

To: Members of the County Council

Date: 22 January 2020

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Dear Councillor

You are invited to attend a meeting of the **COUNTY COUNCIL** to be held at **10.00 am** on **TUESDAY, 28 JANUARY 2020** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN LL15 1YN**.

Yours sincerely

G Williams
Head of Legal, HR and Democratic Services

AGENDA

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

1 APOLOGIES

2 DECLARATIONS OF INTEREST

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

3 URGENT MATTERS AS AGREED BY THE CHAIR

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

4 CHAIRMAN'S DIARY (Pages 5 - 6)

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

5 MINUTES (Pages 7 - 18)

To receive the minutes of County Council (copy attached) held on 15 October 2019.

6 BUDGET 2020/21 - FINAL PROPOSALS (Pages 19 - 44)

To consider a report by the Head of Finance and Property (copy attached) to provide an update of the budget process and the impact of the Local Government Settlement and to approve the budget for 2020/21, including the level of Council Tax.

7 COUNCIL TAX REDUCTION SCHEME 2020/21 (Pages 45 - 72)

To consider a report by the Benefits Manager and the Head of Finance and Property (copy attached) to adopt the All Wales Council Tax Reduction Schemes and Prescribed (Wales) Regulations 2013 and the Prescribed Requirements (Wales) Amendments Regulations 2020, in respect of the 2020/2021 financial year.

8 THE REAL LIVING WAGE (Pages 73 - 78)

To consider a report by the Head of Finance and Property and the Pay and Rewards Specialist (copy attached) to provide information about and to consider the implications of paying the Real Living Wage.

9 IMPLEMENTATION OF AN ALTERNATIVE DELIVERY MODEL (ADM) FOR VARIOUS LEISURE RELATED ACTIVITIES/FUNCTIONS: APPOINTMENT OF INDEPENDENT DIRECTORS (Pages 79 - 82)

To consider a report by the Head of Legal, HR and Democratic Services (copy attached) to appoint two independent Directors to the Board of Denbighshire Leisure Ltd.

10 AVOIDANCE AND REDUCTION OF PLASTICS IN DENBIGHSHIRE COUNTY COUNCIL OFFICES (Pages 83 - 110)

To consider a report by the Strategic Planning and Performance Officer (copy attached) to consider how the Council can reduce its use of plastics.

11 CLIMATE AND ECOLOGICAL EMERGENCY - PROGRESS REPORT ON COUNCIL MOTION (Pages 111 - 130)

To consider a report by the Project Manager (copy attached) to provide information on the progress being made by the cross-party Climate and Ecological Emergency Working Group.

12 NOTICE OF MOTION (Pages 131 - 132)

To consider a Notice of Motion – “Fireworks” from Councillors Brian Blakeley, Gwyneth Kensler and Julian Thompson-Hill (copy attached).

13 NOTICE OF MOTION (Pages 133 - 134)

To consider a Notice of Motion – “Show Racism the Red Card” from Councillor Joan Butterfield (copy attached).

14 NOTICE OF MOTION (Pages 135 - 136)

To consider a Notice of Motion – “Diversity” from Councillor Rhys Thomas (copy attached).

15 NOTICE OF MOTION (Pages 137 - 138)

To consider a Notice of Motion – “Plastics” from Councillor Rachel Flynn (copy attached).

16 COUNTY COUNCIL FORWARD WORK PROGRAMME (Pages 139 - 144)

To consider the Council’s forward work programme (copy attached).

MEMBERSHIP

Councillors

Councillor Meirick Lloyd Davies (Chair)

Councillor Alan James (Vice-Chair)

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

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

COPIES TO:

Press and Libraries
Town and Community Councils

Agenda Item 4

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

<u>Dyddiad/Date</u>	<u>Digwyddiad/Event</u>	<u>Lleoliad/Location</u>
05/10/19	Seremoni Cyhoeddi Eisteddfod yr Urdd Sir Ddinbych Urdd Eisteddfod Proclamation Ceremony	Prestatyn
06/10/19	Dathliadau Penblwydd Priodas Diamwnt Diamond Wedding Anniversary Celebrations	Rhuddlan
07/10/19	Derbyniad a Chinio Safle Treftadaeth y Byd World Heritage Site Reception Event and Dinner	Llangollen
12/10/19	Digwyddiad Penwythnos Cwmni'r Fifth Wheel Fifth Wheel Company Experience Weekend Event (Is-Gadeirydd wedi mynychu/Vice-Chair attended)	Llanelwy / St. Asaph
13/10/19	Gwasanaeth Dinesig Cadeirydd Sir Ynys Môn Isle of Anglesey Chairman's Civic Sunday	Ynys Môn / Anglesey
15/10/19	Cyfarfod Blynyddol efo Cyngorau Dinas, Tref a Chymuned / Annual Meeting with City, Town & Community Councils	Rhuthun / Ruthin
17/10/19	Dathliadau Penblwydd 30 oed Clwb Bowlio'r Ffrith 30th Birthday celebrations of the Ffrith Bowls Club	Prestatyn
21/10/19	Ymweliad Ysgol i Neuadd y Sir School Visit to County Hall (Is-Gadeirydd wedi mynychu/Vice-Chair attended)	Rhuthun / Ruthin
30/10/19	Seremoni Graddio ym Mhrifysgol Glyndwr Glyndwr University Graduation Ceremony	Wrecsam / Wrexham
31/10/19	Sesiwn Natur Calan Gaeaf Parc Dyffryn Teg Dyffryn Teg Park Spooky Nature Session	Rhuallt
06/11/19	Ymweliad Ysgol i Neuadd y Sir School Visit to County Hall	Rhuthun / Ruthin
07/11/19	Noson Wobrwyo Chwaraeon Sir Ddinbych Denbighshire Community Sports Awards	Llangollen
08/11/19	Digwyddiad Gwobrwyo Rhagoriaeth Sir Ddinbych Excellence Denbighshire Awards	Llangollen
10/11/19	Sul y Cofio Remembrance Sunday	Dinbych / Denbigh
15/11/19	Seremoni Ddinasyddiaeth Citizenship Ceremony	Rhuthun / Ruthin
17/11/19	Gwasanaeth Dinesig Maer Caerwys Mayor of Caerwys' Civic Service	Caerwys

27/11/19	Ymweliad Ysgol i Neuadd y Sir School Visit to County Hall	Rhuthun / Ruthin
05/12/19	Ymweliad Ysgol i Neuadd y Sir School Visit to County Hall	Rhuthun ./ Ruthin
10/12/19	Dathliad y Nadolig – Gwasanaeth Carolau Sir Ddinbych / A Christmas Celebration – Denbighshire Carol Serice	Dinbych / Denbigh
14/12/19	Digwyddiad Codi Pres Vale of Clwyd MIND Vale of Clwyd Mind Fundraising Event	Y Rhyl / Rhyl
15/12/19	Cyngerdd Nadolig Elusennol wedi'i drefnu ar y cyd rhwng Cadeirydd Sir y Fflint ac Uchel Siryf Clwyd Chair of Flintshire and High Sheriff of Clwyd Christmas Charity Concert	Yr Wyddgrug / Mold
20/12/19	Seremoni Ddinasyddiaeth Citizenship Ceremony	Rhuthun / Ruthin

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 15 October 2019 at 10.00 am.

PRESENT

Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies (Chair), Hugh Evans, Bobby Feeley, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Hugh Irving, Alan James (Vice-Chair), Brian Jones, Pat Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Barry Mellor, Melvyn Mile, Merfyn Parry, Paul Penlington, Pete Prendergast, Arwel Roberts, Peter Scott, Glenn Swingler, Andrew Thomas, Rhys Thomas, Tony Thomas, Julian Thompson-Hill, Graham Timms, Joe Welch, Cheryl Williams, Eryl Williams, Huw Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (JG), Head of Legal, HR & Democratic Services (GW), Planning & Public Protection Manager (AL), Planning Officer (KB), Democratic Services Manager (SP), Electoral Services Officer (GE), Scrutiny Officer (RE), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Peter Evans, Martyn Holland, Huw Jones, Tina Jones, Richard Mainon, Christine Marston, Bob Murray, Anton Sampson and David Williams

2 DECLARATIONS OF INTEREST

Councillor Gwyneth Kensler declared a personal interest in item 6 (Implementation of an Alternative Delivery Model (ADM) for various leisure related activities/functions: Composition of Board of Directors) as Craig Kensler is a member of Denbigh Leisure Centre and she attends both Theatre Twm o'r Nant, Denbigh and Pavilion Theatre, Rhyl.

Councillor Emrys Wynne declared a personal interest in item 7 (Welsh Government: National Development Framework 2020-2040: Consultation Draft) as a member of his family is a Planning Inspector in Wales.

The Chair, Councillor Meirick Lloyd Davies declared a personal interest in item 10 (Annual Report of the Council's Scrutiny Committees 2018/2019) as he was a member of the North Wales Fire and Rescue Board.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

At this juncture, members were informed a question would be put forward as follows –

Councillor Peter Scott raised the following question –

“On 9 October, 2019, the Journal printed a front page article that a decision on the Gypsy site would be made that day. Hence, there would be no point in making any future comment. People reading this were unlikely to note this was wrong until the Journal issues a revised statement on 16 October 2019. Hence, some will have lost at least a week in their time for response. Why cannot the period for consultations be extended by one week to allow all an equal minimum time for consultation?”

Response by the Lead Member for Planning, Public Protection and Safer Communities, Councillor Mark Young –

“This is not an error by Denbighshire County Council. If this is a sincere request that residents might miss a chance to comment, I am happy to speak to officers for a weeks’ extension.”

Councillor Peter Scott –

“I am serious about this request and do not believe it is any fault of Denbighshire County Council and acknowledge that there is information on the Denbighshire County Council website.”

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair and Vice-Chair for the period 25 August 2019 to 4 October 2019 had been circulated prior to the meeting.

RESOLVED that the list of civic engagements undertaken by the Chair and Vice-Chair be received.

5 MINUTES

The minutes of Full Council held on 10 September 2019 were submitted.

Accuracy –

The Chair apologised that the minute silence for the late Elwyn Edwards had not been noted in the minutes.

Page 8, Item 3 should read “This is the legal position but the first call is to address the fiduciary duty

RESOLVED that, subject to the above, the minutes of Full Council held on 10 September 2019 be confirmed as a correct record and signed by the Chair.

6 IMPLEMENTATION OF AN ALTERNATIVE DELIVERY MODEL (ADM) FOR VARIOUS LEISURE RELATED ACTIVITIES/FUNCTIONS: COMPOSITION OF BOARD OF DIRECTORS

Councillor Gwyneth Kensler declared a personal interest as Craig Kensler is a member of Denbigh Leisure Centre and she attends both Theatre Twm o'r Nant, Denbigh and Pavilion Theatre, Rhyl.

The Lead Member for Wellbeing and Independence introduced the Implementation of an Alternative Delivery Model (ADM) for various leisure related activities/functions: composition of Board of Directors (previously circulated) to seek Council's approval of the composition of the Board of Directors of the Company, the appointment of a number of Directors, and the method by which the remaining Directors would be appointed.

On 30 May 2019, Council approved the creation of a not for profit Local Authority Trading Company Limited by Guarantee as an alternative delivery model for the provision of leisure services on behalf of the Council.

There was no statutory requirement as to the size of the Board of Directors. Within the Business Case it was suggested there be a Board of seven Directors. It was proposed the Board of Directors would be as follows:

- Corporate Director: Economy and Public Realm
- Managing Director
- Lead Member for Well-being and Independence
- Lead Member for Education, Children's Services and Public Engagement
- Non-Cabinet Member, and
- Independent Directors x 2

It was suggested the appointment of a non-Cabinet member be made with business experience and/or interest in the leisure sector. Nominations had been sought and nominees to submit their nomination setting out the reasons why they met the role description to the Head of Legal, HR and Democratic Services by 12 noon on Friday 11 October 2019. One nomination had been received and circulated to all members in advance of the Council meeting.

The nomination received had been from Councillor Peter Prendergast who had submitted his CV which included all his relevant business experience.

At this juncture, Councillor Joan Butterfield proposed Councillor Peter Prendergast to sit on the Board of Directors and the proposal was seconded.

The remaining two Director positions were to be filled by independent persons to be recruited by open advertisement. It was proposed that one of the roles be advertised with an emphasis on persons with a commercial leisure/finance background, and the second with an emphasis on persons with a community development/leisure background.

A recruitment panel of three elected members nominated by Council together with the Managing Director, the Corporate Director and support from HR would shortlist

and interview prospective candidates. The recruitment panel would then make a recommendation of an appointment to Council for approval.

At this juncture, Councillor Julian Thompson-Hill proposed Councillor Hugh Irving to sit on the recruitment panel and the proposal was seconded.

Councillor Joan Butterfield proposed Councillors Graham Timms and Brian Blakeley to sit on the recruitment panel and the proposal was seconded.

RESOLVED that:

- *Council approves the composition of the Board of Directors of the Company as set out in paragraph 4.8 of the report and formally appoints the Corporate Director: Economy and Public Realm, Lead Member for Well-being and Independence, the Lead Member for Education and Children's Services and the Managing Director as Directors of the Company.*
- *The Council appoints Councillor Peter Prendergast who is not a Cabinet Member to be a Director of the Company*
- *The Council approves the proposed recruitment process for the appointment of two Independent Directors and appoints Councillors Brian Blakeley, Hugh Irving and Graham Timms to sit on the recruitment panel as set out in paragraph 4.7 of the report*
- *Council confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 1 Ref no 564), as part of its consideration.*

7 WELSH GOVERNMENT: NATIONAL DEVELOPMENT FRAMEWORK 2020-2040: CONSULTATION DRAFT

Councillor Emrys Wynne declared a personal interest in this item as a member of his family is a Planning Inspector in Wales.

The Lead Member for Planning, Public Protection and Safer Communities introduced the Welsh Government: National Development Framework 2020-2040: Consultation Draft (NDF) (previously circulated) to provide the Council with information on the content of the Welsh Government (WG) consultation document because it was not only going to have an impact on the production of the next Local Development Plan (LDP) for the county but also become an important source of national policy for decision-making on planning applications and appeals.

Officers had worked across Council departments on the draft consultation response as shown in Appendix 1 of the report.

Once finalised the NDF would be published by WG in September 2020. The NDF will be the development for the whole of Wales and sets out the land use implications of key national policies and objectives. It sets the framework for the development of lower tier plans, i.e. Strategic Development Plans (SDPs) and Local Development Plans (LDPs). There were currently no SDPs in Wales.

During in-depth discussion, the following issues were raised:

- It was stated that consultation with the public needed to be broader. The Lead Member for Planning, Public Protection and Safer Communities confirmed that over 2000 responses had been received following consultation. [Comment was made with regard to Denbighshire County Council LDP Pre-Deposit consultation; not the draft NDF]
- The quality of the maps provided had been raised as a major issue.
- There was concern regarding the possibility of over development of the coastal region.
- Housing to be eco-friendly in light of the climate change emergency which had been agreed following a Notice of Motion at Full Council. The WG had acknowledged the climate change emergency through the NDF.
- Members stated affordable housing was a major issue and more 2-bed properties were needed. NDF stated 51% of housing to be affordable but there did not appear to have been any work carried out regarding the viability and deliverability. Denbighshire County Council were currently undertaking a viability study for the emerging LDP as to what percentage of affordable housing could be included within the document. If a high percentage of affordable housing were to be sought through local policy, but contrary to viability assessment, it would not be deliverable. Officers to report back to Members any progress on the LDP.
- There were estimated housing figures within the NDF which was not a policy requirement but was based on a Scottish model which had been utilised by the WG.
- Links to South Wales rather than the north of England were stated to be a priority. It was confirmed that the link with Merseyside and north West England was because they had a stronger economy. It was also confirmed that public transport needed to link into more communities.
- It was confirmed that all matters raised during the meeting would be fed back to the Welsh Government.

The Head of Legal, HR and Democratic Services confirmed that there would be a Local Government Bill published by the end of the year. The Bill was to contain information regarding Corporate Joint Committees and regional bodies, but until the Bill was published, there was no further information to put before members.

The Leader, Councillor Hugh Evans stated WLGA had responded strongly to the Bill in terms of mandatory requirements. It diluted localism and he had expressed concern regarding this. There was to be a meeting held on Friday 18 October 2019 at which the Leader would raise all concerns.

Councillor Arwel Roberts expressed concern due to the aim by the Welsh Government to have one million Welsh speakers by 2050. Councillor Roberts stated that the Welsh language would not survive if it was not treated as a priority within the NDF, and, therefore, proposed that safeguarding the Welsh language be included in the NDF and in every plan put forward. This proposal was seconded by Councillor Gwyneth Kensler.

The Head of Legal, HR and Democratic Services clarified with members that a vote needed to take place to take the amendment forward.

VOTE:

For – 28

Abstain – 3

Against – 3

Therefore, the vote was passed in favour of the amendment to be included in the recommendations.

At this juncture, Councillor Gareth Davies requested a list of the cost implications of the amendment which had been passed.

RESOLVED that Council agree the response to the draft NDF consultation (as attached in Appendix 1) but to include the Welsh language as a priority to the National Development Framework to safeguard the language. The Lead Member for Planning, Public Protection and Safer Communities submit the finalised consultation response to Welsh Government on behalf of Denbighshire County Council under delegated powers.

At this juncture (11.20 a.m.) there was a 20 minute break

The meeting reconvened at 11.40 a.m.

8 UPDATES TO THE COUNCIL CONSTITUTION

The Monitoring Officer introduced the Updates to the Council Constitution report (previously circulated) to provide the Council with an annual update and to also advise of the proposed changes that needed to be made to the Council Constitution.

The Corporate Governance Committee terms of reference required any intended changes to the Council Constitution to be considered by the Committee before formal adoption by the full Council, and the Committee received a report on the Constitution at least once per year given its importance to the overall governance framework of the Council. The Committee considered a report on the Constitution at its meeting on 11 September 2019 and recommended that the changes set out in Appendices 1 and 2 of the report, be approved by Council.

The Monitoring Officer was satisfied that the Constitution was fit for purpose and confirmed that the Constitution had been amended to take into account the following:

- Section 5.2 relating to the form and composition of Cabinet had been amended to reflect the resolution of council on 19 February 2019
- Corporate Governance Committee Terms of Reference following the Committee being consulted which had been approved by Full Council on 19 February 2019
- Responsibility for Executive Functions – Cabinet Member portfolio changes had been made following changes made by the Leader of the Council

- Combined two existing Committees to form the Joint Consultative Committee for Health & Safety and Employee Relations in accordance with a Council resolution made on 28 March 2019
- Council Members Schedule of Remuneration kept up to date.

The Council needed to consider the changes to be made to the Scheme of Delegation in respect of changes made as a result of the Senior Leadership Team (SLT) restructure. The SLT restructure was a consequence of the creation of an Alternative Delivery Model for Leisure Services approved by Council on 30 May 2019:

- Officer Scheme of Delegation – the proposed scheme attached as Appendix 1 dealt with the transfer of certain housing related functions; the transfer of certain asset and estates functions and the responsibility in respect of leisure functions being silent and dealt with under the Cabinet scheme
- Cabinet Scheme of Delegation as Appendix 2 – an express provision setting out that these functions sit with the relevant Lead Member.

RESOLVED that:

- *The Council notes the changes made to the Constitution as set out in paragraph 4.1 of the report*
- *The Council approves the changes to the Scheme of Delegation as set out in Appendices 1 and 2 to the report.*

9 ANNUAL REPORT OF THE CORPORATE GOVERNANCE COMMITTEE

Councillor Barry Mellor (Chair of Corporate Governance Committee) introduced the Annual Report of the Corporate Governance Committee (previously circulated) to inform all members of the work of the Committee for the municipal year 2018/19.

The Council was statutorily required under the provisions of the Local Government (Wales) Measure 2011, to have an Audit Committee. The Corporate Governance Committee (the Committee) was the Council's designated committee for that purpose.

The Council's Constitution provided that the membership of the Committee was made up of six elected Members on a politically balanced basis. There was no requirement for the Committee to be politically balanced. There was a statutory requirement to have at least one independent lay member of the Committee and the current lay member was Mr Paul Whitham.

Each meeting was attended by the Council's s151 Officer, Monitoring Officer and Head of Internal Audit or their representatives. In addition, each meeting was attended by officers of the Wales Audit Office (WAO).

During the period covered by the report, the Committee had received a number of internal annual reports on matters relating to governance. These had included:

- Annual Governance Statement Report
- Corporate Health and Safety Annual Report
- Senior Information Risk Officer (SIRO) Annual Report

- Whistleblowing Annual Report.

The Committee also received a number of reports relating to financial matters each year. These had included:

- Statement of Accounts – there was a large amount of information involved in the accounts and the draft was presented to the Committee in one meeting before summer recess and the final statement of accounts presented for approval to the Committee in September each year.
- Treasury Management – the Committee receives two reports each year.

The Committee also received external regulatory reports. These had included:

- Wales Audit Office Annual Improvement Report – no significant recommendations for change were made and the report was overall very positive about the Council. There were six “proposals” for improvement which had been presented to Council together with the actions in respect of each of those.
- WAO Annual Audit Letter – WAO were satisfied that the Council had appropriate arrangements in place to secure economy, efficiency and effectiveness in its use of resources and no significant issues had been identified which would impact on the 2018-19 accounts or key financial systems.
- Overview and Scrutiny – the report concluded that the Council’s overview and scrutiny function was responding well to current challenges, however, limited capacity to support scrutiny could hinder future progress.
- Local Government Use of Data – the report found that Council had the foundations in place to make better use of data but needed to improve how data was analysed and presented to the decision makers.

The Committee also received regular reports from the Chief Internal Auditor on the progress made against the Internal Audit Plan which was approved by the Committee.

The Committee also undertook a self-assessment of its own performance compared to current best practice. The assessment was against a checklist from the Chartered Institute of Public Finance and Accountancy (CIPFA guidance “Audit Committees – Practical Guidance for Local Authorities and Police 2018 Edition”.

The Committee had considered its name as part of the assessment and had concluded that the name should include reference to the important function of being the Council’s Audit committee as required by the Local Government (Wales) Measure 2011. The Committee had recommended that it be known as the Corporate Governance and Audit Committee.

Councillor Barry Mellor took the opportunity to thank the representatives of the WAO and all officers who attend the Corporate Governance meetings. In particular, he recognised the amount of work undertaken by the Internal Audit team. Thanks were extended to each member of the Committee as the agendas were often lengthy but the Committee members were always well prepared for the meeting. Lead Members were also thanked for their attendance at Committees and for their support.

Members expressed their gratitude to the Chair and Committee members of Corporate Governance for all their hard work.

RESOLVED that:

- *Members of Full Council noted the content of the Annual Report of the Corporate Governance Committee*
- *The Committee be renamed the Corporate Governance and Audit Committee*

10 ANNUAL REPORT OF THE COUNCIL'S SCRUTINY COMMITTEES 2018/2019

The Chair, Councillor Meirick Lloyd Davies declared a personal interest as he is a member of the North Wales Fire and Rescue Board.

Councillor Graham Timms presented the Annual Report of the Council's Scrutiny Committees 2018/19 (previously circulated) on their activities during 2018/19.

The Annual Report was to comply with Section 7.4.4 of the Council's Constitution which stipulated that Scrutiny Committee must report annually to Full Council on their work and make recommendations for future work programmes and amended working methods if appropriate.

Councillor Timms explained the delay in presenting the report had been due to the fact that the Scrutiny Officer had been involved with the Llantysilio Fire Inquiry which had been included in the report.

Scrutiny Request forms were submitted from members, officers and members of the public and presented to the Scrutiny Chairs and Vice Chairs Group who applied the criteria to determine whether the item merited scrutiny.

The report outlined Scrutiny's important role in relation to supporting the Council's work to deliver its corporate priorities and Corporate Plan, including its regular monitoring of the Plan's delivery.

Scrutiny had also continued to participate in consultation exercises and invited a number of external or partner organisations to meet with the committees to discuss areas of common interest or concern.

Public engagement and encouraging residents to interact with Scrutiny was generally a challenge, although residents and others from further afield did engage with Scrutiny in relation to two significant matters. Those being the call-in of the Cabinet decision relating to Gypsy and Traveller provision in the county and the Scrutiny Inquiry into the Llantysilio Mountain Fire, which had occurred during the summer of 2018.

Both Conwy County Borough Council and Denbighshire County Council had formally agreed to the establishment of a Joint Scrutiny Committee to scrutinise the Public Services Board, and was one of the first in Wales. The Joint Committee held its inaugural meeting in May 2019.

Also included within the Annual Report were details on the task and finish/working groups operating under the auspices of the Council's Scrutiny Committees.

Councillor Timms and other Members expressed their gratitude to the Scrutiny Officer, Rhian Evans, for her support and sterling work throughout the year. Thanks were also extended to the Democratic Services Officer, Steve Price for his support and work. Members expressed concern regarding the pressure put on officers of Scrutiny due to the workload.

RESOLVED that Council considered and noted the Annual Report of the Scrutiny Committees for 2018/19

11 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

The Democratic Services Manager, Steve Price, introduced the Review of Polling Districts and Polling Places report (previously circulated) to seek Council's agreement to the Polling Districts and Polling Places as detailed in Appendix 1 of the report.

The council had a statutory duty to divide its area into polling districts and designate a polling place for each district. It also had a statutory duty to keep the arrangements under review.

During discussion the Democratic Services Manager and the Electoral Services Officer explained that a public consultation took place between 1 July 2019 and 6 September 2019 inviting comments from electors and interested parties on the current arrangements.

The public consultation did not raise any significant changes apart from the additional polling places:

- The use of building 3 (Ysgol Glan Clwyd / St. Asaph Leisure Centre campus) as the polling station for Polling District BLS if re-modelling works made the building suitable for use as a polling station
- The use of Rhyl Rugby Club's Clubhouse on Tynewydd Road, Rhyl for Polling District BRB if it becomes available for use as a polling station, and
- The use of the Ruthin Town Council Community Hub at the Old Courthouse, St. Peter's Square, Ruthin for Polling District CAA following the closure of Canolfan Awelon.

Concerns were raised regarding the use of the Old Courthouse, St. Peter's Square due the fact there would be no parking facilities for voters.

RESOLVED that the County Council agrees the existing arrangements for polling districts and polling places as detailed in Appendix 1, subject to authorising:

- the use of Building 3 (on the Ysgol Glan Clwyd / St. Asaph Leisure Centre campus) as the polling station for Polling District BLA if re-modelling works make the building suitable for use as a polling station
- the use of Rhyl Rugby Club's Clubhouse on Tynewydd Road, Rhyl for Polling District BRB if it becomes available for use as a polling station, and

- *the use of the Ruthin Town Council Community Hub at the Old Courthouse, St. Peter's Square, Ruthin for Polling District CAA following the closure of Canolfan Awelon.*

12 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

It was confirmed that a Budget Workshop was to take place on 3 December 2019 at 10.00 a.m.

Full Council on 3 December 2019 would commence at 2.00 p.m. To date, there were no items listed on the Forward Work Programme and if remained as such, the Full Council meeting would be cancelled.

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

The meeting concluded at 12.40 p.m.

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Report to	County Council
Date of meeting	28 th January 2020
Lead Member / Officer	Julian Thompson Hill
Report author	Steve Gadd, Head of Finance and Property
Title	Budget 2020/21 - Final Proposals

1. What is the report about?

The report sets out the implications of the Local Government Settlement 2020/21 and proposals to finalise the budget for 2020/21.

2. What is the reason for making this report?

2.1 The Council is legally required to set a balanced and deliverable budget before the start of each financial year and to set the resulting level of Council Tax to allow bills to be sent to residents.

2.2 To provide an overview of the budget process and the impact of the Local Government Settlement and to approve the budget for 2020/21, including the level of Council Tax.

3. What are the Recommendations?

3.1 To note the impact of the Draft Local Government Settlement 2020/21.

3.2 That Council approves the proposals outlined in Appendix 1, and detailed in Section 4, in order to finalise the budget for 2020/21.

3.3 That Council approve the average Council Tax rise of 4.3% proposed.

3.4 That Council delegate authority to the Head of Finance and Property in consultation with the Lead Member for Finance to adjust the use of cash included in the budget

proposals by up to £500k if there is movement between the draft and final settlement figures in order to allow the setting of Council Tax in a timely manner.

3.5 That Council confirms that it has read, understood and taken account of the Well-being Impact Assessment.

4. Report details

4.1 The Draft Local Government Settlement for 2020/21 was received by the council on 16th December and resulted in a positive settlement of +4.3%, which was also the Welsh average position. The Final Settlement is expected on the 25th February but Welsh Government (WG) have indicated that there should be very few changes.

4.2 As part of the settlement there were 'transfers in' of £1.794m mainly relating to grant transfers for part year for Teachers Pay and Teachers Pension Grant. The full year effect of these grants need to be funded from the general settlement.

4.3 The final proposals to balance the 2020/21 budget are shown in the Medium Term Financial Plan (MTFP) in Appendix 1. The main areas of growth and pressures are:

- Pay pressures of £1.124m
- Price and energy inflation of £250k
- Fire Service Levy of £93k
- Allowance for increase in Council Tax Reduction Scheme of £350k
- Schools inflationary pressures are recognised amounting to £2.852m
- Schools demographic pressure of £716k
- £2.6m to recognise demand pressures and forecasts in Community Support Services as part of the council's long term strategy to manage care budgets
- £1.546m to recognise existing pressures in Education and Children's Services relating to Out of County Placements and Recoupment.
- £1.4m pressures in Waste Services have been recognised based on in year pressures
- A further £600k pressure recognised relating to School Transport
- £529k pressure has been included to fund Corporate Plan Priorities
- In light of the scale of the pressures a contingency of £358k has been included

4.4 The pressures identified above amount to £12.418m. The impact of using £2m of cash in 19/20 (which has the effect of just delaying the need to identify savings) means that the

total shortfall amounted to £14.418m. A draft settlement of +10% would have been required in order to fund all these pressures. The +4.3% settlement generates £6.219m additional revenue leaving a funding gap of £8.199m. The following items are included in the proposals in order to bridge that gap:

- £2m savings has been included due to the triennial actuarial review of the Clwyd Pension Fund. The review highlighted the better than predicted performance of the fund overall and for DCC in particular. The impact means that the annual deficit repayment payments can reduce substantially while maintaining the 'flightpath' of having a fully funded scheme by 2033.
- Services were initially tasked with finding 5.5% of savings which would have generated c£6m of savings – but would also have involved redundancies and cuts to services. Due to the better than expected settlement, and following an intensive scrutiny of all proposals by the Budget Board, only those savings that form part of the day-to-day decisions of Heads of Service and have little or no impact on services to the public have been taken forward. The savings were circulated to elected members in December and have been posted on the library section of Modern.gov. All proposals only require delegated decisions, either to heads of service or lead members, and therefore no specific Cabinet or Council decisions are required. The proposals contribute £1.756m in total.
- Schools had, from the early summer, been asked to find 2% efficiency savings (£1.385m). Due to the better than expected settlement this has now been reduced to 1% (£0.692m). As school budgets are devolved, it will be for each governing body to determine how the savings will be delivered.
- It is recommended that £685k of the cash, which has already been earmarked to help smooth the budget reductions, is used for 2020/21. This figure was originally £1.085m.
- It is recommended that the Council Tax increases by 4.3% which will generate £2.298m additional revenue. This compares to last year's increase of 6.35% and also shows a reduction of 0.5% compared to the 4.8% which had previously been assumed for 2020/21, therefore recognising the better than expected settlement.
- Finally the Council Tax Base has increased more than expected this year which means that additional Council Tax of £486k is projected. The Base also impacts on the Revenue Support Grant and this has benefitted the council by £282k.

In addition the reduction in the requirement for cash will result in £400k remaining in the Budget Mitigation Reserve which is recommended to be released to help fund the initial stages of the Zero Carbon Target project and the pressures relating to Ash die-back (proposal is to allocate £200k to each project). This funding will allow the projects to produce detailed spending plans which can be considered and incorporated in next year's budget considerations.

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

Effective management of the council's budgets and delivery of the agreed budget strategy underpins activity in all areas, including corporate priorities. The proposals include allocations to continue to support priorities.

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

Details are set out in Section 4.

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

Well-being Impact Assessments for the Council Tax increase is included in Appendix 3.

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

In addition to regular reports to the Corporate Governance Committee, the budget process has been considered by CET, SLT, Cabinet Briefing and Council Briefing meetings. The School Budget Forum have been included in the proposals through-out the year. Trade Unions have been consulted through Local Joint Consultative Committee. This year also saw an engagement exercise with the public using social media, the experience of which will be built on in future years (see Appendix 4).

9. Chief Finance Officer Statement

9.1 The aim of the budget process is to ensure that the council delivers a balanced budget. The uncertainty over the level and timing of financial settlements this year has

made financial planning even more challenging. However the draft settlement when it was finally issued made a welcome return to positive settlements which hopefully recognise the important work Local Government delivers and the pressures that it faces.

9.2 The proposals set out in this report offer a balanced approach which takes into account the following principles:

- Aim to recognise and remedy in year and forecast service pressures as much as possible in order to build in resilience.
- Ensure services are challenged to deliver efficient services, but to try and minimise the impact of proposals on services users and staff.
- Keep Council Tax increases as low as practicable.
- Limit the use of Cash which only delays the need to identify savings.
- Maintain funding for corporate priorities.

9.3 Due to the very late date for the Final Settlement it is recommended that Cabinet and Council delegate authority to the Head of Finance and Property in consultation with the Lead Member for Finance to adjust the use of cash included in the budget proposals by up to £500k. WG has indicated that there are unlikely to be any material changes, however it is sensible to have a contingency plan agreed beforehand.

9.4 If the proposals in this report are not accepted, alternative proposals must be submitted to balance the budget.

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

The budget process itself is a risk management measure with the aim of identifying, assessing and agreeing budget proposals in a planned and timely way. Failure to agree these proposals without viable alternatives will risk achieving a balanced budget for 2020/21.

11. Power to make the decision

Local authorities are required under Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of their financial affairs.

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Appendix 1

Final Proposals 2020/21

	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
Funding				
Revenue Support Grant & NNDR (RSG)	143,637	151,932	149,653	147,408
Council Tax	52,901	55,685	58,139	60,698
SSA / Budget Requirement	196,538	207,616	207,791	208,106
Use of Balances	2,000	685		
Total Funding	198,538	208,301	207,791	208,106
Expenditure				
Base Budget	194,418	198,538	208,302	213,334
Inflation / Pressures:				
Pay	1,587	1,124	1,019	1,019
Pensions	350		350	350
Price - targeted	100	100	100	100
Price - NSI Energy	150	150	150	150
CTRS	537	350	350	350
Fire Levy	237	93	100	100
Social Services	500	2,600	500	500
Childrens Service	1,500	1,546		
Waste Pressures	150	1,400		
School Transport	600	600		
Schools Inflation	1,780	2,852	1,000	1,000
Schools Demography Adjustment	625	716	787	787
Contingency	500	358		
Other known items:				
Council Priorities	500	529	676	581
Transfers into/out of Settlement	426	1,794		
New Responsibilities	250			
EFFICIENCIES / SAVINGS:				
Capital and Corporate Savings	(500)			
Pensions Triennial Review		(2,000)		
Service Efficiency Target	(3,852)	(1,756)		
Schools Efficiency Target	(1,320)	(692)		
Total Expenditure	198,538	208,302	213,334	218,271
Funding Shortfall / (Available)	(0)	0	5,542	10,164
Annual increase/(decrease) in shortfall	(0)	(0)	5,543	4,622

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Appendix 2 Sensitivity Analysis

2020/21	Increase %	Increase in Band D £	Proposed Band D £	Total Funding £000	Inc/Dec in Funding £000
	0.00%	0.00	1,327.08	53,386	0
	0.50%	6.64	1,333.72	53,654	267
	1.00%	13.27	1,340.35	53,921	534
	1.50%	19.91	1,346.99	54,188	802
	2.00%	26.54	1,353.62	54,455	1,069
	2.25%	29.86	1,356.94	54,589	1,203
	2.50%	33.18	1,360.26	54,723	1,336
	2.75%	36.49	1,363.58	54,856	1,470
	3.00%	39.81	1,366.90	54,990	1,603
	3.25%	43.13	1,370.21	55,123	1,737
	3.50%	46.45	1,373.53	55,257	1,871
	3.75%	49.77	1,376.85	55,391	2,004
	3.80%	50.43	1,377.51	55,417	2,031
	4.00%	53.08	1,380.17	55,524	2,138
Current Recommendation	4.30%	57.06	1,384.15	55,685	2,298
	4.50%	59.72	1,386.80	55,792	2,405
Previous Assumption	4.80%	63.70	1,390.78	55,952	2,565
	4.95%	65.69	1,392.77	56,032	2,646
	5.00%	66.35	1,393.44	56,059	2,672
	5.25%	69.67	1,396.75	56,192	2,806
	5.50%	72.99	1,400.07	56,326	2,940
	5.75%	76.31	1,403.39	56,460	3,073
	6.00%	79.62	1,406.71	56,593	3,207
	6.25%	82.94	1,410.03	56,727	3,340
2019/20 Increase	6.35%	84.27	1,411.35	56,780	3,394
	6.40%	84.93	1,412.02	56,807	3,421
	6.50%	86.26	1,413.34	56,861	3,474

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Council Tax 2020/21

Well-being Impact Assessment Report


This report summarises the likely impact of the proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	758
Brief description:	It is a proposed rise in Council Tax of 4.3% in order to support the 2020/21 budget.
Date Completed:	Version: 0
Completed by:	
Responsible Service:	Finance
Localities affected by the proposal:	Whole County,
Who will be affected by the proposal?	Council Tax payers in Denbighshire
Was this impact assessment completed as a group?	Yes

IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

Score for the sustainability of the approach

 (3 out of 4 stars) Actual score : 23 / 30.

Implications of the score

Whilst the Council Tax rise will increase the amount paid, it also allows the council to increase funding to provision in key areas such as social care and schools and maintain service levels broadly (there are some reductions but are not significant in terms of the size entire package) throughout other areas during 2020/21.

Summary of impact

Well-being Goals

A prosperous Denbighshire

A resilient Denbighshire

A healthier Denbighshire

A more equal Denbighshire

A Denbighshire of cohesive communities

A Denbighshire of vibrant culture and thriving Welsh language

A globally responsible Denbighshire

Neutral

Positive

Neutral

Neutral

Positive

Neutral

Neutral



Main conclusions

The impacts are broadly neutral. This is because the Council Tax rise proposed supports a budget that protects existing service levels and increases investment in social care, schools and in new priorities. Clearly the impact is the increased tax paid by residents. The main mitigation is that around 25% of tax payers receive financial support through the Council Tax Reduction Scheme. However, it is recognised that for some taxpayers, the proposed rise will create an additional financial burden, particularly for those with relatively fixed incomes or little disposable income.

Evidence to support the Well-being Impact Assessment

- We have consulted published research or guides that inform us about the likely impact of the proposal
- We have involved an expert / consulted a group who represent those who may affected by the proposal
- We have engaged with people who will be affected by the proposal

THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

A prosperous Denbighshire

Overall Impact	Neutral
Justification for impact	Whilst the Council Tax rise will increase the amount paid, it also allows the council to increase funding to provision in key areas such as social care, waste services, school transport and schools and maintain service levels broadly. It also allows funding of a number of corporate priorities including Carbon Neutral targets and coping with Ash die-back.
Further actions required	There will be an impact on the personal budgets of those who will not qualify for support: residents will pay more Council Tax - however there is support via the Council Tax reduction scheme for those who qualify for such support.

Positive impacts identified:

A low carbon society	
Quality communications, infrastructure and transport	
Economic development	
Quality skills for the long term	
Quality jobs for the long term	
Childcare	

Negative impacts identified:

A low carbon society	
Quality communications, infrastructure and transport	
Economic development	
Quality skills for the long term	
Quality jobs for the long term	
Childcare	

A resilient Denbighshire

Overall Impact	Positive
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Justification for impact	The Council Tax rise proposed supports a budget that includes continued support in key priority areas highlighted such as biodiversity and flood risk management. The budget allows for a number of service pressures which will stand the Council in good stead to face the funding challenges of future years.
Further actions required	Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.

Positive impacts identified:

Biodiversity and the natural environment	Corporate Priorities in this area are being recognised in the budget proposals.
Biodiversity in the built environment	Corporate Priorities in this area are being recognised in the budget proposals.
Reducing waste, reusing and recycling	£1.4m is being added to the Waste Budget in order to help provide the service with resilience to implement new waste recycling facilities.
Reduced energy/fuel consumption	Corporate Priorities in this area are being recognised in the budget proposals.
People's awareness of the environment and biodiversity	Corporate Priorities in this area are being recognised in the budget proposals.
Flood risk management	Specific funding is included in the proposals to match fund capital investment in flood defences.

Negative impacts identified:

Biodiversity and the natural environment	
Biodiversity in the built environment	
Reducing waste, reusing and recycling	
Reduced energy/fuel consumption	
People's awareness of the environment and biodiversity	
Flood risk management	

A healthier Denbighshire

Overall Impact	Neutral
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Justification for impact	The proposal to raise Council Tax supports a budget that allows service eligibility criteria to be maintained as much as possible. Not implementing the proposed rise would inevitably lead to reductions in service provision.
Further actions required	Residents will pay more Council Tax - however there is support via the Council Tax reduction scheme for those who qualify for such support. Help to those who do not qualify for Council Tax Reduction Scheme support, flexible payment options are available. Also, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it.

Positive impacts identified:

A social and physical environment that encourage and support health and well-being	
Access to good quality, healthy food	
People's emotional and mental well-being	The Council Tax proposal supports a budget that maintains activity and service eligibility criteria in 2020/21 and provides increased funding for social care.
Access to healthcare	
Participation in leisure opportunities	

Negative impacts identified:

A social and physical environment that encourage and support health and well-being	
Access to good quality, healthy food	
People's emotional and mental well-being	In some circumstances, where residents have relatively fixed incomes or little disposable income and do not qualify for support, the additional cost may cause a degree of anxiety or stress.
Access to healthcare	
Participation in leisure opportunities	

A more equal Denbighshire

Overall Impact	Neutral
Justification for impact	The proposal to raise Council Tax supports a budget that avoids significant cuts to services received by the public in 2020/21. There are no known negative impacts on people with protected characteristics, there is an assumption that some people with protected characteristics will be eligible for council tax relief

<p>Further actions required</p>	<p>Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. If someone is eligible for Council Tax support, the support applies immediately and so there would be no delay in accessing the support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.</p>
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Positive impacts identified:

<p>Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation</p>	<p>The proposals allow for additional funding to be allocated to social care budgets. There are no known negative impacts on people with protected characteristics, there is an assumption that some people with protected characteristics will be eligible for council tax relief.</p>
<p>People who suffer discrimination or disadvantage</p>	
<p>Areas with poor economic, health or educational outcomes</p>	
<p>People in poverty</p>	

Negative impacts identified:

<p>Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation</p>	
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People who suffer discrimination or disadvantage	
Areas with poor economic, health or educational outcomes	
People in poverty	Residents will pay more Council Tax. Those who qualify will be supported by the Council Tax reduction scheme. There will be some residents who do not qualify and for whom the tax rise will be an additional burden.

A Denbighshire of cohesive communities

Overall Impact	Positive
Justification for impact	The proposal to raise Council Tax supports a budget that protects front line services and protects the investment in new priority areas to enhance community resilience.
Further actions required	Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.

Positive impacts identified:

Safe communities and individuals	
Community participation and resilience	The proposal avoids significant cuts to service levels during 2020/21 and builds in priority investment in connecting communities and resilience as part of the priority funding for 2020/21.
The attractiveness of the area	
Connected communities	
Rural resilience	

Negative impacts identified:

Safe communities and individuals	
Community participation and resilience	
The attractiveness of the area	
Connected communities	
Rural resilience	

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact	Neutral
Justification for impact	The proposal to raise Council Tax supports a budget that helps to maintain services received by the public.
Further actions required	The negatives are managed through Council Tax relief being available for those who qualify for the support, though clearly this does not address the impact on all residents.

Positive impacts identified:

People using Welsh	
Promoting the Welsh language	
Culture and heritage	

Negative impacts identified:

People using Welsh	
Promoting the Welsh language	
Culture and heritage	

A globally responsible Denbighshire

Overall Impact	Neutral
Justification for impact	The proposal to raise Council Tax supports a budget that allows service levels to be broadly maintained in 2020/21 and so should not therefore adversely impact supply chains.
Further actions required	Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.

Positive impacts identified:

Local, national, international supply chains	The proposal allows for service levels to be broadly maintained during 2020/21.
Human rights	
Broader service provision in the local area or the region	It also allows funding of a number of corporate priorities including Carbon Neutral targets and coping with Ash die-back.

Negative impacts identified:

Local, national, international supply chains	
Human rights	
Broader service provision in the local area or the region	

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Reshaping the Council

2019 pre-consultation engagement report

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Summary

This report summarises the findings of the Council's pre-consultation engagement activity to support the Budget Board's *Reshaping the Council* project. The activities were conducted between 17th August and 6th October 2019.

Background

At the start of the 2019-20 financial year the (former) Customers, Communications & Marketing (CCM) team were approached to develop proposals for pre-engagement activities to support the Budget Board's *Reshaping the Council* project.

The brief:

1. To explore what knowledge communities (particularly residents) have about the Council, including:
 - a. What the Council does
 - b. The costs of various services
2. To seek out new ways to engage with residents, especially online engagement

The proposals

1. A **Facebook Instant Experience** (IX), an online 'storytelling' mechanism within the Facebook platform. The IX is a relatively new mechanism within Facebook itself, and primarily targeted toward businesses with advertising content – so it has not been explored extensively by the public sector to date. The IX was run organically (unpaid) for the first two weeks, and as a paid advertisement for the remaining four weeks of the online campaign period at a cost of £2.00 per language (Welsh and English) per day.
2. A **clickbait-style 'pop' quiz** using Playbuzz, a social publishing platform designed to integrate well with social media. The quiz was promoted on the Council's Twitter and Facebook accounts.
3. A **quiz-style questionnaire** hosted on the County Conversation Portal (the Portal), the Council's online community engagement and consultation hub. Understanding that not everyone may wish to engage with the Council via its social media

channels, the Portal offers anyone an opportunity to get involved regardless of their social media presence.

Campaign results

Campaign reach

Over the 6 week period, the campaign had a total reach of **48,019** across the Council's social media platforms, **484** people visited the Playbuzz pages, and **436** people accessed the project on the County Conversation Portal.

Of these, **2187** people actively engaged with social media posts, **245** people engaged with the Playbuzz quiz, and **72** people accessed the questionnaire on the County Conversation Portal project.

For the social media reach, 76% of this was organic reach, and 24% was from the IX advert. 74.4% of the total engagement was organic and 25.6% was from the IX advert.

Campaign engagement

Facebook Instant Experience

On average, people spent 37 seconds engaged with the IX advert, and viewed about 78% of the entire IX. This compares **favourably** against videos published to the Council's Facebook page during the same period (average view time of 8-9 seconds, average view percentage of 12-13%)

Playbuzz quiz

On average, people spent 1 minute and 25 seconds engaged with the Playbuzz quiz, and 73% of people who engaged completed all of the questions. This compares **favourably** against the Council's video content and the IX engagement time during the same period.

County Conversation Portal

66% of people who engaged with the questionnaire answered all of the available questions.

Campaign insights

Respondents to the Portal questionnaire and the Playbuzz quiz generally performed well on questions around the Council's corporate priorities (although they were not specifically worded as such), and generally responded well to place-based questions about specific geographic areas/features around the county. This could be an indicator that the 'drip feed' approach to relaying corporate plan stories is the right approach.

Respondents did not perform well on questions about money – particularly around how the Council is funded and the costs of various services, and respondents also performed poorly on questions around education/schools.

Other insights

Through conducting this campaign the Council discovered that 57,000 people aged 13+ who say they live in Denbighshire have a Facebook account, equivalent to 70.1% of the same population range (based on 2018 mid-year estimates). This information is available through Facebook's 'ads manager' and can be obtained by anybody who runs a page on Facebook.

Next steps for Reshaping the Council

It is recommended that further work is done to:

1. Improve the way that the Council engages and communicates with residents with regards to budget/corporate spending.
2. Consider new ways to involve residents in budget-setting consultations in a clear and understandable way
3. Consider how future campaigns can make use of online demographic targeting to maximise campaign effectiveness.

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Report to	Full Council
Date of meeting	28 th January 2020
Lead Member / Officer	Julian Thompson-Hill / Steve Gadd (Head of Finance and Property)
Report author	Jeanette Round (Benefits Manager) / Steve Gadd
Title	Council Tax Reduction Scheme 2020/21

1. What is the report about?

The adoption of the All Wales Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the All Wales Council Tax Reduction Schemes and Prescribed Requirements and Default Scheme (Wales) Amendment Regulations 2020.

2. What is the reason for making this report?

The Welfare Reform Act 2012 contained provisions to abolish council tax benefit in its current form across the UK. From 31 March 2013 council tax benefit ceased and the responsibility for providing support for council tax and the funding associated with it, has been passed to the Welsh Government. The Welsh Government, in partnership with local authorities in Wales, introduced a new scheme to provide council tax support which was adopted by the Council in January 2013. The Welsh Government have finalised both sets of regulations on 2nd December 2019 and the new Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and amendments Regulations 2020 are required to be adopted by 31st January 2020.

3. What are the Recommendations?

3.1 Members adopt the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Prescribed Requirements (Wales) Amendments Regulations 2020, in respect of the 2020/21 financial year.

3.2 That members approve the 3 discretionary elements of the scheme, shown in section 4.2, for 2020/21.

4. Report details

4.1 The Proposed Scheme 2020/21

In considering the development of a new scheme for 2020/21 the Welsh Government agreed that the amended scheme should observe the following parameters:

- To continue with a single nationally defined scheme to providing a consistent level of support to claimants across Wales. The maximum level of support is set at 100%.
- To continue providing a small number of discretionary elements, similar to those available under the current scheme, allowing local authorities to respond to their differing local circumstances (provided that the costs of any local variation are locally funded).
- To continue to be based on a reform of the previous Council Tax Benefit system, until 2021-22 so that operational risks are managed and that support can continue to be provided.

Uprating for 2020-21 The 2013 CTRS Regulations are amended in order to uprate certain financial figures for 2020-21 used to calculate entitlement to a reduction for non-passported applicants. A number of other figures included in the 2013 CTRS Regulations will be amended, these include:

- **Personal allowances in relation to working age, carer and disabled premiums** - The financial figures in respect of these allowances have been amended and have increased in line with the cost of living rises. The convention is to uprate in line with the Consumer Price Index September figure from the previous year (which is 1.7% for 2020-21). As the Welfare Reform and Work Act has frozen the uprating of working age allowances in social security benefits, the effect of increasing these allowances within CTRS is that they will no longer be aligned with similar components in Housing Benefit.
- **Personal allowances in relation to pensioners** - The financial figures in respect of pensioner rates have been amended and are aligned with Housing Benefit. These have been calculated with assistance from the Department of Work and Pensions following the Chancellor's Autumn Statement 2017 and have been uprated by different mechanisms. For example, the Pension Credit standard minimum guarantee is uprated by earnings, whereas the Additional Pension and increments are uprated by prices.
- **Non-dependant deductions** - The financial figures in relation to both the income bands and deductions made in relation to 'non-dependants' will be uprated. If amendments are not made, appropriate deductions would not be made from CTRS awards as the income thresholds would

no longer reflect average earnings and the deduction would no longer reflect the overall cost of council tax.

Additional Amendments In addition to the uprating of financial figures, a number of consequential amendments to the 2013 CTRS Regulations are required to ensure the 2013 Regulations remain up to date and fit for purpose.

- **Same sex civil partnerships** – Under the Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019, the Civil Partnership Act 2004 must be amended by 31 December 2019 to allow for opposite sex civil partnerships. This statutory instrument therefore includes amendments to ensure that opposite sex civil partnerships are treated on an equitable basis with opposite sex and same sex marriages and same sex civil partnerships for the purposes of CTRS.

The Civil Partnership (Opposite-sex Couples) Regulations 2019 were made on 5 November 2019 and came into force on 2 December 2019. It is recognised that at the point of laying this statutory instrument anticipates the changes to the primary legislation but this is necessary to allow the instrument to be laid and approved in time for local authorities to approve their schemes for 2020-21 by the statutory deadline of 31 January 2020 and to provide the Assembly with sufficient time for scrutiny in line with Standing Orders.

- **Parental Bereavement Leave and Pay** – The Parental Bereavement (Leave and Pay) Act 2018 amends or inserts a number of provisions into the Employment Rights Act 1996 and the Social Security Contributions and Benefits Act 1992, providing powers to make regulations in relation to Parental Bereavement Leave and Pay for eligible parents. It is intended to provide certainty for employed parents and employers in relation to parents' right to time off from work following the death of a child. The Regulations are intended to come into force on 6 April 2020 and changes to the 2013 regulations to reflect this are being made in this statutory instrument. Again it is recognised that this statutory instrument anticipates the coming into effect of the primary legislation but, as above, this is necessary to allow the changes to be incorporated into council tax reduction schemes for 2020-21 and to avoid having any period where persons in receipt of parental bereavement pay would not be able to access a reduction that they would have been entitled to but for that parental bereavement pay.

- **EU Exit related changes** – A new basis of stay has been created for EEA (European Economic Area) and Swiss nationals under the EU Settlement Scheme (EUSS) as of 30 March 2019. The EUSS is the means by which EEA and Swiss nationals and their family members, resident in the UK by the specified date, can apply for a UK immigration status which will protect their entitlements and right to remain in the UK. The specified date has been set at 31

December 2020 in the event the UK agrees a deal with the EU and the deadline for applying to the EUDD is 30 June 2021. If the UK leaves the EU without a deal, then EEA and Swiss nationals will need to be living in the UK before it leaves the EU to apply and the deadline for applying will be 31 December 2020. Provision in the CTRS which makes provision about persons treated as not being in Great Britain has been updated to clarify that limited leave to enter or remain granted under the EUSS (also referred to as pre settled status) is not a relevant right to reside for the purposes of being habitually resident in the United Kingdom. The Regulations update references to the Immigration (European Economic Area) Regulations 2006 with references to the Immigration (European Economic Area) Regulations 2016 as the latter revoked the former. The Regulations also provide that a number of rights to reside established for nationals of European Economic Area states in connection with United Kingdom's withdrawal from the EU are not relevant rights to reside for the purposes of establishing habitual residence.

4.2 Discretionary Elements for Council decision

- a) The ability to increase the standard extended payment period of 4 weeks given to people after they return to work, when they have been in receipt of a relevant qualifying benefit for at least 26 weeks
- b) Discretion to disregard part or the whole amount of War Disablement pensions and War Widows Pensions when calculating income
- c) The ability to backdate, for up to 6 months any application of Council Tax Support awards for working age customers more than the standard period of 3 months prior to the claim.

4.3 The Welsh Government undertook a formal consultation exercise on the current scheme and potential changes, enabling it to be cost neutral to Local Authorities. Representation was made by many organisations, including Denbighshire County Council, suggesting amendments to the scheme. After due consideration it was decided to continue with the scheme as is, with any shortfall between the amount of reduction granted and the specific grant received being owned by the Local Authority. Unfortunately the Welsh Government has also decided that the funding levels for the scheme are to remain at the 2013/14 levels, which created a budgetary pressure in 2019/20 and will continue to do so in 2020/21.

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

Adopting this scheme will help vulnerable people, ensuring they live as independently as possible.

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

£8.935m has been identified in the settlement for Denbighshire for Council Tax Support from the Welsh Government. However current expenditure is £9.940m and if the Net Council Tax increased by 4.3% (i.e the councils proposed increase) the forecast expenditure for 2020/21 is circa £10.367m. This gives a shortfall of around £1.432m for 2020/21 for which budgetary provision has been made as part of the budget proposals for 2020/21.

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

A Well-being Impact Assessment has not been completed for this report as the proposal is for the extension of the current scheme which was consulted on in 2012. There are no material changes proposed (and no changes to the discretionary elements), however it is a legal requirement that the scheme is formally approved by Council on an annual basis.

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

Not applicable as this is an extension of the current scheme, which was consulted on in 2012.

9. Chief Finance Officer Statement

The Council is required to adopt a reduction scheme annually. As funding for CTRS has remained static, or reduced across Wales for a number of years the impact of Council Tax rises on the reduction scheme has to be funded locally. The proposals in this report have been included as part of the budget proposals for 2020/21.

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

There are risks to the Council in not adopting this scheme, in that Denbighshire CC would then have to adopt the default scheme, which may increase the total cost.

11. Power to make the decision

- Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013.
- The Council Tax Reduction Scheme (Default Scheme) (Wales) Regulations 2013.
- Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020.

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**Explanatory Memorandum to the Council Tax Reduction Schemes
(Prescribed Requirements and Default Scheme) (Wales) (Amendment)
Regulations 2020**

This Explanatory Memorandum has been prepared by Local Government Strategic Finance Division and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020. I am satisfied that the benefits outweigh any costs.

Rebecca Evans
Minister for Finance and Trefnydd
26 November 2019

PART 1: DESCRIPTION

1 Overview

- 1.1 Council Tax Reduction Schemes (CTRS) are the mechanism by which local authorities provide support to low income households in meeting their council tax liability.
- 1.2 This statutory instrument makes amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (referred to collectively in this Explanatory Memorandum as ‘the 2013 CTRS Regulations’). It updates certain figures used to calculate an applicant’s entitlement to a reduction under a Council Tax Reduction Scheme, and the subsequent level of reduction and makes certain technical and consequential amendments.

2 Matters of special interest to the Constitutional and Legislative Affairs Committee

- 2.1 Paragraph 4.17 makes reference to amendments being made that are consequential on The Civil Partnership (Opposite-sex Couples) Regulations 2019. Those Regulations were made on 5 November 2019 and come into force in 2 December 2019. It is recognised that at the point of laying the changes will not have come into force. It is considered necessary to allow the instrument to be laid and approved in time for local authorities to approve their schemes for 2020-21 by the statutory deadline of 31 January 2020 and to provide the Assembly with sufficient time for scrutiny in line with Standing Orders.
- 2.2 Paragraph 4.19 makes reference to amendments being made that are consequential on a suite of Regulations that will implement provision in the Parental Bereavement (Leave and Pay) Act 2018 that are not expected to come into force until April 2020. It is considered necessary to allow the changes to be incorporated into council tax reduction schemes for 2020-21 in order to avoid having any period where persons in receipt of parental bereavement pay would not be able to access a reduction that they would have been entitled to but for that parental bereavement pay.

3 Legislative background

- 3.1 Section 10 of, and Schedule 4 to, the Local Government Finance Act 2012 inserted a new Section 13A and new Schedule 1B into the Local Government Finance Act 1992 (the 1992 Act). These provisions enabled the Welsh Ministers to introduce Council Tax Reduction Schemes (CTRS) in Wales via regulations.
- 3.2 The relevant provisions in the Local Government Finance Act 2012 were subject to a Legislative Consent Motion which was approved by the National

Assembly for Wales on 26 June 2012. The Local Government Finance Act 2012 received Royal Assent on 1 November 2012.

- 3.3 This statutory instrument is laid and made under the new section 13A of, and the new Schedule 1B to, the Local Government Finance Act 1992. The instrument is subject to approval of the Assembly (the affirmative procedure).

4 Purpose and intended effect of the legislation

- 4.1 This statutory instrument amends the 2013 CTRS Regulations to uprate certain figures in those Regulations used to calculate entitlement to a council tax reduction, and the amount of any reduction awarded to applicants in the 2019-20 financial year to reflect increases in the cost-of living. It also makes minor technical and consequential changes to the 2013 CTRS Regulations.

Background

- 4.2 The Welfare Reform Act 2012 contained provisions to abolish Council Tax Benefit from 31 March 2013. From 1 April 2013, responsibility for providing support for council tax was devolved to local authorities in England. Fixed funding, reduced by 10% compared to the 2012-13 costs, was passed to the Welsh Government and to the Scottish Government to allow the Devolved Administrations to develop replacement schemes.
- 4.3 Following the UK Government's decision, the Welsh Government sought provisions in the Local Government Finance Act 2012 which amended the Local Government Finance Act 1992 (the 1992 Act), to provide the Welsh Ministers with executive powers to introduce Council Tax Reduction Schemes in Wales via regulations.
- 4.4 The 2013 CTRS Regulations were approved by the National Assembly for Wales on 26 November 2013.
- 4.5 The Welsh Government provided £244m in the Local Government Settlement for CTRS for 2013-14. This was partly funded through the fixed budget of £222m which was transferred from the UK Government. The Welsh Government provided an additional £22m to enable local authorities to continue to provide all eligible applicants with their full entitlement to support. The Welsh Government has continued to provide £244m within the local government settlement each year since.

2013 CTRS Regulations

- 4.6 Aligned with the provisions in the 1992 Act, the 2013 CTRS Regulations govern the operation of CTRS in Wales. These regulations were closely based on the previous Council Tax Benefit rules to prevent low-income households facing sharp changes in the level of support they received. All eligible applicants were automatically and seamlessly transferred from Council Tax Benefit onto Council Tax Reduction Schemes from 1 April 2013. If an applicant receives Income Support, Income-Based Jobseeker's Allowance

(JSA), Income-Based Employment and Support Allowance (ESA), Pension Credit, or Pension Credit Guarantee, they are entitled to the maximum, full, reduction in their council tax liability. Approximately 70% of CTRS applicants in Wales receive these passporting benefits.

- 4.7 If an applicant does not receive any of the passporting benefits, the weekly amount of money which they are judged to need to live on is calculated. This is known as the 'applicable amount' and consists of two components:
- The first is the personal allowance – the basic amount a person needs to live, which varies according to the household's circumstances. For example, the allowance for a couple with children is higher than for a single person without children. These allowances are also set at higher rates for those who have reached State Pension Age.
 - The second component is the premium – additional amounts added to reflect any personal circumstances which increase the cost of living, such as a disability or carer's responsibilities. Once the applicable amount has been determined, the applicant's level of income is calculated.
- 4.8 For CTRS, Universal Credit (UC) recipients are treated in a similar way to non-passported applicants. However, instead of an 'applicable amount' being calculated, the 'maximum amount' (calculated within their UC application) is used instead.
- 4.9 If the applicable amount (or maximum amount) is higher than an applicant's calculated income, they are entitled to the maximum reduction in their council tax liability. If income exceeds the applicable amount, the weekly entitlement is reduced by 20p for each £1 of excess weekly income, until entitlement is withdrawn – this is known as the taper.
- 4.10 Adjustments can be made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant and who are therefore assumed to make a financial contribution to the household (non-dependant deductions).
- 4.11 Adjustments can also be made to take into account of savings. If an applicant has capital of £6,000 (or £10,000 for pension age claimants) or less, this will be ignored when working out whether they are entitled to a reduction.
- 4.12 If a working-age applicant has capital of between £6,000 and £16,000, the local authority will treat it as income. This is known as tariff income. The local authority will assume an applicant has an income of £1 a week for each £250 of capital between £6,000 and £16,000. This will be added to other income to work out whether an applicant is entitled to a reduction and how much they are entitled to.
- 4.13 If a pension-age applicant has capital of between £10,000 and £16,000, the local authority will treat it as income. The local authority will assume an

applicant has an income of £1 a week for each £500 of capital between £10,000 and £16,000. This will be added to other income to work out whether an applicant is entitled to a reduction and how much they are entitled to.

Uprating figures for 2020-21

4.14 This statutory instrument amends the 2013 CTRS Regulations to uprate financial figures used to calculate entitlement to a reduction in line with Welsh Government policy.

4.15 The statutory instrument seeks to uprate a number of other figures included in the 2013 CTRS Regulations. These include:

- Personal allowances in relation to working age, and carer and disabled premiums
The financial figures in respect of these allowances have been amended and have increased in line with the cost-of-living rises. The convention is to uprate in line with the Consumer Price Index figure for September from the previous year (2019), which is 1.7%.
- Personal allowances in relation to pensioners
The financial figures in respect of pensioner rates have been amended and are aligned with Housing Benefit. These have been calculated with assistance from the Department of Work and Pensions and have been uprated by different mechanisms. For example, the Pension Credit Standard Minimum Guarantee is uprated by earnings, whereas the Additional Pension and increments are uprated by prices.
- Non-dependant deductions
The financial figures for the income bands and deductions made in relation to non-dependants have been uprated. If amendments are not made, the deductions from CTRS awards would not be appropriate as the income thresholds would no longer reflect average earnings and the deduction would no longer reflect the overall cost of council tax.

Additional Consequential Amendments

4.16 In addition to uprating the financial figures, this statutory instrument makes a number of consequential amendments to the 2013 CTRS Regulations. These ensure the 2013 Regulations remain up-to-date and fit for purpose.

Same sex civil partnerships

4.17 Under the Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019, the Civil Partnership Act 2004 must be amended by 31 December 2019 to allow for opposite sex civil partnerships. This statutory instrument therefore includes amendments to ensure that opposite sex civil partnerships are treated on an equitable basis with opposite sex and same sex marriages and same sex civil partnerships for the purposes of CTRS.

4.18 The Civil Partnership (Opposite-sex Couples) Regulations 2019 were made on 5 November 2019 and come into force in 2 December 2019. It is recognised that at the point of laying this statutory instrument anticipates the changes to the primary legislation but this is necessary to allow the instrument to be laid and approved in time for local authorities to approve their schemes for 2020-21 by the statutory deadline of 31 January 2020 and to provide the Assembly with sufficient time for scrutiny in line with Standing Orders.

Parental Bereavement Leave and Pay

4.19 The Parental Bereavement (Leave and Pay) Act 2018 amends or inserts a number of provisions into the Employment Rights Act 1996 and the Social Security Contributions and Benefits Act 1992, providing powers to make regulations in relation to Parental Bereavement Leave and pay for eligible parents. The introduction of a specific, statutory entitlement to parental bereavement is intended to provide certainty for employed parents and employers in relation to parents' right to time off from work following the death of a child.

4.20 The Regulations that implement parental bereavement leave and pay are intended to come into force on 6 April 2020 and changes to the 2013 regulations to reflect this are being made in this statutory instrument. Again it is recognised that this statutory instrument anticipates the coming into effect of the primary legislation but, as above, this is necessary to allow the changes to be incorporated into council tax reduction schemes for 2020-21 and to avoid having any period where persons in receipt of parental bereavement pay would not be able to access a reduction that they would have been entitled to but for that parental bereavement pay.

EU Exit related changes

4.21 A new basis of stay has been created for EEA (European Economic Area) and Swiss nationals under the EU Settlement Scheme (EUSS) as of 30 March 2019. The EUSS is the means by which EEA and Swiss nationals and their family members, resident in the UK by the specified date, can apply for a UK immigration status which will protect their entitlements and right to remain in the UK. The specified date has been set at 31 December 2020 in the event the UK agrees a deal with the EU and the deadline for applying to the EUSS is 30 June 2021. If the UK leaves the EU without a deal, then EEA and Swiss nationals will need to be living in the UK before it leaves the EU to apply and the deadline for applying will be 31 December 2020.

4.22 Provision in the CTRS which makes provision about persons treated as not being in Great Britain has been updated to clarify that limited leave to enter or remain granted under the EUSS (also referred to as pre settled status) is not a relevant right to reside for the purposes of being habitually resident in the United Kingdom. The Regulations update references to the Immigration (European Economic Area) Regulations 2006 with references to the Immigration (European Economic Area) Regulations 2016 as the latter revoked the former. The Regulations also provide that a number of rights to

rights to reside established for nationals of European Economic Area states in connection with the United Kingdom's withdrawal from the EU are not relevant for the purposes of establishing habitual residence.

PART 2: REGULATORY IMPACT ASSESSMENT (RIA)

Options

Option 1 – Do nothing

- 1 If the financial figures used to assess household allowances in the council tax reduction means-test remained static, the criteria used would be slightly less generous for non-passported applicants and would lead to small decreases in support in real terms.
- 2 The financial figures used to assess the eligibility of households with non-dependants would be out-of-date. The income thresholds would no longer reflect average earnings and the adjustment made to the final council tax reduction would no longer reflect overall cost of council tax.
- 3 If consequential amendments are not made to the 2013 CTRS Regulations, this would mean that they would not take account of changes to related welfare benefits and other legislation. This could disadvantage some applicants by reducing or stopping their entitlement to support. It could also create confusion for applicants and increase the administrative burden for local authorities and advice providers.

Option 2 – Make amending Regulations

- 4 This option would mean that amendments would be made to uprate the financial figures in the 2013 CTRS Regulations in line with to Welsh Government policy, cost-of-living increases and changes to qualifying benefits.
- 5 The financial figures in relation to working age, disability or carer rates will continue to increase with the cost of living for 2020-21 (1.7%, as measured by CPI). The personal allowances for pensioners will be uprated to align with those for Housing Benefit and the benefits system. The increase would be aligned to the UK Government's Standard Minimum Guarantee and Savings Credit.
- 6 The financial figures used to calculate the adjustment for non-dependant deductions would be uprated. The income thresholds in relation to non-dependants would be uprated to reflect average earnings and the non-dependant deduction from CTRS would reflect the average increase in council tax.
- 7 The necessary technical and consequential amendments would also be made.

Costs and Benefits

Costs

Option 1 – Do nothing

- 8 If the financial figures for working age and pensioner allowances do not increase with the cost of living (as measured by CPI), CTRS recipients would be slightly worse off in real terms.
- 9 The financial figures used to assess the eligibility of households with non-dependants would also be out-of-date. The calculation would no longer make a fair assessment of the income of non-dependants or the overall cost of council tax. There is a risk that this aspect of the scheme would be viewed as unfair or inequitable.
- 10 If the technical and consequential amendments to the 2013 CTRS Regulations are not made, they would no longer align with Housing Benefit provisions and other related benefits. It would lead to references being out of sync with the overall benefits system and could disadvantage certain applicants by reducing their entitlement to support. This could potentially lead to additional administrative burden on local authorities and advice providers. It may also lead to confusion for some applicants who, as a result, could be treated significantly differently under benefit schemes.

Benefits

- 11 Not uprating pensioner and working age figures would help to limit any increases in total reductions under CTRS. However not uprating figures in relation to non-dependant deductions, would result in council tax reductions for relevant households being higher than they would otherwise be.

Option 2 – Make amending Regulations

Costs

- 12 Uprating the financial figures in respect of pensioners and working age allowances would slightly increase total reductions under CTRS. However, if the financial figures in relation to non-dependant deductions were also uprated, this would mitigate some of the increase in total reductions. Consequently, total council tax reductions are not expected to rise significantly as a result of the uprating.

Benefits

- 13 Uprating the financial figures in the 2013 CTRS Regulations will ensure that the personal allowance for working age applicants continues to increase in line with the CPI (1.7%).

- 14 Uprating the financial figures in respect of the personal allowance for pensioners continues to increase in line with the Standard Minimum Guarantee and Savings Credit.
- 15 If the financial figures in relation to non-dependant deduction rates are updated, this will ensure the calculation used to assess the eligibility of non-dependant households remains up-to-date. The calculation would continue to make a fair assessment of the income of non-dependants and the cost of council tax. This will ensure the system remains fair and equitable.
- 16 As part of these Regulations, consequential and technical amendments are made that are associated with wider welfare changes made by the UK government. This would ensure CTRS reflects changes made to interrelated social security benefits which often determine entitlement to a reduction. It would also avoid any additional administrative burden for local authorities or advice providers arising from managing different regimes.

Sectors

- 17 Local government and the voluntary sector were consulted during the development of proposals to introduce CTRS in Wales. Draft regulations for 2020-21 have been shared with local authorities.
- 18 This legislation will not affect the business sector.

Duties

- 19 In drafting these Regulations consideration has been given to the duty on Welsh Ministers to promote equality and eliminate discrimination.
- 20 An Equality Impact Assessment was completed for the introduction of the 2013 CTRS Regulations.
- 21 This statutory instrument is provided bilingually. CTRS is implemented and operated by local authorities who are under general duties to comply with Welsh language and sustainable development duties.
- 22 Further consideration has been given as to whether CTRS could be used to improve the opportunities of persons to use the Welsh language treating the Welsh language no less favourably than the English language. As the sole purpose of CTRS is to provide support to low-income households in meeting their council tax liability, it is considered there are no such opportunities.
- 23 Maintaining full entitlements to CTRS will continue to help low-income households in meeting their council tax liability and, as such, will contribute to the Welsh Government's commitment to make council tax fairer.

Competition Assessment

- 24 These Regulations have been scored against the competition filter test which indicated that there will be no detrimental effect on competition.

Consultation

- 25 No consultation has been undertaken in respect of this statutory instrument. The 2013 CTRS Regulations were consulted upon and details are provided in the Regulatory Impact Assessments accompanying those Regulations.

Post implementation review

- 26 Amendments are required on an annual basis to uprate the financial figures used to calculate entitlements to reductions. This provides an opportunity to review the legislation.

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Regulations laid before the National Assembly for Wales under section 13A(8) of the Local Government Finance Act 1992, for approval by resolution of the National Assembly for Wales.

WELSH STATUTORY INSTRUMENTS

2020 No. 16 (W. 2)

COUNCIL TAX, WALES

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020

Made - - - - 8 January 2020

Coming into force in accordance with regulation 1(2)

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by section 13A(4) and (5) of, and paragraphs 2 to 7 of Schedule 1B to, the Local Government Finance Act 1992(1).

In accordance with section 13A(8) of that Act, a draft of this instrument has been laid before and approved by resolution of the National Assembly for Wales.

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force the day after the day on which they are made.

(3) These Regulations apply in relation to a council tax reduction scheme made for a financial year beginning on or after 1 April 2020.

(4) In these Regulations “council tax reduction scheme” (“*cynllun gostyngiadau'r dreth gynor*”) means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013(2), or the scheme that applies in default by virtue of paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992.

Amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013

2. The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 are amended in accordance with regulations 3 to 10.

(1) 1992 c. 14. Section 13A was substituted by section 10(1) of the Local Government Finance Act 2012 (c. 17) and Schedule 1B was inserted by section 10(2) of, and Schedule 4 to, that Act.
(2) S.I. 2013/3029 (W. 301), as amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21), S.I. 2017/46 (W. 20), S.I. 2018/14 (W. 7) and S.I. 2019/11 (W. 5).

3. In regulation 2(1) (interpretation) in the appropriate place insert—
- ““parental bereavement leave” (“*absenoldeb profedigaeth rhiant*”) means leave under section 80EA of the Employment Rights Act 1996(3);”.
4. In regulation 4 (meaning of “couple”), in paragraph (b), after “married couple” insert “or civil partners”.
5. In regulation 10 (remunerative work), in paragraph 7, after “shared parental leave” insert “, parental bereavement leave”.
6. In regulation 28 (persons treated as not being in Great Britain)—
- (a) in paragraph 4—
- (i) at the end of sub-paragraph (c) omit “or”;
- (ii) in sub-paragraph (d)—
- (aa) for “15A(1)” substitute “16”;
- (bb) for “(4A)” substitute “(5)”;
- (cc) at the end omit “.” and insert “; or”;
- (iii) after sub-paragraph (d) insert—
- “(e) a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—
- (i) Appendix EU to the immigration rules made under section 3(2) of that Act;
- (ii) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
- (iii) article 3 (grant of leave to EEA and Swiss nationals) of the Immigration (European Economic Area Nationals) (EU Exit) Order 2019(4) made under section 3A of that Act.”;
- (b) in paragraph 8, in the definition of “EEA Regulations” for “2006” substitute “2016”.
7. In Schedule 1 (determining eligibility for a reduction: pensioners)—
- (a) in paragraph 3 (non-dependent deductions: pensioners)—
- (i) in sub-paragraph (1)(a) for “£13.75” substitute “£14.65”;
- (ii) in sub-paragraph (1)(b) for “£4.55” substitute “£4.85”;
- (iii) in sub-paragraph (2)(a) for “£210.00” substitute “£217.00”;
- (iv) in sub-paragraph (2)(b) for “£210.00”, “£365.00” and “£9.15” substitute “£217.00”, “£377.00” and “£9.75” respectively;
- (v) in sub-paragraph (2)(c) for “£365.00”, “£450.00” and “£11.50” substitute “£377.00”, “£469.00” and “£12.25” respectively;
- (b) in paragraph 10(1)(j) (meaning of “income”: pensioners), after paragraph (xvii), insert—
- “(xviii) statutory parental bereavement pay under Part 12ZD of the SSCBA(5);”;

(3) 1996 c. 18. Section 80EA was inserted by paragraph 2 of the Schedule to the Parental Bereavement (Leave and Pay) Act 2018 (c. 24) but the provision is not yet in force.

(4) S.I. 2019/686.

(5) The “SSCBA” means the Social Security Contributions and Benefits Act 1992 (c. 4); see definition in regulation 2 of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and in paragraph 2 of the scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme)(Wales) Regulations 2013. Part 12ZD was inserted by Part 2 of the Schedule to the Parental Bereavement (Leave and Pay) Act 2018 (c. 24)(“the 2018 Act”) but the provisions are not yet in force.

- (c) in paragraph 12 (earnings of employed earners: pensioners), after sub-paragraph 1(ja) insert—
 - “(jb) statutory parental bereavement pay under Part 12ZD of that Act;”;
 - (d) in paragraph 13 (calculation of net earnings of employed earners: pensioners), in sub-paragraph 2(d), after “statutory shared parental pay” insert “, statutory parental bereavement pay”;
 - (e) in paragraph 19 (treatment of child care charges: pensioners)—
 - (i) in sub-paragraph (15)—
 - (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (bb) in paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (cc) in paragraph (c), after “statutory shared parental pay by virtue of section 171ZU or 171ZV of that Act” insert “, statutory parental bereavement pay by virtue of section 171ZZ of that Act⁽⁶⁾”;
 - (ii) in sub-paragraph (16)—
 - (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (bb) in paragraphs (b) and (c), after “statutory shared parental pay” insert “, statutory parental bereavement pay”.
- 8.** In Schedule 2 (applicable amounts: pensioners)—
- (a) in column (2) of the Table in paragraph 1 (personal allowance)—
 - (i) in sub-paragraph (1) for “£167.25” and “£181.00” substitute “£173.80” and “£187.80” respectively;
 - (ii) in sub-paragraph (2) for “£255.25” and “£270.60” substitute “£265.20” and “£280.85” respectively;
 - (iii) in sub-paragraph (3) for “£255.25” and “£88.00” substitute “£265.20” and “£91.40” respectively;
 - (iv) in sub-paragraph (4) for “£270.60” and “£89.60” substitute “£280.85” and “£93.05” respectively;
 - (b) in the Table in Part 4 (amounts of premium specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£65.85” in each place where it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;
 - (ii) in sub-paragraph (2) for “£26.04” substitute “£26.60”;
 - (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
 - (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”.
- 9.** In Schedule 6 (determining eligibility for a reduction under an authority’s scheme, amount of reduction and calculation of income and capital: persons who are not pensioners)—
- (a) in paragraph 5 (non-dependant deductions: persons who are not pensioners)—
 - (i) in sub-paragraph (1)(a) for “£13.75” substitute “£14.65”;
 - (ii) in sub-paragraph (1)(b) for “£4.55” substitute “£4.85”;
 - (iii) in sub-paragraph (2)(a) for “£210.00” substitute “£217.00”;

⁽⁶⁾ Sections 171ZZ6 to 171ZZ15 in Part 12ZD were inserted by Part 2 of the Schedule to the 2018 Act but are not yet in force.

- (iv) in sub-paragraph (2)(b) for “£210.00”, “£365.00” and “£9.15” substitute “£217.00”, “£377.00” and “£9.75” respectively;
- (v) in sub-paragraph (2)(c) for “£365.00”, “£450.00” and “£11.50” substitute “£377.00”, “£469.00” and “£12.25” respectively;
- (b) in paragraph 14 (earnings of employed earners: persons who are not pensioners)—
 - (i) in sub-paragraph (1)(j), after “statutory shared parental pay” insert “, statutory parental bereavement pay”;
 - (ii) in sub-paragraph (1)(k), after “shared parental leave” insert “, parental bereavement leave”;
- (c) in paragraph 15 (calculation of net earnings of employed earners: persons who are not pensioners), in sub-paragraph (3)(d), after “statutory shared parental pay” insert “, statutory parental bereavement pay”;
- (d) in paragraph 21 (treatment of child care charges)—
 - (i) in sub-paragraph (15)—
 - (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (bb) in paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (cc) in paragraph (c), after “statutory shared parental pay under section 171ZU or 171ZV of that Act” insert “, statutory parental bereavement pay by virtue of section 171ZZ of that Act”;
 - (ii) in sub-paragraph (16)—
 - (aa) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (bb) in paragraphs (b) and (c), after “statutory shared parental pay” insert “, statutory parental bereavement pay”.
- 10.** In Schedule 7 (applicable amounts: persons who are not pensioners)—
 - (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1) for “£77.90” in each place in which it occurs substitute “£79.20” and for “£61.70” substitute “£62.75”;
 - (ii) in sub-paragraph (2) for “£77.90” substitute “£79.20”;
 - (iii) in sub-paragraph (3) for “£122.35” substitute “£124.45”;
 - (b) in the Table in Part 4 (amounts of premiums specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£34.35” and “£48.95” substitute “£34.95” and “£49.80” respectively;
 - (ii) in sub-paragraph (2) for “£65.85” in each place in which it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;
 - (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
 - (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”;
 - (v) in sub-paragraph (5) for “£26.04”, “£16.80” and “£24.10” substitute “£26.60”, “£17.10” and “£24.50” respectively;
 - (c) in Part 6 (amount of components), in paragraph 24 (amount of support component), for “£38.55” substitute “£39.20”.

Amendments to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013

11. The scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013(7) is amended in accordance with regulations 12 to 24.

12. In paragraph 2(1) (interpretation), in the appropriate place insert—

““parental bereavement leave” (“*absenoldeb profedigaeth rhiant*”) means leave under section 80EA of the Employment Rights Act 1996;”.

13. In paragraph 4(b) (meaning of “couple”), after “married couple” insert “or civil partners”.

14. In paragraph 10 (remunerative work), in sub-paragraph 7, after “shared parental leave” insert “, parental bereavement leave”.

15. In paragraph 19 (class of person excluded from this scheme: persons treated as not being in Great Britain)—

(a) in sub-paragraph (4)—

(i) at the end of paragraph (c) omit “or”;

(ii) in paragraph (d)—

(aa) for “15A(1)” substitute “16”;

(bb) for “(4A)” substitute “(5)”;

(cc) at the end omit “.” and insert “; or”;

(b) after sub-paragraph (4) insert—

“(e) a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—

(i) Appendix EU to the immigration rules made under section 3(2) of that Act;

(ii) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or

(iii) article 3 (grant of leave to EEA and Swiss nationals) of the Immigration (European Economic Area Nationals) (EU Exit) Order 2019(8) made under section 3A of that Act.”;

(c) in sub-paragraph (8), in the definition of “EEA Regulations” for “2006” substitute “2016”.

16. In paragraph 28 (non-dependant deductions: pensioners and persons who are not pensioners)

(a) in sub-paragraph (1)(a) for “£13.75” substitute “£14.65”;

(b) in sub-paragraph (1)(b) for “£4.55” substitute “4.85”;

(c) in sub-paragraph (2)(a) for “£210.00” substitute “£217.00”;

(d) in sub-paragraph (2)(b) for “£210.00”, “£365.00” and “£9.15” substitute “£217.00”, “£377.00” and “£9.75” respectively;

(e) in sub-paragraph (2)(c) for “£365.00”, “£450.00” and “£11.50” substitute “£377.00”, “£469.00” and “£12.25” respectively.

17. In paragraph 36(1)(j) (meaning of “income”: pensioners), after paragraph (xvia), insert—

(7) S.I. 2013/3035 (W. 303), as amended by S.I. 2014/66(W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21), S.I. 2017/46 (W. 20), S.I. 2018/14 (W. 7) and S.I. 2019/11 (W. 5).

(8) S.I. 2019/686.

- “(xvib) statutory parental bereavement pay under Part 12ZD of SSCBA;”.
- 18.** In paragraph 38(1) (earnings of employed earners: pensioners), after paragraph (ja) insert—
“(jb) statutory parental bereavement pay under Part 12ZD of SSCBA;”.
- 19.** In paragraph 39(2)(d) (calculation of net earnings of employed earners: pensioners), after “statutory shared parental pay” insert “, statutory parental bereavement pay”.
- 20.** In paragraph 48(1) (earnings of employed earners: persons who are not pensioners)—
- (a) in paragraph (j) after “statutory shared parental pay” insert “, statutory parental bereavement pay”;
 - (b) in paragraph (k) after “shared parental leave” insert “, parental bereavement leave”.
- 21.** In paragraph 49(3)(d) (calculation of net earnings of employed earners: persons who are not pensioners), after “statutory shared parental pay” insert “, statutory parental bereavement pay”.
- 22.** In paragraph 55 (treatment of child care charges)—
- (a) in sub-paragraph (15)—
 - (i) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (ii) in paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (iii) in paragraph (c), after “statutory shared parental pay under section 171ZU or 171ZV of that Act” insert “, statutory parental bereavement pay by virtue of section 171ZZ of that Act”;
 - (b) in sub-paragraph (16)—
 - (i) in the words before paragraph (a), after “shared parental leave” insert “, parental bereavement leave”;
 - (ii) in paragraph (b) after “statutory shared parental pay” insert “statutory parental bereavement pay”;
 - (iii) in paragraph (c) for “statutory shared parental pay ends or statutory adoption pay ends,” substitute “statutory shared parental pay, statutory parental bereavement pay or statutory adoption pay ends,”.
- 23.** In Schedule 2 (applicable amounts: pensioners)—
- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1) for “£167.25” and “£181.00” substitute “£173.80” and “£187.80” respectively;
 - (ii) in sub-paragraph (2) for “£255.25” and “£270.60” substitute “£265.20” and “£280.85” respectively;
 - (iii) in sub-paragraph (3) for “£255.25” and “£88.00” substitute “£265.20” and “£91.40” respectively;
 - (iv) in sub-paragraph (4) for “£270.60” and “£89.60” substitute “£280.85” and “£93.05” respectively;
 - (b) in the Table in Part 4 (amounts of premiums specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£65.85” in each place in which it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;
 - (ii) in sub-paragraph (2) for “£26.04” substitute “£26.60”;
 - (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
 - (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”.

- 24.** In Schedule 3 (applicable amounts:: persons who are not pensioners)—
- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1) for “£77.90” in each place in which it occurs substitute “£79.20” and for “£61.70” substitute “£62.75”;
 - (ii) in sub-paragraph (2) for “£77.90” substitute “£79.20”;
 - (iii) in sub-paragraph (3) for “£122.35” substitute “£124.45”;
 - (b) in the Table in Part 4 (amount of premiums specified in Part 3), in the second column—
 - (i) in sub-paragraph (1) for “£34.35” and “£48.95” substitute “£34.95” and “£49.80” respectively;
 - (ii) in sub-paragraph (2) for “£65.85” in each place in which it occurs substitute “£66.95” and for “£131.70” substitute “£133.90”;
 - (iii) in sub-paragraph (3) for “£64.19” substitute “£65.52”;
 - (iv) in sub-paragraph (4) for “£36.85” substitute “£37.50”;
 - (v) in sub-paragraph (5) for “£26.04”, “£16.80” and “£24.10” substitute “£26.60”, “£17.10” and “£24.50” respectively;
 - (c) in Part 6 (amount of components), in paragraph 24 (amount of support component), for “£38.55” substitute “£39.20”.

8 January 2020

Rebecca Evans
Minister for Finance and Trefnydd, one of the
Welsh Ministers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (“the Prescribed Requirements Regulations”) and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (“the Default Scheme Regulations”) made under section 13A(4) and (5) of, and Schedule 1B to, the Local Government Finance Act 1992.

The Prescribed Requirements Regulations require each billing authority in Wales to make a scheme specifying the reductions which are to apply to amounts of council tax payable by persons, or classes of persons, whom the authority considers are in financial need. The Prescribed Requirements Regulations also set out the matters that must be included within such a scheme.

The Default Scheme Regulations set out a scheme that will take effect, in respect of dwellings situated in the area of a billing authority, if the authority fails to make its own scheme.

These Regulations amend both the Prescribed Requirements and the Default Scheme Regulations.

The amendments to the Prescribed Requirements Regulations made by regulations 3, 5, 7(b) to (e) and 9(b) to (d) are made in consequence of the introduction of Parental Bereavement Leave and Pay for eligible parents under powers provided for in the Parental Bereavement (Leave and Pay) Act 2018. The same amendments are made to the Default Scheme Regulations by regulations 12, 14 and 17 to 22.

The amendment to the Prescribed Requirements Regulations made by regulation 4 is made in consequence of the Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019 and regulations made under that Act that make provision for opposite sex civil partnerships. The definition of “couple” is amended to include two people who are living together as if they are civil partners. The same amendment is made in relation to the Default Scheme Regulations by regulation 13.

The amendments to the Prescribed Requirements Regulations made by regulation 6 are made to the prescribed requirement that persons treated as not being in Great Britain must not be included in an authority’s scheme. A person is treated as not being in Great Britain if they are not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland. No person shall be treated as habitually resident without a relevant right to reside. Regulation 6(a) and (c) updates references to the Immigration (European Economic Area) Regulations 2006 with references to the Immigration (European Economic Area) Regulations 2016 as the latter revoked the former. Regulation 6(b) provides that a number of rights to reside established for nationals of European Economic Area states in connection with the United Kingdom’s withdrawal from the EU are not relevant rights to reside for the purposes of establishing habitual residence. The same amendments are made to the Default Scheme Regulations by regulation 15.

The amendments to the Prescribed Requirements Regulations made by regulations 7(a), 8, 9(a) and 10 increase certain figures that are used in calculating whether a person is entitled to a reduction and the amount of that reduction. The updated figures relate to non-dependant deductions (adjustments made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant); and the applicable amount in relation to an application for a reduction (the amount against which an applicant’s income is compared in order to determine the amount of reduction to which the applicant is entitled). The same amendments are made in relation to the Default Scheme Regulations by regulations 16, 23 and 24.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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Report to	County Council
Date of meeting	28th, January, 2020
Lead Member / Officer	Cllrs Julian Thompson-Hill
Report author	Sophie Vaughan & Steve Gadd

1. What is the report about?

The purpose of this paper is to provide information and to consider the implications: -

- 1.1. paying the Real Living Wage (RLW)
- 1.2. of becoming a Living Wage accredited employer.

2. What is the reason for making this report?

County Council originally considered the implications of paying the Real Living Wage in December, 2018 and it was requested then that the Council receives, in December 2019, a report on the recommendations of the Real Living Wage Foundation and the outcome of the national pay negotiations, and, if there is a differential between the two, decide whether or not to pay the Real Living Wage to its staff in the following financial year.

3. What are the Recommendations?

That council note the estimated cost implications of paying the Real Living Wage and becoming a Real Living Wage employer.

That Council agreed to wait for the National Pay Agreement in April 2020.

4. Report details

Background

There are two types of Living Wage and they are as follows: -

National Living Wage

The National Living Wage (NLW) was introduced in the July 2015 UK budget. The Chancellor announced a compulsory 'National Living Wage' (NLW) of £7.20 to be introduced in April 2016 for those aged over 25. This has since increased annually and all employers are required, by law, to pay the 2019 rate of £8.21 to employees over the age of 25.

The Government's Low Pay Commission have recommended future rises of National Living Wage, with the Government aiming for it to reach £9.00 per hour by 2020.

The Real Living Wage

The Real Living Wage is an hourly rate of pay that has been calculated independently by the Living Wage Foundation. It is proposed that this is the minimum wage that a worker, over the age of 18, needs to earn to cover basic living costs. As of the 1st November, 2019 the Living Wage is £9.30 per hour, with a higher rate in London to reflect the higher living costs. The rate is set annually by the Living Wage Foundation and Loughborough University's Centre for Research.

There is no statutory obligation for employers to pay the Real Living Wage but some organisations have voluntarily become accredited Real Living Wage employers.

The Living Wage Foundation states that paying the non-statutory living wage is good for businesses as it improves quality of life for their employees, which has a positive impact on reputation as an employer, absence rates, recruitment and retention rates improving and productivity.

Once an employer voluntarily pays the Real Living Wage they have the option to apply for accreditation from the Living Wage Foundation, which allows them to advertise themselves as a Living Wage Employer and appear on their list of accredited employers, and pledge to increase their hourly rate in line with any increases in the Real Living Wage.

There are currently over 5,955 accredited Living Wage employers, which includes 113 councils in the UK, including town and district councils. Cardiff Council are the only City Council in Wales to be accredited, along with three Town Councils.

Becoming an accredited Living Wage Employer means that the organisation would be duty bound to pay any increase in pay within 6 months of it being set regardless of their financial position or means to do so.

Current Position

Whilst Denbighshire's pay structure is unique to the County, we use the nationally set Spinal Column Points (SCP) to set our grades. Currently our minimum pay is £9.00 per hour, which is Grade 1 SCP1 and has been since 1st April 2019, when the National Joint Committee implemented new national pay structure for Councils, ensuring that the bottom point met the Real Living Wage in April 2019. Grade 1 only has one spinal column point, so it affects all employees on Grade 1.

The National Employers for Local Government Services and Trade Unions are currently in negotiations as to the cost of living increase for April 2020, and indications are that we are unlikely to have any updates until after April 2020.

From 1st April, 2019 the council have been paying the equivalent of the Real Living Wage to employees on Spinal Column Point (SCP) 1 of £9.00 per hour, but as mentioned the Real Living Wage is reviewed in November each year, so we are now paying 30p per hour under the current Real Living Wage. Looking at previous pay awards, and the recent Teachers Pay increase it would be sensible to expect a maximum of a 2% increase, which could potentially increase SCP 1 to £9.18 per hour from April 2020, which is still less than the Real Living Wage.

All employees on SCP 1 of Grade 1 and SCP 2 of Grade 2 are currently paid under £9.30 per hour. There are 665 (534 on SCP 1 and 131 in SCP 2) employees who are currently on these points. The option of accreditation as a Real Living Wage employer would also mean that the council would need to ensure that it pays any contractors or providers with the same rate of pay as employees. The cost implication of this element is much more significant than the impact on internal pay costs and would create an additional budget pressure in 2020/21 of at least £1.1m. There is also a nominal fee to be paid on a sliding scale to the Living Wage Foundation depending on the number of employees in the Council.

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

Becoming an accredited employer would potentially contribute to the Corporate Priority of resilient communities by providing better paid employment opportunities. However, the cost implications mean that service cuts would be inevitable which might adversely impact the council's ability to deliver some of its priorities.

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

The estimated cost would be £137k for the period November, 2019 – March, 2020 based on an estimated increase in the Living Wage to £9.30 per hour and based on it being implemented immediately (rather than within the six months allowed). There would also be a continuing cost each year thereafter which, if the pay agreement results in a 2% increase, would result in an additional pressure of £256k (this also assumes a further increase of 3% in the Real Living Wage from November 2020). However, the next national pay award may well address any differential from April 2020 as recent agreements have given lower paid staff a higher percentage increase in pay.

The impact on the cost externally commissioned services is potentially much more significant.

Analysis of the toolkit used to inform the fees paid to residential and nursing care providers for older people (which uses the National Living Wage as the benchmark to determine some, but not all, of the hourly rate calculation) estimates that on current levels of provision, the increased cost of benchmarking to the Real Living Wage in 2020/21 would be at least £1.1m, rising to £1.6m if the rate is increased in line with previous years.

There would also be an implication on other commissioned contracts, such as domiciliary care and care provided to younger adults.

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

This report has been produced in response to a motion to highlight the implications of a policy and is not making a recommendation about policy implementation.

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

This report is responding to a motion from the County Council requesting information about the cost implications of a policy and as such has not been consulted upon.

9. Chief Finance Officer Statement

The current national pay negotiations are still ongoing. It is unlikely that the result will be less than the projected 2% and would also involve some form of extra protection for the lower paid as in previous years. It is hoped that the negotiations can be brought to a conclusion within a reasonable timeframe and the calculations for 2020/21 can be revisited. From a financial management perspective, it would be beneficial to utilise the 6-month implementation period. Any additional in-year commitment for 2019/20 would increase the current net overspend and would have to be funded from Base Level Reserves

The potential cost of becoming a RLW accredited employer however is much more significant. On the commissioned residential and nursing care sector alone, the immediate additional cost is estimated to be over £1m. As this is not a statutory requirement, the council has not budgeted for this additional cost and it would have to be funded by cutting services and staff elsewhere in the organisation.

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

The report is outlining the potential cost implications of a policy and is not making a recommendation. However, the report does highlight that the potential full cost of the policy would be significant and is not currently built into future budget plans. The key risk would be to progress the policy without it being clear how the cost would be funded.

11. Power to make the decision

Provision of the cost implications reported under Section 151 of the Local Government Act 1972.

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Report to	Council
Date of meeting	28 th January 2020
Lead Member / Officer	Cllr Bobby Feeley and Cllr Julian Thompson- Hill
Report author	Gary Williams, Head of Legal, Hr and Democratic Services
Title	Implementation of an Alternative Delivery Model (ADM) for various leisure related activities/functions: Appointment of Independent Directors

1. What is the report about?

- 1.1. This report is about the appointment of Independent Directors to the Board of Denbighshire Leisure Limited (the Company)

2. What is the reason for making this report?

- 2.1. A decision is required on the appointment of two Independent Directors to the Board of the Company

3. What are the Recommendations?

- 3.1. That Council formally appoints Paul McGrady and Sian Rogers as Independent Directors to sit on the Board of Directors of Denbighshire Leisure Limited.

4. Report details

- 4.1. On the 15th October 2019 Council resolved that the composition of the Board of Directors of the Company would be as follows;

- Corporate Director: Economy and Public Realm
- Lead Member for Well-Being and Independence
- Lead Member for Education, Children's Services and Public Engagement
- Managing Director
- Independent Director x2, and
- A Non-Cabinet Member

- 4.2. Council further resolved that Cllr Peter Prendergast be appointed to the Non – Cabinet Member role on the Board.

- 4.3. Council agreed to the process for the appointment of the Independent Directors. It was agreed that the Independent Directors be recruited in a similar way to that of Independent Members of the Council's Standards Committee. This involved an external advertisement and the establishment of a recruitment panel consisting of three elected members nominated by Council, together with the Managing Director and support from HR, to shortlist and then interview prospective candidates. The recruitment panel would then make a recommendation of an appointment to Council for approval.
- 4.4. Council appointed Councillors Hugh Irving, Graham Timms and Brian Blakely to sit on the recruitment panel.
- 4.5. The shortlisting was completed by the recruitment panel. Unfortunately, both Cllr Timms and Cllr Blakely were unable to attend the interviews and further nominations were sought via group leaders at relatively short notice for other members to sit in on the interviews. As a result, Cllr Mark Young was nominated and attended at the interviews with Cllr Irving, supported by the Managing Director, the Corporate Director and HR. The interviews were observed by Cllr Bobby Feeley in her capacity as Chair of the Board of Directors of the Company.
- 4.6. Although three candidates were selected for interview, one withdrew due to reasons relating to location. There were therefore two remaining candidates, one for each of the Independent Director portfolios. The interview panel was in full agreement that following the interview process both candidates demonstrated the qualities necessary for the roles and recommended both for appointment to the Board of Directors of the Company.
- 4.7. The two persons recommended to council for appointment are Paul McGrady in respect of the Independent Director role with finance and commercial experience, and Sian Rogers in respect of the Independent Director role with community development experience.
- 4.8. Paul McGrady is a Chartered Accountant with an MBA who currently works as Director of Resources in Clwyd Alyn Housing since March 2019. In his current role he is the financial advisor to the board and has responsibility for all strategic financial planning. Prior to this he worked for Adra (formerly Cartrefi Cymunedol Gwynedd Housing Association) as Director of Resources for nearly 4 years, a role he chose to learn to speak Welsh for. Between September 2005 and June 2015 Paul worked for Denbighshire County Council, and was the Section 151 Officer for his last 5 years with the Council. Paul was integral to the recent Rhyl Waterfront Development, providing the costings and recommendations that have led to significant investment from all sectors into our area. It is this prior involvement with Leisure that has led to Paul's desire to be a part of the Company Board, to continue to be a part of the Company's journey since its inception. Paul currently also sits as a Board Member of Wrexham Glyndwr University, and North East Wales (NEW) Homes, and has delivered significant improvements to the financial position for both. This has provided Paul with knowledge and experience of being a Board member, as well as experience of running a company that has been spun out of a Council. Overall, Paul is experienced within both public and commercial environments and has a deep understanding of the council, the area, and the needs and vision of Denbighshire Leisure Ltd.

4.9 Sian Rogers has spent the last ten years as the North and Mid Wales Youth and Community Director with Urdd Gobaith Cymru, and holds an MA in Folk Studies. In her current role, Sian is responsible for developing and delivering the strategy for the Urdd across 7 counties, ensuring staff and volunteers are engaging with communities throughout the region. She is involved in the development of community activity at a local, regional and national level. Sian has experience of grant funding, income generation, effective partnership working, establishing new approaches, and a vast knowledge of the youth community within the region. Prior to her current role, Sian worked as a North Wales Development Officer with the Welsh Language Board for 7 years, and between 1998 and 2004, was the Denbighshire Language Initiative Manager with Menter Iaith Sr Ddinbych. Sian currently sits on both the Brenig Fund Panel (distributing community funding), and the St David's Awards Panel (celebrating exceptional achievements of people in Wales), and can demonstrate an excellent knowledge base of the communities within the North and Mid Wales areas. Her approach is collaborative, seeking to build partnerships and opportunities that are mutually beneficial whilst keeping the needs of the community at the forefront. Overall, Sian is experienced in working within the local community and in creating effective partnerships. She can demonstrate a thorough knowledge of the needs and opportunities both within Denbighshire and the wider North Wales area.

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

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

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

6.1. The costs associated with the Board of Directors will be the cost of providing Directors Indemnity Insurance. There will also be the cost of the remuneration of the Independent Directors. It is proposed that the Independent Directors will receive the same attendance payments as Co-opted members of Scrutiny, independent members of Standards Committee and the lay member of Corporate Governance Committee as set by the Independent Remuneration Panel for Wales.

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

N/A

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

8.1 Cabinet and Council were consulted in respect of the recruitment and appointments process.

9. Chief Finance Officer Statement

9.1 The appointment of the Board of Directors of the new Denbighshire Leisure Limited is a necessary step towards setting up the governance structures of the new company. The proposed structure is supported. All costs have been taken into account as part of the current Business Case.

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

10.1 Risk that collectively, the Board of Denbighshire Leisure Ltd is insufficiently effective, which impacts on the performance of the company.

11. Power to make the decision

11.1 s2 Local Government Act 2000

s95 Local Government Act 2003

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

Report to	County Council
Date of meeting	28 January 2020
Lead Member:	Councillor Brian Jones, Lead Member for Waste, Transport and the Environment
Presenting the report:	Councillor Huw LI Jones, Chair of Performance Scrutiny Committee
Report author	Heidi Barton-Price – Strategic Planning & Performance Officer on behalf of the Members “Use of Plastics” Task & Finish Group (Chair, Councillor Emrys Wynne)
Title	Avoidance & Reduction of Plastics in Denbighshire County Council Offices

1. What is the report about

To consider the recommendations and associated action plan (Appendix 1) on how the Council can reduce its use of plastic as a result of the work of the Members “Use of Plastics” Task & Finish Group. The recommendations and action plan were supported by the Performance Scrutiny Committee at their meeting on 28th November 2019.

The report considers how the Council can reduce its use of plastic. It does not consider how residents or communities within the County can reduce their use of plastic.

2. What is the reason for making this report?

At Council in July 2018, as a result of a Notice of Motion, it was resolved to support the principle of the Council reducing its use of plastic and that a Member Task & Finish Group consider the issues, report to Scrutiny Committee before reporting back to Council.

Council is now required to consider the work of the Task & Finish Group as supported by Scrutiny Committee.

3. What are the recommendations?

That Council considers the findings of the Task and Finish Group as supported by the Performance Scrutiny Committee:

- 3.1 approves the recommendations and Action Plan (Appendix 1) in order to demonstrate that the Council is taking a community lead in reducing the use of plastics;
- 3.2 supports the continuation of the Task & Finish Group for a further 12 months with a view to proposing further actions to reduce the Council's use of plastic in the areas of: (i) School Catering and (ii) procurement
- 3.3 endorses the proposal that the avoidance and reduction of plastics within the Council be a work stream linked to the wider Climate Change and Ecological Emergency response.

4. Report Details

The Action Plan (Appendix 1) outlines the actions that the Task & Finish Group considered are a reasonable "first response" to the Council's reduction in its use of plastic. Initially the Group wanted to go further, but realised the volume and complexities of the topic. Detailed work is required in each specific area of plastic reduction to fully understand implications on cost, performance, service delivery etc. i.e. not all plastic is "bad" and the reduction of plastic can have unintended consequences.

Having made the recommendations in Appendix 1, the Task & Finish Group are also recommending that they continue their work to look into detail regarding the reduction of plastic in school catering and more widely through the use of our procurement processes.

The Lead Member and Performance Scrutiny support the approach taken by the Task & Finish Group.

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

The decision will contribute towards the Environment priority contained within the Corporate Plan 2017–2022.

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

There are no significant financial implications or implications on Services as a result of the recommendations.

7. What are the main conclusions of the Well Being Impact Assessment?

This project to develop options in avoiding and reducing plastics used by the council in its offices demonstrates a sustainable approach to the environment and contributes positively overall to the well-being goals (Appendix 2).

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

In developing their response to the original Notice of Motion, the Task & Finish Group have engaged with their political Groups. The Lead Member and the Performance Scrutiny Committee have been consulted and supported the recommendations.

The proposed recommendations have been open for comment via the Council's 'County Conversation' engagement portal – 15 comments received in total with the main issue being the removal of the water coolers (eg. around retaining machines and reusing bottles). Project Manager attended Staff Council.

9. Chief Finance Officer Statement

There are no financial proposals involved within this report. Whilst it is acknowledged that environmental and financial efficiencies could be realised in supporting these recommendations the report's purpose is to avoid and reduce the use of plastics in Council offices.

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

There are no significant risks as a result of the recommendations.

11. Power to make the Decision

Scrutiny's powers in relation to Policy Development and Review are outlined in Section 7.4.1 of the Council's Constitution, whilst Section 7.2.2 of the Constitution stipulates that

Scrutiny “can make reports or recommendations to the Council or the Cabinet in connection with the discharge of any functions.



Avoidance & Reduction of `plastics' in Denbighshire County Council offices

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Avoidance & Reduction of 'plastics' in Denbighshire County Council Offices

Context

Notice of Motion: The notice of motion brought to the meeting of full Council in July 2018 stemmed from:

1. Global and local environmental concerns regarding the use of plastic.
2. The duty under the Wellbeing of Future Generations Act for public bodies in Wales to act in a manner which is globally responsible.
3. The Environmental Priority contained within Denbighshire's Corporate Plan.

RESOLVED that the Council supports in principle the reduction in the use of plastic but asks that it be referred to Scrutiny for detailed consideration and a further report back to Council.

Full Council – 3rd July 2018

Introduction

It was recognised that Denbighshire County Council is broadly in support of showing leadership to the rest of the County in its use of plastic; however, there was a lack of understanding of the impact that any decision on the use of plastics within the Council might have on the delivery of a range of Council services, including budgetary and other implications.

In-depth work was required in order for informed recommendations, in the form of an Action Plan, to be made to Scrutiny and to full Council, based on robust evidence regarding potential alternatives to plastic.

Task & Finish Groups

A Member Use of Plastics Task & Finish Group informed by an Officer Task & Finish Group was established as it was important for this Group to set realistic ambitions and goals, as well as ones which do not have unintended consequences e.g.

- Replacing plastic with materials that are significantly more expensive leading to increased costs that could result in having to cut existing valued services.
- Replacing plastic with alternative products that cannot be recycled so end up in landfill or energy from waste facilities.
- Replacing plastic with alternative products that result in an inferior service delivery, particularly in areas of health and wellbeing.

As an initial action, we understand that further short, medium and long-term actions to achieve a 'reduction in plastics' within the council will need to be progressed and these are proposed below:

1. An Action Plan, including SMART objectives, for a reduction in the use of plastics within Denbighshire Council, to be implemented within Denbighshire County Council.
2. Achievement of objectives contained within this Action Plan will demonstrate that the Council is taking a lead in Denbighshire in reducing the use of plastics.
3. A reduction in the use of plastics by Denbighshire County Council will contribute towards the Environmental Priority contained within the Corporate Plan.

Avoidance & Reduction of 'plastics' in Denbighshire County Council Offices

Timetable:

TIMETABLE			
Group/Committee	Title	Date	Proposed action
Use of Plastics Task & Finish Group	Use of Plastics Task & Finish Group	10 th October 2019	To consider proposed action plan for Scrutiny Report
		14 th November 2019	Finalise action plan
Scrutiny Report outlining the following Actions/ Recommendations	Performance Scrutiny Committee	28 th November 2019 (paper deadline 14 th November 2019)	“the Council supports in principle the reduction in the use of plastic but asks that it be referred to Scrutiny for detailed consideration and a further report back to Council.” Agree recommendations to Full Council
Update to SLT	SLT	5 th December 2019	To provide SLT with update on 'plastics'
Scrutiny Report - Full Council	Full Council	28 th January 2020 (paper deadline 14 th January 2020)	To agree proposed Scrutiny recommendations on how the Council can reduce its use of plastic in a deliverable and sustainable way
Business Case – Action Plan to Environment & Communities Programme Board	Environment & Communities Programme Board	February 2020	Develop agreed proposed actions into a Business Case

Avoidance & Reduction of 'plastics' in Denbighshire County

Council Offices

Proposed Action Plan: Proposed Action Plan: Avoidance & Reduction of 'plastics' in Denbighshire County Council offices			
ACTION	WHERE	WHEN	IMPACT
Stop the provision of blue plastic water cups at water coolers within council buildings	County Hall Russell House Caledfryn	Recommendation : with immediate effect	Avoidance of use/purchase of blue plastic water cups 14,000 (baseline) per annum £532 (baseline) per annum
Encourage the reuse of water bottles to refill at water coolers	County Hall Russell House Caledfryn	Recommendation: Phased approach as existing stock of blue plastic water cups are utilised	Encourage re-use of water bottles
Remove water coolers altogether	County Hall Russell House Caledfryn And any other satellite sites, eg. Kinmel Park Depot	Recommendation: with immediate effect Carbon filters to be fitted to water taps (minimal cost)	No provision of water coolers Tap water available £9,000 rental (baseline) per annum Carbon reduction
Stop the provision of cups at refreshment points within council buildings	County Hall Russell House Caledfryn	Recommendation: Phased approach as existing stock is utilised	Avoidance of use/purchase of single use cups that contain plastic 25,270 (baseline) per annum £1,616 (baseline) per annum
Staff Campaign to 'bring your own cup' to work/office/meetings	County Hall Russell House Caledfryn	Messages on LINC Amendment to refreshment booking form to encourage 'bring a cup'	Avoidance of provision of cups that contain plastic

Avoidance & Reduction of 'plastics' in Denbighshire County Council Offices

Proposed Action Plan: Avoidance & Reduction of 'plastics' in Denbighshire County Council offices			
ACTION	WHERE	WHEN	IMPACT
Remove refreshment stations altogether from council offices	County Hall Russell House Caledfryn	Recommendation: with immediate effect	Return to 'flasks' if applicable Carbon reduction Baseline : £4,078 per annum
Reduce provision of plastic milk containers 'jiggers' at refreshment points Plastic stirrers (not applicable) – wooden stirrers	County Hall Caledfryn Russell House	Explore options with FMU suppliers re: refreshments	Avoidance of use of plastic milk containers 50 boxes per annum, 120 per box 6,000 (baseline) per annum £212.50 (baseline) per annum
Promote behaviour change to either avoid or reduce plastic use to all council staff	All staff via LINC	Recommendation: with immediate effect	Raise awareness of 9 ways of reducing plastic use in work/personal situations 'Making just a few small changes can have a big impact on the amount of plastic we use on a day-to-day basis.'
Stop purchase of plastic stationary wallets in all services	County Hall Caledfryn Russell House	Recommendation: with immediate effect	Reuse supplies within services

Avoidance & Reduction of 'plastics' in Denbighshire County Council Offices

Proposed Action Plan: Avoidance & Reduction of 'plastics' in Denbighshire County Council offices			
ACTION	WHERE	WHEN	IMPACT
Remove vending machines completely	County Hall Caledfryn Russell House	Recommendation : to remove vending machines	Reduction in availability of plastic items Reduction in energy use Carbon reduction Health benefits
Arrange consultation to challenge 'avoidance and reduction of plastics' in our council offices	Challenge for: County Hall Caledfryn Russell House	Once action plan approved – arrange challenge around actions – prior to Council (December 2019)	Involvement in project
NEXT STEPS			
The Member Task & Finish Group to explore and investigate options to avoid and reduce plastics in other areas of the council	Next 12 months – focus on initial priority area: School catering	2020-2021	Avoid and reduce plastic throughout the wider council
All staff through their management structures to look at how to avoid or reduce plastics within the council	All services Via all communication channels eg. Visiontime, payslips, etc Considered and monitored by SLT	Recommendation: all staff to consider	Ideas to be considered to avoid and reduce plastics throughout the wider council

Officers' Task & Finish Group

It is noted that many other areas of the council were explored and investigated in the preparation of this report, which included all services. In particular,

- FMU (Schools Catering and Café R)
- FMU (1891, North Wales Bowls, Nova)
- FMU (Council Buildings)
- HES (Waste Management)

Future of Member Task & Finish Group

It is acknowledged that there are many other areas of the council for the group to explore, investigate and make further recommendations for action. It should be noted that polystyrene boxes in schools have been phased out and replaced with a cardboard substitute. Sandwich container options have been investigated in detail, however, it has been identified that replacing plastic would be with materials that are significantly more expensive leading to increased costs that are not currently feasible. However, the Group as a next step are proposing to look at 'School Catering' over the next 12 months.

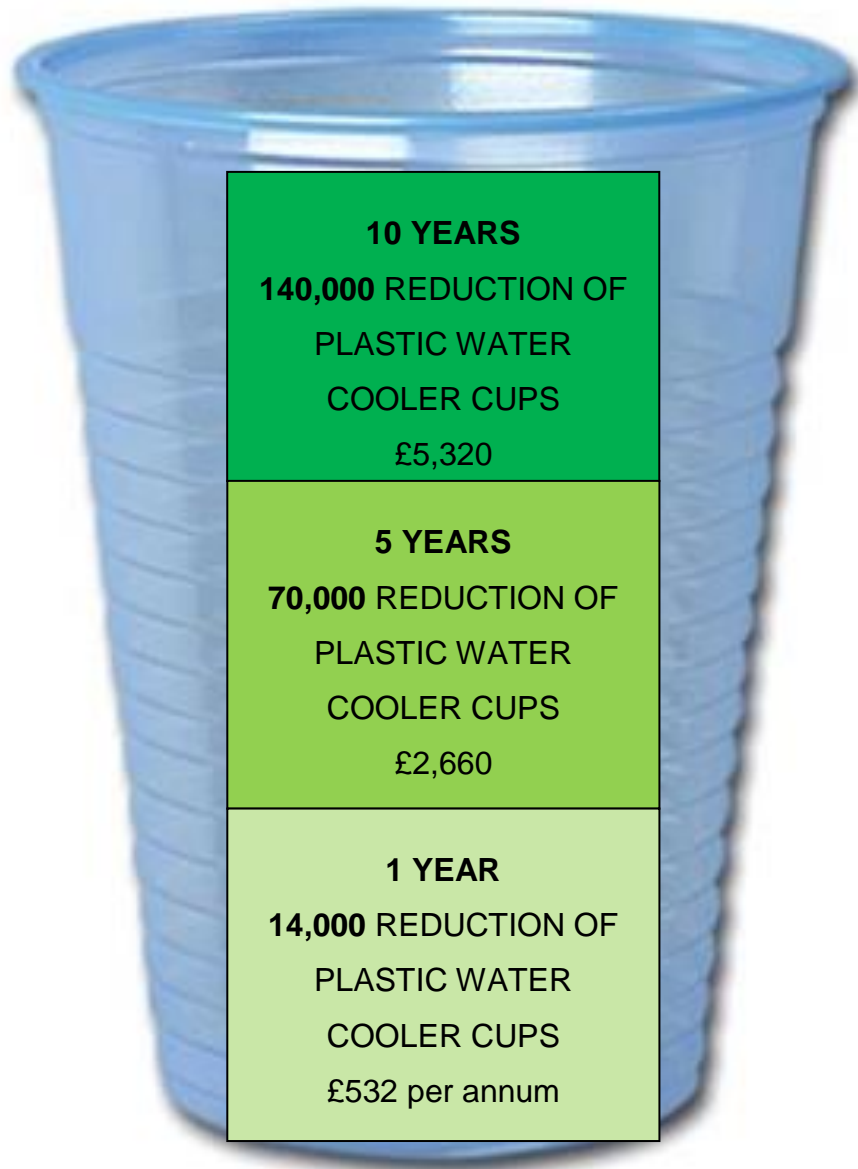
Recommendations are:

1. The proposed Action Plan be approved.
2. The Members' Task & Finish Group to continue their work on avoiding and reducing plastics for a further 12 months to look at the following specific area:
 - a. School Catering
3. The 'avoidance and reduction of plastics within council offices' be a work stream linked to the wider Climate Change and Ecological Emergency response.

Avoidance & Reduction of 'plastics' in Denbighshire County Council Offices

EXAMPLES

Indication of impact of proposal: By no longer supplying 'single use' plastic water cooler cups within our 3 main council buildings – County Hall, Caledfryn and Russell House the following reductions in 'single-use plastic' use would be achieved:



Avoidance & Reduction of 'plastics' in Denbighshire County Council Offices

Think your daily coffee habit at work has no impact?

Think again. It may not seem like a big deal, but single-use coffee cups have a significant, negative impact on the environment.

Many paper cups are coated or have a plastic liner between the paper layers to prevent leakage, or they are made of non-recyclable Styrofoam and therefore cannot be recycled.

So what can you do?



Bring a ceramic coffee cup or travel mug from home to use in work/office

Use a reusable coffee cup when you get coffee 'to go' – either on your way to work or when you're out and about – many coffee shops offer a discount when you do this.

Most of us already have reusable hot beverage containers – find yours in your kitchen cabinet!

9 ways to reduce your plastic use

Making just a few small changes can have a big impact on the amount of plastic we use on a day-to-day basis.

1. Carry a reusable bottle

In the UK we use over 35 million plastic bottles every day! Carrying a reusable bottle is a great way to cut your plastic use and save money too!

2. Say no to plastic straws

Plastic straws are bad news for our oceans. Next time you order a drink, think about whether you need a straw – and if you don't, just say no! You can also ask your local pub to stop adding straws to drinks as standard and offer paper straws to those who want one

3. Take a reusable coffee cup

2.5 billion coffee cups are thrown away every year in the UK – and less than 1 in 400 are recycled. Carry a reusable cup with you – some cafes even offer a small discount if you use your own cup (and if they don't ask them why not!)

4. Avoid excessive food packaging

Whether it's making different choices in the supermarket or choosing a different place to shop, we can all try and cut down the plastic we buy. And as an added bonus, loose fruit and veg is often cheaper than pre-packaged alternatives!

5. Use refill stations for detergents

There are some products where it's difficult to avoid a plastic container (for example washing up liquid or laundry liquid) – the good news is that there are an increasing amount of places where you can refill your old bottles.

6. Say no to disposable cutlery

We've all been there – caught out in a cafe or at a train station when we've bought a salad or a yogurt but the only cutlery on offer is plastic! Whilst it's hard to plan for every opportunity, consider carrying a spoon or fork (or spork!) in your bag or keeping cutlery at work.

7. Get your milk delivered

Although the early morning sound of a milk float is not as common as it used to be, there are still lots of places in the UK where you can get milk delivered in glass bottles – which are then collected and reused.

8. Avoid microbeads

The good news is that the UK government announced a ban on microbeads! However, the ban came into force in 2018, there may still be products on the shelves, so keep checking those labels before you buy and avoid products containing polyethylene (PE), polypropylene (PP), polyethylene terephthalate (PET), polymethyl methacrylate (PMMA), polytetrafluoroethylene (PTFE) and nylon.

9. Carry a shopping bag

Since the plastic bag charge was introduced, there's been a massive 85% drop in their use. Many of us are used to carrying an extra bag with us – if you still find it hard to remember, try a foldaway one that you can carry in your normal day bag.

Avoidance & Reduction of 'plastics' in Denbighshire County Council Offices

Members' Task & Finish Group:

List of Councillor Members:

- | | | |
|--|-------|----------------------------------|
| • Councillor Emrys Wynne | Chair | Plaid Cymru - The Party of Wales |
| • Councillor Martyn Holland | | Welsh Conservatives |
| • Councillor Hugh Irving | | Welsh Conservatives |
| • Councillor Melvyn Mile | | Independent |
| • Councillor Merfyn Parry | | Independent |
| • Councillor Paul Penlington | | Labour |
| • Councillor Glenn Swingler | | Plaid Cymru - The Party of Wales |
| • Councillor Graham Timms | | Labour |

Develop options to reduce plastics usage within Denbighshire County Council

Well-being Impact Assessment Report

This report summarises the likely impact of the proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	658
Brief description:	Progression of the decision taken by the Council on 3rd July 2018 regarding a potential reduction in the Council's use of plastic.
Date Completed:	16/05/2019 16:53:01 Version: 1
Completed by:	Elaine Smith
Responsible Service:	Business Improvement & Modernisation
Localities affected by the proposal:	Whole County,
Who will be affected by the proposal?	Staff, elected members and customers of Denbighshire County Council
Was this impact assessment completed as a group?	Yes

IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

Score for the sustainability of the approach

★ ★ ★ ★ (3 out of 4 stars) Actual score : 22 / 30.

Implications of the score

As the Action Plan is developed, we will consult with whoever is most appropriate and relevant. As we are only now starting to develop the Action Plan, we had not yet addressed longer term consequences in any depth. This will be addressed as the Action Plan develops, in order to secure the legacy of the proposal.

Summary of impact

Well-being Goals

A prosperous Denbighshire

A resilient Denbighshire

A healthier Denbighshire

A more equal Denbighshire

A Denbighshire of cohesive communities

A Denbighshire of vibrant culture and thriving Welsh language

A globally responsible Denbighshire

Neutral

Positive

Neutral

Negative

Neutral

Neutral

Positive



Main conclusions

This project demonstrates a sustainable approach to the environment and contributes positively overall to the well-being goals. The long term consequences of the project need to be further understood, in order to secure a lasting legacy from the project.

Should we find that any changes in procurement are likely to have a negative impact on local businesses, this will be fully explored.

We will continue to involve staff and other interested parties in this project and will also explore any impact upon the shelf-life of foodstuffs produced by or for the Council, resulting from a decrease in plastic packaging.

The potential negative impact upon the well-being goal 'a more equal Denbighshire' is acknowledged, however this is unlikely to be significant. Any negative impact will be fully addressed as the project progresses.

Denbighshire wishes to take a lead in reducing the use of plastic within the Council. We intend to share our learning with other Local Authorities and Public Bodies and will also learn from others who have undertaken similar projects.

Evidence to support the Well-being Impact Assessment

- We have consulted published research or guides that inform us about the likely impact of the proposal
- We have involved an expert / consulted a group who represent those who may affected by the proposal
- We have engaged with people who will be affected by the proposal

THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

A prosperous Denbighshire

Overall Impact	Neutral
Justification for impact	This project will have a neutral impact overall, but may have a positive impact in certain areas of the economy. It is hoped that this project will have a positive impact on a low carbon future. If Denbighshire leads the way with regards to economic development, a change in Council procurement may lead to the growth of alternative providers. However, should businesses not adapt, there is a risk that they will lose the Council's custom.
Further actions required	The Council would want to discuss any changes in procurement should we identify that it would have a significantly negative impact on a business.

Positive impacts identified:

A low carbon society	The use of plastics within Denbighshire County Council will be reduced. This may have a positive impact for a low carbon society.
Quality communications, infrastructure and transport	This will have a neutral impact for the project.
Economic development	The project may provide opportunities for procurement from alternative suppliers. The Council intends to take a lead in reduction of plastics in the County, this may impact upon procurement.
Quality skills for the long term	There is no anticipated impact
Quality jobs for the long term	There is no anticipated impact
Childcare	There is no anticipated impact

Negative impacts identified:

A low carbon society	At this stage we do not anticipate that there will be any negative impacts for a low carbon society.
Quality communications, infrastructure and transport	At the same time, we do not anticipate that this will have a negative impact.
Economic development	If businesses fail to adapt, then they may lose the Council's custom.
Quality skills for the long term	At the same time, we do not anticipate that this will have a negative impact.
Quality jobs for the long term	At the same time, we do not anticipate that this will have a negative impact.
Childcare	At the same time, we do not anticipate that this will have a negative impact.

A resilient Denbighshire

Overall Impact	Positive
Justification for impact	This project will have a positive impact overall because the project aims to reduce the use of plastics, which has a positive impact upon the environment overall.
Further actions required	To maximise the positives, robust research will inform our recommendations. We are encouraging the involvement of staff, to engage them in the recycling agenda.

Positive impacts identified:

Biodiversity and the natural environment	The Council's contribution to the wider picture is a small one, nevertheless, if recycling behaviours can be improved, this will have a positive impact on the environment.
Biodiversity in the built environment	Not applicable
Reducing waste, reusing and recycling	By its very nature, this project will have a positive impact on reducing waste, reusing and recycling.
Reduced energy/fuel consumption	The use of plastics within Denbighshire County Council will be reduced, this may have a positive impact upon reduced energy/fuel consumption.
People's awareness of the environment and biodiversity	This project increases people's awareness of the environment and biodiversity.
Flood risk management	This will have a neutral impact for the project.

Negative impacts identified:

Biodiversity and the natural environment	At the same time, we do not anticipate that this will have a negative impact.
Biodiversity in the built environment	At the same time, we do not anticipate that this will have a negative impact.
Reducing waste, reusing and recycling	At the same time, we do not anticipate that this will have a negative impact.
Reduced energy/fuel consumption	At the same time, we would want to ensure that this project will not have a negative impact.
People's awareness of the environment and biodiversity	We do not anticipate that the project will have a negative impact on awareness of the environment and biodiversity.
Flood risk management	At the same time, we do not anticipate that this will have a negative impact.

A healthier Denbighshire

Overall Impact	Neutral
Justification for impact	At this stage in the project's development we don't anticipate that there would be any positive or negative impact upon the health of Denbighshire.

Further actions required	We will manage or minimise negatives and maximise positives by exploring further the options for packaging of food, given that plastic packaging extends the shelf life of foodstuffs.
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Positive impacts identified:

A social and physical environment that encourage and support health and well-being	Whilst research indicates that disposal of plastics will ultimately impact upon our health, our contribution to this agenda is acknowledged to be very small.
Access to good quality, healthy food	We acknowledge that plastic prolongs the shelf life of food but anticipate that the impact would be neutral. This will be explored in more detail by the project.
People's emotional and mental well-being	This will have a neutral impact for the project.
Access to healthcare	This will have a neutral impact for the project.
Participation in leisure opportunities	This will have a neutral impact for the project.

Negative impacts identified:

A social and physical environment that encourage and support health and well-being	At the same time, we do not anticipate that this will have a negative impact..
Access to good quality, healthy food	At the same time, we do not anticipate that this will have a negative impact.
People's emotional and mental well-being	At the same time, we do not anticipate that this will have a negative impact.
Access to healthcare	At the same time, we do not anticipate that this will have a negative impact.
Participation in leisure opportunities	At the same time, we do not anticipate that this will have a negative impact.

A more equal Denbighshire

Overall Impact	Negative
Justification for impact	Based on our findings above, there is a potential negative impact; however should this transpire, we would anticipate that this would be minimal. We consider that any negative impact would be outweighed by the long term positives of the project.
Further actions required	The project aims to procure goods at similar prices to those already procured. In which case, there will be a minimal negative output.

Positive impacts identified:

Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation	This will have a neutral impact for the project.
People who suffer discrimination or disadvantage	This will have a neutral impact for the project.
Areas with poor economic, health or educational outcomes	This will have a neutral impact for the project.
People in poverty	This will have a neutral impact for the project.

Negative impacts identified:

Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation	We do have an awareness that some disabled people need to use plastic straws, and account is taken of this in our proposals.
People who suffer discrimination or disadvantage	There could be a potential increase in cost for goods that the Council sells
Areas with poor economic, health or educational outcomes	There could be a potential increase in cost for goods that the Council sells
People in poverty	There could be a potential increase in cost for goods that the Council sells

A Denbighshire of cohesive communities

Overall Impact	Neutral	Page 107
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Justification for impact	We have considered the above statements and do not consider that our project will have other than a neutral impact
Further actions required	It is hoped that staff and elected members can be encouraged to improve the amount and quality of their personal recycling, and to share their improved knowledge regarding recycling with others.

Positive impacts identified:

Safe communities and individuals	This will have a neutral impact for the project.
Community participation and resilience	This will have a neutral impact for the project.
The attractiveness of the area	If awareness of the importance of recycling is raised, there is a small potential for improvement in the attractiveness of the area resulting from decreased littering.
Connected communities	This will have a neutral impact for the project.
Rural resilience	This will have a neutral impact for the project.

Negative impacts identified:

Safe communities and individuals	At the same time, we do not anticipate that this will have a negative impact.
Community participation and resilience	At the same time, we do not anticipate that this will have a negative impact.
The attractiveness of the area	At the same time, we do not anticipate that this will have a negative impact.
Connected communities	At the same time, we do not anticipate that this will have a negative impact.
Rural resilience	At the same time, we do not anticipate that this will have a negative impact.

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact	Neutral
Justification for impact	Dependent upon where products are purchased from, there is unlikely to be any impact upon culture and welsh language. However, we will aim to ensure that any potential impact is positive.
Further actions required	Wherever possible, where actions are taken, opportunities to promote the Welsh language will be considered.

Positive impacts identified:

People using Welsh	This will have a neutral impact for the project.
Promoting the Welsh language	This will have a neutral impact for the project.
Culture and heritage	This will have a neutral impact for the project.

Negative impacts identified:

People using Welsh	At the same time, we do not anticipate that this will have a negative impact.
Promoting the Welsh language	At the same time, we do not anticipate that this will have a negative impact.
Culture and heritage	At the same time, we do not anticipate that this will have a negative impact.

A globally responsible Denbighshire

Overall Impact	Positive
Justification for impact	Denbighshire will make a positive contribution to global wellbeing overall
Further actions required	Denbighshire will make a positive contribution by sharing learning with other authorities, and will learn from initiatives undertaken by other public bodies.

Positive impacts identified:

Local, national, international supply chains	There is potential, if local suppliers are identified, to have a positive impact upon local supply chains
Human rights	This will have a neutral impact for the project.
Broader service provision in the local area or the region	This aligns with discussions being held sub-regionally and regionally at a Public Service Board level. Denbighshire will make a positive contribution to global wellbeing overall

Negative impacts identified:

Local, national, international supply chains	Again, this could be negative if alternative local suppliers cannot be found
Human rights	At the same time, we do not anticipate that this will have a negative impact.
Broader service provision in the local area or the region	At the same time, we do not anticipate that this will have a negative impact.

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Report to	Council
Date of meeting	28 th January 2020
Lead Member / Officer	Cllr Brian Jones, Cllr Tony Thomas, Cllr Graham Timms / Judith Greenhalgh (Chief Executive)
Report author	Helen Vaughan-Evans (Project Manager)
Title	Climate and Ecological Emergency- Progress Report on Council Motion

1. What is the report about?

1.1 This report is about the progress being made by the cross-party Climate and Ecological Emergency working group in implementing the actions contained within the Climate and Ecological Emergency Declaration Council Motion.

2. What is the reason for making this report?

2.1 To provide information regarding the work done to date.

3. What are the Recommendations?

3.1 For Council to note the progress made by the Climate and Ecological Emergency cross-party working group and the proposal to implement a programme management structure by 31st March 2020 to deliver on our ambitions as set out in the motion.

3.2 For Council to note the imminent (01.04.20) Welsh Government (WG) requirement on scope and reduction of carbon emissions which will form the basis of our action plans.

3.3 For Council to note the date for a public meeting (25.02.20) to gather public ideas to feed into on our developing plans.

4. Report details

4.1 Current activity

4.1.1 There is a range of activity that has been and already being delivered by the Council which is contributing to our climate change and ecological improvement ambitions. This includes work delivered under and across our existing corporate plan, which includes an 'Environment' priority. Please see Appendix A for the range of activity.

4.2 The Motion contained a set of actions and a progress update is provided below.

4.3 Immediately declare a Climate and Ecological Emergency

4.3.1 This was passed unanimously by Council Motion on 2nd July 2019 and committed the Council to a set of actions contained within it. Please see Appendix B for the Motion.

4.4 Commit to making the authority net carbon zero by 2030 at the latest

4.4.1 It is the intention for the Council to align itself with the WG target contained within the "Prosperity for All: Transition to a Low Carbon Wales" action plan for "the public sector to become net carbon zero by 2030" and to participate consistently with the new greenhouse gas reporting mechanism WG will be launching on 1st April.

4.4.2 To become net carbon zero the Council needs to reduce its carbon emissions as much as is practical and then off-set the remaining emissions via carbon sequestration. We currently monitor and target reduction in our scope 1 and 2 emissions. It is likely that we will be required to monitor and target reduction in scope 3 emissions too following WG announcement in April 2020. Please see Appendix C for a list of what is likely to be included in scope 1, 2 and 3 emissions.

4.5 Set up a task and finish group to draw up a clear plan within 6 months to achieve the above, including ways to enhance biodiversity in Denbighshire

4.5.1 A cross party political working group has been set up chaired by Cllr Graham Timms. Please see Appendix D for task and finish group membership.

4.5.2 The Council's Climate and Ecological Emergency declaration has been interpreted into the following priorities for the Council:

- For the Council to become a net carbon zero organisation at the latest by 2030.

- For the Council to become an ecologically positive organisation at the latest by 2030.

For a brief description on both those priorities see Appendix E. This will be further developed by officers in the coming months.

4.5.3 These priorities go beyond current work being undertaken within the Environment Priority within the Corporate Plan 2017-2022 and within Business as Usual in terms of ambition, scope of emissions, timescale and current allocated resource. Thus it is recommended that a new programme management structure is established supported by dedicated project manager to provide the delivery framework to develop, source funding and deliver upon net carbon zero and ecologically positive actions. Please see Appendix F for an example programme management structure which will adapt as the action plans develop. The development of the net carbon zero and ecologically positive action plans will continue over 2020/21 and will feed into the Council's 2021/22 budget process.

4.5.4 There are number of pieces of work that have been identified early as “kick start” actions which are practical, feasible and affordable and have the potential to make a significant difference. These are outlined in Appendix G.

4.6 Call on the Welsh Government and UK Government to provide assistance and resources to enable us to reduce greenhouse gas emissions and enhance biodiversity

4.6.1 A letter will be sent to Lesley Griffiths AM (Minister for Environment, Energy and Rural Affairs) from Cllr Brian Jones requesting that they assist the Council financially.

4.7 Work with partners across the public, private and third sector to help solve this climate and ecological emergency

4.7.1 The Conwy and Denbighshire Public Service Board (PSB) is and will continue to be the mechanism for cross public sector work on carbon reduction and biodiversity improvement. Please see Appendix H for our PSB's Environment Priority description.

4.7.2 Opportunities have been taken to provide signposting to businesses within Denbighshire on the support available on low carbon and biodiversity improvement matters provided by others (e.g. the Carbon Trust) via the Economic Development teams email update to businesses and via their social media platforms.

4.7.3 A public meeting is being organised on 25.02.2020 where representatives from environmental improvement community and school groups can give their ideas to feed into the Council's developing plans.

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

5.1 Whilst the Climate and Ecological Emergency transcends the Council's current priorities as expressed within the Corporate Plan 2017-2022, this work will make a direct contribution to the current Environment Priority (specifically 15% carbon reduction target and planting 18,000 more trees by 2022).

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

6.1 For the Council to become a net carbon zero and ecologically positive organisation at the latest by 2030 will require investment both revenue and capital to develop, implement, manage and monitor interventions to bring about the accelerated change required.

6.2 DCC financial budgets need to clearly align with the Council's climate and ecological priorities to ensure that the actions needed to achieve our targets are backed up by investment. Work is still ongoing on estimating the scale of this investment but we know it will be beyond the resources currently allocated 2020/21 onwards. Opportunities to apply for external funding, deliver invest to save and income generating projects will be maximised upon.

6.6 Impact on staff and other services

6.6.1 It is in the gift of all staff and councillors to contribute to carbon reduction and ecological improvement in the way they behave whilst at work. Operating our Council in a low carbon and ecologically positive way will require us to design and deliver our services in a different way and will involve policy change. Such changes can be captured within service business plans.

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

7.1 A WIA has not been undertaken at this time but will be to inform the development of our action plans.

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

8.1 Plans have been and will continue to be developed in consultation with the political working group and officers across service areas. Public feedback on the Council's developing plans will be sought via an online consultation (21.01.20 – 25.02.20) and a Public Meeting being held on 25th February.

9. Chief Finance Officer Statement

9.1 It is likely that significant investment will be required to address the issues and ambition highlighted in this report. Although it is important that external income sources are identified and maximised it is still likely that we will need to identify and earmark Denbighshire County Council resources also. In view of this a proposal to earmark £200k cash (one-off funding) from the Budget Mitigation Reserve in order to help progress the net carbon zero and ecologically positive work, has been included in the Budget Proposals recommended by Cabinet to Council. Further medium and long term investment will be considered during the Budget Process for 2021/22 and beyond as the details plans and funding schemes are put together.

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

10.1 Please see Appendix I.

11. Power to make the decision

11.1 Although a decision is not being sought in this paper, Appendix J provide a brief description of the legislative context for the net carbon zero and ecological positive agendas.

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Appendix A – An example of the range of things the Council was and is already doing to reduce carbon, increase carbon sequestration and improve ecology

- Energy reduction programme in Council buildings
- On-going rationalisation of the corporate estate
- Council housing energy efficiency work and new build Council Housing being constructed to 'A' or 'Passivhaus' standards
- Tree planting and natural flood management
- New fleet strategy (electric first) being rolled out along with electric charging points
- Using Council land and verges as green space for biodiversity
- Staff flexible, home and remote working policies and practices
- New buildings to BREAM excellent standards
- All electricity we use is purchased from renewable sources
- Renewable energy generation in or on our buildings has doubled and is growing
- Invested in – and now open – 2 energy-from-waste plants

Appendix B – Climate and Ecological Emergency Council

Motion

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

“We are facing a Climate and Ecological Emergency

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

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

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

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

Denbighshire County Council will

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

Appendix C- The sources of emissions DCC is likely to need to baseline, monitor and report progress in reducing as part of the Welsh Government greenhouse gas reporting regime

Scope 1	Scope 2	Scope 3
<ul style="list-style-type: none"> • Burning (use) of gas, LPG and oil used to heat the Councils owned assets • The burning of biofuels in Council owned assets • Petrol, diesel, etc. used to run the Councils owned vehicles 	<ul style="list-style-type: none"> • Electricity used in the Councils owned assets • Refrigerants used in the Councils owned assets 	<ul style="list-style-type: none"> • The goods and services the Council buys with revenue funding including upstream and downstream transportation and distribution • The capital goods the Council buys including upstream and downstream transportation and distribution • The waste generated by the Council from the Council's own operations • The petrol diesel etc. used by staff when travelling on business within business hours • The petrol diesel etc. used by staff when commuting from their homes to work

Scope 1	Scope 2	Scope 3
		<ul style="list-style-type: none"> • The energy, water and waste produced by assets the Council leases from others • The energy, water and waste produced by assets the Council leases to others minus the proportion assigned to other lessees
Carbon emissions removals	<ul style="list-style-type: none"> • Removal of carbon by trees and other habitats across the Council's estate. 	

Appendix D- Membership of Climate and Ecological Emergency cross party political working group

Councillor representation:

Arwel Roberts

Barry Mellor

Bobby Feeley

Brian Jones

Graham Timms (Chair)

Gwyneth Kensler

Joe Welch (Vice Chair)

Tony Thomas

Officer representatives:

Joel Walley (Ecology Officer)

Judith Greenhalgh (Chief Executive)

Helen Vaughan-Evans (Project Manager)

Martyn Smith (Energy Projects Officer)

Nicola Kneale (Strategic Planning Team Manager)

Tom Booty (Lead Officer – Strategic Asset Management)

Tony Ward (Head of Highways & Environmental Services)

Appendix E- Brief description of DCC's Climate and Ecological Emergency priorities

For the Council to become a net carbon zero organisation at the latest by 2030

By which we mean the total carbon emitted as a Council from scope 1, 2 and 3 sources is equal or less than the total carbon sequestered (absorbed) by trees, habitat and land management regimes on Council owned land.

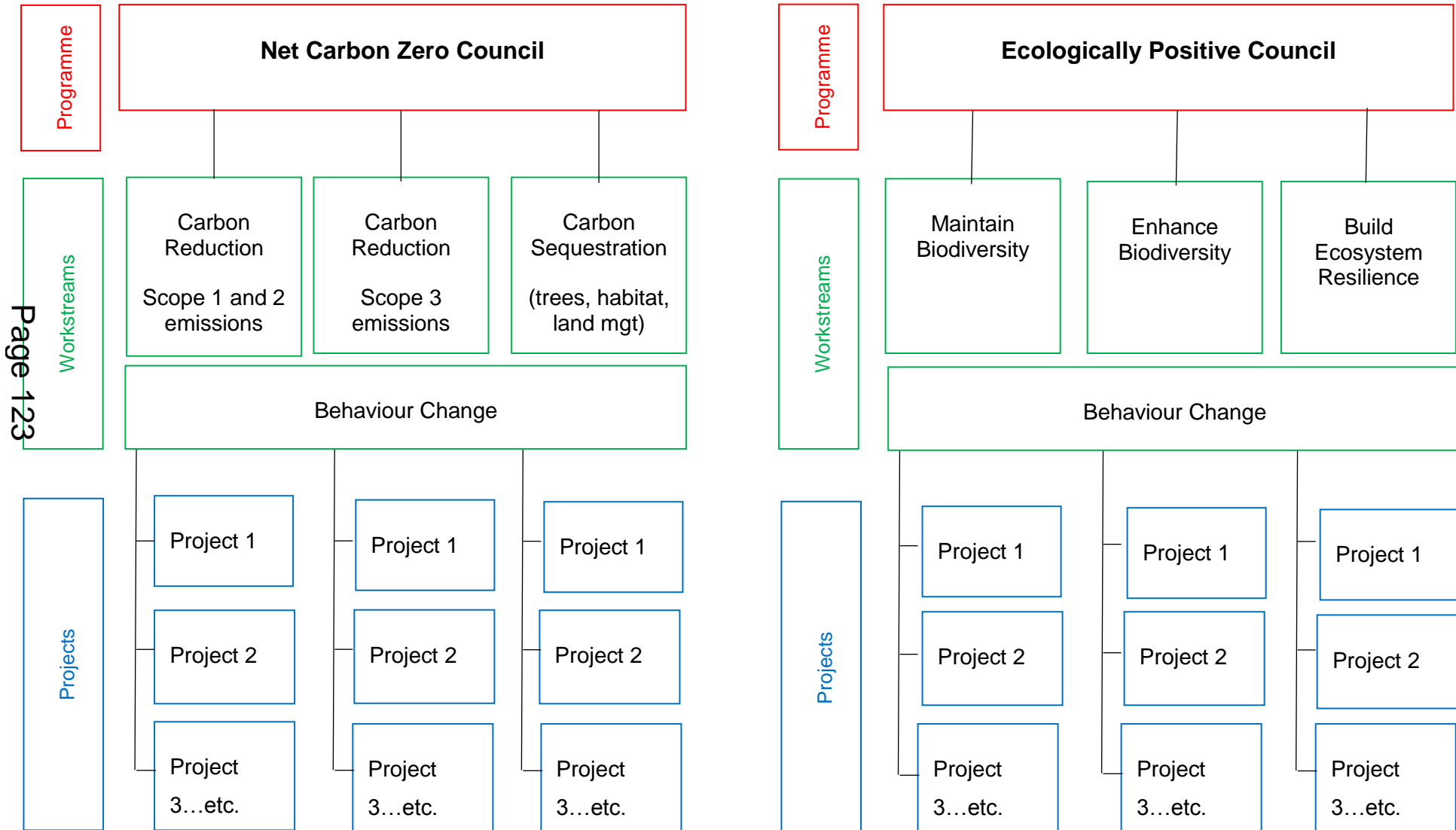
The focus will first be on reducing our carbon emissions as far and as fast as is pragmatic and practical. We will not be able to decarbonise completely and we will seek to offset our remaining carbon footprint by increasing the extent and/or concentration of trees, habitat and land management regimes which absorb carbon. Opportunities for carbon sequestration work contributing to our ecological positive ambitions and vice versa will be both taken and maximised upon.

For the Council to become an ecologically positive organisation at the latest by 2030

By which we mean that how we conduct all our business - the projects, operations and interventions we undertake as a Council- delivers ecosystems that are diverse, connected, adaptable and resilient and to the scale, extent and condition that maintains and enhances biodiversity.

A project by project, intervention by intervention, activity by activity approach will be taken. Every project, intervention or activity the Council undertakes, officers will be expected to review the biodiversity value and impact and deliver the activity in a way that provides a positive impact for ecology. Opportunities for ecologically positive work contributing to our carbon sequestration requirements and vice versa will be both taken and maximised upon.

Appendix F – An example of a programme structure for the delivery of a Net Carbon Zero and Ecological Positive Denbighshire County Council



Appendix G- Example “Kick Start” Actions that the Council looks to progress in 2019/20 and 2020/21

- Receive and act upon Staff Council suggestions for the Council to become net carbon zero by 2030
- Include ‘environmental’ implications on all reports
- Re-evaluate required standards for new build properties – BREAM excellent does not necessarily equal low emissions
- Extending vehicle charging networks on Council properties to encourage staff to switch to electric
- Evaluate what emission reductions could be achieved within our estate for a modest investment and develop business cases
- Identify the top 5 ‘carbon intensive’ Council processes and re-engineer them
- Develop and implement pilot ‘off gas’ school solutions
- Assess and identify opportunities for further tree planting
- Explore solar energy generation feasibility and business case
- Consider changes to planning requirements as part of LDP process

Appendix H - Conwy and Denbighshire Public Service Board Environment Priority Overview

PSB environment priority overview – Conwy & Denbighshire PSB



Place – Supporting Environmental Resilience

What we want to achieve

- Support people and communities to understand what positive differences they can make to reduce their impact on it.
- Promote ways we can all reduce our carbon footprint.
- Understand what each of our PSB partners are doing in term of addressing their ecological footprint and how we can bring this all together.
- Focus on sustainable procurement to ensure we're not having an adverse impact on the environment when we're buying goods and services

The impact we want

- Our communities and PSB partners to do their bit and actively take steps to reduce their footprint.
- To make sure the natural environment provides a space for our residents, visitors and workers to make the most of and which benefits their health and well-being.
- Improve the consistency between PSB partner organisations, by working towards the same environmental policies, standards and targets.

What we're doing

Environment Position Statement

- We've set up a sub-group to develop the above which outlines what frameworks we'll work towards, steps we'll take & includes good practice areas

Community Green Pledges

- We've developed a scheme where communities can pledge to make green changes across 5 areas.
- This was approved by the PSB in July and we're currently working on a communication plan to launch the scheme.

Note: A North Wales PSB Environment workshop was held 18th September 2019 and proposals for more regional coordination across North Wales' PSB's is being developed.

Appendix I- Key risks to DCC’s ambition to become a net carbon zero and ecologically positive Council

Title	Inherent Risk	Mitigating Action	Residual Risk
<p>No annual consistent commitment of resources (capacity and money) to develop and deliver net carbon zero and ecologically positive projects meaning actions are not delivered and benefits are not realised, risk of reputational damage to the Council if don't meet carbon reduction and sequestration targets, risk of legal challenge under Civil Contingency's Act as Council failing to act sufficiently under the declared Climate and Ecological Emergency</p>	<p>1A</p>	<ul style="list-style-type: none"> • Lobbying Welsh Government to provide financial assistance on this agenda • Corporate buy in and high level leadership to adopt net zero carbon and ecologically positive programmes and implement carbon reduction, carbon sequestration and biodiversity improvement projects • Resource commitment for project management support for the programmes • Resource commitment for specialist project officers in both carbon reduction and ecological improvement spheres. • Buy-in by senior management to ear mark funds-capital and revenue to deliver projects including land acquisition. • Investigation of funding pools and development of regular funding bids to deliver projects. 	<p>3D</p>
<p>The change in climate over the different seasons (e.g. warmer, wetter) causing increases in type or/and number of invasive and non-native species putting the biosecurity of DCC land at risk</p>	<p>2B</p>	<ul style="list-style-type: none"> • Actively monitor invasive/non-native species presence • Take deliberative action to remove invasive/non-native species and preventive work to avoid colonisation • Take proactive progressive action to building native species habitat resilience 	<p>3B</p>

Title	Inherent Risk	Mitigating Action	Residual Risk
Resistance or/and ambivalence by officers, our service providers or/and our service users to the changes required to deliver the benefits of net carbon zero and ecologically positive	1C	<ul style="list-style-type: none"> Proactive, constructive and sensitive communication and engagement campaign to encourage positive behaviours Empowering staff, teams and service areas to contribute personally and professionally to meeting DCC's ambitions 	4D
Ash die back across our tree estate is worse than expected meaning tree cover is reduced significantly (necessarily) reducing carbon sequestration	2C	<ul style="list-style-type: none"> That the council develops an Ash Dieback Action Plan, and that additional resources are identified to enable this. Assessment undertaken of ash trees on DCC land and adjacent to DCC land/highway and an Ash Dieback Action Plan developed That any precautionary felling is done asap to prevent spread of disease. That recovery strategy is developed with carbon sequestration and biodiversity improvement in mind with favourable replanting/habitat/land management ratio. 	3D
Extreme Weather causing diversion of resource to respond to unplanned response, accelerated biodiversity negative impact and increasing energy consumption from assets and fleet in response to out-of-ordinary cold	3B	<ul style="list-style-type: none"> Take a 'worst first' management approach to buildings so assets are in the best shape to efficiently respond to weather Deliver projects to build ecosystem resilience addressing their Diversity, Connectivity, Scale and Extent, Condition and Adaptability. Ensure cost in relation to responding to extreme weather events in our frontline services is captured in a clear and transparent way so that a successful Belbin 	4B

Title	Inherent Risk	Mitigating Action	Residual Risk
		<p>claim can be made to government after large scale events</p> <ul style="list-style-type: none"> • Corporately provide sufficient budget contingency to be able to respond effectively to smaller scale more frequent extreme weather events whilst continuing to deliver day to day service. • Ensure emergency planning structures and roles are properly understood, resourced and tested. 	
Continually emerging technology in the low carbon sphere which challenges our experience and/or is difficult to incorporate/install into existing energy/asset infrastructure	3B	<ul style="list-style-type: none"> • Keeping abreast of technological developments and attend training. • Build officer confidence to trial it and install new technologies. • Actively seek innovation funding, such as from Innovate UK, to share cost of risk with external funder. 	4B
The interaction of trees, habitat and land management regimes on DCC land with farmland across Denbighshire (82% of land area) with potential changes in agricultural practice post Brexit causing unintended negative biodiversity/ecological consequences	2D	<ul style="list-style-type: none"> • Understand the changes to farming industry post Brexit • Work with and collaborate with NFU Wales and our farmers • Develop and deliver joint ecologically positive projects with landowners adjacent to our own land 	3D
Change in carbon reduction and biodiversity improvement required by national Climate Change and Biodiversity targets meaning we need to accelerate or/and adjust our action plans	3D	<ul style="list-style-type: none"> • Ear mark capacity to adapt activity and re-adjust projections • Design and build in flexibility and scalability to our net carbon zero and biodiversity net positive action plans • Horizon Scan regularly to pre-empt any potential changes and adapt as a Council sooner 	4D

Likelihood	A - Almost Certain					
	B - Highly Likely					
	C - Probable					
	D - Possible					
	E - Rare					
		5 - Very Low	4 - Low	3 - Medium	2 - High	1 - Very High
		Impact				

Appendix J – Summary description of legislative context

In 2015, the Welsh Government published the national biodiversity strategy “The Nature Recovery Plan for Wales” with the ambition to “halt the decline in biodiversity by 2020 and then reverse the decline, for its intrinsic value, and to ensure lasting benefits to society”.

The Environment (Wales) Act 2016 set a target of reducing carbon emissions by at least 80% by 2050 (from their pre-1990 levels) as well as within Section 6 placing a statutory duty on all public authorities to “seek to maintain and enhance biodiversity”, and in so doing “promote the resilience of ecosystems”. New targets were adopted in law by UK Government in June 2019, a move backed by Welsh Government, to bring all greenhouse gas emissions to net zero by 2050.

In 2017, the Cabinet Secretary for Environment and Rural Affairs declared an ambition for the public sector in Wales to be carbon neutral by 2030. In 2019, the Welsh Government published Wales’ Low Carbon Delivery Plan “Prosperity for All: A Low Carbon Wales” which contained a requirement for “public sector to baseline, monitor and report progress towards carbon neutrality” (policy 20).

NOTICE OF MOTION

Notice of Motion put forward by Councillors Brian Blakeley, Gwyneth Kensler and Julian Thompson-Hill for consideration by Full Council:

“This Council resolves:

- To require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- To actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- To write to the Welsh Government urging them to utilise any levers at their disposal to mitigate any negative impacts on animals and vulnerable people of the hosting of fireworks displays;
- To write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays;
- To encourage local suppliers of fireworks to stock “quieter” fireworks for public display.

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NOTICE OF MOTION

Notice of Motion put forward by Councillor Joan Butterfield for consideration by Full Council:

This local authority notes that since being established in 2006, Show Racism the Red Card (Wales) has worked with over 150,000 young people in Wales. Show Racism the Red Card education workers have witnessed for some years now growing anti-immigrant sentiment and anti-Muslim hatred to add to the older more established types of racism. They have become increasingly worried about the way in which migrant communities are being demonised for societal problems which have varied and complex causes.

This council notes that:

- Hate crime continues to increase across the UK with racially and religiously motivated hate crime accounting for over 80% of all hate crime in Wales.
- The majority of referrals to Wales Extremism & Counter-Terrorism Unit (WECTU) are of individuals between 15 and 20 years of age.
- An NSPCC investigation found that Welsh Police Forces have logged nearly 600 race hate offences against children over a 3-year period (2015 to 2018), with 240 of these crimes recorded last year (17/18), with toddlers and babies among the victims.
- The charity surveyed 1,000 teachers and school support staff during Spring Term 2019 with results showing that 1 in 4 respondents had observed, responded to or had a pupil report racial discrimination in the previous 12 months.

This Council therefore resolves to: -

- Consider the results of our 2019 survey as part of the councils Strategic Equality Plan
- Consider commissioning the Show Racism the Red Card schools programme that will educate young people and teachers on addressing local issues
- Commit to adhering to best practise that 'schools should report and record all incidents of racism and report to councils annually' Estyn/WAG.

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NOTICE OF MOTION

Notice of Motion put forward by Councillor Rhys Thomas for consideration by Full Council:

“In relation to the Local Government (Wales) bill and the recent member training on this subject we ask that this council attempts to take the lead in attempting to attract as diverse a group of citizens as possible to engage with the local democratic process.

To this end we ask that the Chief Executive and senior officers report back to this full Council in 12 months time with a plan of action as to how a more diverse range of citizens can be encouraged to stand for the council at the next county council elections.

We believe that the steps outlined in the Local Government bill do not go far enough and that Denbighshire could lead the way in promoting citizen engagement in the important role played by county councils.”

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Agenda Item 15

A Notice of Motion for consideration by Full Council put forward by Councillor Rachel Flynn in support of the Plastic Free Prestatyn Group:

- Council must lead by example to remove single use plastic items from their premises
- Council to encourage plastic-free initiatives, promoting the campaign and supporting events
- A representative of the council must be named on the plastic free community steering group.

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COUNCIL FORWARD WORK PROGRAMME

Meeting	Item (Description / Title)		Purpose of Report	Council Decision Required (yes/no)	Lead member and Contact Officer
25 February 2020	1	Council Tax 2020 / 2021	To set the level of Council Tax	Yes	Cllr Julian Thomson-Hill / Steve Gadd
	2	Treasury Management Strategy Statement & Prudential Indicators	To approve the TMSS and Prudential Indicators	Yes	Cllr Julian Thomson-Hill / Steve Gadd
	3	Capital Plan 2019-20 – 2022-23 and Recommendations of the Strategic Investment Group	For Council to - note latest position on the 2019-20 capital plan; support the recommendations of the Strategic Investment Group; approve the 2020-21 capital plan, and approve the capital strategy report for 2020-21.	Yes	Cllr Julian Thomson-Hill / Steve Gadd / Richard Humphreys
31 March 2020	1	Annual Review of Political Balance	To consider current political balance issues of the Council's committees	Yes	Cllr Richard Mainon / Steve Price
	2	Arrangements for the election of Chair and Vice Chair of Council	To agree the process and candidates to be formally elected at the Council's Annual meeting in May 2019	Yes	Gary Williams / Steve Price
	3	Pay Policy Statement 2020 / 2021	To see Council approval for the 2020 / 2021 Pay Policy Statement.	Yes	Cllr Richard Mainon / Catrin Roberts / Sophie Vaughan
12 May 2020	1	Annual Report of the Scrutiny Committees	To review the Annual Report	No	Chair of the Scrutiny Chairs Group / Rhian Evans / Steve Price

COUNCIL FORWARD WORK PROGRAMME

7 July 2020	1	Annual Performance Review Corporate Plan 2017-2022	To consider current performance against Corporate Plan priorities 2019- 2020	Yes	Cllr. Julian Thompson-Hill/Iolo McGregor
8 September 2020					
13 October 2020					
8 December 2020					

FUTURE ITEMS

North Wales Growth Bid Governance Agreement 2	To approve the governance arrangements in relation to the implementation of the growth deal.	Cllr Hugh Evans / Graham Boase / Gary Williams	TBC
Annual Report of the Standards Committee	To consider the Annual Report	Chair of the Standards Committee / Gary Williams	TBC
Annual Report of the Corporate Governance Committee	To consider the Annual Report	Chair of the Corporate Governance Committee / Gary Williams	TBC

Note for Officers – Full Council Report Deadlines

COUNCIL FORWARD WORK PROGRAMME

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
		<i>February 2020</i>	11 February 2020	<i>March 2020</i>	17 March 2020
<i>May 2020</i>	28 April 2020	<i>July 2020</i>	23 June 2020	<i>September 2020</i>	24 August 2020
<i>October 2020</i>	29 September 2020	<i>December 2020</i>	24 November 2020		

Updated 17/01/2020 SLW

Council Forward Work Programme.doc

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Council Briefing Forward Work Programme

Meeting	Item (Description / Title)		Purpose of Report	Lead member and Contact Officer
9 March 2020	1	North Wales Regional Emergency Planning Service	Requested by Scrutiny Chairs and Vice-Chairs Group with a view to giving all councillors an overview of the Service's work, its plans and policies, and how the Service feeds into the work of the Local Resilience Forum	Graham Boase/Neil Culff/Madeleine Henry-Joy
	2	Alternative Delivery Model (ADM) for various leisure related activities/functions	To update Members prior to Denbighshire Leisure Ltd formally taking on the operation of the various leisure related activities and functions on behalf of the Council.	Graham Boase / Siân Lloyd Price
	3	CSSR	To discuss the support staff review	Judith Greenhalgh / Alan Smith
8 June 2020	1	Armed Forces Covenant Awareness Training		Cllr Richard Mainon / Gary Williams/ Stephen Townley, Armed Forces Liaison Officer
	2	New Highways Code of Practice	Requested at Cabinet in January 2020 to raise awareness and explain the Service's approach to reactive highways maintenance.	Tony Ward / Tim Towers / Andy Clark
9 November 2020	1			
	2			

Council Briefing Forward Work Programme