

To: Members of the Communities
Scrutiny Committee

Date: 24 June 2022

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Dear Councillor

You are invited to attend a meeting of the **COMMUNITIES SCRUTINY COMMITTEE** to be held at **10.00 am** on **THURSDAY, 30 JUNE 2022** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND BY VIDEO CONFERENCE.**

Yours sincerely

G. Williams
Head of Legal, HR and Democratic Services

AGENDA

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

1 APOLOGIES

2 DECLARATION OF INTERESTS (Pages 3 - 4)

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

3 APPOINTMENT OF VICE-CHAIR (Pages 5 - 6)

To appoint a Vice-Chair for Communities Scrutiny Committee for the municipal year 2022/23 (copy of Role Description for Scrutiny Member, Chair/Vice-Chair attached).

4 URGENT MATTERS AS AGREED BY THE CHAIR

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

5 MINUTES (Pages 7 - 20)

To receive the minutes of the Communities Scrutiny Committee held on 10th March 2022 (copy enclosed).

6 RHYL REGENERATION PROGRAMME (Pages 21 - 36)

To consider a report by the Head of Planning, Public Protection and Countryside Services (copy attached) examining the effectiveness of the Programme Board's work in delivering the regeneration programme.

10:15am – 11:00am

7 SECOND HOMES AND SHORT-TERM HOLIDAY LETS (Pages 37 - 60)

To consider a report (copy attached) from the Head of Planning, Public Protection and Countryside Services with respect to the planning requirements in relation to these types of properties/dwelling.

11:00am – 11:45am

8 SCRUTINY WORK PROGRAMME (Pages 61 - 80)

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

11:45am – 12:00 pm.

MEMBERSHIP

Councillors

Councillor Huw Williams (Chair)

Brian Blakeley
Karen Edwards
James Elson
Bobby Feeley

Jon Harland
Delyth Jones
Michelle Walker
Cheryl Williams

COPIES TO:

All Councillors for information
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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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Role Description for the **Chair/Vice-Chair of Scrutiny and Scrutiny member** (as detailed in the Council's Constitution)

Role: Scrutiny Member/Chair

Salary: Band 3 (Chair only)

Please note: items highlighted are specific to the role of Chair (and in their absence the Vice-Chair)

1. PRINCIPAL ACCOUNTABILITIES

- To Full Council

2. PURPOSE OF ROLE

- **Providing leadership and direction**
- To participate fully in the activities of the Scrutiny Committee, the development and delivery of its work programme and any associated task and finish groups.
- To assist in the development and monitor impact of Council policy
- To hold the executive to account, monitoring performance and service delivery and challenge decisions through the call in arrangements where appropriate.
- To develop a forward work programme of the committee.
- To report on progress against the work programme to Council, and others as appropriate
- **To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to.**
- **To act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function.**
- **To encourage effective contributions from all committee members in both committee and task and finish groups**
- **To assess individual and collective performance within the committee and liaise with the relevant Group Leader to progress training and development opportunities.**
- Fulfil the accountabilities of the elected member role.

3. VALUES and EXPECTATIONS

- To be committed to the values of Denbighshire County Council and the following values in public office:
 - Pride
 - Integrity
 - Respect
 - Unity
 - Attend all relevant meetings

- Carry out business electronically i.e. meetings and communication, wherever possible
- To attend mandatory training as specified in the code of conduct and the constitution.
- To participate in an annual development review to continually improve the performance of the member and the Council.
- To explain and account for personal performance as a County Councillor on a regular basis, particularly through the publication of an Annual Report on the Council's web site.

COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held via video conference on Thursday, 10 March 2022 at 10.00 am.

PRESENT

Councillors Brian Blakeley, Gwyneth Ellis, Tina Jones, Merfyn Parry, Anton Sampson, Peter Scott, Graham Timms (Vice-Chair), Cheryl Williams and Huw Williams (Chair)

Lead Members (at the invitation of the Committee):

Councillor Brian Jones (Lead Member for Waste, Transport and the Environment)

Councillor Julian Thompson-Hill (Lead Member for Finance, Performance and Strategic Assets)

Councillor Mark Young (Lead Member for Planning, Public Protection and Countryside Services)

Non-committee member who was a signatory to the Call-in Request (business item 5): Councillor Rhys Thomas

Non-committee members who were members of the Task and Finish Group (business item 6): Councillors Barry Mellor and Peter Scott

Observers: Councillors Meirick Lloyd Davies Martyn Holland and Emrys Wynne.

ALSO PRESENT

Head of Legal, HR and Democratic Services (GW), Head of Business Improvement and Modernisation (AS), Head of Finance and Property (SG), Head of Highways and Environmental Services (TW), Head of Planning, Public Protection and Countryside Services (EJ), Countryside and Heritage Services Manager (HR), Lead Officer – Corporate Property and Housing Stock/Corporate Landlord (DL), Climate Change Project Officer (LW-J), Flood Risk Manager (WH), Section Manager – Network Management (TT), Planning Officer (GC), Development and Control Manager (PM), Planning and Compliance Officers (AT & SW), Scrutiny Coordinator (RhE), Democratic Services Officer (KE) and Committee Administrators (SLW, KJ & RhT-J) along with Fergus O'Brien representing Dŵr Cymru Welsh Water

1 APOLOGIES

Apologies for absence were received from Councillor Hugh Irving.

Councillor Melvyn Mile, one of the signatories to the call-in request, had also tendered his apologies due to a prior appointment as had Councillor Tony Thomas, Lead Member for Housing and Communities.

Representatives from Natural Resources Wales (NRW), Dŵr Cymru/Welsh Water and Waterco had also tendered their apologies for not being in attendance for business item 6, 'Flood Risk Management and Riparian Land Ownership Task and Finish Group', this was due to prior arranged engagements.

2 DECLARATION OF INTERESTS

No declarations of interest were raised.

Councillor Meirick Lloyd Davies was advised that assisting a resident in relation to flooding matters in his capacity as the ward member did not constitute a matter which needed to be declared as a personal interest for business item 6.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised with the Chair prior to the meeting.

4 MINUTES

The minutes of the Communities Scrutiny Committee meeting held on 20 January 2022 were submitted. It was:

Resolved: that the minutes of the meeting held on 20 January 2022 be received and approved as a correct and true record of proceedings.

No matters were raised in relation to the contents of the minutes.

5 REVIEW OF CABINET DECISION RELATING TO THE PROPOSES 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.***

The Chair presided over the meeting from this juncture.

6 FLOOD RISK MANAGEMENT AND RIPERIAN LAND OWNERSHIP TASK AND FINISH GROUP

The Committee Chair, in his capacity as the Chair of the Flood Risk Management and Riparian Land Ownership Task and Finish Group, introduced the report (previously circulated) which updated the Committee on the Task and Finish Group's activities. Attached to the covering report was the Task and Finish Group's final report, which detailed its findings and recommendations, and which sought the Committee's approval for those recommendations.

At this juncture, Councillor Huw Williams (Chair) thanked all internal and external members of the Group for their diligent work. He also thanked Karen Evans, Democratic Services Officer, for the work she had done and for the excellent report which had drafted on the Group's behalf.

The Chair outlined the background to the Task and Finish Group's establishment by the Committee, which was primarily to examine methods to further strengthen interaction and working relationships between public flood management authorities and riparian landowners. He advised that all Group members had learnt a

considerable amount about each other's roles, responsibilities and work practices during the course of the Group's work. As a result, all agreed that working relationships and mutual trust had been strengthened through the existence of the Group. The Group had also answered a number of myths in relation to responsibilities and permissions sought for river and riverbank maintenance work, such as the actual number of applications received for Flood Risk Activity Permits (FRAPs) from landowners, riparian land ownership responsibilities within the Rhyl Cut and Prestatyn Gutter catchment area etc., all of which were documented within the report. The Group's work had also highlighted the wide range of information available on each flood risk authority's website for the public, including an extremely useful frequently asked questions section on the Dŵr Cymru Welsh Water's website. As a result, one of the Task and Finish Group's recommendations was that, for ease of access to the public, the Council's own Local Flood Risk Management Strategy page should be relaunched and should include links to Natural Resources Wales (NRW) and Dŵr Cymru Welsh Water's relevant webpages. The new page should also include information on the responsibilities of Flood Risk Management Authorities and those of riparian land owners.

Responding to members' questions the Chair, Task and Finish Group members and officers advised that:

- all stakeholder's understanding of each other responsibilities and their working relationships with each other had improved during the course of the Task and Finish Group's work.
- the recommendation to work in partnership to produce and deliver a generic information leaflet on the roles and responsibilities of flood risk authorities and householders along the Rhyl Cut and Prestatyn Gutter was due to the complexities involved with multiple 'riparian landownership' in a densely populated area and a wide misconception that NRW was responsible for private boundaries abutting the watercourses. Similar exercises were not deemed necessary in other areas of the county where larger landowners were familiar with their responsibilities;
- the local authority had powers conferred on it under the Land Drainage Act to intervene in certain instances. However, whilst it had the powers to intervene it was not duty bound to do so;
- riparian land owners had certain responsibilities in relation to not blocking watercourses etc. and there were recourses for action with regards to cutting off natural water supplies through common law; and
- new developments were required to be serviced by separate surface and foul water drainage systems, this was not the case for older residential developments where both surface and foul water were eventually channelled into the same sewer system;
- circulating the report to all city, town and community councils would help in communicating useful information regarding flood risk management responsibilities to all residents and businesses in the county.

Task and Finish Group members emphasised the benefits of the Group's work, at which issues which had been highlighted at a number of different groups and committees had been discussed openly with all stakeholders. This had generated good, open and constructive discussion which had led to all having a better

understanding of each other's roles as well as the constraints within which they had to work. There was a mutual feeling amongst all involved with the Group's work that a high level of mutual trust and understanding had been fostered. Consequently, the Group wished to continue to meet on at least an annual basis to discuss issues of concerns and future plans.

Committee members thanked the Task and Finish work for its work and its comprehensive report. It supported the Group's enthusiasm to continue to meet on an annual basis and its appetite to work with all stakeholders going forward. It was therefore suggested that the Group report to Communities Scrutiny Committee on an annual basis on its discussions. At the conclusion of the discussion the Committee unanimously:

Resolved: subject to the above observations to thank the Task and Finish Group for its work, to receive its report and endorse its contents including the following recommendations:

- (i) that a Flood Risk Working Group comprising of the flood risk management authorities and landowner representatives continue to meet on an annual basis for an updated position on issues and expectations, and report on its discussions to Communities Scrutiny Committee;***
- (ii) that the Local Flood Risk Management Strategy page on the Council's website be re-launched including:***
 - (a) links to related Natural Resources Wales and Dŵr Cymru/Welsh Water web pages; and***
 - (b) an explanation of the responsibilities of Flood Risk Management Authorities and riparian landowners,***
- (iii) that working in partnership with Natural Resources Wales and Dŵr Cymru/Welsh Water a generic information leaflet/letter be created on the responsibilities of riparian landowners and distributed to properties adjacent to the Rhyl Cut and Prestatyn Gutter; and***
- (iv) that the report presented to the Committee be translated and circulated to City, Town and Community Councils for inclusion on their websites.***

7 PLANNING COMPLIANCE CHARTER

The Lead Member for Planning, Public Protection and Safer Communities introduced the report and appendices (previously circulated), the purpose of which was to seek the Committee to review the Planning Compliance Charter's effectiveness to date. It also sought members' support for proposed amendments to its contents and/or to increase the resources available for planning compliance work across the county.

Prior to inviting questions, the Planning and Compliance Officer drew members' attention to the proposed amendments to the Charter, as highlighted in Appendix 1 to the report.

Members commented on how useful the Charter had been to them in dealing with residents' planning compliance queries and the prioritisation process for dealing with such complaints.

In response to members' questions on the Charter and the proposed amendments, the Lead Member and officers advised:

- that whilst the Service continued to deal with a backlog of planning compliance queries, which in the main had been instigated during the first COVID-19 lockdown period, the workload was reducing in terms of caseloads. The appointment of a second Planning and Compliance Officer in August 2021 had helped ease the pressure.
- some cases were historic and extremely complex and would therefore require some considerable time and resources to resolve;
- that circumstances when the Council could divulge the names of complainants etc. were clearly set in regulations e.g. General Data Protection Regulations (GDPR) etc. However, they did not prohibit the Council from informing councillors or city, town or community councils (CTCC) that they were investigating alleged breaches. We are currently exploring how, using available software, we can keep local members and CTCC's regularly informed on planning breaches within their areas;
- that regular meetings were held with local members when concerns were raised about unauthorised development issues in open countryside and woodlands;
- that a lot of enquiries were directed to the pre-planning application process for relevant advice on when planning permission was required;
- that the Charter had to work on two different fronts, signposting residents to the types of developments which required or did not require planning permission, whilst also drawing the attention of contraveners to the potential consequences of developing unauthorised dwellings or non-compliance with conditions stipulated as part of the granting of planning permission;
- there was a risk that, individuals who had not sought planning compliance advice and developed or refurbished their property without the necessary consents, could fall foul of the system at a later stage if they attempted to sell their property and the property searches process alerted prospective buyers to non-compliance issues;
- people's expectations regarding the enforcement and ultimate remedying of non-compliance matters needed to be managed appropriately;
- the revised Charter made provisions for alleged breaches that were approaching immunity from enforcement actions due to the passage of time to be treated as 'high priority' cases;
- that the prioritisation process was aimed at dealing in a pragmatic way with potential breaches. Officers illustrated examples of how this would be done;
- that the Council did operate a 'bring-up system' which did flag-up cases with time-limited conditions on them and alerted officers to check that residents/applicants were continuing to conform with the conditions granted for those properties before the expiration date;
- that Planning Compliance training was being prepared for the new Council; and

- that councillors were advised to act as fact-finders rather than mediators in planning disputes between neighbours in their wards. It was advisable for them to signpost individuals to the Council's Planning Compliance Service for technical advice on planning and development matters.

Members emphasised the importance of having a clearly worded document that was easily accessible on the Council's website, to enable them to signpost residents to it and demonstrate that the Council did take planning compliance contraventions extremely seriously and would act to rectify them via enforcement action.

At the conclusion of the discussion the Committee:

Resolved:

- (i) subject to the above observations, and the strengthening of the wording and advice in relation to breaches of planning control in paragraph 1.2 of the revised draft Charter, to endorse the draft Charter entitled 'Planning Compliance in Denbighshire – Planning Compliance Charter' (Appendix 1);***
- (ii) to support officers' intention to present the final version of the Charter for Lead Member approval; and***
- (iii) to confirm that they had read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of their consideration.***

8 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator introduced the report and appendices (previously circulated) seeking members to review the Committee's work programme in preparation for its transfer to its successor Committee post the local authority elections in May 2022. It would then be a decision for the new Committee on whether it wished to proceed with the items already listed.

Members were advised that the report on the 'Mistreatment of Dogs' which was originally scheduled for presentation at the current meeting had, due to Public Protection Service staff still being deployed on Test, Track and Protect (TTP) duties, been rescheduled for presentation until the autumn of 2022. Nevertheless, in order to provide reassurance to members on this matter an information report had been prepared and circulated as part of the Information Brief document ahead of the current meeting.

As part of its regular review of scrutiny committees' forward work programmes the Scrutiny Chairs and Vice-Chairs Group (SCVCG) had rescheduled some items on each of the committees' forward work programmes in order to avoid discussion of controversial items in the lead-up to the pre-election period. These were illustrated on Appendix 1.

The follow-up report requested during the discussion on the Flood Risk Management and Riparian Landownership Task and Finish item on the current business agenda would be included on the Committee's forward work programme for the spring of 2023.

Members were advised that they could continue to submit topics for consideration by Scrutiny on the form at Appendix 2. Unless the topics were of an urgent nature, the SCVCG would consider the requests following the local authority elections.

The Cabinet's forward work programme (Appendix 3) and the table illustrating progress to date with the recommendations made by Committee's at its last meeting (Appendix 4) were provided for information purposes.

Work was now underway to prepare for the production of an information report on a 'Community Impact Assessment on the communities of Rhewl and Llanynys' following the closure of the local school. The report should be available during the summer.

The Committee:

Resolved: subject to the inclusion of the item agreed during the course of the meeting, to confirm the Committee's draft forward work programme for presentation to the new Committee post the local authority elections in May 2022.

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

None.

Prior to bringing the meeting to a close the Chair extended his sincerest gratitude to the Vice-Chair for all his support, to Committee members for their diligent and constructive work on the Committee, and to the staff for all the support they had provided during the current Council term. He conveyed his good wishes to all for the future.

Meeting concluded at 12.55pm

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Report to	Communities Scrutiny Committee
Date of meeting	30th of June 2022
Lead Member / Officer	Leader / Head of Planning, Public Protection and Countryside Services
Report author	Emlyn Jones - Head of Planning, Public Protection and Countryside Services
Title	Rhyl Regeneration Programme and Governance

1. What is the report about?

1.1. The report outlines the work being undertaken through the Rhyl Regeneration Programme and the governance arrangements which support this work.

2. What is the reason for making this report?

2.1. To provide information regarding the delivery of the Rhyl Regeneration Programme, the Governance arrangements and the effectiveness of the Programme Board's work in delivering the programme.

3. What are the Recommendations?

3.1. That the Committee considers the contents of the report and provides observations on the matters reported herein.

4. Report details

4.1 Rhyl Regeneration has been a Council (and Welsh Government (WG)) priority for many years due to the levels of deprivation in the Town, the top 2 most deprived wards in Wales are located in West Rhyl in and around the Town Centre. As such there has been a considerable amount of investment in regeneration in Rhyl, supported by significant grant funding, which has resulted in a lot of good work being completed.

- 4.2 The current phase of Regeneration activity builds on the foundations laid over the previous years with the focus on the regeneration of the Town Centre. In recognition of the challenges facing the Town Centre, a Master planning process was undertaken, working collaboratively with a range of people and partners to develop a vision. The Town Centre Vision was adopted by Cabinet in September 2019.
- 4.3 The Vision is a long-term “masterplan document” which has gone through extensive consultation and should be seen to underpin the regeneration of the town centre for the foreseeable future. It is intended to be used as a consistent future reference point for decision makers, developers and investors alike.
- 4.4 The adoption of the Town Centre Vision prompted a review of how the Council organises itself in terms of managing its role in the regeneration of Rhyl. As a result, the Rhyl Regeneration Executive Group (formed in 2016) has now been re-established as the Rhyl Regeneration Programme Board with new governance arrangements agreed in July 2020. The Programme Board is responsible for overseeing the Council’s contribution to the delivery of the Town Centre Vision along with managing any Council led regeneration projects in the town. Whilst the Boards focus is primarily on activities within the Town Centre, other regeneration projects across the Town will continue as necessary.
- 4.5 The Board is currently chaired by the Programme’s Senior Responsible Officer (SRO), the Head of Planning, Public Protection and Countryside Services. The SRO is supported by a Programme Support Officer. Taking its lead from the Town Centre Vision, the focus of the Programme Board is divided into 5 main Work streams, each having its own “Lead Officer” to oversee the delivery of the projects that make up the work streams as follows:
- Retail and Commercial: Head of Planning, Public Protection and Countryside Services
 - Environment: Head of Highways and Environmental Services
 - Queens Buildings: Lead Officer – Strategic Asset Management
 - Residential: Programme Manager – Housing Developments
 - Highways & Access: Traffic, Parking and Road Safety Manager

The Town Centre Vision document has helped us provide evidence of robust consultation and that we have a cohesive strategy for Rhyl when applying for Welsh Government Transforming Towns funding and more recently our Levelling Up funding application for the Vale of Clwyd.

- 4.6 The Programme Board is aligned to the vision and indicators of the Rhyl Community Development Board, seeking to address the factors of deprivation that place seven of the 16 LSOAs in Rhyl in the top 10% of deprived LSOAs in Wales by improving the indicators that feed into the WIMD rankings as seen in Appendix 1. A Performance Management Framework to aide monitoring of progress against our goals for Rhyl has been developed, and is being reviewed with a working group of partners including WG, NWP, Health, and others.
- 4.7 Board Members also include Head of Communications, Customers and Marketing, the Acting Joint Head of Business Improvement & Modernisation who acts as the link between the Regeneration Board and the Community Development Board. A representative from Finance attends to update on the financial and funding position of the projects within the Programme. WG's Regeneration Division are also represented, ensuring good links with government structures, emerging funding opportunities and the national priorities. Appendix 2 contains a Programme project register showing the most recent status of these projects on Verto.
- 4.8 Recognising the need for connection between the physical Regeneration activity and the Council's (and its partners') wider activities for addressing social issues and tackling poverty, close links are maintained between the Programme Board and the Rhyl Community Development Board. There will be a shared performance management framework and work is underway to establish a shared vision across the two Boards. The Community Development Board includes strategic collaboration with senior personnel from partner organisations and is chaired by the lead member for health and wellbeing in Denbighshire. The board has a long term goal of reducing deprivation in Rhyl, aligned to factors of deprivation in the Welsh Index of Multiple Deprivation, 2019 and along with the work of the Programme Board, forms part of a structure to tackle deprivation in Rhyl. A draft theme around deprivation in the new Corporate Plan will enable DCC to take a holistic view on

deprivation and ensure efforts are made to tackle issues, reporting quarterly to cabinet and scrutiny.

4.9 The Board's Chair will ensure that the Council's Lead Member for the regeneration of Rhyl, who is this the Council's Leader, is kept updated on the work of the Board. In addition, updates on the Programme will be provided to Rhyl Member Area Group (MAG), Rhyl Reference Group and Rhyl Town Council as required. It is suggested that the Board's work will be reported to Communities Scrutiny Committee annually as part of performance management arrangements. Providing assurance to the Council on the delivery of the Programme. A Communications and Marketing Officer has been appointed to work on the Programme 2.5 days per week and a Programme Communications Plan has been developed. The Officer will work with project Managers to manage monitor and evaluate communications and engagement.

5 How does the decision contribute to the Corporate Priorities?

5.1 The projects delivered through the Rhyl Regeneration Programme will make contributions to the 2017-2022 corporate priorities included in Appendix 3.

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

6.1 The overall Regeneration Programme does not have a dedicated budget. Funding is allocated to projects within the Programme, in the main utilising external funding, project budgets are managed at the project level. In addition to public funding that the Programme Board will be able to access to deliver the key projects it is important that the Board works with its public sector partners to maximise their investment opportunities in the town.

6.2 The formal approval of expenditure decisions will remain within existing delegations and processes, including the requirement for all capital expenditure proposals to be considered by the Strategic Investment Group. Having projects shared with the Regeneration Board at an early stage would provide SIG with additional confidence.

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

7.1 This report is providing an update and is not seeking a decision and as such is not subject to a Well-being Impact Assessment (WIA). The Rhyl Vision document which

guides the work of the Regeneration Programme was subject to a WIA in July 2019. Individual projects within the Programme will require a WIA.

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

8.1 Report to the Corporate Executive Team (CET) in June 2019 and the Senior Leadership Team (SLT) in July 2019 proposed governance arrangements between Rhyl Regeneration and the Rhyl Community Development Board.

8.2 The long term aspirations and ideas detailed in the Rhyl Town Centre Vision and Masterplan were approved by Cabinet in September 2019, including the proposed delivery and governance approach. The Town Centre Vision itself is the result of a collaborative effort between people from public, private and community backgrounds, a phased engagement programme took place between February 2018 and April 2019. This included the MAG, Rhyl Reference Group and Rhyl Town Council.

8.3 The implementation of the Programme Communications Plan will develop a broad community awareness of the ongoing work across the Programme. Individual projects will be required to manage and engage with stakeholders directly.

9 Chief Finance Officer Statement

9.1 As stated above there are no direct financial implications of this report. However, as recognised in Section 6, it is important to stress that approval of expenditure decisions remains within existing delegations and processes, including the requirement for all capital expenditure proposals to be considered by the Strategic Investment Group (SIG) and referred to Cabinet when required.

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

10.1 Not applicable as this report is providing an update and not seeking a decision.

11 Power to make the decision

11.1 Section 21 of the Local Government Act 2000

11.2 Sections 7.2.3, 7.4.1 and 7.4.2 of the Council's Constitution outlines Scrutiny's powers and role in relation to this matter.

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Welsh Index of Multiple Deprivation (WIMD) Indicators

WIMD is currently made up of eight separate domains (or types) of deprivation. Each domain is compiled from a range of different indicators. The domains included in WIMD 2019 are:

- Income
- Employment
- Health
- Education
- Access to Services
- Housing
- Community Safety
- Physical Environment

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Committed Projects

Project	Project Lead	Brief Description of Project	Comments
1. Queen's Buildings	County Council	The acquisition and development of a prime, eyesore site within Rhyl Town Centre. Phase I of the sites phased development includes the construction of a food and market hall, flexible events space and association external public realm. The external areas can be used for additional markets, events or seating. The project is funded by DCC, WG and ERDF.	All Demolition is complete and construction due to start May 2022. Funding secured to deliver phase 1 of the project.
2. Contemporary Living	County Council	Redevelopment of Granite, Next and the Auction Rooms to contemporary living.	Demolition of Auction Rooms to provide parking for tenants and demolition of the former Next Store has been complete. Strip out of Granite and 4 Wellington Road complete. Reconstruction of Next to start later this year.
3. Victorian Post Office	County Council	The former Victorian Post Office building is being refurbished as part of a "Building for the Future" project to create a new retail unit and office accommodation	Planning permission granted, awaiting Building Control approval which will enable the tender pack to be issued.

		which will meet the needs of SMEs which want to locate in town centre.	
4. 3-23 Edward Henry Street	Clwyd Alyn	Redevelopment of 3-23 Edward Henry Street to 13 new build family homes.	Contractor selected and work due to start on site in July.
5. 2-16 Aquarium Street	County Council	The renovation of eight terrace houses, 2-16 Aquarium Street into affordable family homes.	A contract has been awarded for the renovation of the eight terrace houses to affordable family homes.
6. 45-49 Bath Street	County Council	The renovation of 45-49 Bath Street House in Multiple Occupation to 8 intermediate rental apartments.	Consultants appointed to develop design for conversion of HMOs to 8 intermediate rental apartments. Planning and Conservation Area applications have been validated for the conversion.
7. 39-41 Queen Street	County Council	Renovation of retail unit and conversion of upper storeys to 2 intermediate rental apartments.	Consultants appointed to develop design for renovation of retail unit and conversion of upper storeys to 2 intermediate rental apartments. Principle contractor for the Queen's building scheme has agreed in principle to the addition of this property to the contract.

8. Braga Hotel	Skeffington Properties	The acquisition of the freehold of the Braga Hotel and its conversion to provide nine 2 bedroom apartments supported by a Town Centre Loan.	These works have now been complete.
9. Reconnect the top of Rhyl High Street and the beach	County Council	Redesign of Central Promenade to connect High Street and the beach.	Consultant working on concept designs for a scheme. Engagement meetings taken place with internal (DCC) stakeholders to share designs.
10. Green Infrastructure Schemes	County Council	The project included a green corridor from the biodiversity rich urban fringe, to create a resilient ecological network to the Town Centre, and provided a variety of schemes to create habitats and improve biodiversity in the Town Centre.	The majority of agreed schemes are on site, or will be over the next seven months. All works to be complete this year.
11. Public Realm Strategy	County Council	This project is linked to priorities identified in Town Centre Vision.	Consultants appointed to begin work on a public realm framework building on the key sites and concepts outlined in the vision.
12. Former Taste Academy	County Council	Refurbishment of the former East Parade Café to create a modern youth centre.	Works due to start in early 2022.

13. Gateway 1&2	County Council	Redevelopment of 131 High Street & 123-129 High Street to create a new green space / public realm.	All three properties were purchased by Denbighshire County Council. 123-125 High Street has been demolished and designs for the site are currently being developed. The scheme is to form part of the Vale of Clwyd Levelling Up Fund bid – and if successful, will fund all of the capital works.
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1.2 Queens Building – Phase 1 Developments



10.1 Green Infrastructure Schemes

Crescent Road former Multi Use Games Area



Opening up and transforming into a functional and attractive green space that can be accessed by all

Ffordd Las Playing Fields



200 metres of Green Corridor, comprising trees, within a mixed native hedge with wild flower meadow margin; completed Spring 2021

Crescent Road Car Park



Transformation of a paved area to a wild flower meadow, and inclusion of trees and planting, to existing planters

8.1 Braga Hotel



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The 2017-2022 Corporate Priorities that the projects delivered through the Rhyl Regeneration Programme will make contributions to;

- Developing new town centre housing targeted at younger people;
- Bringing redundant space back into commercial and residential use;
- Supporting the creation of an attractive town centre environment that supports economic prosperity;
- Improving the connection between residents and their town centre, shops, services and employment opportunities;
- Developing town centres as places where young people want to live and work;
- Enabling local people to plan and shape the future of their town centre.

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Report to	Communities Scrutiny Committee
Date of meeting	30th June 2022
Lead Member / Officer	Cllr Win Mullen-James Lead Member for Local Development and Planning/ Angela Loftus - Strategic Planning & Housing Manager
Report author	Lara Griffiths – Senior Planning Officer
Title	Planning Requirements in Relation to Second Homes and Short-term Holiday Lets

1. What is the report about?

1.1. The report examines the current planning requirements in relation to second homes and short term holiday lets and also potential measures that could be introduced in the future and their implications.

2. What is the reason for making this report?

2.1. To provide information on the current planning requirements and controls available in relation to second homes and short term holiday lets.

3. What are the Recommendations?

That Members:

- 3.1 comment on the contents of the report; and
- 3.2 agree to receive an update report when the results of the Welsh Government consultation are received and published.

4. Report details

Definition of Second Homes and Short Term Holiday Lets

4.1. This report is confined to consideration of the use of market properties for second homes or short term holiday lets. A second home is defined for council

tax purposes as a dwelling which is not a person's sole or main home and is substantially furnished. A short term holiday let is generally considered to be where a property is let for the purposes of a holiday only; the guest will have a main home elsewhere and the let is for less than 3 months.

- 4.2. The provision of accommodation through caravans; chalets; glamping pods or conversion of rural buildings already require planning permission and therefore have been considered by the planning process and relevant conditions applied. The relevant Local Development Plan (LDP) policies for these types of accommodation and an indication of the number of units granted planning permission in recent years is contained in Appendix 1.
- 4.3. Any additional measures to control holiday lets must be balanced to support the appropriate development of the tourism industry in Denbighshire. Holiday lets are often locally owned and provide employment opportunities and a valuable contribution to the local economy, supporting many facilities and services. Evidence shows that tourism contributed £552 million pounds to the Denbighshire economy and supported 6,470 jobs in 2019¹

Scale of the Issue in Denbighshire

- 4.4 The number of homes in Denbighshire is estimated at 43,543². Data from Council Tax records show that in 2022 there were 401 recorded second homes in Denbighshire, this equates to 0.9% of the homes in Wales (1.5% of the second homes in Wales). The levels are currently low compared to other parts of Wales such as Gwynedd (20%), Anglesey (9%) and Conwy (5%). Where properties are used as short term holiday lets on a business basis they are removed from council tax, in 2022, 228 homes were registered as businesses for council tax purposes. This totals 629 houses or 1.4% of Denbighshire's current housing stock. This level varies across the county as shown in the tables and graphs at Appendix 2.

¹ <https://www.denbighshire.gov.uk/en/documents/your-council/strategies-plans-and-policies/plans/destination-management-plan-2021-2022.pdf>

² <https://statswales.gov.wales/Catalogue/Housing/Dwelling-Stock-Estimates/dwellingstockestimates-by-localauthority-tenure> March 2020

Current planning requirements

- 4.5 Current national policy does not define the use of a dwelling as a second home or a short term holiday let as 'development'. No change of use requiring planning permission therefore occurs when a property is used in this way. The Town and Country Planning (Use Classes) Order 1987 (as amended) define a dwelling under class C3

Class C3 – Dwellinghouses Use as a dwelling house (whether or not as a sole or main residence) by: ...

The key part of the definition is '**whether or not as a sole or main residence**' this permits use of any house as a second home or holiday let within the definition of a dwelling in planning terms.

Potential future planning requirements

- 4.6 On 6th July 2021 the Minister for Climate Change set out a 3 pronged approach to address issues of affordability and the impact of second homes and short-term holiday lets on communities and the Welsh language. A copy of the full announcement is attached to this report as Appendix 3. The three-pronged approach will focus on:

- support - addressing affordability and availability of housing;
- regulatory framework and system - covering planning law and the introduction of a statutory registration scheme for holiday accommodation; and
- a fairer contribution - using national and local taxation systems to ensure second home owners make a fair and effective contribution to the communities in which they buy.

- 4.7 Welsh Government have recently consulted on planning legislation and policy for second homes and holiday lets. The outcome of the consultation is currently unknown. Welsh Government have been contacted regarding timescales but no response has yet been received. The paragraphs below outline some potential planning and non-planning approaches that could be considered.

- 4.8 **Change of Use** – this would involve the introduction of a new subsection in the definition of a C3 dwelling. In legislative terms this would be the most straightforward way to bring about a change. It is not straightforward in implementation terms however, as it would be unlikely to be applicable

retrospectively so would only require permission to be sought in the future and would do nothing about the properties already in holiday use. The second issue is around resources to monitor and take enforcement action. The Council would need to be able to demonstrate when the use of a property had moved to holiday accommodation and this would be difficult for properties not let out all year. This change would also be applied nationally and would not provide any tailored solution for areas where more control is needed.

4.9 **Definition of Development** – as mentioned above the use of a dwelling for holiday purposes is not currently defined as development in Wales. In Scotland the definition has been amended and regulations are currently being prepared which would allow local authorities to define ‘short term let control areas’ within their boundaries. Within these areas planning permission would be required for a change of use to a holiday let. A parallel licencing scheme for holiday accommodation is also being introduced in Scotland and having planning permission may form part of the licencing requirements. This would bring all current and future holiday lets within the scope of the scheme not just newly emerging ones.

4.10 A change in the definition of development to bring about a similar change in Wales would require a change in primary legislation which can only be done by national government.

Potential non planning solutions

4.11 It is clear that additional planning regulations on their own are unlikely to be effective in managing holiday lets and second homes. There are a number of complementary measures which should be considered alongside any planning changes.

4.12 **Taxation** – Councils can already charge a council tax premium on second homes and Denbighshire currently charges an additional 50% premium on second homes. Welsh Government announced in March 2022 that Councils would be able to charge up to a 300% premium from March 2023. There are mixed views on whether this is an effective means of controlling second homes as some may then register them as a business and remove them from Council Tax altogether which is a financial loss for the Council. Welsh Government are also intending to bring in changes to tighten up this loophole in the future. The

potential impacts of the new taxation options on Denbighshire will be discussed in the future.

- 4.13 **Licencing** – licencing is a means of managing not only the planning requirements, but also the potential wider impacts of holiday lets. Licencing can be tied into taxation and the planning regime to ensure that a co-ordinated and resource efficient approach is taken.

Conclusions

- 4.14 The current planning framework has limited control over the use of dwellings for second homes or short term holiday lets. Changes to planning legislation in isolation are unlikely to prove effective. A co-ordinated approach which targets areas of greatest impact and makes use of a wider range of controls is most likely to offer a potential way forward.

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

N/A.

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

No cost implications

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

N/A no WBIA required.

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

N/A.

9. Chief Finance Officer Statement

At this stage there are no budget implications arising from this report.

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

N/A.

11. Power to make the decision

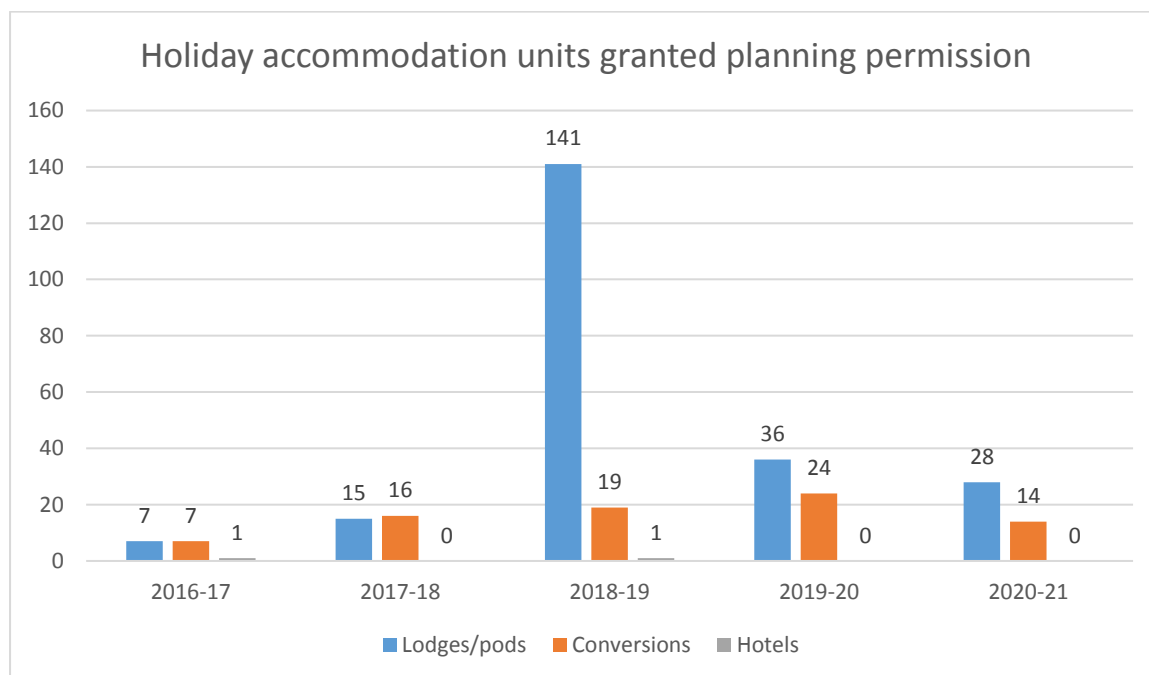
Section 21 of the Local Government Act 2000.

Section 7.2.3 and Section 7.4.1 of the Council's Constitution.

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APPENDIX 1

Number of holiday accommodation units granted planning permission under LDP policies



2018-19 included major development consented at former Bryn Morfydd Hotel for 89 lodges.

Relevant LDP policies

Policy PSE 4 – Re-use and adaptation of rural buildings in open countryside

All conversions of rural buildings will be expected to make a positive contribution to the landscape and ensure that any architectural and/or historic features are retained. Proposals for the conversion of rural buildings outside development boundaries for employment use will be supported.

Proposals for the conversion of rural buildings outside development boundaries for residential use will only be permitted where:

- i) an employment use has been demonstrated not to be viable; and
- ii) the dwelling(s) are affordable to meet local needs.

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Chapter 7 – Economic Development

Chapter 9 – Housing

Technical Advice Notes:

TAN 2 – Planning & Affordable Housing

TAN 5 – Nature Conservation and Planning

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

Justification

In line with national guidance re use for employment purposes will be the first priority. Residential re use will only be permitted where it has been shown that an employment use is not viable and where the new dwelling(s) would be affordable to meet local need as set out in the reasoned justification to Policy BSC8.

Old and redundant rural buildings can provide important habitats for wildlife. Care must always be taken when developing such sites to ensure biodiversity interests are protected in line with policy VOE 5 Protecting natural resources: biodiversity/nature conservation.

This policy will contribute to meeting Objective(s):

1: Population and Community

3: Economy and Jobs

Policy PSE 5 - Rural Economy

In order to help to sustain the rural economy, tourism and commercial development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising the special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

Appropriate employment proposals for both conversions and new build outside of development boundaries will be supported provided the following criteria are met:

- i) the proposal is appropriate in scale and nature to its location; and**
- ii) any suitable existing buildings are converted or re-used in preference to new build; and**
- iii) proposals for new buildings are supported by an appropriate business case which demonstrates that it will support the local economy to help sustain local rural communities; and**
- iv) within the AONB/AOB, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas, take full account of and seek to enhance the nature and distinctive qualities of the local landscape. In line with national policy any proposals that are considered to be detrimental to the quality of the AONB and World Heritage Site will be refused.**

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Chapter 7 – Economic Development

Chapter 11 – Tourism, Sport & Recreation

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

TAN 13 – Tourism

Justification

The need to sustain rural employment throughout the County is recognised and relevant considerations relating to sustainability and minimising environmental concerns are identified.

The policy requires the demonstration of a business case for the development, in order to establish the benefits of the scheme in relation to sustaining local employment and the rural economy. The benefits could include provision of local employment opportunities, use of locally sustainable sources for any raw materials, scope to sell local produce, and provision of services to local communities.

Development proposals will have to evaluate their impact to ensure no detriment to the landscape character in accordance with policy RD 1 – Sustainable Development and Good Standard Design.

This policy will contribute to meeting Objective(s):

3: Economy and Jobs

16: Areas of Protection

Policy PSE 11 – Major new tourism developments

Proposals for sustainable forms of tourism development, of regional or national significance, which meet the needs of residents and visitors will be supported subject to meeting all the following criteria:

- i) it is appropriate to its setting and within the capacity of the local environment, particularly within or affecting the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas. In line with national policy any proposals that are considered to be detrimental to the quality of the Area of Outstanding Natural Beauty and World Heritage Site will be refused; and**
- ii) it is within the capacity of the local infrastructure, or it can be demonstrated that the development can fully address any infrastructure deficiencies identified, and;**
- iii) it is accessible to all potential users, offering large scale and appropriate public transport and where possible access by walking and cycling, and;**
- iv) it will support and extend the range of facilities on offer within the County, and;**
- v) it will assist in the regeneration and biodiversity objectives of Denbighshire, and;**
- vi) it will utilise available local labour where possible.**

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast,

Chapter 7 – Economic Development,

Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

TAN 13 – Tourism

Justification

Large scale innovative projects can significantly enhance the visitor economy and offer wide reaching benefits throughout the County. Developments such as major holiday parks and visitor centres of national or regional significance can significantly increase visitor numbers and can be an effective way of raising the profile and reputation of a visitor destination.

Major new tourism developments can have a negative impact upon landscape character if they are insensitively developed or inappropriately located. Development proposals, particularly within the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas, will require very careful consideration to ensure there will be no detriment to the landscape character.

This policy will contribute to meeting Objective(s):

5: Transport

12: Infrastructure

15: Tourism

16: Areas of Protection

Policy PSE 12 - Chalet, static and touring caravan and camping sites

Proposals for new static caravan sites will not be permitted. However the environmental improvement of existing static holiday caravan or chalet sites by remodelling, provision of new facilities and by landscaping will be supported provided the development is acceptable in terms of other Local Development Plan policies and meets the following criteria:

- i) the proposed development preserves or enhances the character and appearance of the area; and**

- ii) it can be demonstrated that any proposed increase in the number of static caravan/chalet units would preserve or enhance the landscape setting of the overall site.

The change of use of a static caravan or chalet from tourist use to residential use and the conversion of touring caravan sites to statics will not be permitted.

New touring caravan and camping sites will be encouraged where all the following criteria are met:

- i) the site is small in scale and proportionate to its location, particularly within and adjoining the Area of Outstanding Natural Beauty or Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas; and
- ii) the development would not result in an over concentration of sites in any one locality to the detriment of the landscape or residential amenity; and
- iii) the development makes a positive contribution to the local biodiversity, and natural and built environment; and
- iv) the development would not appear obtrusive in the landscape and is high quality in terms of layout, design and landscaping in line with the development principles, and it has no adverse highway or community impacts;

The grant of planning permission may, where appropriate, be subject to the imposition of a seasonal occupancy condition.

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage
and the Coast,

Chapter 7 – Economic Development,

Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes:

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

TAN 13 – Tourism

Justification

Static and touring caravan sites together with chalets and camp sites are an important source of holiday accommodation, which can be crucial to the success of the tourism

industry, although such sites are often seen as being visually intrusive. This is particularly felt in the main resort areas of Rhyl and Prestatyn where a series of adjoining sites are prominent and in various countryside locations. In some areas the cumulative impact of existing sites may be considered visually obtrusive and dominant in the landscape therefore the Council will encourage landscaping schemes to improve and screen sites. The Plan will seek to ensure that future development is permitted only where the proposal would not result in an over concentration of similar uses in the locality and where there is significant enhancement of the biodiversity of the area. The occupancy of static caravans and chalets will be restricted to holiday use and any residential use will be subject to enforcement action.

There is already an over provision of caravan type development particularly in the north of the County much of which is of low quality. Much of the coastal area is exposed with little tree cover which makes the assimilation of caravan sites into the landscape difficult. In the inland rural areas, caravan development, particularly static caravans, can be obtrusive in the landscape and damaging to the character of the rural area unless strictly controlled.

The replacement of existing static caravan sites with woodland-lodge style developments will be permitted where it improves the appearance of the site. Development will only be permitted after it has been demonstrated that no adverse impact on the integrity of nature conservation and biodiversity sites will result. The use of a caravan or chalet in the countryside for other than holiday purposes will be resisted.

Any extensions to static caravan sites will be minor in nature. For the purpose of this policy, sites where static caravans are the predominant caravan type will be considered as an existing static caravan site and therefore assessed as above.

New proposals for touring caravan sites

Touring caravan sites and camp sites have a lower impact as they are not permanently occupied and in winter months there may be little evidence of activity. However in summer months they can be intrusive in the landscape and may add to visitor pressure on particular areas if not controlled. Where visitor pressures are less they may be suitable, subject to other environmental considerations.

The policy is intended to ensure that proposals for touring caravan sites only cater for short term tourist use, are unobtrusive in the landscape, can be safely accessed, are attractively designed and include a high quality landscaping scheme incorporating mature planting. In line with national guidance, these sites will not be permitted within flood risk zones. Beyond the settlement limits landscape and other environmental considerations become more important, so it is unlikely that many new touring caravan and tent sites will be developed in the rural area during the plan period. It is envisaged that this policy could be used to allow small scale development on new sites providing this does not adversely impact on the landscape. It is recognised that the number of pitches would probably not be economically viable as a stand alone business enterprise. Instead it is considered that the policy can be used by the agricultural community as a form of farm diversification and a means of providing an additional income

This policy will contribute to meeting Objective(s):

14: Design and Objective

15: Tourism, and Objective

16: Areas of Protection.

Policy PSE 14 – Outdoor activity tourism

Development proposals that expand or reinforce the tourism offer of the County in the outdoor activity sector will be supported provided the following criteria are met:

- i) the development is appropriate to its setting and within the capacity of the local environment and infrastructure, particularly within and adjoining the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas. In line with national policy any proposals that are considered to be detrimental to the quality of the Area of Outstanding Natural Beauty and World Heritage will be refused; and
- ii) that any suitable existing buildings are converted or re-used in preference to new build; and
- iii) necessary mitigation measures are included and the proposals would not have an unacceptable impact on the local community; and
- iv) chalet development in association with outdoor activity tourism will only be permitted if a significant need is demonstrated and there are no opportunities to use or convert existing buildings for tourist accommodation.

National Policy links

Planning Policy Wales:

Chapter 5 – Conserving and Improving Natural Heritage and the Coast,

Chapter 7 – Economic Development,

Chapter 11 – Tourism, Sport and Recreation

Technical Advice Notes

TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

TAN 13 – Tourism

Justification

Denbighshire is well placed to take advantage of the growth in the outdoor activities sector. The success of current facilities such as the Llandegla Mountain Bike Centre should be built upon and encouraged. Expenditure by participants in outdoor activities is often high and the County is supportive of developments that will encourage sustainable growth in this sector within environmental capacity limits.

Development proposals, particularly within the Area of Outstanding Natural Beauty or Area of Outstanding Beauty, will require very careful consideration to ensure there will be no detriment to the landscape character.

In line with policy PSE 12, new static caravan sites will not be permitted.

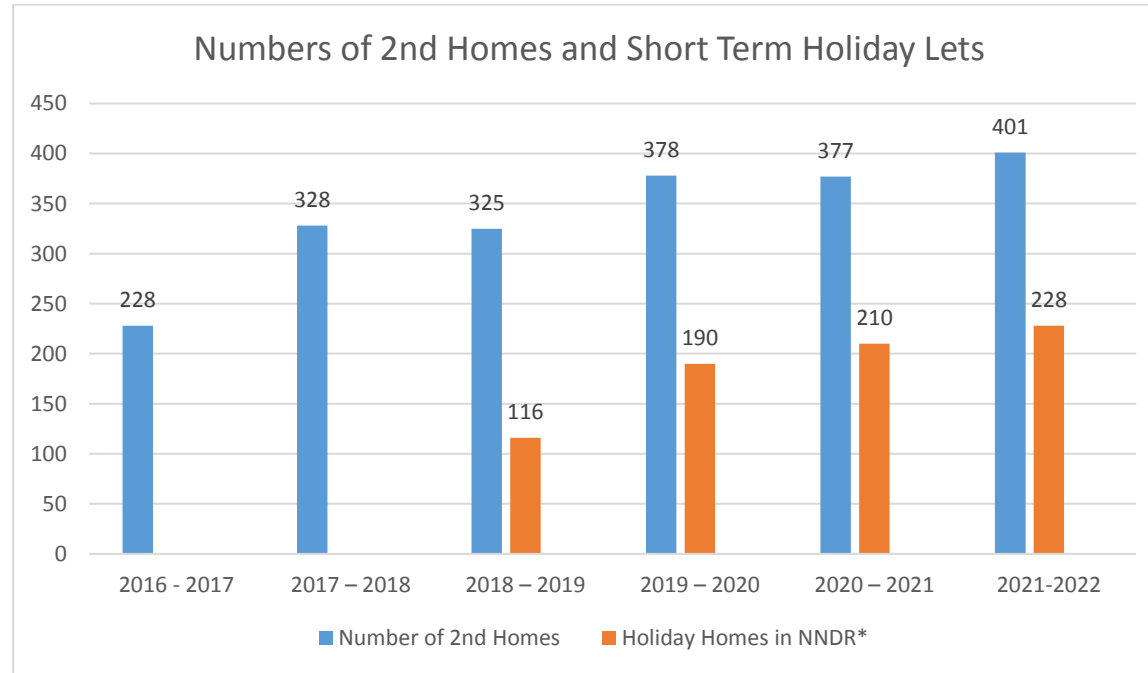
This policy will contribute to meeting Objective(s):

15: Tourism,

16: Areas of Protection.

Appendix 2 Number of second homes and holiday lets in Denbighshire

Number of second homes and holiday homes registered for business rates



*NNDR – National Non Domestic Rates – residential dwellings that have been removed from Council Tax as they are being operated as a business.

There is not a complete data series available for holiday lets being moved from Council Tax to business rates but in 2015 there were 81 holiday homes in NNDR. In 2019 the 50% premium on Council Tax on second homes was introduced. There was a significant number of properties removed from council tax into business rates that year but that appears to have flattened out somewhat since. Business rates are paid to Welsh Government and represent a loss of income to the council.

Spatial Distribution of Second Homes and Holiday Lets

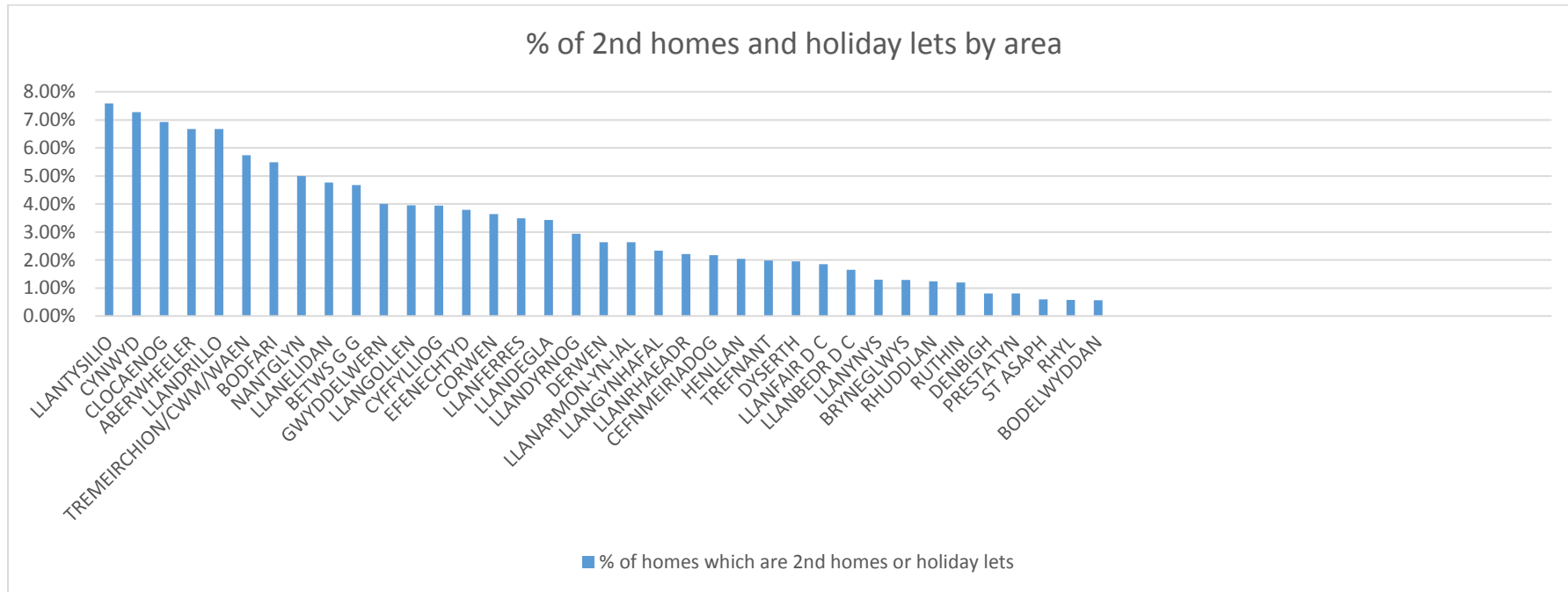
The table below provides an indication of the number of second homes, and holiday lets by City, town and community council area. The table also provides an indication of the percentage of the total housing stock in that area that the number of second homes and holiday lets represents.

Community Council Area	CTAX Second Home	Property in NDR	Total	Total homes in the area	% of homes in the area that are 2 nd homes or holiday lets
ABERWHEELER	5	5	10	150	6.67%
BETWS G G	1	6	7	150	4.67%
BODELWYDDAN	3	2	5	890	0.56%
BODFARI	3	6	9	164	5.49%
BRYNEGLWYS	0	2	2	155	1.29%
CEFMEIRIADOG	2	2	4	184	2.17%
CLOCAENOG	1	6	7	101	6.93%
CORWEN	27	14	41	1126	3.64%
CYFFYLLIOG	4	4	8	203	3.94%
CYNWYD	13	6	19	261	7.28%
DENBIGH	27	5	32	3969	0.81%
DERWEN	3	2	5	190	2.63%
DYSERTH	14	6	20	1024	1.95%
EFENECHTYD	4	6	10	264	3.79%
GWYDDELWERN	2	7	9	225	4.00%

HENLLAN	5	3	8	392	2.04%
LLANARMON-YN-IAL	10	3	13	494	2.63%
LLANBEDR D C	4	3	7	423	1.65%
LLANDEGLA	3	5	8	233	3.43%
LLANDRILLO	14	6	20	300	6.67%
LLANDYRNOG	11	2	13	442	2.94%
LLANELIDAN	3	4	7	147	4.76%
LLANFAIR D C	7	2	9	487	1.85%
LLANFERRES	7	5	12	344	3.49%
LLANGOLLEN	41	30	71	1797	3.95%
LLANGYNHAFAL	5	1	6	258	2.33%
LLANRHAADR	5	5	10	452	2.21%
LLANTYSILIO	10	8	18	237	7.59%
LLANYNYS	1	3	4	307	1.30%
NANTGLYN	4	3	7	140	5.00%
PRESTATYN	51	19	70	8631	0.81%
RHUDDLAN	16	6	22	1768	1.24%
RHYL	58	8	66	11538	0.57%
RUTHIN	18	13	31	2577	1.20%
ST ASAPH	8	1	9	1517	0.59%

TREFNANT	7	6	13	657	1.98%
TREMEIRCHION/CWM/WAEN	4	13	17	296	5.74%
Total:	401	228	629		

The chart below shows this data ranked by the highest to lowest percentage of all homes across the county.



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PRESS RELEASE

Welsh Government announces three-pronged approach to address “second homes crisis”

In the Senedd later today, Minister for Climate Change Julie James will set out an “ambitious three-pronged approach” to address the impact of second home ownership on Wales’ communities.

First published: 6 July 2021

Last updated: 6 July 2021

The new plan has fairness at its heart, ensuring that everyone in Wales can have access to good quality, affordable housing.

The three-pronged approach will focus on:

- support - addressing affordability and availability of housing,
- regulatory framework and system - covering planning law and the introduction of a statutory registration scheme for holiday accommodation; and
- a fairer contribution - using national and local taxation systems to ensure second home owners make a fair and effective contribution to the communities in which they buy.

There will also be a pilot area in Wales, to be decided over the summer, where these new measures will be trialled and evaluated before being considered for

wider rollout.

Other supporting actions, including the work on a registration scheme for all holiday accommodation and a consultation on changes to local taxes to manage the impact of second homes and self-catered accommodation, will also begin over the summer.

A Welsh Language Community Housing Plan, to protect the particular interests of Welsh language communities, will be published for consultation in the autumn.

Last year, Wales became the only country in the UK to give local authorities the power to charge 100% council tax increase on second homes.

Visiting a housing development in picture-postcard St Davids, West Wales, the Minister met with members of the local community, Pembrokeshire Council and the Community Land Trust to hear how they have been working together to use money raised from the council tax levy to build 18 new affordable homes for local people.

Speaking from St David's, Minister for Climate Change, who is responsible for housing, Julie James said:

“ Meeting with Rachel, Josh from the Community Land Trust, Pembrokeshire Council, and the developers ateb today, has demonstrated how community action and good government policy can work together to bring fairness back into our housing market.

“ The continuing rise of house prices mean people, especially younger generations, can no longer afford to live in the communities they have grown up in. A high concentration of second homes or holiday lets can have a very detrimental impact on small communities, and in some areas could compromise the Welsh language being spoken at a community level.

“ We have already taken strides on some of these issues - last year we became the only nation in the UK to give local authorities the power to introduce a 100% council tax levy on second homes. But the urgency and gravity of this situation calls for further intervention, which means real and ambitious actions are delivered at pace, to inject fairness back into the housing system.

“ Taking recommendations from Dr Brooks' report, our new three-pronged approach will kick-start a summer of action which will determine how we tackle this issue now and into the future. I am calling on all political parties across the Senedd to get involved in this, as we look to empower our

communities to exercise their right to live in good quality homes, wherever they are in Wales. ”

Josh Phillips, 33, pub landlord at Harbourside Inn in Solva and chair of the Community Land Trust said:

“ The current housing market in Pembrokeshire is at an all-time high with properties locally being snapped up for well above asking prices. The Solva community Land Trust is a pioneer development for community led housing in Wales and hopes to deliver 18 properties locally within the next 3 years. Our vision is to create housing that is affordable and environmentally low impact, helping to stem the tide of young people having to relocate and draining our community of their energy and talents.

“ It is a privilege to be able to meet Minister Julie James to show her our project and have her support. Although Solva CLT is a fledgling project, significant work has been undertaken and we are well on our way to beginning the development in the coming months through our partnership with ateb and Pembrokeshire county council. Our utilization of second homes taxations means the project is the first step in delivering community led housing in the county ”

Rachel Kelway-Lewis, 25, from Solva, Pembrokeshire said:

“ Since the pandemic and the increase in home working, more people are looking for property here, with some houses going for over £500,000 and selling extremely quickly. Some of these houses will be vacant for much of the year, or are used as air bnbs rather than renting to locals, increasing rent prices for us, too.

“ All of my friends are experiencing the same issues. We're working full time but we can't buy or even rent in the local area, unless we're lucky enough to have financial help from our parents. Lots of my friends have had to move away to get on the housing ladder.

“ We need opportunities for young people like me to remain within our community and contribute to our local economy – so it's great to be heard by the Minister and know she is doing something to help us out and tackle the issue of second homes, which is creating a demand us locals simply cannot currently compete with. ”

Over the summer Welsh Government will work to:

- Work with stakeholders to agree the basis and location or locations for an evaluated pilot;
- Develop a coherent and effective support package to trial within the pilot;
- Frame a statutory registration scheme for all tourist accommodation and continue to engage with stakeholders on the shape of the model we will implement, including both the registration and inspection arrangements;
- Consult on possible changes to local taxes to support local authorities manage the impact of second homes and self-catered accommodation; and
- Establish a draft Welsh Language Communities Housing Plan for consultation in the autumn.

Report to	Communities Scrutiny Committee
Date of meeting	30 June 2022
Lead Officer	Rhian Evans, Scrutiny Co-ordinator
Report author	Rhian Evans, Scrutiny Co-ordinator
Title	Scrutiny Work Programme

1. What is the report about?

The report seeks Communities Scrutiny Committee to review its draft forward work programme (see Appendix 1). This draft work programme has been passed to the new Committee from its predecessor Committee. The Committee is therefore asked to review its contents. As part of its review the Committee is asked to reflect on the implications of the focus on business critical operations during the emergency phase of the COVID -19 pandemic and the programmes of work underway or being planned under the recovery phase, whilst also prioritising matters which the Committee deems important to scrutinise.

2. What is the reason for making this report?

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

3. What are the Recommendations?

That the Committee

- 3.1 considers the information provided and approves, revises or amends its forward work programme as it deems appropriate; and
- 3.2 determines whether any key messages or themes from the current meeting should be publicised via the press and/or social media.

4. Report details

- 4.1 Section 7 of Denbighshire County Council's Constitution sets out each Scrutiny Committee's terms of reference, functions and membership, as well as the rules of procedure and debate.
- 4.2 The Constitution stipulates that the Council's scrutiny committees must set, and regularly review, a programme for their future work. By reviewing and prioritising issues, members are able to ensure that the work programme delivers a member-led agenda.
- 4.3 For a number of years it has been an adopted practice in Denbighshire for scrutiny committees to limit the number of reports considered at any one meeting to a maximum of four plus the Committee's own work programme report. The aim of this approach is to facilitate detailed and effective debate on each topic.
- 4.4 In recent years the Welsh Government (WG) and Audit Wales (AW) have highlighted the need to strengthen scrutiny's role across local government and public services in Wales, including utilising scrutiny as a means of engaging with residents and service-users. From now on scrutiny will be expected to engage better and more frequently with the public with a view to securing better decisions which ultimately lead to better outcomes for citizens. AW will measure scrutiny's effectiveness in fulfilling these expectations.
- 4.5 Having regard to the national vision for scrutiny whilst at the same time focussing on local priorities, the Scrutiny Chairs and Vice-Chairs Group (SCVCG) recommended that the Council's scrutiny committees should, when deciding on their work programmes, focus on the following key areas:
- budget savings;
 - achievement of the Corporate Plan objectives (with particular emphasis on their deliverability during a period of financial austerity);
 - any other items agreed by the Scrutiny Committee (or the SCVCG) as high priority (based on the PAPER test criteria – see reverse side of the 'Member Proposal Form' at Appendix 2);

- Urgent, unforeseen or high priority issues; and
- Supporting the Council's recovery work in relation to the effects of the COVID-19 crisis on Council services, the local economy and the county's communities

4.6 Scrutiny Proposal Forms

As mentioned in paragraph 4.2 above the Council's Constitution requires scrutiny committees to prepare and keep under review a programme for their future work. To assist the process of prioritising reports, if officers are of the view that a subject merits time for discussion on Scrutiny's business agenda they have to submit a formal request to the SCVCG seeking Scrutiny to consider a report on that topic. This is done via the submission of a 'proposal form' which clarifies the purpose, importance and potential outcomes of suggested subjects.

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

Cabinet Forward Work Programme

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

Progress on Committee Resolutions

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

5. Scrutiny Chairs and Vice-Chairs Group

Under the Council's scrutiny arrangements, the Scrutiny Chairs and Vice-Chairs Group (SCVCG) performs the role of a coordinating committee. The Group is scheduled to hold its first meeting of the new Council term during the afternoon of 30 June 2022.

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

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

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

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

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

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

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

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

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

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

11. Power to make the decision

11.1 Section 21 of the Local Government Act 2000.

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

Contact Officer:

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Communities Scrutiny Committee Forward Work Plan

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

Meeting	Lead Member(s)	Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
8 September	Cllr. Barry Mellor	1. Wildflower Meadow Project	To: (i) evaluate the effectiveness of the steps taken to improve engagement and increase publicity with all stakeholders in relation of the project; (ii) consider the progress made to date in delivering its expected benefits; and (iii) seek members' support for the Project	(i) To secure the delivery of the expected outcomes which will support the realisation of the Council's corporate priority relating to the Environment as well as contributing towards the delivery of its Ecological and Climate Change Strategy; and (ii) Re-inforce elected members' support for the project and its aims and objectives to enable them to explain to residents the rationale behind the project and how it contributes towards the wider national environmental, health and well-being objectives	Tony Ward/Emlyn Jones/Joel Walley	September 2021
	Cllr. Barry Mellor	2. Central Rhyl Coastal Defence Scheme & Central Prestatyn Coastal Defence Scheme	To examine the proposals and required investments entailed with these two significant coastal defence schemes	To formulate recommendations to Cabinet and Council with respect of the value and benefits from investing in both these schemes to the communities in Rhyl and Prestatyn and to the county in general.	Tony Ward/Wayne Hope	March 2022

Communities Scrutiny Committee Forward Work Plan

Meeting	Lead Member(s)	Item (description / title)		Purpose of report	Expected Outcomes	Author	Date Entered
20 October	Cllr. Win Mullen-James	1.	Mistreatment of Dogs	To examine the extent of legal and illegal dog sales within Denbighshire (particularly during the COVID-19 pandemic) – including the number of complaints received, investigated and substantiated and how various agencies work together to tackle any problems are reported	Determination of whether working relationships need to be strengthened or improved in order to deal with any problems or deter future problems in relation to this matter with a view to supporting the viability of properly licensed traders to operate thus reducing the suffering of the animals	Emlyn Jones/Gareth Roberts/Glesni Owen	By SCVCG September 2021 (rescheduled Feb 2022)
	Cllr. Barry Mellor	2.	<i>New Waste and Recycling Model (timing tbc)</i>	<i>To detail the outcomes of the pilot projects in West Rhyl (use of microchips in waste containers), Bron y Crêst (communal bin service change) and the Elected Members Recycling</i>	<i>Following assessing the lessons learnt from the pilot projects and initiatives to make recommendations that will support the effective roll-out and delivery of the new waste and recycling with a view to enhancing the benefits of the project for the Council and for local residents</i>	<i>Tony Ward/Tara Dumas</i>	<i>December 2021</i>

Communities Scrutiny Committee Forward Work Plan

Meeting	Lead Member(s)	Item (description / title)		Purpose of report	Expected Outcomes	Author	Date Entered
				<i>Experience initiatives (tbc)</i>			
8 December	Cllr. Win Mullen-James	1.	<i>Draft Tourism Signage Strategy for Denbighshire (tbc)</i>	<i>To examine the draft Tourism Signage Strategy for the county developed by the Working Group including potential funding sources and the anticipated timescale for the Strategy's delivery</i>	<i>The development of a tourism signage strategy that complements trunk road signage and technological innovations in the field of tourism, takes into account the aims of 'The Wales Way' project, attracts visitors and increases the value of tourism spend in the county in line with the corporate priority relating to the Environment, and in-keeping with the outcomes of Denbighshire's Tourism Strategy</i>	<i>Mike Jones/Peter McDermott</i>	<i>March 2020 (rescheduled due to COVID-19 Sept & Dec 20, Sept 2021 & Jan 2022 by SCVCG)</i>
June/July 2023	Cllr. Barry Mellor	1.	<i>Llangollen Car Park Tariff Pilot Scheme</i>	<i>To outline the effectiveness of the pilot scheme for varying car park tariffs in Llangollen</i>	<i>Identification of lessons learnt from the pilot scheme's implementation and operation in readiness for the introduction of similar schemes in other areas in future</i>	<i>Emlyn Jones/Mike Jones/Peter Lea</i>	<i>January 2021</i>
	Cllr. Barry Mellor	2.	<i>Flood Risk Working Group</i>	<i>To consider a report on the work of the multi-agency and riparian landowners information sharing working group</i>	<i>Ensuring:</i> <i>(i) all communication channels are open and being used effectively to inform and advise residents and stakeholders alike;</i> <i>(ii) that all information on relevant developments and proposals are being shared between flood risk authorities and stakeholders in a timely manner</i>	<i>Tony Ward/Wayne Hope</i>	<i>March 2022</i>

Communities Scrutiny Committee Forward Work Plan

Future Issues

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

For future years

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Information/Consultation Reports

Information / Consultation	Item (description / title)	Purpose of report	Author(s)	Date Entered
INFORMATION (for circulation autumn 2022 <i>once work has been undertaken</i>)	Community Impact Assessment on the communities of Rhewl and Llanynys	To present the findings of the community impact assessment undertaken following the closure of Ysgol Rhewl as agreed as part of the modernising education programme	Geraint Davies/James Curran	December 2020

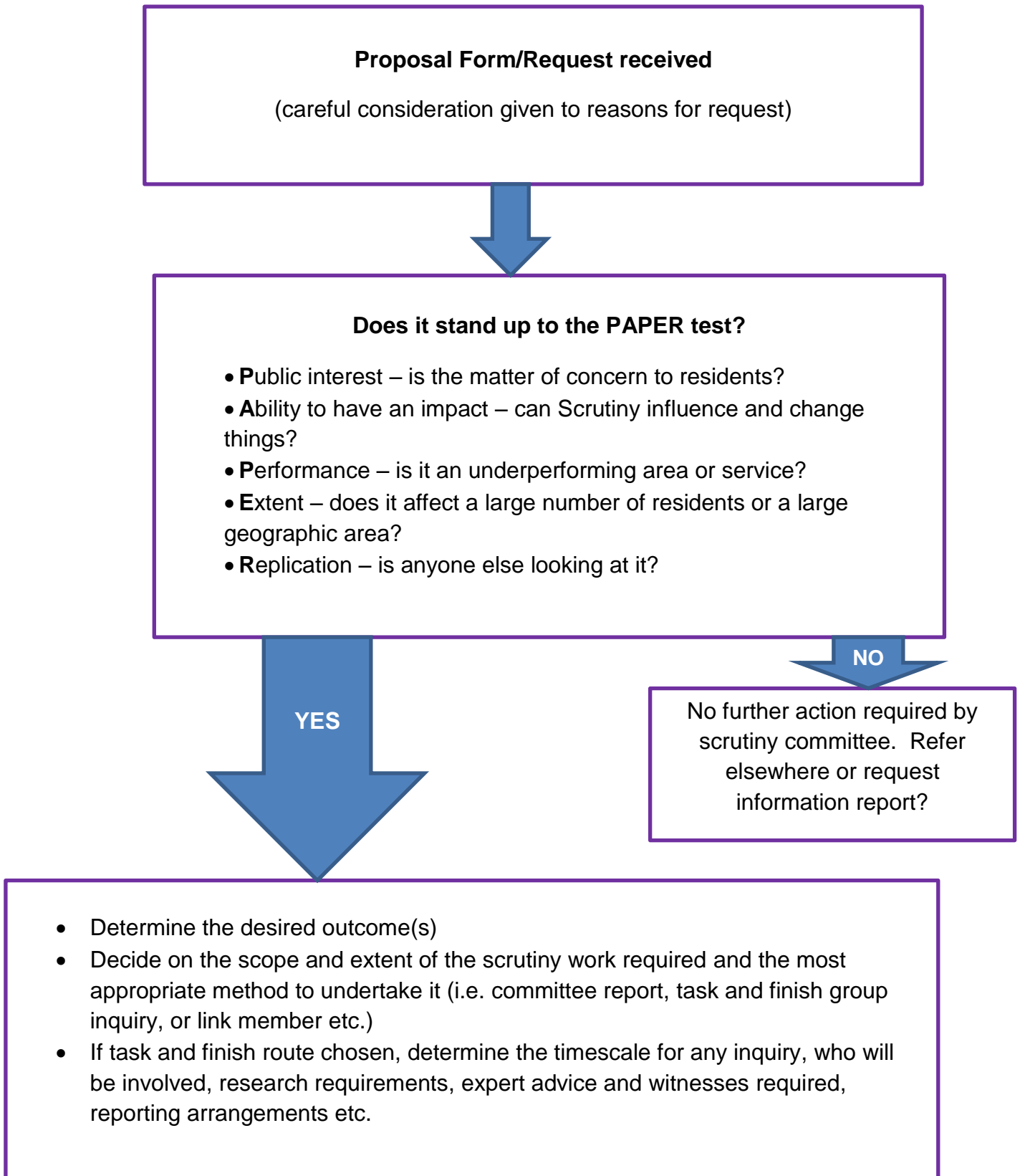
Note for officers – Committee Report Deadlines

Meeting	Deadline	Meeting	Deadline	Meeting	Deadline
8 September	25 August	20 October	6 October	8 December	24 November

21/06/2022 RhE

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

Consideration of a topic's suitability for scrutiny



Cabinet Forward Work Plan

Meeting		Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
26 July	1	Items from Scrutiny Committees - 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	To consider any issues raised by Scrutiny for Cabinet's attention	Yes	Cllr Barry Mellor Cllr Gwyneth Ellis Lead Officer/Report Author – Scrutiny Coordinator
	2	Shared Prosperity Fund	To consider the regional investment plan for formal sign off	Yes	Cllr Jason McLellan Lead Officer/Report Author Liz Grieve
	3	Temporary Accommodation Support Project	To seek Cabinet approval to tender for the project	Yes	Cllr Rhys Thomas Lead Officer Ann Lloyd Report Author Hayley Jones
	4	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	5	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Lead Officer – Scrutiny Coordinator
20 Sept	1	Annual Treasury Management Report 2021-22	To give a review of the Treasury Management	Tbc	Cllr Gwyneth Ellis Lead Officer Steve Gadd

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
			activities over the previous financial year (2021-22)		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	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
	4	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	5	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	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	3	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Lead Officer – Scrutiny Coordinator

Cabinet Forward Work Plan

Meeting		Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
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	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	3	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 Budgets 2023/24	To seek approval for the proposed annual rent increase for council housing and to approve the Housing Revenue Account Capital and Revenue Budgets for 2023/24 and Housing Stock Business Plan	Yes	Cllr Gwyneth Ellis Lead Officer/Report Author Geoff Davies
	2	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	3	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for	Tbc	Lead Officer – Scrutiny Coordinator

Cabinet Forward Work Plan

Meeting	Item (description / title)	Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
		Cabinet's attention		

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>26 July</i>	<i>12 July</i>	<i>20 September</i>	<i>6 September</i>	<i>18 October</i>	<i>4 October</i>

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Progress with Committee Resolutions

Date of Meeting	Item number and title	Resolution	Progress
10 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	<p><u>Resolved:</u> <i>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></p> <ul style="list-style-type: none"> <i>(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;</i> <i>(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</i> 	<p>Presentation of the Committee's recommendations to Cabinet was deferred until after the local authority elections.</p> <p>The recommendations are scheduled to be presented to Cabinet at its meeting on 26 July 2022.</p>

		<p><i>Groups (MAGs) to read 'consult/consultation' rather than 'notify/notification';</i></p> <p><i>(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</i></p> <p><i>(iv) that detailed information on agricultural land grading in Denbighshire (including illustrative maps) are provided to the decision-maker when reviewing the decision.</i></p>	
	<p>6. Flood Risk Management and Riparian Land Ownership Task and Finish Group</p>	<p><u>Resolved:</u> <i>subject to the above observations to thank the Task and Finish Group for its work, to receive its report and endorse its contents including the following recommendations:</i></p> <p><i>(i) that a Flood Risk Working Group comprising of the flood risk management authorities</i></p>	<p>The Lead Member and relevant officers were informed of the Committee's recommendations.</p> <p>Highways and Environmental Services will be seeking a representative from</p>

		<p><i>and landowner representatives continue to meet on an annual basis for an updated position on issues and expectations, and report on its discussions to Communities Scrutiny Committee;</i></p> <p><i>(ii) that the Local Flood Risk Management Strategy page on the Council's website be re-launched including:</i></p> <p><i>(a) links to related Natural Resources Wales and Dŵr Cymru/Welsh Water web pages; and</i></p> <p><i>(b) an explanation of the responsibilities of Flood Risk Management Authorities and riparian landowners,</i></p> <p><i>(iii) that working in partnership with Natural Resources Wales and Dŵr Cymru/Welsh Water a generic information leaflet/letter be created on the responsibilities of riparian landowners and distributed to properties adjacent to the</i></p>	<p>each Member Area Group to serve on the Working Group in the near future.</p> <p>The new page is now available on the Council's website on the following link: https://www.denbighshire.gov.uk/en/your-council/strategies-plans-and-policies/strategies/local-flood-risk-management-strategy.aspx</p> <p>All stakeholders have been informed of the Committee's recommendations and will therefore be working together to issue the leaflet to all households in the area.</p>
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		<p><i>Rhyl Cut and Prestatyn Gutter; and</i></p> <p>(iv) <i>that the report presented to the Committee be translated and circulated to City, Town and Community Councils for inclusion on their websites.</i></p>	<p>Report has been circulated to all City, Town and Community councils in the county.</p>
	<p>7. Planning Compliance Charter</p>	<p><u>Resolved:</u></p> <p>(i) <i>subject to the above observations, and the strengthening of the wording and advice in relation to breaches of planning control in paragraph 1.2 of the revised draft Charter, to endorse the draft Charter entitled ‘Planning Compliance in Denbighshire – Planning Compliance Charter’ (Appendix 1);</i></p> <p>(ii) <i>to support officers’ intention to present the final version of the Charter for Lead Member approval; and</i></p> <p>(iii) <i>to confirm that they had read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of their consideration.</i></p>	<p>Lead Member and officers informed of the Committee’s recommendations and will therefore proceed to amend the wording prior to seeking the Lead Member’s approval via the Delegated Decision process.</p>