

To: Members of the Partnerships  
Scrutiny Committee

Date: 6 February 2020

Direct Dial: 01824 712554

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Dear Councillor

You are invited to attend a meeting of the **PARTNERSHIPS SCRUTINY COMMITTEE** to be held at **10.00 am** on **THURSDAY, 13 FEBRUARY 2020** in **MEETING ROOM 4, COUNTY HALL, RUTHIN.**

**PLEASE NOTE THAT THERE IS A BRIEFING FOR ALL ELECTED MEMBERS AT 9:15 A.M. IMMEDIATELY PRIOR TO THE MEETING.**

Yours sincerely

G. Williams  
Head of Legal, HR and Democratic Services

## **AGENDA**

### **1 APOLOGIES**

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

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

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

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

### **4 MINUTES OF THE LAST MEETING (Pages 7 - 12)**

To receive the minutes of the Partnerships Scrutiny Committee meeting held on 19 December 2019 (copy attached).

**5 THE COUNCIL AND TRUNK ROAD AGENCY HIGHWAYS GRASS VERGE AND HEDGE MAINTENANCE AND PESTICIDE APPLICATION POLICIES** (Pages 13 - 78)

To receive a report by the Head of Highways, Facilities and Environmental Services on the respective policies of Denbighshire County Council and the North & Mid Wales Trunk Road Agency (NMWTRA) with respect to verge/hedge maintenance and pesticide application (copy enclosed).

10:05am – 11:00am

~~~~~BREAK~~~~~

11:00am – 11:15am

**6 ADDITIONAL LICENSING OF HOUSES IN MULTIPLE OCCUPATION**  
(Pages 79 - 158)

To receive a report by the Built Environment and Public Protection Manager on the Additional Licensing for Houses in Multiple Occupation and to seek the Partnerships Scrutiny Committee's input prior to the public consultation exercise (copy attached).

11:15am – 12:00pm

**7 SCRUTINY WORK PROGRAMME** (Pages 159 - 178)

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

12:00pm – 12:10pm

**8 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

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

**MEMBERSHIP**

**Councillors**

Councillor Jeanette Chamberlain-Jones (Chair)

Councillor Emrys Wynne (Vice-Chair)

Joan Butterfield  
Gareth Davies  
Hugh Irving  
Pat Jones  
Christine Marston

Melvyn Mile  
Peter Scott  
Rhys Thomas  
David Williams

**COPIES TO:**

All Councillors for information  
Press and Libraries  
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## LOCAL GOVERNMENT ACT 2000

### Code of Conduct for Members

### DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a \*member/co-opted member of

*(\*please delete as appropriate)*

**Denbighshire County Council**

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

*(\*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)\**

Signed

Date

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

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## **PARTNERSHIPS SCRUTINY COMMITTEE**

Minutes of a meeting of the Partnerships Scrutiny Committee held in Meeting Room 4, County Hall, Ruthin on Thursday, 19 December 2019 at 10.00 am.

### **PRESENT**

Councillors Gareth Davies, Hugh Irving, Melvyn Mile, Rhys Thomas, David Williams and Emrys Wynne (Vice-Chair)

### **ALSO PRESENT**

Corporate Director: Communities (NS), Head of Community Support Services (PG), Head of Regional Collaboration (BJE), Democratic Services Manager (SP) and Committee Administrator (RTJ)

### **Also in attendance:**

#### Betsi Cadwaladr University Health Board:

Bethan Jones - Area Director

Alison Kemp - Assistant Area Director, Community Services.

Councillors Bobby Feeley, Gwyneth Kensler and Glenn Swingler

## **1 APOLOGIES**

Apologies for absence were received from Councillors Joan Butterfield, Jeanette Chamberlain-Jones, Pat Jones and Peter Scott.

The committee extended condolences to the Scrutiny Coordinator and the translator on recent bereavements. Alongside the condolences the committee also wished Councillor Jeanette Chamberlain-Jones a quick recovery.

## **2 DECLARATIONS OF INTEREST**

Councillor Gareth Lloyd Davies raised a personal interest in agenda items 5, 6, 7 and 8 as he was employed by Betsi Cadwaladr University Health Board.

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

No urgent matters had been raised.

## **4 MINUTES OF THE LAST MEETING**

The minutes of the Partnerships Scrutiny Committee held on 7 November 2019 were submitted.

Matters arising –

- Page 8 – North Wales fire and rescue authority and the employment of a Moorland Officer was raised, there was no additional information on the matter.

**RESOLVED** that the minutes of the Partnerships Scrutiny Committee meeting held on 7 November 2019, be received and confirmed as a correct record.

## 5 DENBIGH INFIRMARY

The Area Director for Betsi Cadwaladr University Health Board (BCUHB), Bethan Jones, introduced the presentation - Denbigh Infirmary. Also in attendance from BCUHB was Alison Kemp, Assistant Area Director, Community services.

The presentation highlighted several areas of Denbigh infirmary, the committee was informed that 17 inpatient beds had been suspended in the Lleweni ward, this reduction meant that 23 beds remained open. The reduction in the beds was alleviated by accommodating other patients in both Ruthin and Holywell. The Lleweni ward would cost approximately £10-£12 million to re-open, the empty ward was temporarily being used to house the Community Resource Team (CRT) in the locality. The next steps for the infirmary were a joint health, social care and third sector project which had been established and funded by Integrated Care Fund capital. The team had drafted specifications for a partner to enable a feasibility study on Health and Social Care facilities in Denbigh, the review would include –

- Strategic direction confirmed in coproduction with stakeholders
- Analysis of current models of care, and to forecast future need
- Development of high level models
- Engagement on the models with core stakeholders, groups with protected characteristics and hard to reach groups
- Wider engagement on shortlisted options with the general public
- Feasibility study and weighted options

During discussion, the following Points were raised:

- The overall loss of beds was queried, and whether there was additional beds available at other infirmaries. Members were informed that there were 5 additional beds available in Ruthin, members were assured that the beds were monitored daily. It was also stated that the intention and target was to ensure that patients' health would improve and they could be moved back into nursing care or their homes.
- The financial special measures that the BCUHB were in were raised, and concerns about cooperation were highlighted due to the financial troubles within BCUHB. Members were informed that the BCUHB were still in special measures. However with the aging population and the continued pressures that cooperation would be beneficial to ensure that patients' needs were being met.

- The committee queried the timescales which were shown in the presentation and others which have been shown in regards to the Denbigh Infirmary, the timescales all differed. It was also outlined that the matters noted in the timescales did not seem to be implemented. Officers responded that it would seem that the work was progressing slowly, this was due to the special measures that the BCUHB were currently in, the work could appear to progress slowly however the work would be completed.
- The committee questioned officers from the BCUHB, whether additional services such as minor injuries could be increased at Denbigh Infirmary which would alleviate pressures on Glan Clwyd. The committee were told that there had already been increases in Denbigh infirmary, x-ray support had been increased, and plans to open on weekends were being discussed.
- carbon impact of the BCUHB was highlighted and whether there were plans to make their buildings more carbon efficient. The committee were informed that there were plans for the BCUHB to decrease the carbon impact from many services.

**RESOLVED** *that the Partnership Scrutiny Committee note the presentation on Denbigh infirmary.*

## **6 NORTH DENBIGHSHIRE COMMUNITY HOSPITAL PROJECT**

The Area Director for Betsi Cadwaladr University Health Board (BCUHB), Bethan Jones, introduced the presentation on North Denbighshire Community Hospital Project. Also in attendance from BCUHB was Alison Kemp, Assistant Area Director, Community services.

The committee were reminded of the background of the project which aimed to modernise the Royal Alexandra Hospital and include new services to the area. The project aimed to build a new clinical unit at the site, alongside refurbishments to the existing grade II listed building. The new services which would be delivered were:

- An inpatient ward,
- Same day services for minor injuries and ailments.
- A wellbeing hub alongside a community café.

The progress with the project was also outlined, which were as followed:

- Welsh Government (WG) gave approval to proceed to Full Business case stage in 2019.
- A project team was mobilised alongside Gleeds a Global Property and Construction Consultants.
- BCUHB and Gleeds re-tendered and confirmed Supply Chain Partner for the scheme as Kier Construction
- A revised affordability model developed as requested by WG.
- Detailed Design, Planning Permission and compilation of Final Business Case in 2020

The schedule for the project would prove difficult. However the officers believed they were achievable, the committee were notified that there would be several key challenges facing the project. These included the ongoing delivery and access by staff and service users during construction and engagement with the public and their perception of delay. The completion of the site would hopefully be in June 2023.

During discussion, the following Points were raised:

- The committee were reassured that the current Royal Alexandra building would remain and the new project would be erected at the rear of the hospital.
- The delays with the project were queried and why they occurred. Responding members were informed that BCUHB had been through turbulent times which did not assist with the project. The delay was not caused by WG, the project was like any other and required a lot of work to ensure it would be achieved. Officers also thanked the local assembly member who had been very supportive of the project.
- The project would take its carbon footprint into consideration whilst building the new clinic and refurbishing the existing Royal Alexandra Hospital.

***RESOLVED*** that the Partnership Scrutiny Committee note the update on the North Denbighshire Community Hospital Project.

**At this juncture (11.30 a.m.) there was a 10 minute break.**

**The meeting reconvened at 11.40 a.m.**

## **7 HEALTH BOARD CAPITAL PROJECTS IN DENBIGHSHIRE**

The Area Director for Betsi Cadwaladr University Health Board (BCUHB), Bethan Jones, introduced the presentation on Health Board Capital Projects in Denbighshire. Also in attendance from BCUHB was Alison Kemp, Assistant Area Director, Community services.

The project which was ongoing was the re-location of services from Mount Street Clinic and the development of Ruthin Community Hospital. There had already been progress carried out with the project, which had been approved by BCUHB on the 5<sup>th</sup> September 2019. Which was then submitted to the Welsh Government (WG) on 6<sup>th</sup> September, and was currently going through the WG scrutiny process. Confirmation of the process was anticipated by WG by early 2020, and development was estimated to take 55 weeks from mobilisation, which would hopefully finish the project in 2021.

Members were informed that the ambulance services which were located at Mount Street Clinic would be relocated at the fire station in Ruthin.

The committee commended the project, and the officers for attending the meeting to answer queries from members.

**RESOLVED** that the Partnership Scrutiny committee note the update on Health Board Capital Projects in Denbighshire

## **8 POOLED BUDGETS AGREEMENT FOR CARE HOME ACCOMMODATION FOR OLDER PEOPLE 2019-20**

The Lead Member for Well-being and Independence introduced the report on Pooled Budgets Agreement for Care Home Accommodation for Older People 2019-20 report (previously circulated) which provided members with updates on several areas of the pooled budget arrangements.

The committee were reminded that in July 2019 that Cabinet received an update on the establishment of the single regional, non-risk sharing pooled fund for care homes accommodation functions. Cabinet agreed for Denbighshire County Council (DCC) to host the function for a period of three years. The committee were informed that the hosting had no financial risk as the function's host, as each authority contributed and grant funding was also used.

The committee were notified that there had been a delay relating to the approval process with the Health Board which delayed the transfer of funds. However the process had since been agreed and the transfer would occur in the third quarter of 2020, it was also stated that confirmation was being sought whether a retrospective transfer of funds for quarters 1 and 2 was needed.

The committee commended the report and the information, however raised concerns about the collaborative nature of the pooled budgets especially with the Health Board as they were in special financial measures, and sought reassurances that there would be no risk to the authority as the host authority for the pooled budgets. The committee were assured that there were no risks to DCC as the host authority as there were appropriate measures in place, to protect itself from financial and reputation risks.

**RESOLVED** that

- i. *The Partnership Scrutiny Committee note the Pooled Budgets Agreement for Care Home Accommodation for Older People 2019-20 report*

## **9 SCRUTINY WORK PROGRAMME**

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

13 February 2020 – That Councillors Brian Jones and Tony Thomas be invited to attend for The Council and Trunk Road Agency Highways Grass Verge and Hedge Maintenance and Pesticide Application Policies.

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

**10 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

None.

**The meeting concluded at 12:05 p.m.**



|                              |                                                                                                                                                                                         |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Report to</b>             | <b>Partnerships Scrutiny Committee</b>                                                                                                                                                  |
| <b>Date of meeting</b>       | <b>13<sup>th</sup> February 2020</b>                                                                                                                                                    |
| <b>Lead Member / Officer</b> | <b>Lead Member for Housing and Communities / Lead Member for Highways, Environmental Impact, Waste and Sustainable Travel / Head of Highways, Facilities and Environmental Services</b> |
| <b>Report author</b>         | <b>Head of Highways, Facilities and Environmental Services</b>                                                                                                                          |
| <b>Title</b>                 | <b>The Council and Trunk Road Agency Highways Grass Verge and Hedge Maintenance and Pesticide Application Policies</b>                                                                  |

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

- 1.1. This report is about the respective policies of Denbighshire County Council and the North & Mid Wales Trunk Road Agency (NMWTRA) with respect to verge/hedge maintenance and pesticide application.

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

- 2.1. This report was requested by members of the Partnerships Scrutiny Committee at its meeting on 11<sup>th</sup> July 2019, following a discussion about the Council's Biodiversity Duty Delivery Plan. As part of that discussion, officers highlighted the Council's policy on verge cutting, which had been amended in order to deliver biodiversity benefits. Members then asked whether our policies were consistent with those of NMWTRA, and requested a discussion on the matter.
- 2.2. Furthermore, a separate request was made to the Scrutiny Chairs and Vice-Chairs Group for a discussion at Scrutiny regarding the use of pesticides in public areas. The Scrutiny Chairs and Vice-Chairs Group approved that request.

2.3. This report is the response to the requests highlighted in 2.1 and 2.2, above. This report, and associated appendices, are therefore presented in order to enable Members to discuss the respective policies of the council and NMWTRA. Officers from both organisations will be present to facilitate a discussion and to answer questions on the respective policies.

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

3.1. That the Committee examine the current policies of both organisations, and make comments and recommendations as deemed appropriate.

### **4. Report details**

#### **Denbighshire County Council policy on maintenance of highway verges**

4.1. Appendix I sets out the Council's policy on the maintenance of highway verges. The policy can also be found on the Council's website at <https://verge-cutting-policy>. The main principle underpinning the policy is that verges must be managed to ensure the safety of all road users. However, verges are also increasingly recognised as important habitats for maintaining biodiversity - to the benefit of species such as bees and other pollinating insects, as living spaces for wild flowers and other wildlife that is being lost from the wider countryside, and as vital wildlife corridors connecting habitats together. The council's policy therefore aims to address these desired outcomes in a realistic and economic way.

#### **Denbighshire County Council briefing note on weed spraying, including the use of pesticides**

4.2. Appendix II sets out the Council's position on the use of pesticide for the purposes of weed control. The briefing note itself contains an Appendix A, which is a Welsh Government Information Note on the use of Glyphosate-based products. Denbighshire County Council's Head of Highways, Facilities and Environmental Services requested this information note from Welsh Government because of concerns raised about the use of Glyphosate by some residents. The reason for requesting the information note was to provide assurance that the Council's position is aligned to the position of Welsh Government.

## **NMWTRA policy on maintenance of highway verges**

4.3. Appendix III sets out the current Welsh Government policy for the maintenance of highway verges. The policy can also be found at

<https://gov.wales/sites/default/files/publications/2017-09/road-verges.pdf>

4.4. NMWTRA are currently awaiting an updated Welsh Government Trunk Road Maintenance Manual (WGTRMM) which provides the Welsh Government specification requirements. For grass cutting, NMWTRA expect it to be based on the guidance provided in the Plantlife document, attached at Appendix IV or downloadable at <https://www.plantlife.org.uk/uk/our-work/publications/road-verge-management-guide>, which Welsh Government, Highways England and Transport Scotland have signed up to.

## **NMWTRA policy on the use of pesticides**

4.5. In respect of pesticide (glyphosate) use, the current Welsh Government policy is as attached at Appendix V, which was issued to Trunk Road Agents and the Welsh Local Government Association by Welsh Government in August 2018.

4.6. For injurious weeds (under the Weeds Act 1959) e.g. ragwort and invasive species e.g. Giant Hogweed see <https://gov.wales/weeds-invasive-non-native-species>.

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

5.1. No decision is being sought by this paper. However, the Council's policy on the maintenance of highway verges does support the corporate priority "to ensure that the environment is both attractive and protected, but also supports community well-being and economic prosperity". One of the specific ambitions within that priority is to "increase the biodiversity quality of important habitats and species across the county".

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

6.1. This paper is provided for information, and it contains no proposals for change which would incur any costs or affect other services.

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

7.1. A Well-being Impact Assessment is generally required for decisions or proposals for change. This paper requests no decision and contains no proposals for change.

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

8.1. As highlighted in 2.1, the Council's policy on verge cutting was subject to a discussion as part of the Partnerships Scrutiny Committee discussion about the Council's Biodiversity Duty Delivery Plan on 11<sup>th</sup> July 2019.

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

9.1. There are no direct financial implications of this report.

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

10.1. The Council's policy on verge-cutting presents risks, but only if it is not applied properly. The main risk relates to the safety of road users, but this is clearly recognised and addressed within the policy. Any risks around the use of pesticides again relate to misapplication, and this is addressed in the briefing note and also within the contract, which is actively monitored via the contract management process.

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

11.1. No decision is being sought by this paper. However, Scrutiny's powers to examine the matter and to review and develop policies is outlined in Sections 7.2 and 7.4 of the Council's Constitution.

## **Denbighshire County Council Highway Rural Verge/Grass Cutting Policy (A, B and Unclassified Roads)**

### **Introduction**

Road verges must be managed to ensure the safety of all road users. They are also increasingly recognised as important habitats for maintaining biodiversity - to the benefit of species such as bees and other pollinating insects, as living spaces for wild flowers and other wildlife that is being lost from the wider countryside, and as vital wildlife corridors connecting habitats together. This policy aims to address these desired outcomes in a realistic and economic way.

### **1. Underpinning duties and responsibilities**

- 1.1 Denbighshire County Council Highway Authority has a legal responsibility to keep its highways available and safe for the passage of the highway user.
- 1.2 Denbighshire County Council also has the duty to (reasonably) maintain and repair the highway and to keep the road surface free from material that might otherwise obstruct or prevent its safe use.
- 1.3 Under Part 1 Section 6 of the Environment (Wales) Act 2016, Denbighshire County Council has a legal duty to 'maintain and enhance biodiversity' where it is within the proper exercise of its functions, and in doing so must seek to 'promote the resilience of ecosystems'. This responsibility is supported by the duties placed upon public bodies by the Well Being and Future Generations (Wales) Act 2015, to maintain long-term sustainability.
- 1.4 Sympathetic management of road verges enables Denbighshire County Council to contribute effectively to the Welsh Government's 'Action Plan for Pollinators in Wales', by providing better and more connected flower-rich habitats both in urban and rural areas.
- 1.5 The 'Well Maintained Highway – Code of Practice for Highway Maintenance' sets out recommendations and good practice for cutting highway verges, including the advice that local authorities should develop their own local standards.
- 1.6 Section 41 of The Highways Act 1980 requires all Highway Authorities to ensure that road users have safe passage along the highway. In relation to vegetation, this has been interpreted to mean that overhanging branches are cut back and that grass is cut, such that forward visibility is not unduly impaired.
- 1.7 In order to fulfil these duties, Denbighshire County Council is required to follow a road verge cutting policy that considers both the needs of the road user as well as the requirements of wildlife.

## **2. Verge Cutting Frequencies**

- 2.1 Verges require cutting both for the safety of road users (including pedestrians) and for maintaining the species they support. The safety of road users is of paramount importance, and visibility splays and public footpaths need to be maintained at key locations. In all other areas, plants should be allowed to flower and set seed before they are cut, and habitat for animal species needs to be maintained. To achieve these aims requires careful attention to be paid to the timing and height of cuts.
- 2.2 Throughout the County there will be one cut per year based on the contract schedule to all grass verges on the Principal and Non-Principal Road network. Principal roads are defined as those roads classified as A or B roads. Non-Principal roads are defined as those roads not classified as A or B roads.
- 2.3 Principal Roads shall be cut after the 1st June with estimated completion by the end of June.
- 2.4 Non Principal Roads shall be cut from the 1st August with estimated completion by the end of September.
- 2.5 Existing Biodiversity Areas, which consist of those Community Councils that are wholly or partly within the Clwydian Range, Dee Valley AONB and those Community Councils that chose to become part of the former Biodiversity Area, will now be absorbed into the whole County cutting schedule as defined in Clauses 2.3 and 2.4 above.

### **Exceptions**

- 2.6 Roadside Nature Reserves will be cut as per their individual management prescriptions.

## **3. Cut Specifications and Standards.**

- 3.1 The minimum height of all cutting undertaken by a tractor and flail will be 100mm. Other equipment (brush cutters etc.) may be used on a limited number of sites where access with a tractor and flail is not possible. In these instances, it may not be possible to cut to a height of 100mm, and the verge may be cut shorter. In all instances, the height of the cut will be such that the top soil is not exposed or disturbed by the cutting activity.
- 3.2 On all roads including 'A' and 'B' roads the swathe shall be no more than 1m wide from the edge of the road, to a height of no less than 100mm. A cut greater than 1m wide may be required at specific locations at the discretion of the Highway Authority for the purposes of Health and Safety. This may result in some roads being cut earlier than the dates stated in clauses 2.3 and 2.4

- 3.3 More frequent cutting may be required to maintain visibility splays in any location deemed necessary. This will be at the discretion of the Highway Authority for the purposes of Health and Safety.
- 3.4 Every effort will be made to delay the cutting of the non-principal road network for as long as possible, to allow flowers to set seed and avoid unnecessarily disturbing wildlife.
- 3.5 A complete cut of the entire verge width may be undertaken at the discretion of the Highway Authority to prevent scrub encroachment onto the verge and to restore forward visibility for health and safety purposes.
- 3.6 To date, the Council has designated eleven Roadside Nature Reserves, for rare/notable plant species and/or habitats, which receive special environmental management as set out in individual site management prescriptions. These are clearly marked with signs on the verge and white square bracket road markings.
- 3.7 The Council will collect grass cuttings from designated Roadside Nature Reserves according to their individual management prescription. The Council will work towards a policy of collecting cuttings from grass verges once resources become available.

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## **APPENDIX II**

Date: 22nd August 2019

Report Version: v3.0

Authors: Mark Evans, Andy Clark, Jon Chapman, Michael Bennion

### **Briefing Note Weed Spraying**

#### **Background**

Weed growth on the Public Highway is unsightly and can result in damage to the surface of the carriageway or footway. It can also impede the flow of surface water into the highway drainage system. To address this issue, Denbighshire County Council undertake a programme of weed spray treatments 3 times a year usually in March, June and September on all urban roads throughout the County. Occasionally the scope of the works will increase to include weed spraying of a proportion of the Principal road network.

The weed spray application is undertaken by Empire Groundcare Ltd who are contracted to the Authority until April 2020 with the option to extend the contract to April 2022.

The chemical used to treat the weeds is Rosate 360TF which contains 360g/litres of Glyphosate mixed with Humimax Oil which is used to aid adherence of the Rosate to the weeds.

Glyphosate is the primary ingredient of a number of weed killing products which has recently been in the news in America. Dewayne Johnson, a 46-year-old former groundskeeper, was successful in a court case recently, with the jury determining that Monsanto's Roundup weed killer caused his cancer and that the corporation failed to warn him of the health hazards from exposure. The principal ingredient of Roundup is Glyphosate. However, It should be noted that Monsanto have contested this judgement and intend to appeal against the recent court ruling.

Glyphosate is the active substance in many herbicides and is widely used around the world. All pesticide active substance approvals are subject to periodic review and the approval of glyphosate has recently gone through this process. In November 2017, the European Union re-approved the continuing use of glyphosate from 16 December 2017. Reviews of the scientific data by the European Food Safety Authority (EFSA) and the

European Chemicals Agency's Committee for Risk Assessment have found no safety concerns that would prevent continuing approval, and UK scientists agree with this assessment. The new approval lasts until 15 December 2022; use beyond that date would be subject to a further decision.

Welsh Government have also issued a recent briefing note following on from the recent legal challenge in America which stipulates that Glyphosate is still an approved product. Refer to Appendix A.

## **Current Position**

As a consequence of the recent court decision and subsequent publicity in America, Denbighshire has received a number of enquiries in respect of our weed spray policy, programme and the chemicals used.

### 1. Legislation

The use, storage and disposal of Plant Protection products are derived from EU Legislation (Directive (EC) No. 2009/128). See [this link to the EU website for details of the legislation](#). The legislation applies in all EU Member States.

[The Plant Protection Products \(Sustainable Use\) Regulations, 2012](#) help implement this legislation in the UK.

The [UK National Action Plan for the Sustainable Use of Pesticides](#) details legislation applicable to users, those who cause or permit use and distributors. It also details other mechanisms and measures we use to ensure products are used, stored and disposed of in a sustainable fashion.

### 2. Compliance

All suppliers that are appointed to undertake weedspraying works on the Public Highway are vetted to ensure compliance with current legislation, codes of practice and Health and Safety. Any supplier using pesticides as part of their professional activities must (including those previously operating under grandfather rights) hold a [recognised specified training certificate](#). Empire Groundcare Ltd are an Amenity Assured Compliant Contractor. The Amenity Assured standard has been developed by key UK organisations which have the responsibility to address the concerns of government, local authorities and many other amenity organisations with regard to amenity weed control.

The aim of the standard is to:

- Set standards
- Audit contractor performance
- Certificate staff and businesses
- Award on merit the associated qualifications

Empire Groundcare Ltd have also attained the following qualifications and competencies:

To comply with legislation, all weed control operatives must have;

- PA1 Handling of pesticides
- PA2 Boom applicator  
And / or
- PA6 hand held applicator

All Empire Ground Care Limited operatives are qualified with PA1 and PA2, four of which have PA6 and PA6AW (on or near water)

To ensure compliance, all companies must have ;

- At least one person with BASIS Nominated Store Keepers licence to control storage and stocks of pesticides
- Each sprayer unit must have been tested under NSTS, National Sprayer Testing Scheme, which ensures all equipment is fit for purpose and operates according to legislation, manufacturers leaflet, codes of practice and best practice.
- Registration with NRoSO, National Register of Sprayer Operators
- Nick Bateman, The Director of Empire Groundcare is a member of the BASIS Training Register

### 3. Chemical Application and rate of spread

All persons applying pesticides in a professional capacity are required to conform to the following;

- Codes of Practice – legislation that specifies training, method of application, environmental protection, record keeping and permissible pesticides to ensure that pesticides are applied whilst achieving the following;

1. Control the weeds in a safe and controlled manner
  2. Protect the public, pets, wildlife, environment and operator
  3. Minimise the amount of pesticides, where possible
  4. Recorded disposal of containers, packaging and pesticides via registered recycling and disposal companies
  5. No weedspraying is undertaken during rainfall and windy conditions.
- Best Practice – guidelines to be applied, where necessary, as an addition to Codes of Practice
  - COSHH Control of Substances Hazardous to Health – A system of controlling the use of any substance in all industries

Products used are Rosate 360TF and Humimax. Humimax is sourced naturally and used as a fertiliser. It is used to aid adherence to and uptake of the herbicide.

- Application rate of Rosate/Humimax solution is 3.75 litres / hectare (10,000sq.m)
- Tank mix ratio of 3 litres of Rosate to 50 millilitres of Humimax.
- Rosate contains 360g/litre of Glyphosate, so the amount of Glyphosate actually applied is 1,350 g/hectare which equates to 0.135g/sq.m
- Best Practice requires operators to apply herbicides as a spot treatment and not broadcast, where possible, therefore the 0.135g/sq.m only applies to areas with weeds present.

#### 4. Equipment

- Low pressure pump
- Five individually controlled nozzles to enable efficient and effective spot treatment
- Very Coarse air induction nozzles are used to apply the droplets and have the lowest drift potential available.

## 5. Exposure

By adhering to legislation, guidelines, manufacturer's labels, training and applying common courtesy to the public, there is an extremely low risk of the public being exposed directly exposed to Glyphosate, particularly when considering the extremely low application rate per square metre of weeds.

### **Alternative Methods of Weed Control**

There are several methods of alternative weed control being put to trial. Listed below are some of the available options:

- Hot foam
- Steam
- High pressure hot water
- Flame gun (gas)

All four of the above will give a rapid kill of the foliage with little or no sustainability, but they will have a limited effect on the roots of smaller grass weeds, chickweed etc., but deeper-rooted weeds such as nettles, docks and dandelions will regrow rapidly after treatment.

Disadvantages of the alternatives above are listed below:

- They are not regulated and do not require certificates of competence, training or registration.
- Using products at 100 degrees in a public environment gives serious cause for concern in terms of the public and third-party property.
- In the case of hot foam, this product will be washed down the drainage system and into water courses.
- Work rates are very slow and the labour cost element is high making the cost to benefit ratio non-viable.

A further alternative is a vinegar and salt solution. The vinegar effectively 'burns off' the foliage and the salt acts as a growth retardant.

- This solution does give fast results and the salt provides a short-term residual effect. In a dry season this effect could be extended, but following any significant rainfall, the salt would be washed away.
- Household vinegar is approximately 5% acetic acid, relatively harmless. To achieve desirable results, it is necessary to use commercial grade vinegar of 20% acetic acid, which becomes a caustic solution.

- As these products are freely available and the solution is not a herbicide, there is no regulation for its use and operatives have no formal training, creating a potential health and safety hazard.
- For the salt to be effective, large quantities in high concentration (to saturation) are required. This may create potential Environmental issues by entering the sub soil in much the same way as nitrates are a current problem.

## **Conclusion**

The existing arrangement is the most economical and effective treatment for killing weeds on the Public Highway. There are other alternatives which do not use Glyphosate based products but there are limitations in terms of effectiveness, speed of treatment, regeneration of weeds and ultimately cost.

Extensive consultation has been undertaken with other authorities in conjunction with the Association of Public Service Excellence (APSE), which clearly indicates that virtually all councils plan to continue using glyphosate based products for highways weed killing on their road networks. Further details are available upon request.

At the present time, there are no European or domestic based restrictions on the use of Glyphosate based products and the recommendation of the report is that the weed spray operation continue in accordance with current guidelines and constraints.

## **Appendix A**

### **Welsh Government Glyphosate Information Note– August 2018**

It is the policy of the Welsh Government to reduce to the lowest possible level the effect of pesticide use on people, wildlife, plants and environment while making sure pests, diseases and weeds are effectively controlled. All pesticide products available in the UK have to meet strict regulatory standards to ensure they do not pose a threat to human or animal health and the environment. The regulatory authorities undertake ongoing scientific research to make sure such chemicals are safe to use and have no long-lasting effect on the environment.

Glyphosate is the active substance in many herbicides and is widely used around the world. All pesticide active substance approvals are subject to periodic review and the approval of glyphosate has recently gone through this process. In November 2017, the European Union re-approved the continuing use of glyphosate from 16 December 2017. Reviews of the scientific data by the European Food Safety Authority (EFSA) and the European Chemicals Agency's Committee for Risk Assessment have found no safety concerns that would prevent continuing approval, and UK scientists agree with this assessment. The new approval lasts until 15 December 2022; use beyond that date would be subject to a further decision.

Risks associated with the use of pesticides in amenity areas, such as parks, is specifically considered as part of the authorisation process. Legally enforceable conditions of use are imposed on the way products can be applied to ensure the public are not exposed to levels of pesticides that would harm health or have unacceptable effects on the environment.

Pesticides in amenity areas should be used responsibly and only as part of an integrated programme of control. They can help deliver substantial benefits for society which include: management of conservation areas, invasive species and flood risks; access to high quality sporting facilities; and safe public spaces (for example, by preventing weed growth on hard surfaces creating trip hazards), industrial sites and transport infrastructure.

In regards to glyphosate use for controlling invasive non-native plant species you may wish to note recent research undertaken by Swansea University examining the physical and chemical control of Japanese knotweed. These were the largest field trials of their kind ever undertaken worldwide. Initial results were published earlier this year. Though no control treatment delivered complete eradication of Japanese knotweed glyphosate applied at an appropriate dose, phenological stage and level of coverage was found to



be the most effective control treatment. They made a recommendation for stakeholders to discontinue the use of other widely used herbicides for control of Japanese knotweed and unnecessary physical control methods that add equipment and labour costs and increase environmental impacts, without improving control compared to spraying alone.

The Welsh Government works with industry bodies and others to promote best practice in vegetation and weed management in the amenity sector. We support the work of the Amenity Forum in promoting the importance of sustainable pesticide use and developing user practice so that all amenity pesticide users are operating to consistently high standards. We strongly encourage engagement with the Amenity Forum, particularly at Local Authority level, so we can be assured that amenity pesticide users in Wales are conforming to the standards expected under the UK National Action Plan for the Sustainable Use of Pesticides and EU law. The Amenity Forum's main objective is to be the collective body representing the amenity industry, in relation to pesticide use and weed and pest control within the sector. To deliver on this, the Forum has developed a number of activities which include issuing guidance notes to support 'Best Practice' messages, organising conferences and workshops and working closely with the Chemicals Regulation Division of the Health and Safety Executive to ensure the amenity sector meets the requirements of the Nation Action Plan.

Please find below information from the Health and Safety Executive website regarding obligations tailored for those in the amenity sector using professional pesticide products.

Those who use, or cause or permit others to apply, plant protection products or who store and/or dispose of products are subject to a number of legal requirements. Key points to note are:

- Use of plant protection products should be considered as part of an integrated programme of control. The Amenity Forum provides practical advice on how this can be done.
- Anyone who applies pesticides as part of their professional activities must (including those previously operating under grandfather rights) hold a recognised specified training certificate.
- All those purchasing professional plant protection products must reasonably believe that products are used by someone holding a specified certificate.
- All application equipment, except knapsacks and hand-held, must possess a certificate demonstrating that it has passed an officially recognised test conducted by the National Sprayer Testing Scheme. Equipment has to be tested on either a three, five or six yearly basis thereafter depending on when



the most recent test was conducted or the type of equipment. All equipment must be calibrated on a regular basis.

- Users, or those who cause or permit use, must ensure that: all reasonable precautions are taken to protect human health and the environment; applications are confined to target areas; and in certain areas (including public spaces and conservation areas) that the amount used and frequency of use is as low as reasonably practicable.
- Priority is given to particular products where there are risks to water quality.
- Professional users and distributors take all reasonable precautions to ensure handling, storage and disposal operations do not endanger human health or the environment.
- Storage areas are constructed in such a way as to prevent unwanted releases of products.

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# Road Verges

**An introduction to the importance and management of verges on Welsh Government's trunk road and motorway network**





# Why is management needed?

Verges, especially those with vegetation, are continually changing, and the **overriding requirement is to keep the road safe for users**.

There is also a need to ensure that the verge is continuing to meet the purposes it is designed for.

# Why are road verges important?

Road verges are important for a number of reasons. Depending on their location, they may perform a range of functions, for example:

- Providing a **safe place for road users** away from the carriageway
- **Preventing flooding** of the road or surrounding areas
- **Preventing water-based pollution** being released into the wider environment
- **Integrating the road** into the surrounding countryside or townscape
- **Screening the road or traffic** from residential areas or sensitive landscapes
- Providing a **varied and interesting landscape** for road users
- Providing **habitats which support wildlife**
- **Preserving historic features** such as milestones and waymarkers
- Providing **space for highway related equipment**



Additionally, some verges carry utility cables or pipelines.

# What does verge management involve?

The following activities can be regularly or periodically carried out:

- **Cutting vegetation** such as grass and scrub for safety reasons
- Inspection and **management of trees and shrubs** to maintain safety
- Inspection and **maintenance of fences**
- **Maintenance of drains** and water storage areas
- **Removal of invasive weeds** to stop them spreading in the verge or to surrounding areas of land
- Removal of vegetation to **maintain long distance views**
- Removal and replanting of trees and shrubs to **maintain and improve integration** with the surrounding landscape
- Removal of vegetation to **manage certain plant pests and diseases**
- Management of vegetation to **maintain and enhance the habitat** for wildlife; or protect historic features



Roadside planting and grass cutting



Log piles created for wildlife following tree maintenance works



# What wildlife could I find in road verges?

Road verges can support a wide variety of wildlife habitat which is often undisturbed by people. Verges are often linked to the surrounding countryside but can also be the last remaining fragments of rare and species-rich habitat.

Road verge habitats can include:

- **Flower-rich grassland** - supports a range of native wild flowers (e.g. oxeye daisy).
- **Other types of grassland** - such as Purple Moor-grass and rush pasture which are increasingly rare
- **Rock and scree faces** - good for lichens and mosses
- **Woodland, native trees and shrub** - provide food, nesting/roosting sites and shelter for birds, bats and dormice
- **Heathland** - used by a range of birds, reptiles (e.g. adders) and invertebrates



Species that can be found on our road verges include:

- **Mammals** - such as bats, dormice, otters and water voles
- **Amphibians** (newts, toads & frogs) and **reptiles** - (lizards, slow worms and adders)



- **Birds** – such as buzzards and barn owls
- **Plants** – such as bluebells, wood bitter vetch, Deptford pinks and orchids (e.g. bee orchids)
- **Insects** – a wide range including the scarce marsh fritillary butterfly and the Welsh clear-wing moth



## Contact Us:

If you have any queries about maintenance works in your area, or would like to find out any more information please contact us on:

Welsh Government  
Department for Economy Science and Transport  
Network Management Division  
Cathays Park, Cardiff  
CF10 3NQ  
Tel : 0300 060 3300  
E-mail : [CustomerHelp@Wales.GSI.Gov.UK](mailto:CustomerHelp@Wales.GSI.Gov.UK)



# Managing grassland road verges

A best practice guide

Page 37

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Plantlife 2019

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**There are nearly 313,500 miles of rural road verge in the UK – equivalent in area to our remaining lowland species-rich grassland**

**700 species of wild flower grow on road verges – nearly 45% of our total flora – but there has been a 20% drop in floral diversity due to poor management and nutrient pollution**

**For 23 million commuters, road verges can be their only daily contact with nature**



With thanks to the UK Green Infrastructure Partnership

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**These guidelines fulfil a recommendation in the Government's National Pollinator Strategy. Proper management of all verges would create a pollinator habitat the size of London, Birmingham, Manchester, Cardiff and Edinburgh combined**

**With over 97% of meadows destroyed since the 1930s, road verges are a vital refuge for pollinators and other wildlife**

Noise and air pollution buffer

Pollinator corridors

Enhanced biodiversity

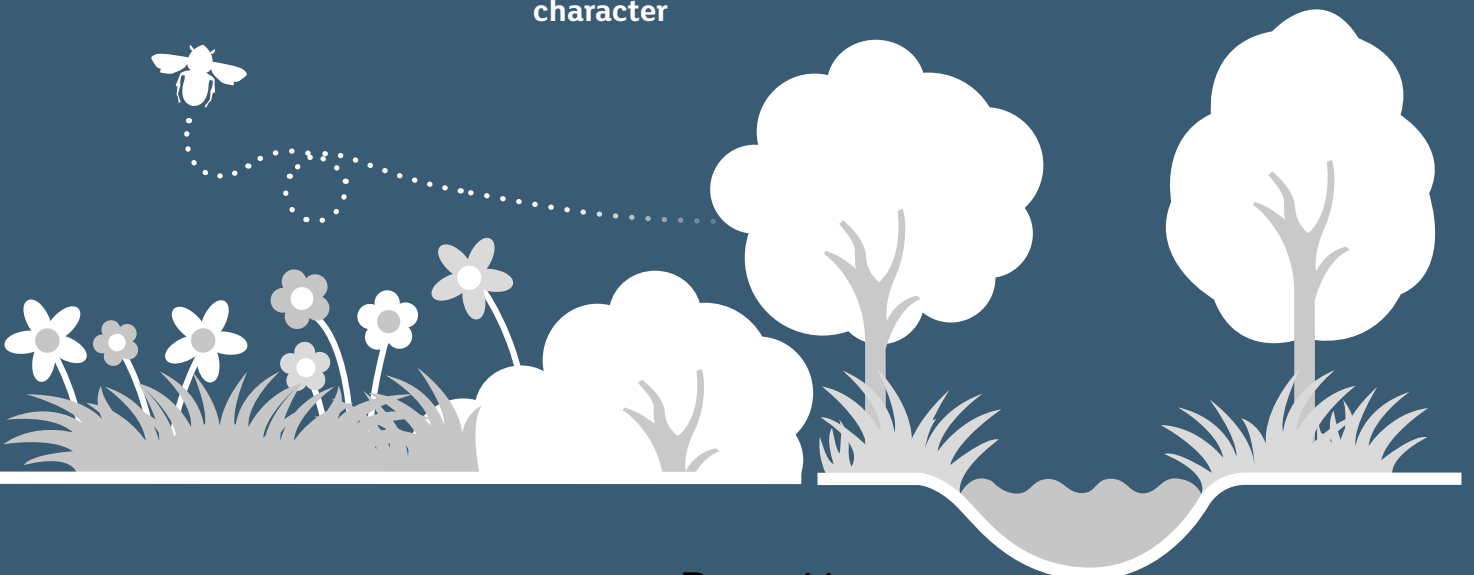
Carbon sequestration

Visual screening

Enhanced local character

Improved air quality

Tourism gateway









# Executive summary

**There are nearly 313,500 miles of rural road in the UK. With verges running most of their length, it is the equivalent in area to our remaining lowland species rich grassland and represents a nationally significant resource of increasing importance to UK wildlife.**

Establishing ecological networks to support the recovery of nature is a priority for government. When managed well, road verges, whether rural or urban and whether on major or minor roads, can sustain an astonishing amount of wildlife: more pollinators are found on well-managed verges than in the neighbouring countryside and nearly 45% of our total flora is found on verges.

Today, the majority of the UK's grass road verges are either cut too frequently and at the wrong time, or abandoned to scrub. Cuttings are left to lie creating a thick thatch, inhibiting growth and increasing soil nutrient levels, which further stimulates vigorous grasses and other nutrient-loving plants. This cycle increases on-going management costs and negatively impacts on the safe functioning of the highway. These unintended consequences are largely due to inappropriate management contracts, focused on safety considerations with little or no consideration of potential wider benefits.

**We need to manage our road verges as a nationally significant response to the decline of our wildlife, raising the management bar across the whole grassland estate not just on a few hundred miles of roadside nature reserve.** Such transformative action is what is necessary to create 'more, bigger, better and joined up' habitats and 'Making Space for Nature' in keeping with government recommendations.

This guide advocates a different management approach. One that reduces cutting frequency, reduces vegetation growth and the resulting management burden, improves the natural capital value – in particular the number and diversity of flowering plants – and ordinarily results in sustainable operational costs long term and a reduced carbon footprint.

It is a practical guide for highways managers, road engineers, operations managers, landscape architects and all those engaged with verge management and creation. It covers those aspects previously described in the Design Manual for Roads and Bridges wildflower handbook and focuses on the management of lowland and upland grassland verges.

It supports:

- Government and statutory agencies deliver their statutory duties and biodiversity net gain obligations
- Industry's corporate social responsibilities to reduce environmental impacts
- The road network to fully contribute towards environmental, social and economic objectives

**This publication complements safety considerations and focuses on those areas where there are no safety constraints restricting management. Its aim is to shift the balance so that species-rich habitat becomes the predominant asset across the network, so doubling the area of the UK's species-rich grassland.**

# Introduction

To only consider road verges in respect of the adjacent highway is to miss a nationally significant opportunity. Government, asset managers, businesses and the public are increasingly recognising the potential of this green infrastructure.

The sterile neat-and-tidy ideal of the verge as manicured lawn is slowly but surely being challenged, particularly on our motorways, rural verges, and some urban highways. Species-rich verges enhance the local character and the visual interest of the highway for the road user and help the road blend into the wider landscape, reducing visual impacts. The daily commute is often the only regular contact a road user has with the natural landscape, supporting health and wellbeing as well as attracting inward investment and promoting civic pride.

**Creating and managing species-rich grassland is a brilliant way to improve the biodiversity value of road verges and reduce long-term management costs.** Verges rich in native wild flowers support more wildlife, are more resilient to environmental change, enhance ecological connectivity and provide better ecosystem services such as pollination. When maintained through a cyclical management regime, grassland verges provide a cost-effective management option and represent an important opportunity for highway authorities to realise the benefits of enhanced 'Natural Capital'.

All highways authorities have statutory biodiversity duties. These legal duties support conservation being a natural and integral part of the highway authority's policy and decision-making. Following these management guidelines will support highway authorities to discharge their duties and ensure that the soft estate under their management contributes towards local, national and international biodiversity obligations. When managed well, the network of road verges is ideally placed to deliver what is necessary to make 'more, bigger, better and joined up' habitats and fully contribute towards the conservation of the UK's biodiversity.

Better investment in our natural capital is crucial. Such investment reaps dividends and is deemed a priority by government and wider society who understand that business culture needs to change. Highway authorities and industry increasingly recognise this as they shift towards becoming 'biodiversity net gain' businesses.





A Natural England case study on the A590 in Cumbria demonstrated how management could deliver a 123% increase in 'biodiversity units' as well as delivering an uplift in wider ecosystem services such as air quality, pollination and water management.

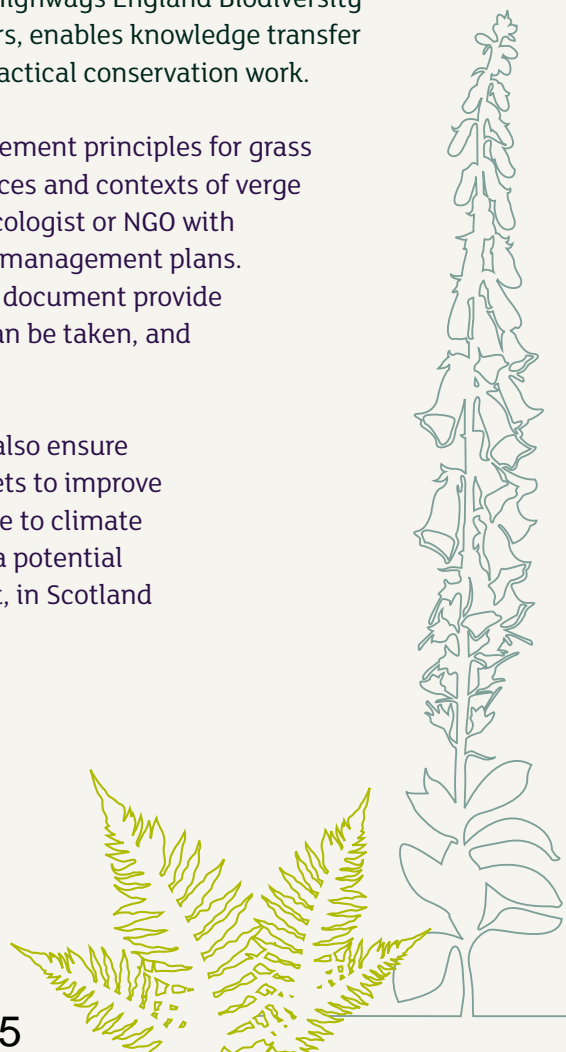
Adoption of this good-practice management by highway authorities – thereby ensuring their service providers adopt better management – ensures efficiencies, brings benefits to highway performance and enables the sustainable development of our road network.

Results are best sustained when there is effective partnership between highway authority, industry and the third sector.

A landscape-scale partnership between Cumbria Wildlife Trust, Natural England and Highways England was conceived to enhance 12km of existing verges of the A590 in rural South Cumbria within the Morecambe Bay Nature Improvement Area. Between 2015-2016, 73 soft estate plots were identified for enhancement works and management continues until 2020. This partnership meets targets set in the Highways England Biodiversity Plan, engages the community and partners, enables knowledge transfer and brings people together to carry out practical conservation work.

This guide sets out the general, broad management principles for grass verge management. Given the different nuances and contexts of verge habitats, we recommend engaging with an ecologist or NGO with knowledge of local grasslands when creating management plans. The case studies highlighted throughout this document provide examples of the variety of approaches that can be taken, and are available in full on Plantlife's website.

Adoption of this management guidance will also ensure road verges contribute towards national targets to improve ecological connectivity and improve resilience to climate change impacts. In England, this equates to a potential contribution of 111,225miles of verge habitat, in Scotland 35,046miles and in Wales 29,018miles.



# Managing grassland road verges

The Strategic Road Network (SRN) – motorways and major A roads – is managed by Highways England, Welsh Government, Transport Scotland, Northern Ireland’s Department for Infrastructure, and Transport for London. Outside the SRN, County and Metropolitan District Councils are normally the highway authorities for their area, although some C roads and unclassified roads are delegated to the local District, Parish or Community Councils. In order to maximise the biodiversity and environmental potential of any verge, there are three steps to consider:

- **Assessment – understanding what you’ve got**
- **Management specifications**
- **Monitoring – performance management**



# Assessing the current wildlife value of your grassland road verges

Assessing the existing biodiversity value of the verges under your management is an important first step. It will help identify the broad habitat types so that appropriate and cost effective management can then be detailed in management contracts, so maximising return on investment.

Such information can be incorporated into GIS-based systems as part of the highway authority's general asset management, allowing updates to be easily made to inform annual maintenance in much the same way as hard infrastructure assets are recorded and managed.

Fermanagh and Omagh Council, with Ulster Wildlife and Transport NI, assessed their rural road verges and incorporated the resulting data into the council's GIS system to ensure appropriate management.

In Lincolnshire, the Wildlife Trust co-ordinated over 250 volunteers to survey road verges. Over 160 new roadside Local Wildlife Sites were designated along about 250km and the data is now in a GIS system. This not only shows designations but can report species lists for over a third of the county's road network. By flagging biodiversity risks and opportunities, this data now guides advice to Lincolnshire County Council, maintenance contractors and utilities companies, as well as planning officers.

The *Design Manual for Roads and Bridges* identifies three main classifications of grassland verge:

- **Amenity grassland and grassland with bulbs** (DMRB Landscape Element 1.1 & LE1.2). This is the main type of grassland in **urban/suburban** areas, settlement entry points in rural areas and at rest areas and laybys on the SRN. The intensive management of such amenity grasslands is typically set to maintain a short, even sward, containing a maximum of 10% herb species and no scrub. Changing the management regime can improve the biodiversity and visual amenity of such grasslands and deliver significant cost savings.
- **Open (aesthetic) grassland** (DMRB type LE1.6). This is the predominant type of grassland found across the road network and is either naturally occurring or created by grass-dominated seed mixes. Open aesthetic grassland is defined as those areas with less than nine species/m<sup>2</sup> (including grasses but excluding lower plants and shrubs). Such grassland areas have typically more than 30% grasses with low cover of wild flowers such as creeping buttercup (*Ranunculus repens*) and white clover (*Trifolium repens*). Such grassland provides significant potential for enhancement.
- **Species-rich grassland** (DMRB type LE1.3). This occurs in discrete areas and is made up of naturally occurring or introduced grasses and wild flowers. Species-rich grasslands can be broadly defined as those areas with **nine or more species/m<sup>2</sup>** (including grasses but excluding lower plants and shrubs), or areas of grassland in poor condition that could be rehabilitated to become species-rich grassland. Such areas are important for the maintenance and expansion of biodiversity across the road verge network.

Grasslands are also defined according to soil type. Classifying your verges against published UK and national priority grassland habitat types will support reporting against corporate, national and local biodiversity targets, as well as enabling natural capital accounting and broader ‘Corporate Social Reporting’.

Neutral, calcareous and acid grassland can all occur within the categories described on page 11. Species-rich calcareous or neutral grasslands typically support 12 or more species/m<sup>2</sup>, although acid grasslands typically support fewer species with a lower threshold of six species/m<sup>2</sup>. Acid grassland may also be present as part of a mosaic with heathland and moorland (DMRB type LE 1.5). Where this occurs, the habitat should be managed to maintain the structural diversity, including the maintenance of dwarf shrubs, which require different management prescriptions but are outside the scope of this guide.

## Assessment methods

Classifying different grassland types and enhancement opportunities can be done by **remote assessment** using readily available information:

- Desktop surveys – reviewing aerial photography or historical records to identify floristically diverse or rich areas and areas of good potential. This can be done at regional and local scales.
- Areas already identified and managed for nature conservation – such as statutory protected sites, Local Wildlife Sites or Road Verge Nature Reserves.
- Areas where rare or notable species have been recorded.
- Data is available from local biological record centres, the National Biodiversity Network ([www.NBN.org.uk](http://www.NBN.org.uk)) and local wildlife groups – for example, your local Wildlife Trust.
- Information from members of the public and community groups.

Ideally, areas of species-rich grassland should be confirmed on the ground to ensure cost-effective management planning. This might include:

- **Drive-by surveys** in spring/early summer by an experienced surveyor is often sufficient to identify grassland of interest. Such drive-by assessments can also be used to identify other factors influencing management, such as gradients, access and the wider landscape context, helping identify opportunities for creating ‘more, bigger, better and joined up’ areas. Drive-by surveys are considerably cheaper than full botanical surveys, are suitable for high-speed roads where pedestrian access is restricted, and allow for long stretches of verge to be surveyed. Repeated drive-by surveys at different times of the year can also help prioritise areas for more detailed assessment.
- A **Phase 1 Habitat Survey** Joint Nature Conservation Committee (JNCC) allows for detailed management planning as it captures broad habitat types (for example, calcareous grassland) and other information such as plot size and existing management.
- A full **botanical survey** by an experienced botanist, which is ideal for discrete areas of species-rich grassland to establish baseline data and identify notable, rare and protected species.

# Management specifications

## General principles to improve wildflower diversity on all grassland verges

### Regular management is essential

An annual or cyclical programme is ideal and helps manage problem and competitive species. Grasses often outcompete wild flowers as they typically have extensive root systems, can be vigorous and can cope with a wider range of conditions. Without regular management, rank tussock-forming grasses can quickly dominate, reducing species diversity.

Rolling management programmes are cost effective, minimise operational impacts, improve safety and maximise the Natural Capital Value of the asset in keeping with highway authority statutory duties. Conversely, where this proactive cycle does not occur, long-term management costs tend to increase, business performance is reduced while risks increase and the Natural Capital and biodiversity value of the road verge is diminished as they quickly develop into bramble thickets and scrub.

### Timing is everything

It is vital that wild flowers are able to complete their full lifecycle – i.e. grow, flower and set seed. This replenishes the seed bank and allows populations to be maintained cost-free and indefinitely. Cutting too early and too frequently swiftly eliminates many species, reducing diversity and the value of the road verge. Cutting after flowers have set seed in late summer allows visually striking displays of wild flowers and a rich source of pollen and nectar for pollinators. Wild flowers take roughly six to eight weeks from flowering to setting seed.

A **two-cut management approach is ideal** for suppressing coarse grasses and encouraging wild flowers, so reducing management burden over time.

| Management option |                                    | Jan | Feb          | Mar | Apr | May | Jun | Jul | Aug         | Sep          | Oct      | Nov | Dec |
|-------------------|------------------------------------|-----|--------------|-----|-----|-----|-----|-----|-------------|--------------|----------|-----|-----|
| <b>One cut</b>    |                                    |     |              |     |     |     |     |     | full cut    |              |          |     |     |
| <b>Two cuts</b>   | Summer and autumn cutting          |     |              |     |     |     |     |     | partial cut |              | full cut |     |     |
|                   | Late winter and autumn cutting     |     | full cut     |     |     |     |     |     |             | full cut     |          |     |     |
|                   | Dry verges (short vegetation)      |     | regular cuts |     |     |     |     |     |             | regular cuts |          |     |     |
|                   | Species-rich verges with mown edge |     | 1m strip     |     |     |     |     |     |             | full cut     |          |     |     |

### If only one cut is possible:

- Cut the verge once a year between August and September and remove the cuttings. This allows plants to flower and, importantly, gives time for seed to be shed.
- Management should create areas of bare earth to allow good contact between the seed and the soil, and provide habitat for invertebrates.
- Areas identified as open grassland should be cut on a cyclical management regime.

### **If more cuts can be undertaken, choose one of the following:**

#### **Summer and autumn cutting**

- Cut the majority of the verge between mid-July and September to mimic the pattern of hay meadow management. Randomly leave some areas (10-20% of the area) uncut to leave some flowering plants for pollinating invertebrates – for example, specifying leaving at least one working width at the back of the verge every 100 metres.
- Cut the entire area again from October to December to remove late season growth. This is increasingly important as winters are likely to become milder and the growing season lengthens.

#### **Late winter and autumn cutting**

- Cut the verge during February and March. This is before most verge plants flower and it will not disturb ground-nesting birds. Raising the cutter bar on the back cut will lower the risk to amphibians, reptiles and small mammals.
- Cut the verge again during September and October. This slightly later cutting date allows plants that were cut earlier in the year time to grow and set seed. This cutting regime is particularly suited to areas with late-flowering species, such as devil's-bit scabious (*Succisa pratensis*), which may not flower and set seed until September. It is also suited to areas with early flowering plants, such as cowslips (*Primula veris*), as it removes any shading vegetation prior to flowering.

#### **Dry soils and coastal situations**

- On verges with dry/sandy soils and in coastal situations where the natural vegetation growth is short (ankle height), frequent cutting can take place up until April and restart in September (i.e. avoiding the main flowering period from mid-May through to the end of August). This will help develop a flower-rich turf with clovers (*Trifolium* sp.), trefoils (*Lotus* sp.), vetches (*Vicia* sp.), self-heal (*Prunella vulgaris*) and other small species, providing a long continuity of flowers, valuable for bees and other invertebrates.

### **If it is not practical to cut the whole width of a species-rich verge:**

- On species-rich verges, cut a 1-metre strip at the edge of the verge as early as possible (February-March) to allow grass at the back of the verge to grow longer, providing structural diversity that is especially important for invertebrates. Cut the full width during September-October.
- On narrow verges of less than 1 metre, leave some sections uncut to provide the same structural diversity – for example, 50 metres of uncut sections every 200 metres.

### **Cut-and-collect**

In all circumstances, achieving low soil fertility is key to enhancing wildlife value and reducing management burdens. Most wild flowers are associated with lower fertility soils. Conversely, soils with high fertility containing high levels of nitrates and phosphate, for example, support more vigorous grasses and competitive species such as nettles and cow parsley. Removing the arisings at the point of cutting takes biomass and the nutrients they contain away from the verge. This reduces the layer of dead grass or thatch and opens up the soil surface to allow seed germination. Repeated over a number of years, it has demonstrable impact on soil fertility, encouraging slower growing and more diverse species that require less management, so delivering direct cost savings. Increasing numbers of highway authorities (and their managing agents) are adopting cut-and-collect as the simplest way to reduce the management costs and win efficiencies. Reduced cutting also reduces operational impacts such as traffic management, ensures drainage courses remain open, aids litter collection and delivers wider benefits such as supporting increased numbers of pollinators.

Ideally remove all cuttings for alternative use (for example, anaerobic digestion or compost production) or leave to rot down in dedicated and sacrificial areas within the soft estate. Where cut-and-collect or biomass harvesting is being employed, some verges identified as being species-poor with vigorous growth can be cut in May for a period of time until fertility drops.

Low cost, common sense solutions are increasingly being adopted to dispose of grass cuttings. Disposing of arisings as close as possible to where they are cut minimises haulage and, when kept within the soft estate, avoids waste regulations. Small composting heaps rot down quickly or can be utilised as mulch around trees or among shrub-planted areas.

Kent Wildlife Trust gather their cuttings into habitat piles, which can provide good resting habitat for reptiles and insects. For larger volumes, create drive-through disposal points in tree/shrub areas away from full public view to discourage fly tipping.

Cuttings are now recognised as a viable biomass resource which can be utilised to produce a range of products including biomethane-based compressed natural gas (CNG), electricity and heat. This offers significant opportunity to offset operational costs with novel revenue streams.

Road verge biomass harvesting with a tractor-powered suction flail has been trialled on Lincolnshire's minor rural roads in partnership with Lincolnshire Wildlife Trust. Herbaceous biomass from road verges is also being trialled as a feedstock for on-farm combined heat and power (CHP) anaerobic digesters.

### Managing public perceptions

Flower-rich verges are increasingly popular with local communities and are an effective way of encouraging wildlife into the heart of the built environment. However, they can be seen as untidy and neglected by some residents and road users. Cutting narrow strips around the verge, so framing the verges inside, is a simple but effective way to give the perception of tidiness and help offset potential negative feedback on a perceived lack of management. Raising awareness of the importance of road verges and engaging local communities in their active management will also help to mitigate this negative perception.

In 2016 and 2017, a mowing trial was conducted on 17 urban roads in Sheffield by the Sheffield Living Highways Partnership (The University of Sheffield, Amey, Sheffield City Council and The Sheffield and Rotherham Wildlife Trust). On one side of each road, mowing proceeded as normal (every three to four weeks) but was reduced by half on the other side during the entire mowing season. The trial was communicated to the public through press, signs on lamp posts and leaflets delivered to each house on the trial roads. Research on public perception found that although local residents did not always appreciate the appearance of the unmown grass, there was appreciation that it was better for wildlife.

Collecting cuttings will help with public perception. Not only does the verge look less neglected, litter collection is aided and, slowly, soil fertility is reduced so helping wild flowers to thrive at the expense of fast-growing nutrient-loving grasses. When cutting is first reduced, there can be attractive localised displays of spring flowers but visual appeal and diversity reduces during the summer because of high fertility, resulting in a greater chance of complaints.

### Power of community buy-in

There is tremendous scope in harnessing the energy and commitment of local groups.

In South Shropshire, the Edgton Village Verge Volunteer Group won funding from the Shropshire Hills Area of Outstanding Natural Beauty (AONB) Conservation Fund and went on to assess all the verges in the village. This baseline evidence showed that Edgton has some of the best verges in the county and cutting regimes were agreed with South Shropshire Highways following public consultation. Ongoing discussions ensure the project is maintained and further partnerships have been established with the National Trust, Shropshire Hills AONB Partnership and Shropshire Wildlife Trust. In Warwickshire, a partnership between Warwickshire County Council Highways and volunteers from Stour Valley Wildlife Action Group and Butterfly Conservation carry out valuable scrub clearance after the annual cut on a 1.25km cutting on what is now one of the best calcareous grassland sites in the county.



## A

### Enhancing amenity grassland verges

Most amenity road verges have little biodiversity value but they can offer significant potential. Some tightly mown verges often have a good diversity of wild flowers, albeit suppressed. Reducing the frequency of cuts will allow species such as yarrow (*Achillea millefolium*), self-heal (*Prunella vulgaris*), clovers (*Trifolium* sp.), trefoils (*Lotus* sp.) and vetches (*Vicia* sp.) to flower and better support other wildlife.

Cut-and-collect early spring and autumn to deliver the twin objectives of keeping the verges neat and attractive, but also of creating conditions that will allow more wild flowers to thrive from late spring to late summer. Over time, this management will reduce soil fertility, so fewer cuts will be needed and more wild flowers will be able to thrive.

Adoption of cut-and-collect by Dorset Council on some of their urban verges has reduced cutting frequency by 30%, is providing five-year management savings of £36,000 and £11,000/yr staff savings, and is covering the cost of the new cut-and-collect machinery. Whereas conventional flail cutting produced no cost recovery, decreased wildlife value and resulted in ever-increasing amounts of grass to cut.

Plug plants can be used to introduce greater diversity, helping to kick-start colonisation and spread. Plug plants are easy to use and can be either grown from locally collected seed or purchased from local suppliers. Management contracts should account for care whilst the plugs' roots establish, including clearing tussocks to avoid excessive competition or shading. Transplanting plug plants can be time-consuming, requiring hand tools and follow-up management, but may reduce costs associated with ground preparation prior to introducing seed. In some situations, volunteers in managed work parties have planted plugs on their local verges. Plant out at a rate of 6-10 plugs/m<sup>2</sup> (according to species); planting in autumn is much more successful as it avoids spring droughts that can desiccate the small plugs. Plug plants can be vulnerable to heavy predation by rabbits.

## B

### Restoring open grassland verges

Plan restoration management of open grassland verges in phases, as most of the estate is likely to have suffered from either excessive cutting at the wrong time of year or, conversely, under-management/abandonment resulting in an overall loss of biodiversity, as well as significant losses of grassland habitat to bramble thicket/scrub.

Initially focusing restoration on areas adjacent to species-rich grassland has the dual benefit of creating larger areas that are more cost-effective to manage, and which are more resilient to environmental pressures such as climate change.

In areas where there has been no management and where a short period of intensive management is required to reinstate a grassland area, it is important to first reduce soil fertility in order for fine grasses and wild flowers to thrive. Initial costs can be recouped over the medium term (three to five years) after which time ongoing management costs are reduced and benefits continually improve.

Wild flowers, finer-leaved grasses, sedges and rushes have a tendency to remain at low densities in areas dominated by coarser grasses and other competitive species. Targeting areas which have low densities of **positive indicator species** can result in the re-emergence of dormant or latent wild flowers – i.e. plants that are present but don't get the chance to flower because of repeated cutting, or which come into flower following scrub removal. Common examples include spotted and marsh orchids (*Dactylorhiza* sp.), primulas (*Primula vulgaris*) or cowslips (*Primula veris*).

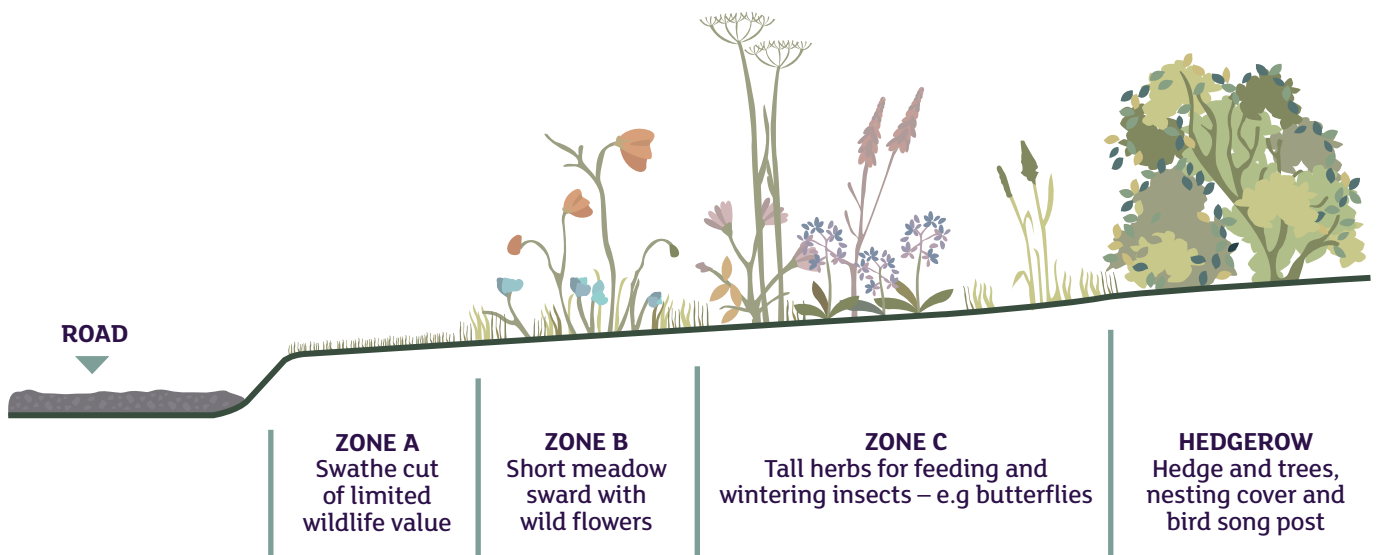


Species diversity can be restored by opening the sward and introducing restoration management prescriptions described above. Equally, adjacent species-rich areas can spread and colonise cleared verges through natural seed dispersal if the correct conditions are created.

### Variety is key

Structural diversity benefits both flora and fauna. Ideally, a gradient of vegetation height should be applied with shorter vegetation closer to the road and longer grass left at the back merging into hedges, banks or woodland. On wider verges, this can be readily achieved by the standard swathe (safety) cut, retaining short vegetation adjacent to the tarmac with a reduced cutting regime for the central areas and a longer three to five year cutting cycle for the back to stop scrub and woodland encroachment. This creates verges with the structural diversity of open grassland, so supporting the greatest number of species throughout the year.

Regular operational management can also provide structural diversity. For example, maintaining sight lines, visually inspecting structures or providing safe access to roadside equipment can create a diverse sward with areas of short vegetation, occasional bare earth and longer vegetation that is ideal for supporting biodiversity.



## Idealised management zones across the width of a roadside verge

### Yellow rattle (*Rhinanthus minor*)

Introducing semi-parasitic yellow rattle (*Rhinanthus minor*) can bring many benefits. Not only can it reduce the quantity of grass growth by 60-80% – so reducing the frequency of cuts and the quantity of cuttings to remove – it creates space for other wild flowers to grow, directly increasing diversity of the verge.

Being an annual, it is critical that it is allowed to set seed after flowering to sustain populations. Seeds must be sown fresh (preferably collected from a local source) and before November to allow sufficient cold-stratification/development over winter. Seeds need to come into contact with the soil surface to germinate, hence sowing seed immediately after a cut-and-collect improves exposure of bare earth and improves germination. Further scarification can also increase germination. Yellow rattle is best introduced onto moderate or low-fertility soils after reinstating favourable management. Once yellow rattle has established and is reducing grass growth, seeds of other wild flowers can be introduced if none have appeared naturally from the soil seed bank.

### **Incorporating scrub**

Scrub also provides structural diversity and, by providing early pollen, nectar, fruit and shelter for invertebrates, reptiles, birds and mammals, can be part of grassland verges managed under rotation. However, if left unchecked, it will affect the operational performance of the highway and the verge's biodiversity value.

The best scrub for wildlife is often thin and patchy with lots of flower-rich edge habitat. Scrub comprised of a few woody species, of even age, height and density with little understorey ground flora is less valuable.

Scrub develops when the management of grassland verges has become less frequent, or abandoned altogether, especially if adjacent to mature scrub or woodland. Within large areas of grassland (more than 1 hectare), about 5% scrub can be advantageous when managed on cyclic rotation. Scrubbed-up areas should periodically be reverted back to bare mineral or subsoils to maintain a mosaic grassland habitat with these discrete cleared areas allowed to regenerate naturally back to grassland without incurring further management costs.

The amount of open scrub should be specified during the management planning process. Areas of scrub would ideally be rotated across the wider road verge network and should be maintained between 5-10% scrub cover.

Scrub should be cut as close to the ground as possible. Herbicide or repeat cutting in future years may be required to prevent regrowth. Use of machinery may depend on access restrictions and hand tools will be more appropriate for smaller areas, with chainsaws and brush-cutters required for denser patches. Tractor-mounted flails and specialist remote-controlled machinery can be used for dense scrub.

Clearance of scrub should be undertaken outside the bird-breeding season between February and September, and a licence might be required if other protected species are likely to be present, such as hazel dormouse or slow worm.

### **Importance of bare ground**

Some bare ground is important for a wide range of wildlife, especially invertebrates. Raking, or localised scarification or scalping with machinery during cutting, allows seeds to germinate and supports natural succession. This benefits early successional species such as bird's-foot-trefoil (*Lotus corniculatus*), oxeye daisy (*Leucanthemum vulgare*) and kidney vetch (*Anthyllis vulneraria*), as well as rarer species that require sparse swards for establishment, including bee orchid (*Ophrys apifera*), pyramidal orchid (*Anacamptis pyramidalis*) and common-spotted orchid (*Dactylorhiza fuchsii*). Creating small areas of bare ground, and leaving small exposures of natural geology such as sandstone faces untouched during construction, also benefits invertebrates such as bees and wasps and other pollinators, and provides sunny open areas for reptiles to bask.

### **Sowing seed into small scrapes**

An alternative method to increase the diversity of the vegetation is to create small (3-5m<sup>2</sup>) scrapes or inoculation plots where the top layer of vegetation is removed, exposing bare ground or even the subsoil. This can be achieved using a spade or preferably a mechanical turf stripper. This removes the top layer of topsoil – including weed seed bank and roots/rhizomes of competitive grasses – to desiccate and deplete the existing rank vegetation. Bare areas can be sown with an 80/20% by weight meadow mix of suitable grass/wild flowers. The seeds should be pressed onto the surface of the soil and left uncovered. In areas with tussocky grasses, larger scrapes prevent the surrounding vegetation from shading the developing seedlings. Seeds can be collected by hand or with a brush-harvester from surrounding species-rich grassland, and they should be suited to the type of soil and geographic location of the grassland road verge. Recording the location of scrapes will support future monitoring.

Creating small scrapes can take time and may incur additional contractor costs. However, it is a particularly good method in areas with tricky terrain where other methods of diversifying the sward may not be as easy to achieve. Follow-up management for species-rich grassland will be required to maintain the diversity of the vegetation.

## **C** Maintaining existing species-rich grassland verges

Species-rich verges offer the maximum biodiversity value, supporting more wildlife, being more resilient to environmental change and providing better ecosystem services such as pollination.

Maintaining species-rich grassland is often less costly than managing either open (aesthetic) grasslands or amenity grassland as they require fewer cuts, despite the need to remove cuttings. Management prescriptions should be detailed in the specification for works, with the areas clearly identified and mapped on a GIS (geographic information system) to allow future monitoring.

Species-rich grassland is maintained on an annual cycle, using cut-and-collect operations wherever possible. Cutting is timed to late summer or early autumn to enable wild flowers to set seed, whilst the removal of cuttings/arising is important to maintain low soil fertility and reduce management costs.

Some species-rich road verges may be afforded special protection. Statutory sites such as Sites of Special Scientific Interest (SSSI), or Areas of Special Scientific Interest in Northern Ireland, are legally protected and activity, including planned management, requires the formal permission of the relevant statutory nature conservation organisation. Other non-statutory sites also occur on road verges, such as Local Wildlife Sites (or Site of Local Conservation Importance in Northern Ireland, Local Nature Conservation Site in Scotland or Site of Importance for Nature Conservation in Wales). These sites are locally important and should be afforded protection through local policies adopted by the local highway authority. In some areas, these may be referred to as Roadside Nature Reserves or Conservation Verges. In such circumstances, advice should be sought from the local authority ecologist or Local Wildlife Sites Partnership.

In protected areas, such as National Parks and Areas of Outstanding Natural Beauty, advice should be sought to ensure that road verge management contributes towards their statutory purpose to 'conserve and enhance the natural beauty, wildlife and cultural heritage' of the area.

Road verges can also support protected species and, where these are known to occur, specialist advice should be sought. Adoption of these management prescriptions will ensure that grassland verges support a broad range of wildlife: the provision of structural variation, including bare earth and variable sward height, shelter from occasional scrub and the transition between different habitat types, will provide a mosaic habitat along the road network. This will support the conservation of priority species including statutorily protected species such as dormice, smooth snake and great crested newts.

**D**

## Restoring species-rich grassland verges

Species-rich grassland verges that are not actively managed quickly lose their value. However, such areas 'lost' through neglect and/or inappropriate management can often be restored by reintroducing appropriate management techniques as described and encouraging the natural recolonisation of wild flowers. This approach is both practical and cost effective.

Ensuring appropriate management is in place or reinstating appropriate management is the priority for such areas.

In collaboration with Durham Wildlife Trust, Sir Robert McAlpine is working to restore 40 hectares of road verge to species-rich grassland on the A19 in Durham. The road cuts through much of the magnesian limestone escarpment and many SSSIs and Local Wildlife Sites either border the A19 network infrastructure or are within 200 metres. By cutting annually in September, removing the arisings and undertaking scrub removal, the company hopes to restore the species-rich grassland interest.

When considering restoring verges, it is crucial to understand the wild flowers that still occur in the sward (as well as those that might have been lost) so management prescriptions can be applied appropriately. If the area has deteriorated significantly, it might be necessary to expose some bare earth to support better germination, especially if the area is dominated by coarse grasses. In some circumstances, it may be necessary to reintroduce wildflower seed.

On open grassland that either has some wild flowers, or has lost them within the last five years, rehabilitation management should be adopted and can result in rich and diverse flowering verges without any other intervention.

**E**

## Managing competitive or problem species

One of the most common factors preventing roadside verges reaching their full potential is the presence of competitive or problem species (see Appendix 2 on page 33). In favourable conditions, some native species can become dominant. Reinstating regular cutting will effectively control these competitive species and should be considered as part of restoration or enhancement management.

Typical native species that can dominate grassland verges include:

- indicators of high soil fertility such as nettles, cow parsley, hogweed and hemlock that can reduce visibility
- woody vegetation, such as gorse and bramble
- ruderal species, such as rosebay willowherb, which are first to colonise disturbed land, particularly where management such as scrub control has resulted in bare ground
- species with extensive (rhizomatous) root systems, such as bracken and tor grass
- problem species, such as creeping and spear thistle and broadleaved and curled dock, which can also develop following active management on fertile verges where diffuse pollution from neighbouring agricultural land creates the conditions for their growth.

It should be recognised, however, that these species have wildlife benefits as a food source, habitat or cover: their management is about balance not eradication.

### Controlling competitive grasses

Competitive grasses such as rye grasses (*Lolium* sp.), tufted grasses such as cock's-foot (*Dactylis glomerata*), false oat-grass (*Arrhenatherum elatius*) and Yorkshire fog (*Holcus lanatus*) are perhaps the main competitors of wild flowers on road verges. Finer grass species, such as common bent (*Agrostis capillaris*), timothy (*Phleum pratense*), crested dog's-tail (*Cynosurus cristatus*) and sheep's fescue (*Festuca ovina*) are more likely to co-exist with wild flowers rather than taking over. Appropriate mowing can reduce tussock-forming grasses but may encourage others to spread. Removing grass thatch by raking, and reducing the soil nutrients by collecting the cuttings, reduces the dominance of tufted grasses when maintained over a number of years.

Verges that were originally established using grass-only seed mixes, or where wild flowers have been lost with little prospect of re-establishing from the seed bank, may need new plants introduced. Such introductions should be considered under a two-stage approach: initially establishing the right conditions to support wild flowers by reducing competitive grasses and creating bare earth to support future wild flower germination and secondly, by introducing wild flowers either by seed or as plug plants.

### Bracken management

Bracken (*Pteridium aquilinum*) is a common fern with extensive rhizomes and can spread quickly and dominate areas of grassland. Bracken can be important for some species, such as rare fritillary butterflies that feed on violets (*Viola* sp.) growing under bracken, but most bracken on roadside verges is dense and can encroach harmfully on the grassland.

Dense bracken should be cut at least twice in the first few years, in May/June and July/August, and the cuttings removed. This will immediately start to weaken the rhizomes that will bleed out without being able to replenish their energy through photosynthesis. Following this management, a single cut should be undertaken in June/July to continue to weaken the rhizomes.

Bracken control through cutting requires long-term management. Annual cutting may take an estimated five to 10 or more years to reduce dense bracken stands, while cutting twice a year may reduce dense bracken to less than 10% of its former cover within 10 years. However, bracken can quickly recover to 80% of its former density within four to six years following the cessation of cutting.

Chemical control can be effective in reducing the cover of dense stands within two to four years. However, bracken quickly recovers if no follow-up management is undertaken. Seek further advice prior to using chemicals.

### Problem species

Problem species are those considered under the Weeds Act 1959 and include creeping and spear thistle (*Cirsium arvense* and *C. vulgare*), and broadleaved and curled dock (*Rumex obtusifolius* and *R. crispus*). Using subsoils and avoiding importing in topsoils reduces the likelihood of these species becoming problematic. Before any control is undertaken, it is worth understanding why they might have become problems. For example, fertiliser run-off or spread from neighbouring fields may result in higher soil nutrients leading to an abundance of creeping thistle. Perhaps scalping during mowing is leading to excess bare ground and the growth of spear thistle, or machinery is compacting the soil and encouraging the growth of docks *Rumex* sp. If these underlying causes are not tackled, the problem can persist even with treatment.

The three main methods of control are cutting, herbicide and hand pulling. Wherever possible, eliminate the general non-targeted use of herbicides, limiting them to spot treatment when this is prescribed for the problem species. Special care should be taken if applying spot treatments to problem species on species-rich verges.

**Thistles:** Mechanically cut thistles when the plant is in bud and the flower heads start to turn purple. This weakens the rhizome and the plants cannot recover without leaves to photosynthesise. Spear thistle can be pulled but this method is not effective for creeping thistle and may encourage spreading. Careful spot spraying with a targeted or broad-spectrum herbicide can quickly reduce thistles within one to two years, but thistles can recover following the cessation of spraying. Indiscriminate sprayings affect non-target species, especially 'daisy' family plants such as oxeye daisy (*Leucanthemum vulgare*). All arisings should ideally be removed to prevent nutrients returning to the soil but otherwise compost in a nominated sacrificial area.

**Docks:** Mechanically cutting docks should be done well before the plant sets seed. Pulling or digging out docks is not recommended as the long root can splinter, resulting in many new plants. Docks can be targeted by spot-spraying which can be effective within two to four years of application. The use of broad-spectrum herbicides will also affect non-target species. All arisings should ideally be removed to prevent nutrients returning to the soil but otherwise composted in a nominated sacrificial area.

**Common ragwort:** The Ragwort Control Acts seek to prevent common ragwort spreading where there is threat to the health and welfare of animals. Although road verges can have high cover of ragwort the risk to grazing animals is normally slim. For more information on assessing the risk level posed by ragwort and appropriate control methods, see the Defra Code of Practice For Preventing The Spread Of Ragwort. The native plant is biennial, forming a rosette in the first year and flowering during the second year. Although identified as an injurious weed species, it also supports a wide range of invertebrates, such as cinnabar moth, and it is an exceptional provider of nectar and pollen late in the season.

In those instances where control is necessary, it is essential to act before seed heads are mature to prevent the spread of fresh seed. Only removing the flower heads and allowing the cinnabar moth to feed on the remaining vegetation has proved to be highly successful but otherwise pulling and digging plants in spring and early summer is effective but can be difficult on verges and typically leaves large areas of bare earth that can be recolonised from the seed bed. Cut and pulled plants can be piled up on sacrificial areas of the verge, but in the unlikely event that livestock have access to the verge, all plant remains must be removed. Mechanical cutting can be undertaken but may stimulate the growth of side shoots the following year. Herbicides can be used to control ragwort and spot treatment at the rosette stage with a selective herbicide is recommended to prevent other broadleaved species from being killed.

**Gorse:** Where acid grassland and heathland are being established on sands or gravels, gorse often becomes a problem after five years, eventually smothering the dwarf shrubs and acid-loving plants. Annual mowing or strimming of gorse from the first year for up to 10 years will prevent it from becoming a long-standing problem. Once fully established, gorse is difficult to remove without substantial investment.

**Buddleia and cotoneaster:** Buddleia and cotoneaster (usually small-leaved cotoneaster) establish quite commonly on bare chalk or limestone substrates and if left unchecked, will spread to dominate the vegetation to the exclusion of more desirable native grassland vegetation. When small, buddleia and cotoneaster can be pulled by hand. Once established, they usually require herbicide treatment to remove them.



## F

## Creating new species-rich grassland verges

Creating species-rich grassland on new verges/following earthworks is recommended as a cost-effective and sustainable use of the soft estate. When properly considered from the outset, it can provide significant savings to the overall capital costs by, for example, eliminating the need to import topsoil onto the site. Adopting the detailed methods described below will ensure high-quality species-rich grassland with lower ongoing maintenance costs and biodiversity gain.

The most obvious justification for the creation of species-rich grass verges is their attractive natural appearance and the interest they provide for road users; it might be the only daily contact they have with the natural landscape. Wild flowers also help new roads blend with the landscape, they provide corridors of nature conservation value, and they demonstrate from the planning stage a concern to minimise the environmental impacts of new routes. Furthermore, if the right principles are applied, the ongoing management of the species-rich road verge can be considerably less than ongoing management for open grassland, periodic scrub, tree management and amenity grassland.

In a rural setting, species-rich verges should be established everywhere as the default grassland type and managed accordingly. There is an urgent need to re-establish wildlife corridors and suitable habitat in the countryside that has been lost to agricultural improvement in the past 70 years. The potential for achieving this on the Strategic Road Network (SRN) is substantial.

In an urban setting, opportunities for creating species-rich verges will be context specific, but the default should be to specify them over standard amenity grassland unless there are overriding justifications.

Species-rich grassland growing on subsoil, bare mineral or low-fertility topsoil should also be considered for grassland areas where safety benefits are a priority, such as on visibility splays and approaches to junctions and roundabouts. The vegetation on these types of soils require much less frequent management than if fertile topsoil is used, leading to a lower cost to maintain necessary sward heights. More wild flowers will thrive in the lower fertility conditions and subsoil usually has fewer problem weeds and grass seeds.

Similar low-fertility substrates with sparse species-rich grassland can be considered as an improvement for accident-prone sites where visibility along the verge is a contributory factor. As well as increasing visibility, there is an ongoing benefit of cost savings with the reduced management.

In 2018, one of the approaches to the Waddock Cross Junction in Dorset – a notorious accident blackspot due to poor visibility – was modified. The grass verge was removed to a depth of 600 mm below the carriageway and in-filled with crushed chalk to bring it back to road level. Kidney vetch and bird's-foot trefoil were sown on the bare mineral. These minor capital investments cost c. £5000 and are expected to reduce mowing costs by 90% each year. The improved visibility has provided immediate collision-reduction benefits alongside a net gain for biodiversity.

Locations available for the creation of species-rich grassland on low-fertility earthworks includes:

- Most rural verges
- Cutting and screening mounds
- Embankments
- Junctions, interchanges and roundabouts
- Areas of land set aside to accommodate material from roads set in cuttings and tunnel spoil

## How to create species-rich grassland verges

The guiding principle for creating species-rich road verges is to avoid the use of fertile topsoil. High soil fertility encourages excessive growth of non-desirable species and reduces the success of wild flower establishment. Newly created grassland must instead be finished with clean subsoil or bare mineral substrate.

There may be a reluctance to finish verges with subsoil or bare mineral, on the expectation that the landscaping will look incomplete and nothing will grow quickly. This is not the case and there are several common and showy species that quickly establish in profusion on bare ground, such as kidney vetch (*Anthyllis vulneraria*) on chalk and limestone-based soils and oxeye daisy (*Leucanthemum vulgare*) on neutral soils. Bare mineral may contrast strongly with the surrounding landscape when first exposed, but it weathers quickly and revegetates. Chalk is bright white at first but changes to a mottled grey within months. The combination of weathered mineral and abundant wild flowers provides an appealing and naturalistic landscape.

As part of the mitigation package included in the construction of the Weymouth Relief Road, topsoil from semi-improved calcareous grassland along the route was saved separately and scattered thinly over about 7 hectares of cutting slopes to a depth of no more than 10-15mm. The remainder of the slopes received no topsoil at all. All cutting slopes were sown with a grassland wildflower mix of 25 species suitable for chalk and limestone habitat. In 2019, eight years after the road opened, a survey was undertaken by Dorset Environmental Records Centre, which showed that there were 140 flower species thriving on the slopes, including bee and pyramidal orchids. Monitoring by Butterfly Conservation has shown that these slopes support 30 species of butterfly, including Chalkhill Blue and Dingy Skipper. Since the road opened in 2011, there has been minimal requirement for management because the soil is so impoverished and grazing is only needed every four years or so. While the wildflower seed cost £24,000, there is an estimated net capital cost saving of £270,000 due to not using topsoil, and annual maintenance costs are negligible.

When heavy earth-moving machinery is used to remove topsoils and during slope formation, the subsoil material can become heavily compacted and left with a glassy finish that is liable to plate and form an impenetrable surface for seed germination. This is particularly common for clays and alluvial silts and, in such circumstances, it may be necessary for some surface preparation – for example, the surface to be ripped or rotovated, to create a tilth to encourage seed germination. Close liaison with the design and construction teams will ensure that slope stability is not affected by this surface treatment, and that the finishing operations be carried out along the contour of the slope to avoid deep erosion by surface run-off.



**Natural colonisation:** this is the most cost-effective method of achieving a species-rich verge where soil fertility is low but can only be achieved if the verge is adjacent to species-rich habitat. The process may take considerable time, especially if there is limited transfer of seeds (which would usually be transferred on livestock or machinery). Bare ground, skeletal soils and sparse vegetation are an important habitat for many species of plants and invertebrate, so there is not always a need to create a dense sward.

**Natural seeding:** in some cases, verges and the surrounding countryside are so depleted of wild flowers that natural colonisation is unlikely to take place. In such cases, natural seeding methods can be used to introduce wild flowers by transferring green hay or brush-harvested seed collected from a local species-rich verge or meadow (the donor site) to the verge being created (the recipient site). This ensures species will be naturally present and better adapted to local conditions. In this way, the local character and genetic diversity of our verges is preserved and more species will become established more quickly than by using a generic, non-specialist seed mixture, which invariably contains fewer (sometimes inappropriate and non-native) species and often includes more grass seed than wildflower seed. Natural seeding methods also have the potential benefit of engaging local communities, who can become involved in collecting seed from nearby nature reserves and farms, and with sowing seed or growing plug plants.

In 2015, the North and Mid Wales Trunk Road Agent started a project to enhance and restore the Conwy Portal site as part of the Welsh Government “Road Verges for Wildflowers Initiative”. The existing area of infrequently maintained rank grassland was cut in late summer and the cuttings were collected to reduce fertility. Following cut-and-collect, the ground was scarified using a grass harrow to open up the turf and create areas of bare earth to aid seed establishment. Green hay was harvested from local SSSI meadow Caeau Tan y Bwlch and was spread over the scarified verge on the the same day. Follow-up surveys of the site have revealed an increase in the number and frequency of positive indicator species including yellow rattle, bird’s foot trefoil, meadow vetchling and red clover.

**Bought seed mixes:** sowing of generic seed mixes from non-specialist suppliers can be costly and may result in the vegetation bearing little resemblance to naturally-occurring species-rich communities in the locality. However, purchasing a seed mixture may be the only option in some locations where other methods are not available. Wildflower seed should be of British origin, locally-sourced, and should be an appropriate species mix for the subsoil (or mineral) and locality. Seek advice from the authority ecologists or Local Biological Record Centre to help create a bespoke seed mix suited to the area, and avoid species that might dominate and out-compete other wild flowers. Avoid using generic pollinator and wildflower mixes as they often contain species that are not present in local grasslands and will result in the homogenisation of grasslands across the UK. Using mixes without (or very low percentages of) grass seed helps wild flowers establish without competition from grasses.

**Species-rich turf:** this is a relatively recent innovation with suppliers growing turf with a range of wild grasses and flowers. This method of creating species-rich grass verges is probably the costliest option as the entire area for creation would need to be covered by ready-grown turf. However, it does work and with appropriate management gives instant results and is suitable for difficult ground conditions where other methods may prove impractical.

**Use of saved topsoil:** the only occasion where topsoil should be used to finish areas for wild flowers is where it can be saved from existing species-rich areas that will be destroyed as part of the development. This topsoil will contain a valuable seed bank of wild flowers and grasses and must be stored separately from other topsoil prior to re-use. Topsoil should be stored such that as much of the soil fauna survives when it moves to its new location.

## Prescriptions for creating flower-rich grasslands along new roads

There are different methods for establishing species-rich grassland depending on the technique being used.

If **natural colonisation** is being used, there is no need to do anything further once the verge has been created, apart from making sure that the surface of the soil has a fine tilth to facilitate seed germination.

The use of **saved topsoil** should be undertaken by spreading the topsoil thinly onto the bare ground of the new verge, around 15mm or deeper if site conditions allow or necessitate, as some wildflower species, such as Meadow Cranesbill, may require deeper infertile soil for successful establishment. Wild flower and grass seeds germinate from the soil surface, usually no more than 1cm depth ( $\frac{1}{2}$ in), and deeper spreading of the soil will bury seed, restricting germination.

The use of **natural seeding** methods needs slightly more planning. The donor seed source (a local flower-rich meadow or verge) should be identified before works begin:

- If green hay is being used, the seed source ideally needs to be within an hour's drive of the recipient road verge, and certainly within half a day's journey time. The transfer needs to be undertaken quickly to prevent the green hay from heating up and cooking the seeds. Green hay is cut in late July or August to maximise the diversity of flowers with set seed and collected using a forage harvester or flail mower. The hay is taken immediately to the prepared road verge where the soil should already have been prepared to a fine tilth. The green hay can be spread by hand or mechanically with a muck-spreader and any clumps can be separated using hand pitchforks. If the green hay is transferred as bales, these can be put through a straw strewer to spread the material, separating any clumps with pitchforks. Following the hay spreading, a roller should be used to ensure the seed has good contact with the soil.
- If brush-harvested seed is being used, a contractor with a brush-harvester will be able to harvest the seed from the donor site. Seed can be used fresh – for example, by loading it into a trailer or muck-spreader and transferring it within half a day to the receptor road verge as described, or it can be sieved and dried to be spread at a later date. Brush-harvested seed is best used within a few months of collection, particularly if yellow rattle (*Rhinanthus minor*) is present (this annual requires a period of cold to trigger germination). Brush-harvested seed is best spread between August and November, and should be strewn across bare ground that has been prepared to a fine tilth. Seed should be sown on or just under (within 1cm of) the soil surface. Sowing can be done by hand or machine if the chaff (stalks and leaves that are also picked up by a brush-harvester) has been removed, enabling the seed to pass through a hopper. Once the seed has been spread, the ground should be rolled to push the seed onto the soil surface, creating good contact.

If using a **generic non-local seed mixture**, this should be bought from a reputable specialist supplier of UK native wildflower seed. Generally, it's best to get a mixture with a higher proportion of wild flowers – for example, 80:20 or 100% wildflower seed. The seed can be sown by hand onto a prepared soil surface with a fine tilth in either autumn or spring, or can be passed through a hopper towed behind a tractor. Seed should be sown on or just under (within 1cm of) the soil surface. The ground should then be rolled to press the seed onto the soil. Depending on the contractor, it might be possible to attach a roller behind the hopper, thereby making a single pass over the new verge and reducing compaction. Alternatively, hydro-seeding can be used spraying a mixture of water, seed and binding agent onto the prepared verge.

**Species-rich turf:** The verge needs to be prepared with a fine tilth with all large stones removed or buried. The species-rich turf should be rolled out and lightly pressed down onto the soil surface before watering. Watering may be required until the turf has established, which may take as long as three months, particularly in extremely dry weather.

### Prescriptions for creating flower-rich grasslands along existing road verges

There are occasions where species-rich grass verges could be **created on existing species-poor verges**. Before work is undertaken, test for soil fertility, particularly the amount of phosphate (P). A P index of 0-1 is ideal for most wild flowers and grasses. A P index of 2 suggests that competitive species may take over and a seed mixture with species that are able to survive in these more fertile conditions is recommended. If the P index is 3+, it is unlikely that a species-rich grassland will develop as competitive species, particularly tussock-forming grasses, are likely to take over.

**Soil nutrients can be reduced over time**, and there are various methods to achieve this:

- Soil stripping removes the top layer of nutrient-rich topsoil and is effective in reducing soil nutrients. The depth of soil removal needs to be carefully calculated with a plan of depositing the excess topsoil or selling it for subsequent use by others. This may be restricted if, for example, the road verge is in a floodplain.
- Cutting and removing vegetation several times a year limits the nutrients that are otherwise recycled in the soil. This can take several years and, with soils of low permeability (for example, clay soils), a low P index may never be achieved. If this is the case, gaps in the sward could be opened using yellow rattle and a species mix with wild flowers that are more tolerant of fertile conditions could be trialled.
- Capping, which is overlaying existing soils with suitable substrate/subsoil, possibly as part of using saved topsoil, is generally discouraged as it can be nutrient-rich. All the vegetation due to be covered with the new soil should be removed – either by scraping off or spraying with herbicide – to prevent it growing through the new soil. Scrapings can be placed in a pile at the back of the verge if it is wide enough, or removed from site if the verge is too narrow. There have been occasions where this management has been undertaken and, over time, nutrients have leached upwards into the new soil, encouraging more competitive species with the result that the works did not create a species-rich grassland in the long term. The impact of raising or lowering soil levels needs to be considered, for example on drainage and profiles.
- Soil inversion is where a deep plough of earth-moving machinery buries the richer topsoil beneath a layer of subsoil. There are similar issues with nutrients leaching upwards as described under capping above and it requires specialised machinery which may not be readily available. It has the potential to be quite costly.

Buried archaeology should be considered prior to soil stripping or inversion being undertaken.

If the soil conditions are suitable, the next stage is to open up bare ground to receive a seed source. At least 50% bare ground should be created, with 80-90% ideal for the germination of seeds. This can look drastic but experience has shown that the harder you hit a site to begin with, the more successful the result. Creating bare ground should ideally be done mechanically, though there may be occasions where spot treatment of herbicide is more effective, such as on slopes to eradicate wall cotoneaster, or where mechanical means are not practicable:

- Harrowing – to create bare ground, a power-harrow or a combination of a flail mower and tine harrows can be used. Small horticultural rotary cultivators may also be suitable where access for larger machinery is restricted. The vegetation may need to be cut short before harrowing to enable patches of bare ground to be created and to remove large grass tussocks.
- Herbicide – advice from a qualified contractor should be sought about the types of herbicide that can be used, and application, as well as any risk of unintended consequences, such as run-off and diffuse pollution.

A seed bed should be created by rotovating or harrowing to make a fine tilth, once bare ground has been established, and prior to spreading seed. When herbicide has been used, it is advisable not to cultivate the soil as this is likely to expose weed seeds; instead, just surface sow then follow with rolling.

Species-rich grassland can be established using the methods outlined under the section on creating species-rich grassland along new roads (see page 26).

### **Management of newly created species-rich grasslands**

Cut-and-collect mowing is a key way of maintaining the biodiversity of grass verges but not the only one. Consideration during scheme design should also be given to the opportunity for establishing grazing units for cattle or sheep, especially where verges are wide for forward visibility, and on embankment and cutting. Stock-proof fencing, set back from the road edge, will be an additional requirement to be specified, together with a water trough and supply.

Flower-rich grasslands established on subsoil or bare mineral are unlikely to require ongoing annual management, and grazing every three to five years for a few weeks in that year may be all that is needed.

# Monitoring grassland road verges

Monitoring the effectiveness of management is crucial to measuring contract performance and informing future management measures. There are various attributes or performance measures that can be usefully monitored and should be reflected in management contracts.

| Attribute                                                                                    | Frequency           | Comments                                                                      |
|----------------------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------|
| <b>Habitat extent</b> – area of habitat type (species-rich grassland) within the soft estate | 5 yearly            | Aerial photography/site inspection                                            |
| <b>Vegetation composition</b> – species frequency/abundance present                          | Annually/biannually | This might be undertaken as a community assessment or using indicator species |
| <b>Positive indicator species</b> – presence/absence/population numbers                      | Annually/biannually | e.g. indicator or notable species                                             |
| <b>Negative indicator species</b> – negative/invasive species                                | Annually/biannually | e.g. indicator or notable species                                             |
| <b>Biometrics</b> – area, habitat type and condition                                         | Annually/biannually | e.g. Government biodiversity metric 2.0                                       |
| <b>Area under favourable management</b> – amount of road verge following these guidelines    | Annually            | Incrementally increasing target                                               |

Monitoring should be prioritised for those areas afforded statutory or non-statutory protection and other species-rich areas, or where restoration and enhancement management is in place.

There are numerous established monitoring methods available, including ground vegetation surveys (Common Standards Monitoring, Rapid Assessment, the National Vegetation Classification or Phase 1 surveys) or remote monitoring (for example, aerial photography and LIDAR). These should be integrated into the GIS-based asset management system to support and inform management contracts. Support and assistance could be sought from local community groups and Local Sites Partnerships.



## Further guidance and reading

Highways England agrees with the good practice principles stated within this guidance; however, all contractual requirements should be based upon standards for highways, for example the Design Manual for Roads and Bridges

*Design Manual for Road and Bridges (DMRB)*

Highways England, Transport Scotland, Welsh Government and Northern Ireland Department for Infrastructure (2018)  
[www.standardsforhighways.co.uk](http://www.standardsforhighways.co.uk)

*Making Space for Nature: A review of England's Wildlife Sites and Ecological Network* (2010)  
Chaired by Professor Sir John Lawton CBE FR

*Keeping the Wild in Wildflower*  
[www.plantlife.org.uk](http://www.plantlife.org.uk)

Department of Environment Food & Rural Affairs:

- *Local Sites - Guidance on their Identification, Selection and Management*
- *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*
- *Defra Guidance for Successful Reclamation of Mineral and Waste Sites*
- *Good practice guide for handling soils*

*The Biodiversity Metric 2.0*  
Natural England

Case studies from around the UK showcasing the practical implementation of these guidelines can be found in full online at:  
<https://plantlife.love-wildflowers.org.uk/roadvergecampaign/management-guidelines>

# Glossary

**Access management** Grass is regularly cut to maintain access around structures or other critical infrastructure. This management is usually undertaken using hand tools, often during the growing season. Cuttings are usually not collected.

**Amenity grassland** is grassland that is often intensively managed with cuts several times a year, resulting in a relatively short sward. In very intensive systems, amenity grassland may be cut up to eight times per year. The reason for the intensity of management is generally linked to its location – for example, grassland situated on roadsides in villages or town centres. Works are undertaken using a wide variety of equipment, from hand mowers through to larger ride-on mowers. Collection of the cuttings is more common on amenity grassland, and there is a wider range of equipment available to do this as generally the sites are level and flat, and the road speed is reduced making it safer for operatives to carry out work.

**Herb** Herbaceous or non-woody plant.

**Propagule** Any structure capable of being propagated or acting as an agent of reproduction, or a plant part, such as a bud, that becomes detached from the rest of the plant and grows into a new plant. This includes seeds, stolons or rhizomes.

**Swathe (safety) cut** Undertaken several times a year with the aim of keeping the first 1-2 metres of grassland from the road short to maintain sight lines. The swathe cut is applied to the majority of road verges and is especially important on the strategic road network and other major routes. This cut is usually undertaken using a tractor-mounted flail and cuttings are not removed. It ensures a short sward that deters invertebrates and small mammals away from the road. On minor roads it may not be necessary to undertake a swathe cut where there are no hazards.

## Additional criteria

**Diversity or biodiversity:** This is a combination of species richness (the number of species present in a given area) and their abundance. It is closely related to habitat size and structural diversity, as well as the inherent species composition of the type of grassland habitat in question. For example, some habitats are inherently more diverse than others, and secondary habitats may be quite rich in this respect. Conversely, many ancient semi-natural habitats (in particular heathlands that are not considered in this management guidance) may be inherently species-poor, but of

considerable importance in that they often support rare plants and animals. Where good examples of supporting habitat are identified through new surveys, conservation priorities should be re-evaluated to ensure that the grassland is being managed appropriately.

**Position in an ecological unit** refers to the relative ecological isolation of a grassland road verge. In the context of this assessment, stands of grassland roadside habitat of moderate quality would be raised in value if they are adjacent to large stands of semi-natural habitat outside highway boundary. In such instances, it should be assumed that the verge habitat would support species that would be more typically associated with adjacent semi-natural habitat. Equally, a species-rich grassland road verge would assume rather lower value if the nearest similar habitat were several kilometres away

**Rarity:** in this context refers to species of plant, animal and type of habitat whose populations or extent are considered to be under threat. The premise is based upon the principle that very small, in particular ecologically isolated populations and habitats, are more likely to be lost as a result of harmful changes in management, direct destruction or even as a result of some random destructive event (such as fire or drought). Rarity is generally assessed at local, regional and national levels and assessment is assisted by reference to texts, such as Red Data Books and legislation, including the Natural Environment and Rural Communities Act 2006, and Wildlife and Countryside Act 1981.

**Size** is closely related to diversity and rarity, particularly when considering the extent of a habitat type. Larger areas of habitat enable there to be greater structural diversity on grassland verges, providing increased species richness and larger, and therefore more stable, populations of plants and animals. It is of particular importance in the event of disturbance, such as a severe drought, fire or flood, as larger populations of vulnerable species are more likely to survive these random events. Where the event leads to the loss of part of a population, there is an opportunity for recolonisation.

**Typicalness** refers to whether the habitat in question is considered a good example of a particular type and is of most use when assessing long-established plant communities. The National Vegetation Classification can assist assessment in this context, as it attempts to provide 'snapshots' of typical plant communities across the UK that have developed under a range of environmental conditions and management regimes.



# Appendix 1: Equipment used to manage grassland verges

**Hand-held tools** are used for more intricate work such as clearing around road signs and Armco crash barriers, steep slopes and less accessible places. They are universal across all road types and the most common are strimmer, brush-cutter and walk-behind mowers.

**Ride-on mowers** make cutting moderately large areas of grass, such as road verges in an urban area, much quicker and more efficient than hand-held tools and cause minimal soil compaction, improving water retention. They can be used in areas where a fine finish is required, such as at motorway service stations, and are usually highly manoeuvrable and able to cut close to street furniture such as lamp columns and road signs.

**Tractor-mounted flails** can cope with tussocky and dense grass swards or light scrub which is mown once or twice a year. Most flails are driven by the power take-off (PTO) from the tractor and attached to the three-point hitch at the rear of the tractor. Some tractors also have front-mounted flails. Commonly the flail is attached to a hydraulic side-arm (the side-arm flail) and this provides a versatile mowing head able to cope with vertical and horizontal alignments, and all angles of slope in between. The reach of the flail is limited by the length of the side arm. The standard 1-2 metre swathe cut immediately next to the road edge is one width of the flail head. Care should be taken to avoid soil compaction on wet ground.

**Remote-controlled cutting:** remote-controlled mowers are becoming increasingly common, especially on steep slopes where operator safety on conventional driven machinery is a particular concern. Track laying mowers can cut embankments up to 55 degrees. Several different interchangeable heads are available, including a standard flail head for grass and light scrub to forestry mulcher heads that will tackle substantial scrub and small trees. As the operator is remote from the machinery, problems associated with Hand Arm Vibration Syndrome are avoided.

**Cut-and-collect:** machinery that removes the cut grass at the same time as the cutting is known as cut-and-collect, or cut-and-lift technology. It is commonly used across large areas of grass where leaving cuttings is deemed unsightly or unacceptable, such as on golf courses. Although frequently employed in continental Europe, it is not often used on UK road verges, yet would transform the way that verges are managed, and in most cases would lead to cost savings and increased biodiversity as Dorset and Lincolnshire councils have experienced.

## **Small-scale cut-and-collect mowers for urban use:**

Dorset Council is moving to replace all their ride-on mowers with cut-and-collect machinery, so that they are dual purpose. They still have mostly standard ride-on front deck flail mowers (less often front deck rotary mowers) but by the end of the 2018/19 year, will have four or five cut-and-collect. They currently have two in operation daily:

- Amazone 4WD Profihopper. <http://www.amazone.co.uk/2376.asp>
- Grillo Front Deck rotary mower. <http://www.grilloagrigarden.co.uk/fd450>

## **Large-scale flail collectors for some urban but mainly rural use:**

Large-scale flail collectors – where grasslands are flat and wide enough for the tractor, flail and hopper to operate – can be used. They are operated on some road verges, public open spaces, nature reserves and school grounds. The flail collectors also cope with cutting heather and light scrub.

- Ryetec flail collector [http://www.ryetec.net/product.php?id\\_product=20](http://www.ryetec.net/product.php?id_product=20)
- Amazone flail collector <http://www.amazone.co.uk/285.asp>



## Appendix 2: Reference list of indicator plant species that could be used when monitoring

| Lowland meadow species     |                              | Comment                                                                                          |
|----------------------------|------------------------------|--------------------------------------------------------------------------------------------------|
| Betony                     | <i>Betonica officinalis</i>  | Common in more acid soils                                                                        |
| Bulbous buttercup          | <i>Ranunculus bulbosus</i>   | Common in most drier lowland meadows                                                             |
| Common bird's-foot trefoil | <i>Lotus corniculatus</i>    |                                                                                                  |
| Common/black knapweed      | <i>Centaurea nigra</i>       |                                                                                                  |
| Crested dog's-tail         | <i>Cynosurus cristatus</i>   |                                                                                                  |
| Devil's-bit scabious       | <i>Succisa pratensis</i>     | Common in more acid soils                                                                        |
| Field scabious             | <i>Knautia arvensis</i>      |                                                                                                  |
| Hawkbits                   | <i>Leontodon</i> sp.         | Includes autumn hawkbit ( <i>Leontodon autumnalis</i> ) and rough hawkbit ( <i>L. hispidus</i> ) |
| Lady's bedstraw            | <i>Galium verum</i>          | Common in more calcareous lowland soils                                                          |
| Meadow buttercup           | <i>Ranunculus acris</i>      | Common in most damper lowland meadows                                                            |
| Meadow vetchling           | <i>Lathyrus pratensis</i>    |                                                                                                  |
| Oxeye daisy                | <i>Leucanthemum vulgare</i>  |                                                                                                  |
| Quaking-grass              | <i>Briza media</i>           | Common in more calcareous soils                                                                  |
| Salad burnet               | <i>Poterium sanguisorba</i>  | Common in more calcareous soils                                                                  |
| Self-heal                  | <i>Prunella vulgaris</i>     |                                                                                                  |
| Sweet vernal grass         | <i>Anthoxanthum odoratum</i> |                                                                                                  |
| Tufted vetch               | <i>Vicia cracca</i>          |                                                                                                  |
| Yellow oat-grass           | <i>Trisetum flavescens</i>   | Common in more calcareous lowland soils                                                          |
| Yellow rattle              | <i>Rhinanthus minor</i>      |                                                                                                  |

| Upland hay meadow species  |                                | Comment                                                                                          |
|----------------------------|--------------------------------|--------------------------------------------------------------------------------------------------|
| Bulbous buttercup          | <i>Ranunulus bulbosus</i>      |                                                                                                  |
| Cat's-ear                  | <i>Hypochaeris radicata</i>    |                                                                                                  |
| Common bird's-foot trefoil | <i>Lotus corniculatus</i>      |                                                                                                  |
| Common/black knapweed      | <i>Centaurea nigra</i>         | Can be common in some upland hay meadows but might not be present or at low levels               |
| Crested dog's-tail         | <i>Cynosurus cristatus</i>     |                                                                                                  |
| Great burnet               | <i>Sanguisorba officinalis</i> |                                                                                                  |
| Hawkbits                   | <i>Leontodon</i> sp.           | Includes autumn hawkbit ( <i>Leontodon autumnalis</i> ) and rough hawkbit ( <i>L. hispidus</i> ) |
| Ladies'-mantle             | <i>Alchemilla</i> sp.          |                                                                                                  |
| Meadow buttercup           | <i>Ranunculus acris</i>        |                                                                                                  |
| Meadow vetchling           | <i>Lathyrus pratensis</i>      | Common in most upland hay meadows                                                                |
| Oxeye daisy                | <i>Leucanthemum vulgare</i>    | Might not be present or at low levels                                                            |
| Pignut                     | <i>Conopodium majus</i>        |                                                                                                  |
| Red clover                 | <i>Trifolium pratense</i>      |                                                                                                  |
| Self-heal                  | <i>Prunella vulgaris</i>       | Might not be present or at low levels                                                            |
| Sweet vernal grass         | <i>Anthoxanthum odoratum</i>   |                                                                                                  |
| Wood crane's-bill          | <i>Geranium sylvaticum</i>     |                                                                                                  |
| Yellow rattle              | <i>Rhinanthus minor</i>        |                                                                                                  |

| Floodplain meadow species     |                                | Comment                                                                                          |
|-------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------|
| Common bird's-foot trefoil    | <i>Lotus corniculatus</i>      | Might not be present or at low levels                                                            |
| Common/black knapweed         | <i>Centaurea nigra</i>         |                                                                                                  |
| Common sorrel                 | <i>Rumex acetosa</i>           |                                                                                                  |
| Crested dog's-tail            | <i>Cynosurus cristatus</i>     |                                                                                                  |
| Cuckoo-flower / Ladies'-smock | <i>Cardamine pratensis</i>     | Might not be present or at low levels                                                            |
| Great burnet                  | <i>Sanguisorba officinalis</i> |                                                                                                  |
| Hawkbits                      | <i>Leontodon</i> sp.           | Includes autumn hawkbit ( <i>Leontodon autumnalis</i> ) and rough hawkbit ( <i>L. hispidus</i> ) |
| Meadow buttercup              | <i>Ranunculus acris</i>        |                                                                                                  |
| Meadow foxtail                | <i>Alopecurus pratensis</i>    | Might not be present or at low levels                                                            |
| Meadowsweet                   | <i>Filipendula ulmaria</i>     |                                                                                                  |
| Meadow vetchling              | <i>Lathyrus pratensis</i>      |                                                                                                  |
| Oxeye daisy                   | <i>Leucanthemum vulgare</i>    | Might not be present or at low levels                                                            |
| Pepper-saxifrage              | <i>Silva silaus</i>            | Might not be present or at low levels                                                            |
| Ragged-robin                  | <i>Lychnis flos-cuculi</i>     |                                                                                                  |
| Red clover                    | <i>Trifolium pratense</i>      |                                                                                                  |
| Self-heal                     | <i>Prunella vulgaris</i>       | Might not be present or at low levels                                                            |

|                    |                              |                                       |
|--------------------|------------------------------|---------------------------------------|
| Sweet vernal grass | <i>Anthoxanthum odoratum</i> |                                       |
| Yellow rattle      | <i>Rhinanthus minor</i>      | Might not be present or at low levels |


| Sedge pasture species           |                                   | Comment                                                                                                                                 |
|---------------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Carnation sedge                 | <i>Carex panicea</i>              |                                                                                                                                         |
| Common bird's-foot trefoil      | <i>Lotus corniculatus</i>         | Might not be present or at low levels                                                                                                   |
| Common/black knapweed           | <i>Centaurea nigra</i>            | Might not be present or at low levels                                                                                                   |
| Crested dog's-tail              | <i>Cynosurus cristatus</i>        |                                                                                                                                         |
| Cuckoo-flower/<br>Ladies'-smock | <i>Cardamine pratensis</i>        |                                                                                                                                         |
| Devil's-bit scabious            | <i>Succisa pratensis</i>          | Might not be present or at low levels                                                                                                   |
| Eyebright                       | <i>Euphrasia officinalis agg.</i> | Might not be present or at low levels                                                                                                   |
| Great burnet                    | <i>Sanguisorba officinalis</i>    | Might not be present or at low levels                                                                                                   |
| Hawkbits                        | <i>Leontodon sp.</i>              | Might not be present or at low levels. Includes autumn hawkbit ( <i>Leontodon autumnalis</i> ) and rough hawkbit ( <i>L. hispidus</i> ) |
| Lesser spearwort                | <i>Ranunculus flammula</i>        | Might not be present or at low levels                                                                                                   |
| Marsh marigold/Kingcup          | <i>Caltha palustris</i>           | Might not be present or at low levels                                                                                                   |
| Meadow buttercup                | <i>Ranunculus acris</i>           |                                                                                                                                         |
| Meadow foxtail                  | <i>Alopecurus pratensis</i>       | Might not be present or at low levels                                                                                                   |
| Meadow vetchling                | <i>Lathyrus pratensis</i>         | Might not be present or at low levels                                                                                                   |
| Meadowsweet                     | <i>Filipendula ulmaria</i>        | Can be a sign of lack of grazing                                                                                                        |
| Ragged-robin                    | <i>Lychnis flos-cuculi</i>        | Might not be present or at low levels                                                                                                   |
| Red clover                      | <i>Trifolium pratense</i>         |                                                                                                                                         |
| Self-heal                       | <i>Prunella vulgaris</i>          | Might not be present or at low levels                                                                                                   |
| Sharp-flowered rush             | <i>Juncus acutiflorus</i>         | Might not be present or at low levels                                                                                                   |
| Sweet vernal grass              | <i>Anthoxanthum odoratum</i>      |                                                                                                                                         |
| Yellow rattle                   | <i>Rhinanthus minor</i>           | Might not be present, or at low levels, or in patches                                                                                   |

| Calcareous grassland species |                                   | Comment                                                                                                |
|------------------------------|-----------------------------------|--------------------------------------------------------------------------------------------------------|
| Bee orchid                   | <i>Ophrys apifera</i>             | Might not be present or at low levels                                                                  |
| Betony                       | <i>Betonica officinalis</i>       | Might not be present or at low levels                                                                  |
| Bulbous buttercup            | <i>Ranunculus bulbosus</i>        |                                                                                                        |
| Carnation sedge              | <i>Carex panicea</i>              |                                                                                                        |
| Cat's-ear                    | <i>Hypochaeris radicata</i>       | Might not be present or at low levels                                                                  |
| Common bird's-foot trefoil   | <i>Lotus corniculatus</i>         | Might not be present or at low levels depending on sward height                                        |
| Common/black knapweed        | <i>Centaurea nigra</i>            |                                                                                                        |
| Common/black sedge           | <i>Carex nigra</i>                |                                                                                                        |
| Common milkwort              | <i>Polygala vulgaris</i>          | Might not be present or at low levels                                                                  |
| Common restharrow            | <i>Ononis repens</i>              | Might not be present or at low levels                                                                  |
| Common rockrose              | <i>Helianthemum nummularium</i>   | Might not be present or at low levels depending on sward height                                        |
| Common-spotted orchid        | <i>Dactylorhiza fuchsii</i>       | Might not be present or at low levels                                                                  |
| Crested dog's-tail           | <i>Cynosurus cristatus</i>        |                                                                                                        |
| Crosswort                    | <i>Cruciata laevipes</i>          | Might not be present or at low levels                                                                  |
| Devil's-bit scabious         | <i>Succisa pratensis</i>          | Might not be present or at low levels                                                                  |
| Dropwort                     | <i>Filipendula vulgaris</i>       | Might not be present or at low levels                                                                  |
| Eyebright                    | <i>Euphrasia officinalis agg.</i> |                                                                                                        |
| Fairy-flax                   | <i>Linium catharticum</i>         |                                                                                                        |
| Field scabious               | <i>Knautia arvensis</i>           | Might not be present or at low levels                                                                  |
| Glaucous sedge               | <i>Carex flacca</i>               |                                                                                                        |
| Greater knapweed             | <i>Centaurea scabiosa</i>         | Might not be present or at low levels                                                                  |
| Greater yellow rattle        | <i>Rhinanthus serotinus</i>       | Might not be present or at low levels                                                                  |
| Harebell                     | <i>Campanula rotundifolia</i>     |                                                                                                        |
| Hawkbits                     | <i>Leontodon sp.</i>              | Includes rough hawkbit ( <i>Leontodon hispidus</i> ) and lesser hawkbit ( <i>Leontodon saxatilis</i> ) |
| Hoary plantain               | <i>Plantago media</i>             |                                                                                                        |
| Horseshoe vetch              | <i>Hippocrepis comosa</i>         | Might not be present or at low levels                                                                  |
| Kidney vetch                 | <i>Anthyllis vulneraria</i>       | Might not be present or at low levels                                                                  |
| Lady's bedstraw              | <i>Galium verum</i>               |                                                                                                        |
| Oxeye daisy                  | <i>Leucanthemum vulgare</i>       | Might not be present or at low levels                                                                  |
| Pyramidal orchid             | <i>Anacamptis pyramidalis</i>     | Might not be present or at low levels                                                                  |
| Quaking-grass                | <i>Briza media</i>                |                                                                                                        |
| Sainfoin                     | <i>Onobrychis viciifolia</i>      | Might not be present or at low levels                                                                  |
| Salad burnet                 | <i>Poterium sanguisorba</i>       |                                                                                                        |
| Self-heal                    | <i>Prunella vulgaris</i>          | Might not be present or at low levels                                                                  |
| Small scabious               | <i>Knautia columbaria</i>         | Might not be present or at low levels                                                                  |
| Sweet vernal grass           | <i>Anthoxanthum odoratum</i>      |                                                                                                        |
| Upright brome                | <i>Bromus erectus</i>             | Can be a sign of lack of grazing                                                                       |
| Wild basil                   | <i>Clinopodium vulgare</i>        | Might not be present or at low levels                                                                  |

|                  |                               |                                                                 |
|------------------|-------------------------------|-----------------------------------------------------------------|
| Wild carrot      | <i>Daucus carota</i>          | Might not be present or at low levels                           |
| Wild marjoram    | <i>Origanum vulgare</i>       | Might not be present or at low levels                           |
| Wild thyme       | <i>Thymus praecox</i>         | Might not be present or at low levels depending on sward height |
| Yellow oat-grass | <i>Trisetum flavescens</i>    |                                                                 |
| Yellow-wort      | <i>Blackstonia perfoliata</i> | Might not be present or at low levels                           |

| Purple-moor grass and rush pasture species |                              | Comment                               |
|--------------------------------------------|------------------------------|---------------------------------------|
| Carnation sedge                            | <i>Carex panicea</i>         |                                       |
| Common lousewort                           | <i>Pedicularis sylvatica</i> | Might not be present or at low levels |
| Common sorrel                              | <i>Rumex acetosa</i>         |                                       |
| Cross-leaved heath                         | <i>Erica tetralix</i>        | Might not be present or at low levels |
| Cuckoo-flower/<br>Ladies'-smock            | <i>Cardamine pratensis</i>   |                                       |
| Devil's-bit scabious                       | <i>Succisa pratensis</i>     | Might not be present or at low levels |
| Greater bird's-foot trefoil                | <i>Lotus uliginosus</i>      |                                       |
| Heather/ling                               | <i>Calluna vulgaris</i>      | Might not be present or at low levels |
| Lesser skullcap                            | <i>Scutellaria minor</i>     | Might not be present or at low levels |
| Lesser spearwort                           | <i>Ranunculus flammula</i>   |                                       |
| Marsh bedstraw                             | <i>Galium palustre</i>       |                                       |
| Meadow buttercup                           | <i>Ranunculus acris</i>      |                                       |
| Meadowsweet                                | <i>Filipendula ulmaria</i>   | Might not be present or at low levels |
| Purple-moor grass                          | <i>Molinia caerulea</i>      |                                       |
| Ragged-Robin                               | <i>Lychnis flos-cuculi</i>   | Might not be present or at low levels |
| Saw-wort                                   | <i>Serratula tinctoria</i>   | Might not be present or at low levels |
| Self-heal                                  | <i>Prunella vulgaris</i>     | Might not be present or at low levels |
| Sharp-flowered rush                        | <i>Juncus acutiflorus</i>    |                                       |
| Sneezewort                                 | <i>Achillea ptarmica</i>     | Might not be present or at low levels |
| Sweet vernal grass                         | <i>Anthoxanthum odoratum</i> |                                       |
| Tormentil                                  | <i>Potentilla erecta</i>     |                                       |
| Water mint                                 | <i>Mentha aquatic</i>        |                                       |
| Western gorse                              | <i>Ulex gallii</i>           | Might not be present or at low levels |
| Whorled caraway                            | <i>Carum verticillatum</i>   | Might not be present or at low levels |



A vibrant meadow of wildflowers under a cloudy sky. The foreground is filled with a variety of flowers, including white daisies with yellow centers, purple thistles, and yellow wildflowers. The background shows a lush green field leading to a line of trees under a bright, overcast sky.

**If we follow these  
guidelines, we could  
enjoy an estimated  
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## GLYPHOSATE INFORMATION NOTE – AUGUST 2018

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It is the policy of the Welsh Government to reduce to the lowest possible level the effect of pesticide use on people, wildlife, plants and environment while making sure pests, diseases and weeds are effectively controlled. All pesticide products available in the UK have to meet strict regulatory standards to ensure they do not pose a threat to human or animal health and the environment. The regulatory authorities undertake ongoing scientific research to make sure such chemicals are safe to use and have no long-lasting effect on the environment.

Glyphosate is the active substance in many herbicides and is widely used around the world. All pesticide active substance approvals are subject to periodic review and the approval of glyphosate has recently gone through this process. In November 2017, the European Union re-approved the continuing use of glyphosate from 16 December 2017. Reviews of the scientific data by the European Food Safety Authority (EFSA) and the European Chemicals Agency's Committee for Risk Assessment have found no safety concerns that would prevent continuing approval, and UK scientists agree with this assessment. The new approval lasts until 15 December 2022; use beyond that date would be subject to a further decision.

Risks associated with the use of pesticides in amenity areas, such as parks, is specifically considered as part of the authorisation process. Legally enforceable conditions of use are imposed on the way products can be applied to ensure the public are not exposed to levels of pesticides that would harm health or have unacceptable effects on the environment.

Pesticides in amenity areas should be used responsibly and only as part of an integrated programme of control. They can help deliver substantial benefits for society which include: management of conservation areas, invasive species and flood risks; access to high quality sporting facilities; and safe public spaces (for example, by preventing weed growth on hard surfaces creating trip hazards), industrial sites and transport infrastructure.

In regards to glyphosate use for controlling invasive non-native plant species you may wish to note recent research undertaken by Swansea University examining the physical and chemical control of Japanese knotweed. These were the largest field trials of their kind ever undertaken worldwide. Initial [results were published](#) earlier this year. Though no control treatment delivered complete eradication of Japanese knotweed glyphosate applied at an appropriate dose, phenological stage and level of coverage was found to be the most effective control treatment. They made a recommendation for stakeholders to discontinue the use of other widely used herbicides for control of Japanese knotweed and unnecessary physical control methods that add equipment and labour costs and increase environmental impacts, without improving control compared to spraying alone.

The Welsh Government works with industry bodies and others to promote best practice in vegetation and weed management in the amenity sector. We support the work of the [Amenity Forum](#) in promoting the importance of sustainable pesticide use and developing user practice so that all amenity pesticide users are operating to consistently high standards. We strongly encourage engagement with the Amenity Forum, particularly at Local Authority level, so we can be assured that amenity pesticide users in Wales are conforming to the standards expected under the UK [National Action Plan for the Sustainable Use of Pesticides](#) and EU law. The Amenity Forum's main objective is to be the collective body representing the amenity industry, in relation to pesticide use and weed and pest control within the sector. To deliver on this, the Forum has developed a number of activities which include issuing [guidance notes](#) to support 'Best Practice' messages, organising conferences and workshops and working closely with the Chemicals Regulation Division of the Health and Safety Executive to ensure the amenity sector meets the requirements of the Nation Action Plan.

Please find below information from the [Health and Safety Executive website](#) regarding obligations tailored for those in the amenity sector using professional pesticide products.

Those who use, or cause or permit others to apply, plant protection products or who store and/or dispose of products are subject to a number of legal requirements. Key points to note are:

- Use of plant protection products should be considered as part of an integrated programme of control. The [Amenity Forum](#) provides practical advice on how this can be done.
- Anyone who applies pesticides as part of their professional activities must (including those previously operating under grandfather rights) hold a [recognised specified training certificate](#).
- All those purchasing professional plant protection products must reasonably believe that products are used by someone holding a specified certificate.
- All application equipment, except knapsacks and hand-held, must possess a certificate demonstrating that it has passed an officially recognised test conducted by the [National Sprayer Testing Scheme](#). Equipment has to be tested on either a three, five or six yearly basis thereafter depending on when the most recent test was conducted and the type of equipment. All equipment must be calibrated on a regular basis.
- Users, or those who cause or permit use, must ensure that: all reasonable precautions are taken to protect human health and the environment; applications are confined to target areas; and in certain areas (including public spaces and conservation areas) that the amount used and frequency of use is as low as reasonably practicable.
- Priority is given to particular products where there are risks to water quality.
- Professional users and distributors take all reasonable precautions to ensure handling, storage and disposal operations do not endanger human health or the environment.
- Storage areas are constructed in such a way as to prevent unwanted releases of products.

|                              |                                                        |
|------------------------------|--------------------------------------------------------|
| <b>Report to</b>             | <b>Partnerships Scrutiny Committee</b>                 |
| <b>Date of meeting</b>       | <b>13<sup>th</sup> February 2020</b>                   |
| <b>Lead Member / Officer</b> | <b>Lead Member for Housing and Communities</b>         |
| <b>Report author</b>         | <b>Built Environment and Public Protection Manager</b> |
| <b>Title</b>                 | <b>Additional Licensing for HMO's</b>                  |

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

1.1. The report is about seeking Members' input prior to a public consultation exercise on re-designating an Additional Licensing Scheme for Houses in Multiple Occupation (HMO) within Rhyl and extending the designation to relevant properties in Prestatyn, Denbigh and Llangollen. As part of the consultation exercise, we will attend the relevant Member Area Groups (MAGs) so that local members are fully briefed and also will have discussions with the Lead Member & other Denbighshire County Council (DCC) services and partners.

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

2.1. The Council has been operating an Additional Licensing Scheme for HMO's in Rhyl for nearly 10 years. The Housing Act 2004 requires us to review the Additional Licensing scheme designation every 5 years. Officers are seeking the views of Members prior to undertaking a comprehensive consultation exercise, on a re-designated Additional Licensing Scheme in Rhyl and also on the proposal to extend the designation to Prestatyn, Denbigh and Llangollen

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

3.1. For Members to support the forthcoming consultation on extending the Additional Licensing scheme having considered the contents of this report giving particular consideration to the following:

**The geographical area Covered by Additional Licensing.**

**The type of HMO to be covered by Additional Licensing.**

**Justification and evidence for re-designating Additional Licencing.**

**The Conditions to be imposed as part of Additional Licensing**

**Fees to be applied to Additional Licensing**

- 3.2. and, that the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 7) as part of its consideration.

## **4. Report details**

### **Background**

4.1. The Housing Act 2004 introduced a duty for local authorities to operate a Mandatory Licensing Scheme for certain types of HMO's which consist of:

- Three of more storeys and
- With five or more occupants and
- Forming two or more households

4.2. The aim of the Mandatory Licensing Scheme is to ensure that HMO's are properly managed by fit and proper people; that the premises are suitably equipped with adequate amenities and facilities and that fire safety arrangements are acceptable.

4.3. However, only a small number of HMOs in Denbighshire fall within the Mandatory Licensing criteria laid down by the Act. As of 27/01/2020, 33 HMO properties have been licenced under the mandatory scheme.

4.4. The Housing Act 2004 also contains provisions enabling local authorities to extend a licensing scheme to other categories of HMO to address particular problems not covered by the Mandatory Scheme. This is called Additional Licensing.

- 4.5. On the 8<sup>th</sup> September 2009 Cabinet approved an Additional Licensing Scheme for Rhyl. This Scheme came into force on the 1<sup>st</sup> January 2010. The Scheme was reviewed by Cabinet in December 2014 and extended for another 5 years.
- 4.6. As of the 27<sup>th</sup> January 2020, 145 HMO's have been licensed through the Additional Licensing Scheme and 33 Licensed through the Mandatory Scheme, i.e. 175 in total.

## **Elements for Consideration:**

### **The geographical area Covered by “Additional Licensing”.**

- 4.7. Currently, the Additional Licensing scheme only applies to relevant properties in Rhyl. Officers recommend that the scheme is expanded to include HMO's in Prestatyn, Denbigh and Llangollen.

### **The type of HMO to be covered by “Additional Licensing”**

- any type of HMO as defined by Section 254 of the Housing Act 2004 which does not fall within the mandatory licensing scheme, occupied by three or more persons, forming two or more households.
- HMO properties which are defined within the scope of Section 257 of the Housing Act; HMO's created by converting buildings into flats, but do not meet the 1991 Building Regulations and they have not been subsequently brought up to the relevant standards

### **Justification and evidence for re-designating an Additional Licensing scheme**

- 4.8. In order to designate an Additional Licensing Scheme, the Housing Act 2004 states that the local authority **must be satisfied** that certain criteria is met. **(Appendicies 1, 3, 4 & 5)** of this report provides letters of support for the extension of Additional Licensing from North Wales Police (NWP) and North Wales Fire and Rescue Service (NWFRS) together with more evidence to support the extension of the scheme.

### **The Conditions to be imposed as part of an Additional Licensing scheme**



4.9. The Licensing Conditions and Standards have been reviewed and updated as the current standards were originally adopted back in 2010. The proposed conditions have been outlined in **Appendix 2**. The main changes are:

- Amending the **room space standards** slightly to be in line with England.
- **Energy Efficiency Conditions** amended to be in line with the new Energy Efficiency (private Rented Property) (England and Wales) Regulations 2015
- More detailed conditions on **storage and Disposal of Refuse**
- **Anti-social behavior** amendments
- **Gas Safety** – A carbon monoxide (CO) alarm must be fitted to any room that is used as living accommodation and contains any gas appliance.

#### **Fees to be applied to an Additional Licensing scheme**

4.10. The Licensing fees have also been reviewed. We propose to adopt the existing Fee Structure with additional incentives and discounts to landlords for good compliance and management. Fees and charges attached in **Appendix 6**.

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

5.1. It is recognised that there is a need to ensure housing is available to meet the needs of Denbighshire residents and that this is an important factor in retaining or attracting young people to live in the area. The effective and efficient management of the private rented sector specifically HMO properties being key to ensuring this objective is achieved for tenants, residents and landlords.

5.2. Controlling HMO also contributes towards the provision of a wide range of accommodation available to suit different needs and contributes to one of the actions of supporting young people to access suitable homes they can afford.

5.3. In the West Rhyl Regeneration Area we are trying to create an attractive neighbourhood where working people will want to live and the remaining HMO need to be proportionately regulated to achieve this.

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

6.1. Costs will be contained within service budgets and it is proposed that the existing licensing fees are retained.

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

7.1. The main conclusion from the Well-being Impact Assessment is that the result contributes positively overall to the wellbeing goals. A housing licensing scheme such as this can have wide-ranging positive impacts for social wellbeing, environmental impact and on economic improvements to the wider area. The report has highlighted that a real focus needs to be made on social inclusion and development. **See Appendix 7 for a copy of the Well-Being Impact Assessment.**

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

8.1. The Housing Act requires the Authority to take reasonable steps to consult persons likely to be affected by the designation of an “Additional Licensing” Scheme and to consider any representations received prior to implementation. Formal consultation will begin after members have considered this report.

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

9.1. Any costs associated with this scheme should be contained within existing budgets and therefore there are no obvious financial implications contained in the report.

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

10.1. There are no risks with embarking on a consultation. Any risks identified during the consultation process will be addressed prior to bringing a report back to members.

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

11.1. Section 56 of the Housing Act 2004 (the Act) gives the local authority the power to either designate the area of their district or an area in their district as subject to additional licensing in relation to a description of HMO specified in the designation.

Section 65 (2) of the Act gives the local authority power to set higher local standards over and above what are the prescribed standards set by legislation.

Section 63(3) of the Act states that the local authority may require a licensing application to be accompanied by a fee, fixed by the local authority.

Section 7.4.1 of the Council's Constitution outlines Scrutiny's powers with respect of reviewing and developing policy.



**PLANNING, PUBLIC PROTECTION AND COUNTRYSIDE  
SERVICES**

**PROPOSAL**

**Proposed designation of an Additional Licensing  
scheme for Houses in Multiple Occupation (HMOs)  
within the four wards of Rhyl, Prestatyn, Llangollen  
and Denbigh**

**Denbighshire County Council Additional Licensing Scheme  
(Houses in Multiple Occupation) Scheme 2020**

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Appendix 3 - North Wales Fire & Rescue Supporting Document

Appendix 4 - North Wales Police Supporting Document

Appendix 5 - Waste Enforcement Supporting Document

Appendix 6 – HMO Licensing Fees

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## Proposed designation of an Additional Licensing scheme for Houses in Multiple Occupation (HMOs) within the four wards of Rhyl, Prestatyn, Llangollen and Denbigh

### 1. Introduction

The Housing Act 2004 changed and improved the way in which Houses in Multiple Occupation (HMO's) are regulated. The Act introduced a new duty for Local Authorities to operate a mandatory licensing scheme for certain types of HMO's which consist of three or more storeys and with five or more occupants, forming two or more households.

The aim of the licensing scheme is to ensure that HMO's are properly managed by 'fit and proper' people; that the premises are suitably equipped with adequate amenities and facilities and that fire safety arrangements are acceptable. A licence will also specify the maximum number of people who may live in the HMO and includes specific standard licence conditions.

Denbighshire only had a small number of HMOs in Denbighshire that fell within the criteria laid down by the Act that are subject to the mandatory scheme. A total of 29 HMO properties are subject to this scheme and have since been licensed. All these properties are in Rhyl.

Out of the total number of housing stock in Denbighshire up to 3.1% of this stock are estimated to be HMO properties. There is 43,400 total stock, 7,157 of these are privately rented (Source - The Welsh Government Stats Wales). Of these 1,333 are HMO stock (Source - Housing Enforcement database). Of the total housing stock the highest of HMO stock are in town of Rhyl (1.9%), followed by Prestatyn (0.37%), Llangollen (0.28%), Denbigh (0.19%), St Asaph (0.11%), Ruthin (0.1%) Corwen (0.05%). **(Tables 1&2)**

Of the total known HMO's in Denbighshire the highest concentration of HMO are within Rhyl which equates to 63% of the total HMO stock, with Prestatyn with next highest with 12% of HMO stock, 9.1% in Llangollen, 6.3% in Denbigh, 3.7% in St Asaph, 3.4% in Ruthin 1.73% in Corwen, and all other Denbighshire towns combined with less than 0.77%.

The Housing Act 2004 also contains provisions enabling local authorities to extend to other categories of HMO to address particular problems that may exist in HMO not covered by the mandatory scheme due to the number of persons / households in occupation and also in sub-standard, converted, self-contained flats.

To deal with these types of HMO the Council took up these discretionary powers and on the 8<sup>th</sup> September 2009, the Council's Cabinet approved the "designation" of an "Additional Licensing" scheme in Denbighshire. This meant that many more HMOs were "captured" by a licensing regime that can seek to deliver improving living conditions within HMOs and limit the impact HMOs might have on the wider community. This Scheme was for a 5 year period and expired on 31<sup>st</sup> December 2014.

On 16<sup>th</sup> December 2014, The Council's Cabinet again approved the "designation" of an "Additional Licensing" scheme in Denbighshire. The current Houses in Multiple Occupation (HMO) Additional licensing scheme is due to expire on the 31<sup>st</sup> April 2020.

The report outlines the proposal to re-designate Additional Licensing scheme within four specified geographical areas, the types of HMO to be included in the scheme and the Licensing Standard and Fees applicable to the scheme.



It is our aim to ensure that all tenants are safe from the risk of fire and other potential hazards and that multi occupied housing is of a high standard with regards to their general facilities, amenities and living conditions. The private rented sector has an increasingly important role in the provision of housing options for those who are either not able to consider home ownership, or for whom social housing is not a viable option and also for work opportunities which is seasonal in nature. It is therefore imperative that the achievements already attained to date are built upon in the coming years by re-designating the Additional Licensing Scheme to include all houses in Multiple Occupation within the town of Rhyl and to introduce this for the first time to Prestatyn, Llangollen and Denbigh.

## **2. Legal Requirements**

Section 56 Housing Act 2004 gives power to Local Authorities to designate areas, or the whole of the area, within their district, as subject to additional licensing in respect of some or all of the HMOs in its area that are not already subject to mandatory licensing.

The Housing Act 2004 states that before making an Additional HMO licensing designation for a particular type of HMO, or for a particular area, a Local Authority must be satisfied that the following criteria are met:

**Criteria 1:** Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public, and, have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area in question.

**Criteria 2:** Consult persons likely to be affected by the designation and consider any representations made.

**Criteria 3:** Ensure that the exercise of the power is consistent with their overall housing strategy;

**Criteria 4:** Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by them or others;

**Criteria 5:** Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question, and;

**Criteria 6:** That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).

In meeting the above Criteria, evidence is contained within this report supporting the re-designation of an Additional HMO Licensing Scheme. In meeting Criteria 2 in particular, views of the public will be taken into consideration on the proposed designation as contained within the report. This report forms part of the Consultation process.

### 3. How Does Additional Licensing Work?

#### Application Process and Licensing Conditions

The scheme involves sending out Application Packs consisting of an application form and covering letter. Landlords are given 4 weeks to complete the forms and provide all necessary documentation and fee. The licensing procedure does not commence until a complete application is received.

Following receipt of a completed application form, properties are then either licensed or exempted from the scheme. The following are some reasons why properties may be **exempt** from the Denbighshire County Council's Additional Licensing Scheme:

- the number of occupants in the property is below the threshold for licensing
- It is a building which consists of self-contained flats where two thirds or more are owner occupied
- Where the owner or manager is a public body
- The property is a guest house or hotel
- The property is in single occupation etc.

Prior to licensing, all properties will have an inspection under the Housing Health and Safety Rating System (HHSRS) and any enforcement action required to remedy hazards identified will be carried out. At the same time, all licensed properties are risk rated which determines the next date for future inspection. All licensed properties will be revisited and a full inspection carried out at least once during the 5 year licence period.

Failure to apply for a HMO licence where required and breaking any of the licensing conditions are criminal offences and as such penalties are issued in accordance with the statutory levels.

Additional HMO Licensing allows for extra conditions and additional measures of control to be applied to the licence which would not be dealt with under the reactive inspections under the Housing Health and Safety Rating System (HHSRS).

The Authority must grant a licence if it is satisfied that:

- The HMO is reasonably suitable for occupation by the number of people allowed under the licence.
- The proposed licensed holder is **a fit and proper person** and the most appropriate person to hold the licence. This means that the licence holder has to declare any unspent convictions.
- The proposed manager, is a fit and proper person
- The management arrangements are satisfactory.
- It is satisfied that the property is Registered and the managing agent is Licensed with Rent Smart Wales.

A licence also includes the following conditions, which apply to every licence.

- A valid current gas safety certificate, which is renewed annually, must be provided upon request.
- Proof that all electrical appliances and furniture are kept in a safe condition.
- Proof that all smoke alarms/emergency lighting are correctly positioned and installed.
- Each occupier must have a written statement of the terms on which they occupy the property, for example, a tenancy agreement.

- The licence also specifies the maximum number of persons and households who may live in the HMO.
- Restrictions or prohibitions on the use of parts of the HMO by occupants may also be made.

In addition, the licence holder must not only satisfy to the authority that reasonable procedures are in place with regards to anti-social behaviour, but must also require local connection i.e. be locally based or within one hour travelling distance of the licensed house (unless it can be demonstrated that adequate provisions are in place to deal with urgent repair / management issues).

Imposing these additional standards and conditions not only allows for extra powers to ensure good living conditions for tenants in the private rented sector, but also ensures that poor landlords who provide badly managed accommodation can no longer compete unfairly by undercutting the majority of landlords who are responsible and provide reasonable conditions for their tenants.

See **Appendix 2** for the proposed Denbighshire County Council HMO Licence Conditions.

#### **4. The Current Additional Licensing Scheme**

##### **Scope of Scheme**

In 2014 Denbighshire County Council designated the five electoral wards of **Rhyl** as subject to Additional Licensing. The Scheme is known as **Denbighshire County Council Additional Licensing Scheme for Houses in Multiple Occupation (Rhyl) 2015** which came into force on the 1<sup>st</sup> April 2015 and is due to expire on the 31<sup>st</sup> March 2020. The Designation is in accordance with the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006.

This scheme was introduced to capture certain types of HMO properties within the settlement limits of Rhyl. The scheme also set out the fees which would apply for licensing those HMO's and to cover administration of the scheme for the period of the licence, which was for a maximum of 5 years. The scheme also has in place specific standard licensing conditions which were also adopted by the Council at the time of the designation, these standards would apply across the board to any HMO licensed under the scheme.

Evidence obtained during the consultation period prior to the scheme supported the need for HMO Additional Licensing within the Rhyl wards. The scheme includes properties that meet one of the following criteria:

- any type of HMO as defined by Section 254 of the Housing Act 2004 which does not fall within the mandatory licensing scheme, occupied by three or more persons, forming two or more households
- HMO properties which are defined within the scope of Section 257 of the Housing Act; HMO's created by converting buildings into flats, but do not meet the 1991 Building Regulations and they have not been subsequently brought up to the relevant standards

Much work has been undertaken within the scope of this Additional HMO Licensing scheme to ensure that any eligible properties were licensed. As of the 31<sup>st</sup> March 2019, just over 4 years

into the life of the scheme, 144 HMO properties have been licensed. Of these HMOs all have been inspected to assess them against the standard licensing Conditions and all have been inspected in accordance with the Housing Health and Safety Rating Scheme inspection system.

## 5. Supporting Evidence for the Scheme

### Complaints and Housing Health & Safety Rating System (HHSRS)

The Public Protection (Environmental Health) Service receive complaints from tenants of private rented properties. These complaints may relate to: general disrepair, failure in Management, the lack of amenities or lack of, or inadequate fire detection.

Following receipt of a complaint, each property is visited and a full HHSRS inspection is carried out. The HHSRS is the means of evaluating the potential risks to health and safety from any deficiencies in the dwellings. The Rating System is about the assessment of 29 hazards and their potential effects on the condition of the property.

Once a deficiency is identified during an inspection, the likelihood of a member of the vulnerable age group suffering a potentially harmful occurrence in the next 12 months is assessed. Finally, the possible harm outcomes that could result from such an occurrence is judged. This scoring procedure is repeated for all 29 hazards that are considered to be worse than average for the housing stock. Hazards can be scored as **Category 1** or **Category 2** hazards (A hazard band for all scored hazards are recorded Category 1 (A-C) and Category 2 (D-J)). Local Authorities have a duty to deal with Category 1 hazards and discretion to deal with Category 2 hazards. The following are examples of a few of the 29 Hazards:

- Damp and Mould Growth
- Excess Cold
- Food Safety
- Falling on Level Surfaces
- Fire

Over the last 4 years, 1,567 Housing Health & Safety Rating Scheme Assessments have been carried by the Housing Enforcement Team in Denbighshire. Of those assessments, 1004 (64%) were of HMO properties and the remainder, 563 (36%) were single occupancy rented properties. **(See Tables 3 and 4)**

61% of the HMOs inspected contained a Category 1 Hazard (406) compared to only 39% in non-HMOs. Additionally, 61% of the HMOs inspected also contained a Category 2 Hazard (778) compare to only 39% (491) in single occupancy properties.

Over the last **4 years 3561** hazards have been identified within properties in the private housing sector. **(See Tables 5 & 6)**

Of the total high risk hazards (Category 1) identified **56% (579)** were from HMO properties with the remaining **44% (463)** from single occupancy properties.

Of the Category 2 hazard identified **53%** were from HMO properties which equates to **1193** identified hazards, the remaining **47% (1326)** hazards were from single occupied properties.

Of all the Hazards identified (Cat 1 & 2) **1905** were from HMO properties with **1656** from single occupied properties, this equates to **53%** within HMO properties.

According to Denbighshire County Council statistics the total number of Private Rented Dwellings within Denbighshire is 7157. The total number of HMOs is 1,333 (19%) and the total number of single dwellings is 5,819 (81%). **(See Table 7)**

Since 2015, the total number of Housing related complaints received by Public Protection Housing Enforcement was 939, of which 475 (50.6%) were from HMO Properties and 464 (49.4%) were from single dwellings. **(See Table 8).**

475 Complaints were received from 36% of the total HMO Stock **(See Table 9)** compared to only 464 complaints which equates to 8% of the total single dwelling stock **(See Table 10)**. We are therefore 4 times more likely to receive a complaint about a HMO property than we are a Single Occupied rented dwelling.

### **Enforcement Action**

Following the HHSRS assessment stage, **enforcement action** is taken by means of one of the following:

- **Hazard Awareness Notices** (This notice advises the person on whom it is served of the existence of hazards on the residential premises concerned which arises as a result of the deficiency on the premises)
- **Improvement Notices** (stating the deficiency giving rise to the hazard which remedial action to be taken and time for taking such action)
- **Prohibition Orders** (An order imposing such prohibitions on the use of the premises)

Another form of enforcement action which is specific to HMO are:

- **Interim and Final Management Orders** (Interim Management Orders transfers the management of a residential property to the Local Authority for a period of up to twelve months. A local authority must take enforcement action in respect of a licensable property by making an Interim Management Order (IMO) if the property ought to be licensed, but is not, and the Local Authority considers there is no reasonable prospect of it granting a licence in the near future.

The procurement of a third Management Order Contract with an external agent / manager is currently being undertaken.

Since April 2015, 1,483 types of enforcement action were taken across the county. The results of enforcement action taken have resulted in Category 1 hazards being removed from 445 properties within Denbighshire. **(See Table 11)**

### **Fire Related Complaints and Incidents in Denbighshire**

In collating fire related data evidence were gathered from our own database, but also evidence was provided by North Wales Fire & Rescue Service.

From evidence provided by North Wales Fire & Rescue Service relating to reported dwelling fires in Denbighshire during the period 2010 to 2019, there were a total 703 incidents of which 178 (25%) occurred in flats or HMO properties. **(See Tables 12 -15)**

Of the 178 reports of fires which relate to flats or HMOs throughout Denbighshire, 102 (57%) related to reports of fire from the town of Rhyl **(see Tables 16-17)**, which is logical when this is Denbighshire largest town and contains the most HMOs; this results in 76 (43%) reported fires elsewhere over Denbighshire.

In addition, **Appendix 3** is a letter from North Wales Fire and Rescue Service which supports the need for the continuation of an Additional Licensing Scheme in Rhyl and its expansion to other areas within Denbighshire.

### **Additional Supporting Information**

In October 2012, a Fire Resulting in 5 fatalities occurred in Prestatyn which is currently outside the remit of HMO Additional Licensing. This property was a Section 257 HMO consisting of 2 Poorly Converted Flats over 3 Storeys. This tragic incident may have been prevented had the Licensing Scheme been widened to other wards within Denbighshire.

### **HMO Proactive Fire Risk Assessment Project**

Between November 2017 and March 2018, Officers carried out proactive Fire Safety Inspections of 135 (91%) out of 149 Licensed HMO properties within Rhyl that were eligible for an inspection. In total 621 individual flats / dwellings were inspected. Note: All properties are risk rated for inspection when a license is issued and this determines the next date for inspection; therefore not all licensed properties were due an inspection.

This was a scheme which was carried out in conjunction with guidance from the North Wales Fire Service. Visits were carried out to ensure that the properties were being adequately managed for fire safety. Landlords are required to have an update when required a fire safety risk assessment of their properties. In addition to ensuring this was in place, each visit also involved inspection of communal areas, including all fire doors, Automatic Fire Detection systems (to ensure they were in proper working order) and all had current Fire Safety and Emergency Lighting Certification. The visits revealed the following:

- 86% of properties had a suitable fire risk assessment.
- 424 of fire doors were defective in 79% of the properties inspected e.g. damaged or missing intumescent strips / seals, inadequate lock, holed etc. – These required either replacing or repairing.
- 13% of properties had means of escape issues identified during the inspection e.g. objects causing obstruction, defective emergency lighting etc.
- 4% of properties with fire detection panels were found to be defective.
- In total 74% of the properties inspected required formal enforcement action being taken in relation to fire safety issues identified. **(See Tables 18-22)**

In conjunction with the North Wales Fire and Rescue Service data, these statistics demonstrate that although there has been a general reduction in the number of fires in HMOs over the last 5 years, there is still a need to inspect and regulate HMOs on a regular basis; this can be achieved through the re-designation of the Additional Licensing Scheme for Rhyl and the other areas proposed.

### **Police Related Statistics – Anti Social Behaviour**

Anti-social behaviour is a broad term used to describe the day-to-day incidents of crime, nuisance and disorder that make many people's lives a misery – from litter and vandalism, to public drunkenness or aggressive dogs, to noisy or abusive neighbours. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords.

There have been a total of 6,407 ASB incidents in Denbighshire from the 1<sup>st</sup> April 2016 until the 31<sup>st</sup> August 2019. (See Table 23)

From the wards within Denbighshire, the majority of the incidents have occurred in Rhyl, specifically Rhyl West.

Between the dates 1<sup>st</sup> April 2016 until the 31<sup>st</sup> August 2019, Rhyl as a whole had 2903 ASB incidents, making up 45% of all incidents in Denbighshire.

Rhyl West specifically consisted of 1530 ASB incidents, making up 24% of all ASB incidents in Denbighshire.

It is clear that in the whole of Denbighshire between the dates of 1<sup>st</sup> April 2016 until the 31<sup>st</sup> August 2019, the ASB incidents over the period have decreased in total from 1835 to 1213. This is a decrease of 34%. The majority of wards have decreased in number of ASB incidents, with exception to a few. Rhyl's ASB incidents have shown a clear decrease from 839 to 558. This was a decrease of 33%.

It is evident that ASB incidents are more prominent not only in Rhyl, but in the following wards:

- 1) **Prestatyn – 1051 incidents** between the dates 1<sup>st</sup> April 2016 until the 31<sup>st</sup> August 2019
- 2) **Denbigh - 713 incidents** between the dates 1<sup>st</sup> April 2016 until the 31<sup>st</sup> August 2019
- 3) **Llangollen – 319 incidents** between the dates 1<sup>st</sup> April 2016 until the 31<sup>st</sup> August 2019

Overall, there has been a steady decrease in the number of ASB incidents over Denbighshire as a whole, although Rhyl continues to have the highest total number of ASB incidents, the above three wards have been identified with the second, third and fourth highest number of ASB incidents within the County.

The Additional Licensing Scheme applies conditions which aim to tackle antisocial behaviour within HMO properties.

**Appendix 4** Is a letter from North Wales Police which supports the need for the continuation of an Additional Licensing Scheme.

The above figures, and attached supporting letter demonstrates the ongoing need for an Additional Licensing not only in Rhyl but to other areas within the County.



### Waste Enforcement

Evidence obtained from the Waste and Recycling Manager and the Senior Environmental Crime officer of Denbighshire County Council's Environmental Services, see **Appendix 5**, shows there is a correlation between areas with a large HMO concentration and the amount of fly-tipping in those areas.

Fly tipping is often accumulations of black waste sacks (presented on other days to the designated collection day) and bulky waste.

The statistics below show the disproportionate number of formal requests we have received to respond to fly tipping in the West Rhyl area (Around 30% in the last two months) compared to the County monthly total.

| <u>Month</u>   | <u>No. of Incidents in W. Rhyl</u> | <u>Total for Month Denbighshire</u> |
|----------------|------------------------------------|-------------------------------------|
| May 2019       | 10                                 | 60                                  |
| June 2019      | 15                                 | 71                                  |
| July 2019      | 24                                 | 106                                 |
| August 2109    | 19                                 | 107                                 |
| September 2019 | 26                                 | 63                                  |
| October 2109   | 21                                 | 67                                  |

### Welsh Index of Multiple Deprivation 2019 (WIMD)

There is also a correlation with the amount of fly-tipping associated with HMO's in other areas i.e. Prestatyn, Denbigh, Ruthin and Llangollen. The problem is not confined to West Rhyl. However, data for this area is more readily available due to this area being a Council priority.

The Additional Licensing Scheme allows for conditions on waste management to be imposed e.g. provision and adequate number of suitable recycling and waste containers

The evidence provided indicates the need to continue with the Additional Scheme so as to ensure that waste issues in areas with HMO properties are addressed and improved.

The Welsh Index of Multiple Deprivation (**WIMD**) is the Welsh Government's official measure of relative deprivation for small areas in Wales. It identifies areas with the highest concentrations of several different types of deprivation. WIMD ranks all small areas in Wales from 1 (most deprived) to 1,909 (least deprived).

**Table 24** identifies the 10 most deprived areas in Wales. Wards in Rhyl are identified as numbers 1 and 2 most deprived areas.

**Table 25** however shows the detailed comparison of the Housing Domain WMID figures for Denbighshire in 2014 and 2019.

The Housing Domain identifies inadequate housing in terms of the presence of physical hazards such as excess cold and specifically the proportion of people living in overcrowded houses.

These results show that although the two wards highlighted in Table 24 Rhyl West 1 and Rhyl West 2 have deteriorated overall on WIMD, for the Housing Domain this has improved. These wards are areas of high HMO concentration and Additional Licensing has contributed to this improvement in standards not only for here but for other areas within Rhyl.

Additional Licensing requires a pre licence inspection which ensures any hazards identified are remediated and also this is followed up by further risk based inspections throughout the five year period of the licence. Overcrowding has been prevented through Additional Licensing by ensuring strict room space standards are adhered to. The re designation of Licensing in Rhyl will ensure the current standards are maintained and improved.

However other areas within Denbighshire appear to have declined in in the Housing Domain which supports the need for Additional Licensing to be expanded to other areas e.g. Llangollen and Denbigh.

### **Energy Efficiency**

A recent change is the introduction of the Energy Efficiency (Private Rented Property) (England & Wales) Regulations 2015. An Energy Performance Certificate (EPC) is required, under the Energy Performance of Buildings (England and Wales) Regulations 2012, whenever a property is built, sold or rented. The certificate contains information about the property's energy use, typical energy costs and provides recommendations about how to reduce energy use and save money. The energy performance of a building is rated on a scale of A to G, A being highly efficient, G being low efficiency.

These regulations phase in obligations for landlords of private rented domestic properties in relation to their energy performance. The Regulations set the minimum energy efficiency rating for all private rented properties and make it unlawful for properties with an energy performance rating of F or G to be let. Essentially a landlord who rents a property with an EPC rating below an E will be required to undertake work to improve its energy performance.

Additional Licensing as stated above, imposes conditions which will ensure HMO properties which are licensed meet these new legal requirements on Energy Efficiency, ensuring that all tenants live in warmer and more energy efficient homes.

## **6. Landlord Obligation**

### **Rent Smart Wales**

As part of the Additional Licensing Scheme, the Council is keen to promote high standards of management and encourage good well intentioned landlords through the requirements of **Rent Smart Wales** and the **Landlords Roadshow**.

**Under the Housing (Wales) Act 2014, there are legal obligations on landlords who have rental property in Wales.** Any landlord who has a rental property in Wales which is rented on an assured, assured shorthold or regulated tenancy is required to Register with Rent Smart Wales. Additionally, whoever manages the property must also be Licensed.

As part of the Additional Licensing Scheme, the requirements of Rent Smart Wales must be adhered prior to the application being accepted.

### **Landlord Roadshow**

The Council established a private Landlords Roadshow back in 2002. This Roadshow is held at least once a year and provides an opportunity for regular legislative updates, training events and networking opportunities for landlords, agents, managers and relevant partners.

## **7. HMO Additional Licensing Scheme Proposal**

### **Area to be covered**

It is proposed that Additional Licensing should be re-designated and should cover not only the town of Rhyl, but should also be expanded to the areas of Prestatyn, Llangollen and Denbigh.

### **Which properties will require licensing?**

It is proposed that the new Additional Scheme will continue to deal with properties that meet one of the following criteria:

- any type of HMO as defined by Section 254 of the Housing Act 2004 which does not fall within the mandatory licensing scheme, occupied by three or more persons, forming two or more households
- HMO properties which are defined within the scope of Section 257 of the Housing Act; HMO's created by converting buildings into flats, but do not meet the 1991 Building Regulations and they have not been subsequently brought up to the relevant standards

The power within the Act to designate Additional Licensing does not permit the Council to require buildings listed or referred to in Schedule 14 of the Housing Act 2004 to be subject to Additional Licensing e.g. local housing authority / social housing.

All landlords who own a property that fall under either one of the above criteria and located within the areas of Rhyl, Prestatyn, Llangollen and Denbigh will need to apply for a licence.

The Licensing Conditions and Standards have been reviewed and updated as the current standard where originally adopted back in 2007, the proposed Conditions have been outlined in **Appendix 2**.

The Licensing fees have also been reviewed, however there has been little change in overall costs since the initial fees were set and we therefore propose to adopt the existing Fee Structure as adopted by the Mandatory and current Additional Licensing scheme (**See Appendix 6**). We further propose to continue with additional incentives and discounts where a full application is received on time; late applications will be charged the full application fee without discount.

## 8. Conclusion:

### Benefits of Additional Licensing

- Reduces the risk of fire and other hazards in all types of HMOs.
- Improves standards of HMOs relating to amenities and repair.
- Existing legislation (HHSRS) allows us to deal with reactive complaints from residents whereas Licensing allows us to proactively inspect and improve conditions within the whole property.
- All licensed HMO properties are subject to a programmed HHSRS inspection as well as a risk based assessment throughout the life of the licence. Proactive risk based inspections can be carried out targeting resources to those properties in poor conditions with poor management. Properties of high standards and good management are subject to less frequent inspections.
- Additional requirements are imposed, which include the requirement to provide certification: Fire Safety, Electrical Safety, Emergency Lighting, Gas Safety, Energy Performance Certificates, in addition to meeting Anti-Social Behaviour and Rent Smart Wales requirements.
- Allows for conditions on waste management to be imposed e.g. provision and adequate number of suitable recycling and waste containers.
- Ensures overcrowding is prevented due to strict conditions on room standards.
- The Licence / holder or Manager has to ensure that the property is sufficiently managed and also has to be a “fit and proper person.”
- Information and support is available to landlords/ managers at all times and access to relevant information and changes in legislation is made available through the Landlord Roadshow.
- Improving the standard of accommodation through Licensing contributes to more sustainable tenancies, less void properties and a reduction in fly tipping, which are positive benefits to the wider community.
- Not only does Additional Licensing identify the whereabouts of HMO properties within the selected areas, but it also ensure a level playing field across the tenure by ensuring all HMOs meet the same standards and conditions.
- The WIMD 2019 report recognises that housing conditions have improved in areas where we have HMO Additional Licensing is enforced.
- The HMO Proactive Fire Risk Assessment Project demonstrates that although the majority of HMOs inspected have suitable fire risk assessments and precautions in place, there were still a significant number of fire related hazards identified. This highlights that there is a need to continue with the current Licensing Scheme and subsequent proactive inspections.

- The evidence obtained in this report and attached supporting letters from North Wales Fire and Rescue Service, North Wales Police and Denbighshire County Council's Environmental Service demonstrates the ongoing need for an Additional Licensing not only in Rhyl but to other areas within Denbighshire.
- As outlined in this report the Council receive numerous complaints in relation to housing conditions, landlord and tenants disputes, harassment and illegal eviction including noise nuisance, accumulation of refuse and general anti-social behaviour. Complaints are generally received from tenants, members of the public and other statutory bodies. The complaints generally related to all types of HMO's and the Council considers the re-designation of Additional Licensing within the areas of Rhyl, Prestatyn, Llangollen and Denbigh would greatly increase the Council's ability to continue with all the work which has already been done to regulate and improve the management and condition of these properties.
- One of Denbighshire's Corporate Priorities is to ensure that "everyone is supported to live in homes that meet their needs." Introducing an Additional HMO Licensing Scheme will contribute towards this priority by ensuring the effective and efficient management of our private rented sector HMO properties.
- A further priority is that "the Council works with people and communities to build independence and resilience." Vulnerable people are protected and are able to live as independently as possible if they so choose to live in the private rented sector, with better regulated rented accommodation with better managements in place and fit and proper persons running those accommodations.
- The Additional Licensing Scheme is consistent with the Council's Local Housing Strategy and Links to its Empty Property Strategy and Homelessness initiatives, to engage with private landlords to provide better quality of accommodation for those residents unable to access home ownership or social housing.

## 9. Consultation and Publication

In proposing the re-designation of Additional Licensing to cover 3 storey HMOs which do not fall within the remit of Mandatory Licensing within the towns of Rhyl, Prestatyn, Llangollen and Denbigh the Council aims to:

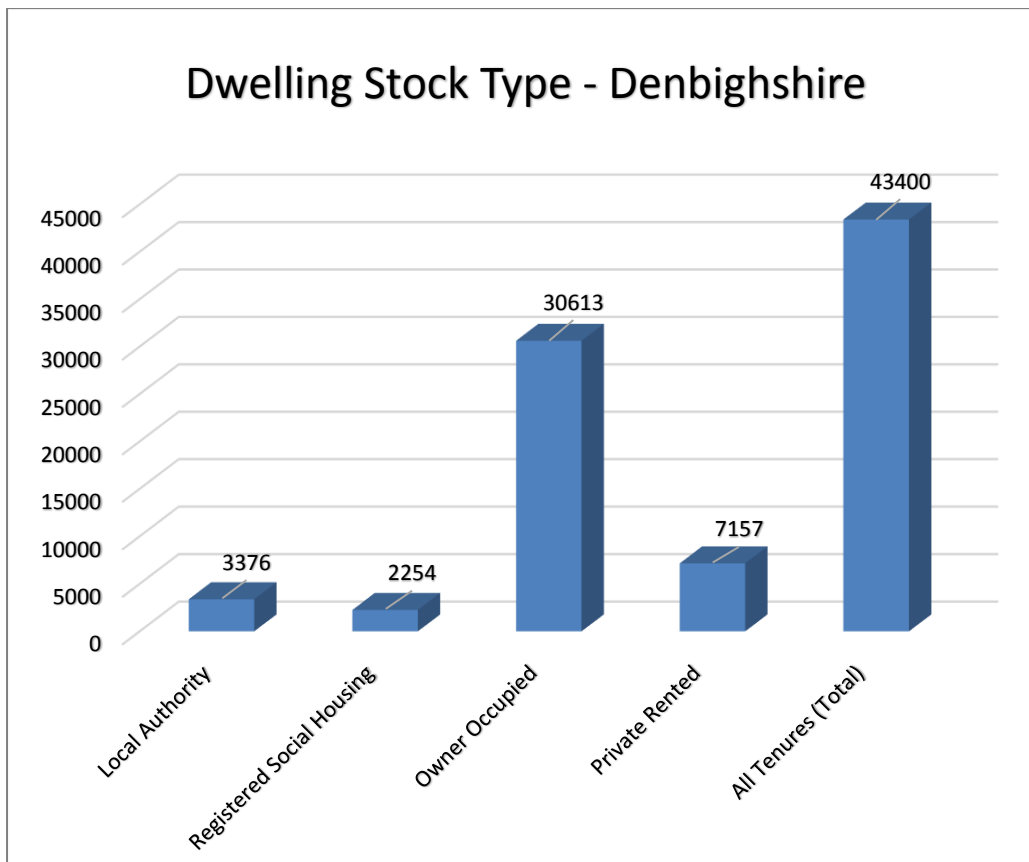
- **Engage with landlords to assist them with improving their management arrangements and improving general standards**

The Council invites comments in response to this consultation from all landlords, agents, tenants and all other interested parties. Please either use the reply form included with this consultation report and send it back to the address provided below:

Planning, Public Protection & Countryside Services,  
Caledfryn, Smithfield Road,  
Denbigh, Denbighshire,  
LL16 3RJ,  
Or e-mail: [envhealth@denbighshire.gov.uk](mailto:envhealth@denbighshire.gov.uk)

## 10. Statistics & Tables

**Table 1 – Showing the Dwelling Stock Type in Denbighshire**



**Table 2 – Showing the Stock HMO in % within Denbighshire**

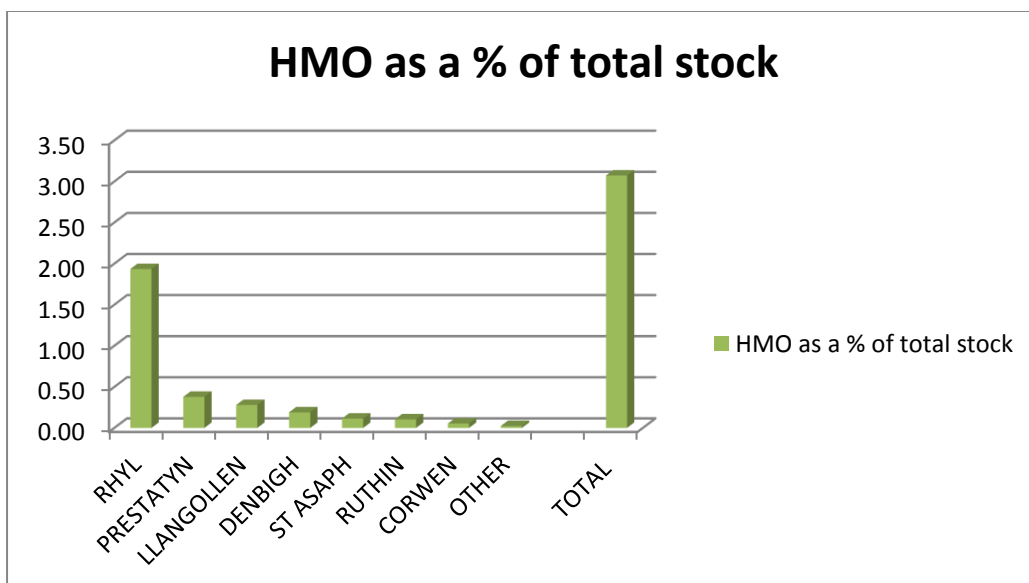
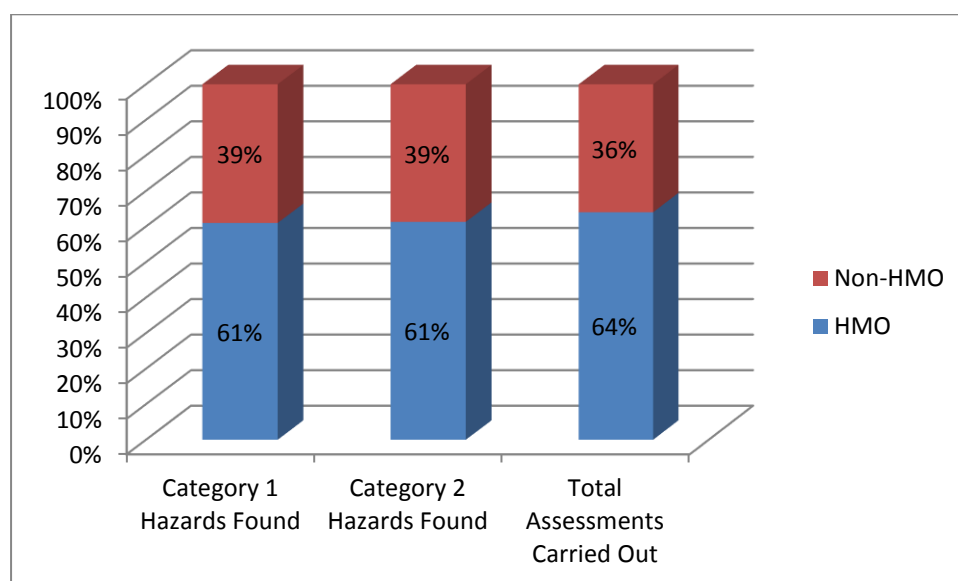


Table 2 clearly shows that the majority of DCC’s HMO stock are in Rhyl (1.9%). The area with the second and third largest of HMO dwellings are Prestatyn (0.37%), Llangollen (0.28%) and the fourth largest is Denbigh (0.19%)

**Table 3 – Number of Housing Health & Safety Rating Scheme Assessments Carried Out Where Hazards Found (2015 to 2019):**

|                                                                          | <b>HMO</b>        | <b>Non-HMO</b>   |
|--------------------------------------------------------------------------|-------------------|------------------|
| <b>Total Number of Assessments Carried out</b>                           | <b>1004 (64%)</b> | <b>563 (36%)</b> |
| Contained Category 1 Hazards                                             | 406 (61%)         | 261 (39%)        |
| Contained Category 2 Hazards                                             | 778 (61%)         | 491 (39%)        |
| <b>Total No of Properties Where Cat 1 &amp; Cat 2 Hazards identified</b> | <b>1184 (61%)</b> | <b>752 (39%)</b> |

**Table 4 – Number of Housing Health & Safety Rating Scheme Assessments Carried Out Where Hazards Found (2015 to 2019)**

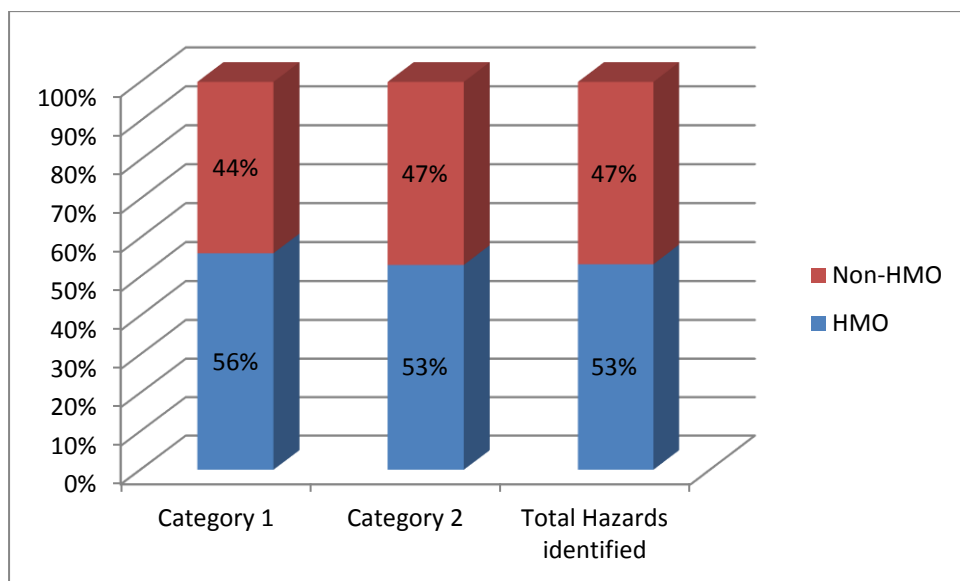


**Table 5 – Housing Health & Safety Rating Scheme identified hazards**

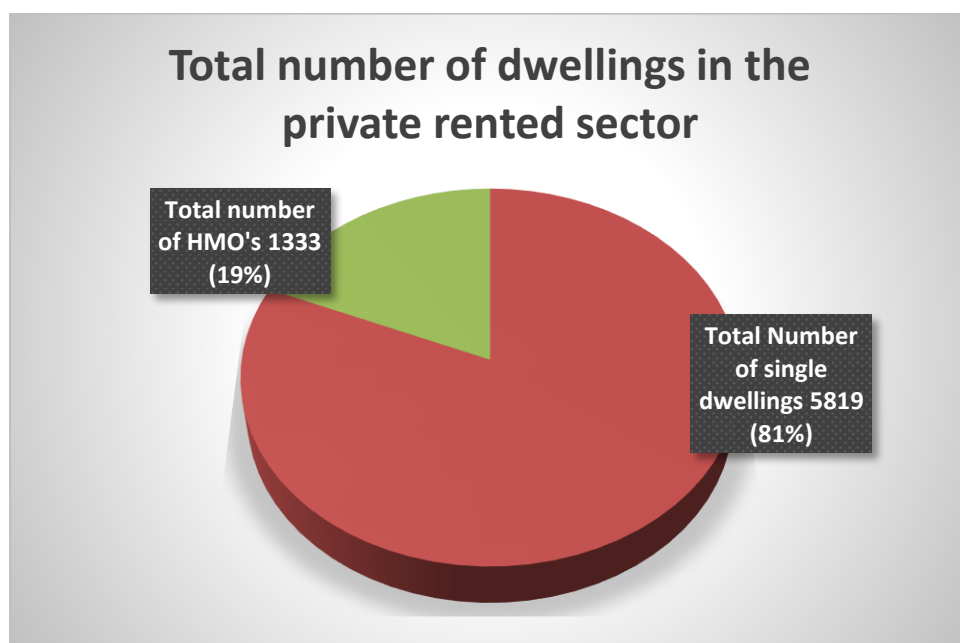
|                                 | <b>HMO</b>        | <b>Non-HMO</b>    |
|---------------------------------|-------------------|-------------------|
| Category 1                      | 579 (56%)         | 463 (44%)         |
| Category 2                      | 1193 (53%)        | 1326 (47%)        |
| <b>Total Hazards identified</b> | <b>1905 (53%)</b> | <b>1656 (47%)</b> |



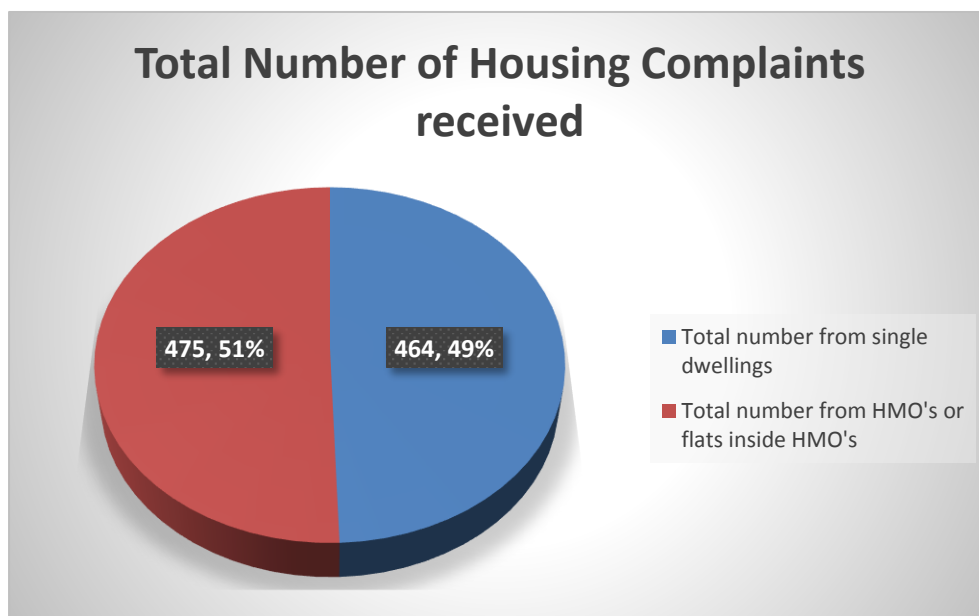
**Table 6 – Total Hazards Identified from 2015 to 2019**



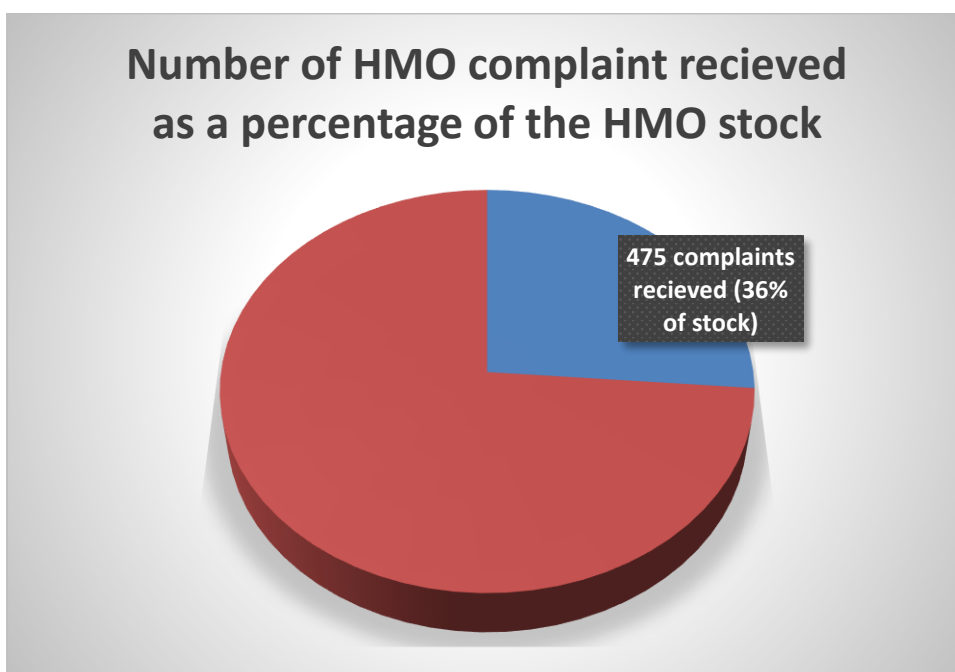
**Table 7 – Showing the ratio of HMO to single dwelling stock**



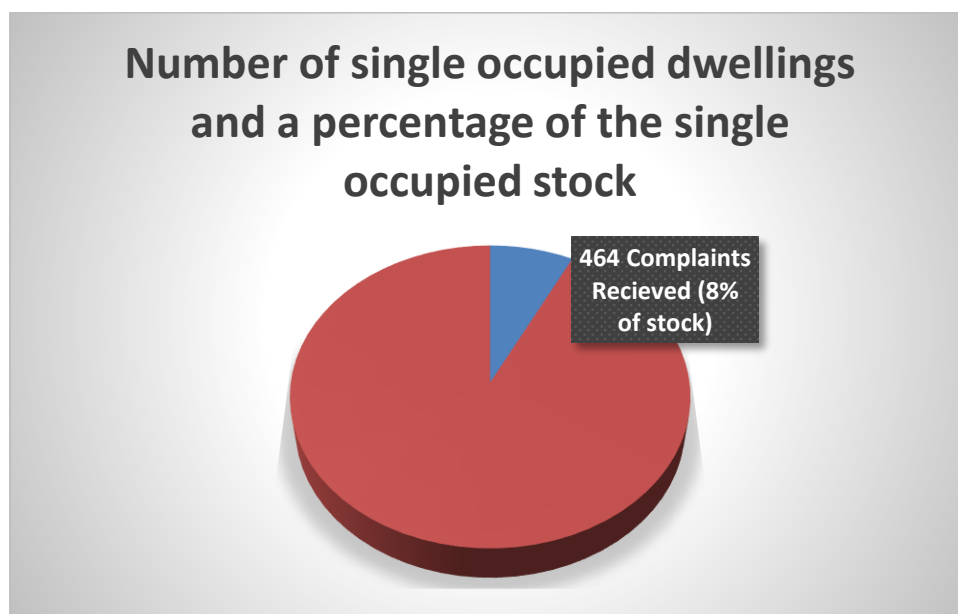
**Table 8 – Showing the total number of Housing Related Complaints**



**Table 9 - Showing the total number of complaints received from the HMO Stock as a whole**



**Table 10 - Showing the total number of complaints received from the Single Private Rented Stock as a whole**



**Table 11 - Enforcement action (*all properties*) which has been taken by the Housing Enforcement Team since April 2015 to April 2019:**

|                                                                   | Calendar Years |            |            |            |               | Total       |
|-------------------------------------------------------------------|----------------|------------|------------|------------|---------------|-------------|
|                                                                   | 2015/16        | 2016/17    | 2017/18    | 2018/19    | April - Nov19 |             |
| Improvement Notices                                               | 34             | 11         | 15         | 17         | 9             | 86          |
| Prohibition /Emergency Prohibition Orders                         | 3              | 4          | 1          | 1          | 5             | 14          |
| Hazard Awareness Notices                                          | 243            | 264        | 377        | 214        | 134           | 1232        |
| Emergency Remedial                                                | 0              | 0          | 2          | 1          | 0             | 3           |
| IMO                                                               | 0              | 0          | 0          | 0          | 0             | 0           |
| <b>Total Action</b>                                               | <b>280</b>     | <b>279</b> | <b>393</b> | <b>232</b> | <b>148</b>    | <b>1483</b> |
| Number of Dwellings where Category 1 hazards have been remediated | 89             | 117        | 87         | 81         | 71            | 445         |

Table 12 - The number of Dwelling fires which have occurred in Denbighshire over the last ten years

| Fire Cause                   | FinancialYear |           |           |           |           |           |           |           |           |           |
|------------------------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
|                              | 2009/10       | 2010/11   | 2011/12   | 2012/13   | 2013/14   | 2014/15   | 2015/16   | 2016/17   | 2017/18   | 2018/19   |
| Accidental                   | 88            | 59        | 58        | 79        | 68        | 48        | 45        | 61        | 64        | 43        |
| Deliberate - others property | 3             | 7         | 6         | 4         | 4         | 3         | 4         | 5         | 6         | 1         |
| Deliberate - own property    | 2             | 1         | 5         |           | 1         | 1         | 4         | 2         | 2         | 3         |
| Deliberate - unknown owner   | 4             | 5         | 1         | 1         |           |           | 1         | 1         | 1         | 1         |
| Not known                    |               | 1         | 3         | 1         |           |           | 1         | 1         | 2         | 2         |
| <b>Grand Total</b>           | <b>97</b>     | <b>73</b> | <b>73</b> | <b>85</b> | <b>73</b> | <b>52</b> | <b>55</b> | <b>70</b> | <b>75</b> | <b>50</b> |

Table 13 - The number of dwelling fires which have occurred in Denbighshire between 2010 and 2019

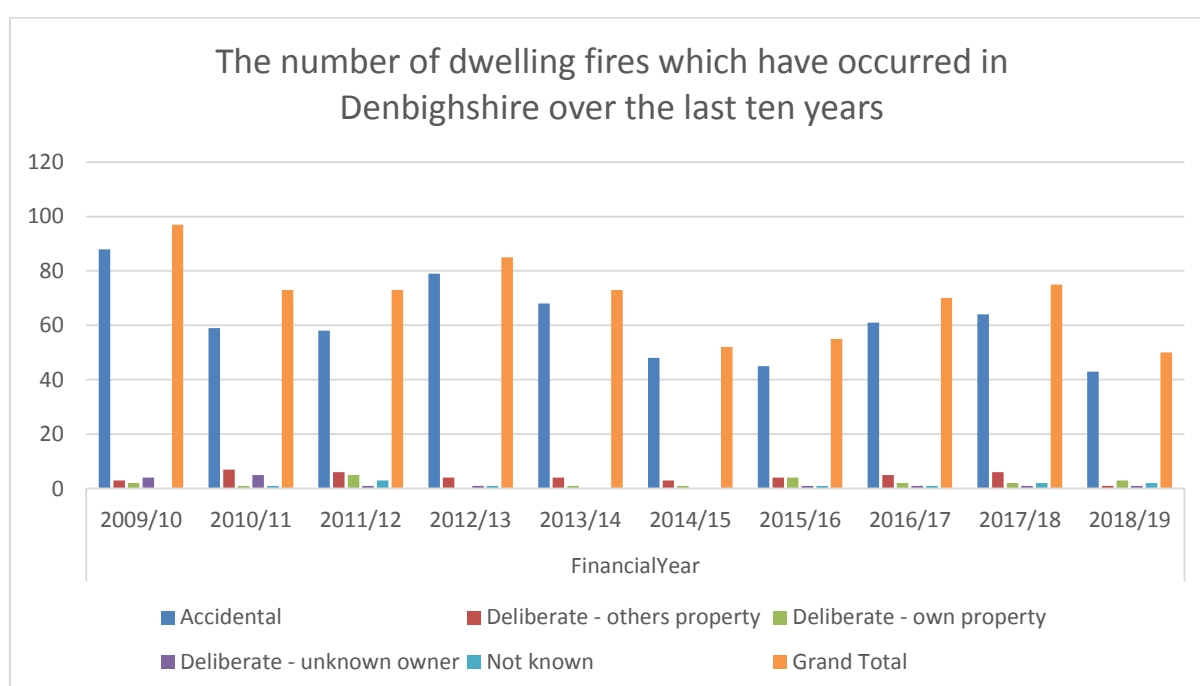
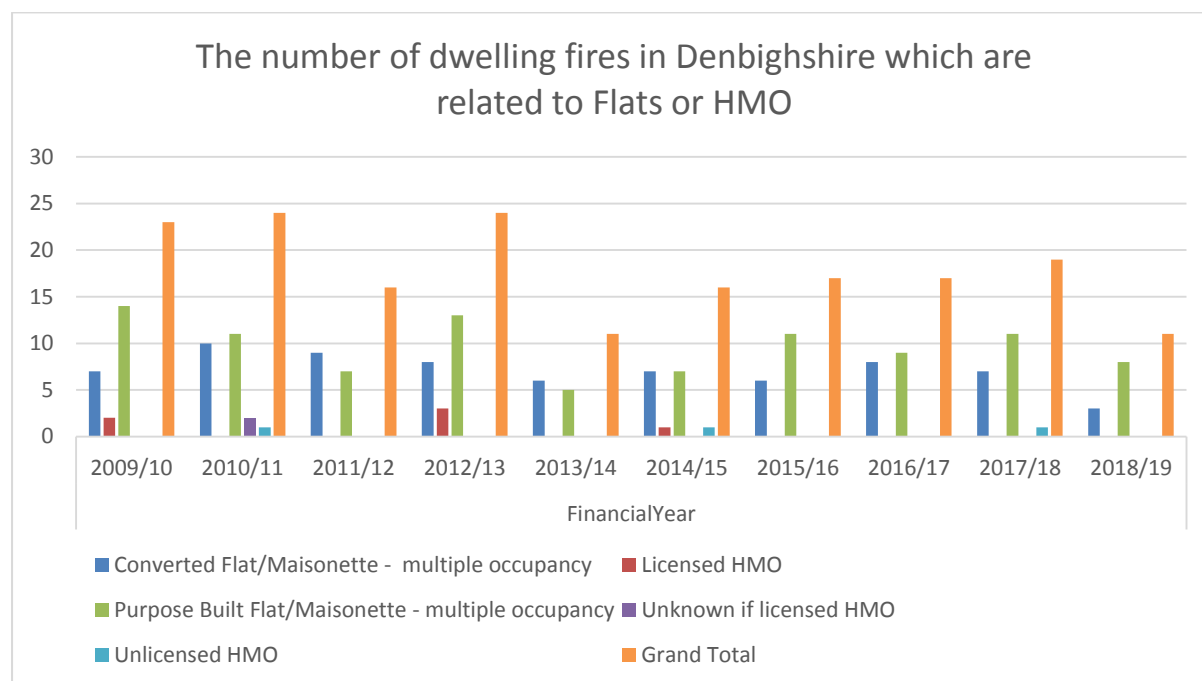


Table 14 - The number of dwelling fires in Denbighshire which related to Flats or HMO

| Property Type                 | FinancialYear |           |           |           |           |           |           |           |           |           |
|-------------------------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
|                               | 2009/10       | 2010/11   | 2011/12   | 2012/13   | 2013/14   | 2014/15   | 2015/16   | 2016/17   | 2017/18   | 2018/19   |
| Converted Flat/Maisonette - n | 7             | 10        | 9         | 8         | 6         | 7         | 6         | 8         | 7         | 3         |
| Licensed HMO                  | 2             |           |           | 3         |           | 1         |           |           |           |           |
| Purpose Built Flat/Maisonette | 14            | 11        | 7         | 13        | 5         | 7         | 11        | 9         | 11        | 8         |
| Unknown if licensed HMO       |               | 2         |           |           |           |           |           |           |           |           |
| Unlicensed HMO                |               | 1         |           |           |           | 1         |           |           | 1         |           |
| <b>Grand Total</b>            | <b>23</b>     | <b>24</b> | <b>16</b> | <b>24</b> | <b>11</b> | <b>16</b> | <b>17</b> | <b>17</b> | <b>19</b> | <b>11</b> |

**Table 15 - The number of dwelling fires which have occurred in Denbighshire between 2010 and 2019 (Flats or HMOs)**

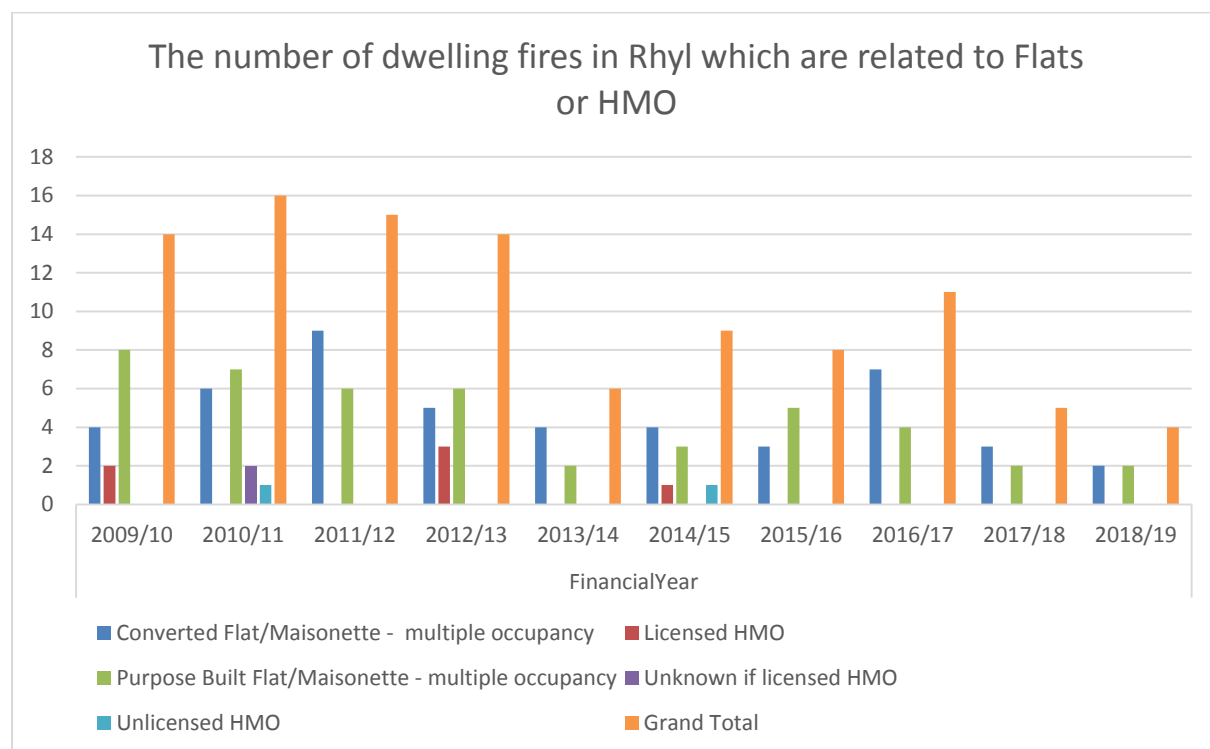


**Table 16 - The number of dwelling fires in Rhyl which related to Flats or HMO**

| Property Type                 | Financial Year |           |           |           |          |          |          |           |          |          |
|-------------------------------|----------------|-----------|-----------|-----------|----------|----------|----------|-----------|----------|----------|
|                               | 2009/10        | 2010/11   | 2011/12   | 2012/13   | 2013/14  | 2014/15  | 2015/16  | 2016/17   | 2017/18  | 2018/19  |
| Converted Flat/Maisonette - n | 4              | 6         | 9         | 5         | 4        | 4        | 3        | 7         | 3        | 2        |
| Licensed HMO                  | 2              |           |           | 3         |          | 1        |          |           |          |          |
| Purpose Built Flat/Maisonette | 8              | 7         | 6         | 6         | 2        | 3        | 5        | 4         | 2        | 2        |
| Unknown if licensed HMO       |                | 2         |           |           |          |          |          |           |          |          |
| Unlicensed HMO                |                | 1         |           |           |          | 1        |          |           |          |          |
| <b>Grand Total</b>            | <b>14</b>      | <b>16</b> | <b>15</b> | <b>14</b> | <b>6</b> | <b>9</b> | <b>8</b> | <b>11</b> | <b>5</b> | <b>4</b> |

*\*Data is based on incidents attended within the station ground area of Rhyl fire station*

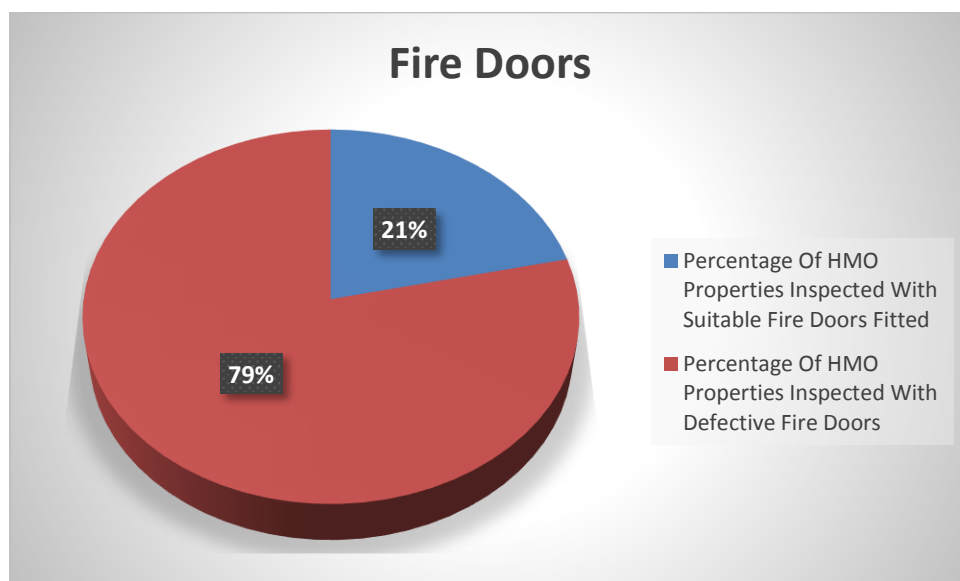
**Table 17 - The number of dwelling fires which have occurred in Rhyl between 2010 and 2019 (Flats or HMOs)**



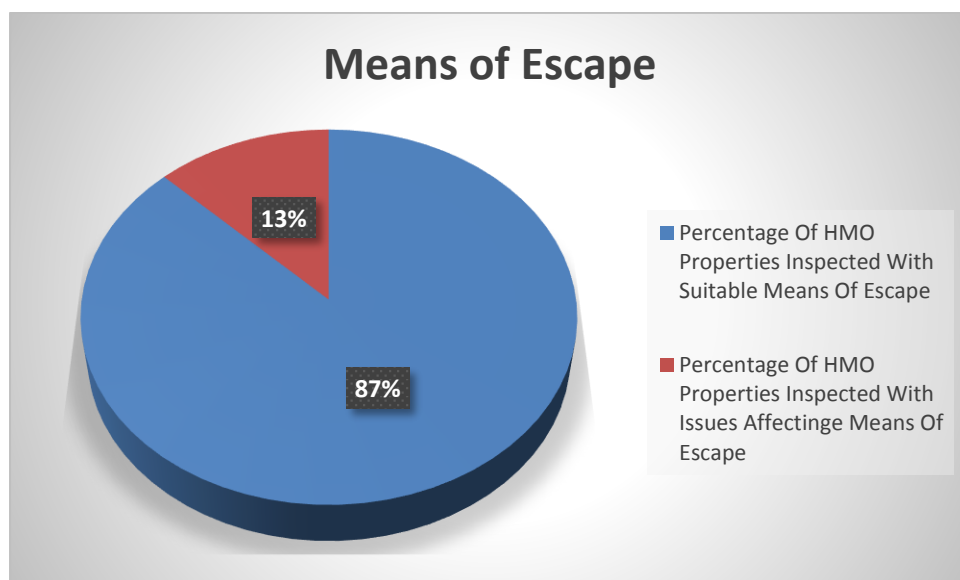
**Table 18 – DCC Proactive Fire Safety Inspections in HMO licensed properties – Presence of suitable Fire Risk Assessment**



**Table 19 – DCC Proactive Fire Safety Inspections in HMO licensed properties – Fire Door Condition**

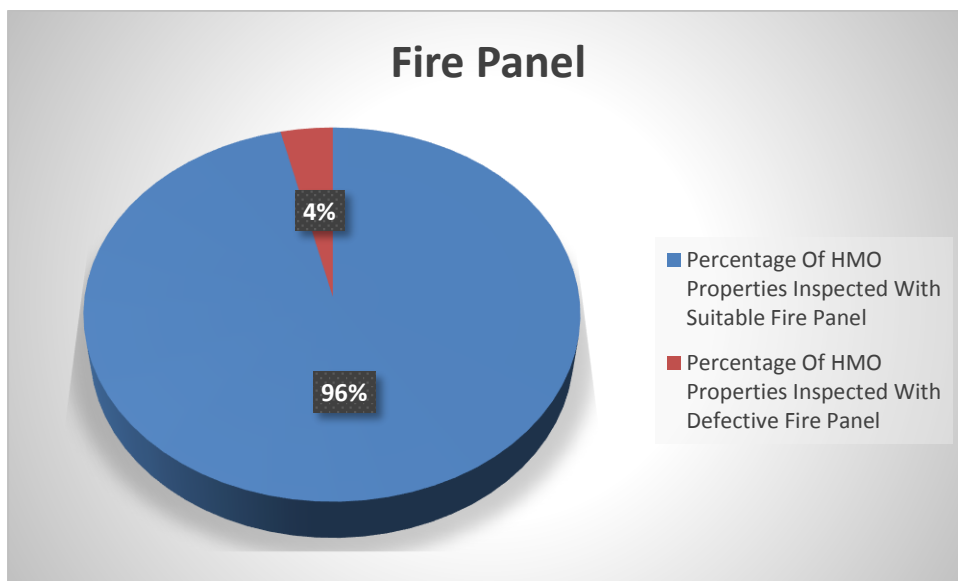


**Table 20 – DCC Proactive Fire Safety Inspections in HMO licensed properties – Means of Escape**





**Table 21 – DCC Proactive Fire Safety Inspections in HMO licensed properties – Fire Panel Condition**



**Table 22 – DCC Proactive Fire Safety Inspections in HMO licensed properties – Enforcement action Taken for fire safety matters**

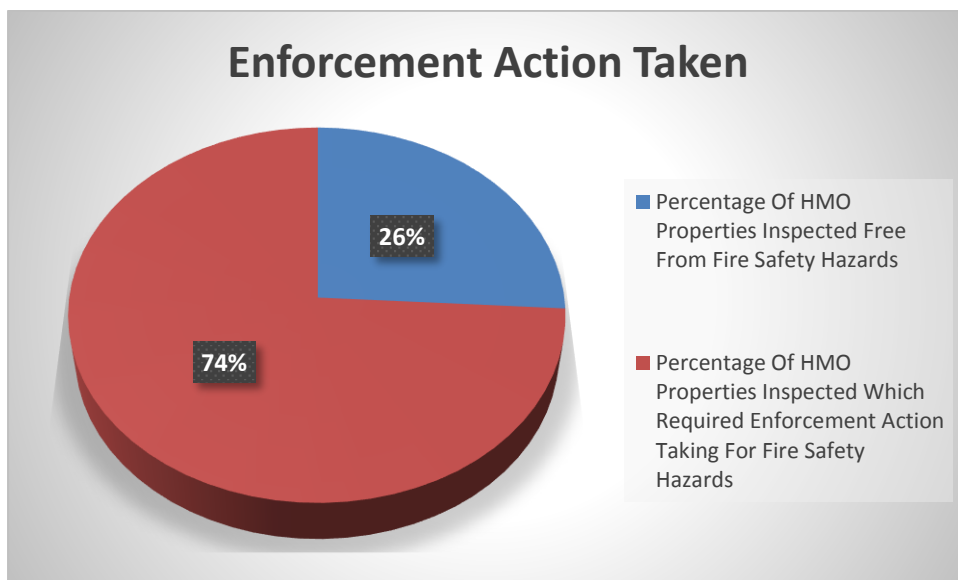


Table 23 - North Wales Police Incidents In Denbighshire (2016 – 2020)

| Denbighshire - ASB Incidents (YTD = 1 <sup>st</sup> April – 31 <sup>st</sup> August) |                  |                  |                  |                  |             |
|--------------------------------------------------------------------------------------|------------------|------------------|------------------|------------------|-------------|
| Ward Code – Ward Name                                                                | 2016/17<br>(YTD) | 2017/18<br>(YTD) | 2018/19<br>(YTD) | 2019/20<br>(YTD) | Total       |
| CRW03 - Trefnant                                                                     | 7                | 18               | 15               | 15               | 55          |
| CRW04 - St. Asaph West                                                               | 19               | 27               | 16               | 18               | 80          |
| CRW05 - St. Asaph East                                                               | 11               | 14               | 32               | 28               | 85          |
| CRW06 - Tremeirchion                                                                 | 8                | 8                | 8                | 3                | 27          |
| CRW07 - Denbigh Upper/Henllan                                                        | 106              | 117              | 88               | 39               | 350         |
| CRW08 - Denbigh Central                                                              | 58               | 70               | 58               | 56               | 242         |
| CRW09 - Denbigh Lower                                                                | 55               | 21               | 26               | 19               | 121         |
| CRW10 - Llandyrnog                                                                   | 8                | 11               | 10               | 9                | 38          |
| CRW11 - Ruthin                                                                       | 88               | 101              | 66               | 34               | 289         |
| CRW12 - Llanbedr DC/Llangynhafal                                                     | 1                | 4                | 3                | 3                | 11          |
| CRW13 - Llanarmon-yn-Ial/Llandegla                                                   | 19               | 28               | 12               | 16               | 75          |
| CRW14 - Llangollen                                                                   | 102              | 76               | 92               | 49               | 319         |
| CRW15 - Llanfair DC/Gwyddelwern                                                      | 30               | 15               | 12               | 7                | 64          |
| CRW16 - Corwen                                                                       | 30               | 21               | 13               | 14               | 78          |
| CRW17 - Llandrillo                                                                   | 11               | 6                | 5                | 5                | 27          |
| CRW18 - Efenechtyd                                                                   | 12               | 17               | 17               | 8                | 54          |
| CRW19 - Llanrhaeadr-Yng_Nghinmeirch                                                  | 8                | 11               | 5                | 7                | 31          |
| DCW06 - Bodelwyddan                                                                  | 35               | 39               | 41               | 45               | 160         |
| DCW07 - Rhuddlan                                                                     | 46               | 44               | 33               | 40               | 163         |
| DCW08 - Rhyl South                                                                   | 58               | 52               | 23               | 26               | 159         |
| DCW09 - Rhyl South West                                                              | 150              | 169              | 139              | 125              | 583         |
| DCW10 - Rhyl West                                                                    | 439              | 471              | 350              | 270              | 1530        |
| DCW11 - Rhyl East                                                                    | 84               | 69               | 78               | 60               | 291         |
| DCW12 - Rhyl South East                                                              | 108              | 90               | 65               | 77               | 340         |
| DCW13 - Dyserth                                                                      | 23               | 26               | 23               | 17               | 89          |
| DCW14 - Prestatyn Meliden                                                            | 14               | 26               | 31               | 24               | 95          |
| DCW15 - Prestatyn South West                                                         | 36               | 43               | 26               | 14               | 119         |
| DCW16 - Prestatyn North                                                              | 78               | 106              | 73               | 83               | 340         |
| DCW17 - Prestatyn Central                                                            | 93               | 67               | 51               | 40               | 251         |
| DCW18 - Prestatyn East                                                               | 98               | 98               | 83               | 62               | 341         |
| <b>Total</b>                                                                         | <b>1835</b>      | <b>1865</b>      | <b>1494</b>      | <b>1213</b>      | <b>6407</b> |

Table 24 - The ten most deprived areas in Wales, together with three areas that were ranked between 1 and 10 in WIMD 2014, but have moved out of that group

| LSOA      | Local authority   | LSOA name           | WIMD 2014<br>Rank | WIMD 2019<br>Rank |
|-----------|-------------------|---------------------|-------------------|-------------------|
| W01000240 | Denbighshire      | Rhyl West 2         | 2                 | 1                 |
| W01000239 | Denbighshire      | Rhyl West 1         | 11                | 2                 |
| W01001421 | Caerphilly        | St. James 3         | 1                 | 3                 |
| W01001274 | Rhondda Cynon Taf | Tyforstown 1        | 5                 | 4                 |
| W01000991 | Bridgend          | Caerau (Bridgend) 1 | 6                 | 5                 |

**Table 25 – Comparison of WIMD Housing Domain in 2014 and 2019**

| WARDS                               | WIMD 2014 | WIMD 2019 | HOUSING 2014 | HOUSING 2019 |
|-------------------------------------|-----------|-----------|--------------|--------------|
| Bodelwyddan                         | 898       | 1002      | 328          | 875          |
| Corwen 1                            | 1002      | 953       | 357          | 97           |
| Corwen 2                            | 846       | 700       | 973          | 472          |
| Denbigh Central                     | 701       | 602       | 453          | 278          |
| Denbigh Lower 1                     | 1780      | 1870      | 1644         | 1777         |
| Denbigh Lower 2                     | 1718      | 1730      | 1190         | 1089         |
| Denbigh Lower 3                     | 1620      | 1581      | 1559         | 1511         |
| Denbigh Upper/Henllan 1             | 163       | 170       | 105          | 876          |
| Denbigh Upper/Henllan 2             | 720       | 519       | 396          | 271          |
| Dyserth 1                           | 1484      | 1471      | 986          | 423          |
| Dyserth 2                           | 751       | 779       | 696          | 1035         |
| Efenechtyd                          | 1518      | 1334      | 1129         | 189          |
| Llanarmon-yn-Ial/Llandegla          | 1578      | 1508      | 1224         | 676          |
| Llanbedr Dyffryn Clwyd/Llangynhafal | 1663      | 1607      | 1196         | 647          |
| Llandrillo                          | 869       | 1192      | 780          | 637          |
| Llandyrnog                          | 1387      | 1253      | 867          | 150          |
| Llanfair Dyffryn Clwyd/Gwyddelwern  | 1511      | 1155      | 721          | 56           |
| Llangollen 1                        | 862       | 625       | 220          | 39           |
| Llangollen 2                        | 1071      | 1058      | 488          | 926          |
| Llangollen 3                        | 1587      | 1318      | 1332         | 1067         |
| Llanrhaeadr-yng-Nghinmeirch         | 1341      | 1123      | 729          | 58           |
| Prestatyn Central 1                 | 1543      | 1591      | 1483         | 1537         |
| Prestatyn Central 2                 | 288       | 400       | 94           | 522          |
| Prestatyn East 1                    | 458       | 389       | 341          | 313          |
| Prestatyn East 2                    | 1779      | 1764      | 1757         | 1490         |
| Prestatyn East 3                    | 652       | 572       | 693          | 919          |
| Prestatyn Meliden                   | 808       | 845       | 258          | 599          |
| Prestatyn North 1                   | 786       | 592       | 514          | 966          |
| Prestatyn North 2                   | 959       | 836       | 997          | 916          |
| Prestatyn North 3                   | 647       | 780       | 1081         | 1419         |
| Prestatyn South West 1              | 633       | 646       | 588          | 1236         |
| Prestatyn South West 2              | 1039      | 1025      | 1158         | 1357         |
| Rhuddlan 1                          | 1522      | 1369      | 1402         | 1792         |
| Rhuddlan 2                          | 1332      | 1329      | 505          | 1029         |
| Rhuddlan 3                          | 1164      | 1210      | 1203         | 1293         |
| Rhyl East 1                         | 389       | 351       | 436          | 1005         |
| Rhyl East 2                         | 1234      | 973       | 727          | 795          |
| Rhyl East 3                         | 99        | 133       | 537          | 581          |
| Rhyl South 1                        | 549       | 587       | 1425         | 1498         |

|                   |      |      |      |      |
|-------------------|------|------|------|------|
| Rhyl South 2      | 1343 | 1327 | 1050 | 1205 |
| Rhyl South East 1 | 894  | 782  | 697  | 870  |
| Rhyl South East 2 | 1066 | 1152 | 1029 | 1593 |
| Rhyl South East 3 | 1157 | 917  | 1058 | 944  |
| Rhyl South East 4 | 182  | 192  | 253  | 1159 |
| Rhyl South East 5 | 1527 | 1453 | 1355 | 1824 |
| Rhyl South West 1 | 100  | 57   | 20   | 300  |
| Rhyl South West 2 | 20   | 19   | 80   | 340  |
| Rhyl South West 3 | 655  | 651  | 147  | 268  |
| Rhyl West 1       | 11   | 2    | 57   | 174  |
| Rhyl West 2       | 2    | 1    | 5    | 52   |
| Rhyl West 3       | 19   | 11   | 130  | 233  |
| Ruthin 1          | 1060 | 1041 | 755  | 798  |
| Ruthin 2          | 1593 | 1447 | 1178 | 862  |
| Ruthin 3          | 1850 | 1887 | 1623 | 1750 |
| St. Asaph East    | 1631 | 1556 | 1340 | 1298 |
| St. Asaph West    | 783  | 1020 | 628  | 1177 |
| Trefnant          | 1146 | 1114 | 1152 | 799  |
| Tremeirchion      | 1340 | 1243 | 725  | 138  |

## **LICENSING CONDITIONS**

### **Minimum Licensing Standards for Houses in Multiple Occupation**

In accordance with Section 65, Part 2 of the Housing Act 2004, these are the Authority's Standards for deciding the suitability for occupation of a House in Multiple Occupation (HMO).

The licence holder/manager is required to comply with these Standards together with the Housing Health and Safety Rating System (HHSRS) Operating Guidance, the Management of Houses in Multiple Occupation (Wales) Regulations 2006, the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007 and the Housing (Wales) Act 2014 (Rent Smart Wales).

Certain HMOs will require planning consent depending on the number of residents and the nature of the works carried out to convert the property. You are therefore advised to contact the Authority's Planning Department prior to carrying out any improvement works to meet these Standards.

If the property is deemed unsuitable for the number of occupiers occupying the property at the time of the licence application, the Authority may require work to be carried out to comply with the Standards and/or impose restrictions or prohibition on the use or occupation of particular parts of the HMO. In all cases, properties will be required to meet minimum levels of safety and repair and comply with Building Regulations.

If you are in any doubt about any of these Standards, please contact the Public Protection (Environmental Health) Department of the Authority for clarification.

#### **1) SPACE STANDARDS**

These Standards detail three types of premises, namely bedsit rooms, self-contained flats and shared accommodation.

Reductions to the specified standard may be treated as meeting the standard where the Authority considers the room adequately meets the occupier's needs, that the reduction in size is not more than 5% of the full floor standard.

The location/absence of internal obstructions such as chimney breasts will be a key factor in deciding whether a room of lower floor area is acceptable.

Any room less than 4.64 m<sup>2</sup> cannot be used as sleeping accommodation and the licence holder will be required to notify the local authority of any room in the HMO with a floor space of less than 4.64m<sup>2</sup>.

When determining the area of the room, any part of the room where the height of the ceiling is less than 1.5 meters will not be taken into account.

The obligate sharing of rooms by persons of the opposite sex over the age of 10 and who do not live as partners shall not be permitted.

### **Bedsit Room**

One room unit of accommodation with cooking, living and sleeping facilities:

- One room for one person – 14 m<sup>2</sup>
- One room for 2 persons – 20.5 m<sup>2</sup>

### **Self-contained flats**

Two or more room units with cooking, living and sleeping facilities.

- Each single bedroom – 6.51m<sup>2</sup> for persons over 10 years of age or not less than 4.64 m<sup>2</sup> for one person aged under 10 years.
- Each double bedroom not less than 10.22 m<sup>2</sup> for two persons over 10 years of age.
- Each living room, single person units not less than 9m<sup>2</sup>
- Each living room, two persons units not less than 12m<sup>2</sup>
- Each living/kitchen, or living/bedroom, single person unit not less than 11.5m<sup>2</sup>
- Each living/kitchen, or living/bedroom, two person unit 14m<sup>2</sup>

### **Shared Accommodation**

- Single Bedroom (without separate living room) not less than 10 m<sup>2</sup>
- Double Bedroom (without separate living room) not less than 15 m<sup>2</sup>
- Single Bedroom (with separate living room) not less than 6.51m<sup>2</sup>
- Double Bedroom (with separate living room) not less than 10.22 m<sup>2</sup>
- Living room/dining room not less than 8.5 m<sup>2</sup> for 1-3 persons and not less than 11 m<sup>2</sup> for 4-6 persons.
- Kitchens not less than 5m<sup>2</sup> for 1-3 persons, not less than 6m<sup>2</sup> for 4 persons, not less than 7 m<sup>2</sup> for 5 persons, not less than 9 m<sup>2</sup> for 6 persons.

### **Bathrooms and Separate Water Closet (WC) Compartment Standards**

- All bathrooms and separate WC compartments should be of an adequate size and layout. There must be sufficient functional space for the occupier to use the facilities provided.

### **2) NATURAL LIGHTING**

All habitable rooms shall have an adequate level of natural lighting provided via a clear glazed window or windows and/or doors. The glazed area is to be equivalent to at least 1/10th of the floor area and to extend normally to a point 1.75m above floor level.

Basement rooms used as habitable rooms, kitchens, bathrooms and WC compartments should comply with above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with Section 3 – Artificial Lighting.

All glazing to windows in bathrooms and WC compartments shall be of obscured glass.

All staircases, landings and passages shall be provided with an area of clear glazing in a window. Where this is not practicable, adequate artificial lighting shall be provided in accordance with Section 3.0 – Artificial Lighting.

### **3) ARTIFICIAL LIGHTING**

All rooms and circulation areas within the property shall be adequately lighted by electricity.

Time switches will only be allowed to common landings, passages and staircases and should stay on for an adequate time to allow a person to climb the stairs, etc., and enter a room. There should be sufficient switches to operate the artificial lighting on each landing corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time.

All lighting to the common parts must be provided, maintained and paid for by the landlord (or their agent). The supply shall be via a landlord's supply and not a card meter.

### **4) VENTILATION**

All habitable rooms, kitchens, bathrooms and WC compartments require suitable and adequate floor to ceiling height to allow proper circulation of air and shall have a minimum floor to ceiling height of 2.14m, except in the case of existing underground and attic rooms, which shall have a minimum height of 2.14m over an area of the floor equal to not less than three-quarters of the area of the room, measured on a plane 1.5m above the floor.



All habitable rooms shall be ventilated directly to the external air by a window which has an openable area not less than 1/20th of the floor area of the room. Neither an openable door giving access directly to the external air, nor a louvered opening in such a door will be acceptable for the purpose of this requirement.

All kitchens, bathrooms and WC compartments shall comply with above, but where this is not practicable, suitably sited mechanical ventilation providing a minimum of three air changes per hour shall be provided. Such an installation shall be fitted with an overrun device for a minimum of 15 minutes and be operated from the lighting circuit of the room. For kitchens, mechanical ventilation providing one air change per hour will be deemed sufficient.

Basement rooms used as habitable rooms should be provided with natural ventilation direct to the external air. In addition, there should generally be an unobstructed space immediately outside the window opening which extends the entire width of the window or more and has a depth of not less than 0.6m measured from the external wall or not less than 0.3m in the case of a bay window with side lights.

Suitable and sufficient permanent means of ventilation shall be provided and-maintained in any room in which there is a gas heating appliance.

A suitable permanent means of ventilation in the form of a flue, airbrick, hit and miss ventilator or louvered window shall be provided in all kitchens, dining/kitchens, bathrooms, WC compartments and any other room containing either cooking and/or washing facilities

### **5) WATER SUPPLY**

Each separate occupancy shall be provided with an adequate supply of hot and cold running water suitable for drinking and food preparation purposes.

The cold water supply to wash hand basins should normally be supplied from the rising main, or by such other means as are acceptable to the Water Authority.

The hot water supply must be of sufficient capacity, temperature and flow for any wash hand basin, bath or shower and be available at all times.

Hot water may be provided by any of the following methods:-

- a) Piped from storage and boiler, e.g. condensing boiler
- b) Immersion heater
- c) Fixed gas appliance, e.g. multipoint or combination boiler
- d) Instantaneous heaters (only to wash hand basins and electric showers) having a minimum rating of 6KW and 9KW respectively.

The cold and hot water supplies are to be sited over a sink or wash-hand basin.

A turn off valve should be provided in the rising main for each letting.

The water pressure to all fittings shall comply with the minimum requirements laid down by the relevant Water Authority at all times.

All water supplies shall, where necessary, be protected from frost damage.

### **6) PERSONAL WASHING FACILITIES**

Each occupancy shall be provided with its own bath or shower in a separate room. Where this is not practicable, a readily accessible bath, of minimum dimensions 1700mm x 760mm, in a bathroom, or a shower of minimum dimensions 800mm x 800mm, in a suitable shower room with adequate drying and changing space shall be provided not more than one floor in distance from any user in the following ratios -

|                |                                                                                                                                                      |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 - 4 persons  | At least 1 bathroom and 1 WC (the bathroom and WC may be combined).<br>A wash hand basin is required in the bathroom and in separate WC if provided) |
| 5 persons      | 1 bathroom AND 1 separate WC with WHB (but the WC and wash hand basin can be contained within a second bathroom).                                    |
| 6 – 10 persons | 2 bathrooms AND 2 separate WCs with wash hand basins (but one of the WCs can be contained within one of the bathrooms).                              |
| 11-15 persons  | 3 bathrooms AND 3 separate WCs with wash hand basins (but two of the WCs can be contained within 2 of the bathrooms).                                |

A two course tiled splash back to the bath and wash hand basin are to be provided. All joints should have an adequate waterproof seal. Any shower cubicles provided should have fully tiled walls or be complete self-standing cubicles.

Baths and showers shall not be provided in kitchens and external WCs shall not be considered.

All bathrooms, shower rooms and separate WC compartments must be suitably and adequately heated and ventilated.

The walls and floor of any bathroom, shower room or separate WC compartments should be reasonably smooth, non-absorbent and capable of being easily cleaned.

A privacy lock must be provided to all bathrooms, shower rooms and separate WC compartments.

**7) DRAINAGE**

The HMO shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface water.

**8) FACILITIES FOR STORAGE, PREPARATION AND COOKING OF FOOD AND FOR THE DISPOSAL OF WATER**

Each household shall have a kitchen for its own exclusive use. Where this is not practicable, a shared kitchen may be provided.

The design and layout of the shared kitchen and of the facilities provided must permit the safe storage and preparation of food and hot drinks and make it relatively easy to maintain clean and hygienic conditions.

Whether for the occupier's exclusive use or if it is shared, the kitchen must be equipped with the following, which must be fit for purpose and supplied in a sufficient quantity for the number of those sharing the facilities:-

| Facility                                                                            | Standard Required                                                                                                                                                                                      | Up to and including 5 Persons     | 6 – 10 Persons                                    |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------|
| Worktop or table for the preparation of food                                        | Worktop or table should be securely fixed, of an impervious material and capable of being readily cleansed and maintained in a hygienic condition.                                                     | 1000mm (length) x 500mm (depth)   | Additional 500mm length per user                  |
| A sink with an adequate supply of cold and constant hot water supplied to each sink | A metal or ceramic sink which is fixed on a stable base, impervious and of minimum dimension 500mm x 600mm with a drainer.<br><br>The sink should be provided with an adequate and wholesome (potable) | One sink unit with draining board | Two sink units (or double bowl sink with drainer) |

## Appendix 2

|                                                                                                                                                                                                                                                    |                                                                                                                                         |                                                    |                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------|
|                                                                                                                                                                                                                                                    | supply of cold water and an adequate supply of constant hot water which is connected to the drainage system via a suitable trap         |                                                    |                                                                       |
| Installation or equipment for the cooking of food in shared kitchens                                                                                                                                                                               | A cooker with three or four rings or hot plates together with grill and a full sized oven                                               | One full size cooker                               | Two full size cookers                                                 |
| Cupboards for the storage of food or kitchen and cooking utensils                                                                                                                                                                                  | Single cupboard (wall or floor mounted) of minimum capacity 0.16m <sup>3</sup> . This excludes the space in a base unit below the sink) |                                                    | Capacity to be increased proportionately for each additional occupant |
| In shared kitchens, refrigerator with an adequate freezer compartment (or, where the freezer compartment is not adequate, provide a suitable separate freezer) The cold water supply to wash hand basins must be potable (drinking water quality). | A refrigerator with a minimum capacity of 0.15m <sup>3</sup>                                                                            | One standard sized combined refrigerator / freezer | Two standard sized combined refrigerator / freezer                    |

Kitchen floors must be water resistant, impervious and easily cleansable. Kitchen walls adjacent to cookers, sinks and food preparation areas should be provided with impervious splash backs, and all joints shall be adequately sealed.

### 9) **ENERGY EFFICIENCY**

The requirements of The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 must be met.

- Properties with an energy performance rating of F or G should not be let for private rental

- A landlord who rents a property with an EPC rating below an E will be required to undertake work to improve its energy performance. (Unless an exemption has been granted)

The licence holder/manager must provide a copy of the most recent Energy Performance Certificate for the HMO, including the recommendation report with suggestions on how to reduce energy use and carbon dioxide emissions.

For further information on Energy Efficiency see:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/824037/Domestic\\_Private\\_Rented\\_Property\\_Minimum\\_Standard\\_-\\_Landlord\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/824037/Domestic_Private_Rented_Property_Minimum_Standard_-_Landlord_Guidance.pdf)

### **10) SPACE HEATING**

Each unit of living accommodation in a HMO must be equipped with an adequate means of space heating. Heating must be safely and properly installed and maintained, and be provided with controls to allow the occupants to regulate the temperature.

The heating should be appropriate to the design, layout and construction, such that the whole of the dwelling can be adequately and efficiently heated.

Heating should be provided in every habitable room and bathroom. All appliances should be of a sufficient output so as to adequately heat the rooms they serve. The recommended room temperatures are 19 degrees centigrade generally, in all habitable rooms and bathrooms, regardless of the weather conditions.

The heating may be by means of:-

- a) Central heating; OR
- b) Gas heaters which are connected to a suitable flue and terminal outlet; OR
- c) Oil heaters which are connected to a suitable flue and terminal outlet, OR
- d) Electrical heaters which must be a fixed installation and if new or replacement, must be Lot 20 compliant, OR
- e) Solid fuel in the form of an authorized smokeless fuel or alternatively solid fuel burnt in a smokeless appliance. If solid fuel is used, proper fuel storage facilities shall be provided outside the building in a readily accessible position for each unit of accommodation.

All heating appliances shall be fixed and positioned so as to direct heat towards the centre of the room.

The use of portable paraffin or oil filled heaters and liquefied petroleum gas heaters (LPG Bottled Gas heaters) shall not be acceptable under any circumstances, whether provided by the landlord or tenant.

### **11) ELECTRICITY SUPPLY**

The minimum requirement for the provision of electrical socket outlets shall be as follows:-

#### **Kitchen / kitchen areas**

Two, two gang power sockets or four one gang sockets are to be provided and located above the work top for the use of portable appliances (in addition to those serving large kitchen appliances such as fridge, washing machine etc).

Electric cookers shall be provided with a dedicated cooker point outlet suitable for the rating of the cooker and which is positioned immediately adjacent to the work top, or a suitable gas point.

#### **Living room**

Two, two gang sockets or four, one gang sockets.

#### **Bedroom**

One, two gang socket or two, one gang sockets

#### **Bedroom / living room area**

Where the living and bedroom areas are combined, three two gang sockets or six one gang sockets shall be provided.

In addition to the above, all habitable rooms which are provided with a fixed electrical heating appliance shall be provided with a dedicated socket outlet with a suitable fuse rating.

All electrical sockets shall be located in positions which permit their safe, convenient and proper use at all times, having regard to likely room layout. They shall not be positioned where vulnerable to damage, likely to be obstructed or where the resulting appliance cables are likely to pose a safety hazard.

#### **Earth Bonding (kitchens / kitchen areas / bathrooms)**

Where there is an increased risk of electric shock due to likely contact between substantial areas of the body and earth potential, these locations should be earth bonded in accordance with the current wiring Regulations.

### **12) STORAGE & DISPOSAL OF REFUSE**

#### **Cleanliness**

The Authority requires that refuse is not allowed to accumulate in either individual rooms or common parts of the HMO, including the outside areas within the curtilage of the entire property.

#### **Waste Receptacles**

The Local Authority will only service waste containers that are provided by Denbighshire County Council. The licence holder / manager must provide a full set of Authorised containers for each address, on a scale adequate to the requirements of the occupiers, to a maximum capacity permitted by the Local Authority (The Local Authority will confirm this).

It is the responsibility of the licence holder / manager to ensure that Council owned containers are present and serviceable at the beginning of each tenancy in the property.

Additional containers may be provided by the licence holder / manager at their discretion and emptied at their own expense through a commercial arrangement with the Council or private registered waste carrier.

All containers should be situated on an external hard standing area with suitable and convenient access by occupants for cleansing of the area and removal/ presentation of containers for collection (Where a kerbside presentation point is designated). The waste storage area must be within the curtilage of the property. Waste containers must not be stored on the public highway at any time.

If there is no adequate space to store refuse within the boundaries of the property from week to week and no way of providing extra space, the licence holder / manager shall be required to make arrangements for additional collections at their own expense.

Where there is adequate space, individual waste containers for separate tenancies are required, as opposed to the sharing of containers. The licence holder/manager should take all reasonable steps to ensure that tenants only use containers allocated to them. This may include providing lockable containers (unlocked on collection day for access by waste collection operatives).



### **Designated Collection points**

Waste receptacles must be placed out at the designated collection point on the waste collection day and taken back onto the property as soon as possible after collection. Where tenants share communal waste containers, it is the responsibility of the licence holder / manager to agree (and enforce) with their tenants how their waste containers are presented and return to the curtilage of the property; where the tenants have their own dedicated bins, it is their responsibility.

In order to reduce the amount of waste escaping into the locality, and to reduce contamination of recycling bins/ fly tipping, the Council will agree to the collection of waste containers from the external storage area of the property wherever practicable and where access is granted by the licence holder / manager.

Where access to the external waste container storage area is agreed, the council require the following:

- Uninhibited access to all waste containers to be emptied
- Waste to be fully contained within the bin and not overfilled (bin lids should be able to fully close).

### **Information to HMO occupants**

The occupants must be informed in writing at the beginning of their tenancy on which days refuse and recycling collections take place. Occupants must also be notified where their designated waste collection point is. This information should be provided in their tenancy information pack/agreements. This information should also be permanently displayed in a prominent position within the HMO (Foamex durable signage (A3 size) available free of charge from the Council's Waste and Recycling Service.

### **13) MEANS OF ESCAPE IN EVENT OF A FIRE/FIRE SAFETY STANDARDS**

The property must be provided with an adequate means of escape from fire, together with adequate automatic fire detection and other fire precaution measures in accordance with the HHSRS Operating Guidance and the Local Government Regulation publication: Local Authorities Coordinators of Regulatory Services (LACORS) Housing - Fire Safety Guide.

The licence holder/manager must ensure that a fire risk assessment is carried out. This is a legal requirement, enforced by the Fire Authority, under the Regulatory Reform (Fire Safety) Order 2005.

**14) TESTING OF FIRE ALARMS AND EMERGENCY LIGHTING**

The licence holder/manager must provide a logbook of the testing of the fire alarm and emergency lighting for inspection by the Authority. The logbook will need to demonstrate that correct maintenance of the systems have been carried out which Fire Alarm maintenance should now be carried out every 6 months and certificates provided, in accordance with British Standard 5839 Part 6 and 1.

The Licence Holder/manager must ensure that inspection and servicing of the emergency lighting system, where fitted, should be carried out in at least 12 monthly intervals by a competent person (a person with relevant current training and experience, and with access to the requisite tools, equipment and information, and capable of carrying out the defined task) and a log kept of the inspection/servicing details.

**15) ANTI-SOCIAL BEHAVIOUR**

The licence holder / manager shall take all reasonable and practicable steps to prevent or reduce anti-social behaviour by occupiers of or visitors to the property. This shall include:

- a) Setting out in writing to each occupier what is meant by anti-social behaviour;
- b) Explaining the impact of anti-social behaviour on others in the area;
- c) Recording details of all complaints received directly in respect of anti-social behaviour;
- d) Invoking appropriate tenancy sanctions where necessary.

The licence holder / manager shall ensure that the property is inspected on a regular basis to assess if there is evidence of anti-social behaviour; this should be at least quarterly, but more frequently if anti-social behaviour has been established. Records should be kept of such inspections and any action taken.

The licence holder / manager will provide the names of the current occupiers to the Council on demand and will co-operate with the Council in order to eradicate problems relating to noise or anti-social behaviour.

The licence holder / manager will, on request, demonstrate that they have taken reasonable and practicable steps to manage the problem including evidence of verbal or written warnings that they have issued in connection with the problem.

Where the licence holder / manager has reason to believe that criminal activity is taking place at the property, they must ensure that the appropriate authorities are informed.

**16) GAS SAFETY**

If gas is supplied to the property, the licence holder/manager must provide the Authority with a copy of the current gas safety certificate(s) for the common parts and all rented parts of the property. The certificate(s) should state that the full gas installation covering the supply pipes, flues and gas appliances are safe for operation.

The annual inspection should be carried out by a Gas Safe registered engineer.

The licence holder/manager will ensure that a gas safety certificate of not more than twelve months old is produced to the Authority within seven days of a request being made.

The gas safety certificate(s) must be retained for at least two years following its issue.

A working carbon monoxide (CO) alarm must be fitted to any room that is used wholly or partly as living accommodation and also contains any appliance which burns, or is capable of burning, solid fuel, mains gas or LPG (liquid petroleum gas) fuel.

**17) ELECTRICAL SAFETY**

All electrical appliances made available by the licence holder/manager must be in a safe condition.

The licence holder/manager must provide the Authority with a copy of a periodic inspection report based in line with British Standard 7671 which is used when carrying out routine periodic inspection and testing of existing electrical installations. The report must cover the entire installation.

The inspection must be carried out and certified by a qualified electrical engineer, which can include the Electrical Contractors Association (ECA), the National Inspection Council for Electrical Installation and Contracting (NICEIC), National Association of Professional Inspectors & Testers (NAPIT) or the Institute of Electrical Engineers (MIEE) to show that the installation is safe and satisfactory and has been commissioned within the last five years or as recommended by the engineer.

As a minimum requirement, the licence holder/manager must carry out all work required to rectify recommendations by the inspection report classified as C1 – ‘Danger Present’ and C2 – ‘Potentially Dangerous’.

**18) FURNISHINGS**

All upholstered furniture, whether new or second-hand, supplied by the landlord to tenants as part of their tenancy agreement for agreements must comply with the safety requirements of the Furniture and Furnishings (Fire)(Safety) Regulations 1988 (as amended) there are some exemptions.

Responsibility to comply with the Regulations rests with the licence holder/manager.

A fact sheet on your responsibility can be obtained from the Housing Enforcement Section Public Protection (Environmental Health) Department of the Authority or the Trading Standards Section.

### **19) PROPERTY SECURITY**

In order to assist crime prevention, the following security measures should be provided to the HMO:

- The main entrance door of the premises should be fitted with a surface or flush mounted night latch lock release mechanism (e.g. Yale lock), or for a higher standard an electromagnetic lock.
- Other external doors and frames should be fitted with secure locking systems.
- Ground floor windows and other accessible windows should be fitted with security locks.
- The licence holder / manager shall ensure that the system and locks are maintained in good repair and working order at all times.
- Glass situated close to the entrance door locking mechanism should be Georgian wired, toughened or laminated glass.
- All entrances to the property should be well lit, especially ground floor/basement rooms and external staircases.

### **20) REQUIREMENT TO KEEP RECORDS**

The licence holder/manager should keep up to date copies of the following:

- a) Copy of HMO Standards;
- b) Gas safety certificate(s);
- c) Fire alarm inspection/emergency lighting certificate(s);
- d) Fire Risk Assessment;
- e) Fire alarm and emergency lighting logbook;
- f) Electrical system periodic inspection certificates;

- g) Documentation relating to the safety of electrical appliances provided by the licence holder (including PAT testing);
- h) Energy Performance Certificates;
- i) Anti-social behaviour procedures and records of complaints received;
- j) Records of periodic inspections carried out

A copy of the above records should be made available to the Local Authority within seven days of such a request being made.

### **21) DISPLAY OF LICENCE AND RELEVANT INFORMATION**

A copy of the licence shall be clearly displayed in a prominent position in the communal hallway of the property.

A notice containing the contact details of the licence holder and/or manager which includes an emergency contact number must be displayed in the communal hallway of the property. Ensure that any necessary amendments are made to this notice.

Other relevant information which must be displayed include:

- Building floorplans
- Copies of Anti-Social Behavior Procedure
- Dates of refuse and recycling collections

The above should be ideally protected with a perspex cover or similar material.

### **22) ASBESTOS**

Any asbestos in the property must be adequately protected against damage and dispersal of fibres into the air. Particular care must be taken when contractors are on site as their work may disturb asbestos. Please ensure that all works regarding asbestos conform to the requirements of the Control of Asbestos Regulations 2012.

### **23) EQUALITY**

The licence holder / manager has legal responsibility under the Equality Act 2010 to take reasonable steps to ensure that people within the protected characteristics (which are age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation) are not discriminated against directly or indirectly.

Licence holders / managers must demonstrate their knowledge of equality responsibilities. This can be achieved through attending Council run or equivalent training events on Equality.

Regular attendance of the Landlord Roadshows also satisfies this requirement if equality issues are discussed during the meetings.

### **The Equality Act 2010**

This firstly extends the pre-existing duty of landlords and property managers to make 'reasonable adjustments' if disabled tenants or other occupiers of their premises would otherwise be placed at a substantial disadvantage. The duty applies irrespective of the type of property involved.

Under the extended duties landlords and managers must:

- a) Change processes that create a substantial disadvantage - for example, by requiring information to be given to disabled tenants in a different, more accessible format.
- b) Change physical features – for example, by altering access.
- c) Provide auxiliary aid – for example, by installing a hearing loop for tenants who are hard of hearing.
- d) Failure to comply is discrimination – and the landlord or manager is not allowed to charge the disabled tenant.

Second, a new rule introduced by the Act says that disabled tenants (or other occupiers) of premises that are their "only or main home" can ask their landlord or property manager to take reasonable steps to change physical features of common areas that mean the tenant suffers a disadvantage. For example, a disabled tenant might ask that a stair lift be installed if they live on the first or a higher floor, and the premises have stairs but no lift. The right applies only to residential or mixed-use properties.

The landlord or property manager needs to decide if the steps proposed are reasonable. The landlord or property manager must consult with everyone he or she thinks may be affected by the changes, which usually means every other tenant or occupier in the building.

### **The Disability Discrimination Act**

The Disability Discrimination Act (DDA) makes it unlawful to discriminate against a disabled person for a reason related to their disability in relation to disposal and management of premises and the withholding of licence or consent. More detailed explanations of the requirements relating to disability discrimination are available in a Code of Practice on the Disability Discrimination Act, produced by the Disability Rights Commission. Chapters 13 to 18 explain in more detail the duties of providers of premises, including landlords.

### **The Race Relations Act (RRA)**

The Race Relations Act (RRA) defines discrimination on racial grounds as including race, colour, nationality (including citizenship) or ethnic or national origins. All racial groups are protected from unlawful racial discrimination or harassment under the RRA. The RRA applies to landlords, agents and property managers and other service providers including contractors.

Under section 21 of the RRA, it is unlawful for all landlords, private or social, including landlords of leasehold properties, to discriminate against a person, or harass them, on racial grounds, in either the management or letting of premises.

### **24) GENERAL**

The number of persons and households residing at the property shall not exceed the maximum number stated on the licence.

The use and level of occupancy of each room shall not be changed without the approval of the Authority.

Any material change of circumstances in respect of the licence holder, manager or anyone else involved with the property or its management must be notified to the Authority within seven days of such a change occurring.

The licence holder/manager must ensure that the exterior of a property is kept in such a condition so as not to distract from the amenity or appearance of the locality of which it is situated.

### **25) FURTHER INFORMATION**

If you require any further information or wish to view this document in another language or format, please contact:-

**Planning, Public Protection and Countryside Services**  
**Denbighshire County Council**  
**Caledfryn**  
**Smithfield Road**  
**Denbigh**  
**Denbighshire**  
**LL16 3RJ**

**Telephone: 01824 706389**  
**E-mail: [envhealth@denbighshire.gov.uk](mailto:envhealth@denbighshire.gov.uk)**

Website: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)





**Gwasanaeth Tân ac Achub  
Fire and Rescue Service**

Simon A. Smith  
Prif Swyddog Tân / Chief Fire Officer

Miriam Evans  
Public Protection Officer (Environmental  
Health)  
Planning and Public Protection Services  
Denbighshire County Council  
PO Box 62  
Ruthin  
LL15 9AZ  
e-mail miriam.evans@denbighshire.gov.uk

Ein Cyf/Our Ref: DWR  
Dyddiad/Date: 13<sup>th</sup> July 2019  
Gofynner am/Ask for: David Roberts  
Rhif Union/Direct Dial: 01745 352777

Statement in support of additional licensing.

"The risk of fire deaths and injuries in the county's HMO/bed-sit properties could be reduced by an additional licensing scheme which would assist in tackling rogue and/or absentee landlords.

It is noted that the current licencing scheme for HMO in Rhyl has been running for ten years. During this period North Wales Fire & Rescue Service have experienced a reduction in fires and complaints in relation to HMO in the Rhyl area. Previously these premises posed a potentially high fire and risk to life due to the combination of poor management and lack of maintenance/fire safety provision. We wish to express our support for the scheme and encourage the scheme to be widened to include the whole of Denbighshire.

Under existing legislation, problem landlords of HMO's are sometimes hard to target, despite the best efforts of the fire service and Denbighshire County Council's enforcement team, who work closely together as part of the forward work programme, where a dedicated team has been set up to tackle the problems within these type of premises and carry out joint enforcement and visits.

High risk premises are targeted and many issues are discovered on the visits – Absentee landlords with little or no management on the premises, inadequately maintained fire safety systems or provisions, combustible materials on the means of escape, insecure premises increasing the risk of arson within the premises.

Despite the extensive combined efforts of the HMO enforcement group, problems are still being discovered within HMO's.

Yours faithfully

Compliance Manager

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**HEDDLU GOGLEDD CYMRU**  
Gogledd Cymru diogelach

**NORTH WALES POLICE**  
A safer North Wales

Police Constable 2373 Edwards  
Partnership Officer Denbighshire  
Rhyl Police Wellington Road  
Rhyl, Denbighshire  
LL18 1BA

Mobile 07896171482

[Stephen.Edwards@nthwales.pnn.police.uk](mailto:Stephen.Edwards@nthwales.pnn.police.uk)

Friday 10<sup>th</sup> January 2020

I am Police Constable Steve Edwards and I am employed by North Wales Police as an Operational Partnership Officer, my last 13 years' service has been spent in Rhyl, Denbighshire as a community Beat Manager covering Rhyl West Ward which has a great deal of HMO type accommodation.

North Wales Police receive a great deal of demand from HMO tenants and landlords. The type of incidents reported include anti-social behaviour, criminal damage to properties, theft/burglary and violent crime. In a lot of cases, these incidents need some partnership work, where the police will work with Denbighshire Housing Enforcement Officers to deal with a wide range of housing enforcement issues. In each case, the person involved can be the victim, the offender or even in some cases the Landlord.

The Police, in partnership with the HMO Housing Enforcement Team, have had and again will continue to have a good working relationship. Information has been successfully shared and many joint visits have taken place in order to address these issues directly with the landlords/managers of the HMO's. This type of partnership working has encouraged landlords to improve their properties.

In addition to the above, the Local Neighbourhood Policing Team and Housing Enforcement Officers have jointly worked together after attending meetings with a group called the West Rhyl Neighbourhood Management Group. The aims of this group is to address environmental issues including fly tipping and accumulations of rubbish that is often left behind from HMO's or rented family homes.

As the Partnership Officer for Denbighshire, I welcome this joined up working with the Council's Housing Enforcement Team. I would encourage and like to see the Additional Licensing Scheme continue within Rhyl but also be extended and rolled out to other towns and wards throughout the County of Denbighshire.

I believe that the joint working we do helps to address many issues within HMO's and that many people have been supported and helped along the way.

Yours faithfully

*Steve Edwards*

PC 2373 Steve Edwards

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## **Storage and Disposal of Refuse – HMO Properties and evidence to support additional licencing conditions.**

It is widely recognised and accepted that the Local Environmental Quality in the West Area of Rhyl is adversely affected by waste related issues and that these issues are compounded by the high concentration of HMO's in the area. We estimate that approximately 30% of in-field officer time (Enforcement officers x 2 and Recycling technical Officers/ advisors x 5) is spent in the area of West Rhyl alone, in an attempt to resolve fly tipping and non-compliant waste behaviours amongst residents). The number of occupiers in HMO properties is often higher than in individual properties, and the transient nature of the tenancies means that the management of household waste can be more challenging. It is proposed that the current licencing conditions are enhanced to encourage greater compliance and accountability for waste management at HMO properties so that the Council are able to deliver an effective waste management service. The proposals seek to improve local environmental quality in the area, which has recently been defined as the most deprived area in Wales.

## **Evidence to support the inclusion of additional requirements from HMO landlords/ property Management companies:**

### **Fly Tipping**

Analysis of the Council's data sources shows a correlation between areas with a large HMO concentration and the amount of fly-tipping in those areas. Fly tipping is often accumulations of black waste sacks (presented on other days to the designated collection day) and bulky waste.

The statistics below show the disproportionate number of formal requests we have received to respond to fly tipping in the West Rhyl area (Around 30% in the last two months) compared to the County monthly total.

| <b><u>Month</u></b> | <b><u>No. of Incidents re W. Rhyl</u></b> | <b><u>Total for Month Denbighshire</u></b> |
|---------------------|-------------------------------------------|--------------------------------------------|
| May 2019            | 10                                        | 60                                         |
| June 2019           | 15                                        | 71                                         |
| July 2019           | 24                                        | 106                                        |
| August 2109         | 19                                        | 107                                        |
| September 2019      | 26                                        | 63                                         |
| October 2109        | 21                                        | 67                                         |

There is also a correlation with the amount of fly-tipping associated with HMO's in other areas i.e. Prestatyn, Denbigh, Ruthin and Llangollen. The problem is not confined to West Rhyl. However, data for this area is more readily available due to this area being a Council priority.

It is well known that fly-tippers tend not to travel too far from source, especially where car ownership is low. Areas of West Rhyl, in particular, John Street, River Street & Butterson Road seem to be the focus of the problem, although there are frequent calls to Sussex Lane where properties on Water Street and Queen Street back onto and which also has a high HMO concentration.

Several other problems also contribute to the levels of unauthorised waste being left out on the highways (Which is also a major source of litter as seagulls tear apart unauthorised waste sacks).

### **Limitations of Enforcement Powers to occupants of HMO properties.**

For the Council to be able to take enforcement action (Under Section 46 of the EPA) against an occupier who fails to manage their waste correctly, it is necessary for each family/individual to have their own waste container, and for them to be able to prevent others sharing the property from using their container. Where occupiers of HMO's share communal waste receptacles, the receptacles are often contaminated with the wrong materials. The Council is unable follow through on its four stage education/enforcement policy as we are unable to issue a fixed penalty (stage 4) unless there is evidence relating to a specific individual. This means our whole process is undermined as residents learn that they cannot be individually be held to account. This issue is commonplace across the UK. It is therefore extremely important that additional measures are put in place by the landlords of HMO properties to encourage good waste management behaviours of their tenants, and that they co-operate fully with the Council in managing waste issues relating to their properties. The Council is able to reach stage three of its enforcement procedure and reserve the right not to collect waste from a property unless it is presented as prescribed in a legal notice. At this stage it is important that the Council and Landlord take all necessary steps to prevent waste from accumulating on the property (Landlord responsibility) or being fly tipped on the adopted highway (Council responsibility).

The transient nature of HMO properties means that information available to the Council on property occupancy is not always up to date. This means that it is not always possible for us to service enforcement notices on all occupiers of a property in a timely manner. HMOs on Bodfor Street in Rhyl is a prime example of this. An enforcement officer found that at just one location he was able to only serve 1 out of 16 notices due to inaccurate information, and the people residing in the properties, in the main were not those listed on the Council's Council Tax System (Acadmi).

Additional steps are therefore required to ensure that the Council can be proactive in contacting new tenants about the waste collection service within the confines of GDPR requirements (**Appendix A**).

### **Abuse of free wheeled bin replacement service**

The Council have evidence to demonstrate that the high turnover of occupants in HMO's, and the lack of ownership over individual waste containers leads to an excessive demand on the Council's free container replacement service. The cost of supplying containers in 2018/19 across the County was £86547. There is a proportionally high percentage of replacement bins issued by the Council in areas close to high concentrations of HMO properties for the following reasons:

- Tenants are not made aware of the Council’s waste collection requirements so blue bins are contaminated and abandoned.
- Bins are frequently reported as stolen in areas where HMO’s are in high concentrations, as tenants attempt to acquire more residual bin capacity than their entitlement to avoid having to recycle.
- Bins are left unemptied within the private curtilage of HMO properties as new bins are requested

### Contamination of Recycling / Failure to recycle

Tonnage data available to the Council indicates that the percentage of waste recycled in West Rhyl is lower than in any other part of the County. It is the only area where we have to operate a scheduled collection of unauthorised non-recyclable waste on a weekly basis, due to the amount of unsegregated waste being put out by residents living in the area (including those in HMOs and other tenanted properties. There is a lack of knowledge and understanding about the service amongst residents and it is more challenging for the Council to make sure direct mailshots get to each tenant in HMO’s, compared to individual households. Therefore compliance amongst HMO tenants as to how to segregate and present their waste is low, requiring additional steps to be put in place to help signpost residents to the Council services and instruct them how, where and when to present their waste. Information displayed at the property will help overcome this issue, especially as some tenants may be unwilling to contact the Council.

The Council has a team of Technical Recycling Officers, which has been boosted by 2 FTE’s since July 2019 to focus on enhancing the engagement and enforcement of our waste collection requirements in West Rhyl and other areas where tenants are often on a sack collection service due to a lack of outside storage space for bins. At least every two weeks, the Council now carry out enforcement events on waste collection day in West Rhyl to identify people who are not presenting their waste correctly – either by dumping black sacks (unauthorised waste) or by not separating out recyclables. Officers have found that many residents who are “caught” claim they are unaware of the correct council procedures and have had no information supplied by their landlords.

Below, provides an example of additional work that has been carried out in West Rhyl in just one day, in order to manage abandoned and contaminated wheeled bins.

| Location of bin        | Bin type  | Date for collection | Reason for abandonment |
|------------------------|-----------|---------------------|------------------------|
| Aquarium street        | blue-240  | 03/12/2019          | not Known              |
| Coast Road             | green     | 03/12/2019          | not Known              |
| alley by mill bank pub | x2 green  | 03/12/2019          | not Known              |
| alley by mill bank pub | blue -240 | 03/12/2019          | owner deceased         |

### Proposed Licencing Conditions for HMO’s in relation to the “Storage and Disposal of Refuse”

**Cleanliness**

The Authority requires that refuse is not allowed to accumulate in either individual rooms or common parts of the HMO, including the outside areas within the curtilage of the entire property

**Waste Receptacles**

The Local Authority must provide all containers that are to be serviced by the local authority. The landlord must provide a full set of Authorised containers for each address, on a scale adequate to the requirements of the occupiers, to a maximum capacity permitted by the local authority (The local authority will confirm this). There is a delivery charge to the landlord for all new and replacement containers/ sacks required at the start of a new tenancy. The charge for replacing containers during a tenancy is the responsibility of the tenant only if the tenant (or tenants "family" have sole use of the container. It is the responsibility of the landlord to ensure that Council owned containers are present and serviceable at the end of each tenancy in the property and that disposable pink/clear sacks are provided to new tenants where the property is on a sack collection service.

By 31<sup>st</sup> July 2020 all re-useable waste containers at each property must be registered to the Landlord through the Council's Microchipping Service. The Council will retrofit all microchips to existing waste containers free of charge. The Landlord is responsible for arranging for waste containers to be microchipped by completing the relevant microchipping request form. All new containers supplied after from 1<sup>st</sup> August 2020 will be automatically be registered. This will assist both the Council and the monitor the tenants use of the service (recover stolen or abandoned bins, identify contaminated bins etc.). Microchips must not be removed from the waste container. The landlord is responsible for booking a visit to their property to have all waste containers microchipped by the 31<sup>st</sup> July 2020 (**Appendix B** Booking Form).

Council owned reusable waste containers must be empty, clean and serviceable at each change of tenancy.

Additional containers may be provided by the Landlord at their discretion and emptied at their own expense through a commercial arrangement with the council or private registered waste carrier.

All containers should be situated on an external hard standing area with suitable and convenient access by occupants for cleansing of the area and removal/ presentation of containers for collection (Where a kerbside presentation point is designated). The waste storage area must be within the curtilage of the property. Waste containers must not be stored on the public highway at any time.

If there is no adequate space to store refuse within the boundaries of the property from week to week and no way of providing extra space, the license holder/manager shall be required to make arrangements for additional collections at their own expense.

Where there is adequate space, individual waste containers for separate tenancies are required, as opposed to the sharing of containers. The landlord should take all reasonable steps to ensure that tenants only use containers allocated to them. This may include providing lockable containers (unlocked on collection day for access by waste collection operatives), use of CCTV, for example, should non-compliance amongst tenants result in regular rejection of waste containers by the Council.



### **Designated Collection points**

Waste receptacles must be placed out at the designated collection point on the designated waste collection day and taken back onto the property as soon as possible after collection. This is the responsibility of the tenants, where individual tenancies have designated bins. Where tenants share communal waste containers, this is the responsibility of the Landlord to agree (and enforce) with their tenants how their waste containers are presented and return to the curtilage of the property.

In order to reduce the amount of waste escaping into the locality, and to reduce contamination of recycling bins/ fly tipping, the Council will agree to the collection of waste containers from the external storage area of the property wherever practicable and where access is granted by the landlord (through open access or key code entry) **Appendix C** can be completed by the landlord to arrange a review of designated collection point.

Where access to the external waste container storage area is agreed, the council require the following:

- Access uninhibited to all waste containers to be emptied
- All waste types to be contained within the correct waste containers provided as prescribed by the Council to the tenants through a legal notice (Section 46 of the Environmental protection Act, 1990).
- Waste to be fully contained within the bin and not overfilled (Bin lids should be able to fully close).

### **Information to HMO occupants**

The occupants must be informed in writing at the beginning of their tenancy on which days refuse and recycling collections take place. Occupants must also be notified where their designated waste collection point is. This information should be provided in their tenancy information pack/agreements. This information should also be permanently displayed in a prominent position within the HMO (Foamex durable signage (A3 size) available free of charge from the Council's Waste and Recycling Service from 1<sup>st</sup> February 2020). Should the agreed waste collection point be changed by the Council, this signage must be updated by the Landlord within 14 days of the Council notifying the Landlord.

The Landlord should notify the Council Waste and Recycling Service every time there is a change of tenancy to a property to enable all occupiers to be served a Waste Compliance Notice (Section 46 Notice). The personal details of the tenant is not required (In order to be GDPR compliant). The form on which to complete the required information is detailed in **Appendix A**.

## Appendix A (DRAFT)



Please complete in BLOCK CAPITALS and black ink

| Change of Tenancy Notification (HMO Licencing requirement)                                                                             |                          |             |                                                        |  |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------|--------------------------------------------------------|--|
| Name of landlord                                                                                                                       |                          |             |                                                        |  |
| Tel:                                                                                                                                   |                          |             |                                                        |  |
| Email:                                                                                                                                 |                          |             |                                                        |  |
| Mailing address of Landlord<br>incl. postcode                                                                                          |                          |             |                                                        |  |
| HMO Property Address incl.<br>postcode                                                                                                 |                          |             |                                                        |  |
| Please circle the tenancy<br>relevant information                                                                                      | Property is now<br>empty |             | A new<br>tenant<br>(s)                                 |  |
| How many tenants are in your<br>property?                                                                                              | Adults (18+)             |             | Children<br>/ or<br>depend<br>ants up<br>to age<br>18) |  |
| <b>Please sign and date the following 3 statements:</b>                                                                                |                          |             |                                                        |  |
| I confirm that I have provided<br>the new tenant aware of the<br>waste management<br>arrangements at the property                      |                          |             |                                                        |  |
|                                                                                                                                        | Name Printed             | Name Signed | Date                                                   |  |
| I confirm I have supplied the<br>new tenants with access to a<br>full set of operable waste<br>receptacles at the property             |                          |             |                                                        |  |
|                                                                                                                                        | Name Printed             | Name Signed | Date                                                   |  |
| I confirm that permanent<br>signage is displayed at the<br>property to inform the tenant<br>about the waste collection<br>arrangements |                          |             |                                                        |  |
|                                                                                                                                        | Name Printed             | Name Signed | Date                                                   |  |
| Please state here if you or your<br>tenant(s) require any support<br>from the Council in relation to<br>Waste Management               |                          |             |                                                        |  |

**Please return this form to:** FAO: Waste and Recycling Team, Kinmel Park Depot, Bodelwyddan, Denbighshire, LL18 5UX **OR** email it to XXXXXXXXXXXXXXXX. You will receive an email acknowledgement with 10 working days.

## Appendix B (Draft)



Please complete in BLOCK CAPITALS and black ink

| Booking Form: Microchip Containers (Please complete for each individual property)                                                                                                                           |                       |            |                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|---------------------------------------|
| Name of landlord                                                                                                                                                                                            |                       |            |                                       |
| Tel:                                                                                                                                                                                                        |                       |            |                                       |
| Email:                                                                                                                                                                                                      |                       |            |                                       |
| Mailing address of Landlord incl. postcode                                                                                                                                                                  |                       |            |                                       |
| HMO Property Address incl. postcode                                                                                                                                                                         |                       |            |                                       |
| How many separate tenancies are active at your property                                                                                                                                                     |                       |            |                                       |
| How many tenants are in your property in total?                                                                                                                                                             | Adults (18+)          |            | Children/ or dependants up to age 18) |
| Current Waste Container provision – please state number of each container                                                                                                                                   |                       |            |                                       |
|                                                                                                                                                                                                             | Blue bins             | Black bins | Food waste caddies                    |
| Do you think have enough bin capacity for all your occupants?                                                                                                                                               | Yes                   | No         | Unsure                                |
| Do your separate tenancies have their own waste containers, or are they shared?                                                                                                                             | Own                   | Shared     | Both / unsure                         |
| Can the Council gain access to the containers to microchip the containers?                                                                                                                                  | YES (provide details) |            | NO                                    |
| Please list here all Flat / bedsit numbers that should be registered to individual sets of bins, e.g. 13a only. If bins are shared, please indicate which flats/bedsits share bins (e.g. 13a,b,c; 13d,e,f;) |                       |            |                                       |
| Please state here if you or your tenant(s) require any other support from the Council in relation to Waste Management                                                                                       |                       |            |                                       |

**Please return this form to:** FAO: Waste and Recycling Team, Kinmel Park Depot, Bodelwyddan, Denbighshire, LL18 5UX **OR** email it to XXXXXXXXXXXXXXXX. You will receive an email acknowledgement with 10 working days. A recycling advisor will contact you directly to arrange the bins at your property to be microchipped. All additional or replacement containers supplied through the microchipping process will be delivered free of charge.

## Appendix C (DRAFT)



Please complete in **BLOCK CAPITALS** and black ink

| Waste and Recycling Collection Point Review request Form                                                                                                    |                  |            |                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|---------------------------------------|
| Name of landlord                                                                                                                                            |                  |            |                                       |
| Tel:                                                                                                                                                        |                  |            |                                       |
| Email:                                                                                                                                                      |                  |            |                                       |
| Mailing address of Landlord incl. postcode                                                                                                                  |                  |            |                                       |
| HMO Property Address incl. postcode                                                                                                                         |                  |            |                                       |
| How many separate tenancies are active at your property                                                                                                     | A new tenant (s) |            |                                       |
| How many tenants are in your property in total?                                                                                                             | Adults (18+)     |            | Children/ or dependants up to age 18) |
| Current Waste Container provision – please state number of each container                                                                                   |                  |            |                                       |
|                                                                                                                                                             | Blue bins        | Black bins | Food waste caddies                    |
| Do you think have enough bin capacity for all your occupants?                                                                                               | Yes              | No         | Unsure                                |
| Do your separate tenancies have their own waste containers, or are they shared?                                                                             | Own              | Shared     | Both / unsure                         |
| Who puts out the waste containers for collection?                                                                                                           | Tenants          |            | Landlord or appointed person          |
| Whereabouts are the waste containers currently presented/ emptied on collection day?                                                                        |                  |            |                                       |
| Where are the waste containers stored when they are not presented for collection?                                                                           |                  |            |                                       |
| Would you be prepared to leave your bin storage area accessible to the waste and recycling collection crews on the designated collection day (from 6.30am)? |                  |            |                                       |
| Please state how you propose to make the bin storage area accessible (e.g. leave gate unlocked/ provide a key code / agree to supply a master key etc...    |                  |            |                                       |

**Please return this form to:** FAO: Waste and Recycling Team, Kinmel Park Depot, Bodelwyddan, Denbighshire, LL18 5UX **OR** email it to XXXXXXXXXXXXXXXX. You will receive an email acknowledgement with 10 working days. A recycling advisor will contact you directly about your application.

## **Review of HMO Licence Fees**

The Act allows the Council to fix fees for licensing HMO properties, which covers all costs associated with carrying out their functions in relation to HMO Licensing, which includes recovering costs incurred in enforcing the Conditions and Standards

Fees must be transparent, accountable and reflect the actual cost of licensing. It is proposed that the existing licensing fees, discounts and incentives for Mandatory Licensing and the current Additional Licensing are retained with a minor change; i.e. it is proposed to reduce the cost of licensing for single and two storey properties to take into account the reduced likelihood of hazards and associated level of enforcement action required.

Many local authorities have adopted differing fee levels to provide a financial incentive to reward good practice and deter poor management.

The fee charged for renewal is generally lower, representing the anticipated lower resource implications required for a second application.

## **Recommendations:-**

A standard fee should be charged to those who delay in complying with their licensing obligations, and an 'early bird' discounted fee should apply to those who apply promptly. Prompt applicants, i.e. applicants are likely to manage their HMOs to a higher standard, resulting in a lesser demand on the Authority's resources.

## HMO Licensing Fee Structure

### Fee Structure 1 – New Applications

The basic fee to be £820 based on **5 habitable rooms** which is a **bedsit, separate living room or bedroom** in a **3 storey or greater building**.

For properties with between 6 and 10 habitable rooms there is additional charge of £30 for each habitable room. Properties with 11 or more habitable rooms the charge will be £40 per habitable room over and above 11 habitable rooms.

In summary the proposed fees for HMO licensing are as follows:

| Habitable rooms<br>(bedsit, living<br>room or<br>bedroom) | Total fee of<br>licence for 5 years<br>(3 storey or more<br>Building) | Total fee of<br>licence for 5 years<br>(2 storey<br>Building) | Total fee of<br>licence for 5 years<br>(Single storey<br>Building) |
|-----------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------|--------------------------------------------------------------------|
| 5 or less                                                 | £820                                                                  | £620                                                          | £420                                                               |
| 6*                                                        | £850                                                                  | £650                                                          | £450                                                               |
| 7*                                                        | £880                                                                  | £680                                                          | £480                                                               |
| 8*                                                        | £910                                                                  | £710                                                          | £510                                                               |
| 9*                                                        | £940                                                                  | £740                                                          | £540                                                               |
| 10*                                                       | £970                                                                  | £770                                                          | £570                                                               |
| 11#                                                       | £1,010                                                                | £810                                                          | £610                                                               |
| 12#                                                       | £1,050                                                                | £850                                                          | £650                                                               |
| 13#                                                       | £1,090                                                                | £890                                                          | £690                                                               |
| 14#                                                       | £1,130                                                                | £930                                                          | £730                                                               |
| 15#                                                       | £1,170                                                                | £970                                                          | £770                                                               |
| 16#                                                       | £1,210                                                                | £1,010                                                        | £810                                                               |
| 17#                                                       | £1,250                                                                | £1,050                                                        | £650                                                               |
| 18#                                                       | £1,290                                                                | £1,090                                                        | £690                                                               |
| 19#                                                       | £1,330                                                                | £1,130                                                        | £730                                                               |
| 20#                                                       | £1,370                                                                | £1,170                                                        | £770                                                               |

### **Example:**

A 3 storey property consisting of 5 habitable rooms with a fee of £820 for five years will cost:

- £164 per habitable room for 5 years
- £32.80 per habitable room a year
- 63 pence a week for each habitable room

| Additional Discounts Available on First Application                                | Total Discount |
|------------------------------------------------------------------------------------|----------------|
| Full application received within 8 weeks of notification of Licensing requirement. | <b>£200</b>    |
| For Charitable Organisations, the fee is 50% of the original fee.                  | <b>50%</b>     |

### **Fee Structure 2 – Renewal of Licence**

Renewal of an existing Licence will attract a 50% discount on the fees detailed in Fee Structure 1 provided a “Full” application (see check list on page 2) is received 8 weeks prior to the date the existing licence expires. Renewals will not be subject to “additional discounts”.

### **Fee Structure 3 – Change of HMO Ownership**

Licenses are non transferable to another person or property and fees are not refundable. If the property were sold on as a HMO, the new landlord would need to apply for a new license, the fee structure remain unchanged given such circumstances.

### **Fee Structure 4 - Enforcement Activities**

Enforcement action is based on application forms being completed and no further action being required. But some time has been added for the occasions when enforcement action is required, such as, Incomplete Applications, Minded to Refuse Licence and Consider & Respond To Representations.

In addition to the fee outlined above additional charges will be payable for Enforcement Activities carried out at the time of the activity:

- Appeals to Residential Property Tribunal (RPT)
- Variations To Licence
- Revocation of Licence
- Interim Management Orders
- Final Management Orders
- Rent Repayment Orders
- HMO Declarations
- Prosecutions

These will be charged at £50 per hour of work. As some of the functions listed above will depend on the complexity of the case it is difficult to judge the total cost per function.

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# Additional Licensing Scheme

## 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:                               | 736                                                                                                                                                                                                                                                   |
| Brief description:                               | Identify and assess any impacts (both positive and negative) that may have occurred in respect of the implementation of the additional HMO licensing scheme in 2015. In addition to assessing the re-designation of the scheme to the extended wards. |
| Date Completed:                                  | 30/01/2020 15:16:00 Version: 2                                                                                                                                                                                                                        |
| Completed by:                                    | Miriam Evans                                                                                                                                                                                                                                          |
| Responsible Service:                             | Planning & Public Protection                                                                                                                                                                                                                          |
| Localities affected by the proposal:             | Denbigh, Prestatyn, Rhyl, Llangollen,                                                                                                                                                                                                                 |
| Who will be affected by the proposal?            | Tenants, landlords, managing agents, rent smart wales, local community, emergency services, NHS, Department of Works & Pension (universal credit), construction workers, local council services e.g. social services, waste management, council tax   |
| 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 : 24 / 30.

## Implications of the score

Ensure that any short term need is addressed and that the long term need is subsequently achieved.

The introduction of the additional licensing scheme will improve standards and conditions in HMOs and people's wellbeing, thereby it is anticipated that the burden on the emergency services, NHS and other services will decrease.

Proactive licensing inspections and improvements can increase tenant's sense of pride in accommodation and they are therefore more likely to want to stay in accommodation. The landlords are happier that communal areas and properties are being kept better. Current tenants in certain HMOs have created support/social networks and take pride in their environment.

Additional licensing assists in identifying and remedying hazards e.g. fire safety, damp & mould, electrical safety, gas safety and overall improves property management thereby preventing harm to occupiers and the extended community.

## 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

Positive

Positive

Positive

Positive

Positive

Neutral

Positive



## Main conclusions

The main conclusion from the Well-being Impact Assessment is that the result contributes positively overall to the wellbeing goals. A housing licensing scheme such as this can have wide-ranging positive impacts for social wellbeing, environmental impact and on economic improvements to the wider area. The report has highlighted that a real focus needs to be made on social inclusion and development.

- 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

|                                 |                                                                                                                                                                                                                                                                                             |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overall Impact</b>           | Positive                                                                                                                                                                                                                                                                                    |
| <b>Justification for impact</b> | The introduction of a HMO additional licensing scheme is seen as having a 'positive' impact overall for Denbighshire as its aims and objectives are to improve housing quality which can have a positive effect on education, health, wellbeing and the economy (a prosperous Denbighshire) |
| <b>Further actions required</b> | By identifying any negative impact and taking steps to address them we can ensure that any negatives are minimised as much as possible. In identifying the positives we can take steps to ensure the maximum impact of the scheme is realised.                                              |

### Positive impacts identified:

|                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A low carbon society</b>                                 | Improvement in the minimum energy efficiency of properties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Quality communications, infrastructure and transport</b> | Increase in coverage could give a greater choice of better living accommodation through improving property standards and utilities such as gas, electrics & water therefore encouraging more sustainable tenancies                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Economic development</b>                                 | <p>Better housing with lower living costs could see an increase in more disposable income which could encourage people to spend more in their local community e.g. shops, restaurants, etc.</p> <p>No evidence that rents have increased significantly</p> <p>Better living conditions may support improved prospects for individuals. If individuals feel better mentally and in their wellbeing they may make other improvements and feel more confident to seek employment.</p> <p>Building works employing local tradesmen</p> <p>Opportunities for tenants employment ie to manage property on behalf of an absent landlord</p> <p>Some employed as caretakers/handyperson</p> |
| <b>Quality skills for the long term</b>                     | Improved housing can lead to better educational opportunities and improved work                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Quality jobs for the long term</b>                       | Better living conditions may support improved prospects for individuals. If individuals feel better both mentally and physically they may make other improvements to their overall wellbeing and feel more confident to seek employment. There is evidence that improved housing conditions can result in increased concentration levels of occupants and improved morale to seek employment                                                                                                                                                                                                                                                                                        |
| <b>Childcare</b>                                            | Increase of occupants in employment can result in an increase need for childcare.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

### Negative impacts identified:

|                             |                                                                             |
|-----------------------------|-----------------------------------------------------------------------------|
| <b>A low carbon society</b> | Upgrading properties will have a short term impact on the carbon footprint. |
|-----------------------------|-----------------------------------------------------------------------------|

|                                                             |                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Quality communications, infrastructure and transport</b> | Increase burden on transport system as a result of people commuting to and from work.                                                                                                                                                                                                                                     |
| <b>Economic development</b>                                 | Additional licensing may discourage landlords from buying properties due to fees etc. NB : There has been no evidence to suggest this with the current scheme<br><br>There may be less work undertaken by local tradesmen and subsequently less support for local trade if management within HMOs are not up to standard. |
| <b>Quality skills for the long term</b>                     | N/A                                                                                                                                                                                                                                                                                                                       |
| <b>Quality jobs for the long term</b>                       | N/A                                                                                                                                                                                                                                                                                                                       |
| <b>Childcare</b>                                            | Lack of childcare facilities and affordable childcare in particular areas.                                                                                                                                                                                                                                                |

## A resilient Denbighshire

|                                 |                                                                                                                                                                                                                                                                                  |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overall Impact</b>           | Positive                                                                                                                                                                                                                                                                         |
| <b>Justification for impact</b> | The introduction of a HMOs additional licensing scheme overall will have a 'positive' impact for Denbighshire because there is a problem with waste storage in HMOs and the greater education and the inclusion of specific licensing conditions can only improve the situation. |
| <b>Further actions required</b> | By identifying the negatives and taking steps to address them we can ensure that any negatives are minimised as much as possible. In identifying the positives we can take steps to ensure the maximum impact of the scheme is realised.                                         |

### Positive impacts identified:

|                                                               |                                                                                                                     |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>Biodiversity and the natural environment</b>               | N/A                                                                                                                 |
| <b>Biodiversity in the built environment</b>                  | N/A                                                                                                                 |
| <b>Reducing waste, reusing and recycling</b>                  | Licence can ask for provision of waste management system through recycling facilities and education of occupants    |
| <b>Reduced energy/fuel consumption</b>                        | Licensing Scheme includes conditions regarding the minimum standards for provision of heating and energy efficiency |
| <b>People's awareness of the environment and biodiversity</b> | Increase in awareness in recycling, re use and reduction in carbon                                                  |
| <b>Flood risk management</b>                                  | N/A                                                                                                                 |

### Negative impacts identified:

|                                                 |     |
|-------------------------------------------------|-----|
| <b>Biodiversity and the natural environment</b> | N/A |
|-------------------------------------------------|-----|

|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Biodiversity in the built environment</b>                  | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Reducing waste, reusing and recycling</b>                  | Managing waste system can be difficult even after provision of bins. Lack of tenant responsibility/abuse of system and there is no system in place re who enforces.<br>Communal areas - no recognised responsibility for placing out bins or waste is mixed up leading to refuse collectors refusing to collect. Therefore, this continues the waste issue. Made worse in certain areas/streets due to lack of space for appropriate receptacles<br>Waste provision- no place in certain properties to put waste out have to store inside 2 weekly collection and this causes problems |
| <b>Reduced energy/fuel consumption</b>                        | Affordable warmth dilemma - requirements to improve provision and have been made to improve heating. However, the tenant has not able to afford to use it<br>Licensing cannot ask for central heating only minimum heating system                                                                                                                                                                                                                                                                                                                                                      |
| <b>People's awareness of the environment and biodiversity</b> | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Flood risk management</b>                                  | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

## A healthier Denbighshire

|                                 |                                                                                                                                                                                                                                          |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overall Impact</b>           | Positive                                                                                                                                                                                                                                 |
| <b>Justification for impact</b> | Overall it is perceived a `positive' impact as improved housing conditions can lead to an improvement in both psychological wellbeing and physical wellbeing of the occupants.                                                           |
| <b>Further actions required</b> | By identifying the negatives and taking steps to address them we can ensure that any negatives are minimised as much as possible. In identifying the positives we can take steps to ensure the maximum impact of the scheme is realised. |

### Positive impacts identified:

|                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>A social and physical environment that encourage and support health and well-being</b></p> | <p>Licence identifies HMOs and improves conditions ie some landlords have improved significant conditions but not increased rents.<br/>         Licensed properties are inspected and hazards highlighted and improvements are made<br/>         Licensing Scheme includes conditions regarding the minimum standards for provision of heating, Community safety i.e. all ground floor window locks<br/>         Landlords have to have procedures in place to manage ASB<br/>         Reduction in noise nuisance<br/>         Evidence (statistical) to show immense improvement in condition following implementation of licence<br/>         Safety reduction in hazards - reduction in injuries/5 yr electrical safety check/fire regulations /gas checked annually or on change of tenancy<br/>         Provision for PAT test in licence plus furnishing has to meet minimum requirements<br/>         Decrease in homelessness presentations to Housing Department due to accommodation improvements.<br/>         Can reduce over-crowding<br/>         Fire regulations included in licence conditions<br/>         Improves overall attractiveness of the area – contributes to Rhyl as a whole</p> |
| <p><b>Access to good quality, healthy food</b></p>                                               | <p>The provision of better cooking facilities and more disposal money means healthier meals and less takeaways thereby increasing better health and less obesity</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>People’s emotional and mental well-being</b></p>                                           | <p>Improved housing conditions can have a positive effect on physical and emotional health and wellbeing</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>Access to healthcare</b></p>                                                               | <p>N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>Participation in leisure opportunities</b></p>                                             | <p>Occupants living in improved homes can be likely to have the ability to participate in leisure opportunities due to improvements in their health and wellbeing</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

**Negative impacts identified:**

|                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>A social and physical environment that encourage and support health and well-being</b></p> | <p>Affordable warmth dilemma - requirements to improve provision and to improve heating. However, the tenant may not be able to afford to use it. Licensing cannot ask for central heating only minimum heating system i.e.electric heater and these are not the most cost effective measures.<br/><br/>         Tenants may require knowledge to challenge standards<br/>         No tenants groups within private tenant’s accommodation. Difficult area for engagement</p> |
| <p><b>Access to good quality, healthy food</b></p>                                               | <p>Increased in need for provision food waste recycling.</p>                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>People’s emotional and mental well-being</b></p>                                           | <p>N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Access to healthcare</b></p>                                                               | <p>N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Participation in leisure opportunities</b></p>                                             | <p>N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|                                 |                                                                                                                                                                                                                                                |
|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overall Impact</b>           | Positive                                                                                                                                                                                                                                       |
| <b>Justification for impact</b> | Overall a `positive' impact as access to better quality housing can be seen to reduce the gap between those people who are in poverty and those who are not, through improvements in living conditions and access to education and jobs.       |
| <b>Further actions required</b> | By identifying the negative impacts an improvement to the housing stock can have on access to housing we can strive to reduce these barriers by reducing the negative impact to an acceptable level through effective policies and management. |

**Positive impacts identified:**

|                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>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</b> | <p>Additional Licensing regulates overcrowding levels thereby reducing risk taking behaviour by tenants and potentially reducing sexual activity and sexual abuse of vulnerable groups</p> <p>A better relationship between tenant and landlord</p>                                                                                                                      |
| <b>People who suffer discrimination or disadvantage</b>                                                                                                                                                                                                               | <p>Closely managed HMO's ensures discrimination is identified and addressed</p> <p>Anti social behaviour policies and procedures means safer homes for vulnerable persons</p> <p>Additional Licensing regulates overcrowding levels thereby reducing risk taking behaviour by tenants and potentially reducing sexual activity and sexual abuse of vulnerable groups</p> |
| <b>Areas with poor economic, health or educational outcomes</b>                                                                                                                                                                                                       | <p>Access to better quality accommodation will reduce ill health resulting from hazards such as damp and mould. Increase in standards within wards of Denbighshire attracts more people into these areas</p>                                                                                                                                                             |
| <b>People in poverty</b>                                                                                                                                                                                                                                              | <p>The introduction of a licensing scheme will address fuel poverty by introducing a minimum energy efficiency standard reducing outgoings</p>                                                                                                                                                                                                                           |

**Negative impacts identified:**



|                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>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</b> | N/A                                                                                                                                                                                                                                                                                                                            |
| <b>People who suffer discrimination or disadvantage</b>                                                                                                                                                                                                               | An increase in regulation could deter landlords from offering accommodation to some vulnerable groups                                                                                                                                                                                                                          |
| <b>Areas with poor economic, health or educational outcomes</b>                                                                                                                                                                                                       | Possible increase in overcrowding due to demand for better housing attracting more tenants to certain areas                                                                                                                                                                                                                    |
| <b>People in poverty</b>                                                                                                                                                                                                                                              | Affordability may become an issue although minimum standards would improve conditions. An adverse effect may be that they are not the most cost effective therefore the dilemma of 'heat or eat'. Although facilities would be provided to promote better lifestyle behaviours, these may cost too much for tenants to utilise |

## A Denbighshire of cohesive communities

|                                 |                                                                                                                                                                                                                                                                    |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overall Impact</b>           | Positive                                                                                                                                                                                                                                                           |
| <b>Justification for impact</b> | By identifying the positive impacts an improvement to the housing stock can have on access to housing we can strive to maximise the outcomes by improving the impact on social cohesion too a high level through effective policies and management.                |
| <b>Further actions required</b> | By identifying the negative impacts an improvement to the housing stock can have on access to housing we can strive to reduce these barriers by reducing the negative impact to social cohesion too an acceptable level through effective policies and management. |

### Positive impacts identified:

|                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Safe communities and individuals</b> | <p>Landlords have to have procedures in place to manage ASB</p> <p>Reduction in noise nuisance</p> <p>Evidence (statistical) to show immense improvement in condition following implementation of licence</p> <p>Safety reduction in hazards - reduction in injuries/5 yr electrical safety check/fire regulations /gas checked annually or on change of tenancy</p> <p>Provision for PAT test in licence plus furnishing has to meet minimum requirements</p> <p>Decrease in homelessness presentations to Housing Department due to accommodation improvements</p> <p>Can reduce over-crowding</p> <p>Fire regulations included in licence conditions.</p> |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                               |                                                                                                                                                                                                                           |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community participation and resilience</b> | Consultation is an integral stage of the licensing scheme. This includes determining the appropriate conditions to impose. Consultation will be available to all sectors of the community including the vulnerable groups |
| <b>The attractiveness of the area</b>         | Improves overall attractiveness of the area – contributes to the wards as a whole<br><br>Education for tenants needed re waste management                                                                                 |
| <b>Connected communities</b>                  | N/A                                                                                                                                                                                                                       |
| <b>Rural resilience</b>                       | The majority of HMOs will be concentrated in town centres as opposed to rural communities                                                                                                                                 |

### Negative impacts identified:

|                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Safe communities and individuals</b>       | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Community participation and resilience</b> | All comments can be considered but not all can be implemented                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>The attractiveness of the area</b>         | Managing waste system can be difficult even after provision of bins. Lack of tenant responsibility/abuse of system and there is no system in place re who enforces<br>Communal areas - no recognised responsibility for placing out bins or waste is mixed up leading to refuse collectors refusing to collect. Therefore continues waste issue. Made worse in certain areas/streets due to lack of space for appropriate receptacles<br>Waste provision- no place in certain properties to put waste out have to store inside 2 weekly collection and this causes problems |
| <b>Connected communities</b>                  | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Rural resilience</b>                       | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## A Denbighshire of vibrant culture and thriving Welsh language

|                                 |                                                                                                                                                                                                                                                              |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overall Impact</b>           | Neutral                                                                                                                                                                                                                                                      |
| <b>Justification for impact</b> | By identifying the positive impacts an improvement to the housing stock can have on access to housing we can strive to maximise the outcomes of a vibrant culture and thriving Welsh language to a high level through effective policies and management.     |
| <b>Further actions required</b> | By identifying the negative impacts an improvement to the housing stock can have on access to housing we can strive to reduce the impacts on a vibrant culture and thriving Welsh language to an acceptable level through effective policies and management. |

### Positive impacts identified:

|                                     |                                                                                                                                                                                      |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>People using Welsh</b>           | Increase in better housing standards means tenant likely to stay in the area which also encourages sustainable employment. This empowers Welsh speakers to remain in the local area. |
| <b>Promoting the Welsh language</b> | All correspondence and documentation relating to this scheme, including the consultation will be bilingual Welsh and English                                                         |

|                             |     |
|-----------------------------|-----|
| <b>Culture and heritage</b> | N/A |
|-----------------------------|-----|

### Negative impacts identified:

|                                     |                                                                                                               |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>People using Welsh</b>           | N/A                                                                                                           |
| <b>Promoting the Welsh language</b> | There will be an increase cost for translation services but this is accounted for within the corporate budget |
| <b>Culture and heritage</b>         | N/A                                                                                                           |

## A globally responsible Denbighshire

|                                 |                                                                                                                                                                                                     |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overall Impact</b>           | Positive                                                                                                                                                                                            |
| <b>Justification for impact</b> | By identifying the negative impacts and carrying out improvements to the housing stock, we can can strive to ensure Denbighshire is globally responsible through effective policies and management. |
| <b>Further actions required</b> | By identifying the negative impacts and carrying out improvements to the housing stock, we can can strive to ensure Denbighshire is globally responsible through effective policies and management. |

### Positive impacts identified:

|                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Local, national, international supply chains</b>              | A better standard of housing and the introduction of the Licensing ASB conditions will have a positive effect on the community                                                                                                                                                                                                                                                                                                                  |
| <b>Human rights</b>                                              | Reduces Anti Social Behaviour (ASB) – documented through Police Pathway close monitoring of ASB<br>Potential to enhance relationships between owner/occupier and social tenants/vulnerable tenants due to physical improvements<br>Landlords of licensed properties are given support on dealing with incidents of ASB and crime and procedures are in place as a condition of licensing (training is required as part of licensing conditions) |
| <b>Broader service provision in the local area or the region</b> | Close working relationship with partner agencies such the Fire Service, the Police and Homeless Prevention allows collaborative thinking and working<br><br>Fits in with the Homeless and Vulnerable Groups Health Action Plan/strategy                                                                                                                                                                                                         |

### Negative impacts identified:

|                                                                  |     |
|------------------------------------------------------------------|-----|
| <b>Local, national, international supply chains</b>              | N/A |
| <b>Human rights</b>                                              | N/A |
| <b>Broader service provision in the local area or the region</b> | N/A |

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|                        |                                           |
|------------------------|-------------------------------------------|
| <b>Report to</b>       | <b>Partnerships Scrutiny Committee</b>    |
| <b>Date of meeting</b> | <b>13 February 2020</b>                   |
| <b>Lead Officer</b>    | <b>Rhian Evans, Scrutiny Co-ordinator</b> |
| <b>Report author</b>   | <b>Rhian Evans, Scrutiny Co-ordinator</b> |
| <b>Title</b>           | <b>Scrutiny Work Programme</b>            |

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

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

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

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

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

That the Committee

3.1 considers the information provided and approves, revises or amends its forward work programme as it deems appropriate; and

3.2 identifies key messages and themes from the current meeting which it wishes to publicise via the press and/or social media.

## **4. Report details**

4.1 Section 7 of Denbighshire County Council's Constitution sets out each Scrutiny Committee's terms of reference, functions and membership, as well as the rules of procedure and debate.

- 4.2 The Constitution stipulates that the Council's scrutiny committees must set, and regularly review, a programme for their future work. By reviewing and prioritising issues, members are able to ensure that the work programme delivers a member-led agenda.
- 4.3 For a number of years it has been an adopted practice in Denbighshire for scrutiny committees to limit the number of reports considered at any one meeting to a maximum of four plus the Committee's own work programme report. The aim of this approach is to facilitate detailed and effective debate on each topic.
- 4.4 In recent years the Welsh Government (WG) and the Wales Audit Office (WAO) have highlighted the need to strengthen scrutiny's role across local government and public services in Wales, including utilising scrutiny as a means of engaging with residents and service-users. From now on scrutiny will be expected to engage better and more frequently with the public with a view to securing better decisions which ultimately lead to better outcomes for citizens. The WAO will measure scrutiny's effectiveness in fulfilling these expectations.
- 4.5 Having regard to the national vision for scrutiny whilst at the same time focussing on local priorities, the Scrutiny Chairs and Vice-Chairs Group (SCVCG) recommended that the Council's scrutiny committees should, when deciding on their work programmes, focus on the following key areas:
- budget savings;
  - achievement of the Corporate Plan objectives (with particular emphasis on the their deliverability during a period of financial austerity);
  - any other items agreed by the Scrutiny Committee (or the SCVCG) as high priority (based on the PAPER test criteria – see reverse side of the 'Member Proposal Form' at Appendix 2) and;
  - Urgent, unforeseen or high priority issues

4.6 Scrutiny Proposal Forms

As mentioned in paragraph 4.2 above the Council's Constitution requires scrutiny committees to prepare and keep under review a programme for their future work.

To assist the process of prioritising reports, if officers are of the view that a subject merits time for discussion on the Committee's business agenda they have to formally request the Committee to consider receiving a report on that topic. This is done via the submission of a 'proposal form' which clarifies the purpose, importance and potential outcomes of suggested subjects. No officer proposal forms have been received for consideration at the current meeting.

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

#### Cabinet Forward Work Programme

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

#### Progress on Committee Resolutions

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

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

- 5.1 Under the Council's scrutiny arrangements the Scrutiny Chairs and Vice-Chairs Group (SCVCG) performs the role of a coordinating committee. The Group met on 30 January 2020, at that meeting the Group asked this Committee to discuss with representatives from the Betsi Cadwaladr University Health Board their long term ambition with respect of the provision of Heart Failure Services in Denbighshire. This item has provisionally been scheduled into the Committee's forward work programme for its April meeting, dependent upon the availability of a Health Board representative to attend the meeting. In addition, the Group considered a scrutiny request relating to the effectiveness of the methodology for under taking the Rough Sleeper census. As an item on the Homelessness Strategy and Action Plan was already scheduled to be presented to the Committee at its July meeting it was decided to include the methodology and its effectiveness in the brief for that report (see Appendix 1). The Group's next meeting is scheduled for 19 March 2020.
- 5.2 With a view to raising Scrutiny's profile and encouraging public engagement the Group decided that all three scrutiny committees should, for a trial period, identify key themes or messages arising from their meetings for publication via the Authority's social media pages and the local press. The Committee is therefore asked to identify which themes or messages it wishes to highlight from the current meeting.

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

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

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

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



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

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

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

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

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

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

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

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

### **Contact Officer:**

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

| Meeting                                                                                        | Lead Member(s)            | Item (description / title)                                                                            | Purpose of report                                                                                                                                                                                                                                                                         | Expected Outcomes                                                                                                                                                                                                                                                            | Author                      | Date Entered                                                                                    |
|------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------|
| 2 April                                                                                        | <b>Leader</b>             | 1. North Wales Growth Bid Phase 2 – Governance Agreement (provisional scheduling)<br><br><i>(tbc)</i> | To examine the governance agreement between the six North Wales local authorities and other parties in respect of the operation of the North Wales Economic Ambition Board during the implementation of the North Wales Growth Deal prior to its submission to Cabinet and County Council | An understanding of all parties' roles and responsibilities, their obligations to each other, financial and other liabilities, and the arrangements for monitoring the Board's performance to aid the development of future scrutiny arrangements for the Board and its work | Gary Williams               | By SCVCG September 2018 (rescheduled December 2018, February 2019 & August 2019 & January 2020) |
| <i>(timing to be confirmed dependent upon the availability of a representative from BCUHB)</i> | <b>Cllr. Bobby Feeley</b> | 2. <i>Heart Failure Services in Denbighshire and its impact on the Council's Social Care Services</i> | <i>To discuss the long-term future of the Health Board's Heart Failure Service and the potential impact of the loss of this service on the Council's Social Care Services</i>                                                                                                             | <i>An assurance to residents with respect of the long-term future of the Service, that will also assist the Council's Social Services to effectively plan for</i>                                                                                                            | <i>BCUHB/Phil Gilroy(?)</i> | <i>By SCVCG January 2020</i>                                                                    |

| Meeting | Lead Member(s)            | Item (description / title)                                                                                                       | Purpose of report                                                                                                                                                                                                                                                                                                | Expected Outcomes                                                                                                                                                                   | Author                                                        | Date Entered                                       |
|---------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|----------------------------------------------------|
|         |                           |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                  | <i>any future demand on its services. A healthier more resilient Denbighshire</i>                                                                                                   |                                                               |                                                    |
| 21 May  | <b>Cllr Bobby Feeley</b>  | 1. Mental Capacity (Amendment) Act 2019 <b>Note: this item may not be ready until the July meeting – check with lead officer</b> | To review the content of the Act and associated statutory regulations and code of practice (expected to be published in April 2020).                                                                                                                                                                             | To review the implications for the Council and residents.                                                                                                                           | Phil Gilroy                                                   | December 2019                                      |
| 9 July  | <b>Cllr. Bobby Feeley</b> | 1. Homelessness Strategy and Action Plan 2017-2021 and the Rough Sleepers Census Methodology                                     | To detail:<br>(i) the Council's progress in delivering its Homelessness Strategy in line with its Action Plan and the effectiveness of its corporate approach towards reducing homelessness in Denbighshire; and<br>(ii) discuss the methodology for counting rough sleepers in the county and its effectiveness | (i) Delivery of the Strategy and of the Council's corporate priorities relating to Housing, Young People and Resilient Communities; and<br>(ii) An assessment of whether the census | Phil Gilroy/Ann Lloyd/Abbe Harvey/Debbie Nalecz/Angela Loftus | July 2019<br><br>(ii) added by SCVCG January 2020) |

| Meeting      | Lead Member(s)          | Item (description / title)                                                     | Purpose of report                                                                                                                                                                                                                                                                                      | Expected Outcomes                                                                                                                                                                                                                  | Author                               | Date Entered   |
|--------------|-------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------|
|              |                         |                                                                                |                                                                                                                                                                                                                                                                                                        | methodology is useful in terms of service provision planning or whether an alternative method of counting rough sleepers would provide more qualitative data                                                                       |                                      |                |
| 10 September | <b>Cllr. Mark Young</b> | 1. Community Safety Partnership <b>[Crime and Disorder Scrutiny Committee]</b> | To detail the Partnership's achievement in delivering its 2019/20 action plan and its progress to date in delivering its action plan for 2020/21. The report to include financial sources and the progress made in spending the allocated funding.<br><br>(report to include actual numbers as well as | Effective monitoring of the CSP's delivery of its action plan for 2019/20 and its progress to date in delivering its plan for 2020/21 will ensure that the CSP delivers the services which the Council and local residents require | Alan Smith/Nicola Kneale/Sian Taylor | September 2019 |

| Meeting     | Lead Member(s)            | Item (description / title)                     | Purpose of report                                                                                                                                                                                                                                                                                                  | Expected Outcomes                                                                                                                                                                                                                       | Author                                    | Date Entered   |
|-------------|---------------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|----------------|
|             |                           |                                                | percentages to enable the Committee to effectively evaluate the impact of measures put in place)                                                                                                                                                                                                                   |                                                                                                                                                                                                                                         |                                           |                |
|             | <b>Cllr. Bobby Feeley</b> | 2. Annual Report on Adult Safeguarding 2019/20 | To consider the annual report on adult safeguarding, and information in place to meet the statutory requirements of the Social Services and Well-being Act 2014 and an evaluation of the financial and resource impact of the Supreme Court's 2014 Judgement on deprivation of liberty on the Service and its work | An evaluation of whether the Authority is meeting its statutory duty with respect to adult safeguarding and has sufficient resources to undertake this work along with the additional work in the wake of the Supreme Court's judgement | Phil Gilroy/Alaw<br>Pierce/Nerys Tompsett | September 2019 |
| 5 November  |                           |                                                |                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                         |                                           |                |
| 17 December |                           |                                                |                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                         |                                           |                |
|             |                           |                                                |                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                         |                                           |                |

**Future Issues**

| Item (description / title)                                                                                                                | Purpose of report                                                                                                                                                                                                             | Expected Outcomes                                                                                                                                                                                                                                                                                                                         | Author           | Date Entered                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Nature for Health Pilot Project                                                                                                           | To examine the pilot project and consider whether a similar project should become part of the Corporate Priority Programme of projects                                                                                        | An assessments of the benefits of the pilot project and any measurable achievements received through Services working in partnership and within existing budgets to determine whether a similar project should be rolled-out across the county and included in the Corporate Priority programme of projects to deliver the Corporate Plan | Howard Sutcliffe | BY SCVCG<br>July 2019<br>(deferred with the Chair's permission<br>October 2019, subject to further work being carried out on the proposal) |
| Update following conclusion of inquiry undertaken by the National Crime Agency in to historic abuse in North Wales Children's' Care Homes | To update the Committee of the outcome of the National Crime Agency (NCA) investigation in to the abuse of children in the care of the former Clwyd County Council, and to determine whether any procedures require revision. | Determination of whether any of the Council's safeguarding policies and procedures need to be revised in light of the NCA's findings                                                                                                                                                                                                      | Nicola Stubbins  | November 2012                                                                                                                              |

**For future years**

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

**Information/Consultation Reports**

| <b>Information / Consultation</b>                         | <b>Item (description / title)</b>               | <b>Purpose of report</b>                                                                                                                                                                            | <b>Author</b>           | <b>Date Entered</b> |
|-----------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------|
| <b>Information Report</b><br>(for circulation March 2020) | Quarterly Monitoring of External Care Providers | To provide details of the regular monitoring of external care service providers commissioned by the council for social care services, identifying any escalating concerns or other areas of concern | Katie Newe/Ben Chandler | By SCVCG 2018       |

04/02/2020 - RhE

**Note for officers – Committee Report Deadlines**

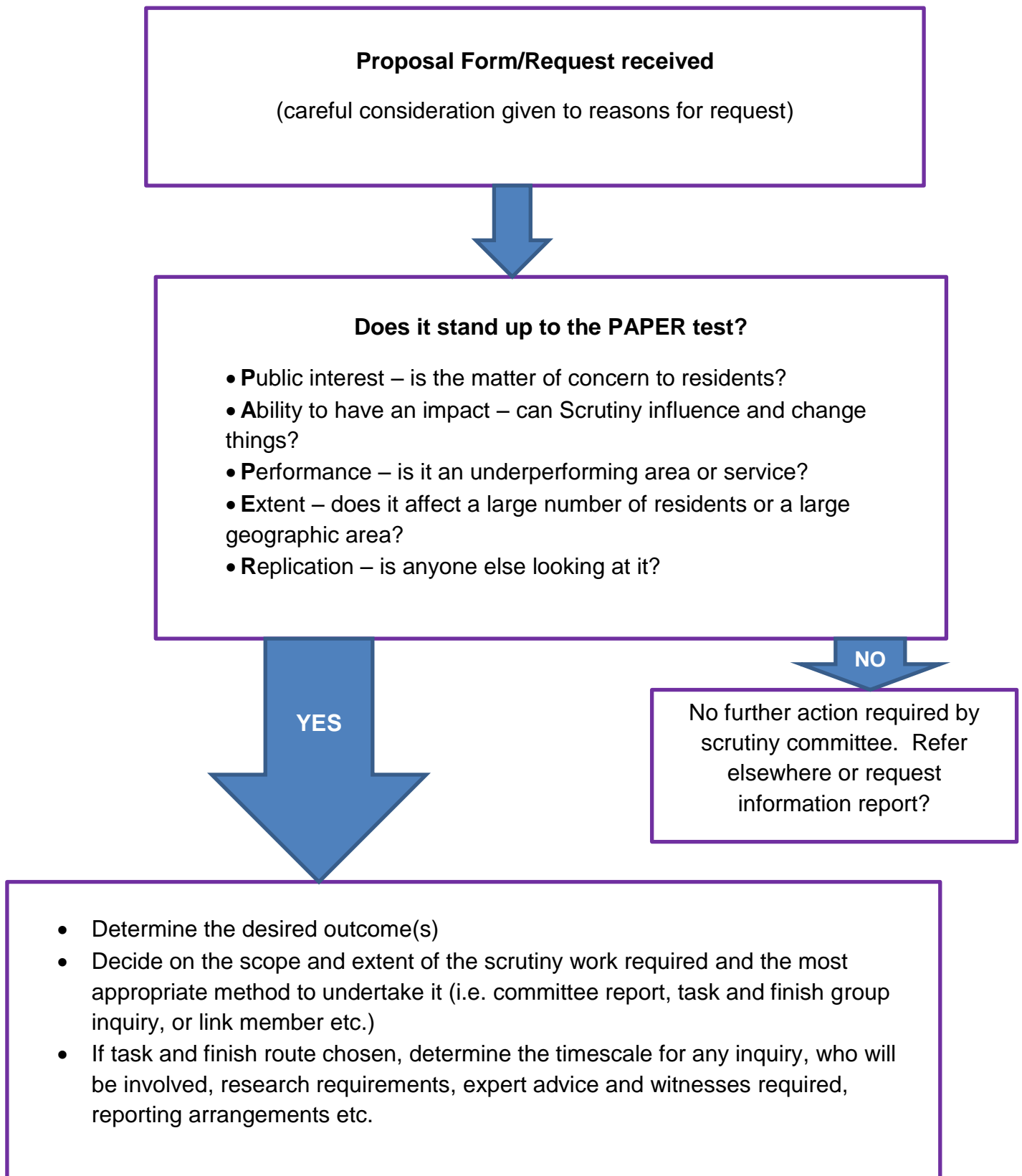
| Meeting | Deadline        | Meeting | Deadline     | Meeting | Deadline       |
|---------|-----------------|---------|--------------|---------|----------------|
| 2 April | <b>19 March</b> | 21 May  | <b>7 May</b> | 9 July  | <b>25 June</b> |

Partnerships Scrutiny Work Programme.doc



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

## Consideration of a topic's suitability for scrutiny



## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                                                                            | Purpose of report                                                                                                                                                                                               | Cabinet Decision required (yes/no) | Author – Lead member and contact officer                         |
|--------------------|----------------------------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------------|
| <b>18 Feb 2020</b> | 1                          | Procurement of Care and support for the Extra Care Housing Scheme, Llys Y Dyffryn, Denbigh | To seek Cabinet authorisation to procure the care and support for the Extra Care Housing Scheme, Llys Y Dyffryn, Denbigh                                                                                        | Yes                                | Councillor Bobby Feeley / Phil Gilroy / Emily Jones-Davies       |
|                    | 2                          | Approval for the North Wales Regional Supported Living Agreement                           | To approve the acceptance / rejection of tenders in relation to a procurement exercise led by Denbighshire County Council on behalf of the six North Wales Councils and Betsi Cadwaladr University Health Board | Yes                                | Councillor Bobby Feeley / Phil Gilroy / Alison Heaton            |
|                    | 3                          | Recommendations of the Strategic Investment Group                                          | To recommend approval to Council.                                                                                                                                                                               | Yes                                | Councillor Julian Thompson-Hill / Steve Gadd / Richard Humphreys |
|                    | 4                          | Finance System Procurement                                                                 | To approve a new procurement process for a finance system                                                                                                                                                       | Yes                                | Councillor Julian Thompson-Hill / Rhys Lloyd Jones / Helen Makin |
|                    | 5                          | Sub-regional contract DCC and CCBC for Shared Lives services                               | To seek Cabinet approval to enter into a 10 year contract with CCBC and the associated costs                                                                                                                    | Yes                                | Councillor Bobby Feeley / Jeni Andrews / Geraldine Adams         |

## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                                                                                                                                                | Purpose of report                                                                                                                     | Cabinet Decision required (yes/no) | Author – Lead member and contact officer                                          |
|--------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------------------------------------------------------|
|                    | 6                          | Finance Report                                                                                                                                                 | To update Cabinet on the current financial position of the Council                                                                    | Tbc                                | Councillor Julian Thompson-Hill / Steve Gadd                                      |
|                    | 7                          | Items from Scrutiny Committees                                                                                                                                 | To consider any issues raised by Scrutiny for Cabinet's attention                                                                     | Tbc                                | Scrutiny Coordinator                                                              |
| <b>24 Mar 2020</b> | 1                          | Implementation of an Alternative Delivery Model (ADM) for various leisure related activities/functions: approval of contract award to Denbighshire Leisure Ltd | To seek approval of contract award to Denbighshire Leisure Ltd                                                                        | Yes                                | Councillors Bobby Feeley & Julian Thompson-Hill / Graham Boase / Siân Lloyd Price |
|                    | 2                          | Work Opportunity and Day Activity Services Review                                                                                                              | To seek approval to pursue proposals relating to the setting up of social firms relating to two activities carried out by the service | Yes                                | Councillor Bobby Feeley / Phil Gilroy / Alan Roberts                              |
|                    | 3                          | Finance Report                                                                                                                                                 | To update Cabinet on the current financial position of the Council                                                                    | Tbc                                | Councillor Julian Thompson-Hill / Steve Gadd                                      |
|                    | 4                          | Items from Scrutiny Committees                                                                                                                                 | To consider any issues raised by Scrutiny for Cabinet's attention                                                                     | Tbc                                | Scrutiny Coordinator                                                              |
|                    |                            |                                                                                                                                                                |                                                                                                                                       |                                    |                                                                                   |

## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                               | Purpose of report                                                                                                        | Cabinet Decision required (yes/no) | Author – Lead member and contact officer                   |
|--------------------|----------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------|
| <b>28 Apr 2020</b> | 1                          | Contract Procedure Rules                      | To consider the reviewed contract procedures rules which will require adoption and form part of the council constitution | Tbc                                | Councillor Julian Thompson-Hill / Lisa Jones / Helen Makin |
|                    | 2                          | North Wales Growth Bid Governance Agreement 2 | To approve the governance arrangements in relation to the implementation of the growth deal                              | Yes                                | Councillor Hugh Evans / Graham Boase / Gary Williams       |
|                    | 3                          | Finance Report                                | To update Cabinet on the current financial position of the Council                                                       | Tbc                                | Councillor Julian Thompson-Hill / Steve Gadd               |
|                    | 4                          | Items from Scrutiny Committees                | To consider any issues raised by Scrutiny for Cabinet's attention                                                        | Tbc                                | Scrutiny Coordinator                                       |
|                    |                            |                                               |                                                                                                                          |                                    |                                                            |
| <b>26 May 2020</b> | 1                          | Finance Report                                | To update Cabinet on the current financial position of the Council                                                       | Tbc                                | Councillor Julian Thompson-Hill / Steve Gadd               |
|                    | 2                          | Items from Scrutiny Committees                | To consider any issues raised by Scrutiny for Cabinet's attention                                                        | Tbc                                | Scrutiny Coordinator                                       |
|                    |                            |                                               |                                                                                                                          |                                    |                                                            |

## Cabinet Forward Work Plan

| Meeting            | Item (description / title) |                                | Purpose of report                                                  | Cabinet Decision required (yes/no) | Author – Lead member and contact officer     |
|--------------------|----------------------------|--------------------------------|--------------------------------------------------------------------|------------------------------------|----------------------------------------------|
| <b>30 Jun 2020</b> | 1                          | Finance Report                 | To update Cabinet on the current financial position of the Council | Tbc                                | Councillor Julian Thompson-Hill / Steve Gadd |
|                    | 2                          | Items from Scrutiny Committees | To consider any issues raised by Scrutiny for Cabinet's attention  | Tbc                                | Scrutiny Coordinator                         |
|                    |                            |                                |                                                                    |                                    |                                              |
|                    |                            |                                |                                                                    |                                    |                                              |

Note for officers – Cabinet Report Deadlines

| <i>Meeting</i> | <i>Deadline</i>  | <i>Meeting</i>  | <i>Deadline</i>   | <i>Meeting</i> | <i>Deadline</i> |
|----------------|------------------|-----------------|-------------------|----------------|-----------------|
| <i>January</i> | <b>7 January</b> | <i>February</i> | <b>4 February</b> | <i>March</i>   | <b>10 March</b> |

Updated 22/01/20 - KEJ

Cabinet Forward Work Programme.doc

## Progress with Committee Resolutions

| Date of Meeting  | Item number and title                                                            | Resolution                                                                                                                                            | Progress                   |
|------------------|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 19 December 2019 | 5. Denbigh Infirmary                                                             | <b>RESOLVED</b> that the Partnership Scrutiny Committee note the presentation on Denbigh Infirmary.                                                   | No further action required |
|                  | 6. North Denbighshire Community Hospital Project                                 | <b>RESOLVED</b> that the Partnership Scrutiny Committee note the update on the North Denbighshire Community Hospital Project.                         | No further action required |
|                  | 7. Health Board Capital Projects in Denbighshire                                 | <b>RESOLVED</b> that the Partnership Scrutiny committee note the update on Health Board Capital Projects in Denbighshire                              | No further action required |
|                  | 8. Pooled Budgets Agreement for Care Home Accommodation for Older People 2019-20 | <b>RESOLVED</b> that the Partnership Scrutiny Committee note the Pooled Budgets Agreement for Care Home Accommodation for Older People 2019-20 report | No further action required |

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