

To: Members of the County Council

Date: 29 November 2022

Direct Dial: 01824706141

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

Dear Councillor

You are invited to attend a meeting of the **COUNTY COUNCIL** to be held at **10.00 am** on **TUESDAY, 6 DECEMBER 2022** in **THE COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND VIA VIDEO CONFERENCE**.

Yours sincerely

G Williams  
Monitoring Officer

## **AGENDA**

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

#### **1 APOLOGIES**

#### **2 DECLARATIONS OF INTEREST (Pages 5 - 6)**

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

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

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

#### **4 CHAIRMAN'S DIARY (Pages 7 - 8)**

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

**5 MINUTES** (Pages 9 - 16)

To receive the minutes of the meeting of County Council held on 11 October 2022 (copy attached).

**6 CENTRAL RHYL AND CENTRAL PRESTATYN COASTAL DEFENCE SCHEMES** (Pages 17 - 92)

To receive a report by the Asset and Risk Manager (**which includes two confidential appendices**)(copy attached) for approval to proceed to the construction phase of both schemes.

**7 REVISED DELIVERY AGREEMENT FOR THE REPLACEMENT LOCAL DEVELOPMENT PLAN** (Pages 93 - 182)

To receive a report by the Senior Planning Officer (copy attached) for approval of the replacement LDP Revised Delivery Agreement and submission to the Welsh Government for their approval.

**8 STANDARDS COMMITTEE CHAIRS' ANNUAL REPORT** (Pages 183 - 190)

To receive a report by the Interim Head of Legal and Democratic Services / Deputy Monitoring Officer (copy attached), to present the work of the Committee and its findings and observations, to all Council Members as part of the Committee's drive to increase standards of ethical behaviour and compliance with the Members Code of Conduct.

**9 COUNTY COUNCIL FORWARD WORK PROGRAMME** (Pages 191 - 196)

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

## **MEMBERSHIP**

### **Councillors**

Councillor Arwel Roberts (Chair)

Joan Butterfield

Jeanette Chamberlain-Jones

Ellie Chard

Kelly Clewett

Ann Davies

Karen Edwards

Pauline Edwards

Gwyneth Ellis

James Elson

Chris Evans

Hugh Evans

Councillor Pete Prendergast (Vice-Chair)

Paul Keddie

Diane King

Geraint Lloyd-Williams

Julie Matthews

Jason McLellan

Barry Mellor

Terry Mendies

Raj Metri

Win Mullen-James

Merfyn Parry

Gareth Sandilands

Justine Evans  
Bobby Feeley  
Gill German  
Jon Harland  
Elen Heaton  
Huw Hilditch-Roberts  
Martyn Hogg  
Carol Holliday  
Alan Hughes  
Hugh Irving  
Alan James  
Delyth Jones

Peter Scott  
Rhys Thomas  
Andrea Tomlin  
Michelle Blakeley-Walker  
Cheryl Williams  
David Williams  
Elfed Williams  
Eryl Williams  
Huw Williams  
Emrys Wynne  
Mark Young

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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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# Agenda Item 4

## DIGWYDDIADAU WEDI’U MYNYCHU GAN Y CADERYDD/

### EVENTS ATTENDED BY THE CHAIRMAN

<u>DYDDIAD/DATE</u>	<u>DIGWYDDIAD/EVENT</u>	<u>LLEOLIAD/LOCATON</u>
<b><u>HYDREF/OCTOBER</u></b>		
01.10.22	Gwasanaeth –Wrecsam yn ennill Statws fel Dinas Wrecsam/Wrexham Service – Wrexham achieving City Status	
07.10.22	Cinio Elusennol Maer Wrecsam/Mayor of Wrexham’s Charity Dinner	Wrecsam/Wrexham
09.10.22	Gwasanaeth Dinesig Maer Y Rhyl Mayor of Rhyl’s Civic Service	Y Rhyl/Rhyl
15.10.22	Gwasanaeth St John’s Ambulance Service	Llanelwy/St Asaph
20.10.22	Bore Coffi/Coffee Morning – North Wales Superkids	Yr Wyddgrug/ Mold
23.10.22	Gwasanaeth Dinesig Maer Llanelwy/ Mayor of St Asaph’s Civic Service	Llanelwy/StAsaph
<b><u>TACHWEDD/NOVEMBER</u></b>		
19.11.22	Ffair Nadolig y Waen/Waen’s Christmas Fayre	Waen
20.11.22	Gwasanaeth Dinesig y Cadeirydd/Chairman’s Civic Service	Rhuddlan
26.11.22	Ffair Nadolig Rhyl Foodbank Christmas Fayre	Y Rhyl/Rhyl
27.11.22	Ymweld a Preswlydd yn Dolanog - Penblwydd 100oed Visiting a Resident in Dolanog – 100 <sup>th</sup> Birthday	Y Rhyl/Rhyl
<b><u>RHAGFYR/DECEMBER</u></b>		
01.12.22	Noson Wobrwyo – Cynllun Cydnabod Cyflogwyr – Gwobr Aur Presentation Evening - Employers Recognition Scheme - Gold Award	Caerdydd/Cardiff

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## COUNTY COUNCIL

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin and via Video Conference on Tuesday, 11 October 2022 at 10.00 am.

### PRESENT

Councillors Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Kelly Clewett, Ann Davies, Karen Edwards, Pauline Edwards, Gwyneth Ellis, James Elson, Chris Evans, Hugh Evans, Justine Evans, Bobby Feeley, Gill German, Jon Harland, Elen Heaton, Huw Hilditch-Roberts, Martyn Hogg, Carol Holliday, Alan Hughes, Hugh Irving, Alan James, Delyth Jones, Paul Keddie, Diane King, Geraint Lloyd-Williams, Julie Matthews, Jason McLellan, Barry Mellor, Terry Mendies, Raj Metri, Win Mullen-James, Merfyn Parry, Pete Prendergast (Vice-Chair), Arwel Roberts (Chair), Gareth Sandilands, Peter Scott, Rhys Thomas, Andrea Tomlin, Michelle Walker, Cheryl Williams, David Williams, Elfed Williams, Emrys Wynne and Mark Young

### ALSO PRESENT

Chief Executive (GB); Corporate Director- Governance and Business (Monitoring Officer) (GW); Head of Finance and Property Services (SG); Head of Children Services (RM); Principal Manager – Support Services (AL); Joint Acting Head of Business Improvement and Modernisation (NK); Strategic Planning and Performance Team Leader (IMcG); Head of Highways and Environmental Services (TW); Democratic Services Manager (SP); Zoom Host (KJ) and Committee Administrator (SJ)

The Lead Member for Education, Children and Families offered on behalf of members her congratulations to Councillor Kelly Clewett who had won a prestigious award and was named Chwarae Teg Womeninspire Women in Health and Social Care Champion. She thanked Councillor Clewett for her dedication and hard work in the Social Care sector especially during the Covid Pandemic. All members offered congratulations with a round of applause.

### 1 APOLOGIES

Apologies for absence were received from Councillors David Williams and Huw Williams.

### 2 DECLARATIONS OF INTEREST

There were no declarations of interest raised.

### 3 URGENT MATTERS AS AGREED BY THE CHAIR

The Chair provided members with details of events he or the Vice Chair had attended since May 2022.

Reference was made to the following:

- The first event attended by the Chair had been the Urdd Eisteddfod.
- Attendance at an Advocacy event at the end of June was noted.
- School visits had taken place during the month of July.
- An excellent ceremony had taken place in Rhyl for the Lifeboat renaming.
- Five remembrance events were attended in remembrance of the late Queen Elizabeth II (a 30 second silence in remembrance was observed).

The Chair thanked the Vice Chair for attending events when he was unavailable.

#### **4 MINUTES**

The minutes of Full Council held on 19 July 2022 were submitted.

Accuracy – No matters were raised.

Matters arising –

Page 11 (item 8 –Committee Timetable) – Councillor Gareth Sandilands asked for an update regarding the timing of meetings. The Corporate Director- Governance and Business confirmed a report was presented to the Democratic Service committee the end of September which provided details of a survey that was due to ascertain members preference to timings of meetings.

**RESOLVED** that the minutes of Full Council held on 19 July 2022 be confirmed as a correct record.

#### **5 DENBIGHSHIRE COUNTY COUNCIL'S CORPORATE PLAN 2022 - 2027**

The Lead Member for Corporate Strategy, Policy and Equalities, introduced the Corporate Plan 2022-2027 report (previously circulated).

Thanks was given to all those that had been involved in shaping the proposed new Corporate Plan. A wide and varied amount of consultation had taken place. Thanks was extended to all political groups for the positive and constructive comments to help refine the plan.

It was a statutory requirement that Local Authorities publish Well-being Objectives, Equality Objectives, and identify areas for Organisational Improvement. Denbighshire's Corporate Plan 2022-27 served all of those functions.

The draft plan outlined the priorities and vision of what Cabinet with the support of Council aimed to achieve over the next five years.

The key pledges which the Local Authority were committed to, to achieve in the Plan are organised by themes. They were important because they either:

- Require significant capital / revenue funding, e.g. roads and new schools (but not everything requires extra funding);
- Require significant cultural / organisational change, e.g. to become a Denbighshire of Thriving Welsh Language and Culture, and/or

- Will impact across the whole county, e.g. establishment of an electric vehicle charging infrastructure.

The Corporate Plan was an important document to demonstrate a collective vision that we all work towards together. The plan focused on enhancing the wellbeing of Denbighshire communities and residents by creating good conditions within the community. It also focused on the quality of services offered to those that required support.

The plan had been separated in to nine key themes each of which would be allocated to a Cabinet member to oversee. Each theme described objectives that we aim to deliver over the next five years. The priorities outlined in the Corporate Plan had been arrived at via a thorough and clear process of evidence-gathering and analysis and in-depth consultation with communities.

The Corporate Plan did not and was not intended to represent all Council business. A lot of important work took place outside the scope of the plan. The plan is intended to be flexible with any changes required reported to Council.

During discussion, the following issues were raised:

- If the plan is agreed, research to establish the work that would be required to deliver each of the pledges would take place. At that stage officers and the Lead member would be able to establish what was deliverable and when given resource, time and funding that is available.
- During the time to develop the draft Corporate Plan, the financial position had deteriorated. The financial outlook for the next two years had changed from the being of the year. A finance update was due to be presented at the next Council Workshop which would provide detail of the changes. Correspondence with members with changes and saving plans regarding the budget would take place as soon as the budget figures were made available.
- A number of the projects included in the plan, had already been or in the process of being approved and included in the budget.
- As an authority, borrowing for investment purposes was not authorised.
- Active travel and the use of foot paths and cycle paths were encouraged under theme 5 of the plan.
- It was about 1300 responded during the phases of consultation. Work to encourage participation had taken place. Quality of conversation was a focus when engaging with the public. It was confirmed an offline version of correspondence was offered for those that wished to respond. The importance of talking to the public was included in theme 9.
- The title of the 21<sup>st</sup> century school scheme had been renamed as Welsh Government Sustainable Communities for Learning Programme and it had been included in the plan.
- Ambitious plans for housing had been included in the plan. A number of upcoming meetings would address some of the issues and concerns of the housing policy and plan. It was stressed the importance of being open and transparent about the future plans.

- The authority had a number of different fees and payments that generate income. Some of the fees are statutory and set with other fees being more flexible.

The Chief Executive thanked members and officers for the detailed debate. In his opinion the discussion had been positive, he offered his support of the plan over the 5 year. Members were informed that an annual review between SLT and Cabinet would take place to review progress. Members were encouraged to contact Lead Members with any questions they have during the five year plan.

PROPOSED by Councillor Mark Young, SECONDED by Councillor Cheryl Williams.

**RESOLVED** that:

- *Members approve the final draft of the Corporate Plan 2022-2027 to enable the document to be translated and published*
- *That Members confirm they have read, understood and taken account of the Well-being Impact Assessment as part of its consideration.*

At this juncture (11.32 a.m.) there was a 15 minute comfort break.

The meeting reconvened at 11.48 am.

## **6 APPOINTMENT OF CHAIR OF THE DEMOCRATIC SERVICES COMMITTEE**

Nominations were sought for a member to be appointed as the Chair of Democratic Services Committee.

The Monitoring Officer confirmed the Chair of the committee could not be a member of a political party represented on Cabinet.

Councillor Peter Scott nominated, seconded by Councillor Julie Matthews, Councillor Martyn Hogg be appointed as the Chair of Democratic Services committee for the 2022/23 municipal year.

There were no other nominations.

Members

**RESOLVED** that *Councillor Martyn Hogg be appointed as the Chair of Democratic Services Committee for the municipal year 2022/23.*

## **7 APPOINTMENT OF LAY MEMBER TO THE STANDARDS COMMITTEE**

The Monitoring Officer introduced the report (previously circulated), reminding members that an open recruitment process had taken place to recruit lay members to the Standards Committee.

Council had previously nominated a Standards committee special appointments panel. The panel included County Councillors Bobby Feeley, Peter Scott and Arwel Roberts along with Community Councillor Gordon Hughes and independent representative Noela Jones, to interview prospective lay members for the one vacant position on the Council's Standards Committee.

The panel made a recommendation to Full Council for the appointment of Mr Samuel Jones be appointed to the Council's Standards Committee.

Councillor Arwel Roberts proposed Mr Samuel Jones be appointed as a lay member to the Standards Committee, seconded by Councillor Peter Scott. All members were in agreement.

It was therefor;

***RESOLVED*** that Mr Samuel Jones be appointed as a Lay Member to Denbighshire's Standards Committee.

At this juncture it was agreed to vary the order of the agenda.

## **8 NORTH WALES MARKET STABILITY REPORT - DRAFT REPORT 2022**

The Lead member for Health and Social Care introduced the North Wales Market Stability report (previously circulated) along with the Lead Member for Education, Children and Families.

The Social Services and Wellbeing (Wales) Act 2014 introduced a new duty on local authorities and health boards to develop a joint assessment of the sufficiency and sustainability of the social care market. The report had been produced by the North Wales Regional Partnership Board and took into account the findings from the North Wales Population Needs Assessment 2022.

The report assessed the sufficiency of care and support in meeting the needs and demand for social care, as set out in the population needs assessment and the stability of the market for regulated services.

The aim of the report was to assist the region to effectively commission and support providers of health and social care services to meet the demands of the population. The report would form the base for future plans and decisions.

The report was approved by Performance Scrutiny on 14 July 2022.

Illustrated within the report was the challenges faced by social care across not only Denbighshire but all Wales. Denbighshire services would continue to work hard to offer support for individuals, families and children where needed.

The Interim Head of Community Support Services confirmed Denbighshire County Council had significant input as a local authority in the creation of the report.

During discussion, the following issues were raised:

- Bwythyn y Ddol was a multi-disciplinary team working with children across Denbighshire and Conwy. The aim of the team is to provide intensive intervention for children on the edge of care, with a view to supporting the family as a whole. An assessment centre was also being built to offer support and rest bite to families and young people. It will allow children to remain local during the family support.
- Individuals are assessed in hospitals at different times, it is sometimes before an individual is due to be discharged. Close working with health colleagues to enable individuals to go home at the earliest convenience continued. The correct care package or establishment for each individual needed to be established before they are discharged from hospital.
- District nurses do receive training to administer I.V in the community, it was stressed it was only a certain type of antibiotic was allowed to be provided from district nurses.
- Concerns around recruitment and retention were an ongoing issue. It was stressed it was a national concern and not just Denbighshire. A number of initiative ways to encourage individuals to join the social care team.
- Close working with the health board to establish any social care needs continued to take place when individuals leave hospital.

PROPOSED by Councillor Bobby Feeley, SECONDED by Councillor Brian Blakely.

**RESOLVED that:**

- *Members approve the North Wales Market Stability Report 2022 and*
- *Members confirm they have read, understood and taken account of the Equalities Impact Assessment as part of its consideration.*

## **9 COUNTY COUNCIL FORWARD WORK PROGRAMME**

The Corporate Director – Governance and Business introduced the Council Forward Work Programme together with the Council Workshop Forward Work Programme (previously circulated).

It was confirmed that Central Rhyl and Prestatyn Coastal defence schemes, the results from Member survey regarding timing of meetings and the approval of the petition scheme would be presented at the December 2022 meeting.

Members were reminded that the Council Workshop was scheduled for the 24<sup>th</sup> October to discuss the SLT review.

Code of Conduct training was scheduled to take place following the meeting in the Council Chamber, Ruthin for members who had not the training previously.

It was noted the Council Workshop Forward Work Programme had been included in the pack. It listed the suggested reports for members discussion. Members were encouraged to feedback to officers any suggested amendments.

Members were reminded that County Council meetings were a decision making body, therefor items that require a decision should be presented before members for discussion and a resolution.

Council Workshops were scheduled to allow members the opportunity for an in-depth discussion and context on the relevant topic.

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

**The meeting concluded at 12.25 p.m.**

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<b>Report to</b>	Full Council
<b>Date of meeting</b>	6 <sup>th</sup> December 2022
<b>Lead Member / Officer</b>	Cllr Barry Mellor, Lead Member for Environment and Transport / Tony Ward, Corporate Director
<b>Report author</b>	Tim Towers, Asset and Risk Manager
<b>Title</b>	Central Rhyl and Central Prestatyn Coastal Defence Schemes

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

- 1.1. This report is about two potential coastal defence schemes for Central Rhyl and Central Prestatyn.

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

- 2.1. Due to the level of financial commitment required by the council, approval is sought to proceed to the construction phase of both schemes.

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

- 3.1. That Council confirms that it has considered the content of the Well-being Impact Assessments for each scheme (attached at Appendix 3a and Appendix 3b).
- 3.2. That Council supports the proposal to progress the Central Rhyl Coastal Defence scheme to the construction phase, using the grant aid funding model set out by the Welsh Government. This is subject to Welsh Government approving the Full Business Case and agreeing to provide 85% of the cost of borrowing to fund the scheme.
- 3.3. That Council supports the proposal to progress the Central Prestatyn Coastal Defence scheme to the construction phase, using the grant aid funding model set

out by the Welsh Government. This is subject to Welsh Government approving the Full Business Case and agreeing to provide 85% of the cost of borrowing to fund the scheme.

- 3.4. That Council delegates authority to the Coastal Defence Project Board to deliver the schemes.

## **4. Report details**

- 4.1. Prestatyn: The existing coastal defences along Rhyl Golf Course frontage are about 70 years old and in poor condition, which means the council wants to ensure they are upgraded well ahead of time. If the existing defences fail in this location, the flood risk to over 2,000 properties in the Prestatyn area will increase significantly. This is because low land elevations behind the defences will allow any tidal flood water to spread and flood a wide area. After an appraisal of options, the preferred option (indicative cost £26m, with 85% of the costs funded by the Welsh Government) is an earth embankment that follows the boundary of Rhyl Golf Club and is set back from the front-line defences. As the current front line defences become increasingly overtopped during storm events, flood water will be contained within the golf course until it can discharge back to the sea. The extent of the scheme and an image of the design can be seen in Appendix 1.

The scheme was taken to Planning Committee on 13<sup>th</sup> July 2022, at which planning permission was granted. There were a number of pre-commencement conditions set, which the project team are confident can be discharged. A marine licence for the scheme was granted by Natural Resources Wales on 9<sup>th</sup> November 2021.

A Full Business Case for the scheme was submitted to Welsh Government (WG) at the end of November 2022. The Council has worked closely with WG throughout the development of the scheme and anticipates WG approval to be granted by the end of December 2022.

A carbon impact assessment has been carried out which shows that, over the lifetime of the scheme, the carbon impacts are very similar to the carbon benefits, which means that the scheme is carbon neutral.

The scheme has an impact on Rhyl Golf Club, which leases Rhyl Golf Course from the Council. Negotiations with the club are ongoing and proceeding in a positive manner.

- 4.2. Central Rhyl: The central area of Rhyl (between Splash Point and the Drift Park) is currently protected by sea defences that are deteriorating. The Council wants to ensure that existing defences are replaced well ahead of time, to protect this popular part of Rhyl's coastline from flooding and coastal erosion. If the existing defences fail in this location, the flood risk to over 600 properties in the Rhyl area will increase significantly. The scheme is expected to cost in the order of £66m, with 85% of the costs funded by the Welsh Government. The scheme consists of: Rock armour scour protection, buried beneath the existing sand level, and concrete repairs to the existing sea wall, towards the eastern end of the proposed scheme area; Concrete stepped revetment to absorb energy from the waves, incorporating beach access steps and a large beach access ramp, between the Drift Park and Rhyl SeaQuarium; A new raised promenade and back of the promenade sea defence wall, between the Drift Park and Rhyl SeaQuarium; Widening the promenade adjacent to the Children's Village. The extent of the scheme and an image of the design can be seen in Appendix 2.

Due to the level of cost involved in this scheme, the council are working closely with the contractor to evaluate options for reducing costs by potentially omitting / altering some elements of it without compromising the obvious benefits the defence works will provide. Unfortunately, the timescales for approving the scheme remains very tight, so Council approval is sought even though the potential cost reductions have not yet been fully evaluated. In short, the new approval would be based on the maximum cost of £66m for the final works, which we ultimately aim to reduce.

The scheme was taken to Planning Committee on 13th July 2022, at which planning permission was granted. There were a number of pre-commencement conditions set, which the project team are confident can be discharged. A marine licence for the scheme was granted by Natural Resources Wales on 9th November 2021.

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A carbon impact assessment has been carried out which shows that, over the lifetime of the scheme, the carbon impacts are very similar to the carbon benefits, which means that the scheme is carbon neutral.

The Council has been involved in positive discussions and negotiations with businesses affected by the scheme.

The project team is working closely with the Rhyl Regeneration project team, to make certain that the coastal defence scheme and regeneration scheme are closely co-ordinated to ensure that the inevitable disruption of these significant construction projects is kept to a minimum.

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

- 5.1. Denbighshire Council's Corporate plan (2017-22) has two priorities that are relevant in this case; Environment and Younger People. Progression of the schemes will meet an ambition under the Environment priority to protect residents from flooding. Work experience and work opportunities for younger people should be available during future construction phases.

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

- 6.1. The combined cost of both schemes is approximately £92m. Of this cost, 85% is funded by the Welsh Government as grant in aid, paid to the Council over a 25-year period through the Revenue Support Grant.

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

- 7.1. Prestatyn Summary: The aim of the project is to reduce flood risk in Prestatyn. Provided this aim is fulfilled, the result will be a more prosperous, resilient,

healthy, equal and globally responsible Denbighshire. See Appendix 3a for the full assessment.

- 7.2. Central Rhyl Summary: The aim of the project is to reduce flood risk in Central Rhyl. Provided this aim is fulfilled, the result will be a more prosperous, resilient, healthy, equal and globally responsible Denbighshire. See Appendix 3b for the full assessment.

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

- 8.1. Extensive consultation has taken place for both schemes, including that carried out as part of the formal planning process. Consultees include local residents and businesses, county councillors, town councillors and statutory bodies.
- 8.2. A report was taken to Communities Scrutiny Committee on 8<sup>th</sup> September 2022. The Committee resolved to recommend that the schemes be taken to Strategic Investment Group, Cabinet and Council successively for their respective approval.
- 8.3. A business case for each scheme was presented to Budget Board on 20<sup>th</sup> September 2022. The board resolved to recommend that the schemes be taken forward to construction, subject to Cabinet and Council approval and Welsh Government grant approval (copies of the business cases are included in Appendix 4 and Appendix 5). On 22<sup>nd</sup> November 2022, Cabinet recommended both schemes be brought to Council for a decision to proceed.

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

- 9.1. If approved this would be a significant financial commitment by the council at a time of huge economic uncertainty. The schemes proposed requires a contribution from the council of £13.8m based on the information provided in Section 6. The Welsh Government funding model for such schemes is for councils to borrow the money to pay for the entire scheme and the government reimburses the annual cost of borrowing 85% of it to councils via the RSG. The revenue cost to the council of borrowing its proportion is approximately £0.8m in a full year post

completion. The actual cost will depend on the final contract sum and interest rates at the time (which are currently predicted to continue to rise). This constitutes a huge commitment at this very worrying time for the Council's finances and, if approved, would therefore increase the savings or cuts the council has to make in each of those years or require a further Council Tax increase to that already assumed of approximately 1.3%. Members need to be confident that this is the right priority and right scheme to justify this financial burden.

## **10. Risks**

10.1. The most significant risk associated with the project is that the terms of the WG loan will result in a long term (25 year) revenue burden for the Council, which would have an impact on the delivery of other services. Also, there is a risk that the Welsh Government won't increase the grant award to cover any cost increases during construction. This risk has been mitigated by choosing a procurement option that has resulted in a high level of cost certainty.

10.2. The size and location of the Central Rhyl scheme means that there is likely to be significant disruption during the construction period of approximately two and a half years. Every effort will be made to manage and minimize disruption as much as possible and communication and engagement plan with stakeholders will be put in place. Whilst the scheme will inevitably be disruptive, the long term benefits by far outweigh the short-term impact.

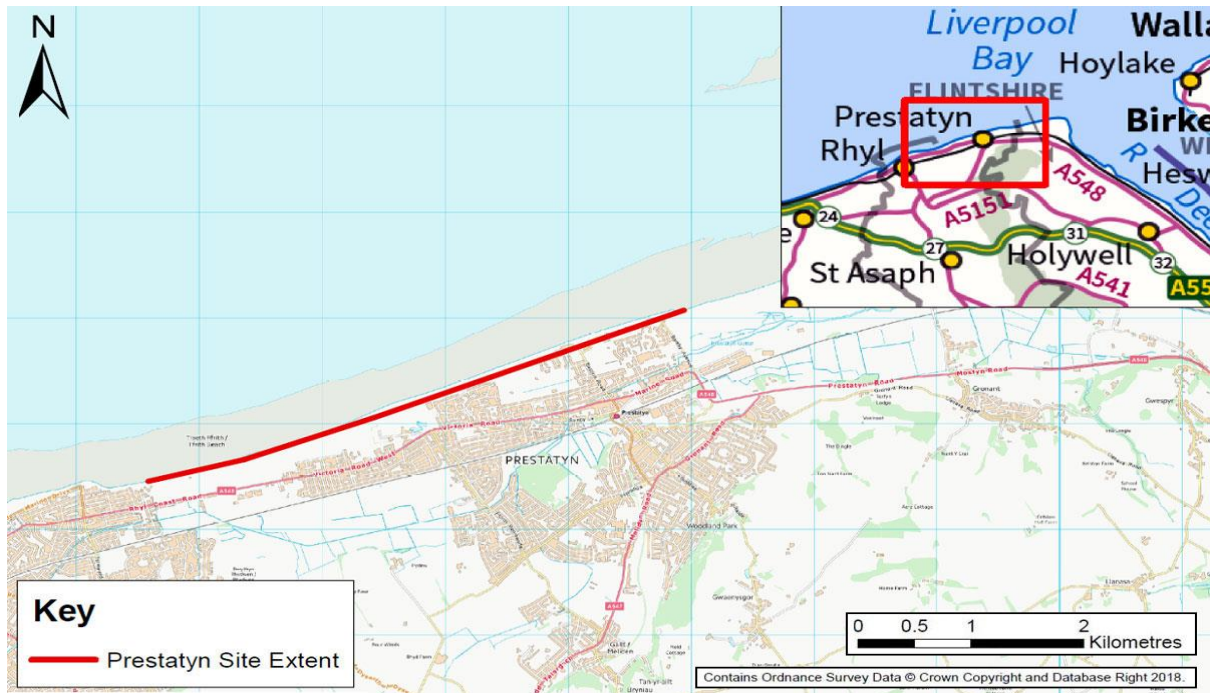
## **11. Power to make the decision**

11.1. The power to make decisions is contained in S2 Local Government Act 2000, and S111 Local Government Act 1972.

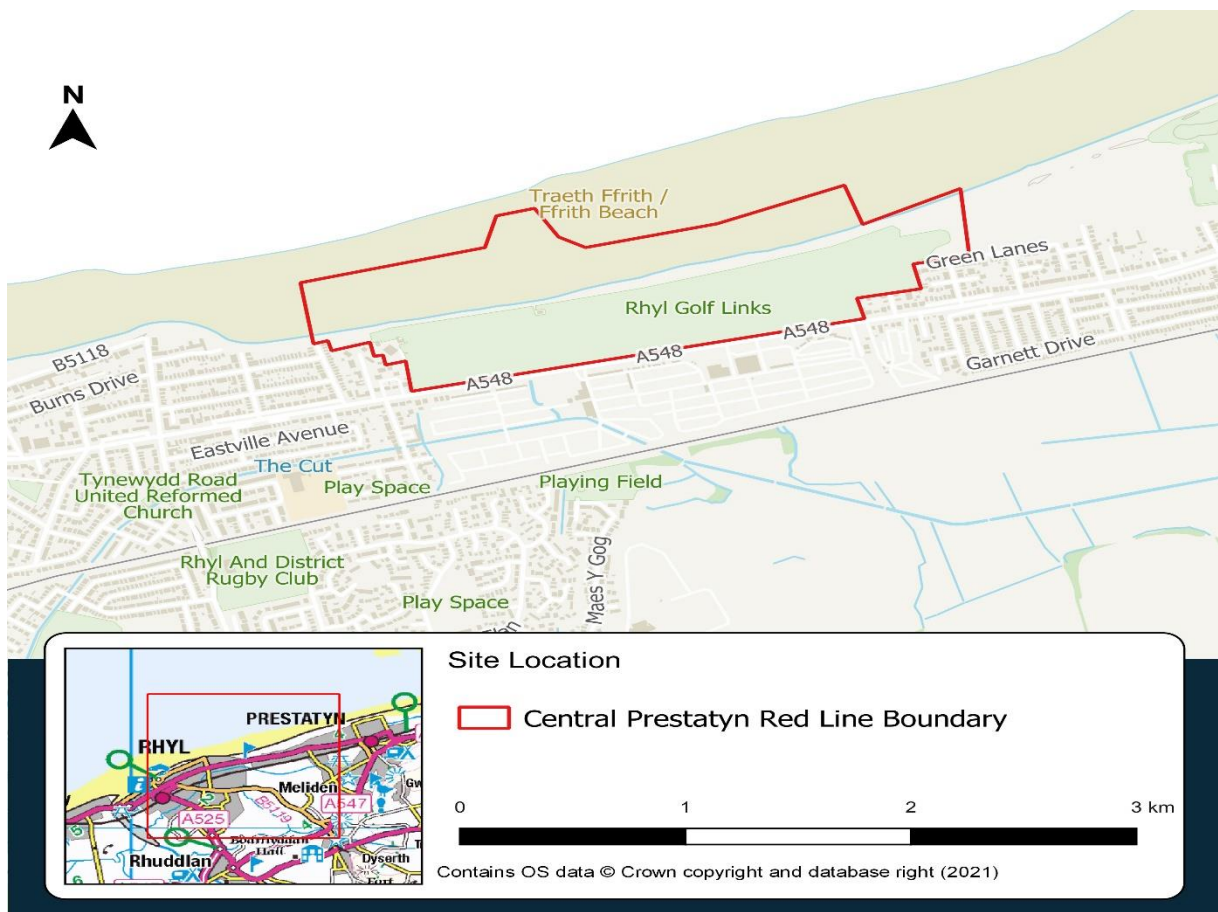
11.2. In addition, the Council has powers to carry out maintenance and improvements to its coastal defences under the Coast Protection Act 1949.

**Appendix 1** Prestatyn coastal flood alleviation scheme location, design and consultation timeline

**1a Prestatyn frontage**

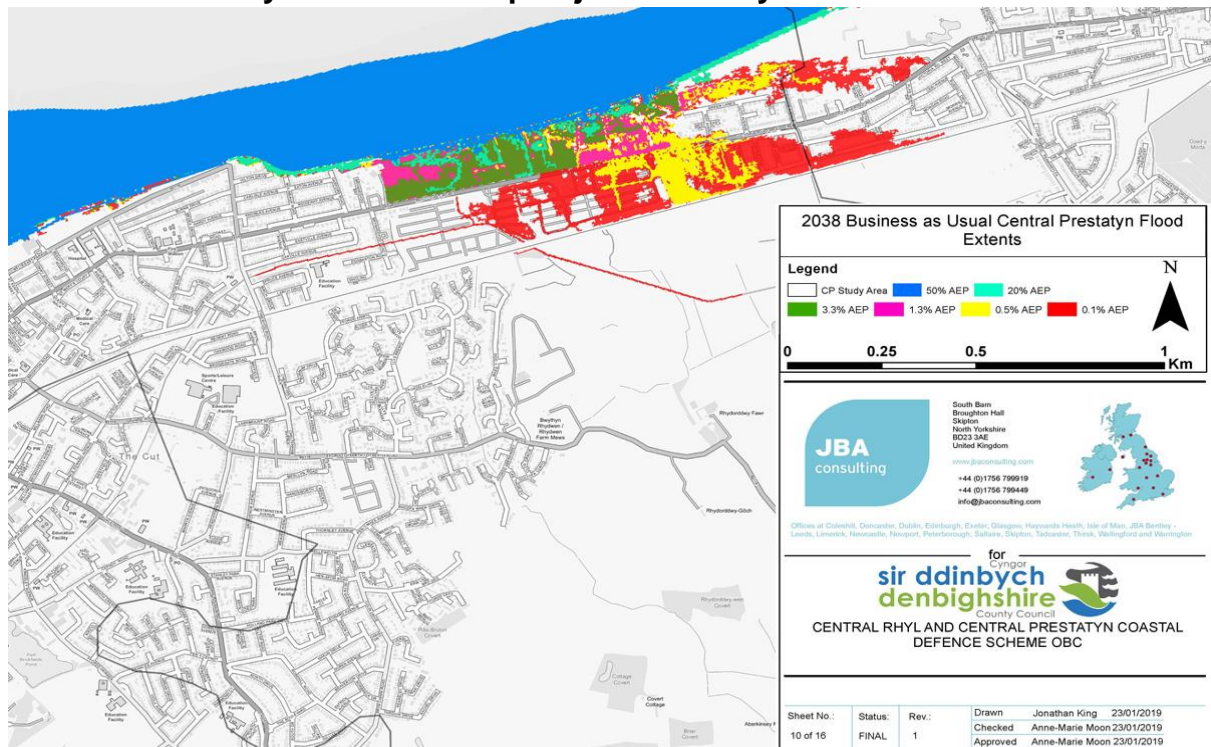


Although the entire frontage (shown by the red line in the location plan above) will eventually need improvements, the Central Prestatyn Coastal Defence Scheme focuses on the area of most immediate concern, adjacent to Rhyl Golf Club: see below





# 1a Contd Prestatyn flood risk map adjacent to Rhyl Golf Club



# 1b Prestatyn coastal flood alleviation design





## 1c Prestatyn stakeholder engagement timeline

The below details key engagement in 2021 up to the submission date for scrutiny, 25<sup>th</sup> Nov 2021.

Incidences of where an adaptive approach to design and consultation are highlighted in bold

<b>Date</b>	<b>Stakeholder</b>	<b>Reason</b>	<b>Response</b>
<b>10/12/21</b>	Scrutiny	Advice on consultation	Engage with local MAG's
<b>01/03/21</b>	Cabinet Briefing	Update on schemes and decision to proceed to planning	Proceed to planning application stage with no guarantee of funding of the schemes. Future cabinet briefing update required
<b>19/04/21</b>	Prestatyn MAG	Presentation on the scheme design and issues	More information required on the reasoning for the location of the scheme. A special MAG meeting to be scheduled for June
<b>27/05/21</b>	Rhyl Golf Club	Discuss the design option and construction methodology	RGC understood the need for the design but require more info on the methodology and how it will affect the club. Joint press release issued on how DCC and RGC are working together. Regular meetings put in place and Councillors Tony Thomas and Barry Mellor were updated about the meeting.
<b>30/06/21</b>	Special Prestatyn MAG	Special meeting to go through technical aspects of the design	Low attendance, those raising issues previously were not present. Design and information were sent to non-attendees but no responses received.
<b>31/08/21</b>	Rhyl Golf Club	Discuss the construction method of the scheme	RGC were made aware that the construction method would require closure of the club at certain times. RGC asked for work to start in Oct / Nov rather than in the Spring. This has been taken on board.
<b>20/09/21</b>	Rhyl MAG	Update on Prestatyn scheme	Rhyl members received the presentation and understood the nature of the project.
<b>28/10/21</b>	Rhyl Golf Club	Ongoing discussions	DCC continues to have productive discussions with RGC
<b>16/11/21</b>	Prestatyn MAG	Update on Prestatyn scheme	Future meeting

Future planned engagement includes: Cabinet Briefing 06/12/21, SIG 14/12/21, Cabinet 18/01/22 and Full Council 22/02/22

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**Appendix 2 Central Rhyl coastal flood alleviation scheme location, design and consultation timeline**

**2a Central Rhyl frontage and location of the 3km+ scheme (blue / green below)**



**2b Central Rhyl design comparing existing infrastructure with proposed visualisations of the scheme**



Looking east towards SeaQuarium

Existing



Proposed



Looking east at the transition to existing West Rhyl Coastal Defences

Existing



Proposed



Looking east past SC2

Existing



Proposed



Looking west past the Children's Village



Access from the High Street to the beach



### 2c Central Rhyl stakeholder engagement timeline

The below details key engagement in 2021 up to the submission date for scrutiny, 25<sup>th</sup> Nov 2021.

Incidences of where an adaptive approach to design and consultation are highlighted in bold

Date	Stakeholder	Reason	Response
<b>10/12/20</b>	Scrutiny	Advice on consultation	Engage with local MAG's
<b>01/03/21</b>	Cabinet Briefing	Update on schemes and decision to proceed to planning	Proceed to planning application stage with no guarantee of funding of the schemes. Future cabinet briefing update required

<b>20/04/21</b>	Rhyl MAG	Presentation on the scheme design and issues	Rhyl MAG noted the proposals, but made no particular comments.
<b>10/05/21</b>	Planning and Public Protection	Meeting looking for synergy between Central Rhyl flood defence scheme and the Central Prom project.	The Central Rhyl flood defence scheme will design in an access point onto the beach that will complement the future Central Prom landscaping project
<b>19/05/21</b>	Rhyl Regeneration Board Meeting	Update on the design and the synergies with other Rhyl projects	The meeting recognised the Central Prom and Central Rhyl flood defence schemes are different in nature but will work together to provide better links to accessing the beach. A future Rhyl Regen board meeting will be attended to update on the future of the rock revetment on the beach as this was raised as a concern.
<b>13/07/21</b>	Kiosk lease holders	Jones Redfearn notify kiosk lease holders that leases will cease if the scheme goes ahead	Kiosk lease holders have instructed an intermediary to enter negotiations with Jones Redfearn, who are acting on DCC's behalf.
<b>21/07/21 to 11/08/21</b>	Online and postal public consultation	Receive views on the design for Central Rhyl	<p>Public and Rhyl Town Council concerned over the design particularly access to the beach and impacts on tourism.</p> <p>The feedback updated the design. The rock armour was removed from a 500m section of the design, subject to review and WG approval, as the current beach level can provide protection.</p> <p>A visualisation model of the design was developed and will be shown to Denbighshire Leisure and a joint meeting of Rhyl Town Council and Rhyl MAG</p>
<b>08/10/21</b>	Denbighshire Leisure / Cllr Booby Feely	Walk the site of proposed scheme and talk through implications to the SC2 building	Positive talks but final response from DL dependant on the construction programme and the affects to accessing SC2.
<b>14/10/21</b>	Combined Rhyl Town Council / MAG	Present the visualisation of the scheme and answer questions on the design to alleviate	Visualisation was well received and attendees were very supportive of the scheme.



		issues received from the online consultation	
<b>17/11/21</b>	Rhyl Regen Board	To update on the scheme	Future meeting

Future planned engagement includes: Cabinet Briefing 06/12/21, SIG 14/12/21, Cabinet 18/01/22 and Full Council 22/02/22

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# Coastal defence works at Prestatyn

## 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:	983
Brief description:	Coastal defence works at Prestatyn to reduce the risk of flooding and coastal erosion.
Date Completed:	Version: 0
Completed by:	
Responsible Service:	Highways & Environmental Services
Localities affected by the proposal:	Prestatyn,
Who will be affected by the proposal?	The residents and business owners of Prestatyn will be positively impacted as the proposed flood defence scheme will safeguard their homes and businesses.
Was this impact assessment completed as a group?	No

# 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 : 29 / 36.

## Summary for each Sustainable Development principle

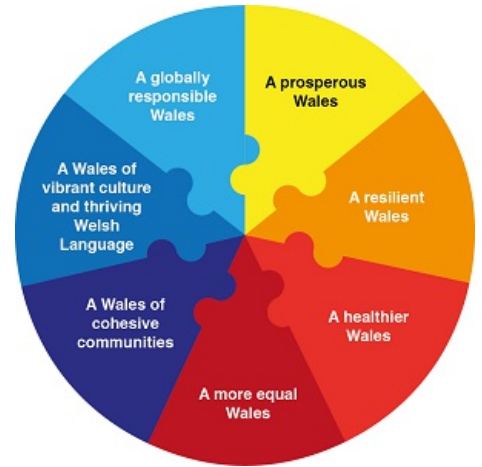
<p><b>Long term</b></p>	<p>The project will be carried out in a way that ensures that are minimal negative impacts on the natural environment. There may be opportunities to improve biodiversity in the built environment. Flooding of properties creates a large amount of contaminated, non-recyclable waste. Post flood clear up operations use a considerable amount of energy/fuel, therefore this project will reduce this risk. There are strong links between flooding and climate change (sea level rise). The project will draw these issues to the attention of Denbighshire residents. Flood risk is understood to have a negative impact on the economic prosperity of communities, Therefore, reducing flood risk will have a positive impact. The project involves heavy civil engineering work which will provide an opportunity for local employment in that sector. Reduced flood risk will encourage potential future employers to invest in the area. Coastal engineering is a specialism and the project has the potential to enable to development of local skills in this field. By developing this scheme it will protect as many properties as possible to the highest economically achievable standard.</p>
<p><b>Prevention</b></p>	<p>Coastal defence works at Prestatyn will reduce the risk of flooding and coastal erosion. The project will make Prestatyn more resilient to future flood events. The current and ongoing risk of flooding of properties has a significant negative impact on the prosperity of the county, as demonstrated by the floods that affected the region in 2012 and 2013. Therefore, the project will have a positive impact on the community. The project will have the greatest positive impact on the most vulnerable members of the community. People with protected characteristics are our most vulnerable residents during a flood event. Reducing the risk of flooding will improve their well-being. One of the consequences of flooding is high insurance costs, which could result in poverty. The project could make properties cheaper to insure for residents.</p>
<p><b>Integration</b></p>	<p>The existing beach at this location is sometimes floods the coastal path and over onto the Golf Course. Whilst the project won't stop this happening it should reduce this likelihood of flooding the surrounding properties. Peoples concerns and fears of being flooded have a significant impact on their emotional and mental well-being. The project will significantly reduce this likelihood.</p>
<p><b>Collaboration</b></p>	<p>We have consulted with the Council's Countryside Service team and Natural Resources Wales. We have consulted with Local councillors, Prestatyn Golf Club, MAG and the community. The project involves heavy civil engineering work which will provide an opportunity for local employment in that sector. Reduced flood risk will encourage potential future employers to invest in the area. Coastal engineering is a specialism and the project has the potential to enable to development of local skills in this field. By reducing the risk of flooding it will reduce the need to drain resources from the emergency services once a flood clean up is needed.</p>

<b>Involvement</b>	We have consulted with local members in Prestatyn, Prestatyn Golf Club, community groups, local businesses and are keeping the public up to date with regular communications in the local newspapers.
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**Summary of impact**

**Well-being Goals**

A prosperous Denbighshire	Positive
A resilient Denbighshire	Positive
A healthier Denbighshire	Positive
A more equal Denbighshire	Positive
A Denbighshire of cohesive communities	Positive
A Denbighshire of vibrant culture and thriving Welsh language	Neutral
A globally responsible Denbighshire	Positive



**Main conclusions**

The aim of the project is to reduce flood risk in Prestatyn. Provided this aim is fulfilled, the result will be a more prosperous, resilient, healthy, equal and globally responsible Denbighshire.

**Evidence to support the Well-being Impact Assessment**

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

# THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

## A prosperous Denbighshire

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The positives to this proposal way outweighs any short terms negatives. The opportunities for work experience, training, apprenticeships and the use of local businesses is positive.
<b>Further actions required</b>	The main negative in this proposal is the need to use lorries for transporting the materials to site. Although we cannot mitigate these impacts as the lorries are not Electric, the need to use them is relatively short lived.

### Positive impacts identified:

<b>A low carbon society</b>	If there is less risk of flooding then more people can cycle, walk. Reducing the risk of flooding will reduce the need to use emergency services and their large fire engines/ambulances/boats etc reducing the carbon emissions.
<b>Quality communications, infrastructure and transport</b>	Our project will put Denbighshire in better stead for operating in more extreme and frequent weather events as it will reduce the risk of flooding due to rising sea levels.
<b>Economic development</b>	The project could help lower house insurance premiums for residents. Through community benefits, there will be a number of work experience places to be taken by local young adults who may want a career within civil engineering.
<b>Quality skills for the long term</b>	As young adults have work experience opportunities then hopefully they will go on to qualify in their chosen fields and take forward quality skills for their futures, and possibly for their families futures. A positive outlook on employment will bring positive health and well being.
<b>Quality jobs for the long term</b>	Local community benefits will see the need for local young adults to engage with work experience and apprenticeship opportunities.
<b>Childcare</b>	The Welsh Government have a scheme called Childcare Offer in Wales which financially helps parents of 3/4 year olds with childcare needs. Some employers offer childcare voucher schemes in which the government help with childcare costs.

### Negative impacts identified:

<b>A low carbon society</b>	The initial use of lorries transporting materials to site will necessitate the need to use roads and carbon emissions from the lorries.
<b>Quality communications, infrastructure and transport</b>	
<b>Economic development</b>	
<b>Quality skills for the long term</b>	
<b>Quality jobs for the long term</b>	

<b>Childcare</b>	More young adults who gain employment may need access to affordable childcare.
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## A resilient Denbighshire

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The project will make Prestatyn more resilient to future flood events.
<b>Further actions required</b>	Through consultation with the Council's Countryside Service team and Natural Resources Wales.

### Positive impacts identified:

<b>Biodiversity and the natural environment</b>	The project will be carried out in a way that ensures that are minimal negative impacts on the natural environment.
<b>Biodiversity in the built environment</b>	There may be opportunities to improve biodiversity in the built environment.
<b>Reducing waste, reusing and recycling</b>	Flooding of properties creates a large amount of contaminated, non-recyclable waste. The project will reduce this likelihood.
<b>Reduced energy/fuel consumption</b>	Post flood clear up operations use a considerable amount of energy/fuel, this project will reduce that.
<b>People's awareness of the environment and biodiversity</b>	There are strong links between flooding and climate change (sea level rise). The project will draw these issues to the attention of Denbighshire residents.
<b>Flood risk management</b>	The project will reduce the likelihood of flooding in Prestatyn.

### Negative impacts identified:

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

## A healthier Denbighshire

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The project will have a beneficial impact on the mental well-being of residents currently at risk of flooding.

<b>Further actions required</b>	By working with local residents and community groups as the project develops to ensure that residents fears and concerns are recognised and addressed.
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**Positive impacts identified:**

<b>A social and physical environment that encourage and support health and well-being</b>	The coastal path will be re routed if it is subject to flooding to take it around the Golf Course then back on to the Promenade. This is used for walking and cycling etc.
<b>Access to good quality, healthy food</b>	N/A
<b>People's emotional and mental well-being</b>	Peoples concerns and fears of being flooded have a significant impact on their emotional and mental well-being. The project will significantly reduce this likelihood.
<b>Access to healthcare</b>	N/A
<b>Participation in leisure opportunities</b>	If there is a future need to re-route the coastal path around the current Golf course then this will continue the coastal path for residents that use it for physical activity.

**Negative impacts identified:**

<b>A social and physical environment that encourage and support health and well-being</b>	
<b>Access to good quality, healthy food</b>	
<b>People's emotional and mental well-being</b>	
<b>Access to healthcare</b>	
<b>Participation in leisure opportunities</b>	

**A more equal Denbighshire**

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The project will have the greatest positive impact on the most vulnerable members of the community.
<b>Further actions required</b>	n/a

**Positive impacts identified:**

<p><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>	<p>People with protected characteristics are our most vulnerable residents during a flood event. Reducing the risk of flooding will improve their well-being.</p>
<p><b>People who suffer discrimination or disadvantage</b></p>	<p>Reducing the risk of flooding will improve their well-being. Even if the coastal path has to be re-routed in the future then it will still be able to be used for physical exercise and mental well-being</p>
<p><b>People affected by socio-economic disadvantage and unequal outcomes</b></p>	<p>One of the consequences of flooding is high insurance costs, which could result in poverty. The project could make properties cheaper to insure.</p>
<p><b>Areas affected by socio-economic disadvantage</b></p>	<p>Protecting Prestatyn from possible flooding will help the area's businesses and keep access to services open</p>

**Negative impacts identified:**

<p><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>	
<p><b>People who suffer discrimination or disadvantage</b></p>	
<p><b>People affected by socio-economic disadvantage and unequal outcomes</b></p>	
<p><b>Areas affected by socio-economic disadvantage</b></p>	

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	Reducing flood risk will improve the strength and long term viability of the community.
<b>Further actions required</b>	n/a

**Positive impacts identified:**

<b>Safe communities and individuals</b>	Following previous flood events, crime e.g., burglary, has been an issue during the recovery phase. Reducing the likelihood of flooding will have a positive impact.
<b>Community participation and resilience</b>	There is already a strong community in Prestatyn, with a good knowledge of flood risk. The community will be engaged with as the project develops.
<b>The attractiveness of the area</b>	
<b>Connected communities</b>	Any flooding could disrupt the connectivity to broadband and travel infrastructure, therefore reducing the likelihood of flooding will reduce this issue.
<b>Rural resilience</b>	Reducing the likelihood of flooding will help build a resilient rural community.

**Negative impacts identified:**

<b>Safe communities and individuals</b>	
<b>Community participation and resilience</b>	
<b>The attractiveness of the area</b>	The 3m high bund may be seen as slightly unsightly
<b>Connected communities</b>	
<b>Rural resilience</b>	

## A Denbighshire of vibrant culture and thriving Welsh language

<b>Overall Impact</b>	Neutral
<b>Justification for impact</b>	n/a
<b>Further actions required</b>	n/a

**Positive impacts identified:**

<b>People using Welsh</b>	n/a
<b>Promoting the Welsh language</b>	Welsh policy will be implemented on the construction site
<b>Culture and heritage</b>	n/a

**Negative impacts identified:**

<b>People using Welsh</b>	
<b>Promoting the Welsh language</b>	



Culture and heritage	
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## A globally responsible Denbighshire

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	n/a
<b>Further actions required</b>	n/a

### Positive impacts identified:

<b>Local, national, international supply chains</b>	It's likely that the project will maximise the use of the local supply chain.
<b>Human rights</b>	Procurement will be carried out with due cognisance of human rights law.
<b>Broader service provision in the local area or the region</b>	n/a
<b>Reducing climate change</b>	n/a

### Negative impacts identified:

<b>Local, national, international supply chains</b>	
<b>Human rights</b>	
<b>Broader service provision in the local area or the region</b>	
<b>Reducing climate change</b>	

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# Central Rhyl Coastal Defence Works

## 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:	982
Brief description:	Coastal defence works at Central Rhyl to reduce the risk of flooding and coastal erosion.
Date Completed:	Version: 0
Completed by:	
Responsible Service:	Highways & Environmental Services
Localities affected by the proposal:	Rhyl,
Who will be affected by the proposal?	The residents and business owners of Rhyl will be positively impacted as the proposed flood defence scheme will safeguard their homes and businesses.
Was this impact assessment completed as a group?	No

# 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 : 33 / 36.

## Summary for each Sustainable Development principle

<b>Long term</b>	The project will be carried out in a way that ensures that are minimal negative impacts on the natural environment. There may be opportunities to improve biodiversity in the built environment. Flooding of properties creates a large amount of contaminated, non-recyclable waste. Post flood clear up operations use a considerable amount of energy/fuel, therefore this project will reduce this risk. There are strong links between flooding and climate change (sea level rise). The project will draw these issues to the attention of Denbighshire residents. Flood risk is understood to have a negative impact on the economic prosperity of communities, Therefore, reducing flood risk will have a positive impact. The project involves heavy civil engineering work which will provide an opportunity for local employment in that sector. Reduced flood risk will encourage potential future employers to invest in the area. Coastal engineering is a specialism and the project has the potential to enable to development of local skills in this field. By developing this scheme it will protect as many properties as possible to the highest economically achievable standard.
<b>Prevention</b>	Coastal defence works at Central Rhyl will reduce the risk of flooding and coastal erosion. The project will make Central Rhyl more resilient to future flood events. The current and ongoing risk of flooding of properties has a significant negative impact on the prosperity of the county, as demonstrated by the floods that affected the region in 2012 and 2013. Therefore, the project will have a positive impact on the community. The project will have the greatest positive impact on the most vulnerable members of the community. People with protected characteristics are our most vulnerable residents during a flood event. Reducing the risk of flooding will improve their well-being. One of the consequences of flooding is high insurance costs, which could result in poverty. The project could make properties cheaper to insure for residents.
<b>Integration</b>	The project is likely to result in improved opportunities for beach based leisure activities and local businesses will also benefit from the project, it will also have a beneficial impact on the mental well-being of residents currently at risk of flooding. The existing beach at this location is occasionally stripped of sand due to coastal erosion. The project should reduce this likelihood and will conserve a sandy beach. There's an opportunity to improve the quality of the existing beach at Central Rhyl, with an access point for all users, which will encourage greater use by residents and tourists. Peoples concerns and fears of being flooded have a significant impact on their emotional and mental well-being. The project will significantly reduce this likelihood.

<b>Collaboration</b>	We have consulted with the Council's Countryside Service team and Natural Resources Wales. We have consulted Rhyl Town Council, Rhyl MAG and the community. We are working with other council projects (Central Prom project) to provide access onto the beach. The project involves heavy civil engineering work which will provide an opportunity for local employment in that sector. Reduced flood risk will encourage potential future employers to invest in the area. Coastal engineering is a specialism and the project has the potential to enable to development of local skills in this field. By reducing the risk of flooding it will reduce the need to drain resources from the emergency services once a flood clean up is needed.
<b>Involvement</b>	We have consulted with local members in Rhyl, community groups, local businesses and are keeping the public up to date with regular communications in the local newspapers and online / paper based consultations.

## Summary of impact

### Well-being Goals

A prosperous Denbighshire	Positive
A resilient Denbighshire	Positive
A healthier Denbighshire	Positive
A more equal Denbighshire	Positive
A Denbighshire of cohesive communities	Positive
A Denbighshire of vibrant culture and thriving Welsh language	Neutral
A globally responsible Denbighshire	Positive



## Main conclusions

The aim of the project is to reduce flood risk in Central Rhyl. Provided this aim is fulfilled, the result will be a more prosperous, resilient, healthy, equal and globally responsible Denbighshire.

## Evidence to support the Well-being Impact Assessment

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

# THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

## A prosperous Denbighshire

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The positives to this proposal far outweighs any short terms negatives. The opportunities for work experience, training, apprenticeships and the use of local businesses is positive.
<b>Further actions required</b>	The main negative in this proposal is the need to use lorries. Main issues might be access into the town and foot access to business during construction. A park and ride alternative will be looked into . Although we cannot mitigate these impacts, the need to use them is relatively short lived.

### Positive impacts identified:

<b>A low carbon society</b>	If there is less risk of flooding then more people can cycle, walk. Reducing the risk of flooding will reduce the need to use emergency services and their large fire engines/ambulances/boats etc reducing the carbon emissions.
<b>Quality communications, infrastructure and transport</b>	Our project will put Denbighshire in better stead for operating in more extreme and frequent weather events as it will reduce the risk of flooding due to rising sea levels.
<b>Economic development</b>	The project could help lower house insurance premiums for residents. Through community benefits, there will be a number of work experience places to be taken by local young adults who may want a career within civil engineering. The project will safeguard future tourism opportunities in Rhyl.
<b>Quality skills for the long term</b>	As young adults have work experience opportunities then hopefully they will go on to qualify in their chosen fields and take forward quality skills for their futures, and possibly for their families futures. A positive outlook on employment will bring positive health and well being.
<b>Quality jobs for the long term</b>	Local community benefits will see the need for local young adults to engage with work experience and apprenticeship opportunities.
<b>Childcare</b>	The Welsh Government have a scheme called Childcare Offer in Wales which financially helps parents of 3/4 year olds with childcare needs. Some employers offer childcare voucher schemes in which the government help with childcare costs.

### Negative impacts identified:

<b>A low carbon society</b>	Main issues might be access into the town and foot access to business during construction. A park and ride alternative will be looked into .
<b>Quality communications, infrastructure and transport</b>	
<b>Economic development</b>	Some disruption to local businesses but the scheme will work with businesses to limit disruption
<b>Quality skills for the long term</b>	
<b>Quality jobs for the long term</b>	

<b>Childcare</b>	More young adults who gain employment may need access to affordable childcare.
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## A resilient Denbighshire

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The project will make east Rhyl more resilient to future flood events.
<b>Further actions required</b>	Through consultation with the Council's Countryside Service team and Natural Resources Wales , DCC Climate change project team and the local community of Rhyl .

### Positive impacts identified:

<b>Biodiversity and the natural environment</b>	The project will be carried out in a way that ensures that are minimal negative impacts on the natural environment.
<b>Biodiversity in the built environment</b>	There may be opportunities to improve biodiversity in the built environment.
<b>Reducing waste, reusing and recycling</b>	Flooding of properties creates a large amount of contaminated, non-recyclable waste. The project will reduce this likelihood.
<b>Reduced energy/fuel consumption</b>	Post flood clear up operations use a considerable amount of energy/fuel, this project will reduce that.
<b>People's awareness of the environment and biodiversity</b>	There are strong links between flooding and climate change (sea level rise). The project will draw these issues to the attention of Denbighshire residents.
<b>Flood risk management</b>	The project will reduce the likelihood of flooding in Central Rhyl.

### Negative impacts identified:

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

## A healthier Denbighshire

<b>Overall Impact</b>	Positive
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<b>Justification for impact</b>	The project is likely to result in improved opportunities for beach based leisure activities for all users as an access ramp is proposed to be constructed onto the beach is part of the design and will have a beneficial impact on the mental well-being of residents currently at risk of flooding.
<b>Further actions required</b>	By working with local residents and community groups as the project develops to ensure that residents fears and concerns are recognised and addressed.

**Positive impacts identified:**

<b>A social and physical environment that encourage and support health and well-being</b>	A promenade that has less likelihood of flooding will encourage physical activity on it ie walking, cycling etc.
<b>Access to good quality, healthy food</b>	N/A
<b>People's emotional and mental well-being</b>	Peoples concerns and fears of being flooded have a significant impact on their emotional and mental well-being. The project will significantly reduce this likelihood.
<b>Access to healthcare</b>	N/A
<b>Participation in leisure opportunities</b>	There's an opportunity to improve the access onto the existing beach at Central Rhyl, which will encourage greater use for physical activity by residents and tourists.

**Negative impacts identified:**

<b>A social and physical environment that encourage and support health and well-being</b>	
<b>Access to good quality, healthy food</b>	
<b>People's emotional and mental well-being</b>	
<b>Access to healthcare</b>	
<b>Participation in leisure opportunities</b>	

**A more equal Denbighshire**

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The project will have the greatest positive impact on the most vulnerable members of the community.
<b>Further actions required</b>	n/A

**Positive impacts identified:**



<p><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>	<p>People with protected characteristics are our most vulnerable residents during a flood event. Reducing the risk of flooding will improve their well-being.</p>
<p><b>People who suffer discrimination or disadvantage</b></p>	<p>They will be able to use the promenade and live in Rhyl without fear of flooding.</p>
<p><b>People affected by socio-economic disadvantage and unequal outcomes</b></p>	<p>One of the consequences of flooding is high insurance costs, which could result in poverty. The project could make properties cheaper to insure.</p>
<p><b>Areas affected by socio-economic disadvantage</b></p>	<p>Tourism will be better protected without the fear of flooding therefore helping the area of Rhyl's businesses and residents working in Rhyl.</p>

**Negative impacts identified:**

<p><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>	
<p><b>People who suffer discrimination or disadvantage</b></p>	
<p><b>People affected by socio-economic disadvantage and unequal outcomes</b></p>	
<p><b>Areas affected by socio-economic disadvantage</b></p>	

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	Reducing flood risk will improve the strength and long term viability of the community.
<b>Further actions required</b>	n/a

**Positive impacts identified:**

<b>Safe communities and individuals</b>	Following previous flood events, crime e.g., burglary, has been an issue during the recovery phase. Reducing the likelihood of flooding will have a positive impact.
<b>Community participation and resilience</b>	There is already a strong community in Central Rhyl, with a good knowledge of flood risk. The community will be engaged with as the project develops.
<b>The attractiveness of the area</b>	
<b>Connected communities</b>	Any flooding could disrupt the connectivity to broadband and travel infrastructure, therefore reducing the likelihood of flooding will reduce this issue.
<b>Rural resilience</b>	Reducing the likelihood of flooding will help build a resilient rural community.

**Negative impacts identified:**

<b>Safe communities and individuals</b>	
<b>Community participation and resilience</b>	
<b>The attractiveness of the area</b>	
<b>Connected communities</b>	
<b>Rural resilience</b>	

**A Denbighshire of vibrant culture and thriving Welsh language**

<b>Overall Impact</b>	Neutral
<b>Justification for impact</b>	n/a
<b>Further actions required</b>	n/a

**Positive impacts identified:**

<b>People using Welsh</b>	
<b>Promoting the Welsh language</b>	Welsh policy implemented on the construction site
<b>Culture and heritage</b>	

**Negative impacts identified:**

<b>People using Welsh</b>	
<b>Promoting the Welsh language</b>	

Culture and heritage	
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## A globally responsible Denbighshire

<b>Overall Impact</b>	Positive
<b>Justification for impact</b>	The project will maximise the use of the local supply chain, including employment, skills and materials.
<b>Further actions required</b>	n/a

### Positive impacts identified:

<b>Local, national, international supply chains</b>	It's likely that the project will maximise the use of the local supply chain.
<b>Human rights</b>	Procurement will be carried out with due cognisance of human rights law.
<b>Broader service provision in the local area or the region</b>	
<b>Reducing climate change</b>	

### Negative impacts identified:

<b>Local, national, international supply chains</b>	
<b>Human rights</b>	
<b>Broader service provision in the local area or the region</b>	
<b>Reducing climate change</b>	

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<b>Report to</b>	Council
<b>Date of meeting</b>	6 <sup>th</sup> December 2022
<b>Lead Member / Officer</b>	Cyng/Cllr Win Mullen-James – Lead Member for Local Development and Planning
<b>Report author</b>	Lara Griffiths – Senior Planning Officer
<b>Title</b>	Revised Delivery Agreement for the replacement Local Development Plan

## 1. What is the report about?

1.1. The report sets out the revised Delivery Agreement for the replacement Local Development Plan (LDP) 2018 – 2033. The Delivery Agreement (DA) sets out the timetable for progressing the replacement LDP to adoption and outlines whom, how and when the Council will consult on the various stages of the LDP preparation. A revised DA is required due to delays in the agreed timetable brought about by the Covid – 19 pandemic; delays in the publication of flood risk policy and guidance and, local elections. A revised DA must be approved by Cabinet and Council then formally submitted to Welsh Government for their agreement. The draft revised DA is attached to this report at Appendix 1.

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

2.1. Approval is required for the replacement LDP Revised Delivery Agreement.

Strategic Planning Group and Cabinet have recommended that the revised DA be brought to Council for approval and submission to Welsh Government.

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

- 3.1. That Council confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.
- 3.2. That Council approve the revised Delivery Agreement (DA) at Appendix 1 and subsequent submission to Welsh Government.
- 3.3. That Council authorises the Lead Member for Local Development and Planning in consultation with the Head of Planning, Public Protection and Countryside Services to agree any future amendments required to the Denbighshire Replacement Local Development Plan Delivery Agreement.

### **4. Report details**

- 4.1. A Delivery Agreement (DA) that has been approved by both Council and Welsh Government is required when preparing a Local Development Plan. The DA sets out the timetable for the preparation of the LDP and the consultation arrangements. The current DA was approved in May 2018. The revised Delivery Agreement is a key stage in progressing the replacement LDP and no further formal consultation stages can be delivered until the revised DA is approved.
- 4.2. Work on the replacement LDP was progressing well and in-line with the approved DA until the Covid-19 pandemic struck in early 2020. Delays have been caused to the original timetable due to a number of factors including:
  - Members of the LDP team being redeployed to assist with the pandemic response
  - Delays in the publication of the new TAN policy and guidance on flood risk
  - Additional work on Strategic Flood Consequence Assessment
  - Additional work on Town Centre Assessments
  - Impact of Phosphates on the LDP.
  - Local Government Elections
- 4.3. The Community Involvement Scheme sets out consultation arrangements for the various stages of the LDP preparation. This has also been slightly amended

to reflect the development of the County Consultation portal. The updated City, Town and Community Council Charter is also referenced.

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

5.1. The Local Development Plan makes a significant contribution towards the implementation of the following Council priorities as set out in the Corporate Plan 2022 - 2027:

- Theme 1: A Denbighshire of quality housing that meets people's needs
- Theme 2: A prosperous Denbighshire
- Theme 3: A healthier and happier, caring Denbighshire
- Theme 4: A learning and growing Denbighshire
- Theme 5: A better connected Denbighshire
- Theme 6: A greener Denbighshire
- Theme 7: A fairer, safe, and more equal Denbighshire
- Theme 8: A Denbighshire of vibrant culture and thriving Welsh language
- Theme 9: A well-run, high performing council

5.2. The replacement LDP will contain policies and land allocations that should make a positive contribution to the Council becoming Net Carbon Zero and Ecologically Positive by 2030.

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

6.1. Approval of the Delivery Agreement (DA) will not incur any additional costs or impact on other services.

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

7.1. The conclusions are broadly neutral or positive. The Delivery Agreement sets out a timetable for engagement and consultation and also how this is to take place. Many of the outcomes will be dependent upon the nature of the material consulted upon but the DA aims to ensure that everyone can have a say and that their comments will be responded to. The full assessment can be found at Appendix 2

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

8.1. The revised DA was reported to the Strategic Planning Group on 19 October 2022 where it was recommended to be progressed to Cabinet and Council for approval. Cabinet discussed, and recommended the revised DA be progressed to Council for approval on 22<sup>nd</sup> November 2022.

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

9.1 The service have confirmed that any additional resources can be maintained within existing resources. The recommendations are supported.

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

10.1. If the revised Delivery Agreement is not approved by Council then there will be a significant delay in progress on the replacement LDP. An up to date and approved DA will be required before any further statutory consultation stages can take place. The Council will become increasingly reliant on national, rather than local policy in determining planning applications which will erode local decision making.

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

11.1 Planning and Compulsory Purchase Act 2004

Planning (Wales) Act 2015

# **Denbighshire Replacement Local Development Plan 2018 – 2033 Revised Delivery Agreement October 2022**

Strategic Planning & Housing October 2022

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Draft

# Introduction

## 1.1. Background

- 1.1.1 Section 69 (S69) of the Planning and Compulsory Purchase Act 2004 requires a Local Planning Authority (LPA) to undertake a review of a Local Development Plan (LDP) and report to the Welsh Government at such times as prescribed. To ensure that there is a regular and comprehensive assessment of whether plans remain up-to-date or whether changes are needed, an authority should commence a S69 full review of its LDP at intervals not longer than every 4 years from initial adoption and then from the date of the last adoption following a review under S69 (Regulation 41).
- 1.1.2 As part of the LDP process, Denbighshire County Council (the Council) prepared a Review Report which has identified a requirement to undertake a full revision of its Development Plan. The issues considered within the report are of sufficient significance to support the preparation of a revised LDP.
- 1.1.3 The Review Report drew upon the published Annual Monitoring Reports (AMR), evidence gathered through updated survey evidence, and pertinent contextual indicators to support this conclusion.
- 1.1.4 The current adopted Denbighshire LDP 2006 – 2021 will remain the statutory development plan until it is replaced by a revised version of the LDP. The letter dated the 24th September 2020 from the Minister for Housing and Local Government confirmed that adoption of the current LDP prior to 4 January 2016 makes provision for it to remain the basis for determining planning applications until replaced by the emerging replacement LDP.
- 1.1.5 The replacement LDP will take a positive role in identifying opportunities for growth and investment, including the allocation of appropriate sites for development in a manner which is balanced against the protection and enhancement of the natural and built environment. It will also consider the linguistic, social and cultural nature of the County's communities.



## 1.2. Purpose of the revised Delivery Agreement

- 1.2.1 As a requirement of the regulations set out above, the Council is obliged to prepare and approve a Delivery Agreement (DA) for the preparation of the replacement LDP. This must then in turn be approved by the Welsh Government (WG).
- 1.2.2 The DA is a public statement of the Council's commitment to the preparation of the replacement LDP, and also how and when stakeholders, interested parties and communities can contribute to its preparation. The DA represents a key statutory stage in the preparation of the Plan, and adherence to its agreed contents represents one of the tests of the soundness (See section 1.7) at the public examination stage.
- 1.2.3 The original Delivery Agreement for the replacement LDP was approved in May 2018 and work was progressing well in-line with the agreed timetable. The onset of the global pandemic and a number of other factors have caused a significant delay in the progression of the replacement LDP. Given the time period that has elapsed there is a need to prepare a revised Delivery Agreement that includes both a new timetable and Community Involvement Scheme.

The Delivery Agreement has two main parts:

- **The Timetable:** this sets out the timeframe for producing the replacement Local Development Plan and accompanying Sustainability Appraisal. Definitive dates are provided up to the Deposit Stage with indicative dates for subsequent stages.
  - **The Community Involvement Scheme:** this outlines the approach to community engagement; whom; how, and when we intend to engage and how the Council will respond to representations.
- 1.2.4 The DA forms an important and statutory component in the preparation of a revised LDP. In this respect it is noted that at the Examination into the LDP, any deviations from the DA that have not been agreed with the WG will form an important test into the 'soundness' of the Plan. The DA, its timetable, and the methods which the Council utilise during the Plan's preparation are fundamental in ensuring the Plan is prepared in an appropriate, timely, and inclusive manner.

## 1.3 Revised Delivery Agreement

1.3.1 The Council is required to keep the Delivery Agreement under regular review and any revision must be approved by resolution of the Council and agreed by Welsh Government. The Delivery Agreement should be publicised and made available for inspection in line with LDP Regulation 10. It is recognised that only exceptionally should a revised timetable be considered during plan preparation. However, in her letter of the 7th July 2020, the Minister for Housing and Local Government recognised that a revised Delivery Agreement will be required where the impact arising from Covid-19 means that an authority cannot adhere to the previously agreed timetable. This has been further compounded by the impacts associated with the publication of the Natural Resources Wales Guidance on Phosphates in Rivers designated as Special Areas of Conservation (SAC); delays to carrying out fieldwork in relation to Gypsy and Traveller Accommodation Assessments and delays to the publication of Technical Advice Note 15: Development, flooding and coastal erosion.

1.3.2 In developing the Revised Delivery Agreement, the Council is required to:

- Prepare a draft Revised Delivery Agreement;
- Consult on the Draft Delivery Agreement with the Welsh Government and a draft timetable with Planning and Environment Decisions Wales (PEDW) (formerly Planning Inspectorate Wales), Cadw and Natural Resources Wales (NRW);
- Consider, and where appropriate revise, the draft DA's content following its consultation; and,
- Submit to Welsh Government for agreement.

1.3.3 Once agreed by Welsh Government, the revised Delivery Agreement will be published on the Council website [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk) .

## **1.4 Impact of Covid-19**

- 1.4.1 The Covid 19 outbreak and pandemic has had a significant impact on everybody's life and on the way the Council and its employees operate and deliver services. All Council meetings were temporarily suspended and then reconvened in a virtual format which has had an impact on decision making. Responding to the pandemic was rightly a priority for the Council and staff from the Planning Policy team were seconded to different roles in the Council to work directly on the pandemic response. This has caused inevitable delays to the progress of the replacement LDP resulting in the need for a revised Delivery Agreement.
- 1.4.2 On the 7th July 2020, the Minister for Housing and Local Government sent a letter to Local Authority Leaders and Chief Executives. In this letter the Minister reiterated the role of up to date, agile development plans as the cornerstone of the planning system. The letter requires local planning authorities to reflect on the impact of the pandemic on their areas and consider the consequences for LDPs under review or being implemented. Those LDPs currently undergoing review, which had not yet been submitted to the Planning Inspectorate (now PEDW) for examination, should undertake an assessment of the evidence base, strategy, and policies in terms of sensitivity to the consequences of the pandemic. This assessment has been prepared in conjunction with this Revised DA and can be found at Appendix 4.
- 1.4.3 A key component of a DA is the Community Involvement Scheme (CIS), which sets out whom, when and by what means communities and other stakeholders will be engaged in the plan preparation process. It is recognised that the Covid-19 pandemic has influenced how we access and use public buildings and participate in consultations/engagements. Careful consideration will be given to future Governmental advice in this regard, together with the use of virtual consultation methods to enable plan preparation to progress.

## 1.5 Other Factors contributing to need for revision

- 1.5.1 There have been a significant number of other contributory factors that have led to the need to revise the Delivery Agreement. Some are linked to the Covid 19 pandemic but not all.
- 1.5.2 **Phosphate levels in Riverine Special Areas of Conservation (SACs).** On 21st January 2021, Natural Resources Wales (NRW) set new phosphate standards for the nine Welsh riverine Special Areas of Conservation (SACs). NRW carried out an assessment of compliance which has shown that over 60% of relevant waterbodies are failing against the new standards, including the River Dee in Denbighshire. The objective is to improve the water quality by reducing the phosphate load through defining new targets, which are about 50 to 80% lower than the previous standards.
- 1.5.3 These failures have significant consequences for the Local Planning Authorities (LPA). For the Council the main impacts relate to development and land use changes in the River Dee and Bala Lake SAC. The “River Dee and Bala Lake SAC” is an internationally designated site for nature conservation and benefits from legal protection under ‘The Conservation of Habitats and Species Regulations 2017 (as amended)’ (Habitats Regulations 2017). Habitats Regulations 2017, Part 6 ‘Assessment of plans and projects’, puts the duty on the Council as ‘Competent Authority’ (i.e., the decision maker) to test, whether a project or plan - either alone or in combination - is likely to have a significant effect on a European site in view of that site’s conservation objectives, before deciding to give permission or authorisation. This includes the determination of planning applications and the production of the replacement Local Development Plans. The River Dee runs west to east in the southern part of Denbighshire but the HRA duties also include the tributaries that drain into the Dee. This has resulted in many planning applications being held in abeyance or refused on grounds of non-compliance with the Habitats Regulations 2017.
- 1.5.4 Whilst NRW published advice to local planning authorities, DCC have not been provided with any information on how to calculate additional phosphate loads from new developments and the application of any potential avoidance, mitigation or cancellation measures to offset additional phosphate loads. NRW and Welsh Government have left local planning authorities to identify solutions that address the consequences of new environmental targets. Additional resources and evidence are required to ensure that the replacement LDP complies with the Habitats Regulations 2017. The publication of

the NRW advice to planning authorities has directly impacted on the progress of the replacement LDP and its ability to be prepared in accordance with the previously agreed timetable. In this respect the impact of phosphates in protected Rivers requires that the draft Plan, its supporting documents and its evidence base must be reviewed to ensure compliance with the Habitats Regulations 2017 and can accord with the Tests of Soundness.

**1.5.5 Gypsy and Traveller Accommodation Assessment (GTAA)**- The GTAA forms part of the required evidence base for the replacement LDP. The prescribed methodology requires face to face interviews with Gypsy and Traveller households to assess their accommodation needs. In a letter from on 26<sup>th</sup> March 2020 Welsh Government imposed a moratorium on face to face interviews as a result of the Covid 19 pandemic and placed a halt on work on the GTAA, this moratorium was lifted on 6<sup>th</sup> May 2021. The deadline for submission of GTAAs was extended by 12 months by Welsh Government. The Council approved GTAA was submitted to Welsh Government in December 2021 and final approval is awaited.

**1.5.6 Technical Advice Note 15: Flooding, development and coastal erosion** – a revised revised draft TAN 15 was published in September 2021 with an implementation date of 1<sup>st</sup> December 2021. The new guidance and maps are fundamental to the LDP spatial strategy and the assessment of candidate sites as land in Denbighshire is susceptible to flood risk. Work on assessing candidate sites was delayed in anticipation of the new advice note being issued as flood risk is considered a fundamental constraint. Prior to the implementation date the new TAN 15 was suspended pending further work by Councils on Strategic Flood Consequence Assessments. These revised assessments are required to be submitted to Welsh Government by November 2022. An updated TAN 15 and flood maps are due to be issued in June 2023. This has caused a considerable delay in confirming the LDP Preferred Strategy and the assessment of candidate sites.

**1.5.7 Bodelwyddan Strategic Site** – The draft Preferred Strategy for the replacement LDP included a strategic site at Bodelwyddan. The mixed use site had been allocated in the current LDP and benefitted from an outline planning consent at the time the original Delivery Agreement and draft Preferred Strategy were approved. Subsequently the

outline planning consent has lapsed and the developer has divested their interest in the site. The site requires significant infrastructure investment to proceed and prolonged discussions and efforts have now concluded that the investment required is in excess of any funding that can be obtained. These extensive efforts to secure the necessary infrastructure funding have also contributed to a delay in reporting back on the draft Preferred Strategy which has in turn impacted on the timetable.

**1.5.8 Local Government Elections** – In May 2022 local government elections were held. Local elections have a considerable impact on decision making for the Council. The pre-election period, although officially commencing in March 2022 in reality started much sooner and there was concern that no potentially controversial items should be reported prior to the elections. In Denbighshire there was a significant change in elected members with around 50% of those returned, being new to the Council. The political make-up of the council changed significantly with a new Leader and entirely new Cabinet, including a new member with responsibility for progressing the LDP. New nominations had to be sought for the Strategic Planning Group and the first meeting of the group could not be held until September 2022. In total around 9 months was lost due to the elections.

## **1.6 Revision Procedure and the Soundness Tests**

1.6.1 The Review Report summarises the main topic areas where the current Local Development Plan is not considered to be performing; where it is out of date due to contextual changes and which parts of the plan therefore require revision. Based on the significance of the changes required, it was concluded that the Council needed to produce a Replacement Local Development Plan.

1.6.2 When preparing or revising a Local Development Plan the Council must ensure that it is prepared correctly and it meets the 3 Tests of Soundness outlined within the Local Development Plan Manual (Edition 3) 2020

- Does the Plan fit? (i.e. is it clear that the Local Development Plan is consistent with other Plans?)
- Is the Plan appropriate? (i.e. is the Local Development Plan appropriate for the area in light of the evidence?)
- Will the Plan deliver? (i.e. is it likely to be effective?)

See Appendix 1 for further detail on the Soundness Tests and their application at Examination.

## **1.7 Supplementary Planning Guidance and Site Development Briefs**

1.7.1 Supplementary Planning Guidance (SPG) has an important role in complementing the Local Development Plan strategy, policies and allocations by providing more detailed, technical advice. A series of revised / additional Supplementary Planning Guidance will be proposed to support the Replacement Local Development Plan. The details of Supplementary Planning Guidance which may be required for the Replacement Local Development Plan will be identified at the pre-deposit/deposit stages and can be added to after adoption. A number of key sites may have Site Development Briefs prepared to inform planning decisions.

1.7.2 Community involvement will vary according to the content of each individual Supplementary Planning Guidance Note and site development brief. The consultation stage at which comments on the guidance can be made will be widely publicised. This will include information on the Council web site, press releases and notification being sent to all contacts on the Local Development Plan database. Officers will be available

to discuss issues via telephone, email or video chat. Information on how to respond and the deadline for any representations will be made clear in any publicity material.

1.7.3 All comments made during consultation on supplementary guidance will be made publically available following consultation and attributed to the person, group or organisation making the representation.

1.7.4 **Feedback –**

- All duly made comments will be acknowledged by email or letter.
- All duly made comments will be reported to the Strategic Planning Group and **Planning Committee** following consultation. A summary of the comments along with a suggested Council response and any recommended changes will be made publically available.
- Any petitions received will be acknowledged to the proposer of the petition.

1.8 **Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulations Assessment.**

1.8.1 The Replacement Local Development Plan is subject to an assessment of its sustainable development and environmental effects:

- Sustainability Appraisal assesses the environmental, social and economic implications of the emerging plans' strategies and policies.
- Strategic Environmental Assessment (SEA) requires a rigorous assessment of the environmental, and to a lesser extent social, effects of the plans. This is intended to ensure environmental considerations are taken into account in the production of the plans.
- 'The Conservation of Habitats and Species Regulations 2017 (as amended)' (Habitats Regulations 2017) provides legal protection for habitats and species of European importance. At its heart, the precautionary principle ensures that there are no significant effects on the qualifying features caused by proposals contained within a Local Development Plan before it is adopted by the local planning authority. Being an iterative process, the emerging Local Development Plan will be subject to a Habitats Regulations Assessment at all stages in the plan-making process.



1.8.2 The first two assessments will be contained in the 'Sustainability Appraisal'. The Habitats Regulations Assessments will be reported separately. These assessments will run alongside, and be a part of, the production of the Local Development Plan. The Sustainability Appraisal will be documented in:

- An initial Scoping Report for the assessment of the replacement Local Development Plan. This report will describe the current sustainability issues and a common set of sustainability objectives against which the plans will be judged;
- A full report of the assessment of the replacement Local Development Plan as it emerges. This report will explain how the options and detailed policies considered for the plan are likely to perform with regard to the sustainability objectives set out in the scoping report. This report will also explain how any harmful effects of the replacement Local Development Plan can be avoided or offset, and how the beneficial effects can be maximised;
- A statement explaining how sustainability considerations and the assessments, has been taken into account in the production of the replacement Local Development Plan.

## 1.9 Potential to Prepare Joint Plans

1.9.1 As part of the Local Development Plan revision process, consideration of the advantages and disadvantages of preparing a joint Local Development Plan with neighbouring local planning authorities is required. The starting point was looking at the individual stages of Plan-preparation that our neighbours have reached as of Sept 2022.

<b>Authority</b>	<b>Local Development Plan Stage</b>
Flintshire CC	Examination
Wrexham CBC	Examination
Conwy CBC	Pre-deposit consultation
Gwynedd Council & Ynys Mon	Review Report Submitted
Powys CC	Review Report Submitted
Snowdonia NPA	Revised LDP adopted 2019

Conwy CBC is the only local planning authority that would offer the potential for preparing a joint Local Development Plan; without causing significant delay to the Delivery Agreements made between the other local authorities and Welsh Government. Both strategic planning teams have developed a comprehensive work- relationship that includes the production of topic-based studies, data gathering, and assessments for their respective Local Development Plan evidence base.

1.9.2 It must however be kept in mind that both local planning authorities are also independent, self-governing bodies. Both Councils have adopted Corporate / Strategic Plans and programmes to address County-specific opportunities, challenges and areas of improvements. Since Local Development Plans have to be prepared in line with those County-specific documents, see 'Tests of Soundness', the emerging Plan is unlikely to be succinct, concise, well-integrated and user-friendly with the need to refer throughout the document to two different sets of Councils' strategies and political objectives. The requirement for the preparation of a Strategic Development Plan that covers the north Wales region partly mitigates the consideration of joint plans. Each local authority will prepare an LDP lite for its area following the adoption of the first SDP in line with Future Wales: the national plan 2040 (2021).

## 2. TIMETABLE

### 2.1 Key Stages of Preparation

2.1.1 The timetable for the Local Development Plan is divided into:

- Definitive stages – up to and including the statutory deposit stage, for which definite dates can be included
- Indicative stages – after the deposit stage, for which estimated dates can be included. These will be reconsidered following the deposit stage.

2.1.2 Any slippage from the revised Delivery Agreement timetable or failure to hit key milestones will trigger the need for a new Delivery Agreement.

2.1.3 The original timetable reflected submission of the Review Report to Welsh Government by December 2017. The final Review Report determines the main areas of the Plan where engagement needs to be focussed. The Planning Inspectorate (now PEDW) has previously advised that the binding Inspector's Report can be expected to be received by the Local Authority within approximately one year from submission of the Plan. This revised timetable reflects the delays caused by Covid 19 and the other constraints outlined in sections 1.4 and 1.5 above.

2.1.4 Replacement Local Development Plan Timetable. The following stages were completed prior to the pandemic: Review Report; V1 Delivery Agreement; Sustainability Appraisal Scoping Report; Pre-deposit Public Participation and Pre-Deposit Consultation. The remaining stages are set out below. A more detailed timetable can be found at Appendix 2

#### **Definitive Stages**

#### **Timescale**

Review Report	Completed 2017
Delivery Agreement V1	Completed 2018
SA scoping report	Completed 2017
Pre-Deposit Public Participation	Completed 2019

Delivery Agreement V 2

Sept 2022 - Jan 2023

Deposit

Sept 2023 – May 2024

Consultation and consideration  
of representations.

### Indicative Stages

### Timescale

Submission of LDP for Examination

May 2024

Examination in Public

May 2024 – March 2025

Publication of Inspector's Report

June 2025

Adoption of replacement LDP

September 2025

Monitoring and Review

Ongoing post adoption

## 2.2. Methods of Engagement for each key stage of preparation

2.2.1 The following methods of notification and consultation will be used for each of the definitive and indicative stages set out above.

**Website** – all documents will be made available on the main Council website [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk).

**Direct Contact** - written notification by email/letter to mailing list consultees (including those listed in Appendix 5 – consultation groups)

**Social media** – notification of consultation stages and methods of engagement will be promoted via the Council's social media accounts. Press releases will also be issued.

**Access to documents** – access to the on-line documents will be made available via the public web access terminals in the libraries and on-stop shops across the County. Hard copies of the LDP documents will also be made available in these locations.

## 2.3 Resources

2.3.1 Responsibility for the Local Development Plan preparation sits within the Strategic Planning and Housing Team of Denbighshire's Planning, Public Protection and Countryside Service. The following resources are dedicated to the progress and production of the replacement Local Development Plan:

Head of Service	5%
Strategic Planning and Housing Manager	50%
Senior Planning Officer x2	75%
Planning Officer x1	75%
Strategic Planning & Housing Support Officer	75%
Senior Housing Officer x2	10%

2.3.2 The Strategic Planning and Housing Team also co-ordinate and administer a steering group of elected Members, which meets on a 4-6 weekly basis providing input and a steer on the content and process for the Local Development Plan and any other planning policy documents (e.g. Supplementary Planning Guidance, Site Development Briefs etc.). This steering group is not a decision-making body but makes recommendations to Planning Committee; Cabinet and Council where the process requires formal approval or decisions.

## 2.4 Risks

2.4.1 There are various risks to the ensuring adherence to the timetable set out above and these are identified in Appendix 3. These risks may be from internal or external sources and include those over which the Local Authority may have limited influence. Possible mitigation measures have been identified for each of the risks.

## 2.5 Monitoring and Review

2.5.1 The **Delivery Agreement** will be reviewed if:

- The Plan preparation process falls behind the agreed timetable;
- Significant changes are required to the Community Involvement Scheme;
- Significant changes occur in the resources available to continue Plan preparation.

2.5.2 Within three months of the end of the Deposit consultation period, an updated timetable showing definitive dates for the indicative stages of the Plan process will be submitted to Welsh Government for agreement.

2.5.3 **Monitoring** The Council will produce an Annual Monitoring Report (AMR) in October each year following adoption of the replacement Local Development Plan, which will assess how effectively the policies and proposals of the Local Development Plan are performing and highlight any need for modifications. All AMR will be published on the Council's website.

2.5.4 **Review** - Following adoption of the Local Development Plan, a review should take place within 4 years but may commence earlier if significant changes in national policy or local context occur or significant issues arise from the AMR.

### **3. Community Involvement Scheme**

#### **3.1 Principles of Involvement**

3.1.1 The active and willing involvement of people, communities and organisations will be fundamental in helping to shape the replacement Local Development Plan for Denbighshire. A greater understanding of the issues facing communities and how they would like to develop in the future is key to producing a replacement plan that best meets these aspirations.

3.1.2 The following principles of community and stakeholder involvement are key to the successful delivery of the replacement plan:

- We will always try to use plain Welsh/English and avoid using technical terms wherever possible;
- We will always provide feedback on the outcomes at each stage in the process;
- We will try to involve all sections of the community, including those who may not traditionally have had an input into the plan preparation process;
- We will always aim to make it clear where decisions can be made at the local level, and where national policy and statutory regulations take precedence;
- We will aim to achieve agreement wherever possible, whilst recognising that we all need to be realistic where viewpoints differ.

### **3.2 What we expect from others**

3.2.1 It is important that anyone wanting to be involved, or provide comments, during the process of preparing the replacement Local Development Plan does so within the publicised timescales set out in the Delivery Agreement. This is vital if you want your views to be taken into account when the Council is developing the Local Development Plan strategy and detailed policies.

3.2.2 It is also important that you inform the Strategic Planning & Housing Team of any change in contact details during the process.

### **3.3 Bilingual Involvement**

3.3.1 Bilingual involvement will be carried out in accordance with the Council's Welsh Language Standards:

- The Council welcomes correspondence in Welsh or English and correspondents will receive a reply in the language of the original contact. Corresponding in Welsh will not lead to delay in processing your comments.
- All standard letters, comments forms and newsletters will be bilingual;
- All Council policy and guidance publications will be bilingual;
- All Council publicity and advertising material will be bilingual;
- All meetings, whether formal or informal, will be conducted bilingually where requested beforehand.

### **3.4 Who will we involve and how?**

3.4.1 We will be involving people in a variety of different ways at each stage in the process as set out in the replacement Local Development Plan timetable. Different methods of engagement may be considered most appropriate for the wide range of consultees who want to be involved in the preparation of the replacement Local Development Plan. We intend to make the process as accessible as possible and people should be able to engage using a method that suits them best.

3.4.2 All stages at which representations on the replacement Local Development Plan can be made will be widely publicised. This will include information on the Council web site; social media; press releases and notification being sent to all contacts on the Local Development Plan database. Information on how to respond and the deadline for any representations will be made clear in any publicity material.

3.4.3 All representations made during the replacement Local Development Plan process will be made publicly available following consultation and attributed to the person, group or organisation making the representation.

### **3.5 Role of Elected Members (Councillors)**

3.5.1 Councillors are the elected representatives of the people of Denbighshire and they take decisions on behalf of their electorate. Elected members will take the final decisions on the form and content of the replacement Local Development Plan at key stages throughout the process.

3.5.2 A Member led Strategic Planning Group (SPG) has been established. This is an internal local authority group of elected members and professional officers from across the Council. The Strategic Planning Group has an agreed membership with voting rights to ensure balance but is open to all Members to attend. The group meets regularly to review and formulate policy and proposals for consideration by the Council. The Strategic Planning Group makes recommendations on the Replacement Local Development Plan but all formal decisions are made by the Council.

### **3.6 General Public**

3.6.1 This can be any member of the public from within Denbighshire and beyond. Anyone can be involved by commenting at the key stages as set out in the replacement Local Development Plan Timetable. These will be, on the draft Review Report and its supporting documentation, draft Delivery Agreement, the Pre-Deposit Consultation, Deposit Plan consultation and at the Examination.

3.6.2 The general public can help the Council develop detailed local knowledge of specific areas within the County. Individuals with detailed knowledge and experience of certain topics relevant for the Local Development Plan can serve as a key source of information. The public will also provide valuable feedback on how draft policies, site allocations and other detailed proposals are developing and the reasons for public support or objection.

3.6.3 For the general public, who do not also fall into any of the groups listed below, the opportunities to engage, and the consultation stages will be publicised via the the



Council website, use of social media and information in all libraries and one-stop shops.

### **3.7 The Local Development Plan Database**

- 3.7.1 During the preparation of the first Local Development Plan an extensive database was developed that included many organisations and individuals who asked to be kept informed at various stages in the process. Anyone can request to be added to or removed from the database at any time and anyone submitting a representation during any of the consultation stages will be added to the database.
- 3.7.2 The preferred method of communication for those on the Local Development Plan Database is via email. Paper copies will be made available on request.

### **3.8 City Town and Community Councils**

- 3.8.1 City, Town and Community Councils provide a vital link between their communities and the Council. They can help in raising awareness of the replacement Local Development Plan process as well as communicating local views and opinions to the Council. All communication, engagement and consultation will be carried out in line with the agreed Charter between City, Town and Community Councils and the Council (2020) <https://www.denbighshire.gov.uk/en/your-council/about-the-council/ctcc-charter/ctcc-charter.aspx> Neighbouring town and community councils will be consulted at all statutory stages of the replacement Local Development Plan process. A list of all City Town and Community Councils can be found at Appendix 5.

### **3.9 Specific Consultation Bodies and UK Government Departments**

- 3.9.1 These consultees are set out in the Local Development Plan Manual (Groups B2 and B3 (2015)) and are made up of bodies that have specific functions within Denbighshire such as utility providers, government departments, Betsi Cadwalader University Health Board and Welsh Government. See Appendix 5 for a full list.
- 3.9.2 Bodies included within this group will provide detailed, professional advice on the Replacement Local Development Plan proposals, and the suitability and delivery of development sites. They will be consulted and given the opportunity to comment at

key formal (statutory) stages in the preparation of the replacement Local Development Plan. These consultees may also appear at Examination Hearings when invited by the Inspector, even if they have not raised an objection or indicated they wish to appear.

### **3.10 General Consultation Bodies and Other Consultees.**

3.10.1 General Consultation Bodies include voluntary bodies who are active in the County and represent the interests of various different groups. These can include representatives of different racial; religious; ethnic and disability groups as well as those representing business groups and Welsh language and culture. Many of these will already be on the database but we are happy to add any new groups at any time.

3.10.2 Other consultees are organisations who do not fall into any of the above categories but still have a representative interest in the area, this can include bodies such as the National Trust, Public Health Wales and Civic Societies.

3.10.3 These bodies will be consulted and given the opportunity to comment at key formal (statutory) stages in the preparation of the replacement Local Development Plan. It is likely that many of these groups will also be members of other groups and already be on the Local Development Plan database.

### **3.11 Developers, Agents and Landowners**

3.11.1 Developers, agents and landowners were invited to submit candidate sites for consideration during the Pre-Deposit participation phase. Details of the information required to accompany any candidate site submission were published on the Council website [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk) and made available in hard copy on request. The call for sites was publicised in local newspapers and on the Council website, in addition all contacts on the Local Development Plan database were informed. The opportunity to submit further candidate sites has now closed but additional sites can be put forward at the Deposit consultation stage.

3.11.2 The details of all properly submitted candidate sites have been entered into a Candidate Site Register. This was made public alongside the Local Development

Plan Pre- Deposit Plan consultation and is available to view on the Council website <https://www.denbighshire.gov.uk/en/planning-and-building-regulations/local-development-plan/replacement-local-development-plan/replacement-local-development-plan.aspx> . Properties bordering submitted candidate sites, or subsequent land allocations will not be notified individually.

### **3.12 Feedback**

- 3.12.1 All duly made representations at any of the formal consultation stages of the replacement Local Development Plan will be acknowledged by email or letter.

A summary of all duly made representations will be reported to the Strategic Planning Group; Cabinet or the Council following formal consultation stages. A summary of the representations along with a suggested Council response and any recommended changes will be made publicly available. Any petitions received will be acknowledged to the proposer of the petition.

### **3.13 How will we deal with your representations?**

- 3.13.1 The Council will consider all duly made representations made in writing by letter or email received by the specified closing date for any formal consultation period. Reporting of representations will be as set out above.
- 3.13.2 To be considered as 'duly made' at the Pre-Deposit stage each representation should be clear about what it relates to. Please note that representations made at the Pre- Deposit stage are not considered by the Inspector during the Examination in Public. If a concern raised during the Pre-Deposit stage has not been addressed to your satisfaction, an objection should be made at the Deposit Stage.
- 3.13.3 At the Deposit Stage, all duly made representations should set out what matter they relate to, what change(s) are being sought, the grounds on which the objection is being made and, if possible, the Test(s) of Soundness to which they relate. Details of the Tests of Soundness for a Local Development Plan can be found at Appendix 1. Duly made objections at the Deposit Stage can be considered by the Inspector at the Examination in Public.

### **3.14 Late Representations**

- 3.14.1 The Council will only consider representations made in accordance with the relevant, specified consultation period. This means sending representations to the Council in writing or by email, by the closing date specified in the consultation publicity. To be logged as 'duly made' as a Local Development Plan representation they must specify the matters to which they relate at Pre-Deposit Consultation stage. At the Deposit Stage they should specify the matters to which they relate and the change being sought, the grounds on which they are made and, wherever possible, the Test(s) of Soundness to which they relate.
- 3.14.2 Duly made objections at Deposit Stage can be considered at the Examination. Representations made at Pre- Deposit Stage are not considered by the Inspector.
- 3.14.3 If a representation is received later than the closing date and there was a clear attempt in good faith to submit in time the submission may still be considered as 'duly made' provided that appropriate objective evidence of posting or delivery is supplied to the reasonable satisfaction of the Authority.
- 3.14.4 Those who have a statutory right to appear before, and be heard by, the examination Inspector (i.e. objectors, those who seek a change to the plan – under Section 64(6) of the 2004 Act) may pursue their objections by using the written representation procedure if they do not wish to appear at the Examination. Objections pursued in this way carry as much weight with Inspectors as those made orally at Examination (Local Development Plan Manual Edition 3 paragraph 6.42).

#### 4. Contact Details

Local Development Plan Team

Strategic Planning and Housing

Planning, Public Protection and Countryside Service

Denbighshire County Council

PO Box 62

Ruthin

Denbighshire LL15 9AZ

**Email:** [planningpolicy@denbighshire.gov.uk](mailto:planningpolicy@denbighshire.gov.uk)

**Tel:** 01824 706916

**Website:** <https://www.denbighshire.gov.uk/en/planning-and-building-regulations/local-development-plan/replacement-local-development-plan/replacement-local-development-plan.aspx>

#### Planning Aid

Planning Aid is a voluntary service linked to the Royal Town Planning Institute, offering free, independent and professional advice on town planning matters to community groups and individuals who cannot afford to employ a planning consultant. The contact details are:

- Ring: 029 2062 5000
- Email via website on <http://www.planningaidwales.org.uk/contact-us/>

Or write: Planning Aid Wales, First Floor, 174 Whitchurch Road, Heath, Cardiff. CF14 3NB

## Appendix 1 – Tests of Soundness

The fundamental concept of the Local Development Plan system is that the plan is the product of a thorough and comprehensive process of engagement with the community, where the planning authority has refined the options to produce what it considers to be a Sound plan. The presumption will therefore be that the Local Development Plan is Sound unless it is shown to be otherwise as a result of evidence considered at the Examination.

Consequently, those who object will need to show why the plan is not Sound. Everyone making representations on the Local Development Plan will be encouraged to relate their comments to the Tests of Soundness.

Nonetheless, it is the responsibility of the appointed Inspector at the Examination stage, to consider the Soundness of the Local Development Plan as a whole. Whilst Inspectors will still consider individual objections it will be on the basis of how they address the Local Development Plan's overall Soundness.

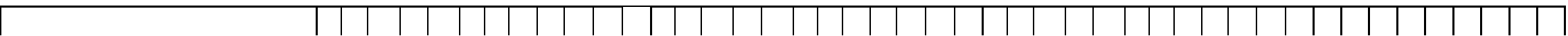
The Examination will take the form of a public discussion where the issues to be discussed will be identified in advance by the Inspector and participants invited to contribute. Different types of procedures will be used but mostly round table discussions or hearings. Formal hearings may be used if the Inspector considers this necessary and appropriate. The Inspector will decide on the appropriate procedure with the presumption that it will be informal.

The Tests of Soundness relate to three areas:

1. Does the plan fit? (i.e. is it clear that the Local Development Plan is consistent with other plans?)
2. Is the plan appropriate? (i.e. is the Local Development Plan appropriate for the area in light of the evidence?)
3. Will the plan deliver? (i.e. is it likely to be effective?)

More information on the Tests of Soundness can be found on the Planning and Environment Decisions Wales website <https://gov.wales/local-development-plan-examinations-procedure-guidance>

Appendix 2 – Detailed Timetable	2022												2023												2024												2 0 2 5								
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D		J	F	M	A	M	J	J	A
<b>Key Stage 1 – Delivery Agreement (Regulations 5-10) Revised Delivery Agreement</b>																																													
Preparation of revised Delivery Agreement (DA)																																													
Consultation on Revised DA with statutory consultees																																													
Reporting and approval of revised DA by Denbighshire County Council																																													
Submission of revised DA to Welsh Government																																													
Publication of approved DA																																													
<b>Key Stage 3 - Pre-Deposit: Consultation (Regulations 15,16 &amp; 16A)</b>																																													
Consideration of representations received on draft Preferred Strategy, initial SA and HRA screening report																																													
Reporting on consultation and confirmation of Preferred Strategy for the replacement LDP																																													
<b>Key Stage 4 – Deposit LDP (Regulations 17 – 21)</b>																																													
Preparation of Deposit Plan, HRA Report and SA (SEA) Report																																													
Reporting of draft Deposit LDP, SA (SEA) and HRA																																													
Publication of draft Deposit LDP, SA (SEA) and HRA for consultation																																													
Assessment and Consideration of the representations received in respect of draft Deposit Plan, SA(SEA) Report and HRA Report																																													
Reporting of representations of the Deposit LDP, SA (SEA) Report and HRA Report																																													
<b>Key Stage 5 – Submission to Welsh Government (Regulation 22)</b>																																													
Submission to Welsh Government																																													
<b>Key Stage 6 - Examination including Pre-Hearing Meeting (Reg 23)</b>																																													
Examination Hearings and Inspector report writing																																													
<b>Key Stage 7 - Publication of Inspectors Report (Reg 24)</b>																																													
Publication of Inspector’s Report																																													
<b>Key Stage 8 - Adoption (Reg 25, 25A)</b>																																													
Adoption of replacement LDP																																													
<b>Key Stage 9 - Monitoring and Review (Reg 37)</b>																																													



Draft



## **Appendix 3 – Timetable Risks**

Risks have been categorised according to their likely impact on the timetable and not their probability of occurring.

### **Low Risks**

#### **Availability of financial resources.**

There is a reserve in place for Local Development Plan Review and replacement. Costs to be included in future service budgets.

#### **Local/General Elections**

It is not anticipated that there will be a further local election during the time period for the preparation of the replacement Local Development Plan. General elections have a more limited impact on local decision making but this will be monitored and any adjustments made accordingly.

#### **Committee Cycles/meeting timetables**

Allow for flexibility in the timetable and ensure that replacement Local Development Plan stages are included in the relevant forward work programmes.

#### **PEDW unable to meet timetable**

Liaise with PEDW at key stages of Plan preparation.

#### **Legal Challenge**

Ensure all statutory requirements are complied with

#### **Changing Legislation, Policy or Guidance**

Monitor emerging policy and guidance and respond as appropriate. Maintain dialogue with Welsh Government officials to seek guidance on issues where policy development is being held up.

## **Medium Risks**

### **Unexpectedly high levels of consultation responses/engagement**

Allow for flexibility in the timetable and ensure that administration systems are operational in advance of key stages. Ensure that engagement is comprehensive to minimise objections.

### **Delays in receiving responses, information or evidence**

Ensure early engagement with statutory consultees and programming of evidence gathering.

### **Lack of Consensus or agreement on key issues**

Ensure ongoing engagement with key stakeholders and members.

## **High Risk**

### **Delays in Printing or Translation**

Ensure sufficient notice provided of printing /translation requests.

### **Staff resources and availability**

Seek assistance from other teams/planning authorities and prioritise recruitment if vacancies occur.

## Appendix 4 – Covid Impact Tables

REPLACEMENT LOCAL DEVELOPMENT PLAN 2018 - 2033

### Documents required for Deposit LDP consultation (to accompany LDP)

This document considers the impact that Covid 19 will have on the evidence base required to support the policies of the Replacement Local Development Plan 2018 to 2033.

The assessment of risk is undertaken using a red, amber and green traffic light system based on the following principles:

*Key to 'Risk by RAG' (guidance)*

Theme / Topic	Focus on local policy subject: changes to national policy, new policy approach required – cancellation, adaptation, mitigation → resilience; colours: <b>green</b> – no change required, <b>amber</b> – introduction of new terminology but no fundamental change to policy thrust, <b>red</b> – entirely new approach to local policy.
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Time	<p>Focus on time-scales (for delivering draft policy with evidence); colours:</p> <p><b>green</b> – delivery within the next six months without additional (external) resources;</p> <p><b>amber</b> – delivery in less than twelve months but dependency on external input or updated evidence;</p> <p><b>red</b> – great uncertainty due to reliance on external evidence, staff or lack of political direction.</p>
Evidence (Base)	<p>Focus on availability of evidence; colours:</p> <p><b>green</b> – all information is readily available to support local policy;</p> <p><b>amber</b> – information is obtainable within short period of time but could require minor local policy amendment;</p> <p><b>red</b> – information is not available, great dependency on third parties with no timescales available, new evidence is required</p>

Key LDP Documents	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
1. Candidate Sites Register	No impact. Register shows sites submitted only.	Green	Green	Green	None	None
2. Initial consultation report	Report on consultation on draft Preferred Strategy which occurred pre-Covid.	Green	Green	Green	Include reference to Covid occurring post consultation and stating that any change in emphasis will be reflected in Deposit LDP.	None
3.1 Initial Sustainability Appraisal for Preferred Strategy	No impact- completed.	Green	Green	Green	No impact.	None
3.2 Sustainability Appraisal (SA) and Strategic Environmental Assessment	Base data may have changed and is delayed as a result of Covid. Update needed for data and trends. Framework is still valid.	Green	Amber	Amber	Assess on basis of best data available at time of preparation of deposit plan.	Resource intensive iterative assessment which requires up to date data. Data delayed as a result of Covid. Resources limited as a result of Covid.
4. Habitats Regulations Appraisal	Data may have changed and availability of data is delayed as a result of Covid.	Green	Amber	Amber	Assess on basis of best data available at time of preparation of deposit plan.	Data delayed as a result of Covid. Resources limited as a result of Covid.
5. Health Impact Assessment	HIA already looks at vulnerable groups who may be more adversely impacted by Covid.	Green	Green	Green	If PS changes significantly will be need to revisit HIA, could be done virtually. Unlikely to be significant changes.	None

Key LDP Documents	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
6. Tests of soundness self-assessment	New plans may be published i.e. NDF and evidence base may be updated or subject to change. Publication of the NDF may impact on LDP strategy if NDF is subject to significant change.	Green	Green	Green	Self-Assessment checklist will need updating at Deposit stage.	None
7. Equality Impact Assessment	No impact – needs to be prepared.	Green	Green	Green	Prepare equality impact assessment.	None
8. Well-being Impact Assessment	Little impact as an update or combined assessment needs to be prepared and reference to Well-being runs throughout policies and evidence. Increased importance in public arena. Well-being focus should be improved i.e. active travel promotion although delay in evidence.	Green	Green	Green	Prepare Well-being Assessment with sufficient flexibility to allow for changes in policy focus and evidence.	Lack of evidence may cause delay.

Background Paper	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
9. Growth options – population & household growth	Revised figures delayed by Welsh Government.	Green	Green	Green	None – data received from WG and analysis undertaken by demographer. Growth levels in Preferred	None.

Background Paper	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
					Strategy to be ratified through report back on Preferred Strategy.	
10. Spatial Strategy & distribution of development	Need for accessibility by walking/cycling may have minor impact on strategy in relation to more rural settlements. Town centre assessments may have impact.	Green	Amber	Amber	Re-assess.	Minor re-assessment required.
11. Hierarchy of settlements	Update of settlements hierarchy and boundary reviews awaited until completion of candidate site assessment and which is delayed.	Green	Amber	Green	None – update assessment once deposit plan is clearer and candidate site assessment is complete.	Delay of candidate site assessment has an impact.
12. Candidate Site assessment	Need to place greater emphasis on access by walking/cycling, open spaces	Green	Amber	Green	Review assessment criteria to ensure sustainability and access by walking/cycling are prioritised. Introduce	None

Background Paper	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
	and green infrastructure.				weighting system to assessment?	
	Delays in responses from consultees due to staff redeployment and focus on Covid related issues.	Green	Amber	Amber	Initial sites already sent to key consultees. Request time frame for submission of any outstanding responses.	Delay in responses from key consultees will hold up the site assessment and recommendation process. This will delay progress of the LDP to Deposit.
	Increased demand for viable broadband due to home working.	Green	Green	Green	Include additional criterion for broadband strength in assessment matrix?	None
	Landowners may see opportunity to drive down potential planning obligations.	Green	Amber	Amber	Ensure landowners/promoters provide statement of viability including potential impact of a downturn in delivery and viability information required.	May cause minor delays, landowners will require sufficient time to provide detailed information.



Background Paper	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
13. Housing supply & delivery	Implications of furlough and stamp duty holiday unknown in the long term. Sites currently under construction may stall.	Green	Amber	Amber	Ensure early and regular contact with house builders to discuss any issues. Monitor activity and completions. Write to developers to seek assurance on delivery and timescales?	None as we would be requiring information on deliverability under normal circumstances.
	Potential reduction in planning applications and number of units being built if significant down turn in the housing market.	Green	Amber	Amber	Ensure early and regular contact with house builders to discuss any issues. Monitor activity, completions and sales.	None
	Viability, some sites may seek amendments to obligations to continue.	Green	Amber	Green	Ensure only sites with a high degree of certainty are included in housing land supply. Write to developers to seek assurance on delivery and timescales?	None or minor as we would need to do this anyway.
	Increased demand for gardens and outdoor space may impact on achievable densities.	Green	Green	Green	Increased number of housing allocations may be required if average densities are reduced.	None

Background Paper	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
14. Affordable Housing	Affordable housing need may increase if the economy goes into recession.	Green	Red	Red	Update LHMA when revised methodology received.	This will likely delay progress of the LDP to Deposit.
	Greater need for social housing may emerge.	Green	Red	Red	Update LHMA when revised methodology received. Use to inform requirements in conjunction with Viability study.	This will likely delay progress of the LDP to Deposit.
	AH delivery on market sites may decline due to viability.	Green	Red	Red	Update LHMA when revised methodology received. Use to inform requirements in conjunction with Viability study.	This will likely delay progress of the LDP to Deposit.
	Potential increase in AH sites if grant funded, attractive to developers as sales not required.	Green	Green	Green	Consider policy stance on 100% affordable housing schemes. Early and regular liaison with WG and RSLs over potential projects and timescales.	None
	Potential increase in demand for HMO and shared housing. Commitment that homeless will not go	Amber	Green	Green	Review HMO and shared housing policy for Deposit. Review space standards.	None

Background Paper	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
	back on the streets post Covid.				Consider HMO restricted zones?	
15. Gypsy & Traveller Site selection background paper.	Paper will be informed by the GTAA. Delay in completion of GTAA will impact on some aspects of the paper. Aspects relating to the site selection criteria themselves are likely to be unaffected.	Green	Red	Red	Timescales dependent on ability to conduct interviews. Ensure members are fully briefed to ensure any delays in the approval process are minimised.	This will delay progress of the LDP to Deposit.
16. Minerals	None.	Green	Green	Green	None.	None.
17. Waste	None.	Green	Green	Green	None.	None.

Background Paper	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
18. Welsh language & culture	The availability of data and developing the evidence base will be delayed. Potential small impact for Welsh learners / Welsh groups being able to meet up in person or in the normal way.	Green	Amber	Amber	No action required.	Delay in data availability and stakeholders' availability.
19. Houses in Multiple Occupation	Housing figures / growth and affordable housing demand may have an impact. People who are homeless have been housed. May be an increased need / demand for HMOs. Data delayed and resource limited. Licensing policy has gone through cabinet, 28 July 2020.	Amber	Amber	Amber	Review HMO policy and liaise further with licensing so quality HMOs are developed and the concentrations are managed.	Delay in data availability and stakeholders' availability.

Evidence Base	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
20. Town Centre Health checks	None.	Green	Green	Green	None as the document was completed in 2018.	None.
NEW: Town Centre Assessment	Introduction of new evidence and policy requirements: town centre assessment and sequential test requirements	Amber	Red	Red	<p>New topic area, including assessment of all potential town centre uses:</p> <p>(1) Identify what is required and what must be included in assessment;</p> <p>(2) Review town centre boundaries in Denbighshire;</p> <p>(3) Review of available premises;</p> <p>(4) Explore ways of working with other Council departments;</p>	<p>Results may have an impact on revised settlement hierarchy and identification of growth towns.</p> <p>Substantial impact on resources: staff, finances and delivery of crucial policy.</p>
21. Retail Capacity Study (County-wide)	Closure of small / independent shops;	Green	Amber	Amber	Appoint consultant to carry out update; establish whether the Covid impact was	Delay in policy formulation and

Evidence Base	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
	Availability of latest figures on expenditures in town centres.				short-term (6 months) or will be long-term.	selection of retail land allocations.
22. LDP viability assessment Viability assessments for key sites?	Potential impact on housing market and wider economy. Higher cost of materials and static or declining house prices & commercial values.	Amber	Red	Red	Undertake revised viability assessment once economic impacts are clearer. Ensure early and regular contact with house builders to discuss any issues. Monitor activity, completions and sales.	Delay. Uncertainty.
23. Local Housing Market Assessment	Potential for higher percentages of households priced out of the market. Temporary blip or longer term structural problem?	Green	Red	Red	Await revised LHMA methodology then update LHMA.	This will likely delay progress of the LDP to Deposit.
	Slowdown in house building may decrease AH supply.	Green	Red	Red	Await revised LHMA methodology then update LHMA.	This will likely delay progress of the LDP to Deposit.

Evidence Base	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
	Potentially significant increases in SARTH registrations.	Green	Red	Red	Await revised LHMA methodology then update LHMA.	This will likely delay progress of the LDP to Deposit.
24. New Gypsy & Traveller Accommodation Assessment	Delay in completion of GTAA due to inability to conduct interviews with the communities.	Green	Red	Red	Timescales dependent on ability to conduct interviews. Ensure members are fully briefed to ensure any delays in the approval process are minimised.	This will likely delay progress of the LDP to Deposit.
	Traditional travel patterns may be disrupted.	Green	Red	Red	Consultant carrying out GTAA will need to inform of any difficulties.	This will likely delay progress of the LDP to Deposit.
	Maybe increased demand for residential sites if families currently in bricks and mortar are more motivated to seek return to traditional accommodation away from built up areas.	Green	Red	Red	Unknown until results of GTAA are received.	This will likely delay progress of the LDP to Deposit.

Evidence Base	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
25. Renewable Energy Capacity Assessment	Increased interest and focus. Policy shift possibly to LAEP. WG liaising with regulator so data capture and monitoring may be improved. Delayed due to other priorities.	Green	Amber	Green	No action required.	Delay in completion as reliant on finalising other evidence and policies to complete – candidate sites, green barrier review etc.
26. Strategic Flood Consequences Assessment	Delay in submission of principal sites for SFCA.	Green	Amber	Green	None. Delay is caused by hold ups in other tasks.	Minimal because work can progress once sites are available for assessment.
27. Infrastructure Plan	National policy focus on active travel and climate resilience. Infrastructure requirements are changing to support active travel and home working.	Green	Amber	Amber	Accept document will be subject to revision. Create a framework to allow flexibility within draft document so it can be easily updated for any changes: - active travel routes;	Delay in data availability and stakeholders availability.



Evidence Base	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
	Works delayed. Resource limited. Evidence and data delays.				<ul style="list-style-type: none"> <li>- Pedestrianisation;</li> <li>- Digital infrastructure;</li> </ul>	
28. Employment land review & forecasts	Demand for type and size of employment land.	Green	Amber	Amber	Employment land Review completed but will need to be revisited. Await publication of strategies and investment programmes by North Wales Economic Ambition Board; revisit employment land offer in Denbighshire.	Delay in policy formulation and selection of land allocations.
29. Memorandum of Understanding with Conwy CBC – joint working	No impact. Consultation with Conwy ongoing.	Green	Green	Green	No impact.	None.
30. Open space assessment	Assessment completed 2018.	Green	Green	Green	None as document completed 2018.	None.

Evidence Base	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
		Theme	Time	Evidence		
31. Green barrier / green wedges review	No impact. Needs to be undertaken.	Green	Green	Green	None.	None.
32. New Homes Occupancy survey	Not planning to undertake an updated survey.	Green	Green	Green	None.	None.
33. Green Infrastructure Assessment / Plan	None. Needs to be prepared.	Green	Green	Green	None.	None.

**REPLACEMENT LOCAL DEVELOPMENT PLAN 2018 - 2033**  
**Policies for Deposit LDP**

This document considers the impact that Covid 19 will have on the policies of the Replacement Local Development Plan 2018 to 2033. The policies assessed in this document are taken from the Draft Preferred Strategy which was consulted on in 2019. These policies are being developed to deliver the Deposit Plan for the Replacement Local Development 2018 -2033.

The assessment of risk is undertaken using a red, amber and green traffic light system based on the following principles:

*Key to 'Risk by RAG' (guidance)*

Theme / Topic	Focus on local policy subject: changes to national policy, new policy approach required – cancellation, adaptation, mitigation → resilience; colours: <b>green</b> – no change required, <b>amber</b> – introduction of new terminology but no fundamental change to policy thrust, <b>red</b> – entirely new approach to local policy.
Time	Focus on time-scales (for delivering draft policy with evidence); colours: <b>green</b> – delivery within the next six months without additional (external) resources; <b>amber</b> – delivery in less than twelve months but dependency on external input or updated evidence; <b>red</b> – great uncertainty due to reliance on external evidence, staff or lack of political direction.
Evidence (Base)	Focus on availability of evidence; colours: <b>green</b> – all information is readily available to support local policy; <b>amber</b> – information is obtainable within short period of time but could require minor local policy amendment; <b>red</b> – information is not available, great dependency on third parties with no timescales available, new evidence is required

	Key Aspects (Listed in Preferred Strategy)	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
	Key issues and challenges	Key issues and challenges remain valid. Covid-19 may increase importance of a number of issues but they are not ranked. Minor amendment to wording may be required.	Green	Green	Green	Importance of open space and role of town centres increased in importance. Need to re-evaluate need for strategic employment land? Include digital connectivity under infrastructure? Add reference to social distancing in town centre issues?	None.
	Vision	Vision unaffected by Covid-19.	Green	Green	Green	No change required.	None.
	Objectives	Some objectives may have increased importance but as they are not ranked only minor wording changes may be required.	Amber	Green	Green	Include reference to digital infrastructure in Objective 5? Include reference to Covid-19 in Objective 8?	None
	Preferred Growth Option	Revised household figures are delayed by Welsh Government; Changing demand for type and size of employment land.	Green	Amber	Red	Review of growth options in light of newly published WG household projections and likely changes to demand in employment land. Concern: approach to employment land forecast for next 15 years.	Could be significant; time delay depends on changes to/ need for new evidence.

	Key Aspects (Listed in Preferred Strategy)	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
	Settlement hierarchy	Sustainability principles incorporated into assessment. Unlikely to be any changes due to Covid-19 although finalised categorisation of settlements for Deposit Plan will be delayed due to delay in being able to fully assess candidate sites.	Green	Amber	Green	No additional actions required. Review categorisation of settlements as planned prior to Deposit LDP once candidate sites assessed.	No direct impact.
	Spatial Strategy	Covid -19 has impacted the way people use and access services including retail and therefore the role of town centres may have changed in the longer term. There may be a change as to where, in terms of location, there is a demand for new development.	Green	Amber	Green	None required.	None.
	Policies (Listed in Preferred Strategy)	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
1.	Placemaking	All principles still stand. Increased importance on delivering sustainable places.	Green	Green	Green	Emphasise and strengthen placemaking in the Deposit LDP.	None.

	Policies (Listed in Preferred Strategy)	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
2.	Welsh Language	No direct impact on the strategic policy. Potential small impact for Welsh learners / Welsh groups being able to meet up in person or in the normal way. The availability of data and developing the evidence base to support the policy will be delayed.	Green	Amber	Amber	No action required.	Delay in data availability for delivering evidence base.
3.	Housing	Overall need for housing to be re-assessed following issue of revised WG projections. Covid-19 may impact on birth, death and migration rates.	Amber	Amber	Amber	Data received from WG and analysis undertaken by demographer. Growth levels in Preferred Strategy to be ratified through report back on Preferred Strategy.	Delay on availability of data and evidence.
		Covid-19 may impact on affordability rates as house prices and incomes fluctuate.	Amber	Amber	Amber	Revised Local Housing Market Assessment (LHMA) should take account of potential impacts of Covid-19 on incomes and house prices. Any changes to housing demand and type and range required can be reflected in detailed policies in Deposit LDP.	Delay on availability of data and evidence.
		Viability of market housing may be impacted				Include impacts of Covid-19 in on-going viability work. Write to developers to seek assurance on delivery and timescales?	Delay on availability of data and evidence.
		Density requirements may need to be reviewed as demand for	Green	Amber	Amber	Research average densities to provide a recommendation to go into the Deposit LDP.	None.

	Policies (Listed in Preferred Strategy)	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
		gardens and more outdoor space increases.				More allocations may be required if densities are reduced.	
4.	Affordable Housing	Amount of affordable housing required may increase if the economy declines.  May need more 100% affordable housing sites.	Green	Red	Red	<ul style="list-style-type: none"> <li>Need to assess overall requirement for AH.</li> <li>Type of AH may need to be assessed ie more social housing.</li> <li>Viability will need to be re-assessed.</li> <li>NDF and LHMA assessments of need?</li> <li>Re-assess rate of AH delivery, big upswing since PS drafted?</li> </ul>	Unknown.
		Potential increase in AH sites if grant funded, attractive to developers as market sales not required.	Green	Green	Green	Detailed policies required on affordable housing rates and policy stance on 100% AH sites.	None.
5.	Employment Land / Economy	Changing demand for type and size of employment land.	Green	Red	Amber	Await publication of strategies and investment programmes by North Wales Economic Ambition Board; revisit employment land offer in Denbighshire.	Delay in policy formulation and selection of land allocations.
6.	Town Centres and Retail Development	Stronger focus on non-retail uses in town centres; new requirement: town centre assessment and sequential test requirements for all uses	Amber	Amber	Red	<ol style="list-style-type: none"> <li>Identify what is required and what must be included in new assessment;</li> <li>Review town centre boundaries in Denbighshire;</li> <li>Review of available premises;</li> <li>Explore ways of working with other Council departments;</li> </ol>	Results may have an impact on revised settlement hierarchy and identification of growth towns.

	Policies (Listed in Preferred Strategy)	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
							Substantial impact on resources: staff, finances and delivery of policy.
7.	Bodelwyddan Strategic Site	Employment demand / land allocation. Viability. Impact on design but not allocation.	Amber	Amber	Amber	Depends on 3 <sup>rd</sup> party delivery. North Wales Economic Ambition Board.	Delayed. Potential significant impact on delivery.
8.	Infrastructure	Strategic policy is sufficiently broad to accommodate changes. National policy focus on active travel and climate resilience. Infrastructure requirements are changing to support active travel and home working, including increased focus on digital infrastructure. Works delayed. Resource limited. Evidence and data delays.	Green	Amber	Amber	Ensure policies reflect any national changes and enhance digital infrastructure policies in the Deposit Plan. Build evidence base.	Delay in data availability and input from key stakeholders.
9.	Visitor Economy	Reduced income, some tourism businesses may need more flexible approach to help survival in the short/medium term.	Green	Green	Green	No change to strategic policy required. Detailed Deposit policies may require additional flexibility.	None.
10.	Transport & Accessibility	Strategic policy is sufficiently broad enough to incorporate any	Green	Amber	Amber	Ensure policies reflect any national changes and include digital infrastructure in the Deposit Plan.	Delay in data availability and input from key stakeholders.



	Policies (Listed in Preferred Strategy)	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
		changes. Potential increase of active travel / cycling. Potential greater pedestrianisation. Possibility of a requirement to provide additional public transport although viability difficulties given decreased use during Covid -19.				Build evidence base.	
11.	Minerals	None.	Green	Green	Green	None.	None.
12.	Waste Management	None.	Green	Green	Green	None.	None.
13.	Natural & Built Environment	Strategic policy is sufficiently broad to allow for changes.	Green	Amber	Amber	Ensure policies reflect any changes to national policies and consider additional protections in the detailed policies for the Deposit plan.	Delay in data availability and input from key stakeholders.

	Additional Policies / Actions	COVID Impact	Risk by RAG			Action / Mitigation Required	Impact on delivery of RLDP
			Theme	Time	Evidence		
14.	Climate Change	No direct impact as policy not drafted – policy required in deposit plan	Green	Green	Green	Policy required in deposit plan. Design policy – to incorporate. Reflect where considered? Use as theme? Resilience – includes air quality, flood risk.	None.
15.	Development of Monitoring Framework for local policies	None.	Green	Green	Green	None. Delays may be caused by delays in developing policies etc.	None.

## **Appendix 5 – Consultation Groups**

### **Specific Consultation Bodies**

Welsh Government  
Natural Resources Wales  
Secretary of State for Wales  
Planning and Environmental Decisions Wales (PEDW)

### **Adjoining Local Authorities**

Flintshire County Council  
Wrexham County Borough Council  
Powys County Council  
Conwy County Borough Council  
Gwynedd Council  
Snowdonia National Park Authority  
Energy infrastructure providers

### **Government Departments and Infrastructure Providers**

CADW  
Department for Business, Energy and Industrial Strategy  
Department of Transport  
Dŵr Cymru  
Home Office  
Ministry of Defence  
Network Rail  
Conwy and Denbighshire Joint Public Service Board  
Betsi Cadwalader University Health Board  
Persons owning or controlling electronic apparatus  
for functions previously exercised by the Strategic Rail Authority)  
City, Town and Community Councils (and neighbouring town and community councils)  
see separate list below

## City, Town and Community Councils – Denbighshire

Aberwheeler	Dyserth	Llangollen
Betws Gwerfil Goch	Efenechtyd	Llangynhafal
Bodelwyddan	Gwyddelwern	Llanrhaeadr yng Nghinmeirch
Bodfari	Henllan	Llantysilio
Bryneglwys	Llanarmon yn Iâl	Llanynys
Cefn Meiriadog	Llanbedr Dyffryn Clwyd	Nantglyn
Clocaenog	Llandegla	Prestatyn
Corwen	Llandrillo	Rhuddlan
Cyffylliog	Llandyrnog	Rhyl
Cynwyd	Llanelidan	Ruthin
Denbigh	Llanfair Dyffryn Clwyd	St Asaph
Derwen	Llanferres	Trefnant
Tremeirchion Cwm & Waen		

## Neighbouring Town and Community Councils

Abergele	Llanefydd	Llansantffraid Glyn Ceriog
Cefn	Llanfair TH	Minera
Ceiriog Uchaf	Llanfihangel GM	Nannerch
Cerrigydrudion	Llanfynydd	Nercwys
Cilcain	Llangernyw	Pen y Cae
Glyn Traian	Llangwm	Pentrefoelas
Gwernaffield	Llangynog	Ruabon
Gwernymyndd	Llangywer	Towyn & Kinmel Bay
Llanasa	Llanrhaeadr Ym Mochnant	Treuddyn
Llanderfel	Llansannan	Whitford
		Ysceifiog

## General Consultation Bodies - NB this list is not exhaustive

### Voluntary bodies benefiting the area:

Denbighshire Voluntary Services Council and the following groups:

Arts Groups  
Carers Charities  
Childrens Groups  
Community Groups  
Disability Groups  
Education and Training Groups  
Environmental Groups  
Faith Groups  
Health Groups  
Heritage and Culture Groups  
Homeless  
Horticultural Groups  
Housing Groups  
Religious Groups  
Residents and Tenant Associations  
Scouts  
Senior Citizens  
Sports and Recreational Clubs  
Village Hall Committees

**Bodies representing the interests of different racial, ethnic or national groups in the area:**

Citizen's Advice Bureau  
Equality and Human Rights Commission  
Travelling Ahead  
The Ethnic Minority Foundation  
National Old Age Pensioners Association Wales

**Bodies which represent the interests of different religious groups in the area:**

Orthodox Christian Church in Wales  
Representative Body of the Church of Wales  
The Catholic Church in England and Wales  
The Methodist Church in Wales  
The Presbyterian Church in Wales  
Hindu Council UK  
Muslim Council of Britain

Jewish Leadership Council

**Bodies which represent the interests of disabled persons in the area:**

Disability Wales

Disabled Persons Transport Advisory Committee

Mind Cymru

Wales Council for the Blind

Wales Council for the Deaf

Wales Council for Voluntary Action

**Bodies which represent the interests of persons carrying on business in area.**

British Holiday and Home Parks Association

Environmental Services Association

Confederation of British Industry (Wales)

Home Builders Federation

Local and Regional Tourism Associations

Campaign for Real Ale

Country Land & Business Association

Farmers Union Wales

Federation of Small Businesses

Federation of Master Builders

Denbigh and Flint Agricultural Society

National Farmers Union of Wales

Rail Freight Group

Registered Social Landlords

RenewableUK

Wales Rural Forum

**Bodies which represent the interests of Welsh culture in the Denbighshire area.**

Cymuned Cadw

Clwyd/Powys Archaeological Trust

Clwydian Range and Dee Valley AONB Joint Committee and Partnership

Menter Iaith Sir Dinbych

Wales Rural Forum

**Other Consultees - NB this list is not exhaustive**

Airport Operators

British Aggregates Association  
British Geological Survey  
Canal and River Trust, canal owners and navigation authorities  
Centre for Ecology and Hydrology  
Chambers of Commerce, local CBI, local Business Associations and local branches of Institute of Directors  
Civil Aviation Authority  
Coal Authority  
Community Housing Cymru  
Country Land and Business Association  
Crown Estate Office  
Design Commission for Wales  
Disability Wales  
Disability Rights Commission  
Disabled Persons Transport Advisory Committee  
Electricity, Gas and Telecommunications Companies and the National Grid Company  
Environmental groups at national and regional level  
Environmental Services Agency (Waste)  
Equality and Human Rights Commission  
Farmers Union Wales  
Federation of Small Businesses  
Fields in Trust  
Fire and Rescue Services  
Forestry Commission Wales  
Freight Transport Association  
Gypsy Council  
Health and Safety Executive (HSE)  
Home Builders Federation  
Local community, conservation and amenity groups, including Wildlife Trusts Groups/Civic Societies  
Local transport operators  
National Farmers Union of Wales  
One Voice Wales  
Planning Aid Wales  
Police Architectural Liaison Officers  
Port Operators

Post Office Property Holdings

Professional Bodies not specifically listed (e.g. Royal Institution of Chartered Surveyors Wales, Royal Town Planning Institute in Wales, Chartered Institute of Housing Cymru, Institution of Civil Engineers, Chartered Institution of Waste Management)

Public Health Wales

Minerals Products Association

Rail Freight Group

Ramblers Association

Residents Associations

Sports Wales

Train Operating Companies

Wales Council for Voluntary Action

Water Companies

Welsh Environmental Services Association (representing waste industry)

Welsh Language Commissioner



## **Appendix 6 – Glossary of terms**

### **Annual Monitoring Report (AMR)**

This will assess the extent to which policies in the Local Development Plan are being successfully implemented (Regulation 37 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005).

### **Baseline**

A description of the present state of an area against which to measure change.

### **Biodiversity Action Plan**

A plan that sets objectives and actions for the conservation of biodiversity, with measurable targets, whose aim is to conserve and enhance nature across communities by bringing together all interests by involving sectors such as agriculture and business as well as the communities themselves. Action is developed and taken forward in partnership and in doing so reflects local priorities as well as biodiversity needs.

### **Candidate Site**

Candidate Sites are those nominated by anyone for consideration by the LPA as allocations in an emerging Local Development Plan.

### **Candidate Sites Register**

Register of candidate sites prepared following a call for candidate sites by the Council.

### **Community**

People living in a defined geographical area, or who share other interests and therefore form communities of interest.

### **Community Involvement Scheme (CIS)**

Sets out the project plan and policies of the Council for involving local communities, including businesses, in the preparation of its Local Development Plan. The CIS is submitted to the Welsh Government as part of the Delivery Agreement for agreement.

### **Consensus building**

A process of early dialogue with targeted interest groups to understand relevant viewpoints and agree a course of action.

### **Consultation**

A formal process in which comments are invited on a particular topic or set of topics, or a draft document.

### **Consultation Body**

An authority with environmental responsibilities concerned by the effects of implementing plans and programmes and which must be consulted under the SEA Regulations; i.e. Natural Resources Wales (NRW) and Cadw.

### **Consultation Exercise**

Single consultation project focussed on a defined objective and usually part of an overall consultation programme.

### **Delivery Agreement (DA)**

A document comprising the Council's timetable for the preparation of its Local Development Plan together with its Community Involvement Scheme, submitted to the Welsh Government for agreement.

### **Development management policies**

A suite of criteria-based policies which will ensure that all development within the area meets the aims and objectives set out in the Strategy.

### **Engagement**

A process which encourages substantive deliberation in a community. Proactive attempt to involve any given group of people/section of the community.

### **Environmental Report**

Document required by the SEA Regulations which identifies, describes and appraises the likely significant effects on the environment of implementing the plan, see Sustainability Appraisal Report.

## **Evidence Base**

Interpretation of Baseline or other information/data to provide the basis for plan policy.

## **Focussed Change (FC)**

Changes proposed to the deposit Local Development Plan prior to submission that are extremely limited in number, that reflect key pieces of evidence, but do not go to the heart of the plan.

## **Habitats Regulations Assessment (HRA)**

The screening and appropriate assessment of options required under Part 6 Chapter 8 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) – a recognised iterative process which helps determine the likely significant effect on a plan or programme and (where appropriate) assess adverse impacts on the integrity of a European site.

The assessment is required to be undertaken by a competent authority in respect of plans or projects which are likely to have a significant effect (alone and in combination with other plans and projects) on a “European site” (see paragraph 5.1.2 of TAN 5), or as a matter of policy a proposed “European site” or Ramsar site, under the provisions of Article 6(3) of the EC Directive 92/43/ECC (the Habitats Directive), Regulations 61 and 102 of the Conservation of Habitats and Species Regulations (as amended) 2010, and, Regulation 25 of The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007.

## **Indicator**

A measure of variables over time, often used to a measure achievement of objectives.

## **Initial SA Report**

A term used in Local Development Plan Wales to refer to the SA Report, produced at the Preferred Strategy stage. This assesses the Local Development Plan options against the SA framework. The report is then expanded at the Deposit Local Development Plan stage and finalised alongside the Adoption Statement.

## **Involvement**

Generic term to include both participation and consultation techniques.

## **Local Development Plan (or Deposit) Documents**

These include the deposit Local Development Plan, the Sustainability Appraisal report, the initial consultation report, the candidate sites register, the Review Report (if appropriate), any relevant supporting documents.

## **Local Development Plan**

The required statutory development plan for each local planning authority area in Wales under Part 6 of the Planning and Compulsory Purchase Act 2004.

A land use plan that is subject to independent examination, which will form the statutory development plan for a local planning authority area for the purposes of the Act. It should include a vision, strategy, area-wide policies for development types, land allocations, and where necessary policies and proposals for key areas of change and protection. Policies and allocations must be shown geographically on the Proposals Map forming part of the plan.

## **Local Planning Authority (LPA)**

A planning authority responsible for the preparation of a Local Development Plan; i.e. County or Borough Council, or National Park Authority.

## **Local Well-being Plan**

Under The Well-being of Future Generations (Wales) Act 2015 Public Service Boards have been established for each local authority area. Denbighshire and Conwy have established a joint Public Service Board. The first Local Well-being Plan (2018-2023) was approved in April 2018 and the draft Local Well-Being Plan 2023- 2028 is the subject of consultation Autumn 2022.

## **Matters Arising Change (MAC)**

Change after submission of a Local Development Plan, where the appointed Inspector concludes the change is necessary for soundness having considered all the evidence submitted to the examination.

## **Mitigation**

Measures to avoid, reduce or offset significant adverse effects.

## **Objective**

A statement of what is intended, specifying the desired direction of change in trends.

### **Participation**

A process whereby stakeholders and the community can interface with plan makers.

### **Partners**

Other local authority departments and statutory bodies where the Local Development Plan will help to deliver some of the objectives of their strategies. Partners may be expected to contribute to formulating relevant parts of the Local Development Plan.

### **Planning and Environment Decisions Wales (PEDW)**

The Planning and Environment Decisions Wales (PEDW) is an executive agency in the Welsh Government. Its main work is the processing of planning and enforcement appeals and holding examinations of local development plans.

### **Pre-deposit proposals documents**

These include the vision, strategic options, preferred strategy, key policies, the Sustainability Appraisal report, the candidate sites register, Review Report (if appropriate).

### **Pre-deposit stage**

The participation and consultation stages prior to deposit; the Manual refers to the Strategic Options and Preferred Strategy stage which relate to the full plan procedure; reduced requirements relate to the short form plan revision procedure.

### **Review Report**

The required statutory report under S.69 of the 2004 Act and/or Regulation 41; to conclude on the Local Development Plan revision procedure to be followed based on a clear assessment of what has been considered and what needs to change and why, based on evidence.

### **Scoping SA**

The process of deciding the scope and level of detail of an SA, including the sustainability effects and options which need to be considered, the assessment methods to be used, and the structure and contents of the SA Report.

### **Service Level Agreement (SLA)**

An agreement with a statutory agency which sets the standards which it will aim to meet, and the costs arising. The Planning and Environment Decisions Wales (PEDW) agrees one with the LPA in respect of a Local Development Plan Examination, setting out the likely timescales and cost of the examination and providing the LPA with clear guidance on the nature of their own responsibilities.

### **Significant effect**

Effects which are significant in the context of the plan (Schedule 1 of the SEA Regulations gives criteria for determining the likely significance of effects on the environment).

### **Single Integrated Plan (SIP)**

Discharges statutory duties identified by Welsh Government (“Shared Purpose – Shared Delivery”, WG 2012), including Community Strategies; prepared by a Local Service Board. See “Local Well-being Plans” which are to replace SIPs”.

### **Site specific allocations**

Allocations of sites (proposals) for specific or mixed uses or development contained in a Local Development Plan. Policies will identify any specific requirements for individual proposals. Allocations will be shown on the Local Development Plan proposals map.

### **Soundness**

In order to be adopted, a Local Development Plan must be determined ‘Sound’ by the Examination Inspector (S.64 of the 2004 Act). Tests of Soundness tests and checks are identified in PPW (ch2) and the Manual (ch8).

### **Stakeholders**

Interests directly affected by the Local Development Plan (and/or SEA) – involvement generally through representative bodies.

### **Strategic Environmental Assessment (SEA)**

Generic term used internationally to describe environmental assessment as applied to plans and programmes. SEA process is derived from European legislation and defined at European level – Directive 2001/42/EC. The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (SEA Regulations) require a formal “environmental assessment of

certain plans and programmes, including those in the field of planning and land use”.

### **Supplementary Planning Guidance (SPG)**

Supplementary information in respect of the policies in a Local Development Plan. Supplementary Planning Guidance does not form part of the development plan and is not subject to independent examination but must be consistent with it and with national planning policy.

### **Sustainability Appraisal (SA)**

Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). Each LPA is required by S.62(6) of the 2004 Act to undertake SA of the Local Development Plan. This form of SA fully incorporates the requirements of the SEA Regulations.

The term is used in this Manual to include Strategic Environmental Assessment, unless otherwise made clear.

### **Sustainability Appraisal Framework**

This comprises the identified SA objectives against which Local Development Plan options are then assessed.

### **Sustainability Appraisal Report (SA Report)**

Document required to be produced as part of the SA process to describe and appraise the likely significant effects on sustainability of implementing the Local Development Plan, which also meets the requirement for the Environmental Report under the SEA Regulations.

S.62(6) of the 2004 Act requires each LPA to prepare a report of the findings of the SA of the Local Development Plan.

The SA Report is first produced at the Preferred Strategy stage (the Interim SA Report), expanded at the Deposit Local Development Plan stage and finalised alongside the Adoption Statement.

### **The 2004 Act**

A plan prepared and approved by the National Assembly for Wales under S60 of the 2004 Act, which sets out a strategic framework to guide future development and policy interventions, whether or not these relate to formal land use planning control. Under

S.62(5)(b) of the 2004 Act a local planning authority must have regard to the Wales Spatial Plan in preparing a Local Development Plan.

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## **Revised Delivery Agreement for Replacement Local Development Plan:**

### **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:** 266

**Brief description:** Delivery Agreement (DA) sets out the timetable and community involvement scheme for the replacement Local Development Plan. Due to delays caused by Covid 19 and a number of other factors it has become necessary to revise the DA. The revised DA sets out a new timetable and updates the community involvement scheme.

**Date Completed:** 21/11/2022 17:04:17 Version: 1

**Completed by:** Lara Griffiths

**Responsible Service:** Planning, Public Protection and Countryside Services

**Localities affected by the proposal:** Whole County,

**Who will be affected by the proposal?** Anyone engaging in the LDP process.

**Was this impact assessment completed as a group?** Yes

## **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 : 35 / 36.**

### **Summary for each Sustainable Development principle**

#### **Long term**

The LDP seeks to manage land use in the County in a sustainable manner. Allocating appropriate development sites to meet identified needs and protecting the environment. The DA ensures that all sectors of the community and other stakeholders can engage with the LDP process. The CIS sets out how this engagement can be carried out, looking to minimise the need to travel and print documents whilst ensuring everyone can contribute.

#### **Prevention**

The DA aims to ensure that communities are educated and aware of the LDP process. The CIS looks at methods of engagement and consultation that minimise the need to travel and to print documents.

#### **Integration**

The LDP is one of the key mechanisms via which the corporate priorities can be delivered. Land use planning is integral to promoting well-being. There is extensive stakeholder engagement with other public bodies throughout the LDP process to ensure that the aims and objectives align across the public sector.

#### **Collaboration**

## Revised Delivery Agreement for Replacement Local Development Plan

The LDP is a long term land use plan. There is engagement with other key stakeholders throughout the process to ensure compatibility of aims and objectives.

### Involvement

The Community Involvement Scheme sets out the whom, when and how of engagement and consultation with regard to the LDP. It embodies the application of the National Principles for Public Engagement in Wales.

### Summary of impact

Well-being Goals	Overall Impact
<a href="#">A prosperous Denbighshire</a>	Neutral
<a href="#">A resilient Denbighshire</a>	Positive
<a href="#">A healthier Denbighshire</a>	Neutral
<a href="#">A more equal Denbighshire</a>	Neutral
<a href="#">A Denbighshire of cohesive communities</a>	Neutral
<a href="#">A Denbighshire of vibrant culture and thriving Welsh language</a>	Positive
<a href="#">A globally responsible Denbighshire</a>	Neutral

### Main conclusions

The conclusions are broadly neutral or positive. the Delivery Agreement sets out a timetable for engagement and consultation and also how this is to take place. Many of the outcomes will be dependent upon the nature of the material consulted upon but the DA aims to ensure that everyone can have a say and that their comments will be responded to.

## **The likely impact on Denbighshire, Wales and the world.**

### **A prosperous Denbighshire**

#### **Overall Impact**

Neutral

#### **Justification for impact**

As much use as possible will be made of electronic means of engagement and consultation but some events will be held that will require travel.

#### **Further actions required**

Consider holding events that combine with events already happening to minimise the number of separate journeys people may need to make. Hold any events at different times of day to allow as many people as possible to attend.

#### **Positive impacts identified:**

##### **A low carbon society**

The DA promotes electronic means of communication and seeks to make best use of the consultation portal which may reduce the need to travel to consultation events. Documents will be deposited at libraries and one-stop shops to enable multi purpose visits.

##### **Quality communications, infrastructure and transport**

The DA itself will have little impact but it's approval will allow progression of the replacement LDP which will seek to ensure that appropriate infrastructure is developed.

##### **Economic development**

The DA itself will have little impact but it's approval will allow progression of the replacement LDP which will seek to ensure that appropriate economic development is facilitated.

##### **Quality skills for the long term**

The DA itself will have little impact but it's approval will allow progression of the replacement LDP which will seek to ensure that appropriate training is developed.

### **Quality jobs for the long term**

The DA itself will have little impact but it's approval will allow progression of the replacement LDP which will seek to ensure that appropriate economic development and jobs growth is developed.

### **Childcare**

The DA itself will have little impact but it's approval will allow progression of the replacement LDP which will seek to ensure that appropriate infrastructure and services are developed. Any consultation events will be held at various times and places to ensure that as many people as possible can attend. Making all documentation available on-line will also enable more people to engage.

### **Negative impacts identified:**

#### **A low carbon society**

A limited number of consultation events in key areas of change may still need to be held to facilitate face to face discussion and to ensure people who choose not to use electronic means of communication can have their views heard.

#### **Quality communications, infrastructure and transport**

None identified

#### **Economic development**

None Identified

#### **Quality skills for the long term**

None identified

#### **Quality jobs for the long term**

None identified

## **Childcare**

If all events are held during the day then there may be additional pressures on childcare.

## **A resilient Denbighshire**

### **Overall Impact**

Positive

### **Justification for impact**

Impacts will be influenced by whether it is possible to link to other events. Awareness of the environment will be raised throughout the process. Flood risk management is integral to the LDP.

### **Further actions required**

Use of the consultation portal should assist in coordinating events. Encourage and support communities to make use of non printed materials. Ensure any consultations venues are accessible by means other than the private car.

### **Positive impacts identified:**

#### **Biodiversity and the natural environment**

By facilitating increased on-line consultation methods and information sharing printing and travel will be reduced which will be beneficial for the natural environment.

#### **Biodiversity in the built environment**

By facilitating increased on-line consultation methods and information sharing printing and travel will be reduced which will be beneficial for the biodiversity in the built environment.

#### **Reducing waste, reusing and recycling**

Making all documentation available electronically will enable shorter print runs and reduce the use of



paper.

### **Reduced energy/fuel consumption**

By trying to link consultation events to other events multi purpose trips may be generated.

### **People's awareness of the environment and biodiversity**

The LDP raises awareness of the environment and biodiversity through policy development and land protection allocations.

### **Flood risk management**

flood risk management is integral to the site allocation strategy and policy framework in the LDP.

### **Negative impacts identified:**

#### **Biodiversity and the natural environment**

To ensure all sectors of the community can engage some physical events that require travel will be necessary and the printing of documents to ensure those without online access will be necessary.

#### **Biodiversity in the built environment**

To ensure all sectors of the community can engage some physical events that require travel will be necessary and the printing of documents to ensure those without online access will be necessary.

#### **Reducing waste, reusing and recycling**

A number of paper copies will need to be produced to supply libraries and one stop shops and to have at consultation events. If not all used there may some wasted printing.

### **Reduced energy/fuel consumption**

May not always be possible to link to existing events and separate journeys may be generated.

### **People's awareness of the environment and biodiversity**

none identified

### **Flood risk management**

none identified

### **A healthier Denbighshire**

#### **Overall Impact**

Neutral

#### **Justification for impact**

Impacts will depend upon the content of the consultations.

#### **Further actions required**

Promote how to access venues by means other than the car as much as possible. Be very clear in what is being consulted upon and what can and cannot be influenced. Ensure decision making is transparent to reassure communities that all processes are fair.

#### **Positive impacts identified:**

##### **A social and physical environment that encourage and support health and well-being**

Events will be held in locations accessible by a range of modes of transport including walking and cycling.

##### **Access to good quality, healthy food**

none identified

##### **People's emotional and mental well-being**

Engagement and consultation can make people feel that their views matter and have been heard which can boost emotional and mental well being.

##### **Access to healthcare**

none identified

**Participation in leisure opportunities**

none identified

**Negative impacts identified:**

**A social and physical environment that encourage and support health and well-being**

People may choose to drive to events regardless of whether venues are accessible by other means.

**Access to good quality, healthy food**

none identified

**People's emotional and mental well-being**

The LDP can be controversial and the allocation of sites can create a considerable amount of distress for individuals. Some decisions cannot be influenced and this can be hard for people to accept.

**Access to healthcare**

none identified

**Participation in leisure opportunities**

none identified

**A more equal Denbighshire**

**Overall Impact**

Neutral

**Justification for impact**

Community involvement scheme highlights that extra efforts will be made to engage with different groups in society. Access to events and printed documents will be easier in urban areas. Rural areas will present greater challenges.

### **Further actions required**

Younger people are less likely to engage with the process. Hold specific events to target this group. In rural areas link consultation events to other events in the community to try to maximise engagement and minimise additional journeys.

### **Positive impacts identified:**

**Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation**

Delivery Agreement makes reference to engaging with groups that represent specific groups including those with protected characteristics. All venues to be accessible. A variety of different consultation and engagement techniques will be used to make the process as accessible as possible. Representors are not discriminated against on the basis of any protected characteristics.

### **People who suffer discrimination or disadvantage**

Delivery Agreement makes reference to engaging with groups that represent specific groups including those with protected characteristics. All venues to be accessible. A variety of different consultation and engagement techniques will be used to make the process as accessible as possible. Representors are not discriminated against on the basis of any protected characteristics.

### **People affected by socio-economic disadvantage and unequal outcomes**

Any consultation events will be free to attend. Venues will be accessible and sited to minimise travel. All documentation will be available without charge.

### **Areas affected by socio-economic disadvantage**

Events can be located to ensure ease of access to areas of socio economic disadvantage without the need to travel. Documents and free internet access will be made freely available in local libraries.

**Negative impacts identified:**

**Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation**

not all citizens will want to engage in the process.

**People who suffer discrimination or disadvantage**

not all citizens will want to engage in the process.

**People affected by socio-economic disadvantage and unequal outcomes**

Can be more difficult to get people impacted by disadvantage to engage in a process they may not see as relevant to them. In rural areas travel to events or access to documents may be more difficult.

**Areas affected by socio-economic disadvantage**

Rural areas will be more challenging to ensure access to events that don't require travel.

**A Denbighshire of cohesive communities**

**Overall Impact**

Neutral

**Justification for impact**

Some people may be happy with the outcome of engagement and consultation, others will not be.

**Further actions required**

Ensure that everyone has the opportunity to have a say. Be clear and respond to each comment made. Ensure the process is transparent and fair even if not everyone is happy with the final outcome.

**Positive impacts identified:**

**Safe communities and individuals**

Community engagement and consultation is at the heart of the LDP delivery agreement. The process enables communities to have a say in shaping future development in their areas including community safety.

**Community participation and resilience**

Community engagement and consultation is at the heart of the LDP delivery agreement. The process enables communities to have a say in shaping future development in their areas. A common cause can build community cohesion.

**The attractiveness of the area**

Community engagement and consultation is at the heart of the LDP delivery agreement. The process enables communities to have a say in shaping future development in their areas to ensure attractiveness is maintained and improved.

**Connected communities**

Community engagement and consultation is at the heart of the LDP delivery agreement. The process enables communities to have a say in shaping future development in their areas. A common cause can build community cohesion.

**Rural resilience**

Community engagement and consultation is at the heart of the LDP delivery agreement. The process enables communities to have a say in shaping future development in their areas. A common cause can build community cohesion. Input into identifying the needs of rural areas will be an integral part of the LDP process.

**Negative impacts identified:**

**Safe communities and individuals**

The LDP can be controversial and individuals within a community may have different views leading to

conflict. Not all decisions can be made by the community and sometimes they may not like the final outcome of the process. this can create disillusionment with the Council and the LDP process overall.

### **Community participation and resilience**

The LDP can be controversial and individuals within a community may have different views leading to conflict. Not all decisions can be made by the community and sometimes they may not like the final outcome of the process. this can create disillusionment with the Council and the LDP process overall.

### **The attractiveness of the area**

none identified

### **Connected communities**

The LDP can be controversial and individuals within a community may have different views leading to conflict. Not all decisions can be made by the community and sometimes they may not like the final outcome of the process. this can create disillusionment with the Council and the LDP process overall.

### **Rural resilience**

The LDP can be controversial and individuals within a community may have different views leading to conflict. Not all decisions can be made by the community and sometimes they may not like the final outcome of the process. this can create disillusionment with the Council and the LDP process overall.

### **A Denbighshire of vibrant culture and thriving Welsh language**

#### **Overall Impact**

Positive

#### **Justification for impact**

All engagement and consultation material will be produced bilingually. People can choose to respond in either Welsh or English and all representations will be treated equally.

### **Further actions required**

ensure anyone attending a consultation event can speak with a Welsh speaker.

### **Positive impacts identified:**

#### **People using Welsh**

All material will be available bilingually. Welsh speaking officers will be available at all consultation events

#### **Promoting the Welsh language**

All material will be available bilingually. Welsh speaking officers will be available at all consultation events

#### **Culture and heritage**

There may be potential to link consultation events to cultural events that are happening at the same time to broaden engagement and raise awareness of how the LDP can contribute to protecting and enhancing culture and heritage.

### **Negative impacts identified:**

#### **People using Welsh**

The availability of Welsh speaking officers may be limited and people may have to wait for a short period if they are already engaged with another person.

#### **Promoting the Welsh language**

The availability of Welsh speaking officers may be limited and people may have to wait for a short period if they are already engaged with another person.

#### **Culture and heritage**



None identified.

## **A globally responsible Denbighshire**

### **Overall Impact**

Neutral

### **Justification for impact**

Although the wider Local Development Plan may have wider impacts the Delivery Agreement itself does not.

### **Further actions required**

Make every effort to engage with any sectors of the community that find it difficult to participate.

### **Positive impacts identified:**

#### **Local, national, international supply chains**

The approval of the DA will have very limited impacts but the progression of the LDP to adoption will have a positive impact as policies can be included requiring local labour agreements for example.

#### **Human rights**

The DA seeks to give equal opportunity to everyone to participate.

#### **Broader service provision in the local area or the region**

The DA itself will have limited impact but the progression of the LDP is key to assisting with the delivery of the objectives of other partner organisations.

#### **Reducing climate change**

Approval of the DA will allow progression of the LDP which will include policies to tackle climate change, the ecological emergency and assist in the drive towards net Carbon zero.

**Negative impacts identified:**

**Local, national, international supply chains**

none identified

**Human rights**

some sectors of the community may be reluctant to engage in the process.

**Broader service provision in the local area or the region**

none identified.

**Reducing climate change**

none identified

<b>Report to</b>	County Council
<b>Date of meeting</b>	6 <sup>th</sup> December 2022
<b>Lead Member / Officer</b>	Julia Hughes, Chair of Standards Committee
<b>Report author</b>	Lisa Jones, Interim Head of Legal and Democratic Services /Deputy Monitoring Officer
<b>Title</b>	Standards Committee Chairs' Annual Report

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

- 1.1 This is Annual Report of Standards Committee to the Full Council and covers the calendar year January to December 2021. The report covers the period where the current Chair presenting this report was Vice Chair and the Committee membership related to the last Council term.

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

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

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

- 3.1 That Members note the contents of the report.

## **4. Report details**

- 4.1 Standards Committee main role is to monitor adherence to the Members Code of Conduct. All members are aware that their Code is founded (and should be read in conjunction with) the 7 Nolan Principles of Public Life. In Wales there are ten principles namely Selflessness, Honesty, Integrity and Propriety, Duty to uphold the law, Stewardship, Objectivity in decision making, Equality and Respect, Openness, Accountability and Leadership.
- 4.2 Standards Committee regulations stipulate that the size of the Committee shall not be less than 5 but no more than 9 Members with the Committee suggesting that this should be reviewed in the future. In Denbighshire Standards Committee consists of the following Member types – 2 County Councillors, 4 Independent (co-opted) Members,

and 1 Community Council Member (who is not also a twin hatted Member), therefore 7 members. The majority of the Members are therefore not elected, but are recruited from members of the public as per the requirements of the Standards legislation in Wales. The Committee can also only be quorate when at least half of those Members present are the independent lay members.

- 4.3 Lay members are recruited via a public advert, which is open to all save for strict criteria including being of good standing and having certain attributes as laid down in the legislation. Other than this the opportunity is open to persons from all walks of life, in order to represent the views of the public with regard to the standards they expect of their elected members; and who will also then if required to do so, sit in judgement in respect of any references to the Standards Committee from the Public Services Ombudsman for Wales, (currently Michelle Morris) where there has been a breach of the Code of Conduct, which falls below the relevant threshold. The decision to investigate a breach, is at the discretion of the Ombudsman; based on the facts, evidence and nature of the breach and whether there is corroborative evidence or not, and if there is a public interest in exhausting time and public financial resources in the investigation and hearing itself; similar to the Crown Prosecution Service (CPS) approach to charges and prosecutions.
- 4.4 When the Committee receives a reference from the Public Services Ombudsman for Wales (PSOW) following her investigation into a complaint, they will then sit in a quasi-judicial capacity whilst they hear the matter. They have powers to suspend a Member from Office for a maximum of 6 months, during which time they will not be able to act in their capacity as an elected member and will not receive any member salary. The Committee has discretion to impose lesser sanctions such as a partial suspension from duties or a 'public censure' and to impose other conditions such as attendance at training.
- 4.5 There is also the option where the PSOW seeks the views of the Monitoring Officer and Standards Committee on whether in those circumstances where the Ombudsman decides not to investigate, that the Monitoring Officer may wish to investigate locally. In these circumstances, the Monitoring Officer consults the Chair and/or the Committee and each case is considered on its merits. Denbighshire County Council has also adopted a 'Members' Self-Regulatory Protocol' which is set out in the Council Constitution. This internal protocol is not intended to replace the Code of Conduct, rather it is intended to sit alongside the Code, enabling behaviour that has not yet reached the threshold to become a breach to be dealt with without escalation and

avoiding any delay. The basic premise being that County Council Members will make all reasonable attempts to resolve disputes that are Member – Member through this internal process if appropriate. One independent member of the Standards Committee may be required to play a supportive role in the process, if instigated and provides a link to Group Leaders.

- 4.6 Further work is also taking place to enable Group Leaders to promote compliance within their Group in respect of adherence to the Code with an approach being worked up to be taken to Group Leaders and this will be reported on to Council in the next Chairs' Annual Report.
- 4.7 Town City and Community Councils have also been encouraged to adopt such a protocol for their respective Councils, which they can administer themselves in a similar way.
- 4.8 During 2021 the Welsh Government commissioned an independent review of the ethical framework in Wales – the Penn Review, which was to look at whether the framework remained fit for purpose. The overall conclusion was that the framework was fit for purpose and did not need significant alteration but recommended some minor adjustments and amendments to include consideration of the role of Standards Committees in supporting community councils and additional powers that may be needed, not least resource implications in delivering such support. Of note the review highlights serious concerns about the extent of bullying, lack of respect or otherwise generally disruptive behaviour by some members at meetings of Town and Community Councils in Wales.
- 4.9 This was the first phase of the review with the second phase focusing on working with partners and stakeholders to deliver any changes to the ethical standards framework that are considered appropriate and necessary by Welsh Ministers in the light of the findings and recommendations of the first phase of the review.
- 4.10 During the past year the Committee met on 4 occasions and 1 meeting was cancelled. The table attached as Appendix 1 sets out a summary of the items under discussion.
- 4.11 Standing Items

The three standing items in 2021 the Committee receives that continue to work well with a fourth (Dispensation Requests) and fifth item (Public Services Ombudsman for Wales' Casebook) to be added going forwards: -

- (a) Reports from Standards Members in respect of their attendance and observations at Committee and Council meetings whether at County or Community level.

Denbighshire County Council Standards Committee is proactive in its' approach to raising standards and awareness of the Code of Conduct. Committee Members attend to observe conduct and general effectiveness of the meetings; will then feed back to the Committee, who may make recommendations in respect of any training needs or trends or patterns of conduct in particular communities or at County level. Accessibility of meetings is also noted. In respect of the 2021 period, the general ethical framework functions were at reasonable level in the community and at county level; and this is reflected in the level of complaints to the PSOW. As emphasised last year, the Committee is keen to make it clear that their approach in attending in person at meetings is from a support and collaborative angle; in order to target resources to improve standards and the public's confidence in the vital work being done at community level, on a voluntary basis; and not from any enforcement or critical angle. The Committee fully recognises the value such councils and their members add to local communities. The Committee believes that the Code is there to give public confidence, but to also protect members and any efforts to raise this awareness for all serving members is a key theme they continually endorse.

(b) Overview of Complaints lodged against Members with the Public Services Ombudsman for Wales. The report is presented in a closed session and members are provided with a limited amount of detail in respect of the complaint but with sufficient detail to enable members to consider if training or other actions can be recommended to particular town city and community councils which are experiencing issues or an increase in complaints.

(c) Forward Work Programme. This aligns the approach of other council committees and encourages a more strategic approach to the role of the Committee as a proactive one not just reactive to complaints.

4.12 During this year there was also one meeting of the North Wales Standards Forum. The main item for discussion at this meeting was the then ongoing independent review of the ethical framework in Wales commissioned by Welsh Government and conducted by Richard Penn. The review was considering the strengths and weaknesses of the current framework, how it could be enhanced and how the number of complaints could be reduced. This review has subsequently been completed and Welsh Government is

considering its recommendations. On the whole the review concluded that the framework is fit for purpose. One of the recommendations was that the work of the North Wales Standards Forum be replicated on a national basis. Work is currently underway to establish an All Wales Standards Forum to enable representatives of local Standards Committees to share good practice and discuss matters of common interest.

4.13 During this year there was one meeting in respect of a Determination as to whether there had been a breach of the Code of Conduct. The Standards Committee heard the matter and concluded that there had been a breach of the Code of Conduct and imposed a two-month suspension. The member concerned appealed this decision to the Adjudication Panel for Wales which upheld the Standards Committee's decision.

4.14 The Committee has also observed the low level of applications for dispensations that are submitted despite writing to Councils to remind them of the procedure.

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

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

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

6.1 There are no additional costs associated with this report and there are no implications for other services as a result of this report.

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

7.1 A Well Being Impact Assessment is not required.

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

8.1 No other consultations are considered required; this report has been for consultation to Standards Committee and that they are content the report reflects the Committee and Chair' perspective in respect of adherence to the Members' Code of Conduct in the County and observations in respect of probity and ethics generally.

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

9.1 Not required.

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

10.1 There are no identified risks.

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

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

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Appendix 1

Date of Meeting	Report Items/Area
5/3/21	<ul style="list-style-type: none"> <li>• Standing Item: Attendance at meetings</li> <li>• Forward Work Programme</li> <li>• Draft revised guidance from the PSOW on the Code of Conduct</li> <li>• Briefing on the Local Government and Elections Wales Act</li> <li>• Standards Committee Terms of Reference</li> <li>• Draft Chairs Annual Report up to March 2021</li> <li>• Standing Item : overview of complaints in Denbighshire against Members</li> </ul>
11/6/21	<ul style="list-style-type: none"> <li>• Determination of an Allegation of breach of the Members' Code of Conduct.</li> </ul>
17/9/21	<ul style="list-style-type: none"> <li>• Standing Item: Attendance at meetings</li> <li>• Forward Work Programme</li> <li>• Protocol the Member Officer Relations</li> <li>• PSOW Code of Conduct Casebooks</li> <li>• Standing Item: Overview of Complaints against Members.</li> </ul>
3/12/21	<ul style="list-style-type: none"> <li>• Standing Item: Attendance at meetings</li> <li>• Standards Committee Conference</li> <li>• Penn Review on the Ethical Framework.</li> <li>• Forward Work Programme.</li> </ul>

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COUNCIL FORWARD WORK PROGRAMME

Meeting	Item (Description / Title)		Purpose of Report	Council Decision Required (yes/no)	Lead member and Contact Officer
<b>31 January 2023</b>	1	Results of Members Survey regarding timings of meetings 2023		Yes	Cllr Julie Matthews / Steve Price
	2	Budget 2023/2024 Final Proposals		Yes	Cllr Gwyneth Ellis / Steve Gadd
	3	Council Tax Reduction Scheme 2023/2024		Yes	Cllr Gwyneth Ellis / Steve Gadd / Paul Barnes
	4	Petition Scheme	To approve a Petition Scheme for the Council	Yes	Cllr Julie Matthews / Gary Williams
<b>28 February 2023</b>	1	Public Services Board Well-being Plan 2023 to 2028			Cllr Jason McLellan Nicola Kneale / Iolo McGregor
	2	Council Tax 2023/2024 and Associated Matters		Yes	Cllr Gwyneth Ellis / Steve Gadd
	3	Capital Plan 2023/2024 – 2024/2025 and recommendations of the Strategic Investment Group		Yes	Cllr Gwyneth Ellis / Steve Gadd
	4	Treasury Management Strategic Statement (TMSS) 2023/2024 and Prudential Indicators 2023/2024 to 2024/2025		Yes	Cllr Gwyneth Ellis / Steve Gadd
<b>9 May 2023 (Annual Council)</b>	1	Election of Chair and Vice-Chair of Denbighshire County Council	To elect the Council's Chair and Vice-Chair for the 2023/2024 municipal year	No	Cllr Julie Matthews / Gary Williams / Steve Price
	2	Annual Report of Scrutiny	To review the Annual Report of Scrutiny	No	Cllr Hugh Irving Rhian Evans / Steve Price
	3	Annual Review of Political Balance	To consider the current political balance arrangements, committee vacancies and how Scrutiny Chairs are appointed	Yes	Cllr Julie Matthews Steve Price

COUNCIL FORWARD WORK PROGRAMME

<b>4 July 2023</b>					
<b>5 September 2023</b>					
<b>14 November 2023</b>					

**FUTURE ITEMS**

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***Note for Officers – Full Council Report Deadlines***

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
06.12.2022	22.11.2022	31.01.2023	17.01.2023	28.02.2023	14.02.2023
09.05.2023	24.04.2023	04.07.2023	20.06.2023	05.09.2023	21.08.2023
14.11.2023	31.10.2023				



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## Council Workshops 2022/23

DATE OF COUNCIL WORKSHOP	TOPIC(S)	LEAD SLT / LEAD MEMBER
<b>2022 DATES</b>		
<b>16 December (Friday 10am)</b>	Strategic Regional Work; The Regional Landscape (e.g. NWEAB, PSB, RPB, GWE etc)	Graham Boase & Relevant CDs Councillor Jason McLellan
<b>2023 DATES Tuesday 2pm</b>		
<b>17 January</b>	Budget	Steve Gadd Councillor Gwyneth Ellis
<b>14 February</b>	Climate Change & Biodiversity (including Strategy & Action Plan)	Relevant Corporate Director, Helen Vaughan Evans/Jane Hodgson Councillor Barry Mellor
<b>14 March</b>	Comms/Marketing/Engagement and Behaviour Change (include Press Release protocol, Working with CRM etc)	Relevant CD/HoS Councillor Julie Matthews
<b>18 April</b>	Health & Social Care, including Residential Care for Older People (how its structured & funded)	Nicola Stubbins Councillor Elen Heaton
<b>16 May</b>	Waste Model pre roll out of the new model	Tony Ward Councillor Barry Mellor
<b>13 June</b>	Sustainable Communities for Education (i.e. 21 <sup>st</sup> century Schools)	Geraint Davies Councillor Gill German
<b>11 July</b>	Budget	Steve Gadd Councillor Gwyneth Ellis
<b>12 September</b>	Strategic Flooding approach (inc DCC Strategy)	Tony Ward & Emlyn Jones Councillor Barry Mellor
<b>10 October</b>	Promotion of Welsh Language (within the Council, Communities and Schools - Welsh Education Strategic Plan, New Language Categorisation).	Relevant CD Councillor Emrys Wynne
<b>7 November</b>	Supporting Mental Health and wellbeing of young people	Geraint Davies & Rhian Morrllle Councillor Gill German
<b>5 December</b>	Highways Maintenance Update	Tony Ward

## Council Workshops 2022/23

		Councillor Barry Mellor
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### Reserve List for consideration post 2023;

1. ALN Reform, the New Curriculum for Wales and the support provided by The Regional School Improvement Service (GwE)
2. Inclusion Service & Pupil Referral Unit
3. How we support Schools through Admissions, Transport, Governance and Resource Management.
4. Tackling Poverty/Deprivation
5. Tourism, including destination management and Tourism Strategy
6. Culture/Arts/Heritage
7. Young People in democracy
8. AONB & proposed National Park
9. CJC Update to include the Regional Strategic Planning, Transport Plan etc
10. NWEAB work, including Growth Deal
11. Sustainable Transport Plan & Active Travel
12. LDP
13. Approach to Homelessness
14. Town Centres
15. Flying Start, Family Support and Early Prevention
16. Safeguarding & Community Safety
17. Levelling up Funds and Shared Prosperity Fun
18. Regional Integration Fund (RIF) Projects & Funding
19. NWOW & Office Strategy
20. Corporate Plan
21. DLL & DCC
22. Workshop for each of the Corporate Plan themes.

Revised 08/11/2022 - SLW