months data.
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## PROJECTS

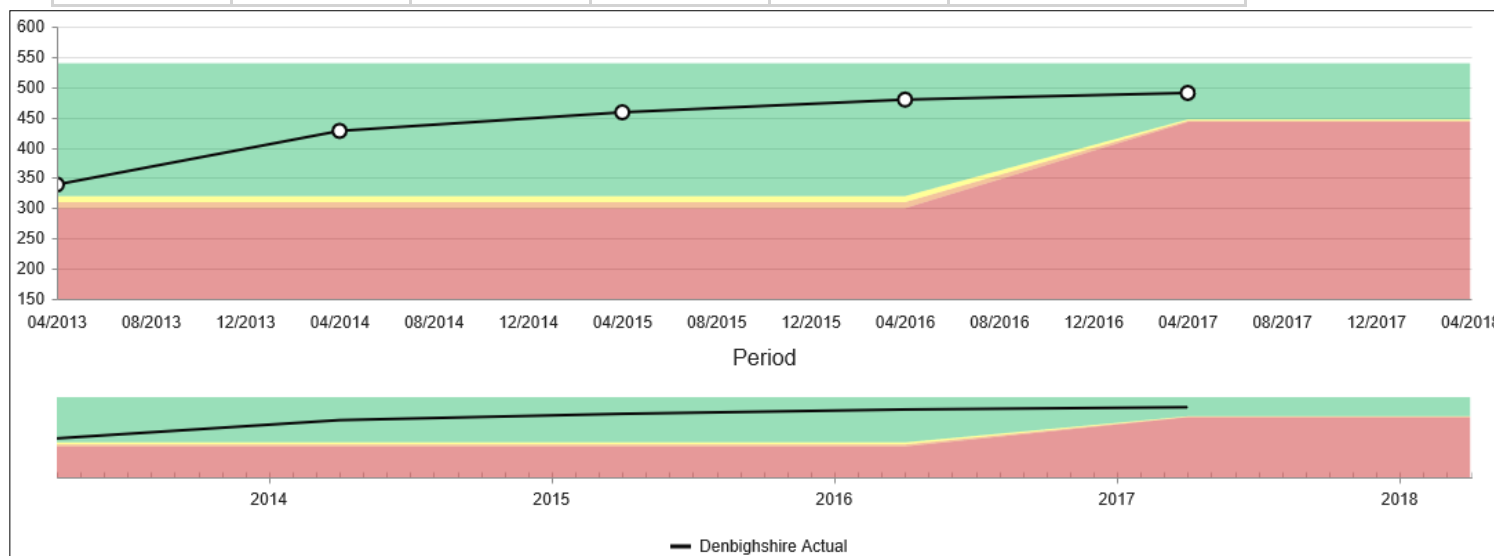
PR004413	Community Planning & Development Resource	16/11/17	31/03/19
PR004440	People are involved in shaping and improving services	03/04/18	31/03/22
PR004458	Supporting Carers in Denbighshire	01/04/18	31/03/22
PR004716	Act to reduce Domestic Abuse	01/07/18	31/03/23

## Priority 4 - Environment: Attractive and protected, supporting well-being and economic prosperity

Measures Status **Good**

### CPCMSTEAMi STEAM - Total Economic Impact of Tourism (£ million)

04/13	04/14	04/15	04/16	04/17	04/18
339.00	427.64	458.39	479.34	490.35	Published Sept 2019



### Latest Data Comment

2017-18 2017 STEAM economic impact figures show that tourism brought £490.35million into the local economy, an increase of 2.3 per cent on 2016, and of 70 per cent since 2007. Last year tourism supported 6,231 jobs in Denbighshire, while 5.93m people visited the County, an increase of 25 per cent since 2007, for a total of 11.58m days. The number of visitors to the coast increased to 3.16m, as did the number of visitor days spent (6.92m) and the number of staying visitors (900,000). In total there were 1.5m staying visitors who contributed £331.46m to the economy in 2017, a 50 per cent increase in staying visitors since 2007.

CPFAH401i	% of existing and acquired council housing stock (1st April 2017 baseline) achieving an EPC (Energy) rating of C or above
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04/17	04/18
33.00	33.00

**Latest Data Comment**

Annual 2018-19	Progression and analysis of the stock condition surveys, together with a review of data already held has revealed that approximately 33% of the Housing stock is at least an EPC 'C' with a further 24% being only 1 – 4 points off achieving a 'C' rating & therefore requiring little work to meet the standard. While this represents 57% of the stock surveyed, there are a significant number of properties that have been identified that will never achieve the standard. It has also been identified that in order to bring the majority of the remaining properties to a 'C' standard, a significant level of investment is required which is not sustainable for the HRA investment profile within a 5 year period. Taking into account of all of the above our 'excellence' threshold has been revised to 70% of all council homes to achieve 'C'.
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**CPFAH402i % of all new build council housing achieving an EPC (Energy) rating of A**

09/17	04/18
0.00	0.00

**Latest Data Comment**

Annual 2018-19	The designs for all new build council housing are being developed with the intention of achieving an EPC rating of A once complete.
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**CPBIM403i Percentage reduction - from a 31/03/17 baseline – in carbon emissions (tonnes) from council assets**

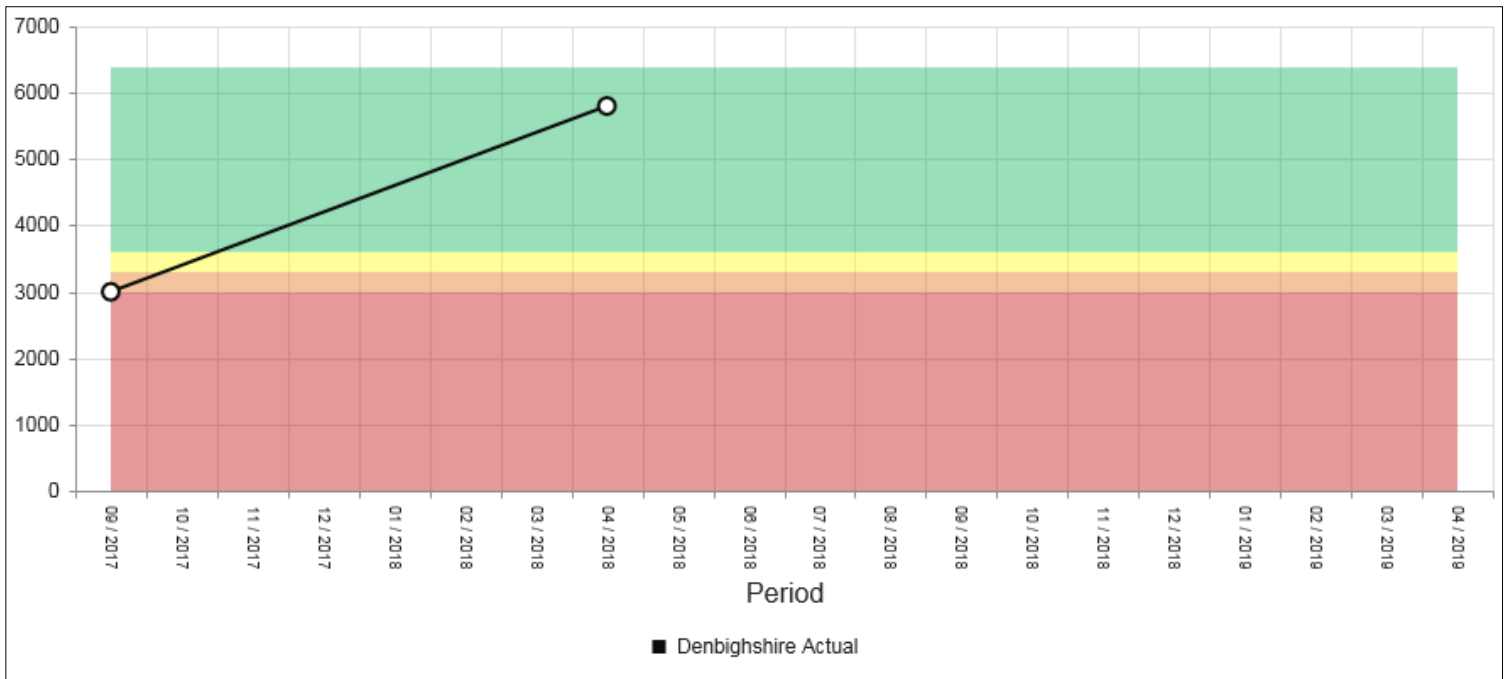
04/16	04/17	04/18
12727.50	12727.50	Data unavailable

**Latest Data Comment**

Annual 2018-19	Data for 2018-19 is as yet unavailable but being collated. It will be reported in quarter 1, 2019-20. Once annual data is available we will take the opportunity to reassess our ambition.
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**CPHES404i No. of trees planted to increase canopy cover in Rhyl and Denbigh**

09/17	04/18
3000.00	5800.00



**Latest Data Comment**

Annual 2018-19 As at 31st March 2019 - The totals so far are 4,800 in Rhyl (on target with 2,400 trees to be planted every year for 5 years) and 1,000 in Upper Denbigh. Additional planting sites have now been identified in Upper Denbigh and we will be planting 2,000 in this planting season to get us on target.

**CPHES4o6i No. of properties with reduced risk of flooding (1,000s)**

**Latest Data Comment**

Annual It is anticipated that 500 properties will benefit from a reduced risk of flooding once the Rhyl scheme has been completed.

**CPRSQ3a How satisfied are people with their local open spaces? - Countryside**

04/18  
87.00

**CPRSQ3b How satisfied are people with their local open spaces? - Beaches**

04/18  
70.00

**CPRSQ3c How satisfied are people with their local open spaces? - Parks**

04/18  
64.00

**Latest Data Comment**

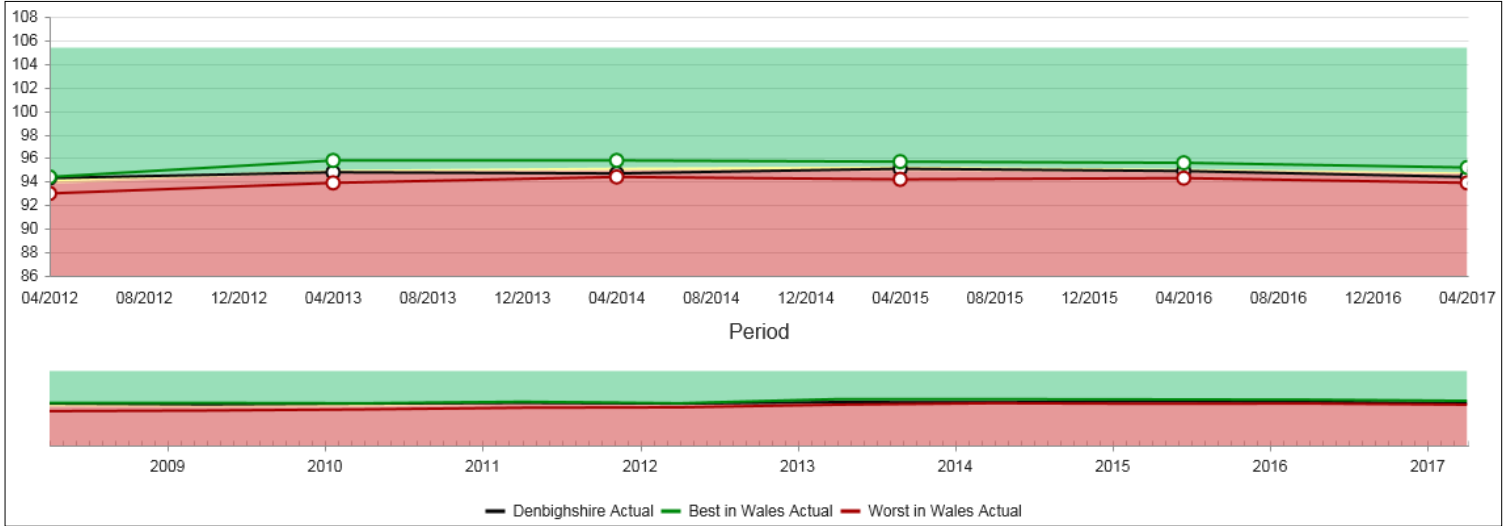
2018 For the first time in our Residents' Survey 2018 we asked people how satisfied they were with their local open spaces. Results found high levels of satisfaction:87% - Countryside, 70% - Beaches, 64% - Parks

PROJECTS				
PR003864	East Rhyl Coastal Defence Scheme	01/01/14	31/12/20	
PR004410	PLANT Project : Urban Tree Planting	02/01/18	02/01/22	
PR004418	Improving biodiversity in Denbighshire	01/04/17	31/03/22	
PR004701	Reducing carbon emissions from council assets	02/04/18	31/03/22	
PR004727	Improving Energy Efficiency in Council Houses	01/04/17	31/03/22	

## Priority 5 - Young People: A place where younger people will want to live and work and have the skills to do so

### Measures Status Priority For Improvement

PAM007		Percentage of pupil attendance in primary schools						
04/10	04/11	04/12	04/13	04/14	04/15	04/16	04/17	
94.30	94.50	94.30	94.80	94.70	95.10	94.90	94.40	



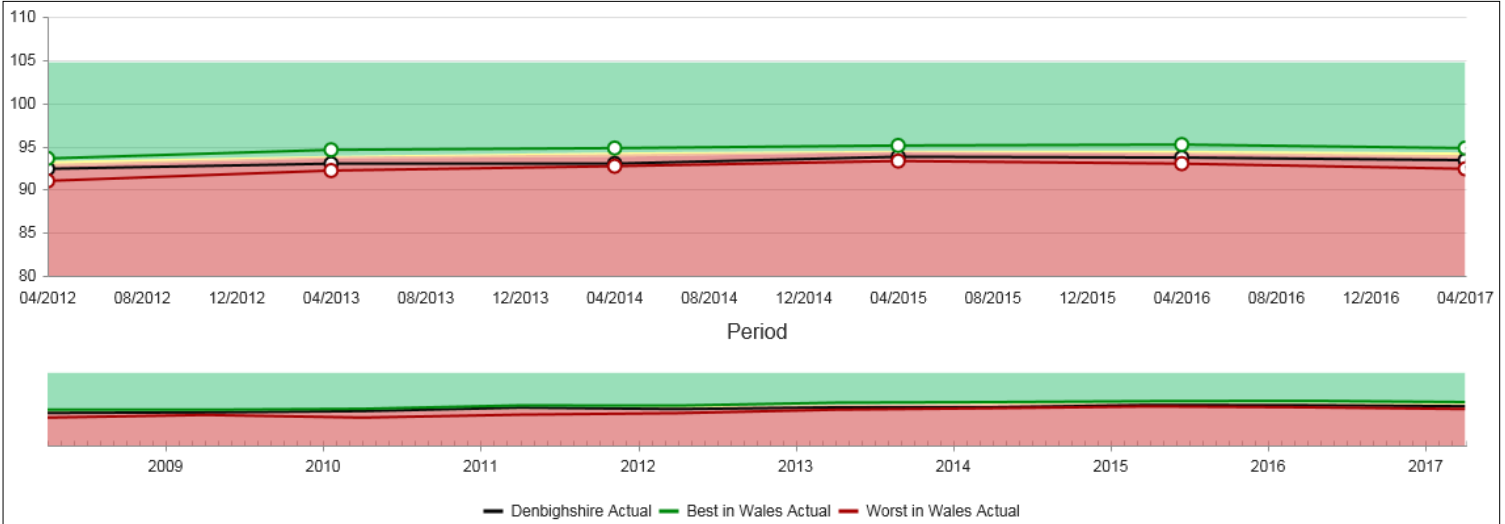
#### Latest Data Comment

**Annual** During 2017-18 (academic year), there were 98,933 authorised absences (up from 97,054 for 2016-17), against 40,969 unauthorised (up from 33,927). This represents a 6.8% increase in absence from the previous year (139,902, up from 130,981). The Service continues to work closely with schools to ensure that they are engaging with the council's fixed-penalty process and that the correct coding is applied to absences. The Service has also put interventions in place where it has found school procedures around absence are not robust.

PAM008		Percentage of pupil attendance in secondary schools	
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04/10	04/11	04/12	04/13	04/14	04/15	04/16	04/17
91.70	92.90	92.40	93.00	93.00	93.80	93.70	93.40



### Latest Data Comment

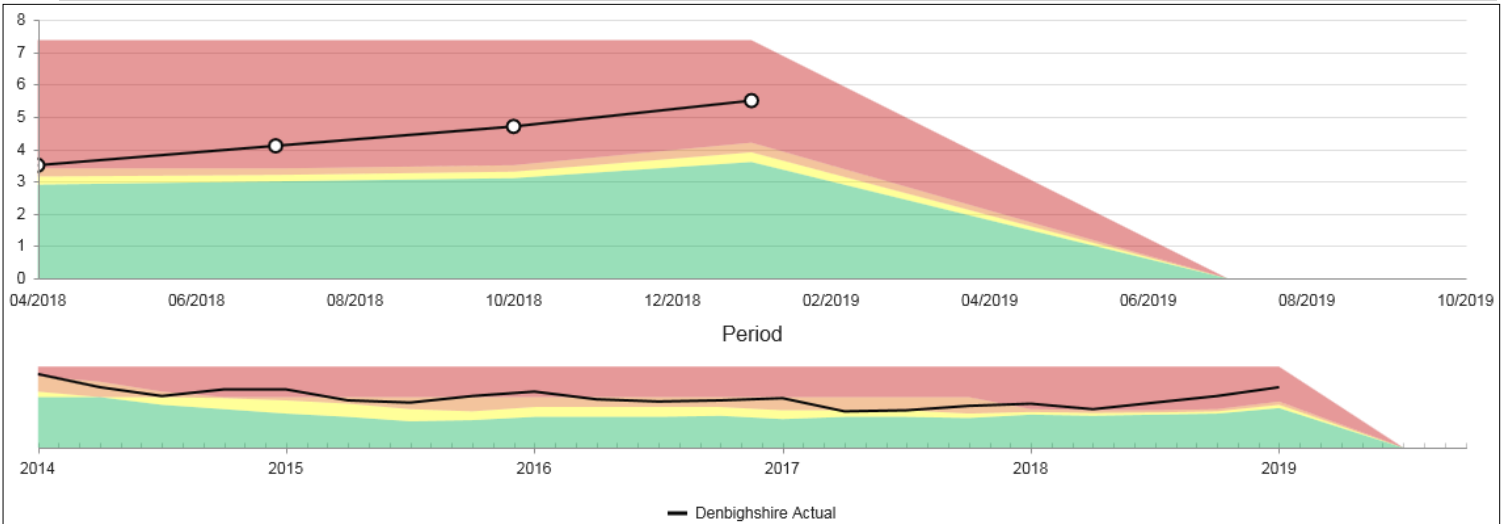
Annual

During 2017-18 (academic year), there were 87,092 authorised absences (up from 85,777 for 2016-17), against 28,403 unauthorised (up from 26,848). This represents a 2.5% increase in absence from the previous year (115,495, up from 112,625). The Service continues to work closely with schools to ensure that they are engaging with the council's fixed-penalty process and that the correct coding is applied to absences. The Service has also put interventions in place where it has found school procedures around absence are not robust.

### QECA4.6i

% of the population aged 18 to 24 claiming JSA

10/17	01/18	04/18	07/18	10/18	01/19	07/19	10/19
3.80	4.00	3.50	4.10	4.70	5.50		



### Latest Data Comment

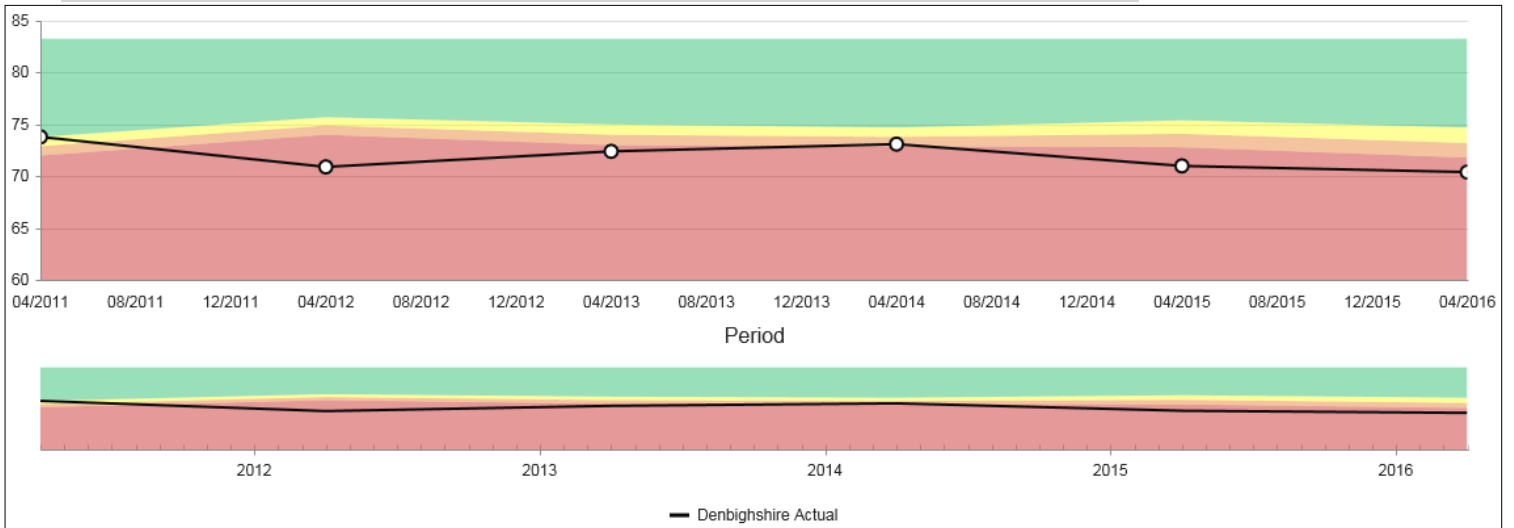
Quarter 4  
2018-19

Latest figures place Denbighshire 1.3% behind the Welsh average.

### CPBIM504i

The percentage of children aged 4-5 years who are a healthy weight or underweight

04/11	04/12	04/13	04/14	04/15	04/16
73.80	70.90	72.40	73.10	71.00	70.40



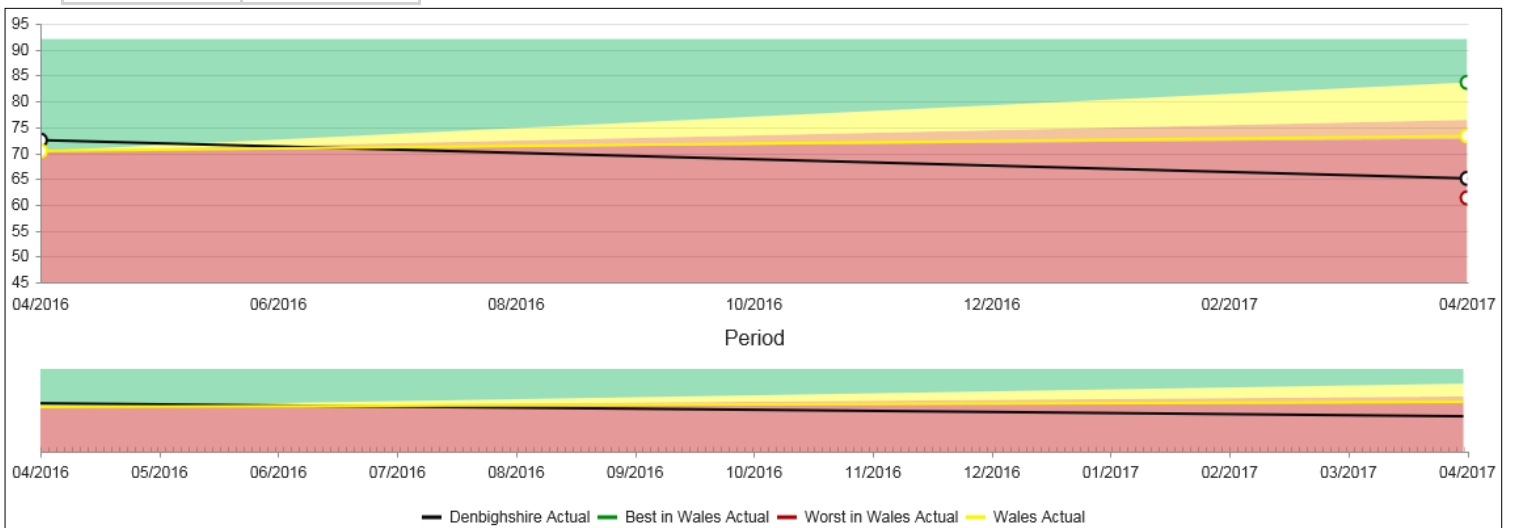
### Latest Data Comment

**Annual** New data released in April from the Child Measurement Programme for Wales reveals a continuing decline in the healthy weight of Denbighshire's 4-5 year olds, placing us in the 3rd quartile (below the Wales median) and 8th worst in Wales. 290 children were measured as overweight or obese in 2016-17, as in the previous year. However, the 2016-17 cohort was smaller (981 down from 1000), therefore fewer children of a healthy weight or underweight.

### CPECS501i

The percentage of Yr11 pupils who achieved KS4 Welsh Baccalaureate Skills Challenge Certificate at National Level (Level 2)

04/16	04/17
72.50	65.10



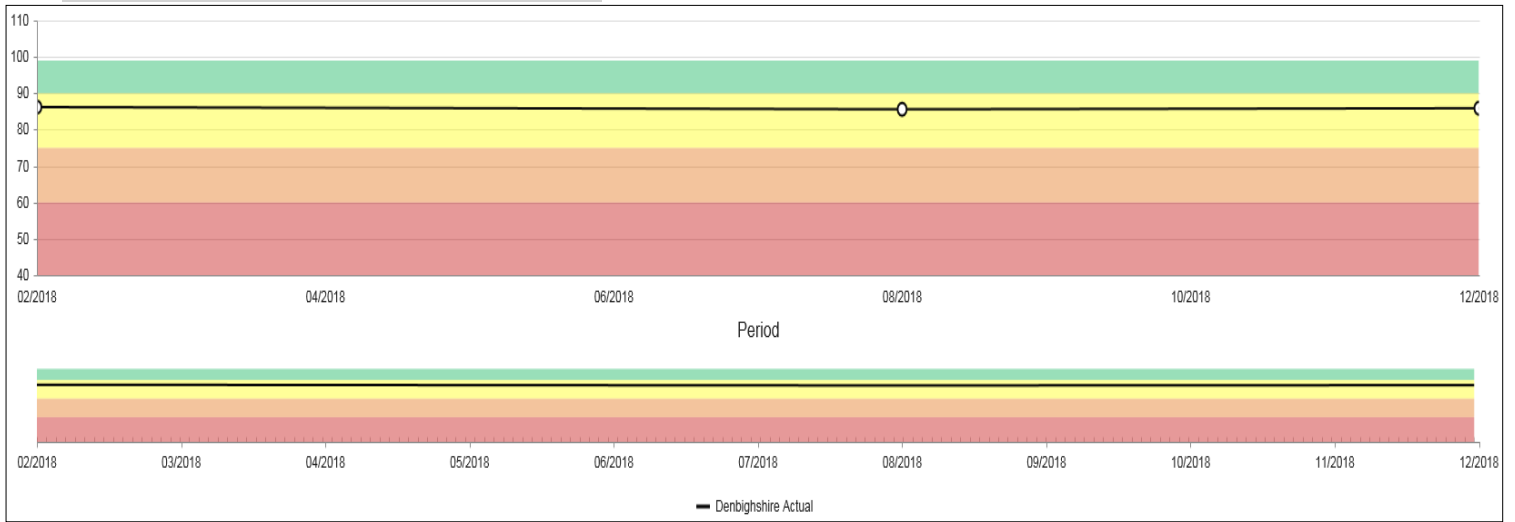
### Latest Data Comment

**Annual** Local Authority level data was published for the first time for this measure in 2017-18. Denbighshire performance in this indicator fell 7.6% below the Wales median in 2017-18 academic year.

### CPECS503i

The percentage of pupils (using Pupil Attitudes to Self and School - PASS) who respond positively against pupils' feelings about school

02/18	08/18	12/18
86.20	85.60	85.90



### Latest Data Comment

December 2018 Mean percentage across Foundation Phase (94.7%), KS2 (89.7%) and KS3/4 (73.3%).

### CPECS505i

The number of pupils benefiting from the Public Service Mentoring Scheme

07/18	10/18	01/19
92.00	0.00	0.00

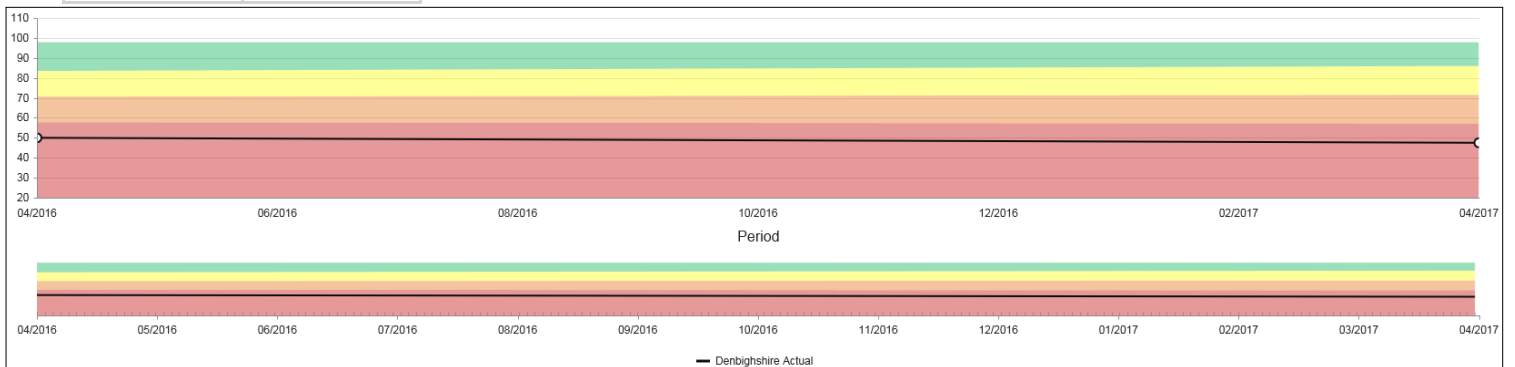
### Latest Data Comment

Quarter 4 2018-19 The intended Public Sector Mentoring Programme has had less success within the Ready for Work project than other elements, struggling for take-up by schools, and capacity making delivery difficult. The project will be closed early in 2019-20, but it is hoped that successful elements will be able to continue through the Working Denbighshire strategy. However, our measure for pupils engaging with the mentoring scheme will be withdrawn from our performance framework as a consequence.

### CPEDU003/PAM006

The percentage of children achieving 5 GCSEs A\*-C (Level 2, Key Stage 4), including English or Welsh (1st language) and Maths, by the end of secondary school, against the percentage that achieved the expected standard at the end of primary school (Level 4, Key Stage 2)

04/16	04/17
50.00	47.50



### Latest Data Comment

Annual	Changes to the national curriculum and assessments framework poses a real challenge to us when it comes to understanding the attainment of pupils in Denbighshire, particularly as we are no longer able to compare with other Welsh authorities. When this situation is clarified, we will need to change the performance measure that we initially chose for our Corporate Plan, which examined the gap between attainment at key stage 2 (Core Subject Indicator) and key stage 4 (Level 2 inclusive of Welsh / English and Maths). These two measures were felt to be commensurate with one another at the start of the Plan. However, this is no longer felt to be the case, following changes to the way key stage 4 attainment is now assessed. This impacted adversely on Denbighshire in 2018, with 47.5% of pupils achieving the expected outcome at key stage 4, inclusive of Welsh / English and Maths (Level 2+). This falls behind the Welsh average of 55.1%. This situation has been examined in detail by our Performance Scrutiny Committee, and is being closely monitored by the council and the regional school improvement consortium, GwE.
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<b>RSQPPP2018</b>	<b>The percentage of residents that are satisfied that there are job opportunities for young people at the start of their career</b>
04/18	
19.00	
<b>Latest Data Comment</b>	
2018	This survey asked a number of questions about satisfaction with opportunities within the County. This is the first time questions like this have been asked. The survey found that only 19% agreed that there are job opportunities for young people at the start of their career, with 56% disagreeing and 25% did not know.

<b>RSQECS2018</b>	<b>The percentage of residents that are satisfied that there are opportunities for young people to develop their skills</b>
04/18	
28.00	
<b>Latest Data Comment</b>	
2018	28% of respondents agreed that there are opportunities for young people to develop their skills, with 48% disagreeing and 24% did not know.

<b>RSQBIM2018</b>	<b>The percentage of residents that are satisfied that there are leisure opportunities that appeal to young people</b>
04/18	
50.00	
<b>Latest Data Comment</b>	
2018	Resident Survey 2018 results: 50% of respondents agreed that there are leisure opportunities that appeal to young people, while 30% disagree and 20% did not know.

<b>CPBIM506i</b>	<b>The number of young volunteers (0-25) participating in opportunities provided by the council</b>
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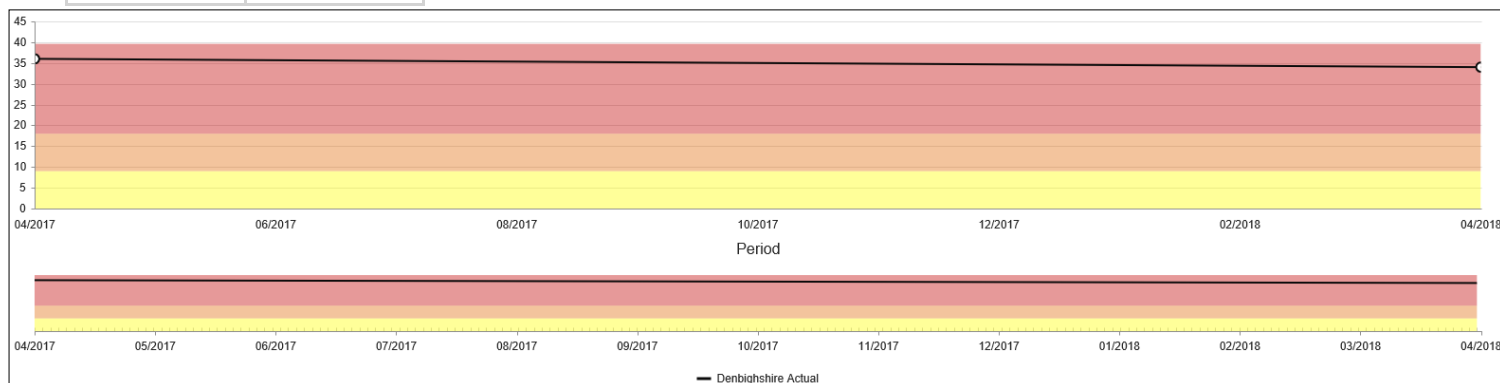
### Latest Data Comment

Annual 2018-19 There has been work done this year to better understand volunteering opportunities that are available to young people across the council, looking at our Youth Service, Countryside Service, the Welsh BaccaLaureate, and our TRAC programme (which seeks to engage those likely to fall out of education, employment or training). Quantifying the number of opportunities, or the number of young people participating has proved problematic across these areas. However, improvements to tracking volunteer opportunities are being implemented currently, which should improve reporting.

### CPECS502m

The number of schools providing education through suitability and condition categories C & D

04/17	04/18
36.00	34.00



### Latest Data Comment

Annual 2018-19 Currently 34 schools are providing education in buildings that have the lowest suitability & condition categories (C & D). The 21st Century Schools Programme will reduce this figure, and the Service has set ambitious local thresholds where 0 schools represents Green: Excellent performance.

### CPPPP501m

The percentage increase in the salaries of young people enrolled in the Employment Bursary Project

### Latest Data Comment

Annual From application and documentation, estimated pay rise will be approximately 9% per annum

### PROJECTS

ECA	Young Person Employment Bursary	01/10/18	31/03/22
ECA	Ready for Work	01/09/17	31/03/20
ECA 4.2c	The Denbighshire Working Start Scheme	01/10/18	01/04/22
ECA 4.3a/4.4	Develop technology based shared entrepreneur space, Rhyl	16/10/18	31/03/22
ECA-TechZone	TechZone / ParthDechnoleg: Growth Sector Move-on Accommodation	02/09/18	31/03/20
MOD.ED	Modernising Education		
PR004431	Monitoring and supporting positive pupil attitudes to self and school/well-being	03/07/17	31/08/21
PR004438	Supporting Parents in Denbighshire	01/04/18	31/03/22
PR004980	Health and Well-being - Nutrition and Cooking Skills	01/04/19	31/03/22

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**Report To:** County Council

**Date of Meeting:** 2<sup>nd</sup> July 2018

**Lead Member / Officer:** Chair Corporate Governance Committee

**Report Author:** Gary Williams, Head of Legal, HR and Democratic Services

**Title:** **Annual Report of the Corporate Governance Committee**

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

The report is about the work of the Corporate Governance Committee (the Committee) for the Municipal Year 2018/19

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

To inform all Members of the work of the Committee.

**3. What are the Recommendations?**

3.1 That Members note the content of the report.

**4. Report details**

- 4.1 The Council is statutorily required under the provisions of the Local Government Wales Measure 2011 to have an Audit Committee. The Committee is the Council's designated committee for this purpose. The statutory role of the Audit Committee is to review and scrutinise the authority's financial affairs, make reports and recommendations in relation to the authority's financial affairs, review and assess the risk management, internal control and corporate governance arrangements of the authority and make reports and recommendations to the authority on the adequacy and effectiveness of those arrangements. The Committee is required to oversee the authority's internal and external audit arrangements, and review the financial statements prepared by the authority. The Committee is also the body that is responsible for keeping the Constitution under review.
- 4.2 The Council's Constitution provides that the membership of the Committee is made up of six elected Members on a politically balanced basis. There is no statutory requirement for the Committee to be politically balanced. There is a statutory requirement to have at least one independent lay member of the Committee and the current lay member is Mr. Paul Whitham.
- 4.3 Each meeting of the Committee is attended by the Council's s151 Officer, Monitoring Officer and Head of Internal Audit or their representatives. In addition each meeting is attended by officers of the Wales Audit Office.
- 4.4 During the period covered by this report, the Committee has received a number of internal annual reports on matters relating to governance. These have included:

- 4.4.1 Annual Governance Statement Report - this report provides the self-assessment report on the Council's governance and improvement arrangements for 2017-18, which incorporates the Council's 'annual governance statement'. There were no significant governance issues to report. Any less significant issues were included in the Governance Improvement Action Plan which is monitored by the Committee.
- 4.4.2 Corporate Health and Safety Annual Report – this is a report from the Corporate Health and Safety Officer to provide assurance to the Committee that accidents and incidents are reported and monitored; that activity is planned in line with information provided by service hazard and gap analysis; and that training is delivered as required. The overall assessment of DCC's implementation of H&S systems and of employee involvement in H&S are both medium assurance (yellow). This means that H&S management systems are generally developed and recorded. Significant hazards are generally identified and managed to minimise risk. Employees are generally involved in the development and use of H&S management systems.
- 4.4.3 Senior Information Risk Officer (SIRO) Annual Report – the Senior Information Risk Owner (SIRO) has an explicit responsibility to ensure that information held by the Council is managed safely, effectively and in accordance with legislation. This report provides Members with information as to any data protection breaches that may have occurred and whether there are any issues or trends that require further action to be taken. The report sets out statistical data regarding requests for information under the Freedom of Information legislation and the number of complaints made to the Information Commissioner's Office. There had been no significant data breaches during the reporting period. There had been two minor breaches involving inaccurate address details on correspondence. Both breaches were investigated but not considered sufficiently serious to report to the Information Commissioner.
- 4.4.4 Whistleblowing Annual Report – the Council's Whistleblowing Policy requires that an annual report be provided to the Committee on the number and outcome of concerns raised under the policy and whether there are any trends or issues that require further action to be taken. There were two concerns raised under the policy during the reporting period which emanated from separate areas and were different in nature. There did not appear to be a connection between the two concerns nor any underlying theme that needed to be addressed.
- 4.5 The Committee also receives a number of reports relating to financial matters each year. These have included:
- 4.5.1 Statement of Accounts – each year the Committee is required to approve the Council's statement of accounts in order that they may be signed off by the Chair of the Committee and the s151 Officer. There is a large amount of information involved in the accounts and the draft is presented to the Committee in one meeting before summer recess and the final statement of accounts is presented for approval in September each year in order that the committee has sufficient opportunity to examine the documentation and scrutinise it. The accounts were approved.



4.5.2 Treasury Management – the Committee receives two reports each year on the treasury management functions of the Council. The reports present details of capital financing, borrowing, debt rescheduling and investment transactions during the reporting period. The reports also deal with the risk implications of treasury decisions and transactions and compliance with treasury limits and Prudential Indicators. The Committee reviews the Annual Treasury Management Strategy prior to its approval by Council.

4.6 The Committee also receives external regulatory reports. During this reporting period the Committee has received the following reports:

4.6.1 Wales Audit Office Annual Improvement Report - this report was presented to the Committee and Full Council and is a summary of audit work by the WAO, including studies on Scrutiny, Service User Perspective Review relating to Housing and the Estyn Inspection. No significant recommendations for change were made, and the report was overall very positive about the Council. There were six 'proposals for improvement', which were presented to Council together with the actions in respect of each of these.

4.6.2 WAO Annual Audit Letter – the Committee received the WAO's annual audit letter, the key messages in which were that Denbighshire County Council complied with its responsibilities relating to financial reporting and use of resources, that WAO was satisfied that the Council has appropriate arrangements in place to secure economy, efficiency and effectiveness in its use of resources and that their work to date on certification of grant claims and returns had not identified significant issues that would impact on the 2018-19 accounts or key financial systems.

In addition the Committee receives reports on the WAO's programme of work.

4.6.3 Overview and Scrutiny – Fit for the Future – the Committee received a report on The Council's Scrutiny arrangements as part of a national study. The report concluded that the Council's overview and scrutiny function is responding well to current challenges, however limited capacity to support scrutiny may hinder future progress, and there is scope for cabinet members to contribute more actively to scrutiny discussions.

4.6.4 Local Government Use of Data – the Committee received a report on the use of data by the Council as part of a national study. The report found that the Council has the foundations in place to make better use of data but needs to improve how data is analysed and presented to decision makers. The report suggested that – developing a more unified and corporate approach to using data would help to extend the benefits of data-led decisions to all service areas. Updating data sharing protocols and communicating them would help to ensure that managers know when and what they can share, helping to avoid disproportionate risk aversion when it comes to data sharing. Mapping staff who have a role in analysing and managing data to build and develop capacity in data usage and developing its data analysis capacity within existing resources will help the Council embed data-driven decision-making and generate greater insights into customer demand for services.

4.7 The Committee also receives regular reports from the Chief Internal Auditor on the progress made against the Internal Audit Plan which is approved by the Committee. Members of the Committee also receive copies of internal audit reports. The reports which have “low” assurance are considered at Committee and the action plans to address any concerns are scrutinised and monitored by the Committee. Audit reports that have been considered, or have had action plans monitored by the Committee during the reporting period include, Health and Safety in schools, Public Conveniences, Project Management of 21<sup>st</sup> Century Schools, Registration Service, and Joint Procurement Unit.

4.8 The Committee has also undertaken a self-assessment of its own performance compared to current best practice. This assessment was against a checklist from the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance “Audit Committees – Practical Guidance for Local Authorities and Police 2018 Edition.”

There are no significant areas of non-compliance identified in the core functions expected of audit committees or wider functions, however some variances were identified and the terms of reference updated accordingly. Self-assessment responses highlighted training needs which is being arranged with the Welsh Chief Auditors Group for the Chair and internally for all committee members.

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

The Committee’s work in scrutinising the Council’s financial affairs, risk management and corporate governance controls assists the Council in delivering the Corporate Priorities.

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

There are no direct costs associated with this report.

#### **7. What are the main conclusions of the Well-being Impact Assessment?**

This report contains no proposal but is, rather, a report on the work done by the Committee over the past year. There is therefore no impact assessment required.

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

The Committee has received and commented upon a draft of this report.

#### **9. Chief Finance Officer Statement**

The work of the Corporate Governance Committee is a crucial element of the Council’s overall governance framework. It is important that the Council has a designated committee to give proper consideration to financial and regulatory reports, policies and procedures. From a finance perspective, the Committee plays a key role in the scrutiny and approval of the Council’s Annual Statement of Accounts and in the scrutiny of the Council’s treasury management activity as part of its role in recommending the Annual Treasury Strategy to Council.

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

The risk of not having an effective Corporate Governance or Audit Committee is that there is no oversight of the Council's corporate governance which is a key component of good performance. Weak corporate governance can contribute to failures in service delivery.

**11. Power to make the Decision**

There is no decision required as a result of this report.

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Report To:	Council
Date of Meeting:	2 July 2019
Lead Member:	Councillor Richard Mainon
Report Author:	Steve Price (Democratic Services Manager) and Kath Jones (Committee Administrator)
Title:	Committee Timetable 2020

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

This report contains information and requests decisions on committee-related issues.

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

It is necessary for Council to approve a timetable for 2020 in line with Council's decision to maintain an 18 month timetable, to enable meeting venues and resources to be confirmed, to publicise the timetable and to populate the Members' diary.

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

That Council approves the draft committee timetable for 2020.

## **4. Report details**

### Committee Timetable

The current timetable of committee meetings continues until the end of 2019 and will be extended until the end of 2020 in accordance with Council's request to maintain an 18 month timetable. The draft timetable for 2020 is attached as appendix 1 and also contains a committee-by-committee explanation of the factors behind the identification of suitable dates for each meeting.

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

The decisions and information arising from this report are central to the functioning of the democratic and committee systems which are essential elements of the Council's governance arrangements and contribute to the Council's corporate priorities.

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

The costs of maintaining a committee system are covered within existing budgets but the Council in 2015 made a commitment through its *Freedom and Flexibilities* process to reduce the number of committee meetings being held to save the associated costs.

Services throughout the Council may contribute to the meetings included in the timetable, usually by contributing information, reports and officer time.

**7. What are the main conclusions of the Well-being Impact Assessment?**

A Well-being Impact Assessment is not required for this report.

The annual timetable of meetings is an established process and meets the aims of well-being and equality legislation. The principal 'service users' are the members of the committees and supporting officers although the press and public are also able to attend most meetings or view webcast meetings online. The level of interest or engagement of individuals or groups is likely in large part to depend on the topic under consideration.

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

Council is being consulted on the issues raised in this report. Officers supporting the work of the different committees have been consulted on the committee timetable to identify viable dates for meetings.

**9. Chief Finance Officer Statement**

There are no additional costs arising from the recommendations in this report.

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

Failure to confirm the timetable would be detrimental to the Council's governance arrangements.

**11. Power to make the Decision**

Schedule 12 of the Local Government Act 1972

# DRAFT SCHEDULE OF MEETINGS 2020 COUNCIL MEETINGS

## Appendix 1

**KEY**

	<b>WEEKEND OR BANK HOLIDAY</b>
	<b>SCHOOL HOLIDAY</b>

DUE TO SPACE THE FOLLOWING MEETINGS ARE NOT INCLUDED IN THE SCHEDULE – PSB, CHAIRS & VICE CHAIRS GROUP, MAGS, PROGRAMME BOARDS, ADOPTION PANEL, FOSTERING PANEL, AONB JC/PARTNERSHIP

2020	M	T	W	T	F		M	T	W	T	F		M	T	W	T	F		M	T	W	T	F		M	T	
JAN			1	2	3		6						10						20								
FEB							4						10						17								
MAR							3						10						16								
APR			1				6	7	8	9	10		13	14	15	16	17		20								
MAY							4						11						18								
JUNE													15						22								





## COMMITTEE TIMETABLE 2020

Committee	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
COUNTY COUNCIL 10 a.m.	28	25	31		12 ANNUAL COUNCIL		7	<b>SUMMER RECESS</b>	8	13		8	
COUNCIL BRIEFING 2 p.m.			9			8					9		
CABINET 10 a.m.	21	18	24	28	26	30	28			22	20	24	15
CABINET BRIEFING 1 p.m.	13	3	2	20	11	15	13			7	5	2	7
PLANNING 9.30 a.m.	15	12	11	15	20	17	15			2	7	11	16
PERFORMANCE SCRUTINY 9.30 a.m.	30		19	30		11	16				1	26	
COMMUNITIES SCRUTINY 9.30 a.m.	23		12		7		2			3	22		10
PARTNERSHIPS SCRUTINY 9.30 a.m.		13		2	21		9			10		5	17
CONWY & DENBIGHSHIRE JOINT PSB SCRUTINY (TBC)													
CORPORATE GOVERNANCE 9.30 a.m.	22		18	29		3	8			9		18	
LICENSING 9.30 a.m.			4			10				16			2
SACRE 10 a.m.		5				23					14		

Committee	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
STANDARDS 10 a.m.			6			5			4			4	
DEMOCRATIC SERVICES 10 a.m.			20							2			
JCC FOR HEALTH & SAFETY & EMPLOYEE RELATIONS 10 a.m.		7			1		17					6	
WELSH LANGUAGE STEERING COMMITTEE 10 a.m.			17				14					10	
ASSET MANAGEMENT GROUP 9.30 a.m.	16		5		14		23		24		19		
AONB JOINT COMMITTEE 10 a.m.				3 (FCC)		19 (DCC)					13 (WCBC)		
CORPORATE PARENTING FORUM 10 a.m.	17			21			10			16			
PUBLIC SERVICES BOARD	27 (2pm) informal meeting		16 (2pm)										
SCRUTINY CHAIRS & VICE CHAIRS GROUP 2.00 p.m.	30		19	30			2		10		5		

Committee	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>MEMBER AREA GROUPS</b>												
DENBIGH TUES 2 p.m.		4		7		16			1		17	
RHYL MON 2 p.m.	20		30		18		20			19		21
PRESTATYN & MELIDEN TUE 6 p.m.	14		10		19		21			6		1
ELWY THUR 9.30 a.m.		6		23		18			17		12	
RUTHIN MON 2 p.m.	27		23			1	27			12		14
DEE VALLEY MON 2 p.m.		10		6		22			14		16	
<b>PROGRAMME BOARDS</b>												
COMMUNITIES & ENVIRONMENT 9.30 a.m.		19		22		24			15		25	
YOUNG PEOPLE & HOUSING 9.30 a.m.	29		25		27		29			8		9

**OTHER MEETINGS IN 2020**

Committee	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
CONWY & DENBIGHSHIRE JOINT ADOPTION PANEL	17	14	20	17	15	19	17	21	18	16	20	11
FOSTERING PANEL	29	26	18	8	20	24	22	26	23	21	18	16
AONB PARTNERSHIP 10 a.m.		14				5				9		



## **CYCLE OF MEETINGS – 2020**

Meetings scheduled so as to avoid school holidays for formal meetings where possible and week of the Royal Welsh Show (20 – 23 July) and Royal Welsh Winter Fair (30 Nov – 1 Dec)

### **COUNCIL – 8 MEETINGS [meets at 10.00 a.m. on Tuesdays]**

28 Jan – needs to meet before end Jan to approve Council Tax Reduction Scheme

25 Feb – needs to meet before end of Feb to approve Council Tax Levels

31 March – usually held in April, brought forward a week to avoid Easter holidays (6 – 17 April) and to hold a week later would leave only 3 weeks until Annual Council, therefore March will have both a Council and Council Briefing meeting

12 May – ANNUAL COUNCIL

7 July

8 September

13 October – brought forward a week to accommodate Cabinet on 20 October thereby avoiding holding Cabinet in half term (27 Oct)

8 December – a week later than usual to avoid clash with Royal Welsh Winter Fair (30 Nov – 1 Dec)

### **COUNCIL BRIEFINGS [meets at 2.00 p.m. on Mondays]**

To be scheduled for the 3 months there are no council meetings – Mondays 2.00 p.m.

9 March – brought forward a week to avoid clash with Public Service Board (PSB)

8 June

9 November

## **CABINET – MONTHLY [meets at 10.00 a.m. on Tuesdays]**

Where possible to be scheduled near the end of the month with 4 weeks between meetings.

21 January – to schedule a week later would clash with Council

18 February (in half term school holidays, cannot schedule a week later as would clash with Council and scheduling a week earlier would leave 3 weeks between January and February meetings and also present difficulties for finance report)

24 March – to schedule a week later would clash with Council

28 April

26 May – (in half term school holidays – could be brought forward a week but would only leave 3 weeks between the April and May meetings and also present difficulties for finance report)

30 June

28 July – falls in school holiday time but the week before (20 July) also falls in school holiday time and week of the Royal Welsh Show. To bring forward two weeks to 14 July would cause difficulties for the timing of the regular finance report and leave 2 weeks between June and July meetings and 10 weeks until the next meeting scheduled for 22 September

22 September – could be moved to 29 September but would leave only 3 weeks between September and October meeting which had been brought forward to avoid half term

20 October – brought forward a week to avoid half term

24 November

15 December – week earlier than usual due to Christmas period and to avoid school holidays but leaves only 3 weeks between November and December meetings – could be moved to 22 December in school holiday period.

## **CABINET BRIEFINGS – MONTHLY [meets at 1.00 p.m. on Mondays between Cabinet meetings to complement the cycle of Cabinet meetings]**

13 January

3 February

2 March

20 April

11 May  
15 June  
13 July  
7 September  
5 October  
2 November  
7 December

**PLANNING COMMITTEE – MONTHLY [meets at 9.30 a.m. on Wednesdays]**

15 January  
12 February  
11 March

15 April – falls in school holidays but moving a week earlier would also be school holidays and to move a week later to avoid school holidays would leave 6 weeks between the last meeting in March – Planning Officers preference is for this date in order to deal with planning applications in a timely manner

20 May  
17 June  
15 July

August Recess – there are 7 weeks between the Planning Committee meetings in July (15 July) and September (2 September) due to the August recess. We have to avoid the week of the Royal Welsh Show (20 – 23 July) and the following week (31 July) falls within the school holiday period.

2 September  
7 October  
11 November  
16 December

**CORPORATE GOVERNANCE COMMITTEE – 7 MEETINGS A YEAR [usually meets at 9.30 a.m. on Wednesdays]**

CGC meets in July to consider the draft statement of accounts. The statement of accounts needs to be signed off by 15 September 2019 so needs to meet as close as possible to that date.

22 January – need to meet late Jan due to Treasury Management report timescale

18 March

29 April

3 June

8 July – could move to 22 July but in school holidays and Royal Welsh week, or 29 July which is also school holiday time

9 September – needs to meet to approve the statement of accounts before 15 September

18 November

### **SCRUTINY COMMITTEES – meets 7 times a year on Thursdays**

**Performance Scrutiny** – needs to consider school exams end of Sept/beginning Oct and end of Jan/beginning of Feb

30 January

19 March

30 April

11 June

16 July – this meeting should ideally be held on 30 July and could be moved but it is in school holiday period

1 October

26 November

### **Communities Scrutiny Committee**

23 January

12 March

7 May

2 July

3 September

22 October

10 Dec



**Partnerships Scrutiny Committee**

13 Feb

2 April

21 May

9 July

10 Sept

5 Nov

17 Dec

**Conwy and Denbighshire Public Services Board Joint Overview and Scrutiny Committee – to meet quarterly following PSB meetings**

Dates to be agreed following confirmation of PSB dates for 2020

**Scrutiny Chairs and Vice Chairs Group – set by the Group – 30 Jan, 19 March, 30 April, 2 July, 10 Sept and 5 Nov 2020**

**LICENSING COMMITTEE – meets on a quarterly basis (usually Wednesday)**

4 March

10 June

16 Sept

2 Dec

**STANDARDS – meets quarterly on Fridays**

6 March

5 June

4 Sept

4 Dec

**DEMOCRATIC SERVICES – meets twice a year on Fridays**

20 March

2 October

**JOINT CONSULTATIVE COMMITTEE FOR HEALTH & SAFETY AND EMPLOYEE RELATIONS – meets quarterly on a Friday**

7 February

1 May

17 July

6 November

**SACRE – meets once in each school term (3 times a year) on different days in the same academic year**

5 February (Wed)

23 June (Tue)

14 October (Wed)

**WELSH LANGUAGE STEERING COMMITTEE – meets 3 times a year**

17 Mar (Tue)

14 July (Tue)

10 Nov (Tue)

**CORPORATE PARENTING FORUM – meets quarterly**

17 Jan (Fri)

21 April (Tue)

10 July (Fri)

16 Oct (Fri)

## **ASSET MANAGEMENT GROUP**

Meets at least 6 times a year at such venues, dates and times as determined by the group – tends to meet every other month on a Thursday in Caledfryn (Meeting Room 1, Caledfryn 9.00 a.m. – 1.00 p.m. has been reserved for those meetings)

16 Jan

5 Mar

14 May

23 July

24 Sept

19 Nov

**AONB Joint Committee – set by the Board and included in the schedule – 3 April (FCC), 19 June (DCC) and 13 November (WCBC)**

## **PUBLIC SERVICE BOARD**

Set by the Board – dates agreed up to 16 March 2020 included in the schedule

## **CONWY & DENBIGHSHIRE JOINT ADOPTION PANEL**

Set by the Panel – **set by the Panel and included in the schedule**

## **FOSTERING PANEL**

**Set by the Panel and included in the schedule**

## **PROGRAMME BOARDS – meet every other month**

**Communities & Environment – Tue/Wed/Thurs – agreed 9.30 a.m. start**

19 Feb (Wed)

22 April (Wed)

24 June (Wed)

15 Sept (Tue)

25 Nov (Wed)

**Young People & Housing – Wed/Thurs – agreed 9.30 a.m. start**

29 Jan (Wed)

25 March (Wed)

27 May (Wed)

29 July (Wed)

8 Oct (Thurs)

9 Dec (Wed)

**MEMBER AREA GROUPS (MAG) –**

Meet every other month (leaving two months over the August recess period so MAGs meeting in June will next meet in Sept and MAGs meeting July will next meet in Oct)

**DEE VALLEY MAG**

Meet on a Monday at 2.00 p.m. every other month

For 2020 will meet – Feb, April, June, Sept, Nov

Suggest Mondays – 10 Feb, 6 April, 22 June, 14 Sept, 16 Nov

**DENBIGH MAG**

Meet any day between Tue – Fri at 2.00 p.m. every other month

For 2020 will meet – Feb, April, June, Sept, Nov

Suggest Tuesdays – 4 Feb, 7 April, 16 June, 1 Sept, 17 Nov

**ELWY MAG**

Meet on Thurs at 9.30 a.m. every other month (avoid 2nd & last Thurs of the month where possible). Change of start time from afternoon to morning agreed with Elwy MAG members for 2020 onwards

For 2020 will meet – Feb, April, June, Sept, Nov

Suggest Thursdays – 6 Feb, 23 April, 18 June, 17 Sept, 12 Nov

## **PRESTATYN**

Meet on Tue at 6.00 p.m. every other month

For 2020 will meet – Jan, Mar, May, July, Oct, Dec

Suggest Tue – 14 Jan, 10 Mar, 19 May, 21 July (Royal Welsh Week), 6 Oct, 1 Dec

## **RHYL**

Meet on Mon at 2.00 pm every other month – note that Rhyl Town Council hold committee meetings 2nd and 4th Monday of a month between 4 – 6 p.m. so try to avoid if possible.

For 2020 will meet – Jan, Mar, May, July, Dec

Suggest Mondays – 20 Jan, 30 March (should meet 23 March but 4th Monday of the month), 18 May, 20 July, (Royal Welsh Week; should be 27 July but 4th Monday of the month), 19 Oct, 21 Dec (should be 14 Dec but 2nd Monday of the month)

## **RUTHIN**

Meet on Mon at (2.00 pm) every other month

For 2020 will meet – Jan, Mar, May (suggest 1 June), July, Oct, Dec

Suggest Mondays –

27 Jan (clashes with informal/workshop PSB but week before clashes with Rhyl MAG and 13 Jan clashes with Cabinet Briefing. Could be brought forward to 6 Jan but very early following holiday period and likely to cause problems), 23 March, 1 June (could not be scheduled for May as two bank holidays and clashes with Cabinet Briefing and Rhyl MAG), 27 July, 12 Oct, 14 Dec

Last updated 21/06/19

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COUNCIL FORWARD WORK PROGRAMME

Meeting	Item (Description / Title)		Purpose of Report	Council Decision Required (yes/no)	Lead member and Contact Officer
<b>10 September 2019</b>	1	Implementation of Alternative Delivery Model (ADM) for various leisure related functions and activities	To consider and approve the Board membership of the Local Authority Trading Company	Yes	Cllr Bobby Feeley & Julian Thompson-Hill / Graham Boase / Sian Lloyd Price
<b>15 October 2019</b>	1	Annual report of the Scrutiny Committees	To consider the Annual Report of Scrutiny in line with the Council's Constitution	Yes	Steve Price / Rhian Evans
	2	Review of polling districts and polling places	To consider a statutory review of Denbighshire's polling districts and places.	Yes	Cllr Richard Mainon / Steve Price / Gareth Evans
<b>3 December 2019</b>					
<b>January 2020</b>	1.	Use of Plastics	To present the findings and recommendations of the Scrutiny Task and Finish Group on how the Council can reduce its use of plastic in a deliverable and sustainable way	Yes	Chair of Performance Scrutiny Committee/Chair of the T&F Group Graham Boase/Rhian Evans

**FUTURE ITEMS**

North Wales Growth Bid Governance Agreement 2	To approve the governance arrangements in relation to the implementation of the growth deal.	Cllr Hugh Evans / Graham Boase / Gary Williams	<b>TBC</b>
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COUNCIL FORWARD WORK PROGRAMME

***Note for Officers – Full Council Report Deadlines***

<i>Meeting</i>	<b><i>Deadline</i></b>	<i>Meeting</i>	<b><i>Deadline</i></b>	<i>Meeting</i>	<b><i>Deadline</i></b>
<i>September 2019</i>	<b><i>27 August 2019</i></b>	<i>October 2019</i>	<b><i>1 October 2019</i></b>	<i>December 2019</i>	<b><i>19 November 2019</i></b>

Updated 25/6/2019 SP

Council Forward Work Programme.doc



## Council Briefing Forward Work Programme

Meeting	Item (Description / Title)		Purpose of Report	Lead member and Contact Officer
<b>COUNCIL BRIEFING 11 November 2019</b>	1	Tourism Strategy		Cllr Hugh Evans / Liz Grieve
	2	Housing		Cllr Tony Thomas / Geoff Davies
	3	Update from North Wales Police	Requested by the Scrutiny Chairs and Vice Chairs Group, an update on policing issues in Denbighshire including 'county lines'.	Cllr Mark Young / Steve Price

Updated 25/06/2019 - SP

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