

To: Members of the Cabinet

Date: 20 July 2022

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Dear Councillor

You are invited to attend a meeting of the **CABINET** to be held at **10.00 am** on **TUESDAY, 26 JULY 2022** in the **COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND BY VIDEO CONFERENCE**.

Yours sincerely

G. Williams
Head of Legal, HR and Democratic Services

AGENDA

1 APOLOGIES

2 DECLARATION OF INTERESTS

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

3 URGENT MATTERS

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

4 MINUTES (Pages 7 - 14)

To receive the minutes of the Cabinet meeting held on 28 June 2022 (copy enclosed).

5 REVIEW OF CABINET DECISION RELATING TO THE PROPOSED SCHEME OF DELEGATED DECISION MAKING FOR LAND ACQUISITION (FREEHOLD AND LEASEHOLD) FOR CARBON SEQUESTRATION AND ECOLOGICAL IMPROVEMENT PURPOSES (Pages 15 - 78)

To consider a report by Councillor Huw Williams, Chair of Communities Scrutiny Committee (copy enclosed) seeking Cabinet's review of its original decision in relation to the proposed scheme of delegated decision making for land acquisition (freehold and leasehold) for carbon sequestration and ecological improvement purposes, having regard to the Scrutiny Committee's findings and recommendations.

6 SHARED PROSPERITY FUND (Pages 79 - 88)

To consider a report by Councillor Jason McLellan, Leader and Lead Member for Economic Growth and Tackling Deprivation (copy enclosed) seeking Cabinet approval to further develop the Shared Prosperity Fund Programme, delegate authority to develop and submit Denbighshire's priorities for inclusion in the Regional Investment Strategy, and for Gwynedd County Council to act as lead body for the submission of the Strategy and programme delivery.

7 PROCUREMENT OF NEW TEMPORARY EMERGENCY ACCOMMODATION SUPPORT SERVICE (HOMELESSNESS PREVENTION) (Pages 89 - 138)

To consider a report by Councillor Rhys Thomas, Lead Member for Housing and Communities (copy enclosed) seeking Cabinet approval to commence the procurement for a new homelessness temporary emergency accommodation support service.

8 SUSTAINABLE COMMUNITIES FOR LEARNING - BAND B (Pages 139 - 150)

To consider a report by Councillor Gill German, Lead Member for Education, Children and Families (copy enclosed) on the findings from the review by the Modernising Education Programme Board of the prioritisation process for Band B of Sustainable Communities for Learning, as requested by Council in January 2022.

9 FINANCE REPORT (Pages 151 - 164)

To consider a report by Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets (copy enclosed) detailing the latest financial position and progress against the agreed budget strategy.

10 CABINET FORWARD WORK PROGRAMME (Pages 165 - 168)

To receive the enclosed Cabinet Forward Work Programme and note the contents.

MEMBERSHIP

Councillor Gwyneth Ellis
Councillor Gill German
Councillor Elen Heaton
Councillor Julie Matthews
Councillor Jason McLellan

Councillor Barry Mellor
Councillor Win Mullen-James
Councillor Rhys Thomas
Councillor Emrys Wynne

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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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CABINET

Minutes of a meeting of the Cabinet held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 28 June 2022 at 10.00 am.

PRESENT

Councillors Jason McLellan, Leader and Lead Member for Economic Growth and Tackling Deprivation; Gill German, Deputy Leader and Lead Member for Education, Children and Families; Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets; Elen Heaton, Lead Member for Health and Social Care; Julie Matthews, Lead Member for Corporate Strategy, Policy and Equalities; Barry Mellor, Lead Member for the Environment and Transport; Win Mullen-James, Lead Member for Local Development and Planning, Rhys Thomas, Lead Member for Housing and Communities, and Emrys Wynne, Lead Member for Welsh Language, Culture and Heritage

Observers: Councillors Ann Davies, Karen Edwards, Pauline Edwards, Chris Evans, Bobby Feeley, Huw Hilditch-Roberts, Alan James, Paul Keddie, Merfyn Parry, Andrea Tomlin and Huw Williams

ALSO PRESENT

Chief Executive (GB); Corporate Director: Communities (NS); Heads of Service: Legal, HR and Democratic Services (GW), Finance and Property (SG), and Planning, Public Protection and Countryside Services (EJ); Joint Acting Head of Business Improvement and Modernisation (NK); Public Protection, Regeneration and Economic Development Manager (GR); Framework Manager, Procurement (TS) and Committee Administrators (KEJ & SJ [Webcaster])

1 APOLOGIES

Councillor Win Mullen-James.

2 DECLARATION OF INTERESTS

No declarations of interest had been raised.

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 7 June 2022 were submitted.

Matters Arising – Page 11, Item 8 Cabinet Forward Work Programme – The Head of Legal, HR and Democratic Services advised that a report on the Sustainable Learning for Communities Programme would be brought before Cabinet in July.

RESOLVED that the minutes of the meeting held on 7 June 2022 be received and confirmed as a correct record.

5 UK GOVERNMENT LEVELLING UP FUND BID APPROVAL - CLWYD WEST CONSTITUENCY

Councillor Jason McLellan presented the report on the UK Government Levelling Up Funding bid relating to Clwyd West, recommending Cabinet reiterate its support for the proposed projects previously supported by Cabinet, and delegate authority to named officers in consultation with the Leader to agree a standalone bid.

The Head of Planning, Public Protection and Countryside Services and the Public Protection, Regeneration and Economic Development Manager were also present for the item and together with the Leader provided some background to the report and change in circumstances leading to the current position to date.

In November 2021, Cabinet had approved submission of the bid, in partnership with Conwy County Borough Council (CCBC), for Clwyd West with CCBC acting as lead bidder. UK Government guidance had stated that, where a constituency crossed multiple local authorities, those local authorities should work together to develop a joint bid. However, revised guidance in March 2022 made provision for a bid from each local authority who crossed a constituency boundary which allowed a single bid from both DCC and CCBC for Clwyd West. High level discussions with CCBC and David Jones, MP had taken place in that regard and whilst DCC's preference had been to continue with a joint bid, CCBC had chosen to progress its own bid. Consequently, Cabinet support was now required for DCC to pursue a single bid.

The projects previously supported by Cabinet remained unchanged and officers/consultants were confident that the DCC element remained strong in the event of a standalone bid. David Jones, MP was supportive of both bids but could only provide "prioritisation/primary support" to a single bid and had chosen to prioritise DCC's submission. The Leader thanked David Jones, MP for backing DCC's bid, which was an important element of the scoring process, and had been testament to the hard work of officers in the development of the bid application.

Councillor Emrys Wynne referred to the recent Ruthin Member Area Group (MAG) meeting at which members welcomed the progress made and the support of David Jones, MP for DCC's bid, and the opportunity for transformational change and investment in Ruthin and surrounding areas. However, concerns had been raised over the potential implications of CCBC's decision to submit its own bid and local members had been alerted to that news through rumour rather than official channels. The Leader and officers explained that discussions had been ongoing for some weeks but no decision had been made until very recently. Once CCBC had made their decision to submit a single bid both Cabinet and Ruthin MAG had been updated on the situation. Members were also encouraged to contact officers directly in the event of rumours so that the facts of the matter could be established.

Councillors Bobby Feeley and Huw Hilditch-Roberts (Ruthin Members) also paid tribute to the hard work of officers in development of the bid and thanked David Jones, MP for his support, highlighting the significant benefits to Ruthin and the

surrounding area if the bid was successful. The Leader and officers responded to subsequent questions/comments from the two local members as follows –

- UK Government colleagues and consultants considered that DCC had a strong, cohesive bid with a clear theme and from that perspective CCBC's decision to pursue a single bid would not have a detrimental impact on DCC's bid
- in theory, the move to a single bid would allow DCC to access up to £20m instead of the previous £10m. However, given the tight timescales involved and complexities of the application process it was considered too late to make any amendments. The possibility of increasing the contingency to cover the existing projects had been considered but the consultant was confident there was sufficient contingency and coverage in the current figures in that regard
- work would be carried out in consultation with members on those regeneration projects not taken forward as part of the bid with a view to seeking alternative funding streams to progress them as appropriate
- there may be merit in further discussing the issue of communication between members and officers in this case outside of the meeting and whether it could be improved upon from both a member and officer perspective
- from discussions with CCBC it was unclear as to why they wished to pursue their own bid but the change in guidance to allow for a single bid prompted that decision and they clearly felt that a solo bid would be a stronger bid for them
- there was confidence in the DCC bid and reference was made to the assessment criteria with DCC being priority 1 status and being able to deliver the projects within the necessary timescale and having a clear strategic theme. However, if the bid was unsuccessful then other funding streams would be sought with a view to progressing those projects going forward
- lessons could be learned from the process of developing the bids for the three constituency areas within Denbighshire which would stand the authority in good stead in the event that future funding allocations followed a similar process.

The Head of Legal, HR and Democratic Services referred to the closing date for bid applications of 6 July 2022. Given the tight timescale involved, Cabinet was asked to formally record in their resolution that the decision be implemented immediately, without a call-in, to ensure that the deadline for bid applications could be met.

RESOLVED that Cabinet –

- reiterates its support for the proposed projects that were previously supported by Cabinet and the broad indicative value of each project;*
- provides delegated authority to the Chief Executive Officer and Head of Planning, Public Protection and Countryside Services in consultation with the Section 151 Officer, Head of Legal, HR and Democratic Services and the Leader, to refine the projects and project costs as required and to agree for a standalone bid from Denbighshire County Council to be submitted for Round 2 of UK Government's Levelling Up Fund for the constituency of Clwyd West, and*
- confirms that this decision be implemented immediately without call-in.*

6 STRATEGIC EQUALITY AND DIVERSITY IN DENBIGHSHIRE COUNTY COUNCIL

Councillor Julie Matthews presented the report detailing the internal arrangements for supporting the equality and diversity agenda and sought Cabinet approval to form a Member-led Strategic Equality and Diversity Group.

There had been numerous developments on the subject of equality and diversity over recent months both at a national level (Wales Programme for Government, Race Equality Action Plan, Local Government and Elections Act) and local level (equality-focused research in DCC's Local Assessment of Well-being). Consequently, the Cabinet of the 2017-22 administration recommended establishing a Strategic Equality and Diversity Group to oversee internal arrangements to support and monitor equality and diversity in the current term (2022-27). Councillor Matthews highlighted the need to promote and embed inclusion to ensure a more equal and fairer Denbighshire and drew attention to the Group's remit and terms of reference. The Joint Acting Head of Business Improvement and Modernisation provided further context to the formation of the Group in order to respond to the equality and diversity agenda.

During debate, the Leader advised that equality and diversity was a key theme of the Council to ensure a more equal and diverse Denbighshire, and that the strategy around equality and diversity was an ongoing issue and priority for the Council. Cabinet acknowledged the work of the previous Council and Cabinet with regard to this issue and the importance of supporting the equality and diversity agenda. Councillor Gill German highlighted steps already taken in terms of gender balance in the Cabinet and diversification within the Council's Labour Group, and had been pleased to note the wider ongoing work planned to deal with those issues.

The Lead Member, Head of Legal, HR and Democratic Services, and Acting Joint Head of Business and Improvement responded to members' questions as follows –

- elaborated on the former Leader's 'Women in Politics' discussion with all female councillors in November 2021 regarding their experiences of the barriers faced in both standing for election and once elected, with a few to improving the experience. Links were made to the Welsh Local Government Association's work around diversity in democracy and the role of both political parties and the authority in removing some of those barriers faced, with further work currently in progress in that regard and upholding a good standard of conduct and discourse
- there was a commitment to review the Group's effectiveness after twelve months which would also include responding to changes in legislation that might add a particular subset of protected characteristics, and assurances given that the Council would also respond to any such issues arising in its communities
- explained the reasoning behind a twelve monthly review to consider the effectiveness of the Group itself and work undertaken, but that any issues coming to the fore during those meetings would be escalated as appropriate
- clarified that a new process was currently being drafted in terms of member relationships/conduct, as a separate process to the Group, as to how group leaders managed the culture and conduct of members internally. That draft would be subject to consultation with the wider council membership

- whilst the focus on the 'Women in Politics' discussion had been on female councillors, the equality and diversity agenda was all encompassing and included making Denbighshire fairer and more equal for everyone
- there were separate processes for dealing with issues such as bullying/harassment and issues between members and/or members and officers. Whilst the Group would monitor internal culture, it had a much broader role in terms of service delivery and equality and diversity across the board.

The Leader thanked Councillor Ann Davies for sharing her experience of the 'Women in Politics' discussion and emphasised that equality and diversity was an ongoing conversation and encouraged everyone to come forward and take part.

RESOLVED that Cabinet notes recent developments, and approves the formation of a Member-led Equality and Diversity Group (to be reviewed after 12 months to consider whether the Group needs to cease, alter and/or celebrate achievements).

7 FUTURE OF THE NORTH WALES CONSTRUCTION PARTNERSHIP - MAIN CONTRACTOR FRAMEWORK

Councillor Julie Matthews presented the report seeking Cabinet approval to extend the current North Wales Construction Partnership Framework (NWCP) for one year, to allow time for projects to continue to be let as per the programme and for the forthcoming new UK and Welsh Government procurement legislation to be embedded into processes and utilised when procuring a new framework.

The NWCP had been very successful and the Framework Manager provided some background to the creation of the framework and its management by Denbighshire on behalf of the six North Wales local authorities. The framework played an important role as the main procurement vehicle for large public sector construction projects in North Wales. Details of the value of the five procurement lots were provided in order to maximise benefits for local contractors who could deliver projects in the lower value bands and national contractors to the higher value bands but with a commitment to use the local supply chain. Details of the projects and value of those projects to date were provided together with benefits achieved over the last few years, including community benefits, job creation, training opportunities, and a host of other qualifications in the local supply chain. The current framework expired in May 2023 and the Framework Manager outlined how the effect of Covid-19, the current economic climate, and the nature of how capital projects were funded had impacted the delivery of the NWCP works programme together with the rationale behind the recommendation to extend the current framework.

Councillor Emrys Wynne welcomed the success of the framework and its positive impact on Denbighshire and the region and hoped that any forthcoming changes to the procurement legislation would allow those positive practices to continue. The Framework Manager confirmed it remained an objective to continue to deliver training and recruitment to the local communities to deliver projects and to target individuals further from the market and incentivise young people in schools to join the construction industry, and to embed best practice developed through the framework into the Council, providing illustrative examples of those practices.

Councillor Merfyn Parry felt there would be merit in reviewing the value of the procurement lots given the significant rise in inflation and construction costs which may allow more local contractors to access higher value bands. The Framework Manager advised that the procurement process was governed by regulation and the framework was required to operate throughout its life by the way it had been designed at the outset. However, when embarking on the re-procurement process the value bands would be reviewed together with other approaches and lessons learned under the existing framework, and much work had been carried out to maximise benefits to local businesses. In response to a follow up question, the framework was explained as the process by which projects were delivered but each project was considered individually and matched with a procurement lot depending on its value, providing the opportunity to bid for those projects. To re-procure a new framework at this time would divert resources from project delivery into delivering the framework but an extension to the current framework for one year would provide more time for the relevant legislation to come through and the lots to be set up in the procurement strategy for the framework, and also provided time to concentrate on individual projects. Councillor Matthews added that legislation was also expected in relation to social partnership with further ambitions to support local businesses. A one-year extension would provide a greater opportunity to shape the procurement in line with the Council's vision for Denbighshire and maximise opportunities for local businesses and benefits to the local economy and residents.

RESOLVED that Cabinet approve extending the Framework for one year which will provide time for projects to continue to be let as per the programme and allow time for expected new UK and Welsh Government procurement legislation to be released and/or embedded into the processes, to be utilised when procuring a new Framework.

At this point (11.25 am) the meeting adjourned for a refreshment break.

8 FINANCE REPORT

Councillor Gwyneth Ellis presented the report detailing the revenue budget and savings as agreed for 2022/23 together with the Budget Summary Report 2022/23.

A summary of the Council's financial position was provided as follows –

- the net revenue budget for 2022/23 was £233.693m (£216.818m in 2021/22)
- an overspend of £1.000m was forecast for service and corporate budgets
- highlighted current risks and assumptions relating to corporate budgets and individual service areas together with the impact of coronavirus and inflation
- detailed service saving and efficiencies of £0.754m including operational savings and fees and charges increases; no savings having been requested from Community Support Services or Schools
- provided a general update on the Housing Revenue Account, Treasury Management, Capital Plan and major projects.

Cabinet was also asked to note the Budget Summary Report and agree to its publication and to approve the write off of unrecoverable Business Rates.

The Head of Finance and Property added that figures in the Budget Summary were as approved by Council earlier in the year and the budgets would change following the budget monitoring later in the month; he was happy to take any detailed queries on that document via email. He also explained that Cabinet was required to approve the technical write off the unrecoverable Business Rates given the value exceeded £20k in each case and all means of recovery had been exhausted.

Cabinet's attention was drawn to the forecasted overspend in Education and Children's Services which largely related to new residential and independent fostering placements which were difficult to predict. Councillor Rhys Thomas accepted the difficulties in predicting the number of children coming into the system and the high expenditure in order to respond to the needs of children as they arose, and he reminded members of the Council's priority with regard to looked after children and duty as a corporate parent. The Head of Finance and Property confirmed that the Council would spend what was needed to care for those children but it was appropriate that any overspend as a result be reported to Cabinet. In terms of the pressures in Community Support Services, it was hoped that they would be contained within budget given the cash reserve available. The main risks to the budget were inflation, in particular pay inflation, which would continue to be monitored through the negotiation process to the pay settlement. The two main capital schemes ongoing in relation to Rhyl Queen's Market Redevelopment and Waste Service Remodelling had already taken into account the increase in inflation and were funded, with any new schemes coming forward being reviewed in light of inflation. Finally, with regard to schools' budgets officers would be reviewing school plans shortly to ensure appropriate measures were in place to spend that funding.

RESOLVED that Cabinet –

- (a) *note the budgets set for 2022/23 and progress against the agreed budget strategy;*
- (b) *note the Budget Summary document included at Appendix 1 to the report and, as in previous years, agree to its publication on the internet, and*
- (c) *approve the write off of unrecoverable Business Rates as set out in Section 6.9 of the report.*

9 CABINET FORWARD WORK PROGRAMME

The Cabinet forward work programme was presented for consideration and members noted the following additions –

- Sustainable Learning for Communities (Band B) – July
- Ysgol Plas Brondyffryn (consultation findings) – September
- Queen's Market: Operator Contract Award – September
- Ysgol Plas Brondyffryn (final outline/full business case) – December

RESOLVED that Cabinet's forward work programme be noted.

The meeting concluded at 11.50 am.

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Report to	Cabinet
Date of meeting	26 July 2022
Scrutiny Chair:	Councillor Huw O Williams (Chair of Communities Scrutiny Committee)
Report author	Rhian Evans, Scrutiny Co-ordinator
Title	Review of Cabinet Decision relating to the Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes

1. What is the report about?

- 1.1 The conclusions reached by Communities Scrutiny Committee following its review of Cabinet's decision of the 15th February 2022, on a 'Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes'.

2. What is the reason for making this report?

- 2.1 To advise Cabinet of Communities Scrutiny Committee's conclusions following its review of the Cabinet's decision in relation to a 'Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes'. A review which was undertaken in accordance with the Council's Call-in Procedure Rules following receipt of a formal signed request for the decision to be reviewed
- 2.2 To present Cabinet with the Committee's recommendations following its review of the decision and to seek Cabinet to review its original decision and in doing so have regard to Scrutiny's findings and recommendations.

3. What are the Recommendations?

That Cabinet:

- 3.1 acknowledges Communities Scrutiny Committee's conclusions, its concerns and recommendations following its review of the Cabinet decision of the 15th February 2022 in relation to a 'Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes'; and
- 3.2 agrees to reconsider its original decision, with a view to expediting the decision-making process for purchasing land, and that prior to reviewing its decision it:
 - (i) works with the Farming Unions and the Federation of Young Farmers Clubs to seek comprehensive responses from those organisations in relation to the Proposed Scheme;
 - (ii) agrees to amend the wording within the Proposed Scheme of Delegated Decision Making (and any associated documentation) as it relates to liaising with local councillors and Member Area Groups (MAGs) to read 'consult/consultation' rather than 'notify/notification';
 - (iii) agrees that, at the appropriate time, a review is undertaken of staffing resources within the Council's Countryside Services to ensure that it has sufficient capacity to deal with the additional duties that will be placed on the Service in future in connection with carbon sequestration and ecological improvement work; and
 - (iv) requests that, when reviewing the decision, it is provided with detailed information on agricultural land grading in Denbighshire (including illustrative maps).

4. Report details

- 4.1 On the 15th February 2022 Cabinet considered a report on "Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes'. The report to Cabinet can be seen at Annex 1.
- 4.2 At the conclusion of its discussion Cabinet resolved to:
 - (a) *"approve the introduction of the new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes as proposed in Appendix 1 to the report,"*

(b) confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2 to the report) as part of its consideration.”

- 4.3 The Council’s ‘call-in’ procedure defines a process for Scrutiny to exercise its statutory powers to review or scrutinise executive decisions, and to request that the decision-maker reconsiders a decision that has been taken, prior to it being implemented.
- 4.4 The Cabinet’s decision was published on the Council’s website on 17th February 2022. In accordance with the Council’s Call-In Procedure Rules the decision was not implemented immediately enabling non-Cabinet members to call-in the decision for examination, if they felt it merited detailed scrutiny
- 4.5 ‘Notice of Call-In’ e-mails by the required number of non-Cabinet councillors, were received in respect of the above decision between the 23rd and 24th February 2022, which was within the 5 working day timescale stipulated in the Council’s ‘Call-in Procedure Rules’. The grounds for the Call-in were:
- “...concerns are that the Council is in a position to land grab at an auction potentially out bidding any local farmers or landowner need. [We] understand that they are not after prime agricultural land however the decision needs to be discussed with the local Member and the local MAGs pre bidding on land without knowing local knowledge and need.”
- 4.6 The Council’s ‘call-in’ procedure does stipulate that a special meeting of a scrutiny committee should be convened within 5 working days of the receipt of a Notice of Call-In of Decision unless a scrutiny committee has a scheduled meeting within that period. The procedure also states that this timeline can be extended if both the decision-maker and the chair of the scrutiny committee agree to an extension. As the decision did not require urgent implementation an extension to the timeline was agreed to enable the decision to be considered at the next available scrutiny committee meeting. Consequently, the decision was considered by Communities Scrutiny Committee at its next available meeting, which was on 10th March 2022. For information a copy of that report is attached at Annex 2.
- 4.7 An extensive discussion took place during the Communities Scrutiny Committee meeting on the rationale behind the Cabinet decision, the proposed process for undertaking a delegated decision for the purpose of purchasing land for carbon

sequestration and ecological improvement purposes, along with the safeguards that would be put in place to mitigate against the risk of the Authority 'land-grabbing' at auction to the detriment of local businesses and the local community. The [debate](#) in its entirety can be viewed on the Council's website and a copy of the minutes of the discussion can be found at Annex 3 to this report.

- 4.8 At the conclusion of the discussion the Committee acknowledged that, if the Council was to achieve its ambition in relation to carbon reduction, it would require to adopt a multi-faceted approach, which would include purchasing parcels of land to be used to offset unavoidable carbon usage. Nevertheless, the practice should not be used in place of other carbon reduction measures, only to complement them. The Committee was assured that prime agricultural land would not be purchased for this purpose and that a maximum financial threshold would be set for purchasing land for this purpose in order to safeguard public funds.
- 4.9 The Committee did however have concerns regarding the potential unintended consequences of decisions to purchase land for this purpose may have on the future viability of local agricultural businesses and the livelihoods of local families, which could have a detrimental impact on the long-term economic sustainability of local communities, changing the entire fabric and ethos of community life in the county's rural areas. Hence its reasons for seeking Cabinet to review its decision, but prior to doing so to have regard to the Committee's concerns and its recommendations.
- 4.10 The objective of the Committee's recommendations is to strengthen the basis of the Cabinet's decision by securing rural communities' support for the process, reinforcing local elected members' involvement with the process, and making sure that sufficient resources will be made available to the Council's Countryside Services team to deliver the Council's environmental ambitions. Having regards to these conclusions and recommendations the Committee requests Cabinet to reconsider its original decision.

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

- 5.1. See Section 5 of the Cabinet report dated 15th February 2022 (Annex 1).

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

6.1. See Section 6 of the Cabinet report dated 15th February 2022 (Annex 1).

6.2. The costs associated with endorsing Scrutiny's recommendations can be met within existing budgets, whilst securing any additional resources for Countryside Services will form part of future budget setting processes.

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

7.1. See Section 7 of the Cabinet report dated 15th February 2022 (Annex 1).

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

This report presents the conclusions of the Scrutiny process

9. Chief Finance Officer Statement

9.1. See Section 9 of the Cabinet report dated 15th February 2022 (Annex 1).

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

10.1. The endorsement of Scrutiny's recommendations in relation to the original Cabinet decision should mitigate risk to the Council of adverse community reaction and/or negative media coverage in relation to its use of public funds.

11. Power to make the decision

11.1. Sections 21(2) and (3) of the Local Government Act 2000; and

11.2 Section 7.4.2(a) of the Council's Constitution stipulates that "Scrutiny Committee may review and scrutinise the decisions...of the Cabinet" whilst Section 7.4.2(d) states that they may "make recommendations to the Cabinet...arising from the outcome of the scrutiny process."

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Report to	Cabinet
Date of meeting	15 th February 2022
Lead Member / Officer	Cllr Brian Jones (Lead Member for Waste, Transport and the Environment), Cllr Tony Thomas (Lead Member for Housing and Communities), Cllr Julian Thompson Hill (Lead Member for Property & Finance) / Alan Smith (BIM Head of Service & Climate and Ecological Change Programme Senior Responsible Owner), Steve Gadd (Head of Finance & Assets)
Report author	Andrew Cutts (Climate Change Programme Manager)
Title	Proposed scheme of delegated decision making for land acquisition (freehold and leasehold) for carbon sequestration and ecological improvement purposes

1. What is the report about?

- 1.1 This report is about introducing a new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes so that land can be more promptly and effectively acquired, particularly in an auction scenario, so that the Council delivers upon its Climate Change and Ecological Emergency declaration and the subsequent targets within its Climate and Ecological Change Strategy (2021/22 – 2029/30).

2. What is the reason for making this report?

- 2.1 A decision is required on whether or not to introduce the new scheme of delegated decision making as proposed.

3. What are the Recommendations?

- 3.1 For Cabinet to approve the introduction of the new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes as proposed in Appendix 1.
- 3.2 That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.

4. Report details

- 4.1 See Appendix 3 for detail on the Council's Net Carbon Zero and Ecologically Positive 2030 targets and rationale for acquisition for the purposes of carbon sequestration and ecological improvement.
- 4.2 See Appendix 4 for detail on the Council's current approach for acquisition (freehold/leasehold) for purposes of carbon sequestration and ecological improvement and how that would look under this proposed scheme of delegated decision making.

4.1 Proposed scheme of delegated decision making

- 4.1.1 An identified risk (see Appendix 6) in successfully achieving our carbon sequestration targets is around the successful acquisition of land which comes on the open market, often in an auction selling environment, with short deadlines between advertisement and final bids. This was confirmed as an issue in September 2021 when 2 sites were available for purchase via auction which would have scored highly using the land assessment matrix (Appendix 5) but were not pursued due to not being able to complete the existing scheme of delegated decision making in the time available between advert and auction.
- 4.1.2 In order to secure sites in a prompt and effective manner it is proposed a new scheme of delegated decision making is put in place for specific site acquisitions for the purposes of carbon sequestration and ecological improvement. This would involve both financial aspects under the jurisdiction of Strategic Investment Group and land use aspects under the jurisdiction of Asset Management Group as outlined in the Council's Constitution.
- 4.1.3 The proposed new scheme of delegated decision making is provided in full in Appendix 1 and a description is below.

For acquisitions up to £1m in value and having costs within the budget envelope agreed by Budget Board for the Climate and Ecological Change Programme Land Use Workstream it is proposed that:

Strategic Investment Group delegate the decision for spending of capital for specific site acquisition to / that Asset Management Group delegate decisions on proposals for specific site acquisitions to:

the Head of Finance and Property in consultation with the Section 151 Officer, Monitoring Officer and Lead Member for Property & Finance, in conjunction with the Corporate Landlord, Lead Member for Waste, Transport and the Environment (covering Net Carbon Zero Council) and Lead Member for Housing and Communities (covering Ecologically Positive Council), to negotiate the acquisition of land for purposes of carbon sequestration and ecological improvement as long as the land in question does not meet any of the stated disqualifying criteria.

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

- 5.1 The approach outlined will make a direct contribution to delivering upon the Council's Climate Change and Ecological Emergency declaration which committed the Council to become Net Carbon Zero by 2030, and the subsequently adopted Climate and Ecological Change Strategy, by supporting the increase in tonnage of carbon sequestered by Council owned/operated land and at the same time directly contributing to the achievement of Ecologically Positive Council by 2030 by increasing the number of hectares of Council owned/operated land in the highest species richness categories.
- 5.2 The approach outlined will support the Council in making its contribution to the Welsh Government policy for the public sector to be carbon neutral by 2030, for Wales to meet its legally binding target of reducing emissions to Net Zero by 2050 and supports the Council's statutory duty under Section 6 of the Environment (Wales) Act 2016 to "seek to maintain and enhance biodiversity".

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

- 6.1 Capital costs include any costs related to the acquisition of the land e.g. purchase cost, and any costs related to converting the land into woodland e.g. tree planting, and ecological improvement interventions e.g. habitat creation, livestock fencing. External grants would be sought wherever possible to provide a funding mix alongside capital allocated to the Climate and Ecological Change Programme each year as part of the budget setting process.
- 6.2 Revenue costs include fees and charges related to acquisition of the land which cannot be capitalised and costs related to the management of the asset thereafter. For woodland creation at scale, the approach being undertaken is that of natural regeneration wherever

possible. For woodland creation within communities the approach being undertaken is that of 'right tree, right place' to avoid unnecessary tree maintenance or failure. Sites acquired are likely to be added to the Countryside Services asset portfolio and will be reviewed from an ongoing management perspective. Revenue costs may be identified and external grant will be sought to supplement management budgets across all sites.

6.3 The likely impact on other service areas are as follows:

- Strategic Assets and Legal - in relation to land acquisition negotiations.
- Climate Change Team – providing project management to assess potential land acquisitions and deliver any subsequent woodland creation and habitat enhancement activity.
- Countryside Services – providing specialist advice for carbon sequestration and ecological improvement plans; undertaking operational management and maintenance.
- Democratic services - to manage a notice of decision process to enable sufficient awareness in case Members wish to call in the executive delegated decision.

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

7.1 See Appendix 2 for the full WIA.

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

8.1 The Climate and Ecological Change Strategy and the targets within, including the requirement to increase carbon sequestration, was consulted widely during 2020 and was positively received. This included 2 public engagement periods in January/February and November/December 2020 as well as engagement with all Member Area Groups, Cabinet and Lead Members. The Strategy was presented and adopted by Council, by unanimous vote, in February 2021. See [23rd February 2021 Council paper](#) for further information.

8.2 The proposed approach for land use and land acquisition for the explicit purposes of carbon sequestration and ecological improvement has been developed collaboratively with support of officers from: Strategic Assets, Valuation and Estates Team, Countryside Services, AONB, and the Climate Change Team. The officer group is supportive of the proposed approach.

- 8.3 Asset Management Group reviewed a paper on the proposed scheme of delegation on 19th July 2021 and approved the recommendation to introduce the scheme. This included a statement from the Corporate Landlord which supported the recommendations (Appendix 7).
- 8.4 Strategic Investment Group reviewed a paper on the proposed scheme of delegation on 27th July 2021 and approved the recommendation to introduce the scheme but only marginally. Under the recommendation of the Monitoring Officer, it was agreed to take the decision of whether or not to introduce this new scheme of delegated decision making to Cabinet.
- 8.5 Specific engagement work has been undertaken with Denbighshire agricultural stakeholders in January 2022, including with: Coleg Cambria – Llysfasi, Jones Peckover, Farmers' Union of Wales. Positive conversations were had with all that engaged in discussion.
- 8.6 The Monitoring Officer has confirmed the delegation process and wording is sufficient.

9. Chief Finance Officer Statement

- 9.1 It is clear that land use and acquisition for carbon sequestration and ecological improvement purposes form a key part of the agreed Net Carbon Zero Target Programme. It is important to note that the annual budget allocation will still be subject to reports to the Budget Board and ultimately approval by Cabinet and Council and that individual projects over £1m will still require Cabinet approval. It is the professional opinion of senior officers within property and the programme that these proposals will help to secure sites in a prompt and effective manner and help the Council to achieve the 2030 target. On that basis the proposals are supported. If not approved, then an honest appraisal of the Council's ability to meet the agreed target should be brought forward.

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

- 10.1 Pertinent risks provided in Appendix 6.

11. Power to make the decision

- 11.1 See Appendix 8.

Appendix 1- Proposed New Scheme of Delegated Decision Making

CURRENT	PROPOSED
<ul style="list-style-type: none"> As per the Officer Scheme of Delegation section of the Council's Constitution (page 128 onward). <p>To the Head of Finance and Property:</p> <ol style="list-style-type: none"> In consultation with the Corporate Director: Economy and Public Realm, to negotiate the acquisition and/or disposal of land for all purposes, in conjunction with the Councils Asset Management Group and/or the Strategic Investment Group and subject to the results thereof being reported to all Members for information, where appropriate. To authorise investment decisions following recommendations from Strategic Investment Group and their terms of reference. 	<ul style="list-style-type: none"> In order to secure sites for purposes of carbon sequestration and ecological improvement in a prompt and effective manner, it is proposed the following, within the Officer Scheme of Delegation section of the Council's Constitution the following wording added: <p>For acquisitions for purposes of carbon sequestration and ecological improvement the delegation is as follows:</p> <p>To the Head of Finance and Property</p> <ol style="list-style-type: none"> In consultation with the Section 151 Officer, Monitoring Officer and Lead Member for Property & Finance, in conjunction with the Corporate Landlord, Lead Member for Waste, Transport and the Environment (covering Net Carbon Zero Council) and Lead Member for Housing and Communities (covering Ecologically Positive Council)*, to negotiate the acquisition of land for purposes of carbon

CURRENT	PROPOSED
<p>c) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease up to £30,000 if funding is available.</p> <p>d) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease from £30,001 and £1,000,000; if funding is available and in consultation with the Lead Member, S.151 Officer and the Monitoring Officer.</p>	<p>sequestration and ecological improvement as long the land in question does not meet any of the stated disqualifying criteria**.</p> <p>b) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease up to £30,000 if funding is available.</p> <p>c) Acquisitions of land by freehold or leasehold, up to a market value or rental commitment for the term of the lease from £30,001 and £1,000,000; if funding is available and in consultation with the Lead Member, S.151 Officer and the Monitoring Officer.</p> <p>e) Subject to the results thereof being reported to the Councils Asset Management Group and/or the Strategic Investment Group at the next nearest meeting, and being reported to all Members for information, where appropriate.</p> <p>*or the relevant successor role/s</p>

CURRENT	PROPOSED
	<p data-bbox="1120 316 2047 359">**disqualifying criteria is as follows:</p> <p data-bbox="1120 399 2047 494">Property that is classed in the following LDP classifications will not be considered:</p> <ul data-bbox="1164 542 1948 678" style="list-style-type: none"><li data-bbox="1164 542 1948 590">• BSC1 Housing Allocation or Housing Commitment<li data-bbox="1164 630 1601 678">• PSE2 Employment Areas



Land use and acquisition for carbon sequestration and ecological improvement purposes :

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: 957

Brief description: In order to help achieve the Council's ambition to become Net Carbon Zero and Ecologically Positive by 2030.... - The concept of woodland creation on land in Council ownership - The concept of acquiring land for the purpose of carbon sequestration and biodiversity

Date Completed: 01/02/2022 08:32:53 Version: 1

Completed by: Andrew Cutts

Responsible Service: Business Improvement & Modernisation

Localities affected by the proposal: Whole County,

Who will be affected by the proposal? Positively - Residents - Tourism industry - Visitors - Flora and fauna (plants and animals) - Council staff Negatively - Tenants of land we own but currently lease out - Other potential buyers of land

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 : 31 / 36.

Summary for each Sustainable Development principle

Long term

Progressing land use for the purpose of carbon sequestration and ecological improvement has long term thinking at its heart. To deliver immediate benefit of reduced flood risk, recreational value, urban cooling, health and wellbeing. And over time increase its benefit in carbon sequestration and air quality improvement. To continue to score highly in this principal need to ensure maintenance and management is appropriately addressed.

Prevention

Woodland creation is for the purpose of increasing carbon sequestration and ecological improvement and thus reduce climate change and nature's decline. Each site will be considered on an individual basis and in relation to the wider landscape - if appropriate, tree planting will be chosen for increasing canopy coverage. However, natural regeneration of trees and woodland will be the preferred option. Added benefits around increasing wellbeing through access to nature on peoples doorsteps.

Integration

Multiple benefits involved in woodland creation hitting other well-being goals and corporate priorities. Other public body objectives would be- NRW for flooding; Betsi Cadwaladr for health. Compatibility of carbon sequestration and ecology goals with the LDP is an interesting one and being actively

Land use and acquisition for carbon sequestration and ecological improvement purposes explored in the developing new LDP. Main compatibility focus would be how land is classified in the county.

Collaboration

Wide collaboration internally across multiple services and departments, including the AONB Partnership. More limited externally, but early collaboration discussions with NRW. Stakeholder engagement has taken place with members of the agricultural community.

Involvement

Engagement has been limited with residents on woodland creation and done currently on a site by site basis e.g. the public consultation day at Maes Gwilym (Rhyl) in June 2021. This will need to be ramped up throughout the 9 years. Proposal is that a lot of engagement is done via the Member Area Groups, Lead Members and Ward Members. This could be extended to C,T&CC's too as well as direct to residents.

Summary of impact

Well-being Goals	Overall Impact
A prosperous Denbighshire	Positive
A resilient Denbighshire	Positive
A healthier Denbighshire	Positive
A more equal Denbighshire	Neutral
A Denbighshire of cohesive communities	Neutral
A Denbighshire of vibrant culture and thriving Welsh language	Neutral

Well-being Goals	Overall Impact
A globally responsible Denbighshire	Positive

Main conclusions

The proposal has a strong positive impact to the delivery of 4 out of the 7 wellbeing goals and no negative contribution (remaining 3 goals neutral impact), particularly for the delivery of a resilient Denbighshire and a globally responsible Denbighshire. It also scores high (31/36) on the sustainable development principals with "long term" and "prevention" being at the proposals heart.

Land use and acquisition for carbon sequestration and ecological improvement purposes

The likely impact on Denbighshire, Wales and the world.

A prosperous Denbighshire

Overall Impact

Positive

Justification for impact

Proposal has the potential to provide additional social, environmental and economic value to Denbighshire increasing its prosperity, particular in the areas of access to green space and boosting the visitor economy.

Further actions required

Ensuring Countryside Services fleet vehicles transition early to ULEV early in the 9 year decarbonisation of fleet programme leading up to 2030.

Ensuring land use allocation in LDP is actively considered in site selection for woodland creation plus considerations around grading of agricultural land. Unproductive land prioritised for woodland creation wherever possible.

Positive impacts identified:

A low carbon society

Woodland creation and nature areas will be done by natural regeneration wherever possible and by utilising wildflower seed harvested locally or/and trees grown by our Council Tree Nursery

Quality communications, infrastructure and transport

Proposal is both safeguarding and creating new green space for the benefit of recreation, carbon sequestration, and biodiversity.

Economic development

Proposal has benefits for the tourism industry/ visitor economy as more nature sites for people to visit and enjoy.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Quality skills for the long term

Proposal opens up opportunities for skill development in green industries.

Quality jobs for the long term

No direct jobs are suggested to be created by this proposal currently but likely to support the developing green industry in North Wales.

Childcare

n/a

Negative impacts identified:

A low carbon society

Increasing the number of woodland sites the Council owns will require staff to travel to these sites to periodically check up on them. However, Countryside Services fleet will be transitioning to EV's by 2030 reducing carbon impact.

Quality communications, infrastructure and transport

n/a

Economic development

Potential competing demands on land needing to be used for woodland creation. Land allocated for employment in LDP will not be utilised.

Quality skills for the long term

n/a

Quality jobs for the long term

n/a

Childcare

n/a

A resilient Denbighshire

Overall Impact

Positive

Justification for impact

This workstream is all about creating woodland and spaces for nature to the benefit of increasing the County's resilience to climate change and its impacts such as flooding.

Further actions required

Need to ensure only suitable tree species are incorporated on wetlands or marsh land which would impair that habitat in retaining water.

Positive impacts identified:

Biodiversity and the natural environment

This workstream is all about creating woodland and spaces for nature. The definition for woodland will be maximised on (i.e. 20% of square meter with tree cover) to allow for a matrix of habitat to be created to support a great species diversity. Mixed broadleaf and yew native planting progressed.

Biodiversity in the built environment

n/a

Reducing waste, reusing and recycling

n/a

Reduced energy/fuel consumption

Land use and acquisition for carbon sequestration and ecological improvement purposes

n/a

People's awareness of the environment and biodiversity

By having more green spaces and spaces for nature accessible to people will increase peoples awareness and appreciation of environment and biodiversity. Also the wider communication on why the Council is doing this i.e. to increase the capture of carbon emissions to prevent worsening climate change.

Flood risk management

Mutual benefits between carbon sequestration, ecological improvement and reducing flood risk will be maximised upon e.g. through planting of upstream catchment areas to trap more water upstream for longer.

Negative impacts identified:

Biodiversity and the natural environment

n/a

Biodiversity in the built environment

n/a

Reducing waste, reusing and recycling

n/a

Reduced energy/fuel consumption

n/a

People's awareness of the environment and biodiversity

n/a

Flood risk management

Land use and acquisition for carbon sequestration and ecological improvement purposes

Need to ensure only suitable tree species are incorporated on wetlands or marsh land which would impair that habitat in retaining water.

A healthier Denbighshire

Overall Impact

Positive

Justification for impact

The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide greater interest and opportunities to promote health and mental wellbeing goals as well as leisure and activity pursuits.

Further actions required

Need to be careful where woodland created to avoid any feelings of 'loss' for how the land used previously.

Need to take community with us and engender a feeling of joint ownership with local people so to avoid issues of vandalism/anti social behaviour.

Positive impacts identified:

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

The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide greater interest and opportunities to promote health and wellbeing goals. Such as volunteering, connecting to the signs and sounds of nature, access to enjoy the open air.

Access to good quality, healthy food

n/a

People's emotional and mental well-being

There is a much researched and evidenced link between being outdoors amongst nature and the

Land use and acquisition for carbon sequestration and ecological improvement purposes improvement of mental well-being. The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide increased and geographically spread access.

Access to healthcare

n/a

Participation in leisure opportunities

The improvement of existing green spaces into woodland and creation of new woodlands and places for nature provide increased and geographically spread access to increase availability of these places for leisure.

Negative impacts identified:

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

Increased opportunity for vandalism and/or places for anti social activities to take place. However, such concerns would be addressed prior to site alterations to aim for a focus on the positive opportunity overall.

Access to good quality, healthy food

n/a

People's emotional and mental well-being

Need to be careful where woodland created to avoid any feelings of 'loss' for how the land was used previously.

Access to healthcare

n/a

Participation in leisure opportunities

Need to be careful where woodland created to avoid any feelings of 'loss' for how the land used

Land use and acquisition for carbon sequestration and ecological improvement purposes previously.

A more equal Denbighshire

Overall Impact

Neutral

Justification for impact

A more equal Denbighshire isn't a core objective of this project but has a contribution to play and at the very least is being planned in a way that doesn't exacerbate inequalities.

Further actions required

Ensure any access requirements addressed when creating woodland and spaces for nature which are open to public. Maximise on opportunities for woodland creation and spaces for nature in or close to areas affected by socio-economic disadvantage.

Positive impacts identified:

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

This activity is being delivered to tackle climate change and nature's decline which impacts everyone.

People who suffer discrimination or disadvantage

If existing green spaces are improved or new woodland created which includes public access that access requirements to enable all people to contribute will be pursued.

People affected by socio-economic disadvantage and unequal outcomes

Woodland creation could be in locations of socio-economic disadvantage. Some external grants for woodland creation have this as a prerequisite for access to grant. This could provide volunteering opportunities to people with socio-economic disadvantage on their doorstep.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Areas affected by socio-economic disadvantage

Woodland creation could be in locations of socio-economic disadvantage. Some external grants for woodland creation have this as a prerequisite for access to grant.

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

n/a

People who suffer discrimination or disadvantage

n/a

People affected by socio-economic disadvantage and unequal outcomes

n/a

Areas affected by socio-economic disadvantage

Location of sites for woodland creation will be led on land availability and the site's appropriateness (for various environmental factors) for woodland creation, it won't be led in the first instance by where areas of socio-economic disadvantage are.

A Denbighshire of cohesive communities

Overall Impact

Neutral

Justification for impact

A Denbighshire of cohesive communities isn't a core objective of this project but has contribution to play particularly around resilience.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Further actions required

Need to take community with us and engender a feeling of joint ownership for woodland created with the community so to avoid issues of vandalism/anti social behaviour. Need to think about how visitors get to sites created which are more rural if they have public access.

Positive impacts identified:

Safe communities and individuals

n/a

Community participation and resilience

Woodland creation on sites close to where people live, we will engage the local population on plans for the site- seeking their views on what they want to see and seeking their views for design of the sites.

Mutual benefit of using woodland to reduce flood risk will also be maximised upon where possible and thus increase community resilience to impacts of climate change.

The attractiveness of the area

This project is about safeguarding and increasing green space for the benefit carbon absorption and biodiversity and thus increases attractiveness of area and opportunities for recreation.

Connected communities

Some people prefer to travel on foot/bike and will have greater opportunity to move through accessible and connected green spaces.

Rural resilience

Work to improve biodiversity, including diversity and abundance of insect pollinators, supports the farming industry through crop pollination. Woodland creation on non productive land gives formally low value land a higher value. Increasing woodland creation and spaces for nature could increase footfall into rural areas and opportunities for rural assets like pubs, shops, cafes.

Negative impacts identified:

Land use and acquisition for carbon sequestration and ecological improvement purposes

Safe communities and individuals

Increased opportunity for vandalism and/or places for anti social activities to take place.

Community participation and resilience

n/a

The attractiveness of the area

n/a

Connected communities

n/a

Rural resilience

n/a

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact

Neutral

Justification for impact

A Denbighshire of vibrant culture and thriving Welsh language isn't a core objective of this project but has contribution to play particularly around use of any information board or incorporation of any art/sculpture into sites created.

Further actions required

Ensure site selection for woodland creation is considerate to any sites of cultural and heritage significance - particularly relevant for any woodland creation within the AONB area of Denbighshire.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Positive impacts identified:

People using Welsh

Any signage or information relating to sites created will be bilingual.

Promoting the Welsh language

Any signage or information relating to sites created will be bilingual.

Culture and heritage

Any signage or information relating to sites which could also tell a local story about the wider place could be maximised upon e.g. Pengwern can translate to 'head of the alder (a species of tree) swamp'.

Negative impacts identified:

People using Welsh

n/a

Promoting the Welsh language

n/a

Culture and heritage

Ensure site selection for woodland creation is considerate to any sites of cultural and heritage significance - particularly relevant for any woodland creation within the AONB area of Denbighshire.

A globally responsible Denbighshire

Overall Impact

Positive

Justification for impact

Land use and acquisition for carbon sequestration and ecological improvement purposes

This proposal is all about increasing woodland for carbon sequestration purposes whilst improving biodiversity and thus specifically about preventing the problem of climate and nature's decline from getting worse.

Further actions required

No negatives of note. Opportunities for mutual benefit in tackling the impact of climate and ecological change already being felt will be maximised upon e.g. woodland creation to reduce flood risk, tree cover to reduce air pollution and urban heating etc.

Positive impacts identified:

Local, national, international supply chains

Trees, plants, seeds will be of native provenance and sourced as locally as possible, if not grown internally at the Council's Tree Nursery.

Projects for woodland creation could provide activity for contractors working for the Council on other contracts to contribute to via Community Benefits process.

Human rights

n/a

Broader service provision in the local area or the region

n/a

Reducing climate change

This proposal is all about increasing woodland for carbon sequestration purposes whilst improving biodiversity and thus specifically about preventing the problem of climate and nature's decline from getting worse.

Opportunities for mutual benefit in tackling the impact of climate and ecological change already being felt will be maximised upon e.g. woodland creation to reduce flood risk, tree cover to reduce air pollution and urban heating etc. Thus the proposal is likely to better prepare Denbighshire and beyond for a future with climate change.

Land use and acquisition for carbon sequestration and ecological improvement purposes

Negative impacts identified:

Local, national, international supply chains

An active 'grow your own' or buy local approach will be undertaken thus national and international supply chains will 'miss out'

Human rights

n/a

Broader service provision in the local area or the region

n/a

Reducing climate change

n/a

Appendix 3 - The Council's Net Carbon Zero and Ecologically Positive 2030 targets

1. The Council declared a Climate Change and Ecological Emergency in July 2019 which committed the Council to become Net Carbon Zero by 2030. Subsequently the [Climate and Ecological Change Strategy](#) (CECS) was approved in February 2021 with the Net Carbon Zero by 2030 Goal and what that means in terms of carbon emission reduction and carbon sequestration increase.
2. Net Carbon Zero means the total carbon emissions (from Council buildings, fleet, waste generated in operations, business travel, staff commuting, street lighting) being equal to the total carbon absorbed by the land owned/leased in and managed by the Council by 31st March 2030. In 2019/20 the Council's carbon emissions were: 16,448 tonnes. In 2019/20 the Council's carbon sequestration was: 2,418 tonnes. Therefore, Net Carbon Zero position is: 14,030 tonnes. The goal is to reduce carbon emissions and increase carbon sequestration to get that Net Carbon Zero position to zero.
3. Whilst the Council is committed to going as far and as fast as we can to reduce the Council's carbon emissions, it is not possible to reduce the Council's carbon emissions to zero (from Council buildings, fleet, waste generated in operations, business travel, staff commuting, street lighting). Therefore, we need to increase carbon sequestration to offset the emissions we are unable to reduce/remove. The achievement pathway estimates carbon sequestration will need to increase by 4,911 tonnes to a figure of 7,329 tonnes by 2030 to meet our Net Carbon Zero goal.
4. Land eligible to be counted within the Council's carbon sequestration figures includes: land the Council owns and manages and land the Council leases from others and manages. Note: land the Council owns but then leases out to others to manage e.g. tenanted agricultural estate, cannot be included.
5. The Council is pursuing a multifaceted approach to achieving that additional carbon sequestration tonnage required including:
 - a) Improving the accuracy of our carbon sequestration data including the accounting of carbon from Council owned urban trees;
 - b) Increasing the carbon sequestration value of our existing freehold/leasehold land that we manage;

- c) Protecting our existing green spaces as much as we can from development where appropriate;
 - d) Maximising on opportunities to convert brown field sites where appropriate into woodland and/or grassland (depending on suitability);
 - e) Maximising on opportunities to bring land leased out back into Council management where appropriate and convert to woodland (if not already) or keep as grassland (depending on suitability); and
 - f) Seeking acquisition opportunities, freehold and leasehold, and convert to woodland (if not already) or keep as grassland (depending on suitability).
6. Approaches a to e listed above will not be enough to meet our carbon sequestration target of 7,329 tonnes by 2030; acquisition, freehold or leasehold, is required and due to the nature of the market and the time window in which to achieve target means that options for acquisition will need to be considered every year for the 9 years up to 2030.
7. In addition, to achieve Ecologically Positive Council by 2030 requires the Council to increase the amount of land it owns/leases and manages that is in the highest categories of species richness by at least 13% compared to 2019/20 baseline.
8. The carbon sequestration target and the species richness target as part of the Ecologically Positive Council goal are complementary. Mixed broadleaved and yew woodland is the second highest species richness category and this woodland can be created in a way that contains a mosaic of grassland and scrub patches increasing the diversity of species and ecological niches these sites contain, whilst complying with the UK Land Inventory Definition for land to be classified as forestland as follows:
- a. the land parcel must be
 - i. minimum area of 0.1 hectares;
 - ii. minimum width of 20 metres;
 - iii. tree crown cover of at least 20 per cent, or the potential to achieve it; and
 - iv. minimum height of 2 metres, or the potential to achieve it.

Appendix 4 - The Council's approach for acquisition (freehold/leasehold) for purposes of carbon sequestration and ecological improvement.

1. A scoring matrix based on various categories has been developed to assess sites for acquisition (freehold/leasehold) for the purposes of carbon sequestration and ecological enhancement (see appendix 5).
2. Land is scored for its potential to do the following:
 - a) The potential to sequester carbon – to meet our Net Carbon Zero target;
 - b) The potential to enhance biodiversity – to meet our Ecologically Positive target;
 - c) The potential to reduce flooding through planting or different management regimes;
 - d) The potential to be manageable.
3. If the land scores well at assessment and there are no immediate legal concerns discovered in the early negotiations with the seller/land agent, the current process for any land acquisition for carbon sequestration and ecological improvement purposes is as follows:
 - a) Ward Member notified
 - b) MAG consulted
 - c) Independent valuation sought
 - d) Paper to Asset Management Group (AMG), to gain approval for any acquisition (if site over £1m then requires Cabinet approval)
 - e) Paper to Strategic Investment Group (SIG), to gain approval to spend the capital.
4. Under the proposed scheme of delegated decision making and if the land scores well at assessment and there are no immediate legal concerns discovered in the early negotiations with the seller/land agent, the process for any land acquisition for carbon sequestration and ecological improvement purposes is as follows:

- a) Ward Member notified
- b) MAG consulted (if MAG meeting not scheduled, MAG chair notified)
- c) Independent valuation sought
- d) Request to the Head of Finance and Property to acquire the land under delegated authority (see appendix 1)
- e) Offer on land and negotiations concluded.
- f) Paper to Asset Management Group (AMG) at soonest opportunity to let them know about acquisition.
- g) Paper to Strategic Investment Group (SIG) at soonest opportunity to let them know about budget used.

Appendix 5 - Land Assessment Criteria

As part of the Climate & Ecological Strategy, the matrix has been developed to assess sites:

- For consideration for acquisition for either carbon sequestration or ecological enhancement; OR
- Before disposal of existing DCC sites.

Only property that is exclusively or partly within the county of Denbighshire will be considered.

Property that is classed in the following LDP classifications will not be considered:

- BSC1 Housing Allocation or Housing Commitment
- PSE2 Employment Areas

The matrix is to be used as a guide only – not the definitive mechanism for deciding whether or not a particular property should be acquired, as other factors outside the matrix criteria may have a bearing on the suitability of a property for purchase (e.g. value of the site for curlew habitat). The matrix tries to achieve a reasonable balance between the following factors in relation to identified properties:

1. The potential to sequester carbon – to meet our Net Carbon Zero target;
2. The potential to enhance biodiversity – to meet our Ecologically Positive target;
3. The potential to reduce flooding through planting or different management regimes;

4. The potential to be manageable e.g. proximity to existing DCC sites, building liabilities, etc.
5. The occurrence of key risks/ issues e.g. presence of ash trees, ability to attract external funding, etc.

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
1	Site Size	Less than 0.5 acres	0.5 to 1 acres	1 to 50 acres	50 - 200 acres	200 - 1,000 acres	More than 1,000 acres
2	Agricultural Classification	Grade 1- Excellent, Grade 2- Very Good, Grade 3a - Good	Grade 3b - Moderate	Grade 4 – Poor	Grade 5 – Very Poor	No agricultural designation	Brownfield site
3	Carbon sequestration value (current)	Less than 20% existing tree crown cover. Less than 2 meters' height and not the	Less than 20% existing tree crown cover. Less than 2 meters' height but with the	Less than 20% existing tree crown cover. 2 meters' height.	Less than 20% existing tree crown cover. At least 2 meters' height with under 50%	20% + existing tree crown cover. At least 2 meters' height with under 50% being examples	20%+ existing cover. At least 2 meters' height with 50%+ being examples of older trees.

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
		potential to achieve it	potential to achieve it		being examples of older trees.	of older trees. Under 50% Broadleaved or Yew specimens.	50% + Broadleaved or Yew specimens.
4	Carbon sequestration (potential)	Unsuitable for tree planting	No potential for natural regeneration. Significant tree planting required.	Potential for some natural regeneration with significant additional planting.	Potential for natural regeneration with limited additional planting.	Potential for natural regeneration without planting. Some non-native rectification required.	Potential for natural regeneration without planting or non-native rectification.
5	Habitat potential (connections)	Connected forestland of	Connected forestland – 0.5 to 1 acres	Connected forestland – 1 to 50 acres	Connected forestland – 50 to 20 acres	Connected forestland –	Connected forestland of

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
		less than 0.5 acres				200 to 1,000 acres	more than 1,000 acres
6	Habitat potential (water)	No watercourses or water bodies. Land unsuitable to create water bodies	No watercourses or water bodies. Land suitable to create water bodies	No watercourses. Water bodies present.	Watercourses present. No water bodies.	Watercourses and water bodies present. Low density/ Low quality	Watercourses and water bodies present. High density/ High quality
7	Habitat potential (biodiversity enhancement potential)	Species/habitats of conservation concern present, on or adjacent to site, which would be harmed by	No species or habitats of conservation concern present on or adjacent to site.	Species or habitats of conservation concern present on site. No species or habitats of conservation	No species or habitats of conservation concern present on site. Species or habitats of conservation	Species or habitats of conservation concern present on and adjacent to site (poor condition)	Species or habitats of conservation concern present on and adjacent to site (good condition)

	Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
		creation of “forestland”		concern adjacent to site.	concern adjacent to site.		
8	Flood Management Potential	No potential	Very poor potential	Poor potential	Good potential	Very Good potential	Excellent potential
9	Manageability – Buildings	Multiple buildings on the site which present immediate maintenance liabilities	Single building on site which presents immediate maintenance liabilities	Buildings on site but low confidence of productive use or straightforward disposal	Buildings on site but medium confidence of productive use or straightforward disposal	Buildings on site but high confidence of productive use or straightforward disposal	No buildings on the site
10	Manageability – adjacent sites	No existing DCC “countryside”	Within 3 to 10 miles of existing DCC	Within 3 miles of existing DCC	Connects to existing DCC “countryside”	Connects to existing DCC “countryside”	Connects two or more “countryside” sites currently

Criteria	Scores 0	Scores 1	Scores 2	Scores 3	Scores 4	Scores 5
	site within 10 miles	“countryside” site	“countryside” site	sites of less than 5 acres	sites of more than 5 acres	in DCC ownership
11	Manageability - use of naturalistic grazing animals as the primary management tool No access from the roadside to load/unload livestock	Difficult access from the roadside to load/unload livestock, no current presence of stock proof fencing/hedging	Difficult access from the roadside to load/unload livestock, there is presence of stock proof fencing/hedging but incomplete and requires attention	Workable access from the roadside to load/unload livestock, there is presence of stock proof fencing/hedging but incomplete or requires attention	Easy access from the roadside to load/unload livestock, stock proof fencing/hedging surrounding site	Adjacent access from the roadside to load/unload livestock, stock proof fencing/hedging surrounding site

Appendix 6 – Risks and Mitigation

Title	Inherent Risk	Mitigating Action	Residual Risk
Availability of the type of land we want to purchase for increasing carbon sequestration	2C	<ul style="list-style-type: none"> Actively monitor the market and also word of mouth for potential opportunities Keep abreast on the new policies post Brexit and maximise on any opportunities that might ensue Ensure pathway to purchase is as smooth as possible in readiness for opportunities e.g. delegated approvals in place etc. Ensure budget available to jump on opportunities when they come up. 	2D
Another buyer offers on the sites we are targeting before us and the offer is accepted	1C	<ul style="list-style-type: none"> Horizon scan and maximise on word of mouth for potential purchases 	1D

Title	Inherent Risk	Mitigating Action	Residual Risk
		<ul style="list-style-type: none"> • Complete the assessment on potential sites asap on discovering an opportunity • Seek ward member and MAG engagement on the potential purchase asap • Seek independent valuation asap on potential purchase • Attend AMG asap in the negotiation process • Develop business case as quickly as possible for SIG. • Seek a new delegated authority to enable purchases for the purposes of carbon sequestration and ecological improvement to happen quicker. 	
The asking price for the sites is higher than the independent valuation	1D	<ul style="list-style-type: none"> • n/a- accept risk 	1D

Title	Inherent Risk	Mitigating Action	Residual Risk
Management and maintenance of additional nature sites become a financial and operational burden	2D	<ul style="list-style-type: none"> • Ensure that initial procurement has strong focus on efficiency and low running costs for all equipment and facilities. • Maximise on opportunities for grant funding in future years. • Forecast additional revenue pressures and flag early through budget setting cycle. • Maximise on land purchase opportunities (large and few) to keep management burden low, to be able to manage the land through natural regeneration and use of static livestock. • Consider location of additional nature sites, being close to existing sites in Countryside Services portfolio wherever possible. 	4E

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

Appendix 7- Corporate Landlord Statement

It is clear that the council can only achieve its target to become Net Carbon Zero and Ecologically Positive by 2030 through a very significant increase in the amount of carbon sequestered on land it manages, and in turn that can only be achieved through a programme of land acquisition. The amount of additional land required is substantial, and our ability to deliver on this will be constrained by the amount of land that will actually come onto the market in the programme period, the cost of the land and the available budget for acquisition. A further constraint may be our ability to manage such an increased land holding, which has been referenced in the report. These constraints are recognised and are reflected in the Risk Register. In order to optimise the opportunity to purchase land as it comes onto the market, the proposed delegation process is also supported (rather than a requirement to take a Business Case to SIG for each acquisition).

Appendix 8 - Power to make the decision

LEGISLATION / POLICY / DUTY	POWER
Local Government Act 1972	General powers and consents to acquire and dispose of land.
Section 2, Local Government Act 2000	The power to do anything which DCC consider is likely to achieve the promotion or improvement of the environmental well-being of their area.
Section 111, Local Government Act 1972	The power to do anything which is conducive to, or calculated to facilitate, the discharge of the Council's functions.
Section 6, Environment (Wales) Act 2016	Statutory duty to seek to maintain and enhance biodiversity.
Section 13.2, DCC Constitution	All decisions of the Council will be made in accordance with the following principles: 13.2.8 having regard to tackling climate and ecological change.

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Report to	Communities Scrutiny Committee
Date of meeting	10 March 2022
Lead Member/Officers	Councillors Julian Thompson-Hill/Brian Jones/Tony Thomas and Alan Smith & Steve Gadd
Report author	Rhian Evans, Scrutiny Co-ordinator
Title	Review of Cabinet Decision relating to the Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes

1. What is the report about?

- 1.1 A review under the Council's Scrutiny 'call-in' procedure of a decision taken by Cabinet, on 15th February 2022, on a 'Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes'.

2. What is the reason for making this report?

- 2.1 A notice of a 'call-in' was submitted by 6 non-Cabinet councillors in accordance with the Council's Constitution. The notice (attached at Annex A) calls for a review by one of the Council's Scrutiny committees into a decision taken by Cabinet on 15th February 2022 in relation to a proposed scheme of delegated decision making for land acquisition for environmental and ecological purposes.

3. What are the Recommendations?

That the Committee:

- 3.1 having considered the information in this report and its appendices, along with the representations made during the course of the discussion, determines whether to refer the decision on the 'Proposed Scheme of Delegated Decision

Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes’, taken on the 15th February 2022, back to Cabinet for further consideration; and

- 3.2 if it requests Cabinet to reconsider its original decision clearly identifies the reasons its seeks the review and formulates recommendation(s) it would like Cabinet to consider.

4. Report details

- 4.1 On the 15th February 2022 Cabinet considered a report on a ‘Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes’ (copy attached at Annex B).
- 4.2 At the conclusion of its discussion Cabinet resolved to:
- (a) *“approve the introduction of the new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes as proposed in Appendix 1 to the report,”*
 - (b) *confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2 to the report) as part of its consideration.”*
 - (c)
- 4.3 The Council’s ‘call-in’ procedure defines a process for Scrutiny to exercise its statutory powers to review or scrutinise executive decisions, and to request that the decision-maker reconsiders a decision that has been taken, prior to it being implemented.
- 4.4 Cabinet’s decision was published on the 17th February 2022. The ‘call-in’ procedure allows non-Cabinet councillors 5 working days in which to submit a notice of ‘call-in’. Councillor Merfyn Parry submitted a notice of ‘call-in’ electronically on 23 February. This request was supported (via individual e-mails) by five other non-Cabinet councillors, namely Councillors David G Williams, Melvyn Mile, Huw O Williams Rhys Thomas and Peter Evans.

4.5 The reason stated for 'calling-in' the decision is as follows:

"My Concerns are that the Council is in a position to land grab at an auction potentially out bidding any local farmers or landowner need. I understand that they are not after prime agricultural land however the decision needs to be discussed with the local Member and the local MAGs pre bidding on land without knowing local knowledge and need."

4.6 The Council's 'call-in' procedure does stipulate that a special meeting of a scrutiny committee should be convened within 5 working days of the receipt of the Notice of Call-In of Decision unless a scrutiny committee has a scheduled meeting within that period. The procedure also states that this timeline can be extended if both the decision-maker and the chair of the scrutiny committee agree to an extension. As the decision did not require urgent implementation an extension to the timeline was agreed to enable the decision to be considered at the next available scrutiny committee meeting. Hence its presentation to the Committee at the current meeting.

4.7 After considering the Cabinet's decision and all representations made at the current meeting, Communities Scrutiny Committee must decide whether the decision should be referred back to Cabinet. If it determines that the decision merits being referred back to Cabinet the Committee needs to provide its reasons for referring it back, along with clear information on what it wants Cabinet to consider. Cabinet will consider the referral and the reasons submitted in support of the referral at its next available meeting. At that meeting Cabinet will be expected to demonstrate that appropriate consideration is given to the Scrutiny Committee's recommendations.

4.8 Cabinet will have the options to change or re-affirm its original decision.

4.9 If Communities Scrutiny Committee decides that Cabinet's decision should not be referred back to Cabinet, then the original decision can be implemented immediately.

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

5.1. See Section 5 of the Cabinet report dated 15th February 2022 (Annex B).

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

6.1. See Section 6 of the Cabinet report dated 15th February 2022 (Annex B).

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

7.1. See Section 7 and Appendix 2 of the Cabinet report dated 15th February 2022 (Annex B).

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

N/A. This report has been prepared under the provisions and timescales of the Council's Constitution for a 'call-in' of a Cabinet decision

9. Chief Finance Officer Statement

9.1. See Section 9 of the Cabinet report dated 15th February 2022 (Annex B)

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

10.1. See Section 10 and Appendix 6 to the Cabinet report dated 15th February 2022 (Annex B)

11. Power to make the decision

11.1. Section 21(2) and (3) of the Local Government Act 2000

11.2. Sections 7.2.1 and 7.25 of the Council's Constitution

ANNEX A



NOTICE OF CALL IN OF DECISION

To: Head of Legal and Democratic Services

We, the undersigned, wish to call in the following decision (*see note 1*).

Decision taken by (*see note 2*): Cabinet

Date decision was taken: 15 February 2022

Report Title: PROPOSED SCHEME OF DELEGATED DECISION MAKING FOR LAND ACQUISITION (FREEHOLD AND LEASEHOLD) FOR CARBON SEQUESTRATION AND ECOLOGICAL IMPROVEMENT PURPOSES

Decision (*see note 3*): _____

Decisions (a) & (b) for business item 7 on the agenda:

“RESOLVED that Cabinet –

(a) approve the introduction of the new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes as proposed in Appendix 1 to the report,”

(b) confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2 to the report) as part of its consideration.”

Reason for Call In:

My Concerns are that the Council is in a position to land grab at an auction potentially out bidding any local farmers or landowner need. I understand that they are not after prime agricultural land however the decision needs to be discussed with the local Member and the local MAGs pre bidding on land without knowing local knowledge and need.

We (*see note 4*) request that according to the Council's approved 'call-in' procedure rules (*see note 5*) a meeting of the most appropriate Overview and Scrutiny Committee be held within 5 working days (*see note 6*) of the date of your receipt of this notice.

1. MERFYN PARRY (print) by e-mail (signature)
2. DAVID G WILLIAMS (print) confirmatory e-mail (signature)
3. MELVYN MILE (print) confirmatory e-mail (signature)
4. HUW O WILLIAMS (print) confirmatory e-mail (signature)
5. RHYS THOMAS (print) confirmatory e-mail (signature)
6. PETER EVANS (print) confirmatory e-mail (signature)

Dated: 23/02/2022

Guidance Notes

1. Five working days are allowed for a decision to be called-in following its publication on the Council's web-site and notification to Members of the Council. Urgent decisions may proceed despite a call-in if the decision-maker has the agreement of:
 - (i) the chair of the relevant scrutiny committee, or
 - (ii) if there is no such person or that person is unable to act, the Chair of the Council, or
 - (iii) if there is no chair of the relevant scrutiny committee or Chair of the Council, the Vice Chair of the Council.
2. Please state the name of the decision maker e.g. Cabinet or the Lead Member for.....
3. If the decision contains more than one part, please state which are to be called-in, e.g. parts (a), (b), and (d) of the Resolution.
4. Signatories must be non-executive members. Councillors with a prejudicial interest in the decision may not be a signatory to the Notice of Call-in.
5. The Denbighshire Call-in Procedure Rules appear in the Council's Constitution *Part 4.5 – Scrutiny Procedure Rules*.
6. Timescales may be extended in exceptional circumstances with the agreement of the decision-maker and the chair of the relevant scrutiny committee.

For Office use only

Received by: Rhian Evans Date: 23/02/2022

Date decision was published: 17/02/2022

Notification sent to Leader and the Decision taker (date): 23/02/2022

Notification sent to Chief Executive (date): 23/02/2022

Relevant Scrutiny Committee: **Communities Scrutiny Committee**
(extension to time period agreed by the Decision-Maker and Chair of the Scrutiny Committee)

Date: 10 March 2022 Time: 10am Venue: via Video Conference

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Relevant extract from the minutes of the Communities Scrutiny Committee meeting held on 10th March 2022

5. Review of Cabinet Decision relating to the Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes

Prior to the commencement of this business item Councillor Huw Williams vacated the Chair as he was one of the signatories to the call-in request and was therefore required to take part in the discussion. The Vice-Chair, Councillor Graham Timms, took the Chair for this item of business.

The Vice-Chair informed the Committee that a notice of a 'call-in' had been submitted by 6 non-Cabinet councillors in accordance with the Council's Constitution. The notice called for a review by one of the Council's Scrutiny Committees of a decision taken by Cabinet on 15th February 2022 in relation to a proposed scheme of delegated decision making for land acquisition for environmental and ecological purposes. He proceeded to explain that the Cabinet decision had been published on the 17th February 2022. The 'call-in' procedure allowed non-Cabinet councillors 5 working days in which to submit a notice of 'call-in' to request that Scrutiny review the decision. Once invoked the decision-maker was not permitted to implement the decision until such time as Scrutiny had reviewed it and reported back to the decision-maker on the conclusions of that review. Scrutiny was expected to hold a meeting to review the decision within 5 working days of the valid 'notice of call-in' being received. However, as there was no immediate urgency for this decision to be implemented the decision-maker, Cabinet, had agreed that the Scrutiny review could be deferred until the next available Scrutiny Committee meeting, which was the current meeting. Councillor Merfyn Parry submitted a notice of 'call-in' electronically on 23 February. The request was supported (via individual e-mails) by five other non-Cabinet councillors, namely Councillors David G Williams, Melvyn Mile, Huw O Williams Rhys Thomas and Peter Evans, all of whom had been invited to attend the Committee meeting to outline their reasons for supporting the call-in request.

The Scrutiny Co-ordinator, Rhian Evans, introduced the report and appendices (previously circulated) which explained the background to decision taken by Cabinet and the grounds on which it had been called-in to Scrutiny for review. She then proceeded to detail the procedure that would be followed at the meeting for consideration of the decision called-in for review.

Councillor Merfyn Parry, as the lead signatory for the call-in, was invited to introduce the reasons why the signatories were seeking a review of the decision. In his address he advised that they had concerns that the Council would, if the decision was confirmed, be in a position to 'land grab' at auction potentially out bidding any local farmers or landowners. Whilst, they understood that the Council would not be interested in purchasing prime agricultural land, they did however feel that decisions to purchase land for carbon sequestration and ecological improvement purposes needed to be discussed with the local Member(s) and the local Member Area Groups

(MAGs) pre-bidding, as it was important for the Authority to understand local knowledge and need prior to bidding for a parcel of land.

The Lead Member for Waste, Transport and the Environment, Councillor Brian Jones, was then invited summarise the discussion and decision taken at Cabinet on 15 February 2022. He outlined the consultation which had taken place to date and confirmed that there were no plans to purchase Grade 1 agricultural land for carbon sequestration and ecological improvement purposes.

Councillor Julian Thompson-Hill, Lead Member for Finance, Performance and Strategic Assets confirmed that the purpose of the proposed delegated decision-making process for this particular purpose was to make a small change to the current scheme to enable the Council to act quicker in future. He assured the Committee that local members would automatically be consulted in respect of each proposed acquisition as a matter of course, unless the timescale was extremely tight, and even then every effort would be made to contact the local member(s). As land could be put up for auction at any time the process needed to be handled extremely quickly. He assured the Committee that the Council could not enter an over-inflated 'bidding war' with external buyers as the District Valuer would set a limit which the Council could not exceed, as the Authority was required to demonstrate that it utilised public funds wisely. It was however emphasised that, if the Council was to achieve its net carbon zero target, it would require to purchase land in order to offset its carbon usage.

The Head of Business Improvement & Modernisation, drew members' attention to the report and the Well-being Impact Assessment which stated how local members and other local stakeholder had been consulted for land suitable for carbon sequestration and ecological purposes. To date all but one of the sites identified as potential contenders for carbon sequestration purposes had been suggested by local communities or local members.

Councillor Merfyn Parry detailed the reasons why he and fellow members had instigated the call-in of the Cabinet decision:

- they felt the proposed delegated decision process for this purpose was a means of by-passing the democratic process, for example the use of Asset Management Group (AMG) meetings to discuss potential purchases and any justification for them.
- they acknowledged the need for quicker decision-making to purchase land, however, they felt that Denbighshire County Council could possibly speed up their current processes for taking such decisions. Land auctions did not take place overnight, agents advertised parcels of land for sale for a number of weeks prior to an auction being held or tenders closing, it provided ample time for the Council to make a decision on a potential purchase. There may be the odd occasion where a private owner would place a plot of land on the market for a quick sale, but such instances were few and far between.
- the report to Cabinet and its appendices referred to the involvement of local members, Community Councils and Member Area Groups (MAGs), however some of these references stated that members would be informed not consulted. This could be interpreted that local members would be told that a purchase would take place, but that they nor the local MAG, would have any

involvement or influence in the process. Quick decisions could still be made by involving members.

- it seemed that the Council was concerned that it could not meet its net carbon zero target to address the climate and ecological emergency challenge without purchasing parcels of land. If that was the case the Council was running the risk of being perceived as adopting an approach similar to that of certain national and international corporations in attempting to address its carbon footprint problem by purchasing land to plant trees instead, of actively adopting low carbon measure and practices.
- they were concerned that if local agents became aware that the Council had a dedicated budget for the purchase of land for this purpose that the value of such land would become inflated. If that were to happen it would be to the detriment of hill farmers who would be priced out of the market when wanting to purchase parcels of land adjacent to their holdings for the purpose of improving and extending their enterprises.
- there seemed to be very little reference in the report to the responses received from the Farming Unions and the Young Farmers Clubs to the consultation exercise. How many had responded, what were the contents of the responses received and had they been given sufficient time and information to enable them to provide comprehensive responses.

The Vice-Chair invited each of the other signatories to the call-in request to address the Committee on their concerns and reasons for calling-in the decision. As Councillor Melvyn Mile was unable to attend the meeting he had submitted a written statement which the Vice-Chair duly read out. In his statement Councillor Mile stated that:

- he appreciated the Council's need for expediting land procurement processes but had concerns that local members will not be given sufficient consultation time in the matter;
- whilst prime quality farm land would not be bought by the Council to plant trees, however food production would be just as important in future as reducing the offset of carbon so farmers need a fair opportunity to purchase land;
- local members know their localities and their residents, therefore they needed to be kept informed of any potential acquisitions in their area so that they could be involved in any pre-bidding discussions at the earliest stages.

Councillor Huw Williams stated that:

- there was a minimal amount of Grade 1 agricultural land and people needed to be aware of that;
- private farmers and landowners were already aware of their carbon sequestration and ecological duties and were themselves planting trees and supporting environmental schemes where possible;
- there was a need to speed up processes within the Council
- there was also an urgent need to raise the profile of food production and security, particularly given the potential impact of the war in Ukraine on the world's supply of grain.

Councillor Rhys Thomas stated that his concerns with the decision were:

- that the Council's carbon reduction policies were not going to work

- that it could lead to the market value of lower grade agricultural land (grades 4 and 5) being over-inflated and therefore out of the reach of local farmers;
- the potential for local member(s) and MAGs' influence being marginalised. Local councillors were residents' representatives and therefore should be involved with the decision-making process, not told the outcome of it at the end with no opportunity to influence;
- that the Council's Countryside Services did not have sufficient staff capacity to advise on potential suitable acquisitions or to support the delivery of the Council's ecological and carbon reduction ambitions.

Councillors Peter Evans and David Williams were not in attendance and had not submitted any written statements.

Prior to seeking the Committee to determine whether Cabinet should be recommended to review its original decision in light of the points made, the Vice-Chair invited the Lead Members and officers to answer the points raised.

The Lead Member for Waste, Transport and the Environment and the Lead Member for Property and Finance:

- advised that staff capacity within Countryside Services was at present sufficient to support delivery of climate and ecological work. However, potential pressures going forward had already been identified and would need to be managed through the Council's budget-setting process;
- gave further assurances that the District Valuer's involvement in the process would ensure that the Council would not be paying above market value for any land. It would also ensure that the Council was not responsible for inflating the price of any land;
- acknowledged that the report did not provide detailed information on the feedback received as part of the engagement process. Whilst the volume of responses was not high, the observations received were positive. Low response rates to consultation exercises were generally interpreted to mean that those consulted were not against the proposals put forward, people and organisations were more likely to respond if they fervently opposed or had concerns about proposals;
- advised that the AMG and the Strategic Investment Group's (SIG) involvement would generally be confined to setting the strategic direction and determining the principles in order to deliver policy, they would examine the merits of purchasing individual parcels of land. Hence the need to speed up the Council's process in relation to facilitating land purchase practices;
- confirmed that no one area of work would be sufficient by itself to ensure that the Council would achieve its net carbon zero ambition. An array of different types of schemes would be required e.g. improving the Council's fleet, carbon reduction methods within Council buildings etc. However, by the fact that the Authority had and would continue to have buildings, it would have a carbon footprint as buildings had carbon embodied within them. The need for the Authority to buy additional land for sequestration purposes had been highlighted during the Climate and Ecological Change Strategy's journey through the Council's democratic process, because without that the Council would not realise its net carbon zero objective; and

- acknowledged that land prices may rise by having the Council as an extra potential buyer in the market, but it would not be the only extra buyer in the market. Commercial buyers would also be entering the market, and if prices were driven up, public authorities would be the first ones to be driven out of the pricing structure as they were not permitted to spend over the market value;

The Head of Business Improvement and Modernisation; the Countryside and Heritage Services Manager; the Head of Finance and Property, and the Lead Officer Corporate Property and Housing Stock (the Council's Corporate Landlord):

- confirmed that whilst the consultation/engagement exercise on the proposals had not generated a great volume of responses, officers were currently contacting people individually to seek their views on the proposals;
- advised that one of the encouraging features of the responses received was that they welcomed the Council's participation in land management because they viewed public ownership of land as responsible stewardship.
- acknowledged that more work was required in relation to engaging with the stakeholders and with local communities on what they want, what works well for them and what practical decisions need to be taken.
- appreciated members' concerns about capacity within Countryside Services for managing the emerging agenda. A number of discussions had already taken place at the Climate Change and Ecological Emergency Board on the matter and there were no capacity issues at present, although the position would be monitored going forward;
- confirmed that the Council had acknowledged that additional resources would be required every year for 9 years in order to deliver the programme. As part of the budget setting process for 2022/23 additional staffing had been approved for the purpose of delivering the building efficiencies aspect of the programme. The programme's delivery would be a feature of the Council's budget setting process for the programme's lifetime;
- provided assurances that there was a matrix in place which would deter purchase of quality agricultural land for tree planting purposes. The Corporate Landlord's role in relation to land purchases was to ensure that there was valid justification and grounds for purchasing it using public funds. It was anticipated that the majority of proposed sites for purchase would be put forward by Countryside Services. The Scheme of Delegation would only be used as and when a need arose, any major purchases would need Cabinet approval. The spirit of the proposed delegated decision scheme was to enable the Council to purchase the right type of land, for the right reasons, when it needed to do so; and
- the Council was exploring the potential of establishing a focus group with the farming unions and the Federation of Young Farmers Clubs as a means of engaging with them on various issues.

Committee members and observers were given an opportunity to ask supplementary questions to Lead Members and officers to which the following responses were given:

- the Head of Legal, HR and Democratic Services/Monitoring Officer confirmed that there would not be a need to change the Council's Constitution for the purpose of enabling emergency/extraordinary MAG meetings, as MAGs were not decision-making committees, they were discussion and consultation fora;

- the Countryside and Heritage Services Manager, advised that there were 6 agricultural land quality classifications, ranging from 1 (excellent) to 5 (very poor) – there were two grade 3 classification (3a – good to moderate and 3b – moderate).

The Vice-Chair thanked all signatories to the call-in request for outlining their reasons for seeking a review of the Cabinet decision, the Lead Members and officers for responding and answering the points raised during the discussion, before proceeding to ask the Committee to determine whether, having listened to representations made whether it wished to refer the decision back to Cabinet seeking it to reconsider its original decision. He emphasised that if it was the Committee's wish that Cabinet be requested to reconsider its original decision members needed to clearly identify the reasons why it should be reviewed.

Councillor Gwyneth Ellis was of the view that, due to the strength of feeling amongst Committee members that Cabinet should be asked to review the decision taking into account members' concerns with regards to member consultation, seeking assurances that local members will be properly consulted as part of the process, and making sure that land acquisition for carbon sequestration purposes is the proper thing to do and not used as a means to plug gaps in the Council's own carbon reduction measures. Councillor Ellis proposed that the decision be referred back to Cabinet for reconsideration, the proposal was seconded by Councillor Merfyn Parry. Further discussion then took place on the final wording of the recommendations to Cabinet, prior to Councillor Merfyn Parry proposing the wording, seconded by Councillor Huw Williams.

Following an in-depth discussion, the Committee having considered all the information presented to it, unanimously:

Resolved: to seek Cabinet at its next appropriate meeting to reconsider its original decision relating to the 'Proposed Scheme of Delegated Decision Making for Land Acquisition (Freehold and Leasehold) for Carbon Sequestration and Ecological Improvement Purposes. With a view to expediting the decision-making process for purchasing land -

- (i) that prior to reviewing its decision Cabinet should work with the Farming Unions and the Federation of Young Farmers Clubs to seek comprehensive responses from those organisations in relation to the Proposed Scheme;***
- (ii) that Cabinet amend the wording within the Proposed Scheme of Delegated Decision Making (and any associated documentation) as it relates to liaising with local councillors and Member Area Groups (MAGs) to read 'consult/consultation' rather than 'notify/notification';***
- (iii) that at the appropriate time a review is undertaken of staffing resources within the Council's Countryside Service to ensure that it has sufficient capacity to deal with the additional duties that will be placed on the Service in future in connection with carbon sequestration and ecological improvement work; and***
- (iv) that detailed information on agricultural land grading in Denbighshire (including illustrative maps) are provided to the decision-maker when reviewing the decision.***

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Report to	Cabinet
Date of meeting	26 th July 2022
Lead Member / Officer	Lead Member for Economic Growth & Tackling Deprivation/Head of Communities & Customers Service
Report author	Head of Communities & Customers Service
Title	Shared Prosperity Fund

1. What is the report about?

- 1.1. The UK Government's Shared Prosperity Fund, part of the Levelling Up agenda.

2. What is the reason for making this report?

- 2.1. To provide information for Cabinet on the local arrangements for planning and delivering a Regional Investment Plan
- 2.2. To seek approval for the recommendations outlined.

3. What are the Recommendations?

- 3.1. That approval is given to further develop the Shared Prosperity Fund programme within Denbighshire, and regionally through officer input, in line with the principles set out in this report.
- 3.2. That delegated authority is given to the Chief Executive and the Lead Member for Economic Growth & Tackling Deprivation to develop and submit Denbighshire's priorities for inclusion in the Regional Investment Strategy to enable the programme funding to be drawn down.
- 3.3. That the proposal to ask Gwynedd County Council to act as the lead body to submit the Regional Investment Strategy to UK Government and to lead subsequent programme delivery is supported.

4. Report details

4.1. An explanation of the Shared Prosperity Fund, progress to date and next steps can be found at Appendix 1

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

5.1. Four percent of the value of the programme can be drawn down by the regional lead body for programme governance, administration and monitoring and evaluation. Funds can be allocated from this sum to each local authority to cover programme management costs so the programme should not present an additional burden to Council finances

5.2. UK Government does not require local government to provide match funding for the programme although it is encouraged. The Council may, in order to maximise the availability of limited funding or to comply with subsidy control legislation, require organisations applying for funding from the programme to provide an element of match funding

5.3. Managing and delivering the programme will require the Council to recruit temporary staff which may create the risk of redundancy cost liabilities at programme closure in 2025/26

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

6.1. As this is a collaborative project across North Wales a Well-being Impact Assessment has not been carried out to date, but the following impacts have been identified:

6.2. Long-term: The Council will prioritise projects that can demonstrate an impact beyond the duration of the programme

6.3. Prevention: The Council will prioritise projects that can demonstrate that they address underlying issues rather than merely tackling their symptoms.

6.4. Integration, Collaboration, Involvement: The Council has already held some consultation on the priorities for the programme. The Council will, under

appropriate priorities, establish open calls for proposals so that a wide range of organisations can contribute to the delivery of the priorities.

6.5. The Council will prioritise projects that can demonstrate that they are integrated into wider local partnerships and programmes rather than established solely for the purpose of securing funding from this programme.

6.6. The Council will prioritise projects that can demonstrate that they address the Well Being Goals.

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

7.1. There have been workshops and meetings regionally to engage stakeholders to inform the priorities for the programme in relation to skills and employment. The majority of skills and employment programmes have tended to be delivered on a regional or sub-regional footprint due the commonality of needs of the clients and the ability to secure economies of scale

7.2. Locally, the Council has held one internal and one external webinar, with representation from Council teams, external partners, third sector representatives and the business community. The feedback from these sessions will be used to inform the priorities for the programme in Denbighshire

8. Chief Finance Officer Statement

8.1. Obviously the Shared Prosperity Fund will form an important part of the funding landscape going forward as EU funding has in the past. There are risks and resource implications which will become clearer as we go through the development of the strategy. It is welcome that it currently seems possible to align the funding with elements of existing activity which has proved to work and can be linked to DCC priorities. A dedicated finance resource has now been allocated to support the programme.

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

Risk	Mitigation
<p>Recruitment</p> <p>The programme will require a number of staff to be recruited to manage and deliver the programme. Recruitment will be urgent due to the constrained timescale of the programme and the Council will be competing with every other Council in the UK for applicants.</p>	<p>This will be a strategic risk for the programme and for the majority of projects within it. There is no immediate mitigation possible but close monitoring will help the Council to take corrective action where it can.</p>
<p>Expectations</p> <p>There is a risk that organisations whose priorities and projects are not prioritised will criticise the Council.</p>	<p>The Council will need to be clear from the earliest stages on the approach it will take to setting the priorities for the programme and on its delivery strategy including how it will invite and select proposals from third parties.</p>
<p>Multiply</p> <p>The scale of the programme appears to be disproportionate to the unmet need in our communities and there is existing provision in place to meet these needs.</p>	<p>Further discussion at the strategic level on the approach needed to deliver Multiply and to seek greater flexibility to allow resources to be used more widely.</p>

10. Power to make the decision

10.1. The Council's economic development function are the responsibility of the Cabinet in accordance with the Council's constitution and the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007.

APPENDIX 1

1. Explaining the Shared Prosperity Fund

1.1 European Structural Fund programmes have been a major funding source in Wales for several decades. The programmes have funded a wide range of programmes to support businesses, develop skills, and increase employability but are due to close over the next 18 months. UK Government has now launched the Shared Prosperity Fund as a domestically-funded replacement to the European programmes.

1.2 The Shared Prosperity Fund will deliver £2.5bn of investment until March 2025 across the UK. The aim of the programme is “to build pride in place and increase life chances”. The investment priorities set by UK Government are:

Community and Place - Strengthening our social fabric and fostering a sense of local pride and belonging. To build resilient and safe neighbourhoods.

Supporting Local Business - Creating jobs and boosting community cohesion by supporting local businesses. Promoting networking and collaboration and stimulating innovation and growth. Targeted support to help businesses grow - e.g. innovation, productivity, energy efficiency, low carbon and exporting.

People and Skills - Boosting core skills and support adults to progress in work. Supporting disadvantaged people to access the skills they need. Funding local skills needs and supplementing local adult skills provision. Reducing levels of economic inactivity and supporting those furthest from the labour market

1.3 The guidance for the programme was released on 13 April 2022. The programme is to be managed by local government across the UK. Funding is allocated to local government and no competitive bids are expected. An Investment Strategy setting out the approach to delivering the programme is expected in order to release the funding and UK Government will need to receive this by 1 August 2022.

1.4 UK Government has asked local government in Wales to collaborate to produce one Investment Strategy for each region and to nominate a single Lead Body to submit the Strategy and act as the accountable body for the funding. UK Government has indicated that it will approve Investment Strategies by 31 August 2022.

1.5 Local government is expected, in developing the programme, to engage stakeholders including from the third sector and business community and to provide opportunities for organisations to secure resources from the programme to deliver against its priorities.

1.6 A regional budget allocation has been made available by UK Government.

Denbighshire's allocation is £25,647,958 (please see Appendix 2).

1.7 The programme is predominantly a revenue funding programme but 15% capital (or more by agreement) can be included.

1.8 The Multiply programme is a UK Government initiative to boost adult numeracy. The budget for the programme is high and adult numeracy is devolved to Welsh Government for delivery with established programmes already in place. Further discussion between the Welsh Local Government Association, UK Government and Welsh Government is underway to determine how to make the best use of the funding opportunity

2. Progress to Date

2.1 The timetable set by UK Government gives 16 weeks to consult stakeholders and develop and approve the Investment Strategy for submission. Although the Investment Strategy itself is not expected to require much detail to be approved, local government needs to:

- undertake stakeholder engagement both locally and regionally;
- set priorities for the programme regionally and locally;
- agree appropriate governance structures locally and regionally;
- start to prepare the methodology by which funding will be allocated; and
- agree the regional lead body for the programme and set up the necessary structures and agreement

2.2 Structures have been established regionally to lead this process with a senior manager group established to oversee the development of the programme and an operational co-ordinating group to drive forward the work streams above

2.3 It is currently proposed that Gwynedd County Council is asked to act as regional lead authority for the programme. Gwynedd County Council already acts as the lead body for the North Wales Growth Deal portfolio.

2.4 There have been workshops and meetings regionally to engage stakeholders to inform the priorities for the programme in relation to skills and employment. The majority of skills and employment programmes have tended to be delivered on a regional or sub-regional footprint due the commonality of needs of the clients and the ability to secure economies of scale

2.5 Locally, the Council has held one internal and one external webinar, with representation from Council teams, external partners, third sector representatives and

the business community. The feedback from these sessions will be used to inform the priorities for the programme in Denbighshire.

2.6 Some consideration is necessary to identify an appropriate multi-sector partnership to contribute to the local governance for the programme. In addition, the programme priorities and operating models will need to be approved by Cabinet once the funding has been unlocked by UK Government

3. Next Steps

3.1 The programme will be informed by:

- The Council's Corporate Plan and other key strategies (eg Climate and Ecological Change programme)
- The Regional Economic Framework and other key regional strategies (eg Safer North Wales Strategy)
- The outcomes of the consultation events with stakeholders

3.2 The Council will need to compile and submit its preferred priorities for the programme for compilation within the Regional Investment Strategy. UK Government has given assurances that the Investment Strategy will be able to be amended as needed following approval

3.3 There are opportunities for activities under the People and Skills and Supporting Local Business themes to be delivered on a regional and sub-regional rather than local footprint. This helps to secure economy of scale and has worked successfully in the past. There are fewer opportunities for this within the Places and Communities theme. It is proposed that, wherever shared priorities and opportunities for efficiency exist, regional development and delivery should be used. The Council will still be able to deliver locally-specific activities where this is identified as more appropriate. Organisations seeking to deliver regional projects will, at a future stage of programme development later in 2022, be required to demonstrate how their project will deliver measurable benefits to each county in order to receive funding

3.4 Further discussions with strategic stakeholders will determine the approach to be taken to the Multiply element of the programme and how it should be reflected in the Investment Strategy.

3.5 Delivery of the programme will need to comply with Council Contract Procedure Rules. There are expected to be three main methods for delivering the programme:

- Direct delivery by Council teams using programme funding
- Procured or Commissioned activity

- Funding given to third parties through open and competitive calls for proposals

3.6 It is anticipated that, due to the constraints imposed by the timetable for the programme, the majority of expenditure for the 2022/2023 financial year will be through the first method. The third method, open calls for proposals, will be established for the appropriate priorities and will operate in the second half of 2022/2023 so that approved projects are ready to start by 1 April 2023.

3.7 The Council will work with regional and local partners to ensure that the Investment Strategy is delivered to UK Government by the 1 August 2022 deadline.

APPENDIX 2: Financial Profile

UKSPF Allocations 2022-23 to 2024-25

UKSPF guidance states funding will be released as follows: 15% in 2022-23, 27% in 2023-24 and 58% in 2024-25

Multiply is an early priority for UKSP with a more evenly spread allocation over the 3 years.

The Core UKSPF values for Years 1 to 3 show the allocation minus the Multiply allocation.

Individual authorities	Core UKSPF	Multiply	Total
Conwy	£20,285,722	£4,234,398	£ 24,520,120
Denbighshire	£21,218,792	£4,429,165	£ 25,647,958
Flintshire	£10,840,177	£2,262,755	£ 13,102,933
Gwynedd	£20,205,992	£4,217,756	£ 24,423,747
Isle of Anglesey	£13,304,735	£2,777,202	£ 16,081,937
Wrexham	£18,766,853	£3,917,353	£ 22,684,205
			£126,460,900

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Report to	Cabinet
Date of meeting	26 th July 2022
Lead Member / Officer	Councillor Rhys Thomas (Lead Member for Housing and Communities) / Ann Lloyd (Interim Head of Service)
Report author	Hayley Jones / Nigel Jones
Title	Procurement of new Temporary Emergency Accommodation Support Service (Homelessness Prevention)

1. What is the report about?

1.1. This report is to provide information on a proposal for a new homelessness temporary emergency accommodation support project, with a request for approval to commence the procurement of this service.

2. What is the reason for making this report?

2.1. A decision is required on the tendering for a new homelessness temporary emergency accommodation support project. The Commissioning Form (Appendix 1) will be approved by the relevant parties, in line with the Denbighshire Contract Procedure Rules.

3. What are the Recommendations?

The recommendations are for decisions set out below:

- 3.1. That the Cabinet approves the commencement of the procurement as set out in the Commissioning Form at Appendix 1.
- 3.2. That the Cabinet confirms they have read and taken into account the Well-Being Assessment (Appendix 3 WIA for the HSG Delivery Plan 2022-25).

4. Report details

- 4.1. We want to develop our temporary emergency accommodation offer to provide a better experience where people are supported to improve their wellbeing and build on their future. As captured in our Housing Support Grant (HSG) Delivery Plan 2022-2025, we want to develop our support offer for people placed in temporary emergency accommodation.
- 4.2. We want this project to provide holistic support to citizens placed in temporary emergency accommodation owned by the local authority to reduce the risk of homelessness reoccurring and improve wellbeing outcomes.
- 4.3. We are keen to see an engaging programme of meaningful activities as a key element of this project. We also want the project to be able to provide support to people placed in temporary emergency accommodation at any time of day or night, therefore an overnight staffing provision will be required.
- 4.4. Individuals supported as part of this project will be any gender; aged 16 and above; single or part of a couple, and may or may not have dependent children and pets.
- 4.5. A Wellbeing impact assessment has been completed for the over-arching HSG Delivery Plan – (Appendix 3).
- 4.6. This contract will be fully funded by the HSG allocated by the Welsh Government.
- 4.7. We have estimated costs and value for money based on our HSG fulltime equivalent benchmark rate; however, value for money will be evaluated and can be negotiated further as part of the procurement exercise.
- 4.8. The contract would be for a period of five years, with the option to extend for a further five years, subject to satisfactory performance, and continued funding and strategic relevance. This will be a brand new contract, therefore there is no incumbent provider.
- 4.9. The service would be monitored throughout the year. The provider/providers will be expected to submit quarterly performance monitoring returns, and 6 monthly outcomes submissions in line with the HSG/Supporting People Outcomes Framework. The project will also have a number of bespoke KPIs, as set out in the project specification (Appendix 2).

- 4.10. We are looking to offer this tender opportunity to the third sector as they have the experience and expertise in operating 24 hour supported accommodation. Welsh Government recognises the need for Local Authorities (LA) to work in partnership with the Third Sector as it is widely accepted that they are value driven and motivated by social, cultural or environmental objectives, rather than simply to make a profit; as well as being committed to reinvesting their surpluses to further their social aims and for the benefit of local people and communities.
- 4.11. As Local Authority Commissioners we should support the Third Sector and wider economy with our spending power where it generates benefits to the LA aims and objectives. Through delivery of public contracts our spending power has the potential to influence market development in the medium to long term and create opportunities to deliver wider socio-economic and environmental outcomes, meeting the needs of the present without compromising the ability of future generations to meet their own needs.

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

- 5.1. Housing: There will be a clear focus (and performance measures) around supporting people to avoid risk of homelessness.
- 5.2. Connected Communities: A key requirement is that it will be accessible, including consideration and creativity when it comes to the meaningful activities in a variety of settings in the community across Denbighshire to improve people's wellbeing.
- 5.3. Resilient Communities: Building independence and resilience are key goals. Through a variety of methods, it will seek to equip people and communities with the knowledge and skills to address and prevent homelessness and improve wellbeing. Addressing issues and improve wellbeing will help to prevent homelessness from reoccurring.
- 5.4. Environment: In terms of the project delivery, the support will be based across two council owned sites that will be used for temporary emergency accommodation and as a hub for the programme of activities to be delivered. Additionally, Community Benefits must be delivered as part of this contract, and we have set out that we are

particularly interested in proposals that will support DCC to achieve its Net Carbon Zero goal.

5.5. Young People: Young people 16+ and adults with children will be included within the direct support scope of this project. We expect that some of the support and activities will also benefit children and young people residing in the accommodation

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

6.1. This project will be wholly funded from the Denbighshire Housing Support Grant, provided by the Welsh Government. We expect that the provision will reduce the impact on statutory services and associated Bed and Breakfast costs.

6.2. We are consulting cabinet as a result of the level of spend for this project as the estimated annual contract value is £914,000 with a view to offer a 5-year contract with the option to extend for a further 5 years.

6.3. This project would cost significantly more to deliver as an internal service as a result of Local Authority employment terms and conditions, therefore it is better value for money for this project to be delivered by the Third Sector (Appendix 4).

6.4. The Community Benefits policy approach seeks to act upon this wider definition of value for money by delivering the very widest social, economic and environmental benefits in the course of securing the goods, services or works required by the public sector in Wales. Delivery of Community Benefits through public sector procurement is aligned to the Well Being of Future Generations Act and delivers against its goals

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

7.1. The impact assessment for the over-arching HSG Delivery Plan 2022-2025 scored 34 out of 36, giving 3 out of 4 stars. A positive impact was identified for all of the wellbeing goals

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

8.1. The specification has been developed following extensive consultation, including a targeted stakeholder survey. Responses included feedback from citizens and a wide

variety of other key stakeholders including meet the buyer event in May 2022. In the absence of a Scrutiny Committee before this Cabinet meeting, approval has been gained from the Chief Executive of the Council.

9. Chief Finance Officer Statement

- 9.1. The proposal forms part of the strategy for dealing with the financial impact of homelessness to deliver support within council owned temporary emergency accommodation which will hopefully reduce the number of people accommodated in Bed and Breakfast establishments. This will help manage the rising costs in this service in the future while also provider a better service. The costs of this scheme are fully covered by external Welsh Government funding and on that basis the decision is fully supported

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

- 10.1. A robust tendering process, including evaluation by a diverse panel (including members with lived experience of homelessness/risk of homelessness) will ensure as far as possible that we award this contract to the best provider/providers.
- 10.2. All Housing Support Grant funded projects are regularly monitored to ensure that any problems/risks can be identified and addressed as soon as possible. As a new project and model of delivery, we will work closely with the provider/providers to learn and develop best practice.
- 10.3. We build break clauses into all of our contracts, allowing us to terminate or amend the agreement (with appropriate notice periods) in the event of a contract breach, reduction in WG funding, or any other grounds that may materialise.

11. Power to make the decision

- 11.1. The development and tendering of this contract is supported by the County under the Social Services and Wellbeing Act (Wales) Act 2014 and Denbighshire County Council's Financial Regulations and Contract Procurement Rules (rules 2.7.1 and 5.5).
- 11.2. Power delegated to the Cabinet Member as per the Member Scheme of Delegation outlined in Appendix 2(b) to Section 13 of the Council's Constitution.

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Commissioning Form

This form is to be completed by the commissioning service or department for all procurement proposals with a total value above £25,000. If you are seeking an exception from Contract Procedure Rules or exception from the requirement to tender, you must complete an **Exception Form**.

Title	Homelessness Temporary Emergency Accommodation Support Project	PROCUREMENT TEAM USE ONLY	
Head of Service:	Ann Lloyd, Head of Community Support Services	Officer	Simon Beech
Manager:	Liana Duffy, CSS Contracts & Commissioning Team Manager	Priority	High
Report Completed by:	Hayley Jones, CSS Contracts & Commissioning Officer	Category	Services
Date:	29/04/2022	Received	17/05/22
Total Estimated Value:	£9,140,000 (including 5 year option to extend)	Complete by	20/05/22

Type	Copy and paste:	<input checked="" type="checkbox"/>
Goods:		<input type="checkbox"/>
Services: services not subject to the 'light touch regime' (i.e. most services)		<input type="checkbox"/>
Light Touch Regime: certain social, health, education & other services subject to the 'light-touch regime'		<input checked="" type="checkbox"/>
Works:		<input type="checkbox"/>

Does the proposal include Land contracts or the appointment of developers? Yes No

If Yes, has the Monitoring Officer (Legal) been consulted? Yes No

If Yes state the Monitoring Officer's advice. If No, state why not:

Does the proposal include Information & Communication Technology, property or works? Yes No

If Yes, has the relevant council service been involved? Yes No

If Yes state the services' involvement. If No, state why not:

Procurement Level Copy and paste:

Intermediate Value: £25,000 to OJEU threshold*

High Value: above relevant OJEU threshold*

*OJEU limit Goods/ Services: £181,302 *OJEU limit works: £4,551,413 *OJEU limit light touch regime: £615,278, concession agreements: £4,551,413

Procurement Process

Copy and paste:

Is there a corporate purchasing arrangement or National Procurement Service framework or other framework agreement relevant to your proposal?

Yes No

If Yes, state which below:

Are you planning to make use of any corporate purchasing arrangement or framework agreement identified above?

Yes No

If Yes, will the process be direct award or mini competition?

Timescales

Date	Milestone
13/06/2022	Authorisation of Commissioning Form
13/06/2022	Final contract terms, specification & evaluation methodology agreed by Procurement/Legal
04/07/2022	Tender advertised
03/08/2022	Tender closed to responses, start evaluation
13/08/2022	Evaluation finalised (start of 10 day standstill period)
28/09/2022	Contract award
29/11/2022	Contract start

Outline

Briefly describe the proposal

We want to develop our temporary emergency accommodation offer to provide a better experience where people are supported to improve their wellbeing and build on their future. As captured in our Housing Support Grant Delivery Plan 2022-2025, we want to develop our support offer for people placed in temporary emergency accommodation.

We want this project to provide holistic support to citizens placed in temporary emergency accommodation owned by the local authority to reduce the risk of homelessness reoccurring and improve wellbeing outcomes.

We are keen to see an engaging programme of meaningful activities as a key element of this project. We also want the project to be able to provide support to people placed in temporary emergency accommodation at any time of day or night, therefore an overnight staffing provision will be required.

Individuals supported as part of this project will be any gender; aged 16 and above; single or part of a couple, and may or may not have dependent children and pets.

Price / Quality Weighting

Please state the percentage weightings being given to price and quality in your tender evaluation:-

Price

Quality

10%

90%

Options

Copy and paste:

Has a zero cost option been considered?

Yes

No

Has a reduced cost option been considered?

Yes

No

State whether and why zero and/or reduced cost options have been adopted or discounted:

The nature of the service required would not allow for a zero cost option.
This is a brand new service therefore a reduced cost option can't be considered at this stage but could be in any future procurement of this service

Collaborative Procurement

Copy and paste:

Has a collaborative procurement with Denbighshire/Flintshire County Council been considered?

Yes

No

If yes please give details, if no please state reason:

With ever increasing pressures on homelessness prevention services, there is a sense of urgency to create a project to better support people residing in temporary accommodation. This will also be a new model/approach that we will need to work with the successful supplier/s to develop and refine. With all of this alongside very stretched Officer capacity, we have taken the decision to in the first instance commission on a local level. However, as the project is developed and we will re-visit the scope for sub-regional commissioning in future.

Cross Service Procurement

Copy and paste:

Has a procurement across another Council Service been considered if there is the same or similar need for the works/goods/services?

Yes

No

If yes please give details:

Existing Council Contracts

Copy and paste:

Is there an existing Council contract that covers the same or similar works, goods or services which can be utilised?

Yes No

If yes please give details:

Safeguarding

Safeguarding includes everything a Council can do to keep people safe, including minimising the risk of harm and accidents, taking action to tackle safety concerns and ensuring people grow up and live in safe circumstances. Safeguarding covers physical, sexual, psychological and financial abuse, neglect, modern slavery and radicalisation.

Does the works, goods or services include any elements that raise safeguarding concerns or requirements?

Copy and paste:

Yes No

If yes please give details:

The project will involve working with people with a wide variety of circumstances and characteristics, including people who may be particularly vulnerable to abuse/exploitation/neglect/modern slavery/radicalisation. Safeguarding processes and requirements are set out as standard in all of our HSG support contracts, and training and practice around safeguarding will be regularly reviewed, e.g. through contract monitoring.

Data Protection

Does the works, goods or services include any elements that involve the processing or sharing of personal data of living individuals?

Copy and paste:

Yes No

If yes please give details:

Personal data will be appropriately gathered and stored by the provider to enable the project to meet individuals' support needs. This may occasionally involve appropriate and proportionate information sharing, to facilitate multi-agency working and manage risks. All of this will be done in line with data protection law and robust policies and procedures, as set out in the contract.

If Yes, has the Information Governance Team been consulted?

Yes No

If No, state why not:

As above, standard contract terms will be included around the processing/sharing of personal information.

Community Benefits

Copy and paste:

Are you including community benefits?

Yes

No

If Yes, provide details below: If No, state why community benefits have not been included

Note: Community Benefits must be considered for all Goods & Services contracts over £25,000, all Works contracts over £100,000 and it is mandatory to include community benefits in all contracts for the value of £1,000,000 and over.

If you have not yet discussed Community Benefits with the Community Benefits Hub please contact communitybenefits@denbighshire.gov.uk

We will be requesting that bids include a method statement summarising the additional measurable community benefits that the organisation is committed to deliver. We are inviting Community Benefits that will in particular support us with priorities around employment/training for citizens who are homeless/at risk of homelessness, as well as initiatives to help to achieve our Carbon Net Zero aims.

Contract Management and Key Performance Indicators

Have you considered key performance indicators to use to monitor contractor performance?

Yes No

If No, state why not:

If yes please give details, including KPI's related to Community Benefits:

KPI	Target	Achieved
People feel that the support/guidance/activities from this project has made a positive difference to their situation and to their wellbeing.	90%	
As a result of the support/guidance/activities from this project, people feel they have the tools they need to prevent homelessness or risk of homelessness in future.	90%	
% of planned, successful exits, i.e. the project's support to move on into more secure accommodation.	90%	
People still in secure accommodation 6 months after exiting the service. This will include leased accommodation.	90%	
Service users feel they have better knowledge and skills to be able to respond to risk of homelessness, including knowledge of local support services that can help.	90%	
People have accessed activities, training, education, and/or voluntary or paid employment	100%	

These KPIs are intended to provide a broad guide as to performance and quality standards. Where minimum targets are routinely met, there will typically be a lighter touch approach to monitoring. Where KPIs are routinely not met, monitoring may be increased to determine the causes for the under-delivery. As a new approach, the nature and target levels for these KPIs will be monitored and may be re-negotiated between the commissioners and providers.

Additional monitoring will be undertaken throughout the year, including via contract monitoring meetings and submission of quarterly Performance Monitoring Returns. There will also be a requirement to submit Outcomes returns in accordance with the Housing Support Grant Outcomes Framework. Full service reviews will be undertaken as needed.

The Local Economy

Copy and paste:

Have you considered ways in which this proposal might benefit the local economy and increase opportunities for local businesses?

Yes

No

If Yes, provide details below: If No, please state why not.

Not as a formal procurement consideration; however, the project itself would be expected to bring economic benefits owing to its preventative, spend to save nature.

Grant Funding

Is grant funding being used in whole or in part to fund the procurement?

Copy and paste:

Yes

No

If yes please give details and please state whether there is a grant agreement:

The Housing Support Grant, awarded to DCC by Welsh Government, is being used to fund all of this procurement.

Finance

Grant Funding Source	Amount
DCC Housing Support Grant	£9,140,000 (incl. 5 year OTE)
	£
Total Grant Funding:	£9,140,000 (incl. 5 year OTE)

Capital Funding Source	Amount
	£
	£
Total Capital Funding:	£

Revenue Funding Source	Amount
	£
	£
Total Revenue Funding:	£

£9,140,000	£9,140,000
Estimated Annual Value	£914,000

Cost Code	
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If the contract is a collaboration with external partners the figures quoted should include the total contract value not just the Local Authority element.

Contract

Provide basic details of any contract to be awarded

Type of Contract:	Services (adult support)
Form of Contract for Works (eg JCT or NEC)	
Proposed Start date:	29/11/2022
Proposed End date:	28/11/2027
Proposed options for extension (if any):	5 years
Maximum duration (including extensions):	10 years

Risk Assessment

What is the total estimated value of the proposal?	Over £2m
If things go wrong, what is the operational risk to the Local Authority?	Medium
If things go wrong, what is the reputational risk to the Local Authority?	Medium
If things go wrong, what is the financial risk to the Local Authority?	Medium

Risk Mitigation

For risks which have a medium or high risk, state steps to be taken to minimise the risk:

Regular contract monitoring throughout the year will ensure that any problems/risks can be identified and addressed as quickly as possible. Clear contract terms, including appropriate break clauses, also give us the recourse to amend/terminate the contract within a swift

timescale, should circumstances require. Payments will also be made quarterly, in arrears, subject to ongoing satisfactory performance. In the event of early contract termination, CSS Contracts & Commissioning will work closely with the Homelessness Prevention Pathway/Single Point of Access to ensure that appropriate support arrangements are in place wherever possible for citizens with ongoing support needs.

Consultation with Members

Please confirm that relevant members have been informed where the decision has implications for a particular locality.

Copy and paste:

Yes No

If Yes, please list member's names below and details of any feedback incorporated.

There are no anticipated implications for a particular locality as this project is delivery of support only (no accommodation provision); however, given the value of the procurement, authorisation will be sought from the Lead Member for Wellbeing and Independence.

Procurement Checklist

Has a Sustainability / Wellbeing Impact Assessment been completed?

Copy and paste:

Yes* No N/A

*Plans have been captured in the Housing Support Grant Delivery Plan 2022-2025, which has been subject to a full WIA.

Have you identified and mitigated any potential conflicts of interest?

Yes No N/A

Have you conducted market dialogue, research, analysis?

Yes No N/A

Have you consulted stakeholders, partners and/or end users?

Yes No N/A

Have you consulted the Insurance and Risk Manager on potential insurance issues?

Yes No N/A

Have you instructed the legal team to develop contract terms?

Yes* No N/A

*Not for this specific exercise; however, we have existing standard contract terms.

Have you sought advice on safeguarding issues?

Yes* No N/A

*Not for this specific exercise; however, processes and requirements around safeguarding are captured in our contract terms.

Have you sought advice on any TUPE, IPR or other legal issues?

Yes No N/A

(This is a brand new service with no incumbent provider/s)

Have you determined contract management & information requirements?

Yes No N/A

Have you determined whether to use lots (e.g. to encourage SMEs)?

Yes No N/A

Could you reserve the contract for public mutuals or social enterprises?

Yes No N/A

Have you drafted the tender specification?

Yes No N/A

Have you developed evaluation criteria & scoring methodology?

Yes No N/A

Have you identified the scorers/evaluators?

Yes No N/A

Will you need to arrange interviews, presentations, site visits etc.?

Yes No N/A

Is this proposal funded wholly or in part by EU grant?

Yes No N/A

AUTHORISATION

The undersigned authorise the commissioning proposal described

TEAM MANAGER: (if within spend authorisation limit)

Signature

Date

HEAD OF SERVICE/CHIEF OFFICER: (Mandatory)

(or Service Manager if within their spend authorisation limit)

Signature

Date

CHIEF DIGITAL OFFICER (Mandatory for all ICT Contracts)

Signature

Date

SECTION 151 OFFICER (Finance): (Mandatory for all contracts above £250,000)

Signature

Date

MONITORING OFFICER (Legal): (Mandatory for all contracts above £250,000)

Signature Date

LEAD CABINET MEMBER: (Mandatory for all contracts above £1,000,000)

Signature Date

N.B: Contracts over £2,000,000 also require Cabinet approval and the completion of a Cabinet report.

PROCUREMENT TEAM ASSESSMENT

This section to be completed by the Procurement Team following receipt of an appropriately completed commissioning form.

PROPOSED START DATE

TARGET END DATE

RECOMMENDATIONS:

Full OJEU Open Tender Process to be undertaken.

Client Department will need to provide procurement with draft tender documents including Specification, Evaluation Methodology and pricing schedule. Final tender docs will need to be agreed and provided to procurement prior to the date which the client department would like to publish the tender allowing sufficient time to build the tender on the Proactis System.

Please confirm what the data relationship will be between DCC and the contractor so the relevant GDPR questions can be added into the tender. It would assume it will be a joint controller relationship.

Please review the Wellbeing Impact Assessment that you have already completed to determine if a separate one should be completed specifically for this project. This can be discussed with Emma Horan if required.

Please contact Karen Bellis if you have not already done so in relation to the proposed community Benefits method statement.

I would also encourage the Client Department to discuss areas of possible carbon reduction in the contract with the Climate Change Team (Jane Hodgson) and for quality questions in respect of this area to be included but only if it is deemed appropriate. This could include some very simple just for information questions around whether the suppliers measure their carbon footprint, if they have a carbon reduction plan and if they don't what they might be doing to tackle this in the future, just to try and ensure that any suppliers we are working with have decarbonisation on their radar and that their ethos in these areas is aligned with that of the council.

Please contact Sue Rees and provide her with the draft specification just so she can determine if any amendments are required to the Adult Services contract specifically for this project or if the adults contract services contract can remain as is.

Given the value of this contract Cabinet approval is required prior to the tender being issued and prior to the award of the contract.

A fully signed copy of the commissioning form will need to be returned to procurement prior to the tender being issued.

**PROCUREMENT
OFFICER**

Simon Beech

DATE

20/05/22

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DENBIGHSHIRE HOMELESSNESS TEMPORARY EMERGENCY ACCOMMODATION SUPPORT PROJECT SPECIFICATION

A. Introduction

This project is a holistic, housing related support service for people who are living in temporary emergency accommodation in Denbighshire.

Individuals supported will be any gender; aged 16 and above; single or part of a couple, and may or may not have dependent children and pets. All individuals supported will be resident in temporary emergency accommodation in Denbighshire, and identified as needing support to enable them to sustain their accommodation, prevent reoccurring homelessness and move on into more suitable accommodation.

For many people the cycle of homelessness is interwoven with complex issues such as relationship breakdown, domestic abuse, drugs and alcohol, mental health issues and offending. A significant part of this project will be the delivery of a programme of meaningful activities to help people to move on from these issues by re-building self-esteem, confidence and improving wellbeing. This project will provide an opportunity to be part of something positive, enabling people to re-build social networks and learn new skills.

The support provided in this setting will be flexible and person-centred, supporting people to secure and maintain sustainable housing by addressing any mental health, substance misuse or any other problems they may face, helping to improve their health and well-being and/or helping them progress into, or nearer to, a job or training opportunity based on their specific circumstances. The support provided in this project may also include budgeting, including accessing money advice; developing life skills; achieving safety and security, and accessing other services and opportunities as well as including support to source appropriate move on accommodation.

This project will complement and support the statutory work of the Homelessness Prevention Team. The temporary emergency accommodation will be owned and managed by Denbighshire County Council, who will be responsible for maintaining the accommodation and housing management functions. The support will need to be delivered across two different accommodation sites initially, with the potential for additional sites to be added to the project in the future. There will be an overnight staffing requirement for this project as this will offer an immediate response service to offer accommodation and support in crisis situations, working with the Homelessness Prevention Team and the Homelessness Prevention Pathway.

B. Project Description

The aim of this project is to provide a better, overall, experience of living in temporary accommodation in Denbighshire, where people are supported to improve their wellbeing and build on their future.

We are keen to see an engaging programme of meaningful activities as a key part of this project. Activities will be expected to be delivered on site in the communal space available within the accommodation as well as the facilitation of access to activities/training in the community. (e.g. sports or arts organisations, education establishments and other

community groups etc). As part of this we would expect the project to build a network of a wide variety of organisations offering social activities.

Participation in activities offers many benefits to people recovering from homelessness. Activities can add structure to people's days, helping them to develop confidence, self-esteem and social skills, as well as skills that may increase their employability and readiness for work. Activities can reduce feelings of boredom and loneliness and act as a catalyst, motivating people to make positive changes. Activities can also greatly improve well-being and quality of life for individuals who may have experienced traumatic events or are facing a great deal of stress.

We want the temporary accommodation, support and activities to be psychologically and trauma informed. Ensuring citizens are involved in the development of the activities programme will be fundamental to the success of this element of the project. The programme of activities may offer new experiences that citizens may not have previously known about or considered. Intensity of engagement and intervention will vary depending on individual needs and circumstances. We would like to see an innovative and flexible approach to enable this to be delivered in a person-centred, creative way.

Periods of non-engagement are synonymous within support and are to be expected, but each occurrence should be treated differently, as the reasons for each are individual to that person. The onus will be on the service provider to engage with citizens and unless under extreme circumstances, the service provider should not consider ending support due to non-engagement.

The aim of this project is to provide holistic support to citizens placed in temporary accommodation by the local authority to reduce the risk of homelessness reoccurring and improve wellbeing outcomes.

To be most effective, we feel the project must be:

- Innovative – striving to continuously refine and improve the project to promote wellbeing, working together with the commissioners and stakeholders to build on and develop best practice.
- Structure and purpose -
- Co-productive – working in true partnership with citizens and other key stakeholders to plan solutions and shape the ongoing development of the project. We would also like to see citizens actively involved in the delivery of the project, e.g. through shaping the programme of activities alongside the service provider, and potentially sharing their skills and peer support with others.
- Staffed by a competent and dynamic team who have a broad and diverse skill set to enable the successful delivery of all elements of this project, and to enable the project to achieve positive outcomes for individuals with a broad range of needs and circumstances. It is felt that in particular, understanding and skills in supporting people experiencing poor mental health and wellbeing will be vital to the success of this project.
- Person-centred – with the individual's voice, choice and control at the forefront.
- Complementing – the work of the Homelessness Prevention Team and working to Denbighshire County Council's vision for Rapid Rehousing.

- Non-judgemental, with a psychologically informed approach - understanding that we're all individuals with different needs, goals and stories, and that everyone should be treated with dignity and respect. Engagement with support and the activity programme should be encouraged but will not be mandatory for citizens.
- Needs-led – targeting and offering support/guidance where it is needed most.
- Peer support – is enabled and encouraged
- Social integration – and reducing the stigma of homelessness.
- Accessible – being responsive, easy to find and contact, and not creating arbitrary processes, criteria or other barriers. The language used should seek to reduce the stigma associated with homelessness/risk of homelessness.
- Strengths-based in its ethos and support approach – maximising people's own strengths and resources, and recognising that people are experts in their own lives.
- Sensitivity around challenging behaviours – recognising the importance of trauma informed practice.
- Engaging with a broad range of key agencies (including landlords) and settings where there are opportunities for collaboration on both practical and strategic levels.
- A key driver/co-ordinator of managing multi-agency responses to support individuals to address a broad range of issues and support needs.
- Promoting understanding of homelessness prevention, including around identifying and appropriately responding to risk factors/warning signs.
- The project will need to be flexible to respond to changing needs and circumstances, and to ensure that trust can be built and maintained as much as possible.

C. Key aims and objectives

- People are supported to end their homelessness
- People are supported to resettle into suitable accommodation as soon as possible – working with social and private sector landlords to source accommodation for a range of needs.
- People with lived experience are able to play a key role in shaping the delivery and development of the project.
- People are supported to achieve their full potential, including accessing education, employment, training, voluntary work and meaningful social activities.
- People are able to achieve good quality of life and wellbeing.
- People are at less risk from becoming homeless or threatened with homelessness in the future.
- People are safeguarded and protected from harm.
- People are able to live independently, increasing their confidence and independent living skills, and preventing dependency on services.
- People are able to manage their housing tenure, including being able to:
 - Pay for their accommodation
 - Meet the responsibilities of having a tenancy or owning their own home
 - Know how to get all necessary utility services at their accommodation
 - Deal with repairs and/or improvements to their property
 - Keep warm, comfortable, safe and secure
 - Get on with their neighbours
- People are able to benefit from formal and informal support networks when needed.

- People have a better understanding of their rights in relation to their housing and other associated areas.
- People do not experience social isolation.

D. Delivery Requirements

i. Citizen Involvement

People supported must have their voices heard, both when it comes to shaping their own support and in influencing how the project itself develops and is reviewed. We would also like to see citizens actively involved in the delivery of the project, e.g. through shaping the programme of activities alongside the service provider, and potentially sharing their skills with others.

ii. Hours

It is expected that support hours will be managed dynamically, and will be allocated flexibly in response to individual needs. Staff will work flexibly to provide responsive support and guidance. We would need to see this flexibility extend over 7 days, with staff cover provided 24 hours a day including enabling out of hours placements. There needs to be reasonable flexibility within the staffing hours to enable an effective handover when individuals move on.

iii. Location

The service is to be delivered across Denbighshire in a number of different temporary accommodation sites. There will be two main temporary accommodation sites in the long term where staff will be expected to be based to provide 24-hour support. Staff will be required to deliver support/guidance and activities in a variety of settings.

i. Support planning and risk assessments

For the element of the project that involves direct support, all paperwork used with citizens must be user friendly, proportionate, and appropriate to individual needs and circumstances. It should be designed in a psychologically informed way and utilise the personal housing plan issued by the Homelessness Prevention Team.

The project will work with citizens to create strengths-based and outcomes-focused support plans. Agreed exit and move on strategies will also be developed.

Support staff will undertake comprehensive risk assessments and will develop appropriate and effective risk management plans where required.

Individuals supported must have ownership of their needs and risk assessments. All support plans and risk assessments/management plans will be reviewed regularly.

ii. General

The support delivered will be housing related and conform to Housing Support Grant Guidance standards, purpose and eligibility criteria. The project should not provide personal care, health care, professional or therapeutic counselling, or formal advice services.

It is expected that sufficient time for psychologically informed environment approaches for staff wellbeing is included. As often the complexities of the people requiring support are vast, best

practice would include the provision of external clinical supervision for staff to reduce vicarious trauma and burnout.

The project will be required to meet identified performance indicators, as outlined in section in section E, below.

iii. Community Benefits

Community Benefits must be delivered as part of this contract, and we are inviting proposals for these as part of the tender. We are particularly interested in proposals that will support Denbighshire County Council to achieve its Net Carbon Zero goal, and/or to support better access to meaningful employment opportunities for citizens who are homeless.

Suppliers may also wish to consider that a lack of affordable accommodation is one of our most significant challenges in preventing and ending homelessness across Denbighshire, and we are always extremely keen to explore new ways to address this pervasive problem.

E. Monitoring

Key Performance Indicators (KPIs)

The below are estimated KPI target levels that the project would be monitored against on a quarterly basis, including through submission of case studies. We are however keen as part of the tender process to understand what level of performance that suppliers estimate they can achieve, based on evidence of previous targets/outcomes achieved, and anticipated resources and capability.

KPI	Target	Achieved
People feel that the support/guidance/activities from this project has made a positive difference to their situation and to their wellbeing.	90%	
As a result of the support/guidance/activities from this project, people feel they have the tools they need to prevent homelessness or risk of homelessness in future.	90%	
% of planned, successful exits, i.e. the project's support to move on into more secure accommodation.	90%	
People still in secure accommodation 6 months after exiting the service. This will include leased accommodation.	90%	
Service users feel they have better knowledge and skills to be able to respond to risk of homelessness, including knowledge of local support services that can help.	90%	
People have accessed activities, training, education, and/or voluntary or paid employment	100%	

These KPIs are intended to provide a broad guide as to performance and quality standards. Where minimum targets are routinely met, there will typically be a lighter touch approach to monitoring. Where KPIs are routinely not met, monitoring may be increased to determine the causes for the under-delivery. As a new approach, the nature and target levels for these KPIs will be monitored and may be re-negotiated between the commissioners and providers.

Additional monitoring will be undertaken throughout the year, including via contract monitoring meetings as required, and submission of quarterly Performance Monitoring Returns. There will also be a requirement to submit Outcomes returns in accordance with the Housing Support Grant Outcomes Framework. Full service reviews will be undertaken as needed, and written notice will be given to the provider when a full review is required. These reviews will include the commissioners gathering citizen and other stakeholder feedback, and viewing a sample of support plans.

F. Eligibility

This project will provide guidance and support to people 16+ who have been placed in temporary accommodation and are in need of a medium term intervention to prevent risk of future homelessness. This will include people across all protected characteristics, and from a wide variety of backgrounds who may or may not have children or pets. People supported must be resident in Denbighshire.

The project will not be able to provide direct support to anyone under 16; however, it is expected that children under 16 will benefit from this project.

The project will engage with individuals who may have a broad variety of support needs, related directly or indirectly to any future potential risk of homelessness. This project is not intended or expected to meet all of these support needs, but it must work to ensure that other appropriate support is in place where required, e.g. mental health support, debt advice etc. This will likely include taking an assertive and proactive role in coordinating multi-agency responses.

The areas of support needs of people accessing this project may include (but are not limited to) one or all of the following:

- Poor mental health and/or wellbeing
- Difficult home life / families struggling to cope / family breakdown
- Young people's support needs, including acknowledging the increased risk of homelessness due to factors such as vulnerability to family breakdown/abuse, leaving care and benefits rules.
- Problems with neighbours
- Survivors (or those at risk) of domestic abuse, sexual violence, or other violence
- Facing discrimination because of gender identity or sexuality, or any other protected characteristics
- Being socially isolated
- Low self-esteem
- Poor literacy and/or numeracy skills
- Financial difficulties, including debt, unaffordable rents etc.
- Difficulty budgeting
- Developmental disorders (e.g. autism)
- Physical or sensory disabilities
- Learning disability or other additional learning needs
- Chronic illnesses (including HIV & AIDS)
- Substance use issues

- Offending or history of offending
- Behavioral issues
- Multiple and complex needs, including complex trauma

People will only be excluded from this project in extreme circumstances, where risk is unmanageable. Any such decision will be made in collaboration between the provider and the Homelessness Prevention Team. These individuals will be referred to the most appropriate agency in all cases.

As above, the project should not provide personal care, health care, professional or therapeutic counselling, or formal advice services.

G. Access

Given the nature of the project, we would expect that all individuals accessing support/guidance will do so following an assessment and referral via the Homelessness Prevention Team.

We expect that this will be a responsive service that will offer support / guidance to people as soon as possible following their move in to temporary accommodation. We would also expect that any assessment processes will be designed in line with a psychologically informed approach.

H. Key partner agencies and related services

We would expect the project to work with a broad range of partner agencies and other organizations – many of which may not be ‘typical’ homelessness prevention partnership agencies, such is the nature of this project (with its aim of engaging with people through an engaging, service user led programme of activities).

While not at all an exhaustive list, we would expect that the project will need to engage with the following types of organizations / services / settings:

- DCC Homelessness Prevention Multi-Disciplinary Team
- Local colleges/ educational institutes
- Leisure centres
- Indoor and outdoor activity centres
- Holistic therapy practitioners
- Arts sector
- Sport groups
- The Job Centre / DWP
- Benefits Advice Shop
- Housing Benefit
- Social Services, including Children and Adult Services
- Families First and Flying Start
- Other family support services / settings
- Local Authority Education Services
- Youth Services
- Mediation and counselling services
- Community groups / day centres
- Various third sector agencies working in Denbighshire
- The Denbighshire Single Point of Access and Children and Families Gateway
- Talking Points

- Denbighshire libraries/One Stop Shops
- Community Mental Health Teams, CAMHS, and non-statutory mental health services
- The Substance Misuse Service, and non-statutory substance misuse services
- Food banks
- Police
- Probation
- Youth Justice
- Prison services
- Debt advice services
- Housing advice services
- Housing Maintenance Workers
- DCC Community Housing
- Private sector landlords, including landlord's associations
- Housing Associations
- Estate Agents
- Social Enterprises
- Working Denbighshire
- Other employability support services, e.g. Careers Wales
- General healthcare settings, e.g. GPs and hospitals
- Environmental Health / Housing Enforcement
- Other housing related support projects

I. Contract Dimensions

Start date: To be Confirmed
 Duration: 5 years (with an option to extend for 5 years)

Minimum units (these may be negotiated as part of the tender process): We expect that the project will engage with at least 32 individuals at any given time to provide direct support/guidance (and that each of these individuals will have recorded outcomes).

Maximum contract price: £ 4,570,000 maximum for the full (5 year) contract term
 £ 914,000 per annum (based upon Appendix 4)
 (Continued funding is reliant on continued grant funding from the Welsh Government)



HSG Delivery Plan 2022 - 2025: 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: 1033

Brief description: This Housing Support Grant Delivery Plan outlines DCC's priority areas for development and delivery over a period of 3 years for homelessness prevention services commissioned using the Housing Support Grant (HSG). The HSG Delivery Plan will be reviewed annually.

Date Completed: 16/03/2022 15:20:54 Version: 1

Completed by: Hayley Jones

Responsible Service: Community Support Services

Localities affected by the proposal: Whole County,

Who will be affected by the proposal? Citizens living in Denbighshire who are at risk of homelessness.

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 : 34 / 36.

Summary for each Sustainable Development principle

Long term

HSG is primarily about spend to save to prevent homelessness occurring, and prevention and sustainability are key tenets of our planning and delivery. The Delivery Plan relies on an understanding priority needs and trends, and strongly advocates a needs-led and strengths-based approach. This also includes taking lessons learned from the Covid-19 crisis and working in more creative ways, e.g. use of different technologies to provide support.

Prevention

Prevention is the core principle of the delivery plan. The delivery plan not only outlines how existing prevention approaches will be developed and maximised, but it also proposes new ways of working, including a new early intervention approach. The plan also sets out how we will take lessons learned from the Covid-19 crisis to make better use of different technologies and ways of working, which will be key ways that we put a greater emphasis on reducing environmental impact.

Integration

Collaboration is a vital part of how the Delivery Plan will be realised, and we work closely with other departments, including Public Protection, Housing and Social Services to both plan and deliver our support.

Collaboration

Collaboration is a vital part of how the Delivery Plan will be realised, and we work closely with other departments, including Public Protection, Housing and Social Services to both plan and deliver our support. This plan was also developed on the basis of consultation with various internal and external partners, including citizens.

Involvement

This plan was developed on the basis of consultation with various internal and external partners, including citizens. The plan also captures our renewed focus and commitment to co-production and collaboration.

Summary of impact

Well-being Goals	Overall Impact
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	Positive
A globally responsible Denbighshire	Positive

Main conclusions

Activity in line with this plan will bring about a wide variety of positive impacts for people in Denbighshire who may be homeless or at risk of homelessness, as well as support providers and wider communities. It offers extensive scope for us to deliver against key corporate and other priorities, particularly around wellbeing, independence, greater opportunities for people who may experience disadvantage, and person-centred support.

Negative impacts mostly come down to uncertainty and stress created by re-tendering of services, and the impacts on the physical environment of any new accommodation-based developments required. However, these risks can be mitigated to a large degree through adhering to policy and procedure; through working in true collaboration with key stakeholders, and through understanding the landscape and maximising the strengths of individuals, local communities and support providers.

The likely impact on Denbighshire, Wales and the world.

A prosperous Denbighshire

Overall Impact

Positive

Justification for impact

The Plan takes a long-term, holistic view of tackling homelessness and providing quality accommodation and support.

Further actions required

Re-tendering provision will always be done in a carefully planned way, and in line with the Wellbeing of Future Generations Act, procurement regulations and our DCC Contract Procedure Rules. The CSS Contracts and Commissioning Team understand the importance of knowledge of the local landscape and culture, and work to ensure that smaller providers are not unfairly disadvantaged during tender opportunities, e.g. through providing information, meet the buyer opportunities, and encouraging partnership bids. Our tender specifications and evaluations also put a large emphasis on quality, and ensure as far as possible that providers will put staff in place with the appropriate knowledge and skill set to deliver the best care and support, and who can continue to access learning and development opportunities. We also of course ensure that any TUPE opportunities are captured in accordance with the law. We are also working to ensure more flexible service delivery across the board, which will include more creative delivery approaches, e.g. a new early intervention model and use of different technologies.

Positive impacts identified:

A low carbon society

The plan sets out how we will take lessons learned from Covid-19 to develop new ways of working, including use of different technologies to keep people connected and provide support to people. The plan also sets out how we need to develop more multi-disciplinary/joined up support, shifting the focus from process to outcomes, which should create more efficient ways of working. Any new procurements will also include Community Benefits and we will be encouraging proposals that support biodiversity, the natural environment and Denbighshire net zero

carbon ambitions.

Quality communications, infrastructure and transport

The Plan details that we'll work to improve coordination and knowledge of key support services, for example through the development of a robust early intervention model. With all supported living developments we will make the best use of previously developed land and existing buildings, in locations with good public transport links.

Economic development

Getting our homelessness prevention services right will help to reduce socio-economic disadvantage through enabling people to live as fulfilling and independent a life as possible, and prevent homelessness from occurring now and in future. Having a broad range of support services, ranging from early intervention to rapid rehousing and complex needs support, means that we can help to reduce/prevent reliance on statutory/more formal care and promotes greater independence and wellbeing. This allows us to work more efficiently and help more people who need our support.

Quality skills for the long term

The plan sets out how we want to support people to develop practical life and work skills, and behaviours that will support their health and wellbeing, as well as employment opportunities.

Quality jobs for the long term

The plan sets out how we want to support people to develop practical life and work skills, and behaviours that will support their health and wellbeing, as well as employment opportunities.

Childcare

Supporting people to use different kind of technologies to meet their outcomes and stay connected and supported may reduce the need for

physical attendance/face to face in certain contexts, which may reduce the childcare burden for some.

Negative impacts identified:

A low carbon society

The nature of the geographical landscape of Denbighshire will mean it is difficult to eliminate the need for travel across the county to provide support to people, especially in rural areas.

Quality communications, infrastructure and transport

The majority of homelessness prevention support provision is based in the North of the county.

Economic development

[TEXT HERE]

Quality skills for the long term

Re-tendering provision can run the risk losing the knowledge and skills of existing providers who may be unsuccessful for tender opportunities.

Quality jobs for the long term

With any re-commissioning activity there is the possibility of creating instability for incumbent providers, including potential job losses.

Childcare

[TEXT HERE]

A resilient Denbighshire

Overall Impact

Positive

Justification for impact

The need to develop/refurbish new sites for supported living is likely to be the only area in which the plan poses potential negative consequences for physical environments, however these will be mitigated as far as possible, as detailed here. A number of our plans and priorities should also directly help to reduce the need for car/public transport travel for some.

Further actions required

When it comes to accommodation-based support provision, we will always ensure that we make the best use of existing sites where possible, and any new developments required will be done so responsibly and sustainably, and in line with the Local Development Plan.

Positive impacts identified:

Biodiversity and the natural environment

The plan sets out how we will take lessons from the Covid-19 crisis and look to make better use of different technologies to deliver our support and keep people connected - which should reduce unnecessary travel. For any supported living developments we will also make best use of existing sites. Any new procurements will also include Community Benefits and we will be encouraging proposals that support biodiversity and the natural environment.

Biodiversity in the built environment

For any supported living developments we will make best use of existing sites. Preventing homelessness much earlier on through an early intervention approach, as well as a move towards more rapid rehousing models, also prevents the need for new supported housing developments.

Reducing waste, reusing and recycling

The plan sets out how we will take lessons from the Covid-19 crisis and look to make better use of different technologies to deliver our support and keep people connected - which should reduce unnecessary paperwork. The Plan itself will be available online.

Reduced energy/fuel consumption

The plan sets out how we will take lessons from the Covid-19 crisis and look to make better use of different technologies to deliver our support and keep people connected - which should reduce unnecessary travel.

People's awareness of the environment and biodiversity

Any new procurements will include Community Benefits and we will be encouraging proposals that support biodiversity and the natural environment.

Flood risk management

[TEXT HERE]

Negative impacts identified:

Biodiversity and the natural environment

With possible future remodelling of contracts, it may be that certain properties (for supported housing) cannot be retained, therefore new developments may be necessitated. Our priority around building psychologically informed environments may also require some physical development, e.g. building improvements, decorating etc.

Biodiversity in the built environment

[TEXT HERE]

Reducing waste, reusing and recycling

[TEXT HERE]

Reduced energy/fuel consumption

With possible future remodelling of contracts, it may be that certain properties (for supported housing) cannot be retained, therefore new

developments may be necessitated. Our priority around building psychologically informed environments may also require some physical development, e.g. building improvements, decorating etc.

People's awareness of the environment and biodiversity

[TEXT HERE]

Flood risk management

[TEXT HERE]

A healthier Denbighshire

Overall Impact

Positive

Justification for impact

People's physical and emotional health are key outcome areas for homelessness prevention support. Wellbeing is at the heart of our priorities, and the Social Services and Wellbeing Act remains an underpinning strategic driver of our plans. The plan sets out how, in a wide variety of ways, we will develop/commission support services that promote physical and mental health and wellbeing, including in accommodation and community based settings.

Further actions required

We can ensure that re-tendering services will cause as little stress and disruption as possible through engagement and information sharing, and ensuring that any transitions to new providers are managed extremely carefully, with adequate time allocated to do so.

Positive impacts identified:

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

Wellbeing is at the heart of our priorities, and the Social Services and Wellbeing Act remains an underpinning strategic driver of our plans and development activity. The plan sets out how, in a wide variety of ways, we will

develop/commission care and support services that promote physical and mental health and wellbeing, including in accommodation and community based settings. This will include, for example, reviewing all of our mental health provision to ensure that it is accessible and needs-led; developing a robust early intervention model to prevent risk of homelessness from much earlier on; rapid rehousing to offer people more rights and stability in their own tenancy, and more appropriate housing options for young people, and people with more complex needs.

Access to good quality, healthy food

All homelessness prevention support helps people with things such as menu planning, cooking well on a budget etc. We will also continue to work closely with our tackling poverty partners to address poverty in Denbighshire, including food poverty.

People's emotional and mental well-being

Wellbeing is at the heart of our priorities, and the Social Services and Wellbeing Act remains an underpinning strategic driver of our plans and development activity. The plan sets out how, in a wide variety of ways, we will develop/commission care and support services that promote physical and

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young people, and people with more complex needs.

Access to healthcare

Citizens leading a healthy and active lifestyle is one of the outcomes HSG projects are required to report on (as part of the National Outcomes Framework). Citizens are frequently supported by HSG projects to access healthcare, e.g. their GP. Additionally, as above, we have outlined a number of plans to support people with mental health issues to better access the support they need.

Participation in leisure opportunities

As part of remodelling and modernising our services, we want to see people being able to access a broader range of meaningful and engaging activities. We will continue to move towards more outcomes focused and creative ways of working, e.g. using different technologies and looking to include personal budgets as part of new delivery models.

Negative impacts identified:

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

[TEXT HERE]

Access to good quality, healthy food

[TEXT HERE]

People's emotional and mental well-being

Re-tendering services can cause risk and uncertainty for both citizens and providers.

Access to healthcare

[TEXT HERE]

Participation in leisure opportunities

[TEXT HERE]

A more equal Denbighshire

Overall Impact

Positive

Justification for impact

Our homelessness prevention support services fundamentally work to tackle homelessness - which goes hand in hand with poverty. With our shift towards person-centred outcomes, not process, and developing services that are more multi-disciplinary, our impact should be one of breaking down more barriers to support/independence, and allowing more people to access the right help so that they can improve their situations.

Further actions required

We will continue to ensure, through tender processes, clear specification requirements and regular monitoring throughout the year, that our services are accessible to people with all protected characteristics, and that equality of opportunity is a key part of all of our ethos. We must be clear that multi-disciplinary support is not about treating everyone the same - it must acknowledge and embrace diversity, and ensure that support offers are always entirely person-centred, regardless of characteristics/individual support needs. To achieve this we must ensure that any service remodels are done in close consultation with citizens and projects, to identify and address any unintended negative consequences. We must also ensure that staff have access to the right training.

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

Our homelessness prevention support services fundamentally work to

tackle homelessness - which goes hand in hand with poverty. With our shift towards person-centred outcomes, not process, and developing services that are more multi-disciplinary, our impact should be one of breaking down more barriers to support/independence, and allowing more people to access the right help so that they can improve their situations. The plan also specifically outlines plans to reduce barriers and improve support offers for young people, older people (including access to domestic abuse support), and people with mental health support needs. It also sets out that we will continue to work to ensure that our homelessness prevention support, including supported housing, is fully accessible to citizens who are LGBTQ+.

People who suffer discrimination or disadvantage

As above.

People affected by socio-economic disadvantage and unequal outcomes

As above.

Areas affected by socio-economic disadvantage

Our projects work in areas of high deprivation, including West Rhyl. Supporting people to improve their economic, health and educational outcomes is part of the core business of homelessness prevention support, as captured in the Plan.

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

[TEXT HERE]

People who suffer discrimination or disadvantage

[TEXT HERE]

People affected by socio-economic disadvantage and unequal outcomes

[TEXT HERE]

Areas affected by socio-economic disadvantage

[TEXT HERE]

A Denbighshire of cohesive communities

Overall Impact

Positive

Justification for impact

The plan sets out how, in a wide variety of ways, we will develop/commission services to ensure that citizens across the county can access the right care and support for their needs, to promote wellbeing, safety and independence.

Further actions required

When it comes to accommodation-based support provision, we will always ensure that we make the best use of existing sites where possible, and any new developments required will be done so responsibly and sustainably, and in line with the Local Development Plan.

Positive impacts identified:

Safe communities and individuals

Safeguarding is a cornerstone of our approach in CSS and our commissioned services, and the plan sets out how, in a wide variety of ways, we will develop/commission services to ensure that citizens can access the right care and support for their needs, to promote wellbeing, safety and independence. This includes through prevention of homelessness from much earlier on (e.g. through development of a robust early intervention model), as well as rapid rehousing, and overall an appropriate range of accommodation and community based support for people with a wide variety of needs. This will also include looking at how

we can improve our support and accommodation offer for people with an offending history, and survivors of domestic abuse.

Community participation and resilience

Co-production with and involvement of people with lived experience is a key priority area. Citizens will be involved in a much more meaningful way in homelessness prevention service planning going forward.

The attractiveness of the area

We remain committed to developing psychologically informed environments, and an element of this is improving the physical environments of support projects, e.g. building improvements, decorating etc. We will also be continuing to work to ensure that our temporary accommodation is fit for purpose, and also moving towards more rapid rehousing models - both of which should help to prevent the use of unsuitable B&B type accommodation - and this should have a positive impact in terms of development, tourism etc.

Connected communities

We will be taking lessons learned from Covid-19 including creative ways of working (e.g. use of different technologies) to help people to stay connected and supported. We'll also be working to improve coordination and knowledge of key support services, e.g. as part of the early intervention model. Good public transport links are important for all of our supported living developments.

Rural resilience

Offering more flexible models of delivery, and also creating more targeted approaches as part of the early intervention model, should help to improve resilience and prevent homelessness across the county, including in more rural areas where 'hidden homelessness' may be more common.

Negative impacts identified:

Safe communities and individuals

[TEXT HERE]

Community participation and resilience

[TEXT HERE]

The attractiveness of the area

With the move towards more multi-disciplinary and needs-led support potentially resulting in further service remodels, it may be that certain properties (for supported housing) cannot be retained, therefore new developments may be necessitated. It is therefore possible that some buildings could become disused. Also, reducing/ending the use of unsuitable B&B temporary accommodation may impact negatively on some local businesses, which could have the potential to lead to some deterioration.

Connected communities

[TEXT HERE]

Rural resilience

[TEXT HERE]

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact

Positive

Justification for impact

The Plan outlines how we will continue to work to ensure that our support is available to people with all support needs, characteristics etc. With person-centred approaches, and a focus on wellbeing, our support offers should always support people to communicate in the way they're most

comfortable, as part of what matters to them.

Further actions required

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Positive impacts identified:

People using Welsh

Homelessness Prevention has adopted the 'active offer' and Denbighshire Welsh Language Standards - it is expected that all of our commissioned services will offer support in Welsh or English. The Plan, as well as all homelessness prevention public information, will be available in both Welsh and English.

Promoting the Welsh language

As above.

Culture and heritage

We will be promoting activities in the community to increase confidence and wellbeing as a key element of support.

Negative impacts identified:

People using Welsh

[TEXT HERE]

Promoting the Welsh language

Not all support staff are able to speak fluent Welsh. There could therefore be a high level of demand for Welsh speaking staff.

Culture and heritage

[TEXT HERE]

A globally responsible Denbighshire

Overall Impact

Positive

Justification for impact

Robust procurement and monitoring activity ensures that all of our developments and services adhere to key law, policy and procedure.

Retendering provision will provide opportunities for community benefits and social value to be achieved. Collaboration with key partner agencies is a vital part of our approach to achieving ultimately more effective and efficient support services.

Further actions required

Tendering will always be done in a carefully planned way, and in line with the Wellbeing of Future Generations Act, procurement regulations and our DCC Contract Procedure Rules. The CSS Contracts and Commissioning Team understand the importance of knowledge of the local landscape and culture, and work to ensure as far as possible that smaller providers are not unfairly disadvantaged during tender opportunities, e.g. through providing information, meet the buyer opportunities, and encouraging partnership bids. Our tender specifications and evaluations also put a large emphasis on quality.

Positive impacts identified:

Local, national, international supply chains

Re-tendering provision will provide opportunities for community benefits and social value to be achieved. Tendering will always be done in a carefully planned way, and in line with the Wellbeing of Future Generations Act, procurement regulations and our DCC Contract Procedure Rules. The CSS Contracts and Commissioning Team understand the importance of knowledge of the local landscape and culture, and work to ensure that smaller providers are not unfairly disadvantaged during tender opportunities, e.g. through providing information, meet the buyer opportunities, and encouraging partnership bids. Our tender specifications and evaluations also put a large emphasis on quality.

Human rights

Robust procurement and monitoring activity ensures that all of our developments and services adhere to law, policy and procedure in respect of employment practices, standards of working conditions and contracts, health and safety, bullying and harassment etc. Safeguarding is also a cornerstone of our approach in CSS and our commissioned services, and this plan sets out how, in a wide variety of ways, we will develop/commission services to ensure that citizens can access the right support for their needs, to promote wellbeing, safety and independence. The provision of quality accommodation and support naturally sits within the upholding of human rights - everyone has a fundamental human right to housing, that ensures access to a safe, secure, habitable, and affordable home, with freedom from forced eviction.

Broader service provision in the local area or the region

As is set out in the plan, we must work collaboratively with colleagues across health and broader social care services to achieve our plans and priorities. Through partnership working and developing robust early intervention and prevention approaches, we will seek to achieve a reduction in demand on statutory services, and a more streamlined, joined up approach to care/support delivery across organisations.

Reducing climate change

The plan sets out how we will take lessons learned from Covid-19 to develop new ways of working, including use of different technologies to keep people connected. The plan also sets out how we need to develop more multi-disciplinary/joined up support, shifting the focus from process to outcomes, which should create more efficient ways of working. Any new procurements will also include Community Benefits and we will be encouraging proposals that support biodiversity and the natural environment, including reducing carbon footprint.

Negative impacts identified:

Local, national, international supply chains

[TEXT HERE]

Human rights

[TEXT HERE]

Broader service provision in the local area or the region

It is possible that through recommissioning activities some smaller suppliers may be disadvantaged. Reducing the use of B&B's as temporary accommodation could have a negative impact on some local businesses.

Reducing climate change

[TEXT HERE]

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Breakdown of costings for Temporary Emergency Accommodation
Support Contract

Third Sector Project Costs (Based on Ty Golau)

£69,227,82 – Management
 £298,368.14 – 8 Full time support workers
 £18,167.79 – Sleep in costs
 £130,851.09 – 4 Full time Concierge staff (Day shifts)
 £130,851.09 – 4 Full time Concierge staff (Night shifts)

Total staffing costs for the year - £647,466,15

Activities budget - £266,534
 Approximately £2,221 - £2,665 per person based on approximately 100 – 120 people being supported in the accommodation annually.

Overall Budget £914,000

Employing the equivalent level of staffing direct with the LA would cost in the region of:

£ 110,762 Management
 £ 286,146 Concierge
 £ 312,988 Support Staff
 £ 26,017 Sleep in Costs

Total Staffing costs £735,913

Maximum Budget Available £914,000

Based upon staffing costs of providing internal support staff this will cost an additional £88,477 opposed to contracting the service out.

In addition, if the option to provide the service in house was taken then this would also reduce the available activities budget from £266,534 down to £178,057, the net effect of this reduction of the budget would be 100 – 120 people supported with a budget of between £2,221 - £2,665 per person reduced to either:

- 66 -88 persons receiving the same level of support of £2,221 - £2,665 per person or;
- 100 – 120 people supported with a reduced budget of £1483 - £1780 per person.

Clearly providing in house service does not provide the same value for money that external third sector does, it would give a clear decreased level of service to support citizens out of homelessness.

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Report to	Cabinet
Date of meeting	26 th July
Lead Member / Officer	Councillor Gill German, Lead Member for Education, Children and Families / Geraint Davies, Head of Education
Report author	James Curran, Principal Manager – School Support
Title	Sustainable Communities for Learning – Band B

1. What is the report about?

- 1.1. To consider the findings from the review by the Modernising Education Programme Board of the prioritisation process as requested by Council in January 2022.

2. What is the reason for making this report?

- 2.1. A notice of motion was considered by Council in January 2022 regarding the prioritisation process for Band B of Sustainable Communities for Learning (formerly known as 21st Century Schools Programme). Council resolved that the Modernising Education Board be asked to review the condition surveys of all schools to see whether those had been significantly changed to the condition of the school estate which would call into question that the current priority order of schools is still current and correct. It was also agreed that the outcome of this review could be reported to Cabinet together with any recommendations the Modernising Education Board may have as a result.

3. What are the Recommendations?

- 3.1. That the Committee confirms the view of the Modernising Education Programme Board that no significant change had occurred in respect of the condition of school buildings and that the current priority order of schools is still current and correct.

4. Report details

- 4.1. At the request of Council, the Modernising Education Programme Board met on the 27th April to review the prioritisation process for the determination of priorities for Band B of the Sustainable Communities for Learning. The Board considered a report which provided detail on the process taken by Denbighshire in developing its priorities for investment in Band B. The meeting was attended by the Corporate Director – Communities (who Chairs the Board), former Lead Member for Finance and Assets, Head of Finance, Lead Officer – Corporate Property and Housing Stock, Head of Education and Principal Manager – School Support.
- 4.2. The Board considered how the prioritisation process developed and evolved and reviewed the actual condition date for all schools and those considered as part of the review area. The Board were of the view that no significant change had occurred in respect of the condition of schools during the period when schools were initially considered in 2016 and the determination of current priorities which would impact on the chosen priorities.
- 4.3. The Board also considered the investment in the structure of school buildings via the capital allocation for Building Maintenance. Whilst the main driver for change in recent years had been large scale investments via Band A, this additional capital investment would assist in making a difference in the overall condition of Denbighshire schools. The condition of school buildings is reviewed on a periodical nature and as such investment in schemes such as window replacement or roofs may not be immediately reflected in the condition of school buildings pending the next cycle of surveys.
- 4.4. The Board also noted that the Notice of Motion had originated from concerns over the condition of Prestatyn High School. The Board noted the work that had been undertaken with the school to make best use of capital investment from the Building Maintenance scheme and further information regarding this has been collated in Appendix 2.

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

- 5.1. The proposals will assist the Council meet the priority for Young People that Denbighshire is a place where young people will want to live and work and have the skills to do. In particular, this will see Denbighshire continue to modernise schools via the Sustainable Communities for Learning Programme and if we are successful we expect to see modern school facilities that further enhance pupils' learning.
- 5.2. Band B projects and what we do with any potential redundant sites could make a significant contribution towards the Council's aim of becoming Net Carbon Zero and Ecologically Positive by 2030 and in doing so show a clear contribution to tackling the Climate Change and Ecological Emergency- which was declared by Full Council in July 2019. Welsh Government through their Prosperity for All: A Low Carbon Wales Plan (2019) has targeted for the public sector in Wales to be net carbon zero by 2030 and decarbonisation has the potential to be a key consideration in the Sustainable Communities for Learning funding programme. Through learning lessons from 21st Century Schools Band A and by developing, delivering and managing-in-use zero/low carbon buildings the 21st Century Schools Band B projects could reduce the running costs for the Authority from both a financial and carbon point of view alongside creating exemplar learning environments.

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

- 6.1. The first phase of works to be approved have an overall value of £51.9m of which £15.8m will be funded by Denbighshire via the Council's Corporate Plan. Should the proposals be progressed the development of the Programme would continue to have workstreams for other teams within the Council in particularly Design and Construction. The costs of these teams are absorbed in the overall outline costs.

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

- 7.1. As the recommendations re-affirm the decisions taken by Cabinet an additional or revised Well-being Impact Assessment has not been undertaken.

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

- 8.1. Consultation took place with Councillors at an informal meeting in December 2016. The identified priorities were then incorporated into the Strategic Outline Programme approved by Cabinet in 2017. Discussions took place with stakeholders in December 2019 and further discussions with Headteachers took place in advance of approval of the revised Strategic Outline Programme in September 2020. Individual projects will have a clear focus on communication and dialogue with the Member Area Groups.

9. Chief Finance Officer Statement

- 9.1. The costs of the Band B programme have been included in the Medium Term Financial Plan based on current plans. It is obviously a large financial commitment and it is welcome to see the careful and considered approach contained in this report. Further financial commitments will be included as appropriate.

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

- 10.1. The current Modernising Education Programme includes clear procedures for the management and escalation of risks at both the Programme and Project level. Should the programme be progressed these procedures would continue.

11. Power to make the decision

- 11.1. Section 14 of the Education Act 1996 places a duty on local authorities to secure sufficient schools for providing primary and secondary education.

Report to Modernising Education Programme Board

Report by Principal Manager – School Support

Date Wednesday 27th April

Report Title Review of Band B priorities

1.0 Introduction

1.1 Council considered a notice of motion at its meeting on 22nd February 2022 as follows: -

“This Council tasks officers to seek additional Welsh Government funding in order to fund a complete re-build of Prestatyn High School based on earlier designs drawn up for the 21st Century Schools programme that modernised to meet the current needs of secondary pupils of Prestatyn and our climate change and ecological emergency declaration”.

During the debate at the meeting the minutes’ record that

“Councillor Hilditch-Roberts PROPOSED an amendment in light of the Notice of Motion that the Modernising Education Board be asked to review the condition surveys of all schools to see whether those had been significantly changed to the condition of the school estate which would call into question that the current priority order of schools is still current and correct. The outcome of this review could be reported to Cabinet together with any recommendations the Modernising Education Board may have as a result.”

1.2 Based on this the following report has been produced to enable the Modernising Education Programme Board to consider the position and to consider whether recommendations may be required for Cabinet.

1.3 The report seeks to outline how the prioritisation process developed and evolved and also the actual condition data for all schools and those considered as part of the review area.

2.0 Background

2.1 The Council were informed during 2016 of the overall timescales for the progression of what was then known as Band B of 21st Century Schools. To assist in the preparation discussions between officers in Education and Property enabled a review of a number of schools which were considered likely to feature in any long list of projects. This enabled Assets to review the data regarding the condition of the schools in question to assist in informing debate. To support this officers from Education also visited the schools in question to assess the suitability of the schools for the delivery of provision.

- 2.2 In October 2016 the Council were advised of the opportunity for local authorities to submit their intentions for Band B. The letter stated that at this stage “guidance on the grant intervention rate and criteria for Band B has not yet been issued, so for the purpose of this exercise we would ask that you indicate:
- (a) what projects you would like to take forward, together with their estimated cost; and
- (b) which of those are affordable should we use the same intervention rate as for Band A (i.e. a 50/50 split)”
- 2.3 Based on this officers commissioned desktop work to review the long list of schemes to inform a session with elected members in December 2016. The presentation to which all Councillors were invited provided the context of what was being achieved via Band A and then future areas for development across the County. These priorities were based on reviewing the 7 geographical areas from an education perspective looking at progress made in recent years and identifying where the next priorities areas would be. Again this looked at condition and suitability of buildings, issues around surplus and deficit places etc.
- 2.4 After the initial 4 areas (Prestatyn, Dee Valley East, Dee Valley West and Ruthin) had seen targeted investment, the next two areas Denbigh and Rhyl were chosen for consideration for primary school investment. From the secondary perspective again this examined the condition and suitability of buildings. This session enabled Councillors to consider the school estate from both a school pupil planning perspective and condition basis and then discussions enabled the long list to be submitted to Welsh Government in December 2016.
- 2.5 During the first months of 2017 local authorities were advised by the Welsh Government that the initial expressions of interest outweighed likely resources and a narrowing of priority projects was required. Internal discussions took place on priority projects which enabled a report to be presented to Cabinet in July 2017 on the Strategic Outline Programme for future investment in Denbigh. This document focussed on the following outline projects.

Name of Project	Condition of School (2017 submission)	Outline Cost
Denbigh High School / Ysgol Plas Brondyffryn	D / B	£21,817,881
St Brigid's Denbigh	C	£14,398,215
Llangollen Provision	C	£23,781,617
Rhyl Primary	n/a	£7,906,696
Ysgol Dewi Sant	C	£2,376.853
EBD Support	n/a	£7,906,696
Ysgol y Faenol	C	£1,789,256

- 2.6 During 2018 it was agreed by the Children and Young Peoples Programme Board to focus the scoping of what was to be delivered based on three themes, the Denbigh Area, the Rhyl area and Support for pupils with emotional and behavioural difficulties. This work involved a review of schools in the Rhyl and Denbigh area together with how best Denbighshire could meet pressures identified to support the Additional Learning Needs requirements.
- 2.7 Over the next 12 months' site visits took place to the schools in these areas and Design and Construction were commissioned to look at potential options for development. This led to a revised area of projects coming forward based on identified need in these areas but also changing situations elsewhere. Following discussion at the Programme Board, the revised options considered by Cabinet in December 2019 focussed on the following projects

Name of Project	Condition of School (2017 submission)	Outline Cost
Ysgol Bryn Collen / Ysgol Gwernant, Llangollen	C	£5.4m
Ysgol Dinas Bran, Llangollen	C	£4.8m
Ysgol Pendref, Denbigh	C	£7.7m
Denbigh High School	D	£15.4m
Rhyl Primary Provision	n/a	£10.3m
Ysgol Plas Brondyffryn	B	£23.5m
St Brigid's School, Denbigh	C	£16.8m

- 2.8 The change in focus was based on the issues arising from the feasibility studies. The overall costs would be £83.8m but importantly would now be based on the changes to the intervention rates as follows: -

Community Schools – change from 50/50 to 65% WG / 35% LA

Special Schools – change from 50/50 to 75% WG / 25% LA

Voluntary Schools – remain at 85% WG / 15% Diocese

This outline would require an increase from the initial £45m from WG to £60.2m

- 2.9 Confirmation was received in 2020 that WG would not initially consider changing their overall contribution of £45m and as a consequence Cabinet were asked to consider a phased approach to the delivery of Band B with the first 4 projects to be delivered including Ysgol Plas Brondyffryn, Denbigh; Ysgol Pendref, Denbigh; Denbigh High School and Ysgol Bryn Collen / Ysgol Gwernant, Llangollen.

3. Condition of Schools

- 3.1 The condition of schools is assessed via the survey works undertaken periodically to assess the condition of school buildings. Typically, the condition surveys will assess

the Roofs, Floors and stairs, Ceilings, External walls, Windows and doors, Sanitary services, Redecorations, Fixed furniture and fittings, External areas, Playing fields Mechanical services and Electrical services of a school. Based on the findings a grade between A to D will be applied, namely A – Good, B – Satisfactory, C – Poor and D – Bad.

- 3.2 Local authorities on an annual basis have been asked by Welsh Government to complete a return of the school estate which includes the condition, suitability and sufficiency of the school estate. This data informs their understanding of the overall state of schools within Wales.
- 3.3 This compares the findings at the start of the programme and when initial consideration was given to priorities in 2017 and the latest return to Welsh Government in 2021.
- 3.4 The priority areas for primary schools were in the Denbigh and Rhyl area whilst the focus for investment in Secondary remained in respect of condition data.

Denbigh Area – Primary Schools

- 3.5 Of the 9 schools considered in the Denbigh area, 8 of them remain at the same condition ranking as 2017. Bodfari, Henllan and Twm o’r Nant remain considered as Good and Frongoch, Bryn Clwyd, Ysgol y Parc, Pendref and Trefnant remain as Poor. The main change was Ysgol Bro Cinmeirch which changed from Poor to Satisfactory.

Rhyl Area – Primary Schools

- 3.6 Of the 6 schools considered in the Rhyl area, the 6 schools remained at the same category as they were in 2017. Ysgol Emmanuel was considered Satisfactory and Ysgol y Castell, Christchurch, Llywelyn, Dewi Sant and Bryn Hedydd as Poor. With the faith project progressing Ysgol Mair was not considered as part of the review. Ysgol Mair was considered as a C category with the new Christ the Word facility ranked as A, good.

Secondary Schools

- 3.7 For the 8 schools hosting secondary education (including the middle schools) the rankings overall remain similar to the 2017 return. The new investment at Rhyl High School and Ysgol Glan Clwyd saw the schools ranked as Good, Ysgol Brynhyfryd as Satisfactory and then Prestatyn High, Ysgol Dinas Bran and St Brigid’s as Poor. The condition survey for Denbigh was deemed Unsatisfactory. Again the main change reflects the faith project with again Blessed Edward Jones ranked as poor with the new Christ the Word being ranked as Good.
- 3.8 This assessment would suggest that based on the 2021 return there appears no material change to the condition of the school’s in the remit of the original review that would warrant a significant change.

Working with Prestatyn High School

Officers from Denbighshire attended a meeting of the Prestatyn MAG in November 2017 at the request of local councillors.

Following discussions with local members for Prestatyn together with the school a 5 year programme of investment was developed to address immediate priorities from the school perspective.

The priorities were as follows :-

Priority	Commitment	Current Position
Site Fencing and Security	seek funding in 2019/20 as part of Safeguarding works	Majority of fencing installed – quotes obtained for remaining element at the front
Walkway access corridor	Commitment seek funding in 2021/22	Funding secured as part of maintenance grant -
Science	Funding application progressed in 2018-19 for initial works	First three phases of new science labs been progressed – next phase to be progressed shortly
Technology and Welsh	No identified budget for works. Application for funding from SIG will need to be progressed in 2020-21	Funding secured for lifts as part of maintenance grant – use of DDA funding programme for improved accessibility in other parts of building
Car Park	Feasibility work currently actioned to be funded out of School work based Transport budget. 6 schools have been identified as main priority and PHS included in the 6.	Feasibility works completed – project proposal currently being finalised to develop detailed designs for new car park
Diner	No identified budget for works. Application for funding from SIG will need to be progressed in 2022-23	

Overall Maintenance Spend

Denbighshire has targeted its general maintenance programme to school sites such as Prestatyn High to maintain the overall condition of the school estate.

During the period 2014 – 2018, £1.183 M was spent on maintaining and improving the building. This included 3 new toilet refurbishments, changing rooms, lighting upgrades, heating upgrades, Major flat roof works and new windows in the science Block.

The investment in the school continued between 2018 and 2021 with additional spend of £500k which has included the first two phases of science block refurbishments, together with other refurbishment works to the roof and mobile classrooms.

[PHS Science labs refurbishment - YouTube](#)

This investment has based on emerging issues from the site and the agreed programme between the school and the local authority to ensure that any available resources are targeted at the areas of greatest need in the school.

Summary of investment in site since 2014

Over the last 5 years the following work has been undertaken by DCC.

Date	Works	Cost
July 2020	Alarm system upgrade	£5,893
July 2020	Mobile classroom refurbishment	£54,938.03
July 2020	Roof refurbishment – kitchen area	£57,441
June 2020	Science Lab refurb – phase 2	£128,929
Feb 2020	Science Lab refurb – phase 1	£125,569
July 2020	Roof refurbishment	£58,720
Aug 2020	Footpath works	£14,449
Aug 2020	Insulation improvements	£8,986
2018	Toilet Refurbishment x 3	£350,000
2018	Changing Rooms	£126,000
2018	Accessible Toilet and Physio Room	£8,500
February 2017	Replace defective Fire Alarm Panel,	£1,532
December 2016	External Lighting Upgrade,	£9,839
October 2016	Replacement Heating Pumps	£6,066
May 2016	Making good to auditorium	£10,215
February 2016	Energy efficiency improvements to Library	£9,005
January 2016	Replacement Water Heater,	£6,022
November 2015	Replacement Glazing Block 1	£93,909
July 2015	Major Flat Roofing Works	£354,619

May 2015	New CCTV System,	£7,408
April 2015	Replacement Heating Boilers	£32,404
July 2014	<i>Replacement Windows to Science Block</i>	<i>£167,468</i>
TOTAL		£1,638,135

Additional works to be progressed

Fencing works

Walkway access corridor	£60,000
Phase 3 science labs	£130,000
Car park – feasibility works	
Accessibility	£300,000

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Report to	Cabinet
Date of meeting	26 th July 2022
Lead Member / Officer	Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets / Steve Gadd, Head of Finance and Property
Report author	Steve Gadd, Head of Finance and Property
Title	Finance Report (June 2022/23)

1. What is the report about?

The report gives details of the council's revenue budget and savings as agreed for 2022/23. The report also provides a summary update of the Capital Plan as well as the Housing Revenue Account and Housing Capital Plan.

2. What is the reason for making this report?

The purpose of the report is to provide an update on the council's current financial position and confirm the agreed service budgets for 2022/23.

3. What are the Recommendations?

3.1 Members note the budgets set for 2022/23 and progress against the agreed strategy.

4. Report details

The report provides a summary of the council's revenue budget for 2022/23 detailed in Appendix 1. The council's net revenue budget is £233.696m (£216.818m in 21/22). The position on service and corporate budgets is a forecast overspend of £1.936m (£1.109m overspend last month). Narrative around the current risks and assumptions underlying this assessment are outlined in Section 6 and Appendix 2.

The 2022/23 budget required service savings and efficiencies of £0.754m to be identified and agreed as detailed below:

- Fees and Charges inflated in line with agreed Fees and Charges policy (£0.120m).
- Operational efficiencies (£0.634m) mostly identified by services throughout the year and within Head Service delegated responsibility in consultation with Lead Members.
- No savings were requested from Community Support Services or Schools.

The operational savings and fees and charges increases are assumed to have been achieved.

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

Effective management of the council's revenue and capital budgets and delivery of the agreed budget strategy underpins activity in all areas, including corporate priorities.

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

Significant service narratives explaining variances and risks are detailed in Appendix 2, however the following should also be noted:

6.1 Impact of Corona Virus and Inflation - The strategy of working in partnership with Welsh Government helped secure over £15m direct financial help last year. We continue to claim for payments to Self-isolation and Statutory Sick Pay Enhancement payments, along with Free School Meals direct payments. A contingency of £1.9m was agreed as part of the budget for 22/23 to fund any ongoing impact of the pandemic which cannot be claimed from WG this year, and in recognition of the increases in inflation at the time the budget was set. Early indications are that whilst the risk due to covid has diminished considerably, the inflationary risk has increased largely due to the war in Ukraine. The position will be monitored closely over the coming months

6.2 Corporate Budgets – Although currently projected to break even the following risks are difficult to quantify at this early stage of the year:

- Pay settlements for 2022/23
- Call on contingencies relating to energy and other inflationary pressures (see 6.1)

These will be monitored closely over the coming months.

6.3 Education and Children’s Service – The current outturn prediction is £1.938m overspend (previous £1.088m). Although an additional pressure of £750k was accepted as part of the agreed budget for 2022/23 this remains an area of concern. The majority of the pressure (£1.542m) relate to new residential and independent fostering placements, either which have commenced early this financial year or are now projected to continue longer than previously predicted. The increase this month reflect 2 additional residential placements and 15 additional independent fostering placements. The projected overspend assumes we will receive Welsh Government funding of £0.880m this year, although £0.300m of this is yet to be confirmed.

6.4 Community Support Service – Although an additional pressure of £3.127m was included in the budget for 2022/23 this service area remains a risk. Homelessness in particular remains an area of pressure. Although at this early stage we are hoping that the pressures will be able to be kept within the increased budget. As highlighted in the Final Outturn Report a service cash reserve of £2.440m is available to help fund any in year pressures.

6.5 Schools - The budget agreed by Council for 2022/23 included a total net additional investment (excluding increases in Welsh Government grants) in schools delegated budgets of just over £4.4m. The latest projection for school balances to be carried forward into 2023/24 is a net credit balance of £7.285m, which represents a decrease of £5.163m on the balances brought forward into 2022/23 of £12.448m. The movement is as expected and highlighted in the Final Outturn Report as the movement last year largely related to the receipt of one-off funding and one-off savings relating to schools being closed for much of the year and, in particular, a number of large grants were received at the end of March. The grants are now projected to be spent this financial year on the catch-up and Covid recovery programme in schools. There is a small underspend of £108k on non-delegated school budgets.

6.6 The Housing Revenue Account (HRA). The latest revenue position assumes a decrease in balances at year end of £322k which is £318k more than the £4k at the time the budget was approved. The movement relates to a reduction in estimated rental

income. HRA balances are therefore forecast to be £1.734m at the end of the year. The HRA Capital budget of £29.9m is largely allocated between planned improvements to existing housing stock (£17m) and new build developments and acquisitions (£13m).

6.7 Treasury Management – At the end of June, the council’s borrowing totalled £230.372m at an average rate of 3.83%. Investment balances were £17.75m at an average rate of 0.73%.

6.8 A summary of the council’s **Capital Plan** is enclosed as Appendix 3. The approved capital plan is £62.64m with expenditure to date of £3.99m. Appendix 4 provides an update on the major projects included in the overall Capital Plan. The Capital Plan contingency was increased by £1.676m to £2.176m (up from the £0.500m agreed in February) due to carrying forward the unencumbered element of a capital grant received from WG in March. The Capital Plan contingency has been reduced this month to £1.014m, by £1.2m allocated to the Waste Project (as detailed in Appendix 4). The contingency level will help mitigate the risks to the overall programme of the impact of inflation on capital costs.

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

A Well-being Impact Assessments for the Council Tax rise was presented to Council on 25 January.

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

In addition to regular reports to the Corporate Governance Committee, the budget process has been considered by SLT, Cabinet Briefing, Group Leaders and Council Briefing meetings. The School Budget Forum have been included in the proposals through-out the year. Trade Unions have been consulted through Local Joint Consultative Committee. The Covid pandemic has continued to impact on the level of consultation and engagement with the public, however plans are in place to engage early with all stakeholders during the budget process for 2023/24.

9. Chief Finance Officer Statement

It is welcome that we enter this financial year in a lot better position than we feared thanks to the continued Covid support from Welsh Government and the better than anticipated budget settlement for 22/23. As in previous years the early monitoring is showing pressures in Children's Services. Significant investment has gone into this area in recent years and it is expected that that need will continue. Initial pressures have already been included in the Medium Term Financial Plan and these will be kept under review, while the pressure for Children's Services will need to be reviewed in the coming months. The contingencies held corporately will not be released this early in the financial year but look to be sufficient to cover the service pressures.

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

This remains a challenging financial period and there is still uncertainty around the ongoing inflationary increases, Brexit and the financial strategy of the UK government in dealing with the long term financial impact on the public finances of the response to Covid and the cost of living crisis. Although the financial outlook looks uncertain, our finances are in a healthy position and a robust 3/5 year budget process has recently been approved by SLT, CET, Cabinet and scrutinised by the Governance and Audit Committee.

11. Power to make the decision

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

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Appendix 1

DENBIGHSHIRE COUNTY COUNCIL REVENUE BUDGET 2022/23

Jul-22	Net Budget	Budget 2022/23			Projected Outturn							Variance
	2021/22	Expenditure	Income	Net	Expenditure	Income	Net	Expenditure	Income	Net	Net	Previous Report
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	%	£'000
Communities and Customers	3,263	4,285	-828	3,457	5,526	-2,069	3,457	1,241	-1,241	0	0.00%	0
Education and Children's Service	17,802	34,410	-15,889	18,521	25,923	-5,464	20,459	-8,487	10,425	1,938	10.46%	1,088
Business Improvement and Modernisation	4,593	6,262	-1,121	5,141	6,400	-1,280	5,120	138	-159	-21	-0.41%	-10
Legal, HR and Democratic Services	2,364	4,152	-1,632	2,520	4,021	-1,560	2,461	-131	72	-59	-2.34%	-15
Finance and Property	5,744	10,535	-4,640	5,895	8,984	-3,103	5,881	-1,551	1,537	-14	-0.24%	-10
Highways and Environmental Services	15,730	29,345	-12,750	16,595	23,503	-6,866	16,637	-5,842	5,884	42	0.25%	17
Planning and Public Protection	9,562	17,476	-7,201	10,275	15,517	-5,202	10,315	-1,959	1,999	40	0.39%	37
Community Support Services	39,854	61,490	-18,190	43,300	59,093	-15,793	43,300	-2,397	2,397	0	0.00%	0
Leisure - Retained Budgets	3,255	3,393	0	3,393	3,403	0	3,403	10	0	10	0.29%	2
Total Services	102,167	171,348	-62,251	109,097	152,370	-41,337	111,033	-18,978	20,914	1,936	1.77%	1,109
Corporate	18,474	50,884	-29,271	21,613	50,884	-29,271	21,613	0	0	0	0.00%	0
Precepts & Levies	5,060	5,381	0	5,381	5,381	0	5,381	0	0	0	0.00%	0
Capital Financing	15,176	15,956	0	15,956	15,956	0	15,956	0	0	0	0.00%	0
Total Corporate	38,710	72,221	-29,271	42,950	72,221	-29,271	42,950	0	0	0	0.00%	0
Council Services & Corporate Budget	140,877	243,569	-91,522	152,047	224,591	-70,608	153,983	-18,978	20,914	1,936	1.27%	1,109
Schools & Non-delegated School Budgets	75,941	90,877	-9,228	81,649	94,551	-7,846	86,705	3,674	1,382	5,056	6.19%	-109
Total Council Budget	216,818	334,446	-100,750	233,696	319,142	-78,454	240,688	-15,304	22,296	6,992	2.99%	1,000
Housing Revenue Account	653	17,585	-17,581	4	17,481	-17,159	322	-104	422	318		0

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Appendix 2 - Service Variance Narrative

Service	Variance Last Month £000	Variance This Month £000	Change £000	Description
Communities and Customers	0	0	0	See body of report for details
Education and Children's Service	1,088	1,938	850	See body of report for details. All residential and independent fostering placements have been costed to realistic timescales however no allowance has been made for any further new placements throughout the year.
Business Improvement and Modernisation	-10	-21	-11	Underspend due to a vacancy savings, further increased this month.
Legal, HR and Democratic Services	-15	-59	-44	Underspend due to a number of temporary vacancy savings, further increased this month.
Finance and Property	-10	-14	-4	The underspend relates to the net impact of temporary vacancy savings due to a number of retirements within finance.
Highways, Facilities and Environmental Services	17	42	25	The overspend, and increase this month, is due to a number of minor variances. A review of the budgeted arrangements within the Streetscene is currently ongoing to help streamline processes (e.g. removal of timesheets to help free up officer time). Waste service in particular relies on grant income which have yet to be confirmed by Welsh Government so remain a risk.
Planning and Public Protection	37	40	3	The overspend relates to planning income which, although has recovered over recent months, is still below pre-pandemic levels. This will be monitored closely over coming months. Risks remain around School Transport however following the approval of a £0.500m pressure as part of the 22/23 budget process it is hoped that this area will remain in a break even position. As always the true picture will not be known until the Autumn term contracts have been agreed.
Community Support Services	0	0	0	See body of report for details
Leisure - ADM	2	10	8	The movement relates to minor variances.
Corporate & Miscellaneous	0	0	0	See body of report for details
Precepts & Levies	0	0	0	See body of report for details
Capital Financing	0	0	0	The position on capital financing is very much related to progress on capital projects and variances do not crystallise until the final outturn is known.
Council Services & Corporate Budget	1,109	1,936	827	

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Denbighshire County Council - Capital Plan 2022/23
Position to end June 2022

APPENDIX 3

Capital Expenditure

Total Estimated Payments - Other

Total Estimated Payments - Major Projects:

Housing Improvement Grants

Rhyl, New 3-16 Catholic School

Highways Maintenance

East Rhyl Coastal Defence Scheme

Rhyl Queens Market Redevelopment

Waste Service Remodelling

Contingency

Total

Capital Financing

External Funding

Receipts and Reserves

Prudential Borrowing

Unallocated Funding

Total Capital Financing

2021/22 OUTTURN POSITION £000s	2022/23 ORIGINAL ESTIMATE £000s	2022/23 LATEST ESTIMATE £000s
18,557	23,771	37,724
1,210	1,200	1,565
52		339
4,109	4,710	7,495
5,137	3,575	480
1,682	3,493	6,403
4,797	11,428	7,625
	500	1,014
35,544	48,677	62,645
20,482	19,399	33,689
5,223	7,944	15,223
9,839	21,334	13,733
0	0	0
35,544	48,677	62,645

Note: 2022-23 Original Estimate is the position as approved by Council on 22nd February 2022

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Appendix 4 - Major Capital Projects Update – June 2022

Rhyl Queens Market Redevelopment	
Total Budget	£13.232m
Expenditure to date	£7.364m
Estimated remaining spend in 22/23	£5.747m
Future Years estimated spend	£0.121m
Funding	WG £8.060m DCC Asbestos £0.252m. DCC £4.920m
Narrative: Further to the decision taken at Cabinet on 15 March 2022, the construction contract has since been awarded to Wynne Construction. The eggs laid by the birds nesting on the site which delayed the start of works have now hatched and construction will commence on Monday 15 August. To mitigate against the delay, the principal contractor will be setting up the site compound before work starts and orders have also been placed for construction materials.	
Forecast In Year Expenditure 22/23	£6.403m

Waste Service Remodelling	
Total Budget	£24.012m
Expenditure to date	£7.974m
Estimated remaining spend in 22/23	£7.625m
Future Years estimated spend	£8.413m
Funding	WG £11.132m, DCC £10.235m, Other contributions £2.645m
Narrative:	
<p>A number of work streams are being taken forward including:</p> <p>Development of a new single central waste transfer station depot on land adjacent to the Colomendy Industrial Estate in Denbigh. The Phase 1 Enabling Works Contract commenced on site on July 5th 2021 and completed in April 2022. Phase 2 contract award confirmed at the start of July, pre start meetings underway with aim to start on site summer 2022 in order to complete the development of the new Depot by summer 2023 to support a subsequent roll out of the proposed new service model in autumn 2023.</p> <p>Following the return of the Phase 2 tender sums and an update to latest equipment costs required for the Depot (Sortline, Bailers, Weighbridge, Vehicle Wash); due to unavoidable cost pressures as a result of market conditions and in order to enable the project to progress without further delay, a decision was taken on June 17 2022, associated with the delegated decision by the Chief Executive to award the Phase 2 contract, to allocate a sum of £1.183M to the project budget from a centrally held contingency sum under powers delegated to the Chief Executive, in consultation with the Section 151 Officer and Chief Monitoring Officer by Cabinet in April 2022.</p> <p>Fleet of 24 new waste collection vehicles procured and delivery timescales agreed with suppliers to align with proposed roll out from Autumn 2023.</p> <p>An Options Appraisal exercise on the detail of the new recycling container design has been undertaken, with the new service model and supporting Containers presented to Scrutiny in May 2021 and presented again at Scrutiny in December 2021. A procurement exercise for the Containers to support the new model will be undertaken in due course with a delivery schedule in time for roll out associated with proposed service change. A number of mobilisation and communication activities are ongoing to prepare for the service change and include developing the new collection routes; planning for staffing changes/requirements and ongoing engagement and communication with stakeholders and residents.</p>	
Forecast In Year Expenditure 22/23	£7.625m

Cabinet Forward Work Plan

Meeting	Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer	
20 Sept	1	Annual Treasury Management Report 2021-22	To give a review of the Treasury Management activities over the previous financial year (2021-22)	Tbc	Cllr Gwyneth Ellis Lead Officer Steve Gadd Report Author Rhys Ifor Jones
	2	Draft Sustainable Transport Plan	To seek Cabinet approval of the draft Sustainable Transport Plan for consultation	Yes	Cllr Barry Mellor Lead Officer/Report Author Mike Jones
	3	Ysgol Plas Brondyffryn	To review the findings of the consultation and to consider the publishing of the statutory notice	Tbc	Cllr Gill German Geraint Davies / James Curran
	4	Queen's Market: Operator Contract Award	Following the culmination of the procurement process to appoint an operator for the Queen's Market in Rhyl, approval is sought from Cabinet to award a contract to the preferred tenderer.	Yes	Cllr Jason McLellan Lead Officer Emlyn Jones Report Author Russ Vaughan
	5	North Wales Market Stability Report 2022	To provide an overview of the Market Stability Report, which has been produced as a requirement of the Social Services and Well-being	Tbc	Cllrs Elen Heaton and Gill German Lead Officers Nicola Stubbins / Ann Lloyd / Rhain Morrle

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
			(Wales) Act 2014 and assesses the sufficiency of care and support in meeting the needs and demands as set out in the Population Needs Assessment and the stability of the market for regulated services providing care and support		
	6	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	7	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Lead Officer – Scrutiny Coordinator
18 Oct	1	Central Rhyl Coastal Defence Scheme and Central Prestatyn Coastal Defence Scheme	To seek endorsement to proceed with the schemes	Yes	Cllr Barry Mellor Lead Officer Tony Ward
	2	District Heating System Proposal Betws Gwerfil Goch	To present the outcome of the consultation and engagement exercise DCC have carried out with the owner occupiers and council tenants of Betws GG, with	Tbc	Cllr Rhys Thomas Lead Officer David Lorey Report Author Mark Cassidy

Cabinet Forward Work Plan

Meeting	Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
		regard to a district heating system proposal.		
	3	Finance Report	To update Cabinet on the current financial position of the Council	Tbc Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc Lead Officer – Scrutiny Coordinator
22 Nov				
	1	Council Performance Update – July to September	To consider the Council's performance in delivering against the council's strategic plan and services	Tbc Cllr Gwyneth Ellis Lead Officer Nicola Kneale Report Author Iolo McGregor
	2	Temporary Accommodation Support Project	To seek Cabinet approval to award the contract for the project	Yes Cllr Rhys Thomas Lead Officer Ann Lloyd Report Author Hayley Jones
	3	Finance Report	To update Cabinet on the current financial position of the Council	Tbc Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc Lead Officer – Scrutiny Coordinator
13 Dec				
	1	Housing Rent Setting & Housing Revenue and Capital	To seek approval for the proposed annual rent	Yes Cllr Gwyneth Ellis Lead Officer/Report Author

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
		Budgets 2023/24	increase for council housing and to approve the Housing Revenue Account Capital and Revenue Budgets for 2023/24 and Housing Stock Business Plan		Geoff Davies
	2	Ysgol Plas Brondyffryn	To consider the final OBC / FBC for the proposed new building for Ysgol Plas Brondyffryn	Tbc	Cllr Gill German Lead Officer Geraint Davies Report Author James Curran
	3	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Lead Officer – Scrutiny Coordinator

Note for officers – Cabinet Report Deadlines

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
<i>20 September</i>	6 September	<i>18 October</i>	4 October	<i>22 November</i>	8 November