

To: Members of the Communities
Scrutiny Committee

Date: 7 March 2019

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Dear Councillor

You are invited to attend a meeting of the **COMMUNITIES SCRUTINY COMMITTEE** to be held at **10.00 am** on **THURSDAY, 14 MARCH 2019** in **CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN.**

Yours sincerely

G. Williams
Head of Legal, HR and Democratic Services

PLEASE NOTE THAT THERE IS A BRIEFING FOR ALL ELECTED MEMBERS AT 9.15 A.M. IMMEDIATELY PRIOR TO THE MEETING.

AGENDA

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

1 APOLOGIES

2 DECLARATIONS OF INTEREST

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

3 URGENT MATTERS AS AGREED BY THE CHAIR

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

4 MINUTES (Pages 7 - 18)

To receive the minutes of the Communities Scrutiny Committee held on 13 December 2018 (copy attached).

10.00 a.m. – 10.05 a.m.

5 SCHOOL MEAL DEBT POLICY (Pages 19 - 28)

To consider a report by the Principal Manager: Modernising Education / Lead Officer: Facilities, Assets & Housing (copy attached) for Communities Scrutiny Committee to examine the revised School Meal Debt Policy.

10.05 a.m. – 10.45 a.m.

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

**6 GYPSY & TRAVELLER SITE PROVISION - UPDATE FOLLOWING THE PRE-PLANNING CONSULTATION PROCESS (Pages 29 - 58)**

To consider a report by the Lead Officer: Property and Housing Stock (copy attached) to update Communities Scrutiny Committee following the Pre-Planning Consultation process.

**11.00 a.m. – 12.15 p.m.**

**7 SCRUTINY WORK PROGRAMME (Pages 59 - 80)**

To consider a report by the Scrutiny Co-ordinator (copy attached) seeking a review of the Committee's forward work programme and updating members on relevant issues.

**12.15 p.m. – 12.30 p.m.**

**8 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

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

**12.30 p.m. – 12.40 p.m.**

**MEMBERSHIP**

**Councillors**

Councillor Huw Williams (Chair)

Councillor Graham Timms (Vice-Chair)

Brian Blakeley  
Meirick Davies  
Rachel Flynn  
Tina Jones  
Merfyn Parry

Anton Sampson  
Glenn Swingler  
Andrew Thomas  
Cheryl Williams

**Voting Co-opted Members for Education (Agenda Item No. 5 only)**

Kathleen Jones  
David Lloyd

Neil Roberts

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## LOCAL GOVERNMENT ACT 2000

### Code of Conduct for Members

### DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a \*member/co-opted member of

*(\*please delete as appropriate)*

**Denbighshire County Council**

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

*(\*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)\**

Signed

Date

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

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## COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 13 December 2018 at 10.00 am.

### PRESENT

Councillors Brian Blakeley, Meirick Davies, Tina Jones, Merfyn Parry, Anton Sampson, Glenn Swingler, Andrew Thomas, Graham Timms (Vice-Chair) and Huw Williams (Chair)

Councillor Huw Hilditch-Roberts, Lead Member for Education, Children and Young People was in attendance for Agenda Item 5 at the Committee's request.

Councillor Tony Thomas, Lead Member for Housing, Regulation and the Environment was in attendance for Agenda item 6 at the Committee's request.

Co – Opted Members – David Lloyd and Neil Roberts

**Observers** - Councillor Huw Hilditch-Roberts, Councillor Tony Thomas, Councillor Emrys Wynne and Councillor Mark Young

### ALSO PRESENT

Corporate Director Economy and Public Realm (GB), Strategy and Development Officer (GM), Flying Start Education Lead (NE), Performance & Business Manager (JM), Head of Planning and Public Protection (EJ), Development Control Manager (PM), Planning Officer - Career Grade (AT), Scrutiny Coordinator (RE) and Committee Administrator (SJ).

### POINT OF NOTICE

In the absence of the Chair, Councillor Huw Williams, the Vice-Chair Councillor Graham Timms took the Chair for the meeting.

At Agenda item 7 – Scrutiny Work Programme – The Chair, Councillor Huw Williams was in attendance.

### 1 APOLOGIES

Apologies for absence were received from Councillors Rachel Flynn and Cheryl Williams

Apologies for absence were received from Co –Opted Member Kathleen Jones.

### 2 DECLARATION OF INTERESTS

Councillor Tina Jones declared a personal and prejudicial interest in agenda item 5 – Early Education and Flying Start Childcare Commissioning because she owned a childcare nurse and was a trustee for Wales National Day Nurseries association.

Councillor Huw Hilditch- Roberts declared a personal interest in agenda item 5 – Early Education and Flying Start Childcare Commissioning because his child attended provisions at school within Denbighshire.

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

No urgent matters were raised.

### **4 MINUTES**

The minutes of the Committee meetings held on the 11 October 2018 and 25 October 2018 were submitted.

11 October 2018 –

**Matters Arising** – Page 12, Item No. 3 Review of a Cabinet decision relating to Gypsy and Traveller site provision – Councillor Graham Timms, confirmed he had attended Cabinet to present the resolutions from the Communities Scrutiny Committee meeting on the 11<sup>th</sup> October for consideration.

25 October 2018 –

**Accuracy** – Page 15 and page 17, Item No. 5 Proposed new waste and recycling service design – Members noted translation errors submitted in the Welsh version of the minutes.

Page 23, Item No. 6 Tourism Progress Report – It was highlighted a translation error in the Welsh version of the minutes had been included.

**Matters Arising** – Page 19, Item No. 5 Proposed new waste and recycling service design – The Scrutiny Coordinator directed members to the information report for feedback received from Planning and Public Protection Service.

Page 22, Item No. Item No. 6 Tourism Progress Report – members received statistics in the information report updating members on the number of visitors to the Council's Tourist Information Centres.

**RESOLVED** that the minutes of the meetings held on 11 October 2018 and 25 October 2018 be received and approved as a correct record.

Prior to the commencement of the following business item Councillor Tina Jones withdrew from the meeting room for the duration of the discussion.

### **5 EARLY EDUCATION & FLYING START CHILDCARE COMMISSIONING**

The Strategy and Development Officer introduced the report (previously circulated) which presented members with an overview of the proposed process for commissioning the childcare elements of both the Early Education and Flying Start programmes. During his introduction the officer emphasised that both these programmes had a proven track record and were widely appreciated by families, schools and other stakeholders. He explained that as part of the Council's work to



eliminate poverty these programmes had been reviewed with a view to realising maximum impact in reducing poverty and deprivation in Denbighshire.

The Early Education childcare formed part of the statutory Foundation Phase (FP) curriculum for 3 to 7 year olds in Wales. As part of this programme the Welsh Government (WG) funded 10 hours of education per week per child in this age group following their third birthday. This education required to be delivered in a childcare setting i.e. a playgroup, Cylch or private day nursery. To qualify to apply for the funding the childcare setting was required to comply with the FP concept, framework and be in-keeping with the FP ethos. Every child in the county should from 2019 be able to access Early Education childcare provision for a further 20 hours free of charge (subject to an earnings cap). Flying Start on the other hand was a WG funded programme specifically for families with children under four years of age living in the most disadvantaged parts of Wales, including in Denbighshire parts of Rhyl, Prestatyn and Denbigh. In Denbighshire, Flying Start (FS) formed part of the Early Help services alongside the Families First (FF) programme. In addition to childcare FS also provided parenting support programmes, speech and language support, along with an intensive health visiting service. The FS scheme funded two and a half hours per day childcare, for five days a week and for 39 weeks a year from the term following the child's second birthday until the term following their third birthday. Childcare settings qualifying for this specific funding received support from the FS Advisory Teacher and Teaching Assistants (TAs).

Having regard to current arrangements, WG Guidance and its own Corporate Priorities the Council had reviewed its funding mechanisms for both the Early Education and FS childcare services. As a result it was proposing to recommission both programmes' childcare services on the basis of ensuring:

- quality care services for children
- choice for parents and families
- open and fair access to funding and
- value for money

A joint approach had been agreed between FS and Early Education, which would result in all childcare services being recommissioned through two separate but parallel processes, with all services being recommissioned during 2019. New agreements would be in place by September 2019, to align with the school year and to reduce potential disruption to children.

In response to members' questions the Lead Member for Education, Children and Young People, the Strategy and Development Officer, the Performance & Business Manager, and Flying Start Education Lead:

- advised that they had been encouraged by the number of new providers that had come forward to register an interest in becoming Early Education childcare providers;
- confirmed that the local authority was responsible for setting up the Early Education childcare scheme in the county, but any changes required would be funded by WG;
- advised that the local authority was required to fund the ten hours Early Education childcare from within its Education Budget with the remaining twenty hours being funded by WG;

- confirmed that the local authority currently had 12 settings which provided the Early Education childcare element as an intrinsic part of its FP provision. One childcare setting provided both elements of the provision but on separate sites. In all cases the funding for the provision was delegated to the school's own budget;
- advised that WG Guidance was quite specific that the Early Education provision should be delivered by a mixture of private providers and local authority FP provision;
- advised that some providers only offered the 10 hour statutory education provision. Also some families only wanted to access the 10 hours provision and did not require or want the additional 20 hours provision that was available;
- reassured the Committee that both schemes had been operating successfully for a number of years. If a child moved childcare setting the funding would follow the child to its new childcare setting. It was anticipated that with the introduction of the free childcare offer to all children of eligible age that the take-up would increase;
- advised that early pilots seemed to indicate that parents who used childcare settings which provided the 10 hour Early Education/FP element but did not provide the additional 20 hours childcare were unlikely to access the latter unless the childcare setting changed their registration to provide both elements. There were various reasons for this i.e. location of provision, extended family support, parents' earnings etc. In order to change their registration in time for when the free childcare scheme commenced the more proactive childcare settings had already applied to be registered to deliver both elements. The Council's Family Information Service (FIS) was actively providing support to both childcare providers and parents with respect of registering as a provider and accessing the scheme;
- advised that in an attempt to reduce the risk of any disruption to service provision and to parents and children caused by the changes, the application process had been redesigned on the basis of the feedback received at the stakeholder events held;
- confirmed that the 10 hour Early Education/FP element was available free of charge to all children aged 3 and above until they entered full-time statutory education. The additional 20 hours free childcare was available to the children of working parents whose earnings were below a certain threshold;
- advised that the Flying Start scheme currently funded specific projects in the county's most deprived council wards in Denbigh and Rhyl for children of two years of age until they were four years of age or attended school. Currently more than 200 children within the above age group attended Flying Start funded projects in the county. Flying Start projects were very structured and focussed on improving and enhancing a number of basic skills i.e. mathematical, social, parenting, speech and language development etc. with the aim of improving outcomes for the entire family whilst giving each child solid foundations to build upon during their statutory education phase;
- advised that it was not yet known whether the introduction of the Early Education free childcare element would have a detrimental effect on Flying Start projects. Nevertheless, officers were not anticipating any great impact as Flying Start projects in the main provided services for children and families where parents were either not in employment or working only a few hours per

week, whilst the Early Education Free Childcare Scheme was aimed at families where parents were working at least 16 hours per week. Information received from areas that had piloted the new scheme seemed to indicate very limited impact on the Flying Start scheme;

- gave an overview of the monitoring process undertaken to evaluate the effectiveness of the Flying Start projects locally and the all-Wales benchmarking system for the Scheme;
- advised that the Additional Learning Needs and Education Tribunal (Wales) Act 2018 had introduced a legislative requirement to support all children of compulsory school age or below with additional learning needs (ALN). Denbighshire had a proactive ALN team which made every effort to identify any ALN as early as possible during a child's education in order to assess, plan and facilitate timely and effective interventions and support. The ALN team worked closely with colleagues in the Health Service with a view to securing the best pathway for each child, be it in Flying Start areas of the county or in other areas. While there were higher numbers of ALN pupils in Denbighshire's more deprived areas due to the higher population numbers, because of the deprivation levels the additional needs tended to be more complex and consequently required a higher level of support, including multi-agency support. Hence the reason why WG targeted additional financial resources in the form of the Flying Start funding for these areas. Nevertheless, children with ALNs in other parts of the county would receive the same level of support and intervention, but funding for them would be provided by the local authority;
- confirmed that the Early Years Team worked with the various Cylch/Meithrin/Playgroups operating in non-Flying Start areas of the county and consequently were able to brief primary schools on all children prior to their admission to their chosen school. Information provided by the Team to the primary schools gave an early indication of each child's ability/potential and/or additional support and needs;
- confirmed that the Council had been receiving Flying Start and Early Education funding from WG for a number of years, but with the introduction of the 20 hours free childcare from WG to complement the 10 hours Early Education entitlement already available a decision had been taken, with a view to realising value for money and maximising the schemes benefits for children and parents, to recommission both schemes through two separate but parallel processes. This approach would enable documentation to be aligned and shared wherever possible. It would also simplify the process for parents and providers;
- advised that whilst not all parents would access the additional 20 hours free childcare services, the objective of the WG offer was to encourage parents to work more than 16 hours per week;
- advised that Estyn's recent inspection report on the quality of education services in Denbighshire had referred positively to the Authority's approach to supporting the provision of education for three and four-year-old children in the county;

- confirmed that for the Flying Start Scheme the Council was looking to commission a broad variety of providers i.e. public, private and third sector organisations/not for profit organisations to deliver the Scheme in the county's most deprived wards as young children thrived in different learning and social environments, the same type of provision would not suit every child;
- advised that public sector providers were not given preferential treatment over private providers in the contract application process. Each provider would be expected to complete the same documentation when applying for funding. It was the responsibility of each individual provider to estimate its staffing and accommodation costs as part of their business planning processes. It was however disappointing that some independent businesses were unwilling to provide the services which the Council wished to deliver. Whilst the Council had 12 schools who provided the Early Education childcare provision, the majority of which were located in rural areas where no private provision was available, it also currently commissioned provision from more than 40 other non-local authority providers. In addition, new legislation had come into force that would permit private providers to claim up to £12K in business rate relief; and
- confirmed that 'credit checks' would not be undertaken on applicants expressing an interest in providing the services as the preferred process was an application process rather than a tendering process.

As a number of members had queried whether public sector providers were in a more advantageous position when applying for Flying Start and/or Early Education Childcare provision funding the Committee requested that an information report be provided to Committee members on the process to be followed.

At the conclusion of the discussion it was:

**Resolved:** *subject to the above observations;*

- (i) *the provision of an Information Report outlining the process to be followed by potential providers when applying for Early Education and/or Flying Start Childcare provision funding and the safeguards within the process to ensure that all applicants, be they public/private/voluntary sector organisations, were given fair and equitable access to the funding and to mitigate against public sector providers being in a more advantageous position;*
- (ii) *to support the decision to recommission the childcare elements of Early Education and the Flying Start Programmes through parallel formal processes*

At this juncture (11.15 a.m.) the meeting adjourned for a refreshment break.

The meeting reconvened at 11:30 am. Councillor Tina Jones re-joined the meeting at this juncture.

## **6 PERFORMANCE AND EFFECTIVENESS OF PLANNING COMPLIANCE**

The Lead Member for Housing, Regulation and the Environment introduced the report and appendices (previously circulated) which presented the Committee with an overview of the effectiveness and performance of the Council's planning compliance function. In his introduction he emphasised that the purpose of the planning regime was to regulate development and the use of land in the public interest. It was therefore important for local planning authorities to have an effective compliance function that was equipped to timely investigate alleged breaches, and apply local and national planning policies to remedy the harmful effects of unauthorised developments. In order for the compliance service to continually improve and perform well, despite local government funding cuts, working practices would need to be refined and collaboration with other stakeholders would need to be strengthened.

The Head of Planning and Public Protection and the Development Manager (Planning and Public Protection Service) outlined to the Committee the day to day work of the Compliance Service, its overall performance and an overview of how performance indicators were evolving nationally. They highlighted the need going forward for a consistent approach to be adopted in conjunction with local stakeholders if effective proactive monitoring work which delivered significant improvements was to continue, as the Service had only one dedicated Planning Compliance Officer who investigated alleged breaches. On average this officer investigated circa 240 complaints per annum. Due to the lack of resources available to investigate alleged breaches cases had to be prioritised on a degree of harm basis, therefore alleged breaches which affected listed buildings, conservation areas, the county's Area of Outstanding Natural Beauty (AONB), protected trees as well as those that contravened the Council's Corporate Plan priorities would generally be given precedence over other alleged breaches. A temporary part-time Planning Compliance Project Officer had recently been appointed with a view to securing the delivery of the Rhyl Town Centre Masterplan through proactively addressing the extensive number of existing planning control breaches in the town. It was anticipated that adopting this approach would boost efforts to regenerate the town centre and reduce deprivation levels in the area. The Project Officer was keen, as part of the Business Improvement District (BID) programme, to work with local businesses in the town drawing to their attention their role in ensuring that all businesses conformed with planning requirements and engaged with the environmental improvement work to improve the town's general appearance.

The Service worked closely with other Council services i.e. Licensing, Housing Services, Environmental Health Service and other public services e.g. Police, Fire and Rescue Service in relation to non-compliance matters, as investigations into one alleged breach often uncovered other non-compliance matters. Therefore all services could support and complement each other's efforts in relation to non-compliance and any associated remedial work. Effective partnership working with all services and agencies and the adoption of a proactive rather than a reactive approach to compliance work had the potential to reap both financial and environmental benefits for the Council and for residents within current financial and human resource levels. Another potential method for enhancing the proactive approach would be through the development of a charter between the County Council and the county's city, town and community councils seeking their agreement

to inform the County Council's Planning Compliance Service of any potential planning control breaches or issues of concern within their communities as soon as they were brought to their attention. If such a charter could be drawn-up and all councils agreed to its adoption it could potentially act as an 'early warning system' to the County Council's Planning Compliance Service enabling it to proactively engage with the individuals/businesses/organisations who were at risk of breaching planning conditions at a very early stage with a view to remedying any breaches and avoiding them escalating into costly non-compliance matters and a protracted enforcement process.

Responding to members' questions the Lead Member for Housing, Regulation and the Environment, Corporate Director: Economic and Community Ambition, Head of Planning and Public Protection, Development Manager (Planning and Public Protection) and the Planning Compliance Officer:

- advised that the number of alleged planning control breaches were not increasing significantly. However, if the cases required detailed investigation or related to complex breaches they would take some considerable time to resolve and with limited resources this meant that other cases were not being investigated. Hence, the reason why a proactive approach and seeking cross-service co-operation and information sharing would be more effective as it could enable the Planning Compliance Service to engage with those at risk of breaching conditions at an earlier stage and recommend any remedial actions necessary. This 'soft' approach to enforcement was generally better for all parties;
- confirmed that the Planning Compliance Service worked closely with the Council's Building Control Service. Both services were co-located, regularly shared information, and relied heavily on each other's knowledge;
- advised that officers were currently reviewing the fees relating to planning advice and applications as Service operating costs exceeded any income received from fees and charges. This loss in income was generally due to the reduction in planning applications in recent years;
- confirmed that the performance data contained in Appendix 2 to the report was the latest comparative data published by the Welsh Government(WG);
- advised that more proactive intervention work was required in certain areas of the county than in others. This was particularly true in areas of high deprivation, where local residents' aspirations and perceptions of their local environment tended to be lower than in other more affluent areas. Hence the decision to focus on Rhyl Town Centre with a view to boost the regeneration work in the area by targeting important historic buildings to avoid them being lost forever. In the county's more affluent towns and villages residents were far more likely to raise concerns relating to unsightly buildings to the Council's attention at an early stage, before they deteriorated further, as the example in Appendix 1 to the report illustrated;
- confirmed that current Performance Indicators (PIs) relating to the number of enforcement notices issued and complied with were at present geared towards recording the number of investigations concluded with a formal resolution. However, this was about to change as a recent open letter from WG to Chief Planning Officers had indicated that "formal enforcement action" should no longer be viewed as a last resort and the resolution of breaches would no longer be fully monitored. Local Planning Authorities

would from now on be permitted to determine when an investigation had been completed and a resolution reached, which could be at any stage when a 'positive' result had been achieved;

- advised that whilst employing additional staff to undertake Planning Compliance work would be advantageous in an ideal world, current public services budgetary constraints meant that this was not a viable option unless another Service was cut or withdrawn to fund the cost of additional staff;
- advised that it would in future be advisable for the Service to request that allegations of breach of planning conditions should be substantiated by evidence e.g. photographs etc. prior to an investigation being instigated as this should help expedite the investigatory work;
- outlined the extent of a potential Planning Compliance Charter which could be drawn-up between the County Council and local city, town and community councils. The Charter could potentially cover giving the councils powers to undertake initial investigations into alleged breaches of Planning matters, training and educating officials to undertake this work etc.;
- confirmed that the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 and other ancillary legislation conferred powers and duties on local authorities in relation to planning compliance work;
- the Planning Compliance function's role in supporting the Council's work to deliver its Corporate Plan related in particular to the housing, environment and resilient communities corporate priorities; and
- advised that amending the Scheme of Delegation to permit officers to issue formal non-compliance notices without having to seek Planning Committee's permission first had proved effective. Whilst the serving of a breach notice in itself did not necessarily solve the matter immediately it did instigate a dialogue with the property owner/manager which could potentially result in a satisfactory resolution in due course.

Committee members agreed that amending the Scheme of Delegation had helped streamline the process and expedite resolutions to non-compliance matters. However, they felt that local members were no longer informed on progress in relation to non-compliance matters within their wards. With a view to keeping members informed of progress with non-compliance matters the Development Manager agreed to provide councillors with a six-monthly update progress report in relation to them.

Councillors representing Rhyl commended the work being undertaken by the Planning Compliance Service in relation to non-compliance matters in Rhyl town centre, and supported the proposed future approach to be instigated there in a bid to accelerate the town's regeneration.

At the conclusion of an in-depth discussion it was:

**Resolved:** - *subject to the above observations*

- (i) *to receive the report on the performance and effectiveness of the Planning Compliance function;*

- (ii) *to acknowledge the value and importance of the Service to the county and its residents and recommend that every effort be made to protect the function when setting future Council budgets;*
- (iii) *that a Planning Compliance Charter be drawn up between Denbighshire County Council and its city, town and community councils for the purpose of supporting compliance work through early prevention and intervention work; and*
- (iv) *that the draft Charter be presented to the Committee for consultation prior to being issued to city, town and community councils for consultation*

## **7 SCRUTINY WORK PROGRAMME**

The Scrutiny Coordinator submitted a report (previously circulated) seeking members' review of the Committee's work programme and provided an update on relevant issues.

The Chair stated the disappointment felt by members following the presentation of the Committee's observations and recommendations to Cabinet following its consideration of the call-in of the decisions relating to proposed Gypsy and Traveller Proposed Sites. Whilst members acknowledged that the Committee's observations and recommendations had been presented to Cabinet in accordance with the Council's Call-in Procedure Rules, they felt that in confirming their original decisions immediately at the end of the debate they had not given due consideration to the points raised by Communities Scrutiny Committee. In order to address the concerns raised and to receive a further update from the Lead Member for Housing, Regulation and the Environment it was agreed;

### **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 on the grounds that it would involve the disclosure of exempt information as defined in Paragraph 13 of Part 4 of Schedule 12A of the Act.*

Members discussed the process that had occurred to date. It was discussed that officers had begun to categorise objections received and were working to analyse the objections received. It was confirmed additional officers had been tasked with the work load. Following completion of the analysis, a report would be presented to Cabinet.

Members discussed the concern regarding timescales and proposed Welsh Government funding. Committee members requested that a report analysing the feedback received to the pre-planning consultation exercise be scheduled on the Committee's Forward Work Programme for pre-decision scrutiny prior to the report being presented to Cabinet. Members were of the view that adopting this approach would benefit all stakeholders.

### **OPEN SESSION**

Upon completion of the above business the meeting resumed in open session.



Discussion focused on the following –

- the item on the work programme for the Committee's next meeting relating to Ysgol Llanbedr Dyffryn Clwyd was, in view of the Welsh Government Minister for Education's recent decision, no longer required for discussion. Consequently the Committee requested an information report on the matter and its implications for federated partner school;
- it was agreed to invite the relevant Lead Cabinet Members to the next meeting;
- an report on the Gypsy and Traveller proposed site be added to the January Committee forward work programme;
- it was agreed to reschedule the report relating to the closure of Ysgol Rhewl to the March's Communities Scrutiny Committee meeting;
- it was highlighted that a special meeting had been arranged for the 21 February 2019 to discuss the issues arising from the Llantysilio Mountain Fire.

***RESOLVED** that, subject to the above, the forward work programme as detailed in Appendix 1 to the report be approved.*

## **8 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

Committee representatives reported upon their attendance at meetings as follows –

Councillor Huw Williams had attended the Service Performance Challenge for the Planning and Public Protection Service Challenge Group. Councillor Huw Williams confirmed the meeting had been positive and beneficial.

**The meeting concluded at 13:00 p.m.**

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|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Report to:</b>             | <b>Communities Scrutiny Committee</b>                                                                                                                                                                                      |
| <b>Date of Meeting:</b>       | <b>14<sup>th</sup> March 2019</b>                                                                                                                                                                                          |
| <b>Lead Members/Officers:</b> | <b>Lead Member for Finance, Performance &amp; Strategic Assets and Lead Member for Education, Children &amp; Young People/Principal Manager Modernising Education &amp; Lead Officer: Facilities, Assets &amp; Housing</b> |
| <b>Report Authors:</b>        | <b>Principal Manager Modernising Education &amp; Lead Officer: Facilities, Assets &amp; Housing</b>                                                                                                                        |
| <b>Title:</b>                 | <b>School Meal Debt Policy</b>                                                                                                                                                                                             |

## 1. What is the report about?

A re-drafted Corporate School Meal Debt Policy.

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

To seek Scrutiny to examine the revised School Meal Debt Policy, which has been re-drafted in light of the recent high profile/national press coverage, and to incorporate tighter Safeguarding measures.

## 3. What are the Recommendations?

That the Committee:

- 3.1 examines the revised School Meal Debt Policy and comments on it accordingly; and
- 3.2 subject to the above, recommends to the decision maker that the policy be approved and adopted.

## 4. Report details

- 4.1 The School Meal Debt Policy has been re-drafted in light of the recent high profile Press coverage, both nationally and locally. Particular reference has been made to Corporate Safeguarding procedures which have been incorporated into the attached policy (Appendix 1), as well as tighter procedures regarding non-payment of School Meal debts, and the support which can be provided by the Authority in relation to School Meal debts, across all Schools within the Authority.
- 4.2 The main changes that have been incorporated into this Policy are:
  - the overarching Safeguarding requirement for all staff, (at all levels) to consider when any potential Safeguarding issue arises;
  - the importance of claiming Free School Meal allowance (for those that are entitled);

- the support that is provided for those families/guardians, to ensure that no child is deprived of their school meal; and
- the requirement for all School Staff and Pupils to pay in advance for school meals consumed, thus avoiding any level of school meal debt to both families/guardians and School Staff.

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

The Policy will help to support those families who may be struggling financially with the Payment of School meals, but also with regards to extra Safeguarding measures for potential vulnerable children, in line with the Young People and Resilient Communities corporate priorities, in so much that both the Schools' Administration and the School Catering Service have a workable School Meal Debt policy to help deliver a sustainable School Meal service, and support those families/guardians who require support accordingly.

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

No extra costs to the authority are envisaged.

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

Not applicable.

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

Extensive consultation with Head Teachers, Children's & Educational Services have been completed in preparing the policy.

**9. Chief Finance Officer Statement**

It is clear that finance should not be the primary driver behind the change in policy, with a correct emphasis on safeguarding and fairness. However it needs to be noted that the financial implications in this area are complicated. An increase in Free School Meals take up has a direct pressure on the Free School Meals budget, however it also used as a driver behind a number of grant allocations from the Pupil Development Grant to elements of the Revenue Support Grant. It is also welcomed that there is a requirement for all School Staff and Pupils to pay in advance for school meals consumed, thus avoiding any level of school meal debt to both families/guardians and School Staff

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

The existing risks are centred around potential Safeguarding issues, and the potential increase of the School Meal Debt, currently at £20K. This policy will assist in the overall management of the School Meal Debt, and assist both the School Catering Service and Schools alike in the administration of this ongoing debt to the authority.

## 11. Power to make the Decision

Scrutiny's powers in relation to policy making and review is outlined in Section 7.4.2 of the Council's Constitution.

**Contact Officer(s):**

Lead Officers: Facilities, Assets & Housing

Tel: 01824 706723

Principal Manager Modernising Education

01824 712645

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**Denbighshire County**  
**Council**

**School Meal Debt Policy**

## **Introduction**

The accumulation of debts in schools has a detrimental effect on the aims of the Catering Service and wastes valuable work hours that are precious to both schools and the authority as a whole.

This revised School Meal Debt policy mirrors the Parent Pay School Meals Debt Policy, and both policies aim to reduce costs to the authority, and adopt a consistent approach to school meal debt and provide clarity and consistency in managing this debt, and will also help parents and School Staff clearly understand what is expected of them. This in turn will help in the reduction of the administration burden to schools, through continued, and improved partnership working and mutual support, to ensure that all school meal debts are administered effectively, and wherever possible recovered.

There have been many discussions around whether a child should be refused a meal in school if they have not been paid for, or this is an outstanding school meal debt. However the school meals service is no different than any other business and the school meals must be paid for by someone.

It is not the intention of this policy to prevent children from receiving school meals, but it is to make parents/carers aware of their parental responsibilities and duties, and that steps will be taken to reduce school meal debts, and to help resolve any problems at an early stage that parents and the child may be experiencing.

For those families that are eligible for FSM, the School Catering service will provide any assistance to those families. Once FSM is authorised the child/children will be able to take a free school meal the following school day.

For those parents and schools who use the ParentPay system, keeping track and paying for school meals is easy to use and monitor.

Parents/Carers who make no attempt to repay the outstanding debt will be referred to the Head Teacher of the school concerned, and an investigation into the circumstances around the lack of provision of food for the child/children will take place. In the vast majority of cases this will not be necessary, but any concerns with regards to a possible Safeguarding issue will be raised with the Head Teacher of the school initially. ALL Staff are duty bound to ask the appropriate questions and refer any concerns in relation to Safeguarding in accordance with the Safeguarding policy.



## **Procedure for School Meal Payment and Collection of School Meal Debts**

School meals should be paid for in advance of the actual school meals being taken/consumed by the pupil(s).

School Meals can be paid for by the following means:

\*Cash.

\*Cheque.

\*Parent pay

\*Or by debit card by contacting the catering office

\*Schools will generally engage with parents/guardians when accounts incur a debt, usually by verbal communication with the affected parent/guardian, or by via telephone/text/letter. This process, in the vast majority of cases does avoid the formal process outlined below:

The debt procedure will be implemented when:

\*A family accumulates a debt of £11 or more.

\*Therefore the County Policy on School Meals Debts is to be implemented by putting into operation the following procedure:

### **The Referral of School Meal Arrears**

It is proposed that minimal debt be incurred, and that in order to achieve this objective non-payment of **1 week of school meals** would instigate a standard letter (see example of standard letter at attached at Annex A), being sent by the Schools Catering service.

Debts over £11.00 should be referred to the School Catering Administration by 2.30pm on every Friday in order for a copy of Annex A to be generated and posted to the parent/guardian by first class post on that day. This can be in the form of an email to:

[Lyndsey.Cassidy@denbighshire.gov.uk](mailto:Lyndsey.Cassidy@denbighshire.gov.uk). Information required to generate this action will need to be: Pupils name, address, telephone number and the amount of the outstanding debt.

Included in this letter will be a brief explanation of Free School Meal Entitlement and the Civic Contact Number, who will be able to assist the parents/guardians further in relation to Universal Credit/Free School Meal entitlement.

Action is to be taken at an early stage, in order to prevent arrears of dinner monies from accumulating to a point beyond parents have the available means to settle and this will also address any other potential problems i.e. loss of dinner money, bullying etc.

Should a child/children arrive at School having received the school meal debt letter, and without payment or a packed lunch, the School will notify the School Catering service, and the School will make contact with the parent / guardian via a telephone call/text message to establish lunch arrangements for the child and signposting to the School catering Service who will then discuss payment off the outstanding monies/future payment plans/signposting to FSM (if applicable – see below).

Parents / guardian that incur a debt and are subsequently entitled to Free School Meals, Schools should then are notify the School Catering administration on 01824 712119, as soon as practically possible to enable the School Meal debt to be reviewed.

If a school does not engage with the School Catering service by notifying them of a debt, (and subsequently permits a pupil's debt to exceed £11.00), the Catering Service will recharge the outstanding debts to the school budget. A notification will be made to Head Teacher, Business and Finance Managers. When a pupil incurs a debt and moves School within Denbighshire County Council the School Catering Service will work with schools involved, and the debt will transfer with the pupil.

When a parent/guardian has an outstanding debt and stops using the School Catering Service, the School Catering Service will transfer the debt with the pupil to their appointed Secondary School, if this School is within Denbighshire.

Attached at Annex B is a flow chart which summaries the above information, in a clear table format for ease.

School Staff are **not permitted to incur a debt** and meals are to be paid for in advance. Schools that do allow School staff to incur a debt **will be recharged for the debt.** These School Meal debts will be forwarded to the appropriate School Board of Governors by Modernising Education/Lifelong Learning, should there be persistent non payers of School Meal Debts and/or concerns regarding certain members of staff who are deemed to have accrued school meal debts in excess of £11.00.

## **Summary**

To ensure that neither the authority and/or the affected school are adversely affected by increasing School Meal debts, and the administrative burden that this causes for all concerned, it is vitally important that both parties work together.

More importantly, this policy is in place to ensure that all school children attending a Denbighshire County Council school do not go without eating a healthy, and nutritional meal during their school day.

Annex A to School Meal Debt Policy – February 2019 Edition

Insert customer name  
Insert customer address  
Insert customer address  
Insert customer address  
Insert customer address

Ein cyf/Our ref  
Dyddiad/Date  
Rhif union/Direct dial 01824 712119  
e-bost/e-mail Nigel.highfield@sirdynbych.gov.uk  
Nigel.highfield@denbighshire.gov.uk

Dear.....,

Payment, amounting to £, has not been received for school meals provided to\_\_\_\_\_at Ysgol .

**Please pay this amount IN FULL using a debit card by calling 01824 712119, paying at the School Office or topping up your Parent Pay account.**

It is Council Policy to suspend schools meals where debts amount to **£11.00**. Therefore, as of \_\_\_\_\_ will not be served with a school meal until this debt has been paid.

**You must then ensure that you provide them with a packed lunch.**

If you pay the amount outstanding, school meals will **not** be suspended.

We strongly suggest that you contact us on 01824 712119 if you have difficulty paying this amount or are in receipt of any of the following (which would entitle you to claim for Free School Meals)

- Income Support (IS)
- Income Based Job Seekers Allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- Child Tax Credit, Provided you are not entitled to Working Tax Credit and your annual income does not exceed £16,190
- Guarantee element of State Pension Credit
- Universal Credit

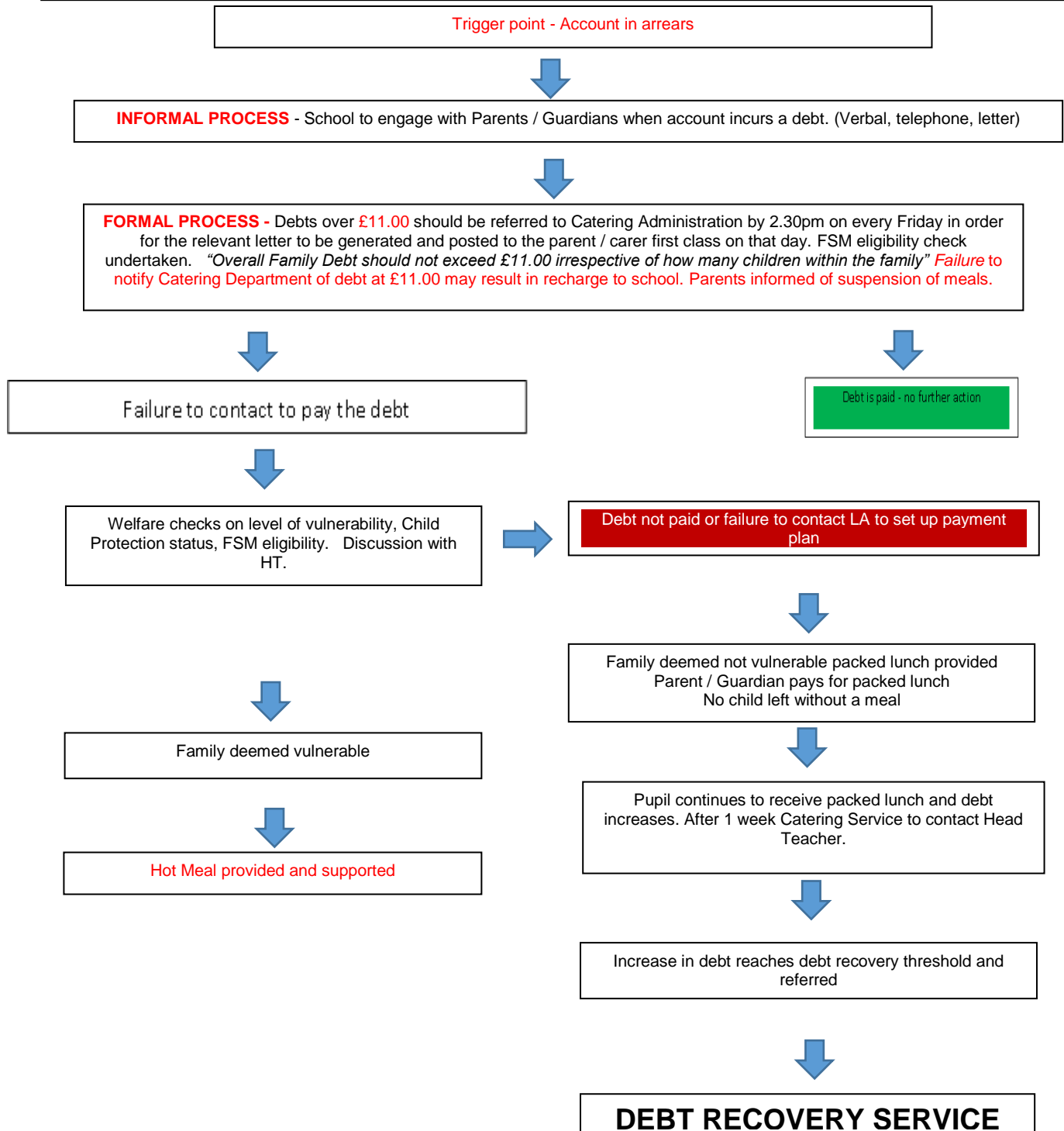
We look forward to receiving your payment.

Yours sincerely

Head of Service Signature (TBC)

## SCHOOL MEAL ARREARS FLOWCHART-Annex B

**AT ANY TIME DURING THE WHOLE PROCESS ALL STAFF (SCHOOL STAFF AND DCC STAFF) ARE DUTY BOUND UNDER THE ALL WALES CHILD PROTECTION PROCEDURES TO ASK THE APPROPRIATE QUESTIONS AND REFER ANY CONCERNS IN RELATION TO SAFEGUARDING IN ACCORDANCE WITH THE LA POLICY**



**Report to:** Communities Scrutiny Committee

**Date of Meeting:** 14<sup>th</sup> March 2019

**Lead Member / Officer:** Lead Member for Housing, Regulation and the Environment/Corporate Director: Communities

**Report Author:** Lead Officer Property and Housing Stock

**Title:** Gypsy & Traveller Site Provision – Update following the Pre Planning Consultation Process

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

- 1.1 The report provides an update for Communities Scrutiny Committee following the pre planning consultation exercise undertaken in respect of the provision of residential and transit Gypsy & Traveller sites.
- 1.2 The report provides a breakdown and overview of the responses to the Council's Pre Planning Consultation process.

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

- 2.1 To ensure that the Council is discharging its statutory duties in respect of relevant legislation as set out in Appendix 1 of this report.
- 2.2 To provide Communities Scrutiny Committee with a breakdown of the responses received.

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

- 3.1 That Communities Scrutiny Committee consider the analysis of the pre planning consultation exercise undertaken in respect of proposed transit and residential Gypsy & Traveller sites on the Green-gates Farm (East) site in St Asaph as outlined in Appendix 2 of this report.

## **4. Report details**

- 4.1 A decision was taken at Cabinet on 15<sup>th</sup> October 2018 to progress with two locations for a residential Gypsy and Traveller site and a transit Gypsy and Traveller site on land at Green-gates Farm St Asaph to formal planning application stage.
- 4.2 It had previously been agreed that, despite there being no obligation to do so, a pre planning consultation exercise would be undertaken prior to any formal planning application. The rationale and details of the pre planning consultation exercise are included in Appendix 3.

- 4.3 Following the Cabinet resolution a meeting was held on 18<sup>th</sup> October 2018 with the Lead Member for Housing, Regulation and the Environment and the Local Ward Members for St Asaph West, St Asaph East and Trefnant. The Local Ward Member for Bodelwyddan was unable to attend. The pre planning consultation process was discussed together with clarification of roles. Notes of this meeting are included in Appendix 4.
- 4.4 Letters were drafted for the Local Ward Member for copying and wider distribution as requested at the meeting held on 18<sup>th</sup> October 2018.
- 4.5 As separate planning applications would be submitted for the transit and residential Gypsy & Traveller sites, two separate consultation documents were produced and two separate consultation exercises undertaken in tandem.
- 4.6 774 responses have been received and 4526 issues categorised. Should either proposal progress to formal planning stage, a pre planning consultation report will be written based on the responses and included with any formal planning application submitted. Categorised responses and accompanying analysis are included in Appendix 2.
- 4.7 It should be noted that while the analysis covers the main issues, the consultation exercise required free text responses and did not stipulate categories for response. It should also be noted that there is some flexibility in measuring the responses, particularly where responses could be interpreted in two separate ways or where there was duplication within the same response.
- 4.8 It is also pertinent to note that organised campaigns of objection utilised and circulated standard response templates (some of which were expanded on by individuals) which may have increased the number of responses to certain issues that individual respondents would not have independently considered. It should be noted that the issues raised as examples do not represent the opinions of the Council and are included only to demonstrate the general content of responses received.

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

### **5.1 Housing:**

“Everyone is supported to live in homes that meet their needs”

“Support young people to access suitable homes they can afford”

“A wide range of accommodation available to suit different needs”

### **5.2 Denbighshire’s equalities commitment:**

“In our approach to mainstreaming equality and diversity, we confirm our commitment to celebrating diversity and promoting equality in everything we do, to improve the quality of life for everyone living, working and visiting Denbighshire. This commitment is demonstrated throughout the activities which take place in our Corporate Plan and our Service Business Plans.

This plan is designed to allow the Council to play its role, as a public authority, in ensuring that we coordinate our work to take forward positive outcomes for people of all protected characteristics.”

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

6.1 £179,960 has been allocated to bring both sites forward and obtain Planning Approval.

6.2 Further costs regarding operation and management of the facilities will be identified as part of a separate report. Facilities Management, Property and Housing will be impacted upon once the facilities are operational and this is subject to the development of a management structure.

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

7.1 The WBIA has been reviewed by the Critical Friends group and the recommendation is to now split the WBIA's and undertake one for each site. Based on information within the project plan and the WBIA's to date and taking into account the size of the proposals, the group considered the impact to be neutral, however it was felt that there would be a positive impact for the families identified with a need for a residential site. There was concern that delivering a transit site in such close proximity to the residential site could create a negative impact for the residential site tenants due to the possible conflict that could arise. A WBIA review meeting was arranged for 21 February, the conclusions of that meeting were not available at the time of writing this report but will be shared with the Committee ahead of the meeting on 14 March.

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

8.1 A project update was presented to Cabinet Briefing on 3<sup>rd</sup> July 2017, 4<sup>th</sup> December 2017, 5<sup>th</sup> March 2018 and 9<sup>th</sup> July 2018. A report on the outcome of detailed feasibility studies of 5 shortlisted sites was presented to AMG on 13<sup>th</sup> March 2018. A report on the preferred land options was approved by Cabinet on 24 April 2018. Updates have also been provide to CET on 26<sup>th</sup> June, 2<sup>nd</sup> October, 14<sup>th</sup> November 2017, 12<sup>th</sup> February and 25<sup>th</sup> June 2018. Reports have been taken to Strategic Investment Group on 21<sup>st</sup> November 2017 and 22 May 2018.

8.2 A further report was presented to Cabinet on 25<sup>th</sup> September 2018. The report was reviewed by Communities Scrutiny Committee on 11<sup>th</sup> October 2018 and by Cabinet again on 15<sup>th</sup> October 2018.

8.3 A pre planning consultation exercise was commenced on 24<sup>th</sup> October 2018 and ran until 25<sup>th</sup> November 2018. As part of this process, a public drop in session was held on 6<sup>th</sup> November 2018.

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

9.1 The legislation and process highlighted in the report sets out the council's obligations and what it is required to do to meet them. Whilst there is grant support available from government to help to develop sites to deliver these obligations, it does not cover all of the costs – in particular the costs associated with the acquisition of land or to recognise opportunity costs if council owned land is used. Furthermore, until

more detailed plans are developed, it cannot be guaranteed that all development costs will be contained within the grant funding available. There is also likely to be an additional net revenue budget pressure to run the sites once they are developed. Final proposals will need to be taken through the appropriate channels for approval, including the Strategic Investment Group and any revenue implications will have to be considered in future budget rounds.

## **10 Corporate Landlord Statement**

- 10.1 The provision of the facilities will meet the Council's legislative obligations. The feasibility works undertaken to date have considered technical development appraisal and the potential land costs (purchase or opportunity costs), but detailed development costs may still influence the final decision to develop the proposed sites pending planning approval.
- 10.2 The ongoing management/revenue costs are not included at this stage as the final site proposals have the potential of impacting on the management model.

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

- 11.1 Unlawful encampments on Council and private land will continue if the housing needs of Gypsies and Travellers are not met. Resolving such unlawful encampments will inevitably result in costs for the authority. Provision for suitable accommodation would help to address this issue. The obligation to address accommodation needs identified through the Gypsy & Traveller Accommodation Needs Assessment is a statutory requirement as set out in the Housing (Wales) Act 2014 and failure to act on the recommendations of the Assessment could result in legal challenge and/or direction from Welsh Government.
- 11.2 Grant funding is available from Welsh Government for the development of Gypsy & Traveller sites, however this fund is insufficient to meet the requirement across Wales and funding bids can normally only be submitted annually and during a specified time period. Failure to progress the site identification process will negatively impact on the local authority's ability to apply for, and secure, this funding, which may result in the total cost of site provision having to be met by the local authority.

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

- 12.1 Housing (Wales) Act 2014 – part 3
- 12.2 Scrutiny's powers in relation to this matter are outlined in Sections 7.2.3 and 7.4.2(d) of the Council's Constitution.

### **Contact Officer:**

Lead Officer Property and Housing Stock  
Tel: 01824 706818



**Statutory Duties & Relevant Legislation:**

**The Housing Act (Wales) 2014. Section 101 & Section 102.**

**101 Assessment of Accommodation Needs**

*(1) A local housing authority must, in each review period, carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area.*

*(2) In carrying out an assessment under subsection (1) a local housing authority must consult such persons as it considers appropriate.*

*(3) In subsection (1), “review period” means— (a) the period of 1 year beginning with the coming into force of this section, and (b) each subsequent period of 5 years.*

**102 Report following assessment**

*(1) After carrying out an assessment a local housing authority must prepare a report which— (a) details how the assessment was carried out; (b) contains a summary of— (i) the consultation it carried out in connection with the assessment, and (ii) the responses (if any) it received to that consultation; (c) details the accommodation needs identified by the assessment.*

*(2) A local housing authority must submit the report to the Welsh Ministers for approval of the authority’s assessment.*

*(3) The Welsh Ministers may— (a) approve the assessment as submitted; (b) approve the assessment with modifications; (c) reject the assessment.*

*(4) If the Welsh Ministers reject the assessment, the local housing authority must— (a) revise and resubmit its assessment for approval by the Welsh Ministers under subsection (3), or (b) conduct another assessment (in which case section 101(2) and this section apply again, as if the assessment were carried out under section 101(1)).*

*(5) A local housing authority must publish an assessment approved by the Welsh Ministers under this section.*

In compliance with Sections 10 & 102 of The Act, Denbighshire County Council published its approved Gypsy & Traveller Accommodation Assessment (GTAA) was approved by WG in March 2017. It identified a need for:

- A permanent residential site for 5-6 pitches for an extended family residing in Denbighshire; and
- A transit site for 4-5 pitches.

## **The Housing Act (Wales) 2014. Section 103 & Section 104.**

### **103 Duty to meet assessed needs**

*(1) If a local housing authority's approved assessment identifies needs within the authority's area with respect to the provision of sites on which mobile homes may be stationed the authority must exercise its powers in section 56 of the Mobile Homes (Wales) Act 2013 (power of authorities to provide sites for mobile homes) so far as may be necessary to meet those needs.*

*(2) But subsection (1) does not require a local housing authority to provide, in or in connection with sites for the stationing of mobile homes, working space and facilities for the carrying on of activities normally carried out by Gypsies and Travellers.*

*(3) The reference in subsection (1) to an authority's approved assessment is a reference to the authority's most recent assessment of accommodation needs approved by the Welsh Ministers under section 102(3).*

### **104 Failure to comply with duty under section 103**

*(1) If the Welsh Ministers are satisfied that a local housing authority has failed to comply with the duty imposed by section 103 they may direct the authority to exercise its powers under section 56 of the Mobile Homes (Wales) Act 2013 so far as may be necessary to meet the needs identified in the authority's approved assessment.*

*(2) Before giving a direction the Welsh Ministers must consult the local housing authority to which the direction would relate.*

*(3) A local housing authority must comply with a direction given to it.*

*(4) A direction given under this section— (a) must be in writing; (b) may be varied or revoked by a subsequent direction; (c) is enforceable by mandatory order on application by, or on behalf of, the Welsh Ministers.*

As a need has been identified in the Council's GTAA and the document has been approved by Welsh Government and published, the Council has a legal obligation to provide suitable sites to accommodate that need.

If the Council fails to meet its legal obligations, a direction from the Minister to meet the needs can be given and must be complied with.

Failure to meet the needs identified in the GTAA could also lead to a legal challenge from the resident family and the travelling community.

### **Public Sector Equality Duty:**

Romani Gypsies and Irish Travellers are recognised ethnic groups for the purposes of the Equality Act 2010. Race is one of the protected characteristics covered by the Act. Race

refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Additionally, the Equality and Human Rights Commission considers Gypsies and Travellers to be amongst the most vulnerable and marginalised minority groups in Britain.

The [Public sector equality duty](#) came in to force in April 2011 (s.149 of the Equality Act 2010) and public authorities are now required, in carrying out their functions, to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To ensure transparency, and to assist in the performance of this duty, the Equality Act 2010 (Specific Duties) Regulations 2011 require public authorities to publish:

- equality objectives, at least every four years (from 6th April 2012)
- information to demonstrate their compliance with the public sector equality duty (from 31st January 2012)

Failure by a local authority to meet these duties could result in a claimant taking legal action about a decision made and/or a discrimination claim.



**Pre- Planning Consultation Response:**

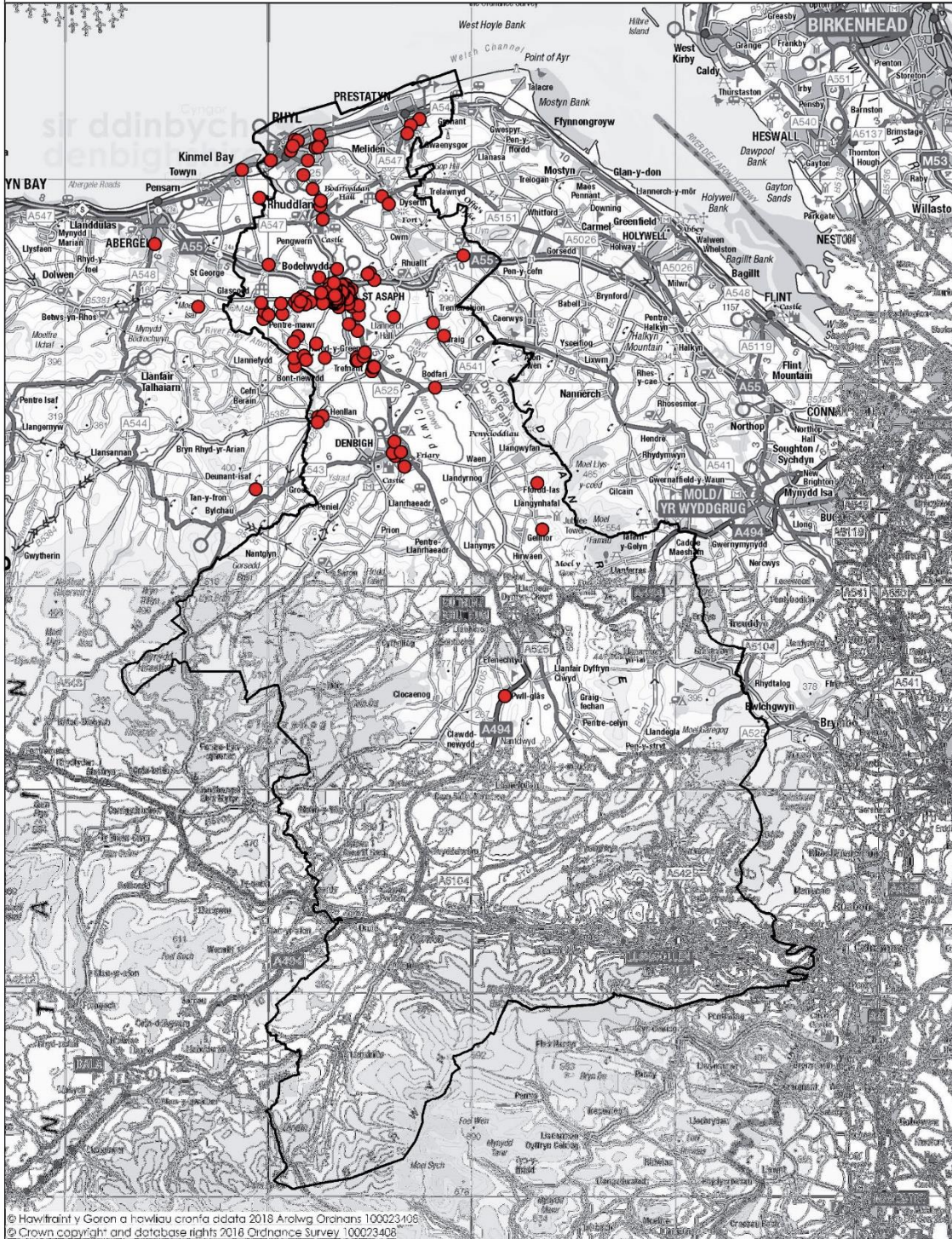
**Overview**

There is clearly opposition to the developments within the local and, to some extent, the surrounding community. While the consultation exercise gave the opportunity to comment separately on the transit and residential proposals, the majority of respondents (82.83%) chose to respond to both proposals jointly.

The majority of concerns (particularly non-material planning issues) are predicated on stereotypical perceptions of the travelling community and experiences of unauthorised encampments. There is little understanding or consideration of the fact that both sites will be managed facilities and, more notably, that the residential site is being provided for an extended family who have been residing within Denbighshire for a number of years.

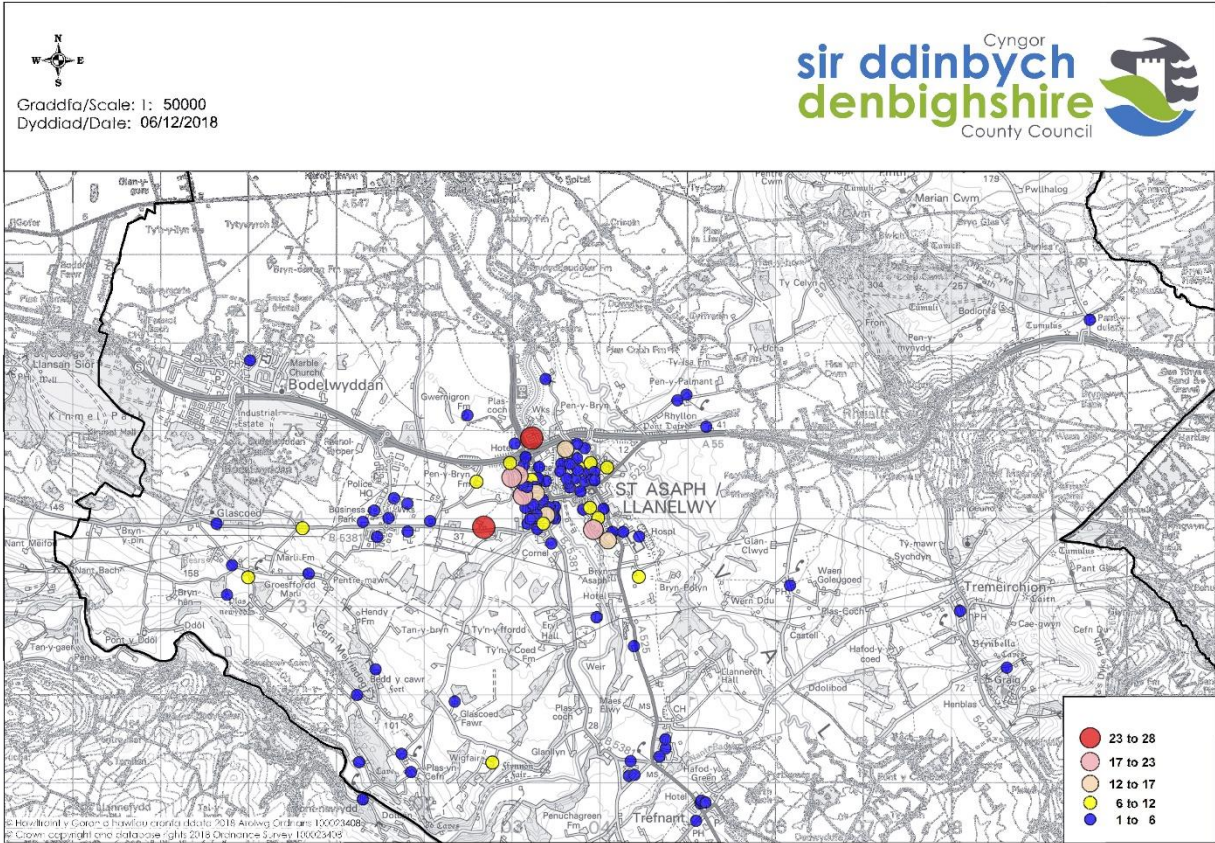


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Spread of response geographically



Local response volume map.

Response Analysis – ranked.

|                           | Number                    | Percentage |
|---------------------------|---------------------------|------------|
| Total Responses           | 774                       | 100%       |
| Transit Only              | 66                        | 8.52%      |
| Residential Only          | 67                        | 8.65%      |
|                           | Raised in No of Responses |            |
| Issue/Subject             |                           |            |
| Location                  | 774                       | 100%       |
| Information               | 741                       | 95.8%      |
| Highways                  | 552                       | 71.3%      |
| Economic                  | 484                       | 62.5%      |
| LDP                       | 339                       | 43.8%      |
| Environmental             | 271                       | 35%        |
| Security/Crime            | 254                       | 32.8%      |
| Local services            | 233                       | 30.1%      |
| Community                 | 153                       | 19.8%      |
| Finance                   | 118                       | 15.3%      |
| Health/H&S                | 115                       | 14.9%      |
| Visual Impact             | 98                        | 12.7%      |
| Proximity (to each other) | 45                        | 5.8%       |





| CATEGORY  | DEFINITION/CONTEXT                                                                                                                                                                            | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COMMUNITY | Comments that relate to the impact on the existing community of St Asaph, including integration of the Gypsies & Travellers and fixed residential lifestyles and conflicting cultural issues. | 19.8%                                | <p>Perceived detrimental impact on Village environment;</p> <p>Perceived difficulty of Gypsies &amp; Travellers integrating into the community;</p> <p>Perceived lack of community responsibility related to short term occupation of the transit site;</p> <p>Perceived lack of trust of/respect for settled community by Gypsies &amp; Travellers;</p> <p>Concerns regarding a clash of cultures;</p> <p>Comparisons made with experiences of Gypsies &amp; Travellers on unauthorised sites;</p> | <p>Generally the response comments raise issues stereotypically associated with short term occupation of sites by the Travelling community.</p> <p>Transit site – the responses do not recognise or consider the potentially more settled nature of a managed transit site where visitors may wish to stay for up to 3 months and, therefore, integrate into the community to some extent.</p> <p>Residential site - Generally the response comments raise issues stereotypically associated with short term occupation of sites by the travelling community and do not recognise or consider the more settled nature of a residential site where the families are long term, rent/rate paying residents.</p> <p>The family identified as having a residential need are currently living in Denbighshire and have lived in the area for a number of years.</p> <p>Accommodation needs of Gypsy-Travellers in Wales (Report produced for WG by Pat Niner, Centre for Urban and Regional Studies, Birmingham University) found that Consultation with Community and Town Councils and other local bodies in areas with existing Gypsy-Traveller sites suggests that few problems arise from sites although transient Gypsy-Travellers on unauthorised encampments are perceived as much more problematic. A number of consultees acknowledged that site residents are well integrated into the local community but there are some where relations can be seen as mutual reluctant toleration at best. Good site management was identified as an important factor in how a site operates. Experience from Group Housing schemes in the Republic of Ireland indicates that relatively small schemes seem to work best and are more easily integrated into a locality (residential). Successful sizes may range from four to sixteen homes.</p> <p>A Case Study provided by Fenland District Council states that “By providing good sites we avoid many of the problems associated with Gypsies and Travellers which give them a bad name” Gypsies and Travellers – Simple Solutions for living together, Equalities Commission report.</p> <p>This is not a material planning consideration but has been highlighted as an area of concern expressed in the responses.</p> |

| CATEGORY | DEFINITION/CONTEXT                                                                                                                             | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                      | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| ECONOMIC | Comments that relate to the impact of the developments on retaining existing and attracting new businesses to St Asaph and the Employment Park | 62.5%                                | <p>Strong perceptions that existing businesses will leave the Business Park;</p> <p>Concerns that new business tenants will not want to establish/relocate to the Business Park;</p> <p>Concerns that the developments will have a negative impact on businesses within the town;</p> <p>Comparisons made with experiences of Gypsies &amp; Travellers on unauthorised sites;</p> | <p>Many of the businesses trading from the business park have raised concerns regarding the proposals and the majority of responses from residents raise it as an issue. Generally no distinction has been made between the transit and residential sites, with many comments citing previous experience of unauthorised encampments as justification for opposing the proposals.</p> <p>Transit site - The comments do not appear to recognise the fundamental purpose of the transit site i.e. that it is intended to reduce the number of unauthorised encampments and provide a managed approach to accommodating the travelling community passing through.</p> <p>Residential site – There are Local and National examples of residential sites adjacent or close to business/industrial estates where the relationship between the resident Travellers and the tenants of the business units is exceptionally good and fears around increased levels of crime have proved incorrect – to the extent that crime levels have actually reduced due to occupation of the sites during non-business hours.</p> <p>Research undertaken by the Joseph Rowntree Foundation together with the Planning Exchange in Glasgow focused on re-visiting neighbours and objectors close to 3 sites developed in Scotland. This research found that the adverse impact which objectors and many other neighbours had anticipated had been far less than expected. In fact, in the cases of domestic householders, utilities and most businesses, there had been very little impact at all.</p> <p>A small number of farms and businesses reported continuing problems which they attributed to the close proximity of sites. However, the study suggests that even these remaining problems might have been significantly reduced had spending discussed at the time of site creation been proceeded with.</p> <p>(Taken from Housing Research 201, 1996 - Neighbours' Views of Official Sites for Travelling People)</p> <p>This is not a material planning consideration but has been highlighted as an area of concern expressed in the responses.</p> |

| CATEGORY    | DEFINITION/CONTEXT                                                                                                            | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| ENVIRONMENT | Comments relating to the impact on the existing wildlife, vegetation. Also perceived increases in levels of noise & pollution | 35%                                  | <p>Negative/unknown impact on existing wildlife, specifically badgers, newts and dormice;</p> <p>Perceptions that large scale tree removal will be required;</p> <p>Concerns that hazardous materials will be stored on site;</p> <p>Concerns that ecology surveys undertaken are not adequate to identify all issues;</p> <p>Perceptions that fly tipping will increase in the surrounding areas;</p> <p>Concerns regarding the capacity of surface water drains and potential consequential impact on established residential areas;</p> | <p>Impact on wildlife &amp; habitat. Preliminary Ecology surveys have been undertaken and no significant barriers to developing the proposals are envisaged. More in depth and seasonal surveys will be required to support a formal planning application but it is unlikely that there will be any issues identified that would render the proposals for either site unviable.</p> <p>In respect of increased levels of noise or pollution, the scale of the developments are not considered large enough to result in significant increases in either. Arguably the potential increase in periodic traffic movements related to a transit site would have more of an impact than a residential site where traffic movement would be equivalent to a standard residential development i.e. normal levels of movement associated with employment and social activities.</p> <p>Business activities would be restricted on both sites, as would the accumulation or storage of materials – hazardous or otherwise.</p> <p>There are no anticipated issues with foul or surface water drainage and discharge and attenuation will be incorporated into the surface water drainage proposals.</p> <p>These are material planning considerations. Due to the scale of the developments together with evidence from studies undertaken, it is not considered that sufficient issues will be identified that would render the development of either or both sites unviable.</p> |

| CATEGORY | DEFINITION/CONTEXT                                                                                                 | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| FINANCE  | Comments relating to the cost of the developments and the ongoing financial implications including property values | 15.25%                               | <p>Concerns raised regarding impact on property values;</p> <p>Concerns that public money is being spent/Council owned land used for providing accommodation for Gypsies &amp; Travellers;</p> <p>Perceptions that Gypsies &amp; Travellers do not contribute to public funds;</p> <p>Concerns around the impact on public resources;</p> <p>Queries raised regarding ongoing site management costs – more in relation to the transit site – rubbish removal, security etc.</p> | <p>Perception of non-payment for services via rent &amp; rates etc. Comments raise issues stereotypically associated with short term occupation of sites by the travelling community, particularly relating to clearing sites and repairs following occupation.</p> <p>Transit site – no recognition that users will be charged a deposit and pay a site fee.</p> <p>Residential site – no recognition that the existing residential family currently live, work and pay rent/Council Tax/Ni etc. &amp; are, therefore, entitled to access local and national services.</p> <p>Perception that house values will decrease. Again, this is linked to stereotypical perceptions around the travelling community and unauthorised encampments. The comments do not recognise the fixed term nature of the residential site and/or the fact that a transit site would be managed. Many types of development can affect the value of property &amp; the mixed use nature of the area (farming, residential, business, utilities &amp; site allocated for potential waste use) means that future planning applications for a range of uses could impact on wider property values.</p> <p>Perception that the cost of the developments is unreasonable and the funding should be spent on other competing priorities. The WG has allocated the funding in order that LA's can discharge their legal responsibilities under the Equalities Act and Housing Act. The development costs will be subject to competitive tender exercises demonstrating best value.</p> <p>These are not material planning consideration but have been highlighted as an area of concern expressed in the responses.</p> |

| CATEGORY   | DEFINITION/CONTEXT                                                                                              | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| HEALTH/H&S | Comments relating to the creation of health related issues or health & safety of existing or proposed residents | 14.9%                                | <p>Concerns raised for Gypsy &amp; Traveller families in terms of proximity to electricity pylons, sub stations (gas &amp; electricity) and the A55;</p> <p>Perception that walkers/cyclists using the lane will be put at risk;</p> <p>Concerns regarding pollution from increase traffic;</p> <p>Concerns regarding the proximity of the transit site to u/ground power cables;</p> <p>Concerns that local residents will be canvassed for work;</p> <p>Perception that the sites will contain workshops;</p> | <p>Two major areas of concern raised:</p> <p>The health &amp; wellbeing of the users of the proposed sites – particularly in relation to the location of the transit site, being close to the gas and electricity sub-stations, having power lines crossing the site and in close proximity to the underground power cables. Concerns were also raised regarding the proximity of the sites to the A55 (arguably more relevant to the residential site).</p> <p>The impact on residents whether related to walking along country lanes and established pedestrian routes plus potential disturbance of residents in surrounding areas which could potentially be detrimental to their well-being.</p> <p>Many of the comments in relation to impact on existing residents &amp; business users were applicable to uncontrolled and unauthorised encampments. While the transient nature of the transit site users cannot be denied, together with the potential for unwanted soliciting for work in the area. There would be no similar impact from the residential site as the occupiers would be permanent residents and not reliant on ad hoc employment opportunities.</p> <p>These are not material planning consideration but have been highlighted as an area of concern expressed in the responses.</p> |

| CATEGORY | DEFINITION/CONTEXT                                                                                                          | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| HIGHWAYS | Comments relating to the suitability of Cwttir Lane for access to the sites and increased traffic on the surrounding roads. | 71.3%                                | <p>Concerns regarding the impact of additional traffic in St Asaph centre &amp; surrounding areas;</p> <p>Concerns that additional traffic will have a detrimental impact on the Business Park;</p> <p>Concerns that Cwttir Lane cannot sustain additional traffic – particularly regular movement of caravans;</p> <p>Concerns Glascoed Road is becoming over utilised (ref to Business Park growth and Crematorium);</p> <p>Concerns regarding the suitability of the junction of Cwttir Lane &amp; Glascoed Road;</p> <p>Concerns regarding Cwttir lane in terms of width, lack of footways, cycle path, passing places etc.</p> <p>Concerns that Hoel Esgob will be used by vehicles to for access to St Asaph;</p> <p>Perceptions that the A55 is unable to cope with increased traffic during the Summer months;</p> <p>Concerns regarding parking pressures within St Asaph;</p> <p>Concerns regarding safety of walkers/cyclists etc.</p> <p>Concerns that the traffic impact assessment produced for the consultation has not considered peak flows, cyclists &amp; other users.</p> <p>Concerns regarding access for emergency vehicles;</p> <p>Perception that large/long vehicle use will increase;</p> <p>Concerns that caravans will be parked on Cwttir Lane;</p> | <p>A Transport Statement has been prepared by Denbighshire County Council's Highways Department. The required amendments to Cwttir Lane are minimal in terms of adjusting the road layout, requiring only adequate visibility splays to the proposed site entrances and the creation of passing places in two locations with appropriate signage.</p> <p>The Transport Assessment only considers the access along Cwttir Lane from the junction with Glascoed Road.</p> <p>Given concerns raised around increased volumes of traffic along Glascoed Road and within the centre of St Asaph and the route from the Business Park, it is intended that the scope of the Transport Assessment is increased to include these areas. It is not anticipated that any significant changes to the highway will be required.</p> <p>These are material planning considerations. Due to the scale of the developments together with evidence from the Transport Assessment already undertaken, it is not considered that sufficient issues will be identified that would render the development of either or both sites unviable.</p> |

| CATEGORY    | DEFINITION/CONTEXT                                                                                                                                                                                                                                       | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| INFORMATION | Comments relating to requests for information regarding the current use of the land, the perception that the planning decision has been pre-determined and concerns around the democratic process (decisions taken at Cabinet) and lack of consultation. | 100% (140%)                          | <p>Perception that the Planning decision has already been taken;</p> <p>Perception that DCC have been secretive regarding the proposals and not followed a legal democratic process;</p> <p>Some confusion regarding the pre-planning and formal planning application stages;</p> <p>Questions regarding site selection &amp; assertions that Green-gates is not the most suitable site;</p> <p>Questioning need for sites at all;</p> <p>Perception that DCC is being pressured by WG to deliver;</p> <p>Perception that DCC has already submitted a funding bid to WG;</p> <p>Concerns raised that the planning process will be inappropriately applied to a DCC proposal;</p> | <p>A range of issues were raised including (not exhaustive):</p> <p>A perceived lack of consultation with residents regarding the location of the proposed sites;<br/>The democratic process;</p> <p>The validity of the information provided (particularly the need for the sites);<br/>The site selection process;</p> <p>A perception that a planning decision is a forgone conclusion;<br/>The reasoning for locating the sites on agricultural land;<br/>The belief that the sites should be located in Rhyl (in the main);</p> <p>The Pre Planning Consultation Exercise undertaken is above &amp; beyond the legal requirement for developments of this size and is additional to the statutory consultation period required for a formal planning application.</p> <p>Further details regarding the development of the GTAA, the call for sites and site selection process have been circulated via the FOI process and posted on line as part of the consultation exercise.</p> <p>The Council's Monitoring officer is content that the democratic process and relevant publication of information has been undertaken in a compliant and diligent manner.</p> <p>These are not material planning consideration but have been highlighted as an area of concern expressed in the responses.</p> |

| CATEGORY | DEFINITION/CONTEXT                                                                                                                                                                                      | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| LDP      | Comments relating to the perceived conflict with the Council's LDP and/or assertions that the identification and development of the sites should be dealt with through the existing LDP review process. | 43.8%                                | <p>Assertion that DCC is in legal breach of local and national planning guidance;</p> <p>Assertion that the planning process cannot progress because the sites are not identified in the LDP;</p> <p>Assertions that the identification of suitable Gypsy &amp; Traveller sites should be dealt with via the emerging LDP process;</p> <p>Reference to proposals being outside the development boundary &amp; therefore contravening the LDP;</p> <p>Misconception that the site is protected green barrier and/or AONB;</p> | <p>The proposed locations have been informed by criteria set out in national and local planning policy, specifically Planning Policy Wales; Circular 005/2018: Planning for Gypsy, Traveller and Show people Sites; Designing Gypsy and Traveller Sites in Wales; and Denbighshire's Local Development Plan.</p> <p>Criterion ii) of policy BSC 10 directs gypsy and traveller sites to locations within or on the outskirts of an established settlement boundary with access to a range of facilities / services (including schools), public transport and main transport routes. The policy goes on to state that '<i>Sites in other locations will only be permitted where it is demonstrated that sites within or on the outskirts of an established settlement boundaries are not available and all the above criteria are met.</i>'</p> <p>The proposed locations are not within or adjoining a settlement boundary. However, policy BSC 10 allows for other locations to be considered, subject to all other criteria being met. The proposed residential and transit sites are approximately 430 metres and 740 metres respectively from the settlement boundary of St Asaph. It is considered that this does not represent a 'considerable' distance or that the sites are 'isolated' from the nearest settlement.</p> <p>As part of the site assessment process, the Local Authority has considered a range of sites within and adjoining established settlement boundaries. However, these are either not available or are less suitable when assessed against the site selection criteria identified by national and local planning policy. A report providing further information on the site assessment and selection process has been made available.</p> <p>The Local Authority started a review of the current Local Development Plan (LDP) in May 2018. In line with the timetable agreed with Welsh Government, a new LDP is expected to take effect later in 2021. Addressing site identification through the new LDP preparation process would therefore lead to a significant delay in meeting the identified housing needs of the County's Gypsy and Traveller community. The current LDP contains a specific policy for the assessment of any Gypsy and Traveller site proposals (policy BSC 10) which may come forward during the life of the plan (2006-2021). This policy has already been subject to extensive public consultation, and examination by an independent Planning Inspector, and found to be a sound basis for dealing with any such proposals. The Local Authority considers that the proposed locations meet the requirements of this policy and therefore delaying the process of site identification would be unwarranted and unjustified.</p> |



| CATEGORY       | DEFINITION/CONTEXT                                                                                       | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                     | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| LOCAL SERVICES | Comments relating the perceived increased strain on existing local services – schools, Dr Surgeries etc. | 30.1%                                | <p>Perception that increased use of local services (schools, police, GP's etc.) is not sustainable;</p> <p>Suggestions that services in other areas would be more able to cope;</p> <p>Perception that strain will be put on DCC services (bin collections, highways maintenance etc.);</p> <p>Assertions that the sites are too remote from local services;</p> | <p>Conflicting arguments have been put forward in terms of Local Services. Some respondents stated that the additional strain on service would be detrimental, while some stated that the sites were too remote to have adequate access to services.</p> <p>The location of the site is not considered too remote, given that there are a number of existing dwellings in the area and down Cwttir Lane itself.</p> <p>The size of the developments is not considered onerous in terms of the impact on local services, particularly in respect of the residential site, where the proposed occupants are already residing in Denbighshire and in receipt of schooling, medical services etc.</p> <p>Research into the impact of 3 sites in Scotland found that : Primary schools in the areas concerned had been able to cope with the arrival of traveller children.</p> <p>Police authorities acknowledged the contribution of the sites to meeting travellers' needs and reported no noticeable increase in crime in the vicinity of sites.</p> <p>(Taken from Housing Research 201, 1996 - Neighbours' Views of Official Sites for Travelling People, JRF/Planning Exchange research)</p> <p>For this size of development this is not a material planning consideration but has been highlighted as an area of concern expressed in the responses.</p> |

| CATEGORY | DEFINITION/CONTEXT                                                                                   | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                         | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| LOCATION | Comments in relation to the location of the sites generally – rural setting, distance from amenities | 100%                                 | <p>Concerns regarding the developments spoiling the rural nature of the area;</p> <p>Concerns regarding the loss of agricultural land;</p> <p>Concerns the sites are too remote from amenities, including bus routes;</p> <p>Concerns that the Travelling community have not been consulted regarding the proposed transit site;</p> | <p>The proposed sites are located in a semi-rural area on the outskirts of St Asaph, near to Bodelwyddan, and within close proximity to varying industrial and business developments, together with a substation / transformer site, residential property and working farms.</p> <p>The existing business park occupies an area of approximately 62 hectares and is within 800m of the Green-gates East Site (at its furthest boundary). An additional 16 hectares of land which forms the majority of the Green-gates site is allocated within the LDP for expansion of the Business Park. This would bring commercial developments to within circa 400m of the Green-gates East site (at its furthest boundary).</p> <p>The land to the South West (known as the 'former Pilkington's site') has recently seen enabling works undertaken to encourage development. It is also allocated for Employment land (PSE 2 &amp; VOE7, B1, B2 uses and waste management).</p> <p>The proposed residential and transit sites are approximately 430 metres and 740 metres respectively from the settlement boundary of St Asaph. It is considered that this does not represent a 'considerable' distance or that the sites are 'isolated' from the nearest settlement.</p> <p>St Asaph has a range of facilities / services, access to public transport and main transport routes.</p> |

| CATEGORY           | DEFINITION/CONTEXT                                                      | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| PROXIMITY OF SITES | Comments relating to the proximity of the proposed sites to each other. | 5.8%                                 | <p>Concerns regarding potential culture clashes between Transit and Residential site users could lead to conflict;</p> <p>Concerns of over development of Gypsy &amp; Traveller sites within a small geographical area;</p> <p>Concerns that Travelling community have reservations regarding the proximity of the sites;</p> <p>Suggestion that the solution for transit site should be a regional model as opposed to individual Council provision;</p> <p>Reference to WG guidelines stating that sites should not be in close proximity;</p> <p>Reference to Gypsy &amp; Traveller community view that sites should not be in close proximity;</p> | <p>The close proximity of transit and residential sites is recognised as potentially causing issues and a shared site has been discounted as an option for consideration. WG Guidance does not advocate shared sites.</p> <p>Given the scarcity of available and affordable development sites within the County together with opportunities to separate the sites with suitable landscaping and screening, a decision was taken to consider the potential for developing both sites within the same area.</p> <p>While not ideal, potential conflict would need to be managed effectively and if both sites are taken forward, the management model will need to be tailored to suit.</p> <p>While not a material planning consideration, the location of the two proposed sites either side of an existing dwelling and access to both sites being off the same lane, the proximity of the sites to each other needs to be considered carefully.</p> <p>There is an increased risk of WG not funding one or the other of the sites if both proposals are progressed.</p> |

| CATEGORY       | DEFINITION/CONTEXT                                                                                                  | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                       | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| SECURITY/CRIME | Comments relating to the perception that crime rates will increase and security of property and persons threatened. | 32.8%                                | <p>Perception that crime/ASB rates will increase;</p> <p>Perception that increased Police resource will be required;</p> <p>Reference to elderly population of surrounding areas being fearful;</p> <p>Concerns form businesses that premises and materials will be at risk;</p> <p>Concerns that unauthorised occupation of sites will occur;</p> | <p>Generally the response comments raise issues stereotypically associated with short term occupation of sites by the travelling community.</p> <p>Transit site – the responses do not recognise or consider the potentially more settled nature of a managed transit site where visitors may wish to stay for up to 3 months and, therefore, not display stereotypical behaviour.</p> <p>Residential site - Generally the response comments raise issues stereotypically associated with short term occupation of sites by the travelling community and do not recognise or consider the more settled nature of a residential site where the families are long term, rent/rate paying residents.</p> <p>The family identified as having a residential need are currently living in Denbighshire and have lived in the area for a number of years.</p> <p>In Scotland, research into the impact of 3 Gypsy and Traveller sites found that Police authorities acknowledged the contribution of the sites to meeting travellers' needs and reported no noticeable increase in crime in the vicinity of sites. (Taken from Housing Research 201, 1996 - Neighbours' Views of Official Sites for Travelling People, JRF/Planning Exchange research)</p> <p>This is not a material planning consideration but has been highlighted as an area of concern expressed in the responses.</p> |

| CATEGORY      | DEFINITION/CONTEXT                                                                                                                | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                                                                                                                                                                                 | COMMENT/RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| VISUAL IMPACT | Comments in respect of how the proposals will impact visually on the area. Also loss of visual amenity to the existing residents. | 12.7%                                | <p>Incompatibility of the proposals to the surrounding area;</p> <p>Impact on the visual enjoyment of the existing residents in the area;</p> <p>Considered overbearing and out of scale with the surroundings;</p> <p>Lack of control over the condition and appearance of caravans;</p> <p>Proposals don't reflect the character of the area in terms of materials;</p> <p>Rural setting will be spoiled;</p> <p>Inadequate screening;</p> | <p>Residential Site - Consideration has been given to the location of the site and buildings within it to minimise any impact on the adjoining residential properties but also to minimise the impact on the character of the adjacent farmland. The development follows the existing pattern of residential properties and smallholdings arranged along Cwttir Lane. The landscaping proposals have incorporated generous areas of screening with new planting and none of the buildings overlook adjoining residential property</p> <p>The external palette materials have been carefully considered to reflect local vernacular buildings and maintain a rural character.</p> <p>The development proposal provides the opportunity to retain &amp; enhance the existing landscape, through the addition of new ornamental and native species planting across the site, creating an attractive development to live in and visit.</p> <p>Transit Site - To minimise the impact of the development on neighbouring properties and the surrounding countryside it is proposed that the new access road, hard standing and new amenity building will be cut into the ground slightly.</p> <p>The prominence of the proposed new amenity building will be reduced by cutting into existing ground levels but the external palette of materials has also been carefully considered to reflect local vernacular buildings and maintain a rural character.</p> <p>The rural character of the site will be enhanced by the introduction of new hedgerows along the eastern and western boundaries which will break down the existing large open expanse of grazing land into smaller fields more reminiscent of the historic pattern of field boundaries.</p> |

| CATEGORY   | DEFINITION/CONTEXT                | PERCENTAGE OF RESPONSES WHERE RAISED | ISSUE RAISED                                                                                                                                                                                                                                                                          | COMMENT/RESPONSE                                                                                    |
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| OTHER/MISC | Comments not related to the above | Too few to categorise                | <p>Impact of Brexit negates need for sites (reduced cross border transit);</p> <p>Money should be spent on Social Housing/improving services;</p> <p>Impact on Welsh Language;</p> <p>Limited positive comments regarding providing managed sites and DCC being forward thinking;</p> | No material planning issues identified but examples included as raised in the consultation returns. |

**Pre-Planning Consultation Exercise.**

The pre planning consultation process commenced on 24<sup>th</sup> October 2018 and finished at midnight on 25<sup>th</sup> November 2018 (the consultation period was extended by 3 days due to technical issues with the consultation portal).

While not a legal requirement, the Council's pre planning exercise was conducted in line with Welsh Government Document "Pre-application Community Consultation: Best Practice Guidance for Developers.

Pre-application consultations are a new part of the planning application process in Wales brought in by the Planning (Wales) Act 2015.

Developers are required to undertake this consultation on 'major' projects. These are developments, which can have an impact greater than the local neighbourhood, such as quarries or new housing (with over 10 dwellings) and retail developments.

The purpose of the pre-application consultation is to provide an opportunity for early engagement with local stakeholders and allows the community to shape the application prior to any submission into the formal planning process.

A minimum standard has been set by Welsh Government that all developers must meet as part of pre-application consultation.

The minimum standard includes;

- Making draft planning application documents available to view (this can be on-line);
- Notifying the right consultees as set out within the guidance;
- Providing a 28 day notice period; and
- Reporting on how the pre-application consultation was undertaken and how people's views on the material planning issues were considered by submitting a Pre-Application Consultation Report (PAC Report) with any subsequent planning application for the development.

The Pre-Planning Consultation Exercise was undertaken covering both proposals:

- a) a permanent residential Gypsy and Traveller site with 6 pitches; and
- b) a transit Gypsy and Traveller site with 4-5 pitches.

Neither would constitute a major project and so there was no requirement for The Council (as the developer) to undertake pre-application planning consultation prior to submitting formal planning applications. However, it is recognised that these types of developments can attract significant interest and a decision was taken to use a pre-planning consultation process to start the engagement with relevant local stakeholders. The following table sets

out the minimum guidance requirements, how the local authority met this and any additional activity undertaken which exceeds the minimum requirement.

| Minimum Standard                                                                 | Local Application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Additional                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Making draft planning application documents available to view                    | Draft planning application documents were available on-line                                                                                                                                                                                                                                                                                                                                                                                                                                             | Paper copies were also made available in the local library.<br>An information event was held with officer's available to answer questions on the proposals                                                                                                                                                                                                 |
| Notifying the right consultees as set out within the guidance                    | Write to:<br>Tenant farmer of the land<br>Local Councillor<br>City Council<br>Relevant specialist consultees                                                                                                                                                                                                                                                                                                                                                                                            | Additional letters sent to:<br>properties on Cwttir Lane and Heol Esgob<br>Local councillors for St Asaph West, St Asaph East, Bodelwyddan, Trefnant wards.<br>Neighbouring Town and Community councils<br>Press release was issued to local media and sent to AM, MP and key partners including NWP, BCUHB<br>Information on DCC website and social media |
| Provide a 28 day notice period                                                   | 28 day notice period provided                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Notice period extended due to technical problem on web-site                                                                                                                                                                                                                                                                                                |
| Report on pre-application planning consultation with formal planning application | All feedback, including non-planning concerns has been reviewed relevant to each proposal. Comments are considered against the draft planning documents and where appropriate resultant actions/amendments will be noted or reasons provided as to why no action is required.<br>Should the proposal (s) proceed to the formal planning application stage then the information above will be included in a Pre-application consultation report (PAC) report to accompany the full planning application. |                                                                                                                                                                                                                                                                                                                                                            |



**Notes of pre consultation exercise meeting with Local Members**

**Planning app and consultation process - Gypsy and Travellers sites proposals**

**18 October 2018**

**Present:** Cllr Peter Scott, Cllr Andrew Thomas, Cllr Meirick Ll. Davies, Cllr Tony Thomas, Nicola Stubbins, Paul Mead, Emer O'Connor, Dave Lorey, Kim Waller

Cllr Richard Mainon was invited but was unable to attend the meeting.

**Notes**

The following were key points covered at the meeting:

- Role of Development Management (DM) was explained. DM have to follow a clear planning process and remain impartial in their decision making.
- Planning Officers are bound by a professional code of conduct.
- Two stages of consultation; pre-planning and formal planning consultation.
- This will apply to each of the two proposals.

**Pre-planning**

- DCC are not required to undertake pre-planning consultation on these proposals but have chosen to do so and therefore will follow the guidance that is available.
- Pre-planning consultation provides the opportunity for organisations and the public to comment on draft planning documents before they are submitted as a formal planning application.
- The Pre-application Consultation responses are collated into a report, which is submitted alongside the planning application.
- DM would not be involved in the Pre-application Consultation, this will be carried out by the Applicants.
- The launch of the pre-planning consultation will be Wednesday 24 October 2018 and will run until 21 November 2018.
- There is a comprehensive set of activities planned above the statutory requirements. This includes information for the media, letters to residents, site notices erected, information to the city/town councils etc.
- All draft planning documents will be available to the public through the Council's engagement portal during the consultation period. A link will be posted on the front page of the DCC website.
- A letter template will be provided to local members to print and circulate at their discretion. This will be outside of the formal pre-planning process.

## **Planning**

- Once the planning application is submitted and valid it will be subject to a statutory consultation period of 21 days.
- Letters will be sent to neighbours and site notices erected.
- Planning Officers will provide Cllrs with a copy of the consultation letter should they wish to publicise the application further (in a similar manner to how they propose to publicise the pre-app).

**A further meeting will be arranged prior to the submission of any planning application.**

|                         |                                       |
|-------------------------|---------------------------------------|
| <b>Report to:</b>       | <b>Communities Scrutiny Committee</b> |
| <b>Date of Meeting:</b> | <b>14 March 2019</b>                  |
| <b>Lead Officer:</b>    | <b>Scrutiny Co-ordinator</b>          |
| <b>Report Author:</b>   | <b>Scrutiny Co-ordinator</b>          |
| <b>Title:</b>           | <b>Scrutiny Work Programme</b>        |

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

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

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

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

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

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

## **4. Report details**

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

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

#### 4.6 Scrutiny Proposal Forms

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

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

#### Flood Management Responsibilities in Denbighshire

- 4.8 As the modelling work being undertaken by Natural Resources Wales (NRW) in relation to the study into Rhyl Cut and the Prestatyn Gutter will not be finished until early summer, it would have been slightly premature to bring a report to the Committee at the current meeting, before the results of the modelling work are known. Consequently, the Chair permitted the deferment of its presentation until the Committee's meeting on 5 September.

### Gypsy and Traveller Sites Provision

- 4.9 In order to accommodate a report on the results of the consultation exercise on the above at the current meeting a couple of items on the Committee's forward work programme had to be rescheduled. These items were the reports on Ysgol Rhewl and the Car Park Asset Management Plan. Both of these reports have provisionally been scheduled for the Committee's meeting on 9 May. However, there are too many items on the forward work programme for that meeting, therefore the Committee is asked to review which items it wishes to consider at that meeting.

### Cabinet Forward Work Programme

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

### Progress on Committee Resolutions

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

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

Under the Council's scrutiny arrangements the Scrutiny Chairs and Vice-Chairs Group (SCVCG) performs the role of a coordinating committee. The Group met on 13 December 2018 and 31 January 2019. As a consequence of these meetings the following items have been included on the Committee's forward work programme:

- School Meal Debt Policy report (considered at the current meeting)
- Denbighshire's Learner Transport Policy: non-statutory elements (scheduled for the meeting on 9 May 2019 – see Appendix 1)

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

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

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

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

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

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

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

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

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

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

**11. Power to make the decision**

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

**Contact Officer:**

Scrutiny Coordinator Tel No: (01824) 712554

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

## Communities Scrutiny Committee Forward Work Plan

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

| Meeting                                                                                                     | Lead Member(s)                    | Item (description / title)                                                              | Purpose of report                                                                                                                                   | Expected Outcomes                                                                                                                                                                                                                                                                                      | Author                                                                                                                                                                                                                          | Date Entered             |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 20 March<br><br><b>Special Meeting to be held in Llangollen International Pavilion</b><br>(all day meeting) | <b>Cllr. Mark Young</b>           | 1. Llantysilio Mountain Fire                                                            | To examine the multi-agency response to the mountain fire in the summer of 2018 and the fire's impact on the local area, environment and businesses | To ensure that the lessons learnt following the incident are used to improve multi-agency responses to similar emergencies in future and determine whether land management practices could be better utilised to mitigate against the spread of the fire/or isolate such incidents going forward       | Neil Culff<br>NWREP<br>Graham Boase/Emlyn Jones/Tony Ward - Services and Multi-agency presentation/report<br>(Police/FRS/NRW/local business reps/agricultural business reps/Countryside Services/Highway Service to be invited) | By SCVCG<br>October 2018 |
| 9 May                                                                                                       | <b>Cllr. Julian Thompson-Hill</b> | 1. Universal Credit<br><br>(unless concerns merit it to be brought to Scrutiny earlier) | To detail:<br>(i) the impact of the introduction of Universal Credit (full service) on Council services and                                         | An understanding of the impact of UC on Council services and on residents during the early roll-out stages of the new benefits system in the county; an assessment of the effectiveness of measures taken to date in supporting services and residents to deal with the changes and proposed plans for | Paul Barnes/Rachel Thomas                                                                                                                                                                                                       | May 2018                 |

Communities Scrutiny Committee Forward Work Plan

| Meeting | Lead Member(s) | Item (description / title) | Purpose of report                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Expected Outcomes                                                                                                                                                                                                                                                                                                                                    | Author | Date Entered |
|---------|----------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------------|
|         |                |                            | <p>residents 12 months following roll-out to the majority of the county area;</p> <p>(ii) the effectiveness of the measures taken by the Council and its partners with a view to mitigating the effects of its introduction on residents and Council services, including the lessons learnt; and</p> <p>(iii) the work underway to mitigate the impact on services and residents in readiness for the migration current benefit recipients on to UC in due course</p> | <p>dealing with the remainder of the rollout and the eventual migration of current benefit recipients onto the new UC in due course.</p> <p>Scrutiny's consideration of the above matters will assist it to identify proposed ways to mitigate against the effects of UC adversely affecting the Council's aim of building resilient communities</p> |        |              |



## Communities Scrutiny Committee Forward Work Plan

| Meeting | Lead Member(s)                    | Item (description / title)                                                                   | Purpose of report                                                                                                                                                                                          | Expected Outcomes                                                                                                                                                                                                                                                                                                                                                                                                                              | Author                                  | Date Entered                               |
|---------|-----------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------------------------------|
|         | <b>Cllr. Brian Jones</b>          | 2. Proposed New Waste and Recycling Service Design                                           | To consider detailed information on the proposed new services, including service design, depot reconfiguration requirements, indicative costings and funding available and proposed communication strategy | Assurances that the proposal are progressing in accordance with the Council and the national vision in relation to waste management, reconfiguration costs are manageable and will realise indicative savings and ease budget pressure and that residents are buying into the new waste concept which will deliver the corporate priority relating to an attractive and protected environment that supports well-being and economic prosperity | Tony Ward/Tara Dumas                    | October 2018                               |
|         | <b>Cllr. Huw Hilditch-Roberts</b> | 3. Denbighshire's Learner Transport Policy: Non-Statutory Elements<br><br><b>[Education]</b> | To examine potential non-statutory elements of the current Learner Transport Policy which the Council could consider withdrawing from funding in future and a draft of the proposed revised policy         | The development of an affordable Learner Transport Policy for the future which will support the delivery of the Council's corporate priority and aspirations for its young people                                                                                                                                                                                                                                                              | Karen Evans/Ian Land                    | By SCVCG December 2018                     |
|         | <b>Cllr. Huw Hilditch Roberts</b> | 4. Ysgol Rhewl<br><br><b>[Education]</b>                                                     | An evaluation of the support provided to the school and stakeholders                                                                                                                                       | To ensure that pupils and stakeholders are adequately supported by the education authority to ensure that the pupils are not                                                                                                                                                                                                                                                                                                                   | Karen Evans/Geraint Davies/James Curran | October 2017 (rescheduled September 2018 & |

## Communities Scrutiny Committee Forward Work Plan

| Meeting       | Lead Member(s)           | Item (description / title) |                                               | Purpose of report                                                                                                      | Expected Outcomes                                                                                                                                                                                                                                                                                                                                                           | Author                            | Date Entered                                     |
|---------------|--------------------------|----------------------------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------------------------------------|
|               |                          |                            |                                               | during the period leading up to the closure of Ysgol Rhewl and the transfer of pupils to the new area school in Ruthin | disadvantaged, attain the desired outcomes and realise their potential                                                                                                                                                                                                                                                                                                      |                                   | December 2018)                                   |
|               | <b>Cllr. Brian Jones</b> | 5.                         | Car Park Asset Management Plan                | To detail the progress made to date with the delivery of the asset management plan and associated initiatives          | To realise the delivery of the plan, the investment programme in the county's car parks and the associated initiatives with a view to delivering the connected communities and environment priorities within the Council's corporate plan                                                                                                                                   | Emlyn Jones/Mike Jones            | March 2018                                       |
|               |                          |                            |                                               |                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                             |                                   |                                                  |
| <b>4 July</b> | <b>Cllr. Tony Thomas</b> | 1.                         | Planning Compliance Charter                   | To consider the draft Planning Compliance Charter between Denbighshire County Council and Town and Community Councils  | The development of a Charter that will be useful to town and community councils and other stakeholders to understand how the compliance function works and how they can support compliance work through early prevention/intervention work in their locality. The Charter will help support the delivery of the Environment and Resilient Communities corporate priorities. | Emlyn Jones/Paul Mead/Adam Turner | December 2018                                    |
|               | <b>Cllr. Tony Thomas</b> | 2.                         | Caravan and Holiday Park Regulation Procedure | To assess the effectiveness of the county's regulation procedure in ensuring that caravan and                          | Ensuring that all regulatory stipulations are adhered to and that holiday caravan sites contribute towards the economic prosperity of the area and local residents are                                                                                                                                                                                                      | Emlyn Jones/Paul Mead             | By SCVCG January 2018 (rescheduled January 2019) |

## Communities Scrutiny Committee Forward Work Plan

| Meeting     | Lead Member(s)                                                                                 | Item (description / title) |                                                   | Purpose of report                                                                                                                                                                                                                                                                  | Expected Outcomes                                                                                                                                                                                                                                                                                   | Author                    | Date Entered                                    |
|-------------|------------------------------------------------------------------------------------------------|----------------------------|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------|
|             |                                                                                                |                            |                                                   | holiday park planning and licensing conditions are complied with                                                                                                                                                                                                                   | supported to live in homes that meet their needs                                                                                                                                                                                                                                                    |                           |                                                 |
|             | <b>Cllr. Tony Thomas</b>                                                                       | 3.                         | Seagull Management Update                         | To report on the progress made in developing and delivering the Seagull Management Action Plan and the associated Public Awareness Campaign                                                                                                                                        | An assessment of whether appropriate and proportionate actions are being taken to protect residents, businesses and visitors from the nuisance caused by gulls and whether the measures taken are effective and support the delivery of the Council's Corporate Plan                                | Emlyn Jones/Gareth Watson | March 2018 (rescheduled by SCVCG December 2018) |
| 5 September | <b>Cllr. Brian Jones</b><br><br><b>Reps from Dŵr Cymru Welsh Water &amp; NRW to be invited</b> | 1.                         | Flood Management Responsibilities in Denbighshire | To present the conclusions of the joint study into whether improvements could be made to the management of the Rhyl Cut and Prestatyn Gutter, adjacent drains and sewers, and to outline each organisation's responsibilities in relation to flood management and flood mitigation | An assessment of whether the Council effectively fulfils its responsibilities in relation to flood management and mitigation and works effectively with partner organisations to reduce the risk of flooding and deliver the Environment and Resilient Communities priorities of the Corporate Plan | Tony Ward/Wayne Hope      | March 2018 (rescheduled February 2019)          |

## Communities Scrutiny Committee Forward Work Plan

| Meeting | Lead Member(s)                    | Item (description / title)                                                         | Purpose of report                                                                                                                                                                                               | Expected Outcomes                                                                                                                                                                                                                                                                                                                                                                                              | Author                                         | Date Entered                                  |
|---------|-----------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------|
|         | <b>Leader</b>                     | 2. <b>Tourism Signage Strategy for Denbighshire</b>                                | To outline the progress made by the Working Group in developing a tourism signage strategy for the county, consideration of potential funding sources, and the anticipated timescale for the project's delivery | The development of a tourism signage strategy that complements trunk road signage and technological innovations in the field of tourism, takes into account the aims of 'The Wales Way' project, attracts visitors and increases the value of tourism spend in the county in line with the corporate priority relating to the Environment, and in-keeping with the outcomes of Denbighshire's Tourism Strategy | Mike Jones/Peter McDermott                     | May 2018 (rescheduled by SCVCG December 2018) |
| 24 Oct  | <b>Cllr. Huw Hilditch Roberts</b> | 1. <i>Impact of the Ruthin Primary Education Area Review</i><br><b>[Education]</b> | <i>To consider the findings of the of the impact assessment (based on the WBFG Act principles and goals) undertaken following the conclusion, implementation of the decisions relating to the review</i>        | <i>Identification of any negative or unintended/unexpected outcomes from the school reorganisation decisions that will assist planning for similar projects in future to ensure the well-being of all stakeholders</i>                                                                                                                                                                                         | <i>Karen Evans/Geraint Davies/James Curran</i> | <i>October 2017</i>                           |
| 12 Dec  |                                   |                                                                                    |                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                |                                                |                                               |

## Communities Scrutiny Committee Forward Work Plan

| Meeting       | Lead Member(s)                    | Item (description / title)                                 | Purpose of report                                                                                                    | Expected Outcomes                                                                                                                                                                                                                                                            | Author                 | Date Entered   |
|---------------|-----------------------------------|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|
| May/June 2020 | <b>Cllr. Huw Hilditch-Roberts</b> | 1. Welsh Government's Free Childcare Offer in Denbighshire | To assess the take-up and impact of the WG's free childcare offer in the county since its introduction in April 2019 | To evaluate whether the introduction of the free childcare offer has supported the delivery of the Council's corporate priorities relating to young people and resilient communities, supported the local economy and will enhance better outcomes for children and families | Karen Evans/James Wood | September 2018 |

## Future Issues

| Item (description / title) | Purpose of report | Expected Outcomes | Author | Date Entered |
|----------------------------|-------------------|-------------------|--------|--------------|
|                            |                   |                   |        |              |
|                            |                   |                   |        |              |

## For future years

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

## Information/Consultation Reports

| Information / Consultation                                     | Item (description / title)   | Purpose of report                                                                                                                                                                                                                                                                                                             | Author(s)                               | Date Entered  |
|----------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------|
| <b>Information</b><br><b>[Education]</b><br><b>March 2019?</b> | Ysgol Llanbedr Dyffryn Clwyd | To:<br>(i) outline the reasons given by the WG's Cabinet Secretary in relation to her decision with respect of the future of Ysgol Llanbedr D C;<br>(ii) how the Welsh Government dealt with the appeal; and<br>(iii) the decision's implications for the future management and financial arrangements for Ysgol Llanbedr D C | Karen Evans/Geraint Davies/James Curran | December 2018 |

## Communities Scrutiny Committee Forward Work Plan

|  |  |                                            |  |  |
|--|--|--------------------------------------------|--|--|
|  |  | and Ysgol Trefnant, their staff and pupils |  |  |
|--|--|--------------------------------------------|--|--|

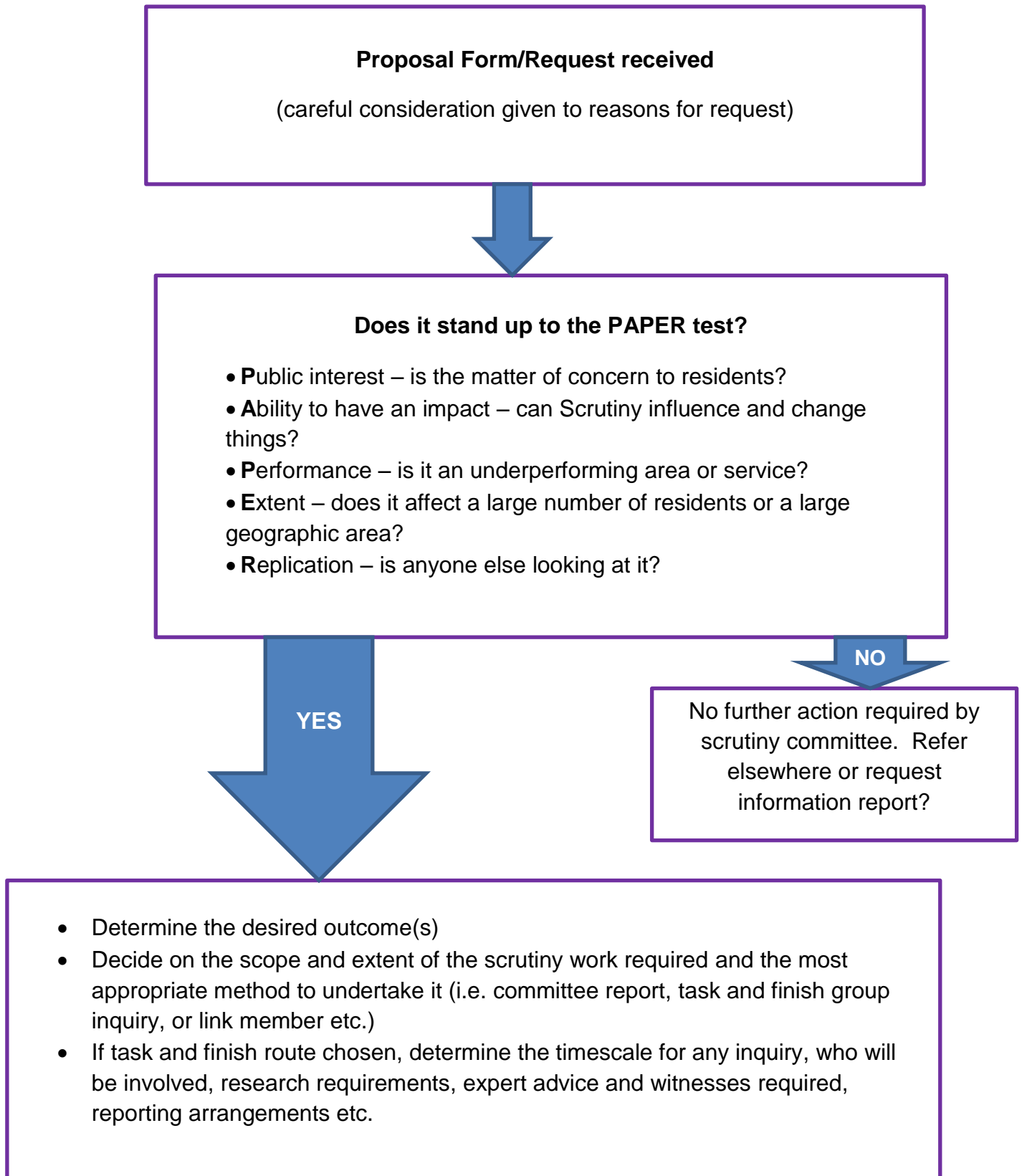
**Note for officers – Committee Report Deadlines**

| Meeting | Deadline        | Meeting | Deadline       | Meeting     | Deadline            |
|---------|-----------------|---------|----------------|-------------|---------------------|
| 9 May   | <b>25 April</b> | 4 July  | <b>20 June</b> | 5 September | <b>22 September</b> |

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

## Consideration of a topic's suitability for scrutiny





## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                                                                                              | Purpose of report                                                                                                                        | Cabinet Decision required (yes/no) | Author – Lead member and contact officer                                            |
|--------------------|----------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------|
| <b>26 Mar 2019</b> | 1                          | Gypsy and Traveller Accommodation                                                                            | To consider the outcome of the consultation exercise relating to the proposals to seek planning permission for Gypsy and Traveller sites | Yes                                | Councillor Tony Thomas / Nicola Stubbins / David Lorey                              |
|                    | 2                          | Denbighshire's Replacement Local Development Plan – Draft Pre Deposit (preferred strategy) for consultation. | To consider a recommendation to Council.                                                                                                 | Tbc                                | Councillor Brian Jones / Angela Loftus                                              |
|                    | 3                          | Finance Report                                                                                               | To update Cabinet on the current financial position of the Council                                                                       | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh                                     |
|                    | 4                          | Items from Scrutiny Committees                                                                               | To consider any issues raised by Scrutiny for Cabinet's attention                                                                        | Tbc                                | Scrutiny Coordinator                                                                |
| <b>30 Apr 2019</b> | 1                          | Proposed Alternative Delivery Model (ADM) for various leisure related activities and functions               | See description.                                                                                                                         | Yes                                | Councillors Bobby Feeley and Julian Thompson-Hill / Graham Boase / Sian Lloyd Price |
|                    | 2                          | Finance Report                                                                                               | To update Cabinet on the current financial position of the Council                                                                       | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh                                     |

## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                               | Purpose of report                                                                            | Cabinet Decision required (yes/no) | Author – Lead member and contact officer             |
|--------------------|----------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------|
|                    | 3                          | Items from Scrutiny Committees                | To consider any issues raised by Scrutiny for Cabinet's attention                            | Tbc                                | Scrutiny Coordinator                                 |
| <b>28 May 2019</b> | 1                          | North Wales Growth Bid Governance Agreement 2 | To approve the governance arrangements in relation to the implementation of the growth deal. | Yes                                | Councillor Hugh Evans / Graham Boase / Gary Williams |
|                    | 2                          | Finance Report                                | To update Cabinet on the current financial position of the Council                           | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh      |
|                    | 3                          | Items from Scrutiny Committees                | To consider any issues raised by Scrutiny for Cabinet's attention                            | Tbc                                | Scrutiny Coordinator                                 |
| <b>25 Jun 2019</b> | 1                          | Finance Report                                | To update Cabinet on the current financial position of the Council                           | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh      |
|                    | 2                          | Items from Scrutiny Committees                | To consider any issues raised by Scrutiny for Cabinet's attention                            | Tbc                                | Scrutiny Coordinator                                 |
|                    |                            |                                               |                                                                                              |                                    |                                                      |

## Cabinet Forward Work Plan

| Meeting             | Item (description / title) |                                | Purpose of report                                                  | Cabinet Decision required (yes/no) | Author – Lead member and contact officer        |
|---------------------|----------------------------|--------------------------------|--------------------------------------------------------------------|------------------------------------|-------------------------------------------------|
| <b>30 July 2019</b> | 1                          | Finance Report                 | To update Cabinet on the current financial position of the Council | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh |
|                     | 2                          | Items from Scrutiny Committees | To consider any issues raised by Scrutiny for Cabinet's attention  | Tbc                                | Scrutiny Coordinator                            |
|                     |                            |                                |                                                                    |                                    |                                                 |
| <b>24 Sep 2019</b>  | 1                          | Finance Report                 | To update Cabinet on the current financial position of the Council | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh |
|                     | 2                          | Items from Scrutiny Committees | To update Cabinet on the current financial position of the Council | Tbc                                | Scrutiny Coordinator                            |
|                     |                            |                                |                                                                    |                                    |                                                 |
| <b>22 Oct 2019</b>  | 1                          | Finance Report                 | To update Cabinet on the current financial position of the Council | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh |
|                     | 2                          | Items from Scrutiny Committees | To update Cabinet on the current financial position of the Council | Tbc                                | Scrutiny Coordinator                            |
|                     |                            |                                |                                                                    |                                    |                                                 |

## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                | Purpose of report                                                  | Cabinet Decision required (yes/no) | Author – Lead member and contact officer        |
|--------------------|----------------------------|--------------------------------|--------------------------------------------------------------------|------------------------------------|-------------------------------------------------|
| <b>19 Nov 2019</b> | 1                          | Finance Report                 | To update Cabinet on the current financial position of the Council | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh |
|                    | 2                          | Items from Scrutiny Committees | To update Cabinet on the current financial position of the Council | Tbc                                | Scrutiny Coordinator                            |
|                    |                            |                                |                                                                    |                                    |                                                 |
| <b>17 Dec 2019</b> | 1                          | Finance Report                 | To update Cabinet on the current financial position of the Council | Tbc                                | Councillor Julian Thompson-Hill / Richard Weigh |
|                    | 2                          | Items from Scrutiny Committees | To update Cabinet on the current financial position of the Council | Tbc                                | Scrutiny Coordinator                            |
|                    |                            |                                |                                                                    |                                    |                                                 |

Page 76

Note for officers – Cabinet Report Deadlines

| <i>Meeting</i> | <b>Deadline</b> | <i>Meeting</i> | <b>Deadline</b> | <i>Meeting</i> | <b>Deadline</b> |
|----------------|-----------------|----------------|-----------------|----------------|-----------------|
|                |                 |                |                 |                |                 |
| <i>March</i>   | <b>12 March</b> | <i>April</i>   | <b>12 April</b> | <i>May</i>     | <b>13 May</b>   |

Updated 01/03/19 - KEJ

**Cabinet Forward Work Plan**

Cabinet Forward Work Programme.doc

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## Progress with Committee Resolutions

| Date of Meeting  | Item number and title                                              | Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Progress                                                                                                                                                                                                    |
|------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13 December 2018 | <b>5. Early Education and Flying Start Childcare Commissioning</b> | <p><b><u>Resolved:</u></b> <i>subject to the above observations</i></p> <p>(i) <i>the provision of an Information Report outlining the process to be followed by potential providers when applying for Early Education and/or Flying Start Childcare provision funding and the safeguards within the process to ensure that all applicants, be they public/private/voluntary sector organisations, were given fair and equitable access to the funding and to mitigate against public sector providers being in a more advantageous position;</i></p> <p>(ii) <i>to support the decision to recommission the childcare elements of Early Education and the Flying Start Programmes through parallel formal processes</i></p> | Lead Member and officers informed of the Committee's observations and the requested information report was included in the 'Information Brief' document circulated to members ahead of the current meeting. |
|                  | <b>6. Performance and Effectiveness of</b>                         | <b><u>Resolved:</u></b> <i>- subject to the above observations</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Lead Member and officers informed of the Committee's observations and a draft                                                                                                                               |

|  |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                             |
|--|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p><b>Planning Compliance</b></p> | <p>(i) <i>to receive the report on the performance and effectiveness of the Planning Compliance function;</i></p> <p>(ii) <i>to acknowledge the value and importance of the Service to the county and its residents and recommend that every effort be made to protect the function when setting future Council budgets;</i></p> <p>(iii) <i>that a Planning Compliance Charter be drawn up between Denbighshire County Council and its city, town and community councils for the purpose of supporting compliance work through early prevention and intervention work; and</i></p> <p>(iv) <i>that the draft Charter be presented to the Committee for consultation prior to being issued to city, town and community councils for consultation</i></p> | <p>of the Planning Compliance Charter between the County Council and its city, town and community councils is scheduled to be presented to the Committee at its meeting on 4 July 2019 (see Appendix 1)</p> |
|--|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|