

To: Members of the Cabinet

Date: 17 May 2023

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Dear Councillor

You are invited to attend a meeting of the **CABINET** to be held at **10.00 am** on **TUESDAY, 23 MAY 2023** in the **COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND BY VIDEO CONFERENCE**.

Yours sincerely

G. Williams
Monitoring Officer

AGENDA

1 APOLOGIES

2 DECLARATION OF INTERESTS

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

3 URGENT MATTERS

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

4 MINUTES (Pages 7 - 14)

To receive the minutes of the Cabinet meeting held on 25 April 2023 (copy enclosed).

5 OUTCOME OF PARTNERSHIPS SCRUTINY COMMITTEE'S REVIEW OF CABINET'S DECISION RELATING TO APPLICATIONS SHORTLISTED FOR SHARED PROSPERITY FUNDING

To consider the outcome of the review of the decision taken by Cabinet on 25 April 2023 relating to Applications Shortlisted for Shared Prosperity Funding which had been subject of a call-in to scrutiny and considered by Partnerships Scrutiny Committee on 18 May 2023.

6 PHASE 2 WORKS CONTRACT NEW DCC WASTE TRANSFER STATION (WTS), COLOMENDY INDUSTRIAL ESTATE EXPANSION - UPDATE (Pages 15 - 50)

To consider a report by Councillor Barry Mellor, Lead Member for Environment and Transport (copy enclosed) seeking Cabinet's support for the proposed way forward to complete the Phase 2 works at the new Waste Transfer Station in Denbigh, following the main contractor entering administration, and providing an update on a budget pressure resulting from that situation.

7 SECOND HOME / LONG-TERM EMPTY COUNCIL TAX PREMIUM (Pages 51 - 70)

To consider a report by Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets (copy enclosed) updating Cabinet on the legislation introduced by the Welsh Government to increase the maximum level of council tax premiums for second homes and long-term empty properties and seeking Cabinet's views on how to progress with any potential additional charging to these homes in Denbighshire.

8 DRAFT AGILE WORKING POLICY (Pages 71 - 152)

To consider a report by Councillor Julie Matthews, Lead Member for Corporate Strategy, Policy and Equalities (copy enclosed) seeking Cabinet's approval of the Agile Working Policy and associated guidance documents.

9 NORTH WALES CONSTRUCTION FRAMEWORK (NWCF) PHASE 3 - STAGE 1 - INITIATE PROJECT (Pages 153 - 182)

To consider a report by Councillor Julie Matthews, Lead Member for Corporate Strategy, Policy and Equalities (copy enclosed) seeking Cabinet's approval to begin the process for the procurement of the North Wales Construction Framework Phase 3.

10 GOVERNANCE FOR THE LEVELLING UP FUND MONIES (Pages 183 - 204)

To consider a report by Councillor Jason McLellan, Leader and Lead Member for Economic Growth and Tackling Deprivation (copy enclosed) on the governance arrangements for overseeing delivery of projects funded by the Levelling Up Fund.

11 FINANCE REPORT (2022/23 FINANCIAL OUTTURN) (Pages 205 - 216)

To consider a report by Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets (copy enclosed) detailing the final revenue position for 2022/23 and proposed treatment of reserves and balances.

12 CABINET FORWARD WORK PROGRAMME (Pages 217 - 222)

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

MEMBERSHIP

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

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

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LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of
*(*please delete as appropriate)*

Denbighshire County Council

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

*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

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

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CABINET

Minutes of a meeting of the Cabinet held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 25 April 2023 at 10.00 am.

PRESENT

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

Observers: Councillors Ellie Chard, Ann Davies, Karen Edwards, Justine Evans, Hugh Irving, Huw Hilditch-Roberts, Brian Jones, Paul Keddie, Terry Mendies, Arwel Roberts, Gareth Sandilands, Peter Scott, Andrea Tomlin and Mark Young

ALSO PRESENT

Chief Executive (GB); Corporate Directors: Social Services and Education (NS), Governance and Business/Monitoring Officer (GW), and Environment and Economy (TW); Heads of Service: Finance and Audit (SG) and Housing and Communities (LG); Joint Interim Head of Support Service: Performance, Digital and Assets (NK); Interim Head of Service: Human Resources (LD); External Funding Manager (AS); Procurement Business Partner (RS); Lead HR Business Partner (HE); Chief Accountant (RE), and Committee Administrators (KEJ & NPH [Webcaster])

1 APOLOGIES

There were no apologies.

2 DECLARATION OF INTERESTS

The following members declared a personal interest in agenda item 5, Applications Shortlisted for Shared Prosperity Funding –

Councillor Emrys Wynne as he was on the Cadwyn Clwyd Board of Directors.

Councillor Brian Jones as he was on the Project Board for one of the applications.

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 28 March 2023 were submitted.

Matters Arising – Page 9: Termination of the Contract for a Main Contractor for the Waste Depot Phase 2 – Councillor Peter Scott referred to the financial impact on the Council and asked, if the excess costs were exorbitant, was there a Plan B? The Corporate Director: Environment and Economy advised that officers were currently working through the detail of the report to be brought back to Cabinet in May setting out the options available in order to finalise delivery of the scheme.

***RESOLVED** that the minutes of the meeting held on 28 March 2023 be received and confirmed as a correct record.*

5 APPLICATIONS SHORTLISTED FOR SHARED PROSPERITY FUNDING

Councillor Jason McLellan presented the report on the application and shortlisting process for Shared Prosperity Funding (SPF) and sought Cabinet's approval to fund the projects as recommended by the Core Partnership Group. The report included confidential appendices detailing the applications (which included financial and business affairs) and recommended outcomes, and Cabinet was advised by the Monitoring Officer to move into private session to discuss those elements.

The Head of Housing and Communities, Interim Head of Service: Performance, Digital and Assets and External Funding Manager attended for this item.

Cabinet was guided through the application and shortlisting process in detail. The fund had been heavily subscribed with 110 applications totalling £88.7m against a £25.6m allocation. An overview of monies received and projects recommended for approval, projects not recommended for approval, and a reserve list of projects had been provided (Appendix C to the report). Feedback on the longlist of projects from the wider partnership group (Appendix B to the report) had been shared with the Core Partnership Group to inform their deliberations. Applications which had not passed the initial screening were also provided together with bids for monies already allocated to DVSC or Cadwyn Clwyd which would be signposted to those organisations (Appendix A to the report). All projects had merit and those not approved would be given positive feedback and signposted for further support.

The Head of Housing and Communities also highlighted the following –

- challenges faced both locally and regionally given the parameters set in administering the programme and funding allocation in tight timescales
- implications for regional projects which required approval across council areas, and the use of a reserve list should funds become available, with Cabinet asked to delegate authority to the Leader, in consultation with others, in that regard
- the approach taken to the People and Skills theme for Working Denbighshire to commission services.

Cabinet discussed the application and shortlisting process which it considered to be very robust and inclusive, and challenging in terms of making decisions on projects. The volume of applications received compared to the funding available meant that, regretfully, many applications could not be approved. Cabinet had been reassured that the council would continue to work with unsuccessful applicants with a view to

providing further support and potential pathways to other or future funding streams to progress those projects where possible via other means. The situation post-Brexit was also highlighted with the point made that a number of indicators had identified a significant shortfall in the UK Government's replacement for EU funding.

Cabinet had also been pleased to note the balance of representatives on the wider partnership group, with wide ranging input across different sectors in that process. The commissioning of DVSC and Cadwyn Clwyd to administer lower level grants for projects and building community capacity was also highlighted and the Leader thanked those organisations for their input. The commissioning approach for Working Denbighshire was also welcomed, particularly to engaging with hard to reach groups. It was noted that the other decision-making processes across the region differed, with Denbighshire's approach through Cabinet providing an open and transparent process. Cabinet considered that residents and communities had been at the forefront in the decision making process in order to target those most in need, vulnerable, and hard to reach and thanked all those involved for their input.

At this point the Leader opened up the debate to non-Cabinet members.

A number of questions were raised to which the Leader and officers responded –

- the criteria for Stage 1 had been clear and no direct contact had been made with applicants as enough information had been provided to make recommendations; Stage 2 involved obtaining more detail on deliverability, outcomes and outputs
- the timescales involved did not allow for a right of appeal for individual unsuccessful applications; the call-in mechanism for scrutiny was available
- disagreed that the approach should have involved greater detail being provided at the outset, with sufficient information provided to make a recommendation and further detail and due diligence provided in the second stage of the process
- it was accepted that unsuccessful applicants would be disappointed but there was a finite amount of funding available for allocation and there would be continued dialogue with unsuccessful applicants with positive feedback provided and signposting to further support and possible funding avenues as appropriate
- much of the approach taken to the process had been informed by the UK Government in terms of the funding parameters and composition of the Core Partnership Group, which had been extended to include wider consultation
- officers were unaware of any projects that had been downgraded due to lack of clarity regarding timescales for delivery
- as mandated, funding had been allocated across the themes rather than a geographical spread across the county. However, most of the projects recommended for approval were countywide
- in terms of future funding it was likely that the UK Government would announce further funding at the end of the current Levelling Up and SPF programmes.

EXCLUSION OF PRESS AND PUBLIC

Cabinet moved to discuss the confidential appendices in the report and it was –

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the

grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Act.

The Head of Housing and Communities summarised the recommendations for the shortlisted projects by theme, which had been further sub divided to closely align to the corporate plan priorities, with projects prioritised against the funding provided.

Cabinet noted that the programme framework and funding parameters had been set by the UK Government and the situation remained fluid. Following negotiations with the UK Government it had been confirmed that the multiply underspend in Year 1 could be reallocated into Year 2 and further negotiations were ongoing regarding the potential to reallocate underspends from Years 2 and 3 into other themes going forward which would benefit projects on the reserve list. Given the limited funding available it was inevitable that unsuccessful applicants would be disappointed and it was reiterated that those applicants would be provided with positive feedback and signposted to further support and other potential funding streams where possible.

During the wider debate, some councillors highlighted the merits of particular projects in their ward areas which had not been recommended for approval, for Cabinet to review, and ensure at the very least, best endeavours were made to support those projects to progress in the future. The Leader reiterated the undertaking to work with unsuccessful applicants to progress projects as appropriate and officers elaborated on the reasoning behind those specific projects not being recommended for approval. The impact of the unsuccessful Vale of Clwyd Levelling Up Funding bid on some of those projects was also highlighted.

Members discussed the importance of addressing poverty and deprivation through SPF projects. It was noted that the Regional Investment Plan had been closely aligned to the Corporate Plan and targeted to improve wellbeing and address deprivation across the county; the impact of those projects could be measured over the council term. In response to questions officers advised that an overview of the projects had been included in Appendix B to the report and expanded on the reasoning behind the proposals based on a suite of projects to achieve each theme's outputs and outcomes within the limited funding available. Councillor Peter Scott was pleased to note recommended projects covering the Elwy Member Area.

In bringing the debate to a close the Leader reiterated the difficult decisions to be made and thanked members for their scrutiny and challenge in that regard. Cabinet agreed to an amendment to include paragraph 4.10 in recommendation 3.3.

RESOLVED that Cabinet –

- (a) confirms it has understood the application and shortlisting processes and approves those procedures being fair and open;*
- (b) agrees to fund the projects shortlisted by the Core Partnership Group (Appendix C to the report), and*
- (c) grants delegated powers to the Leader to make subsequent decisions, in consultation with the Lead Member for Corporate Strategy, Policy and*

Equalities and the Corporate Director Environment and Economy. These decisions might be required should the circumstances described in paragraphs 4.9, 4.10 and 4.11 of the report occur.

At this point (11.35 am) the meeting adjourned for a refreshment break.

OPEN SESSION

Following completion of the above business the meeting resumed in open session.

6 MANAGED SERVICE FOR THE PROVISION OF AGENCY WORKERS

Councillor Julie Matthews presented the report seeking Cabinet approval to commence a tendering process, in collaboration with Flintshire County Council, for the provision of external agency staff via a managed service, and requested delegated authority to award a new contract following the procurement exercise.

Cabinet's attention was also drawn to the Wellbeing Impact Assessment and positive impact on local employment, fair pay and good terms and conditions.

The Head of HR summarised the report, advising that the current contract expired in August 2023, detailed the procurement process and anticipated contract spend, and provided a breakdown on spend by service. The contract would mainly cover unplanned absences and specialist short term staff. Given the tight timescales for the contract award and potential need to manage the transition to a new provider, Cabinet approval was also sought to delegate the contract award decision.

Officers responded to questions raised as follows –

- agency staff were not used to backfill permanent positions
- the cost of employing agency staff was comparable with employing directly as the salary costs were the same, starting at the bottom of the relevant grade
- under the current contract, a fee of 9 pence per hour was payable to Matrix
- departments scrutinised the use of agency staff and costs and further work would also be carried out by HR in the future with a view to reducing costs
- the agency contract did not include supply teachers or social services home care agency workers
- agency staff were mainly use to cover short term vacancies, such as sickness absence, with the majority of spend in Highways, Facilities & Environmental Services covering front line services
- on occasions where there were difficulties in recruiting to a specialist or technical post agency staff may be used for a short period of time
- transportation and/or accommodation costs were not payable as part of the contract and many local agencies were used with agency staff living locally.

Cabinet agreed to an amendment to include consultation with the Lead Member for Corporate Strategy, Policy and Equalities in recommendation 3.2.

RESOLVED that Cabinet –

- (a) *approves commencement of the tendering process to provide agency staff via a managed service in accordance with the Council's Contract Procedure Rules (5.5.4(iii)), and*
- (b) *delegates authority to the Head of HR to award the contract to the successful provider in consultation with the Monitoring Officer, Section 151 Officer and Lead Member for Corporate Strategy, Policy and Equalities.*

7 NATIONAL EISTEDDFOD OF WALES - EXPRESSION OF INTEREST

Councillor Emrys Wynne presented the report seeking Cabinet's approval of the submission of an expression of interest on behalf of the Council to host the National Eisteddfod of Wales.

Due to the rotation of the National Eisteddfod between North and South Wales each year it would potentially be in North Wales in 2027, 2029 and 2031. The value of hosting the National Eisteddfod was highlighted both in terms of visitors and economic benefits, positive impact on the use of the Welsh Language and interest in Welsh culture and heritage. In terms of location, a site had been proposed by Rhuddlan Town Council and Councillor Wynne advocated that the site in Rhuddlan be put forward to the Eisteddfod Committee as the preferred site in Denbighshire.

During debate there was overwhelming support for the Council to offer to host the National Eisteddfod, with members recognising the economic and cultural benefits and positive impact on the Welsh Language. With regard to location, Councillor Gwyneth Ellis expressed her preference for a site in the South of the county such as Corwen. Other members also expressed their preference for a site in either the North or South of the county but all were in agreement that the National Eisteddfod would be welcomed wherever it was held in the county. The Leader advised that the report recommendation related only to an expression of interest at this stage. Detailed discussions on a potential host site would be held at a later stage. It was clarified that the site location was a matter for the Eisteddfod Committee, but local authorities were asked to help identify possible sites for consideration together with other stakeholders such as the Police and Natural Resources Wales.

RESOLVED *that Cabinet approves the submission on behalf of the Council of an expression of interest in hosting the National Eisteddfod of Wales.*

8 MEDIUM TERM FINANCIAL STRATEGY UPDATE 2024/25 TO 2026/27

Councillor Gwyneth Ellis presented the report setting out the revised financial projections for the 3-year period 2024/25 to 2026/27 together with a proposed budget strategy for setting the budget for 2024/25.

Some background was provided including a summary of the 2023/24 budget setting position together with risks around energy costs, pay increases and pressures on specific service budgets. The indicative average settlement increase of 3% for 2024/25 resulted in a very difficult financial position with high inflation and a return to well below inflation settlements. The revised budget projections for 2024/25 to 2026/27 (Appendix 1 to the report) showed an estimate of pressures and a possible

impact of increases in Council Tax and Revenue Support Grant, and was illustrative of the uncertainty of the figures and work that still needed to be carried out.

The Head of Finance and Audit added his summary of the report.

Cabinet noted the unprecedented financial pressures on the Council going forward and the difficult decisions to be made in the future to ensure it delivered both a balanced budget and services to best meet the needs of residents. Tribute was paid to the Head of Finance and Audit and his team together with the Lead Member for their commitment and hard work in producing a transparent and inclusive budget strategy for setting the budget for 2024/25. The importance of engagement with all stakeholders was highlighted and staff, members and residents all had a part to play in future financial planning. The development of a Communications Plan at the earliest opportunity was also welcomed both in terms of explaining the rationale behind the difficult decisions to be made and providing the opportunity for all involved to contribute to the budget setting process. The challenging financial climate was discussed and the political point made that the current difficulties had been as a direct result of political decisions made by the UK Government.

Councillor Gwyneth Ellis had been heartened to hear Cabinet's united response and stressed the importance of the wider council membership all working together for the benefit of residents and achieving a result with minimal impact. The Leader reiterated the importance of being open and honest about the significant pressures facing the authority and the engagement of staff, members and the public in future financial planning. The Welsh Local Government Association would continue to lobby Welsh Government on the financial position of local authorities.

RESOLVED that Cabinet notes the revised financial projections for the 3-year period 2024/25 to 2026/27 and the proposed budget strategy for setting the budget for 2024/25.

9 CABINET FORWARD WORK PROGRAMME

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

- Shared Prosperity Funding Investment Proposals – removed from May/June
- Rhyl District Improvement District (BID) Ballot – may slip from June to July

RESOLVED that Cabinet's forward work programme be noted.

The meeting concluded at 1.00 pm.

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Report to	Cabinet
Date of meeting	23 rd May 2023
Lead Member / Officer	Cllr Barry Mellor, Lead Member for Environment & Transport / Tony Ward, Corporate Director: Environment & Economy
Head of Service	Andy Clark, Interim Head of Highways & Environment
Report author	Peter Clayton, Corporate Project Manager
Title	Phase 2 Works Contract new DCC Waste Transfer Station (WTS), Colomendy Industrial Estate Expansion - Update

1. What is the report about?

1.1. This report provides an update on the latest position with respect to Phase 2 works to complete the new Waste Transfer Station (WTS) on the Colomendy Industrial Estate, Denbigh. It also seeks a decision to support the proposed way forward to complete the project following the main contractor entering administration, and it provides an update on a budget pressure as result of that situation.

2. What is the reason for making this report?

2.1. To seek support for the preferred way forward to complete Phase 2 works at the new WTS in Denbigh, following the main contractor entering administration, and to update on a budget pressure resulting from that situation.

3. What are the Recommendations?

3.1. That Cabinet confirm that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.

3.2. That Cabinet support the preferred way forward to complete the Phase 2 works at the new WTS on the Colomendy Industrial Estate, Denbigh.

3.3. That Cabinet acknowledge the latest budget pressure and agree to continue working at risk while discussions on potential sources of funding for the pressure are concluded with Welsh Government (WG). This is necessary to mitigate the risk of further delays that would further impact on cost and programme, including affecting wider programme of service change for which completion of the WTS is critical.

4. Report details

- 4.1. An NEC4 ECC Design & Build Contract was awarded to RL Davies & Son Ltd (RLD) in June 2022 to deliver Phase 2 of the works to complete the WTS at Colomendy, Denbigh. This new WTS is required to support the change in the waste collection model proposed to occur from March 2024 whereby the Council will move to the preferred Welsh Government collections blueprint.
- 4.2. RLD commenced works on site on Phase 2 in August 2022 but unfortunately on February 16th 2023 they were placed into Administration. At the time of Administration the anticipated Final Account cost of Phase 2 was estimated at £6.9M against a budget including Contingency of £7.022M. A Report on the original appointment of RLD and subsequent termination of the contract following their administration was taken to Cabinet on 25th March 2023.
- 4.3. Since February 16th, in order to keep works progressing on the site and to mitigate delays, it was agreed an Exception Report be prepared to allow the Council to raise orders and make payments direct to key subcontractors who were working for RLD whilst a decision was made on the longer term way forward. This has allowed work to continue to progress on site to mitigate impact on programme.
- 4.4. As part of the short term Exception standard NEC4 ECC Short Subcontracts have been set up with subcontractors pending the decision on the longer term way forward.
- 4.5. A briefing note was prepared initially for CET at the end of February following RLD entering administration to update on the position and identify options for the way forward, which has now been updated and is attached as Appendix 1.

4.6. Of the options detailed in Appendix 1, Option 4 is now the recommended preferred option which will see DCC continue to act as the Management Contractor with a number of NEC4 ECC Short Subcontracts with the subcontractors and their packages inherited from RLD with the Civils Subcontractor appointed as Principal Subcontractor by DCC to take on responsibility for managing the site, H&S, complying with CDM Regulations, providing Contractor All Risks Insurance for the site and to manage a limited number of subcontract packages. In essence, by following the preferred option we will be formalising the arrangements that have been put in place under the Exception Report that has enabled works to continue since late February.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

- 5.1. The decision will contribute toward Corporate Plan Themes *6. A Greener Denbighshire*, and *9. A well run, high performing Council* by facilitating an increase in recycling rates to meet Welsh Government target of 70% from 2024/25 and allowing the Waste Service to more efficiently manage waste collections and facilitate the sorting and baling of collected waste streams which can then be brokered to generate an income.
- 5.2. The decision will have a positive contribution to the Council becoming Net Carbon Zero and Ecologically Positive by 2030 through installation of Air Source Heat Pumps, Rainwater Harvesting and Photovoltaics at the new Waste Transfer Station along with facilities to support ULEV fleet.

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

- 6.1. Following RLD entering into administration, work has been underway to liaise with the subcontractors to confirm their tender package costs and costs to completion based on the preferred way forward.
- 6.2. The latest estimated cost to deliver the Phase 2 contract works to completion is £7,547,739 against a budget (including Contingency for Phase 2 at time RLD entered administration) of £7,021,951. In addition, a further £207,550 is estimated to cover a number of items outside the contract works including utility connections, additional costs associated with the baling & sorting equipment, undertaking the remaining landscaping / fencing works and additional internal and external fees to manage the

rest of the contract under the proposed arrangement. Further, it is suggested a Contingency Sum of £157,649 is allocated which is based on 5% of the estimated value of works to completion from the end of May 2023. Overall therefore there is a budget pressure of £890,987. Details can be found in Appendix 3.

- 6.3. Discussions are ongoing with WG about whether they are able/willing to address this latest budget pressure of £890,987. Although no formal response has been received at the time of submitting this report, it is anticipated that a formal response will be received before the end of May, and hopefully prior to the Cabinet meeting on 23rd May. If the Council has to fund the full pressure, including Contingency, this equates to £56k additional Prudential Borrowing based on a current PB rate of 4.58% over 25 years.
- 6.4. The new WTS will include technologies to reduce carbon footprint via use of an extensive array of Photovoltaic (PV) panels, air source heat pumps, rainwater harvesting and installation of Electric Vehicle (EV) charging points to enable migration to ULEV fleet.
- 6.5. The funding for this element of the project is part of a wider funding package to support the wider overall Waste Service Remodelling, of which the proposed new WTS forms a key element.

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

- 7.1. See Appendix 2 for further detail of WBIA undertaken for overall Waste Service Remodelling within which the development of a new Waste Transfer Station is a key element to support the proposed new service model. The overall outcome of the Well-being Impact Assessment is positive.

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

- 8.1. **Legal & Procurement Services** and **CET** have been involved in discussing the short term and longer term options to deliver Phase 2.
- 8.2. **Denbigh MAG** are kept informed of progress and proposals for development including proposed new DCC WTS via a standing item on MAG Agenda. They visited the site most recently on April 21st 2023 to see progress.

- 8.3. Lead Member for Environment and Transport and Lead Member for Finance consulted and updated via their position on **Project Board**.
- 8.4. The overall principle of developing a new WTS to support the waste service change was originally approved at **SIG and Cabinet** in December 2018 and subsequent updates were presented at **Cabinet Briefing** and **Communities Scrutiny** during 2019 & 2021, 2022 and most recently in March 2023 on progress including latest on the WTS. In addition, purchase of land in Colomendy, Denbigh and development of proposed WTS on that land as preferred option, also went to **AMG** in March 2019.
- 8.5. **Chief Financial Officer** has been consulted – see response below.

9. Chief Finance Officer Statement

- 9.1. The report clearly sets out the background to the situation that the project faces. Although the pressure identified is obviously disappointing news, it is welcome that officers have brought together a plan going forward. Due to the very difficult financial outlook outlined in the Medium Term Financial Plan at the Cabinet in April, if WG funding is not forthcoming to help fund the projected overspend then it is possible that other projects will have to be delayed.

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

- 10.1. Managing subcontractors – DCC will need to continue the close relationship with the key subcontractors working on Phase 2 to ensure any issues are dealt with as they arise to mitigate problems and ensure activities follow programme. Based on the latest review of Programme it is still anticipated that Phase 2 will complete by November 2023.
- 10.2. Further pressure on costs – a 5% contingency has been proposed within the revised to deal with any further cost pressures / unknowns.
- 10.3. Ongoing workload for key DCC team – included within revised costs additional budget for continued internal support / resource.

11. Power to make the decision

- 11.1. s.24 Local Government and Elections Wales Act 2021 and Public Contract Regulations 2015

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BRIEFING NOTE - POSITION AND OPTIONS FOR WAY FORWARD WITH PHASE 2 OF WTS FOLLOWING RL DAVIES & SONS LTD ENTERING ADMINISTRATION

POSITION

RL Davies & Sons Ltd (RLD) were appointed to deliver the Phase 2 Contract to complete construction of the new Waste Transfer Station (WTS) in June 2022. The Contract Sum was £6.231M. The form of contract used was the NEC4 Engineering and Construction Contract (ECC) Option A. Work commenced on site in August 2022. Up to end January 2023 the latest estimated Final Account for Phase 2 was £6.9M which included for a number of Compensation Events (CE's) approved since site start to capture scope changes from the Service which were approved by Board in September 2022 and other issues that have arisen on site. A number of further CE's were still to be priced by RLD and remained outstanding at time of administration but were estimated to take a revised Final Account Estimate to close to £7M. At present the approved overall budget for Phase 2 including Contingency is £7.022M. Spend to date following the final account on administration on the Phase 2 contract with RLD to February 16th 2023 and including cost of any direct payments to key subcontractors was £3.2M (c. 45%) and the anticipated Completion Date was November 10th 2023.

Following RLD entering administration on Thursday February 16th 2023 the site was secured and appropriate actions taken. Following this news and after obtaining necessary approvals within DCC, a Termination Notice was served on RLD and their appointed Administrator on Monday February 20th terminating the Contract between DCC and RLD as allowed for under the NEC4 form of contract in use on the scheme. On termination the subcontractors and their tendered packages fall back to DCC. A Report was taken to Cabinet on 25th March on the initial award of and subsequent termination of the contract with RLD.

In the short term an Exception Report has been produced in order to appoint the key subcontractors required to keep the works progressing while a decision is made on the longer term way forwards for delivering the scheme and also to enable payment of subcontractors in the short term. This Exception Report has allowed key works on the site to progress in order to minimise delay to programme as far as is possible. We are using the NEC4 Engineering and Construction Short Subcontract for the appointment of subcontractors and Procurement and Legal have and are being consulted on this.

Listed below is a number of Options for discussion on possible ways forward in the longer term.

WAY FORWARD – OPTIONS

OPTION 1:

Description: Re-tender Contract

- 1) Would put significant cost on the scheme due to delay and repricing via new tender
- 2) Would impact the scheme programme and would delay waste roll out
- 3) Storage costs for materials and equipment already procured would be significant

Not Recommended

OPTION 2:

Description: Appoint Second Place Tenderer to Main Contractor

- 1) Second place tenderer priced scheme in Q2 2022 at £8.1M which was £1.9M more than the lowest price tender (RLD)
- 2) Following a review of the Tender price, applying BCIS Price Inflation since Q2 2022 when initial Tenders were prepared, and based on c. 50% of works to still be completed on Phase 2 it is estimated this Option would cost c. £570K more than the recommended Option
- 3) It is likely there will need to be a period of negotiation before the Contract can be novated and could only be novated if the Contractor was willing to take on all liabilities including design as per the original contract, initial discussions indicate this is not likely
- 4) This option will cause delay and is likely to be more expensive, and given work will be progressing on site in interim, by Contract award main elements of work will be complete
- 5) Have limited knowledge of the scheme after initial tendering or working knowledge of the subcontractors inherited so would be heavily reliant on DCC working knowledge
- 6) The scheme will be substantially completed before any Contract Award (more than 50%).

Not recommended

OPTION 3:

Description: Appoint Civils Subcontractor to Main Contractor

- 1) Discussions have been held with Civil Subcontractor to sound out option
- 2) They have a working knowledge and understanding of the scheme

- 3) Other subcontractors may want to continue with direct payment after their difficulties with RLD
- 4) The scheme would be open book with DCC in a partnering arrangement
- 5) Subcontractors may be nervous of accepting sub contracts
- 6) To date the Civil Subcontractor have been unable to get Design Liability Insurance which prevents novation of the original contract as it can only be novated if it remains fundamentally unchanged
- 7) This Option would cost c. £400K more than the preferred Option
- 8) At present subcontractors approached have accepted subcontracts from DCC so to change this approach would have a cost / time impact.

Not Recommended

OPTION 4:

Description: Management Contract – DCC continue to manage subcontractors

- 1) Bring the Contract in house and issue sub contract packages using the NEC4 Short Sub Contract Package using the main Contract terms – this is the approach DCC has been following since RLD entered Administration in order to keep works progressing on site – subcontracts have been issued for packages of work
- 2) The Civils Subcontractor has been appointed to expand their role to include Principal Subcontractor role to manage the site on behalf of DCC and cover CDM, H&S, provide Contractors All Risks Insurance and take on management of a limited number of the subcontract packages.
- 3) The scheme was originally designed by the DCC Works Unit with specialist designer's employed to undertake certain tasks. The design responsibility will revert to DCC as the Principal Designer and the RLD specialist designers have been taken on by DCC to complete their packages of work. All designers have the relevant level of Professional Indemnity Insurance and as DCC undertake design works on a regular basis the necessary design insurance is already in place.
- 4) It has partially mitigated costs pressures compared to other Options
- 5) We are employing an open book policy with all subcontractors
- 6) This approach has mitigated delay
- 7) This approach allows completion to remain as close as possible to the RLD completion date on Nov 10th 2023

8) This will help minimise disruption and minimises cost increases

Recommended Option

NOTE 1: Phase 1 Enabling Works Contract cost £1.84M. Estimated cost, including Contingency, for Phase 2 via Option 4 is £7.9M – Total WTS works costs £9.74M. Excludes Fees, Surveys, and Equipment costs.

NOTE 2: In Q2 2019 via a Framework an initial outline design estimate for the scheme of £13M was prepared based on the outline design at that time, this excluded Client Fees, subsequent changes to the design scope (e.g. inclusion of second weighbridge, dust & odour suppressions system) and any of the collaboration work undertaken in Phase 1 with local businesses.



UPDATE OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP service: Well-being Impact Assessment Report

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

Assessment Number: 407

Brief description: This assessment is required as the Council needs to fundamentally change the way we collect household waste to further improve recycling in the County as part of strategy to meet Welsh Government 70% recycling target by 2024/25 and to address on-going increasing budget pressure due to the cost of sending our mixed recycling for further separation at a Materials recovery Facility. In Option 5 (preferred) the comingled blue recycling 240l bin would be replaced with a TrolliBocs System, where residents present sorted waste into separate stackable containers. The Trollibocs and the existing food waste caddy would be collected weekly on the same vehicle, resulting in resource revenue savings from the provision of higher quality, pre-sorted recycling. . Residual waste would be collected every 4 weeks in a 240l bin (plan to re-use redundant 240l blue bins). An optional human hygiene waste (AHP) service would be offered to remove "smelly waste" from the residual bin where required. New recycling waste streams would be targeted, including batteries, small electrical, electronic equipment (WEEE) and textiles and collected. Currently residents put paper, card, wax cartons, plastic containers/bottles, can and glass bottles/jars altogether in a 240litre blue bin which is collected fortnightly.

Date Completed: 28/03/2023 14:15:37 Version: 8

Completed by: Peter Clayton

Responsible Service: Highways and Environmental Services

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP

Localities affected by the proposal: Whole County,

Who will be affected by the proposal? All Residents / Households in Denbighshire; Operational Waste Team as new model rolled out, Trade Waste Customers, Landlords/Social landlords, Contact Centre and range of Council departments

Was this impact assessment completed as a group? No

Summary and Conclusion

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

Score for the sustainability of the approach

3 out of 4 stars

Actual score : 33 / 36.

Summary for each Sustainable Development principle

Long term

We will develop a wider waste strategy linking to the Welsh Government strategy /ambition to become carbon neutral by 2030. Developed a Benefits Realisation Plan that will be tracked during and beyond project implementation. The service change will include modernisation through the use of in cab technology / pioneering microchipped waste containers. Application of trial data on latest advancements with electric vehicles will be used to optimise green fleet procurement.

Prevention

Working with partners on assessing carbon reduction impact of new service model. Working with Partners to promote pro-recycling behaviours. Wider adoption of social norming to instructional messages and nudges including via associated communication plans. Introduction of microchipped containers to prevent recyclables being put in residual bin. Implementation of In-Cab technology to improve data gathering to allow more targeted engagement to address issues.

Integration

Consortium of local businesses involved in depot project, providing a wider industrial development on a site allocated under the LCP for expansion. The depot design evolved to include Highway/Streetscene Services waste streams. The Modernisation of Technology is being led by the ICT business Partner and compliments the wider corporate ambition to digitise and streamline

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP customer channels and processes.

Collaboration

HMO licence/agreement amendments. SLA with Co-Options (Third Sector (textiles). WRAP on various waste campaigns. Private Sector (Schaeffer) to test and develop microchip technology; Integration of plans with DCC Carbon Reduction Team. Working with private business on site in Colomendy to facilitate expansion of their premises / business via collaboration on Phase 1 works.

Involvement

Communication strategy; Community champions, engagement with DCC Staff Council; Ongoing stakeholder Events/roadshows; Eco Schools engagement as school children will become our recycling champions reinforcing accurate messaging in the home. Additional staff budgeted deal with higher numbers of calls at the contact centre during implementation.

Summary of impact

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

Main conclusions

Overall the proposed project to Remodel the Waste Service Collection should have positive impacts in terms of a prosperous and resilient and a globally responsible Denbighshire as the new service will increase recycling performance by 6%. The higher quality recyclable stream will support the adoption of EU Circular Economy measures and the Welsh Economic Action Plan. The model is also the most cost efficient of all options considered, bringing in a new income stream that protects other council services from further resource reductions. There is also a positive impact on equality due to the introduction of a new service to deal with hygiene waste sometimes produced by young families and the elderly, greater capacity afforded to store and present waste and more frequent recycling collections. We are also offering weekly residual collections to flats in our most deprived areas who are unable to store their waste in bins. We have reviewed our waste policies to ensure exemptions can be awarded to households that struggle to participate fully in the recycling service for genuine physical or mental health reasons. There are no health implications for the new service. Residual waste will be collected less frequently but smelly waste such as nappies and food waste will be collected fortnightly. There is a neutral impact on vibrant culture and Welsh language as all communications will be available in Welsh and English. There will be a significant focus on community engagement throughout and post implementation, encouraging intergenerational learning (young people as ambassadors) and motivational communications material. There is a neutral impact on cohesive communities as the new waste model supports and strengthens a social enterprise operating model for the collection and re-use of textiles, and the service changes are supported through a new (draft) household waste collection policy, to support the regulation of the new operating model.

The likely impact on Denbighshire, Wales and the world.

A prosperous Denbighshire

Overall Impact

Positive

Justification for impact

The new waste service will secure the long term future of the service and associated jobs and importantly contribute to increasing recycling rates in the County which will minimise residual waste generated by the County's residents. There is an overall reduction in the Council's carbon footprint through enhanced capture of recycling, especially food waste. Materials recycled are of higher quality which will help stimulate growth in the manufacturing industry within the UK.

Further actions required

Maximising the positive impacts from higher recycling rates will be dependant on undertaking a comprehensive communication campaign and ongoing education strategy that provides both instructional and motivational information to encourage people to take the extra effort to recycle more and separate their household waste items into various containers. A YouGov Survey stated that 70% of people want to know what happens to their rubbish and 32% would be more likely to separate their materials if they knew what happened to them. the Viridor Recycling Index 2017 (consumer survey) showed that only a quarter of people believed their waste was properly recycled and showed a clear need for better education, with seven in ten (69%) people feeling frustrated about not having enough education materials on recycling. There is an opportunity to re-engage with Denbighshire citizens to provide the information that will inform and influence pro-environmental behaviours.

Consideration to reducing manual handling concerns will be given when specifying the new kerbside recycling vehicles, including consultation with Unions and the workforce. W and R team to investigate introduction of a "ready for work" programme to train up new operatives (workforce succession planning) and career pathways opportunities for existing employees to upskill.

Positive impacts identified:

A low carbon society

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP

Application of the waste hierarchy, enhanced opportunity for closed loop recycling. Increased in recycling performance of projected to meet WG target of 70%. There is a wide evidence base to show that Kerbside Sort yields a lower carbon footprint than co-mingled collections. The carbon impacts of different methods of collection and post collection sorting were shown by the ADAS report for London Borough of Camden which stated that: "The carbon footprint of the whole process for the co-mingled collection, transfer and MRF is 77% greater than for the kerbside sorted recycle collection system."

High quality materials are more likely to be used in closed loop recycling where glass bottles and jars are recycled into similar products, paper into paper and so on. The carbon benefits of the closed loop recycling of glass were demonstrated in a 2006 paper "The impact of the carbon agenda on the waste management business", Grant Thornton, Oakdene Hollins.

The reduced carbon impact of kerbside sort vehicles compared to large Refuse Collection Vehicles currently used to collect recycling in DCC are considerably lower, as supported by the following paper "Kerbside Recycling in Wales: Environmental Costs, Waste and Resources action Programme (WRAP), March 2009. Opportunity to integrate Ultra Low Carbon Emission vehicles due to timing of vehicle procurement. Depot development includes PV and air source heat pump and rain water harvesting. Heat offtake from existing food waste anaerobic digestion plant can be used to power AHP treatment facility. recovered bins will be collected and sent for recycling. Recovered plastic is often recycled into new waste containers. procurement of new containers will specify some recycled content (whilst maintaining strength / life expectancy of the container).

Quality communications, infrastructure and transport

All new waste collection rounds will undertake route optimisation analysis to reduce unnecessary mileage and optimise efficiency, as well as round risk assessments to avoid traffic congestion where practical. The changes will be supported by a communications plan, to include face to face public engagement, a schools education package, and revised instructional material. Option 5 will result in significant capital investment in local authority depots (North Wales) and new waste containers. Centralised depot will reduce overall fleet mileage compared to other options considered.

Economic development

Collected recycling will be of adequate quality to be reprocessed in the UK (as opposed to being shipped overseas), encouraging home grown manufacturing industries to develop/expand. Collecting high quality recycling through source segregation is a priority for Welsh Government as they recognise the opportunities the EU "Circular Economy" package brings to helping Wales grow its own economy, and in a more sustainable way (www.gov.wales news article "Wales leading the way

towards becoming a circular economy" 28th June 2018. Positive impacts of the circular economy on economic growth are also recognised in the Welsh Government's Economic Action Plan.

The paper by the Resources Association "Putting quality recycling at the heart of a circular economy" August 2015 concludes that mandatory source separation of recyclables, including biowaste, would reduce recycling contamination and create new economic opportunity. By example, an article by Simon Weston (LetsRecycle.com 17th July 2017) director of raw materials (Confederation of Paper Industries) states "Recent work conducted by the Confederation of Paper Industries (CPI) estimates that an increase of one percentage point in contamination would increase costs by about £8 million per annum across the entire UK mill system. For a large paper reprocessor this could equate to as much as £1.25 million per percentage point increase for each 100,000 tonnes of raw material procured. These sorts of additional costs undermine the viability of domestic re-processors when compared with foreign competitors using other material streams, and could lead to plant closures and job losses."

Kerbside Sort systems yield very low contamination rates (1% Friends of the Earth, compared to Commingled recycling schemes that rarely achieve contamination rates below 5% and often in excess of 10%.

Hygiene waste will be collected separately in the Option. It is possible that this waste stream can be recycled and future discussions with Welsh Government are anticipated over the opportunity for this waste to be re-processed in Denbighshire. This would create further jobs through the construction and operation of a new facility. Phase 1 Depot works included collaboration with local businesses to facilitate their expansion securing their presence in the County and option to expand further.

Quality skills for the long term

Waste operatives will require enhanced manual handling training. In addition, the service will be modernised to closely monitor recycling habits of individuals through enhanced data capture of weight based information. Team members will be trained to use route optimisation software. DCC's waste technical team will be trained to collate and report on a wider range of performance data. The team will be required to deliver behaviour change messages to a wide range of audiences, including to school groups and private/social landlords. Increased procurement skills and experience will also be required. The service change would be supported through the adoption of an environmental enforcement policy which the team will be required to adopt. Whilst the existing enforcement team have all existing knowledge and skills, wider adoption by the rest of the team will be required. Potential develop and Operate a treatment facility for Absorbent Hygiene product treatment (nappies and incontinence waste) in DCC will lead to upskilling of workforce and additional employment.

Quality jobs for the long term

All waste operatives will be required to become "recycling ambassadors" as their acceptance/rejection of presented material will be fundamental to providing weekly feedback to the residents about what can and can not be collected on the kerbside sort scheme. Expected that Waste team jobs will be secured, may be need for additional Waste Team members depending on future operational model - to be confirmed as part of further development of Business Case. The baseline is unaffordable and jobs across other council service are at risk should we not change the way we deliver our services.

This option will secure at least 9 full time jobs in a local Social Enterprise, and support people with learning disabilities, through the collection, sorting , cleaning and resale of textiles.

Childcare

There are no known increased benefits arising from changing from the baseline to Option 5. Working hours are not modelled to change.

Negative impacts identified:

A low carbon society

c. 30,000 black residual bins will become redundant.

Quality communications, infrastructure and transport

None

Economic development

None - the current receiver of comingled recycling would prefer source segregated material, due to higher quality of paper.

Quality skills for the long term

It is envisaged that the increased manual handling requirements on the kerbside sort option will lead to a number of operatives seeking redeployment or retirement. This will produce a knowledge gap in the service for which we must prepare over the next 2 years.

Quality jobs for the long term

The manual handling implications of the kerbside sort system may present as a barrier to older operatives or operatives with pre-existing conditions that limit repetitive lifting operations. A key HR work stream has been set up to identify redeployment opportunities for staff who may not be able to carry out the new duties and jobs will be re-evaluated to reflect the change in operations. The Service has already identified the Council's Career Pathways programme as a strategy to deliver succession planning and develop skills of existing employees. They are also proactively engaged in promoting career opportunities externally, such as attending job fairs.

Childcare

There are no known increased implications arising from changing from the baseline to Option 5.

A resilient Denbighshire

Overall Impact

Positive

Justification for impact

Overall, despite potential for negative consequences due to potential increase in collection vehicle mileage and possible negative behaviour reactions by disgruntled residents who may take against recycling agenda as a consequence overall it is felt the overall message will raise awareness of the importance of recycling and the new model will support the capacity to further increase domestic recycling rates. New WTS incorporates LCZ technologies to mitigate and minimise impact and reduce carbon including on management of surface water. In addition new service will roll out a number of ULEV vehicles as part of new Fleet

Further actions required

Negative behaviour issues will be tackled through targeted communications on the benefits of the change to collection model to try to get all residents on board. As far as is possible new collection vehicles will be the most fuel efficient models affordable to reduce fuel consumption and emissions as far as practical to mitigate this issue. Electric vehicles will be integrated into the new fleet to further reduce emissions.

Positive impacts identified:

Biodiversity and the natural environment

This option enables the reprocessing industry to operate closed loop recycling solutions, saving the need to use virgin materials extracted from the natural environment across the world. More recycling will be recovered than the baseline option. Evidence suggests that people adopting pro-recycling behaviours on a kerbside sort system become more supportive of wider environmental issues. As part of development of new WTS a committed sum paid for off site ecological enhancements plus on site enhancements including pond creation.

Biodiversity in the built environment

Currently around 5000 households are receiving a sack collection for residual/recyclable waste. Sacks are ripped open by scavenging animals (seagulls, rats and foxes) providing an unnatural source of food, leading to unhealthy increases in populations of some species that may displace other species. This option will seek to reduce the number of households on a sack collection and provide a more regulated system that will prohibit residents placing food waste into sacks. The Trollibocs system does help contain litter as it must be presented lidded but will require enforcement to ensure boxes are not presented off the trolley and without lids.

Reducing waste, reusing and recycling

Option will improve and increase domestic recycling performance and produce cleaner material more suitable for closed loop recycling. Potential to recycle new waste streams such as absorbent hygiene products.

Reduced energy/fuel consumption

Food waste is co-collected on the same recycling vehicle as dry material and the number of residual collection passes per month associated with this are reduced. Integration of some electric vehicles through the fleet procurement. PV and air source heat pump installation and rainwater harvesting at depot.

People's awareness of the environment and biodiversity

New collection model will further raise awareness of need to and issues around recycling. A communications Strategy has been developed and includes an Education Campaign to promote

pro-recycling behaviours in young people, and encourage them to take home important messages.

Flood risk management

SUDS and surface water attenuation applied to design of new WTS in Colomendy to meet 100 year + 30 year event risk to mitigate impacts from surface water flooding events

Negative impacts identified:

Biodiversity and the natural environment

None

Biodiversity in the built environment

None

Reducing waste, reusing and recycling

May encourage negative behaviour from disgruntled Residents who take against new arrangements and deliberately reduce recycling efforts. . there is no evidence to suggest an increase in fly tipping in these authorities. However, it is necessary to support these service changes with fair but firm household waste collection policy and resource enforcement activities adequately to ensure that dumping of rubbish and deliberately cross contaminating waste streams is appropriately regulated.

Reduced energy/fuel consumption

None

People's awareness of the environment and biodiversity

May encourage negative behaviour from disgruntled Residents who take against new arrangements and deliberately reduce recycling

Flood risk management

None

A healthier Denbighshire

Overall Impact

Neutral

Justification for impact

Neutral overall as few relevant impacts, where potential impacts do exist they are likely to be minimal - mainly in relation to good local environmental quality being associated to better feeling of well being.

Further actions required

Engaging people in a positive way will be stressed and highlighted as part of communications during/post implementation. Introduction of a behaviour change support with enhanced education and targeted enforcement through data gathered by microchipped bins / In Cab Technology is planned to mitigate the risk of people failing to comply with the new scheme and waste escaping into the environment as a result. Additional capacity for cardboard containerisation is also planned to prevent waste escaping.

Positive impacts identified:

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

This option requires the householder to do more to manage their waste responsibly. More support will be offered to residents to comply and a sustained and focussed environmental campaign will offer opportunities for social norming and intergenerational learning, where schools and their pupils encourage their communities to recycle more.

Access to good quality, healthy food

NONE

People's emotional and mental well-being

Engaging people further in the need and activity of increasing recycling will engage them in a positive activity that can improve their sense of participation and doing good. There is evidence that people

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP

using a kerbside sort system are more "bought into" recycling as they believe more strongly the material is going to be made into new products. There is also evidence to suggest engaged recyclers are more likely to engage or be supportive of wider environmental initiatives.

Access to healthcare

NONE

Participation in leisure opportunities

NONE

Negative impacts identified:

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

There is a risk that those residents who do not currently engage with DCC's waste collection system will find the new system more challenging. therefore incidents of alleyway dumping may increase if not managed. DCC will introduce a new enforcement policy and increased communications programme to mitigate these risks. the introduction of microchipped bins is planned to mitigate this risk and optimise recycling.

Access to good quality, healthy food

NONE

People's emotional and mental well-being

Possible issues with the change upsetting residents and affecting their well being due to change and the need to adapt to new arrangements which they may feel antagonism towards, or be fearful they will not be able to cope with the new system.

Access to healthcare

NONE

Participation in leisure opportunities

NONE

A more equal Denbighshire

Overall Impact

Positive

Justification for impact

Most protected groups should be unaffected by the new waste model as households already present and segregate their rubbish. There may be a negative impact on residents with disability or who are elderly/infirm but variants to the main system will be put in place to recognise and manage this. The service will see more capacity provided to all households for managing waste and more frequent collections. residual waste frequencies for those on a sack service will be weekly or fortnightly (not monthly as on the standard service). This means residents in shared accommodation, or with very little storage will be able to manage their waste better in the future, compared to the current service. In Cab technology and microchipped technology will enable early intervention /support and monitoring of vulnerable and non-compliant households.

Further actions required

Recycling rates in areas with poor economic circumstances is often lower than in other areas. More targeted communications, such as roadshows, School visits and door to door support will be required to ensure residents in these areas fully understand the new system and take care to store their waste and recycling containers on their own properties so they are not abused or stolen.

Positive impacts identified:

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

The new Service will include a free separate collection of nappy/incontinence waste upon request, helping households with young children, or residents with medical needs cope better with the Waste Collection Service. This is an improvement to the existing service. Where possible discreet but accessible collection points from inside the household property boundary may be requested for

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP those requiring the services due to medical conditions.

People who suffer discrimination or disadvantage

The Service recognises the challenges inherent in our most deprived communities. The West Rhyl project will ensure the service design reflects local limitations, such as storage for containers and social challenged, to include alternative container sizes, curtilage collections and a more frequent service where needed.

People affected by socio-economic disadvantage and unequal outcomes

People in poverty often produce more waste - especially food waste and packaging waste. The new model provides greater capacity overall, on a 4 weekly basis to manage and contain waste.

Areas affected by socio-economic disadvantage

All trollibocs and new waste containers will be provided free of charge during the service change, even though the Council has a right to charge for them.

W and R department will liaise with the Council's troubled families team and other appropriate outreach workers to ensure that waste requirements are understood and passed on to households, should waste issues or questions arise.

A schools Education programme will be launched to support the new waste model, and priority focus will be given to schools in deprived areas.

The new waste model will increase the opportunities for employment and "ready to work" schemes.

Negative impacts identified:

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

People with some disabilities may find the new way of presenting waste more challenging, due to the need to separate waste into more containers, and due to the fact that they may need a larger residual bin, which could be heavier to manoeuvre. Consultation with disability user group representatives has also identified that the new Trollibocs system requires more "bending" that could prevent or put off

some infirm residents from using the service. The Trolliboc design will take account of feedback received through consultations. DCC operate an assisted collection service so if a household find their residual bin too heavy due to size can either be given a smaller bin (subject to having capacity) two smaller bins, or may apply to be on the assist list where we collect the bin from the curtilage of their property.

The new DCC waste enforcement policy will allow for households to be listed as exempt from recycling some or all materials if a disability and/or lack of support genuinely prevents them from doing so (e.g. sheltered accommodation with occupants with dementia).

Trollibocs can be provided with braille stickers where needed and all associated instructional material will be provided in appropriate mediums for sight impaired occupants.

Opportunities for upskilling and redeployment will be provided to employees who are unable to manage the new manual handling requirements of the collection service

People who suffer discrimination or disadvantage

If a household has suffered discrimination from sections of their community in the past, they are more likely to be reported to us if they struggle to comply with the new system.

The DCC enforcement policy will always include an initial educational step before enforcement action is taken to help residents to adjust to the new requirements.

People affected by socio-economic disadvantage and unequal outcomes

The Council has the right to issue a fixed penalty to residential occupants for failing to recycle, or dumping black bag waste. In order for the new scheme to work longer term, it will be necessary to monitor activities of non-complying households more rigorously, that could lead to FPN's being issued. However, the revised Council enforcement procedure will ensure that every household will be given the opportunity to correct behaviours. In addition, an early payment option with a reduced fine level can also be included.

Areas affected by socio-economic disadvantage

Recycling rates in areas with poor economic circumstances is often lower than in other areas.

A Denbighshire of cohesive communities

Overall Impact

Neutral

Justification for impact

Overall positive impact as new collection model offers opportunities to raise awareness of need to and increase ability to recycle for residents and benefit this may bring to engagement and reducing littering but is small risk it may also lead to feeling that change being done to residents and an associated problem of littering and fly tipping may result however this is thought to be low risk. The new system will be better regulated to identify non-compliance quickly and target behaviour change processes efficiently. There will be less (no) abandoned contaminated bins on the streets in the future preferred model.

The Recycle More Waste Less Survey showed that households are currently more likely to have space in their residual black bin on collection day than their recycling bins, evidencing that the new model, to increase recycling capacity by 57litres per week and reducing residual capacity by 10litres per week is manageable. This, combined with the fact that on average 51% of the waste in the black bins could be recycled on our existing services supports a move to shift the focus and resources to collecting more recyclable waste.

Further actions required

There is a perception that a reduced residual collection frequency could attract pests. The new model will offer a weekly opt-in service for human hygiene waste and the weekly food waste service will continue and be expanded to all houses, meaning waste most likely to attract pests and vermin should not be in the residual bin. Households remaining on a sack collection will be provided with gull-proof sacks to contain their disposal pink sacks. This will keep waste and odours contained and enable the Council to regulate the capacity given to sack customers so that recycling behaviours are still incentivised.

Positive impacts identified:

Safe communities and individuals

All wheeled bins and Trollibocs will be assigned to individual properties, encouraging ownership so they are not left out on the highway where they pose a fire risk. Currently there are excessive numbers of abandoned blue recycling bins on the public highway in high density areas due to them becoming

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP contaminated. This will not be an issue in the new model. Microchipping of residual bins will also mean we can return lost or stolen bins to the correct household.

Community participation and resilience

All residents have had the opportunity to be surveyed about the changes and will have the opportunity to raise concerns they may have already that can be addressed via the proposed changes or concerns they may have in relation to the new change.

A sustained schools education programme will result in a significant number of young people becoming recycling ambassadors, and offering learning /recycling opportunities within their communities.

The attractiveness of the area

With improved recycling it may be that this leads to a reduction in litter / waste as more recyclable material is captured via the new collection arrangements. Sack collections and on street solutions (currently abused) will be phased out wherever possible. Enhanced consultation with HMOs and private landlords will seek to ensure adequate and appropriate provision is made for tenanted properties.

Connected communities

Intention to use social norming as a way to promote pro-recycling behaviours and identify recycling champions.

Rural resilience

In Cab technology, on board cameras on all new fleet and microchipped bins will help deliver a reliable service in these areas. the new kerbside sort vehicles will be able to access more properties than the Refuse Collection Vehicles, meaning some can come off the sack service for recycling. Animal proof sacks will be offered to households on a sack service to prevent pests such as foxes. End of lane collection points will be reviewed to ensure reliable access to the collection points.

Negative impacts identified:

Safe communities and individuals

Residents who fail to comply with the new system and dump their waste will lower the environmental

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP

quality where they live - leading to the broken windows effect. The new waste model, however, will have boosted resources to target those individuals with appropriate education and enforcement action. It is not envisaged, however that these issues will increase in number from the baseline model. Areas causing issues now will be visited to ensure the optimal system is put in place to prevent waste escaping into the environment.

Community participation and resilience

Many residents will not have actively engaged during the proposal phase and provide resistance as the service is rolled out.

The attractiveness of the area

Residents who fail to comply with the new system and dump their waste will lower the environmental quality where they live - leading to the broken windows effect. The new waste model, however, will have boosted resources to target those individuals with appropriate education and enforcement action. It is not envisaged, however that these issues will increase in number from the baseline model. Areas causing issues now will be visited to ensure the optimal system is put in place to prevent waste escaping into the environment.

There is a perception that a reduced residual collection frequency could attract pests but minimise risk by getting as many properties as possible on weekly food collection..

Connected communities

Initially some recyclers may disengage with the new service if they disagree with the proposals. Mitigate with regular and targeted coms using the Waste Recycling Action Programme's (WRAP's) segmentation research. New scheme must be flexible to address individual needs where appropriate.

Rural resilience

The service intends to revisit and apply its existing lane ends collection policy wherever practical to optimise the service. This may be met with resistance by some rural properties than are requested to present their bins on the public highway.

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact

Neutral

Justification for impact

There will be a lot of communications material produced to provide instructional and motivational information to target audiences and the public in general. Every opportunity to promote the Welsh Language and cultures will be taken during the development of our campaigns.

Further actions required

There are no identified negatives.

Positive impacts identified:

People using Welsh

The proposed waste collection system is more aligned to those in the other Welsh authorities. This consistency will assist in general understanding in any language as families and friends communicate beyond County boundaries. All communications, including the survey, media releases and instructional information will be produced in Welsh as well as English.

Promoting the Welsh language

There is an opportunity to display bi-lingual advertisements with simple messages/ catch phrases

Culture and heritage

In the longer term, once kerbside capture of materials is maximised, there is an opportunity to promote re-use of kerbside materials and carry out campaigns to extend the life of items through repair. This will encourage people to learn traditional skills, such as sewing. There is also an opportunity to appeal to target audiences through tying together traditional activities and recycling/re-use behaviours

Negative impacts identified:

People using Welsh

NONE

Promoting the Welsh language

NONE

Culture and heritage

NONE

A globally responsible Denbighshire

Overall Impact

Positive

Justification for impact

Positive overall as aligns with other North Wales LA's - developing common resident experience and producing higher quality resources that can stimulate local and national manufacturing opportunities. The main purpose of this service change is to improve the environmental benefits of our waste collection processes.

Further actions required

As part of design and communications around collections model change Denbighshire will learn from experience at Conwy CBC and from all previous service changes in Wales and wider afield, through data held by WRAP (Waste Resources Action Programme)

Service to work with eth newly establish carbon reduction team to calculate and monitor carbon impact of the physical service changes.

Positive impacts identified:

Local, national, international supply chains

The baseline waste model produces low quality recycling which has limited markets, often overseas.

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP

This option produces source segregated material which can be used by local and national manufacturing companies.

Human rights

NONE

Broader service provision in the local area or the region

By making the proposed changes the waste collection model in Denbighshire will more closely align with others across North Wales, including specifically Conwy CBC therefore making any option for Service of Council mergers in future a simpler task. DCC are proposed to be the lead operators of a treatment facility for the recycling of nappies and incontinence waste, to be used by all participating North Wales authorities.

Reducing climate change

reduced carbon footprint through: Increasing recycling from 64% to 70% ; Integration of electric vehicles in the waste collection fleet; energy saving initiatives for the depot design such as PV, water harvesting and air source heat pump. Green supply chain procurement.

Negative impacts identified:

Local, national, international supply chains

Initially there will be a drop in the volume of some non-target plastic that is currently being marketed but the benefits of producing cleaner material far outweigh this.

Human rights

To support the introduction of the new scheme, the Council will be reviewing its waste enforcement policies to ensure the scheme is regulated. The Council will, in all cases act in accordance with the Regulators Code (2014).

Broader service provision in the local area or the region

NONE

E OPTION 5 (Preferred) - Weekly Kerbside Sort (including food waste), 4-weekly residual, AHP

Reducing climate change

Initial carbon impact of infrastructure provision - additional vehicles , containers and new depot - this impact will need to be calculated and netted off the overall gains.

Phase 1 Final Cost	£1,843,755.00 actual cost on completion in April 2022
Phase 2 Current Budget	£7,021,951.00 Includes Contingency
Phase 2 Cost to Feb 16th via RLD	£1,648,894.08 Cost to RLD Final Account (APF7) on Administration Feb 16th 2023
Phase 2 Costs Paid Direct to Subcontractors to end Feb	£1,573,180.79 Cost paid direct during works up to end Feb 2023 (AFP8)
Phase 2 Cost to Complete from end Feb	£4,325,664.35 Based on updated subcontractor package costs, assessment of issues with RLD pricing and material price increases
SUB TOTAL	£7,547,739.22
Contingency	£157,648.85 5% of estimated cost to complete from end May 2023
SUB TOTAL	£7,705,388.07
Landscaping	£15,000.00 Seeding, Trees, Newt Fence - taken out of scope of Phase 2 works to reduce cost
Dwr Cymru / Welsh Water	£25,000.00 Fire Main and Domestic Connections for WTS
BT Openreach	£15,000.00 New Fibre connection into WTS
DCC ICT	£12,000.00 Cabinet Switches, WAP's, Screens etc.
Baling & Sorting Equipment	£35,000.00 Material price increase on concrete bay panels and steel bale wire and storage to end July 2023
Internal Fees	£30,000.00 Project Management Fees
Internal Fees	£50,000.00 Highways & Environment Fees
External Fees	£25,550.00 External QS/Cost Consultant Support
SUB TOTAL	£207,550.00
OVERALL TOTAL	£7,912,938.07
PRESSURE	£890,987.07

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Report to	Cabinet
Date of meeting	23rd May 2023
Lead Member / Officer	Gwyneth Ellis/ Paul Barnes / Leah Gray
Head of Service	Steve Gadd
Report author	Paul Barnes / Leah Gray / Elaine Edge
Title	Second Home / Long-term Empty Council Tax Premium

1. What is the report about?

- 1.1. To update Cabinet on the legislation introduced by Welsh Government (WG) to increase the maximum level of council tax premiums for second homes and long –term empty properties. To seek advice on how Cabinet would like to progress with any potential additional charging to these homes in Denbighshire.

2. What is the reason for making this report?

- 2.1. To provide information to Cabinet on the current data in relation to second homes and long term empty properties within Denbighshire.
- 2.2. To highlight the potential for change to the premium charges in council tax for second homes and long term empty properties
- 2.3. To update the changes in criteria for holiday lets in National Non Domestic Rates (NNDR) as this may result in some properties being reclassified as second homes (Appendix B 1.2)
- 2.4. To seek guidance and advice on how Cabinet would like to progress on the considerations outlined in this paper.

3. What are the Recommendations?

- 3.1. That Cabinet review the paper and supporting information being presented and advise how they would like officers to proceed. A public consultation package will be prepared if members choose to propose an increase in the premium rates above the current 50% premium charge.
- 3.2. It is recommended that there is parity between the standard second home and long term empty Premium, to minimise avoidance by taxpayers (who may apply to switch to the more favourable category) and so ensure the administrative burden is not increased significantly, except for properties that fall within recommendation.
- 3.3. That Cabinet agree to the following proposals that will inform a public consultation prior to final decisions by Cabinet and Council:
 - 3.3.1 The second home and long term empty premium charge will remain at 50% for April 2023 then increases to 100% from April 2024, then 150% from April 2025.
 - 3.3.2 That properties that have been unoccupied and unfurnished for 5 years or more pay a higher premium at 50% more than the standard Premium.

4 Report details

Additional information has been provided to support the report and provide further detail if required.

- 4.1 The Background and context (Appendix B 1.1.)
- 4.2 Legislative changes (Appendix B 1.2.)
- 4.3 Considerations (Appendix B 1.3.)
- 4.4 Potential choices, there are an infinite number choices available, but the freedoms centre around;
 - Maintaining the current charging rates of 50%
 - Increase charge on long term empty properties up to a maximum of 300% premium (an additional 300% on top of the standard Council Tax charge). The financial value seen in Item 6 of Appendix A.

- Increase charge on second homes up to a maximum of 300% premium (an additional 300% on top of the standard Council Tax charge). The financial value seen in Item 6 of Appendix A.
- Introduction of a tapered approach to long term empty properties - for example, properties that have been unoccupied for 5 years or more are charged 200% and 300% after 10 years (Currently we do not taper any of the premium charges).

Clearly there are many choices open to members that could allow an increase of up to 300% for second homes and long term empty homes.

The Policy intention from Welsh Government aims to change behaviours and encourage properties back into use within communities, rather than increasing council tax income. With this in mind Members may decide to increase premium amounts or look to focus on an increase on long term empty properties

However, officers would recommend a measured response to any increase to allow a learn and evaluate approach. Also any sudden large increase on the Premium or a significant change, will result in a large volume of Section 13a applications for a discretionary relief from the Premium. This will involve significant resource as well as an expected increase in appeals and complaints. The administrative cost will need to be reflected if this is the case.

The recommendations made by officers has tried to strike a balance to consider how to effectively administer the scheme, while considering the regional context and wider legislative factors.

5 How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

5.1 The purpose of the premium charge is to increase affordable housing within Denbighshire and to maintain / grow prosperous and sustainable communities. The scheme has a neutral effect on the Council becoming Net Carbon Zero and ecologically positive by 2030.

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

6.1 There will be an impact on staff resources, i.e., there will be an increase in customer engagement within the council tax team if the premium is increased. The property inspector will have an increase in visits to ensure fraud or tax avoidance is minimal. Additional revenue will however be raised if the premium percentage is increased.

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

7.1 We have started to develop our Well- Being impact assessment and the finding from the public consultation will form a key element of its development.

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

8.1 This report is the beginning of the engagement process and the advice from Cabinet will determine our next steps including a public consultation.

9 Chief Finance Officer Statement

9.1 The report clearly outlines the options available for the Council's approach to the new flexibilities for charging higher rates for long term empties and second homes. It is important to note that the decision to use these freedoms can be reviewed on an annual basis as part of the annual Council Tax setting process. The recommendation is for a cautious approach while we learn from the experience of other authorities – but we obviously recognise that this is a very political decision. Any decision to change the rates will involve wider consultation which would need to commence as soon as possible

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

10.1 The risks will be identified and evaluated once members have advised on their preferred option. Considerations at this stage are around the need for a public consultation to any proposed changes and the number of changes/ proposed changes to legislation that could impact on the tourism industry in Denbighshire.

10.2 Any increase in premium may increase the risk of fraud and avoidance. Vigilance by officers and the additional use of the Property Inspector will reduce the risk.

11 Power to make the decision

- Housing (Wales) Act 2014
- The Council Tax (Exceptions from Higher Amount) Wales Regulations 2015
- The Council Tax (Long-term Empty Dwellings and Dwellings Occupied Periodically (Wales) Regulations 2022

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Appendix A

Item 1:

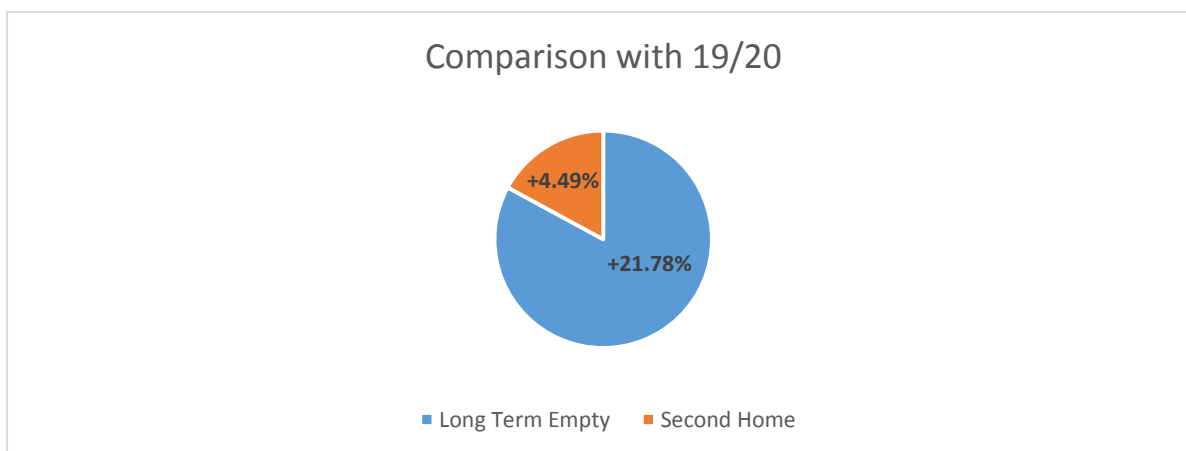
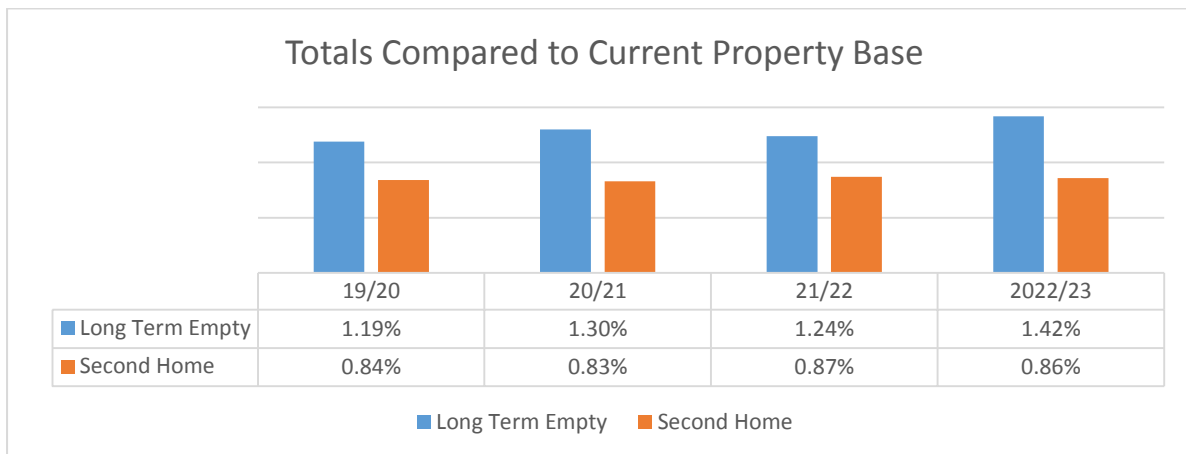
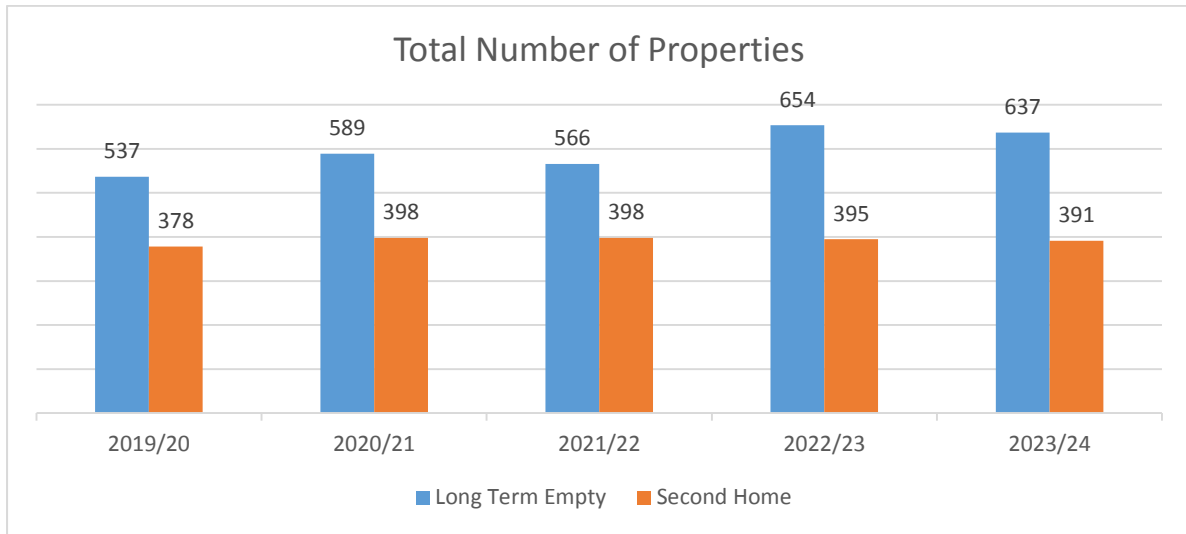
Classes of Dwellings	Definition	Application
Class 1	Dwellings being marketed for sale or where an offer to buy the dwelling has been accepted, time-limited for one year	Long-term empty properties and second homes
Class 2	Dwellings being marketed for let or where an offer to rent has been accepted, time-limited for one year	Long-term empty properties and second homes
Class 3	Annexes forming part of, or being treated as part of, the main dwelling	Long-term empty properties and second homes
Class 4	Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation	Long-term empty properties and second homes
Class 5	Occupied caravan pitches and boat moorings	Second homes
Class 6	Dwellings where by virtue of a planning condition, year-round or permanent occupation is prohibited or has been specified for use as short-term holiday accommodation only or prevents occupancy as a person's sole or main residence	Second homes
Class 7	Job-related dwellings	Second homes

Item 2

Income	2019/20	2020/21	2021/22	2022/23	2023/24
Long Term Empty	£272,973	£399,251	£396,375	£483,685	£489,008
Second Home	£327,883	£328,339	£352,217	£292,134	£300,160

Appendix A

Item 3



Appendix A

Item 4

Parish	Long Term Empty	% of properties in parish
Rhyl	521	3.20%
Prestatyn	90	0.90%
Llangollen	35	1.63%
Corwen	33	2.77%
Denbigh	58	1.32%

Parish	Second Homes	% of properties in parish
Rhyl	63	0.39%
Prestatyn	55	0.57%
Llangollen	44	2.05%
Corwen	32	2.68%
Denbigh	20	0.45%

Appendix A

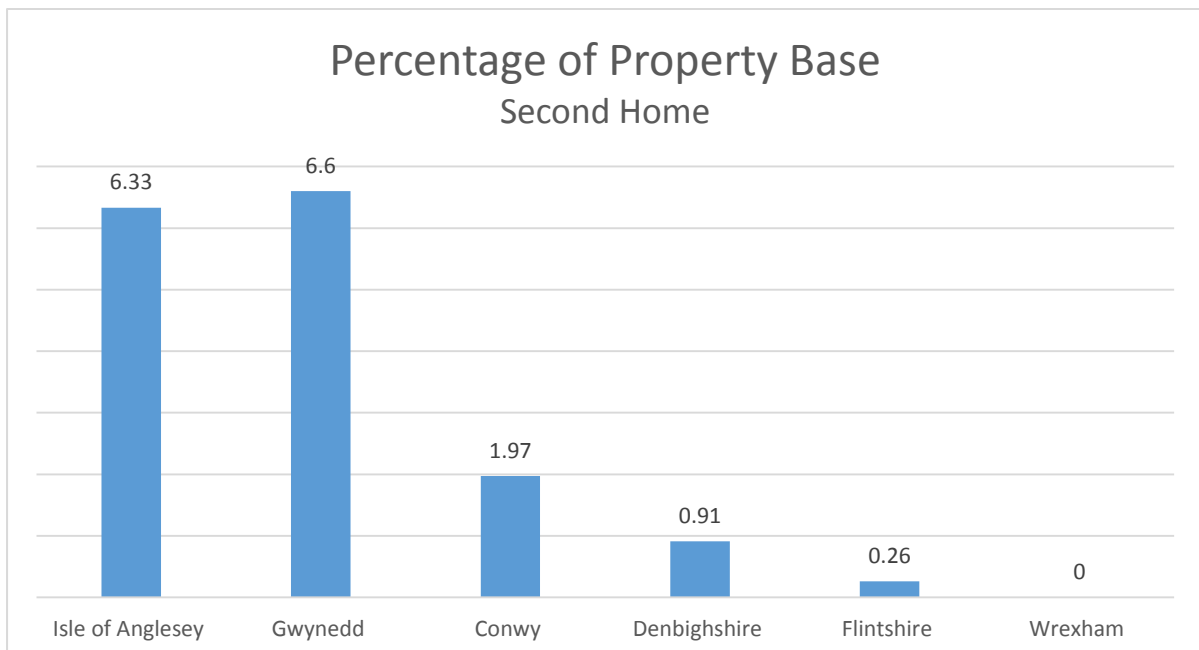
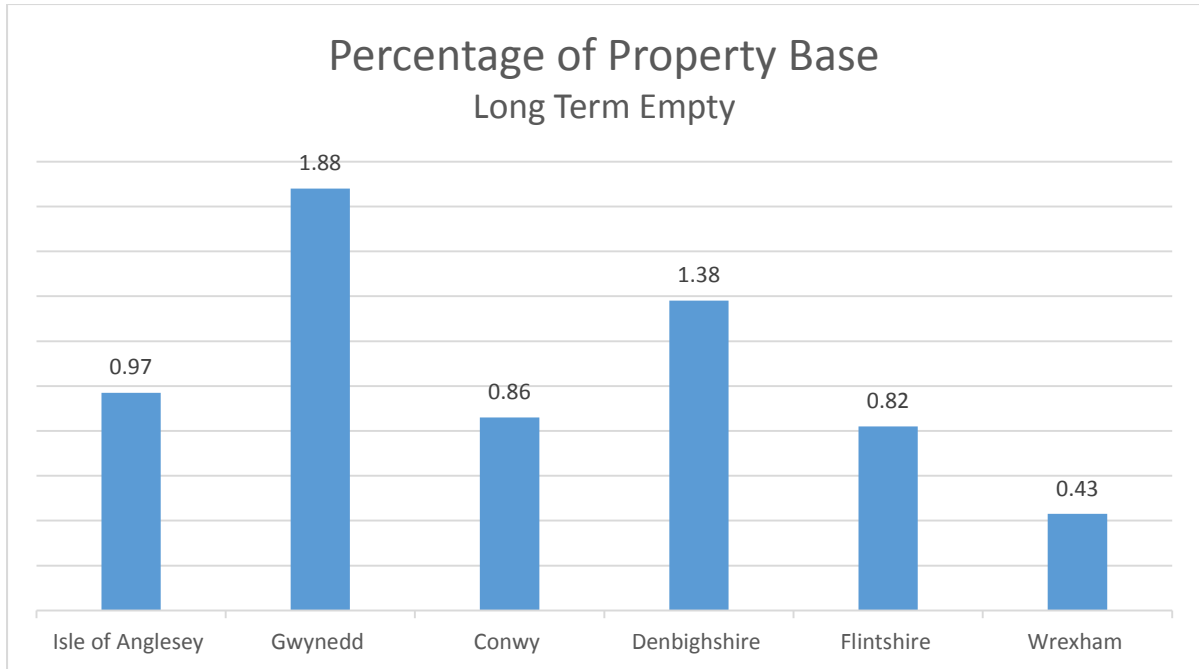
Item 5 –

Long Term Empty	22/23	23/24
Conwy	50%	50%
Gwynedd	100%	100%
Flintshire	50%	50%
Wrexham	50%	50%
Anglesey	100%	100%
Denbighshire	50%	50%

Second Homes	22/23	23/24
Conwy	50%	50%
Gwynedd	100%	150%
Flintshire	50%	50%
Wrexham	50%	50%
Anglesey	35%	50%
Denbighshire	50%	50%

Appendix A

Item 5: Information extracted from Welsh Government, Statistics for Wales Release
January 2023: SFR 3/2023



Appendix A

Item 6

Predicted Revenue from Long Term Empty properties.

Premium Increase	2024/25	2025/26
100%	£1,017,136	£1,057,821
125%	£1,271,420	£1,322,276
150%	£1,525,704	£1,586,731
175%	£1,779,988	£1,851,187
200%	£2,034,272	£2,115,642
225%	£2,288,556	£2,380,097
250%	£3,051,408	£2,644,552
275%	£3,559,976	£2,909,008
300%	£3,051,408	£3,173,463

Appendix A

Item 6

Predicted Revenue from Second Homes.

Premium Increase	2024/25	2025/26
100%	£624,333	£649,306
125%	£780,416	£811,632
150%	£936,499	£973,959
175%	£1,092,582	£1,136,286
200%	£1,248,666	£1,298,612
225%	£1,404,746	£1,460,938
250%	£1,404,749	£1,623,265
275%	£1,716,315	£1,785,592
300%	£1,872,999	£1,947,918

Relevant Considerations

The legislation which allows local authorities to charge up to 300% from April 2023 can be found here: <https://www.legislation.gov.uk/wsi/2022/370/contents/made>

WG provided a statement in March 2022 outlining their commitment to address the issue of second homes and unaffordable housing. This can be found here:

<https://www.gov.wales/new-tax-rules-second-homes>

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1.1 The Background and context

WG have made a commitment to address the issue of second homes and unaffordable housing facing many communities in Wales. Using the planning, property and taxation systems, they plan, in collaboration with local government to take action.

The Council Tax Premium is intended to be a tool to help bring long-term empty properties back into use to provide safe, secure, and affordable homes and to support local authorities in increasing the supply of affordable housing and enhancing the sustainability of local communities.

There are various classes of dwellings that are exempt from paying the premium, these are detailed in Item 1 of Appendix A:

From April 2023, local authorities are able to charge up to 300% council tax premiums on second homes and long-term empty properties. A premium is an additional percentage on top of the standard council tax bill. Previously the maximum premium for these properties was set at 100%. Local authorities are given the autonomy to make the decision to increase the premium based on local needs, and apply different levels for second homes and long-term empty dwellings.

In 2016 Denbighshire Council agreed to charge a 50% premium on a property that has been unoccupied and unfurnished for 12 months or more. For second homes there is a 50% premium immediately and this was introduced April 2017.

Item 2 in Appendix A highlights the income raised as a result of the premiums. Item 3 details the number of long-term empty properties and second homes in Denbighshire that are charged a premium.

WG have provided updated guidance on the implementation and administration of the Council Tax Premium. Some key points to note include,

allowing local authorities discretion on the charging of the premium, taking into account local needs.

It has also added two categories where the premium won't be charged. This includes properties that are restricted by planning conditions which mean that they can only be used as short-term holiday lets or where the property is prevented from being used as someone's main residence.

1.2 Legislative changes Considerations

Currently dwellings that are classed as a holiday let, can be transferred from the Council Tax listing to the NNDR list. The majority of these properties then qualify for Small Business Rate Relief (SBRR) and so don't contribute to either tax.

The criteria, as set by Welsh Government, for a holiday let to be considered for NNDR was previously:

- Property has to be let for at least 70 days per year;
- Property has to be available to let for at least 140 days per year.
- This changed from April 2023 to:
- Property has to be let for at least 182 days per year;
- Property has to be available for at least 252 days per year.

The change is intended to provide a clearer demonstration that the properties concerned are being let regularly as part of a genuine holiday accommodation business, and making a substantial contribution to the local economy.

There have been significant concerns raised within the tourism sector in Wales to these changes, citing in some cases units can only be used seasonally, reducing the available number of days that a property could be advertised for let and physically occupied, which is below the minimum threshold. Further concerns have been raised in respect of Air BNB properties, which can in many instances be part of a resident's home and not

liable either for council tax or NNDR. In response WG have provided LA's with amended guidance to exempt properties that can only be let short term, and cannot be used as a sole or main residence as part of the planning regulations. This guidance came into effect from 1st April 2023.

WG have also increased the Land Value Tax (LVT) on second homes in Wales to help fund increased social housing. Those purchasing a second property now have to pay a 4% levy on the LVT.

Since the introduction of the 50 % premium on second homes in 2017, 156 dwellings have been transferred from council tax to NNDR. Many of these will have transferred naturally without the premium as all new holiday lets are initially banded within the Council as liable for council tax and only transferred to NNDR when the Valuation Office Agency agrees it meets the criteria to be treated as a business. There was an increase in transfers to NNDR during the Covid pandemic as holiday let owners needed to be liable for NNDR in order to receive the grant payments. Additionally, because of the international travel restrictions 'Staycations' increased significantly, which increased the levels of commerciality and numbers of properties moving across to NNDR. It is expected that some of these properties will transfer back over to Council Tax now that foreign travel is fully accessible.

The consideration when initially introducing the 50% premium was to ensure there wasn't a significant loss to the tax base impacting on DCC revenue, whilst having a positive impact in reducing the number of long-term empty and second homes and increasing revenue in which to support the need for affordable housing. It is difficult to confirm over the last 3 years if this has had the desired effect as the council tax team are more vigilant in identifying empty properties or second homes.

Update from DCC Planning

On 4th July 2022 the First Minister and the Leader of Plaid Cymru announced a package of measures to address the negative impact second homes and short-term holiday lets can have on the viability and affordability of housing for local people in communities in Wales. As part of the three pronged approach

proposed including changes to local taxation, this also built in a land use planning element with the introduction of three new use classes. These three new use classes will give local planning authorities the ability, where they have evidence, to make local amendments to the planning system through an Article 4 Direction, allowing them to consider whether planning permission would be required to change from one use class to another and to control the number of additional second homes and short-term lets in an area. These changes came into force on 20th October 2022.

As part of the package of measures, WG also intend to introduce a statutory licencing scheme for all visitor accommodation providers in Wales. The scheme will aim to ensure that all providers meet health & safety requirements such as gas and electrical safety, are insured and have planning permission to allow the premises to be let. It will also provide WG and local authorities with better intelligence and a comprehensive register of visitor accommodation providers. WG have consulted on proposals for the scheme and are currently reviewing the responses to the consultation. It is anticipated that WG will finalise the scheme later this year.

Officers will be analysing the approach taken by other Council's across Wales where the impacts of second homes and short-term holiday lets are more pronounced. Once the licensing scheme has been finalised, as the final element of WG's three pronged approach, the intention is to report to Communities Scrutiny Committee to discuss the potential impact of the measures and the Council's approach moving forward.

1.3 Considerations

Parity between the Long-Term Empty and Second Home Premium needs to be considered. Having parity, reduces loopholes in that an owner states the property is unfurnished to gain 12 months before the premium is charged, whereas second homes incur the premium immediately. There would be

additional resource required should parity not be maintained. An increase in property inspections and investigative work as well as more detailed administrative tasks will be required. This is estimated at an increased cost of £32k.

Regionally Denbighshire has relatively low numbers of second homes compared to other areas, such as Gwynedd and Ynys Mon. Due to this the impact is not as high on communities compared to others in the North and Mid Wales region. Please see Item 5 in Appendix A the premium charges currently in place across North and Mid Wales.

There are areas within Denbighshire that have relatively high numbers of second homes listed in council tax. These are detailed as Item 4 in Appendix A.

The total number of Long-Term Empty properties over 5 years that could be charged the additional premium are currently: 493

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Report to	Cabinet
Date of meeting	Tuesday 23 rd May 2023
Lead Member / Officer	Cyng/Cllr Julie Matthews
Head of Service	Louise Dougal, Interim Head of Human Resources
Report author	Andrea Malam, Lead HR Business Partner
Title	Draft Agile Working Policy

1. What is the report about?

1.1. The existing Flexible working policy has been reviewed following the new ways of working which the Council has developed during and after the COVID pandemic. The Policy has been split into 3 separate documents:

- New proposed Agile Working Policy
- Right to request Flexible Working
- Visiontime (Flexi) procedures

1.2. This report provides information on the draft Agile Working Policy in which the Council is being asked to consider and approve. The Policy and Guidance can be found within Appendix Figures 1 – 5 of this report.

1.3. The formal right to request flexible working and Vision Time (Flexi) procedures which were in the original document have been removed and placed in another guidance document of their own to avoid any confusion. There have been no changes to any of these agreed processes.

1.4. The draft policy and report does not include reference to the buildings/asset project which is separate to this policy and its contents.

2. What is the reason for making this report?

2.1. To approve the Agile Working Policy and associated guidance documents.

3. What are the Recommendations?

3.1. That Cabinet approve the Agile Working Policy and associated guidance documents.

3.2. That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix Figure 6) as part of its consideration.

4. Report details

Agile Working Policy

4.1. Prior to the COVID 19 Pandemic, the council had a Flexible working policy in place which contained details on flexi-time processes, occasional home working and the use of the legal right to request flexible working. The overarching theme of this policy was around having a fixed base at which the majority of work would be completed. This new draft Agile Working Policy has been amended, with the legal right to request flexible working and the flexi- time guidance moved to different policy documents to avoid any confusion.

4.2. The aim of the draft Agile Working Policy (for those employees where the job role allows agile working) is to enable employees to have a greater choice about how, where and when they work. All decisions regarding agile working will start from what provides the best possible outcomes for residents, service users, customers, the Council and stakeholders both now and in the future. Once business needs are considered, the employee is then encouraged to work in an agile manner in which meets with their own personal needs to enable an acceptable work life balance and wellbeing needs for employees. It is important to note that not all job roles can accommodate agile working due to the nature of that post and therefore this policy only applies to those members of staff that can work in an agile way.

4.3. The draft Agile Working Policy now has an additional four guidance documents attached to it;

- Guidance for Employees – How to work in an agile way
- Guidance for Managers – How to engage an agile team
- Guidance for Managers – How to induct agile employees
- Guidance for Employees – Meeting Etiquette

- 4.4. The draft Agile Working Policy provides a formal and consistent approach to managing employees in an agile way, detailing clear guidance on communication, ICT equipment, health and safety arrangements, allowances and expenses. The policy is clear in that employees will not be able to claim homeworking allowances or expenses, i.e. heating, lighting, broadband.
- 4.5. The policy outlines the benefits from working in an agile way, for both the council and its employees, but also details the expectations for both managers and employees and provides risk assessments to ensure employees health and safety in work is considered and discussed.
- 4.6. There have been 3 types of Workstyles documented in the policy; Agile Worker, Fixed Location Worker and a Mobile Worker. Examples of job titles for each workstyle have been provided within the policy to ensure clarity. Each employee will be categorised into one workstyle, depending on their role. For those employees that do not fit into those categories, their circumstances will be considered on an individual basis.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

- 5.1. The new agile working policy will have an impact on all nine themes contained within the corporate plan in some capacity. Ultimately, the Agile Working Policy will contribute towards Denbighshire County Council being a well-run, high performing council by ensuring that those employees who are eligible to work in an agile manner, due to job role, are being treated in a fair and consistent way through the application of this policy.

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

- 6.1. There are no costs associated with this report.

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

- 7.1. Overall the wellbeing impact assessment concluded that the policy has a positive impact on the majority of wellbeing goals with a one neutral goal. Positive impacts include more of a work life balance for employees, the ability to be flexible with their working day and from the comforts from their own home for a large proportion of staff. This equates to less travel and reduced carbon emissions from vehicles. Flexible working arrangements are also an attractive benefit with regards to recruitment and retention and will help to attract candidates from further afield, widening our pool of candidates.
- 7.2. Unintended negative impacts include isolation of employees who are working at home or in the office alone which could impact mental health. An increased use of energy within employee's homes with regards to heating, lighting, broadband will have an impact on the environment and a result in a reduction in the use of local shops and businesses where the main offices are located. However, the reduction in travel and fuel usage might offset these costs for the majority of staff. Council buildings may also be underutilised but still remain heated with the lights being left on in unoccupied places for example.
- 7.3. Another unintended consequence is that agile working is not applicable to all job roles within the council, therefore it could be viewed as being unfair.

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

- 8.1. The draft policy has been approved at the Senior Leadership Team (SLT) and has been through a consultation and feedback process with the Trade Unions.
- 8.2. The draft Policy has also been approved by the Health and Safety and Employee Relations Joint Consultative Committee to progress to Cabinet.

9. Chief Finance Officer Statement

- 9.1. Not required.

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

10.1. If the draft Agile Working Policy is not approved by Cabinet, there may be an inconsistent approach within the council with regards to agile working. The policy contains clear guidance on how agile working should be applied and managed within the council, therefore a consistent approach to its application is required as soon as possible.

11. Power to make the decision

11.1. Power to make the decision is s112 Local Government Act 1972.

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Agile Working Policy

Contents

Contents	2
Guidance to accompany policy	4
• Guidance for Employees – How to work in an agile way	4
• Guidance for Managers – How to engage an agile team	4
• Guidance for Managers – How to induct agile employees	4
• Guidance – Meeting Etiquette	4
• Office Buildings Guidance	4
Definitions that apply to this policy	4
Purpose of the Policy	5
Introduction	5
The Benefits of Agile Working	6
Our Approach to Agile working	6
Our Principles for Successful Agile and Working	8
Workstyles	10
Working Environment	11
Technology and Work Equipment	12
Communication and Contact	12
Lone Working	13
New Starters	13

Corporate Image13

Travel and Expenses14

Additional Allowances for working from home15

Health and Safety15

Health and Safety Risk Assessments15

Mental Health and Wellbeing17

Sickness Absence.....17

Data Protection and Security18

Insurance, Mortgage and Tenancy Arrangements19

Requesting Flexible Working19

Reviewing Arrangements.....20

Guidance to accompany policy

- Guidance for Employees – How to work in an agile way
- Guidance for Managers – How to engage an agile team
- Guidance for Managers – How to induct agile employees
- Guidance – Meeting Etiquette
- Office Buildings Guidance

Definitions that apply to this policy

Agile Working	<p>Agile working is the term used by the council to describe how employees can work flexibly from different locations, at different times and using mobile devices.</p> <p>This could be from a council building, within the community from home working or any combination of these.</p>
Flexible Working	<p>Flexible working is the term used to describe the different ways in which employees can change the ways in which they work and can include changes to their working pattern including part time hours, job sharing, annualised hours and term time only working as some examples.</p>
Work Styles	<p>The different work styles describe and define the mobility and flexibility of location for each individual member of staff</p>
Hot-Desking	<p>A hot desk is a desk that can be used by any employee to complete work from, if not occupied by a “Desk Based” employee.</p> <p>A “Desk Based” employee’s desk can be used as a hot desk, if the employee is not using the desk e.g. due to a non-working day, working remotely or being on annual leave.</p>

Purpose of the Policy

The Agile Working Policy sets out an overall framework, enabling the council's workforce to carry out duties in a more efficient and effective way. The framework, as set out by the policy, provides a medium for consistency and fair practice when implementing and maintaining agile working.

This policy will enable both managers and employees to gain a better understanding of agile working and understand the basic principles, which can then be considered and applied to specific roles.

This policy covers the provision of facilities by the council to enable employees to have secure and reliable access to any of the council's information systems which they have been authorised to use.

Introduction

What is Agile Working?

'Agile working' is an arrangement which enables employees to work from a variety of locations to best serve the customer and the service without changing contractual hours or base of work. Agile working allows the council to deliver its services in the most cost effective manner whilst providing greater flexibility for employees in how they work, subject to business need and manager approval.

What is Flexible Working?

Flexible working is about how we work, e.g. different working patterns such as annualised hours, 9-day fortnight or even the flexibility to take lunch breaks at a different time of day.

The Benefits of Agile Working

It is anticipated that agile working will offer benefits to our employees, residents, service users and the council. The key benefits of agile working are as follows:

- Increased productivity – enabling employees to manage their own workload effectively, enabling concentration and avoiding office environment interruptions.
- Reduces unnecessary travel and time related costs.
- Lowers our carbon footprint, through reduced travel and emissions.
- Improving work life balance which in turn can increase employee wellbeing.
- Improve the recruitment and retention rates of experienced and skilled employees by offering a range of workstyles to match preferences.
- Reduced absence rates and any associated costs.

Our Approach to Agile working

The Council's aim is to enable employees to have a greater choice about how and when they work. All decisions regarding agile working will start from what provides the best possible outcomes for residents, service users, customers, the council and stakeholders both now and in the future. Managers are required to identify and maximise the agile working of their employees. In support of the delivery of the service, employees will be encouraged to work in a number of ways. Typical examples include:

- Working from their contractual base of work
- Working from home
- Working from a council office desk anywhere in the County
- Working from customer / clients premises
- Working in a council library.

Managers are expected to:

- Enable employees to maximise agile working where possible (business needs will take priority), ensuring that adequate cover is available during business hours
- Agree a working style and working pattern with their employees
- Work with their employees to ensure that work activities and environments are Risk Assessed
- Ensure employees carry out Workstation Risk Assessments (please see section Health and Safety Risk Assessments)
- Review working styles and patterns with employees on a regular basis
- Agree how and when they will communicate with employees
- Agree and carry out regular 1-2-1 meetings. Record the 1-2-1's on iTrent
- Ensure frequent check ins with employees take place to ensure health and wellbeing is not being negatively impacted by working arrangements
- Ensure employees take responsibility for the security of council equipment and sensitive /confidential information, ensuring they comply with GDPR and report any breaches, loss or theft immediately.

Employees are expected to:

- Discuss, agree and review their working pattern and working style with their line manager on a regular basis
- Discuss and agree methods of communication
- Complete a Workstation Risk Assessment for any workplace/workstation that they operate from (please see section Health and Safety Risk Assessments)
- Have adequate internet access and ICT equipment.
- Inform their line manager of any requested changes to agile working arrangements in a timely manner
- Be contactable via Jabber (during working hours) and ensure their calendar is kept up to date
- Be available for face to face or online meetings as and when requested (please refer to Guidance for Employees - Meeting Etiquette for further details)

- Raise any concerns with their line manager regards to their health, safety, wellbeing, information security or any other matter.

Our approach to agile working links to the council's vision to address the climate emergency, placing emphasis on the importance of sustainability and the health and wellbeing of both employees and the community. The benefits of improved work life balance, employee engagement and reduced travel make a direct contribution to this strategic priority.

For administrative purposes, including the claiming of travel expenses, employees working in an agile way will retain a designated contractual work base.

Our Principles for Successful Agile and Working

1. The council will support the principles of this agile working arrangement. Where the job role allows, employees will work in an agile manner. As a general principle, employees will be given greater flexibility to work from home (providing they have a suitable working environment). Visits to a traditional workplace should be reduced where possible, however, this will depend on business and operational needs.
2. Agile working must not impact the provision of services, therefore managers are to ensure they have systems in place to maintain a suitable level of service as required and to monitor the level of front line facing staff on duty at any one time.
3. In order to ensure that practical and operational arrangements are considered, an initial consultation will be held with individuals and teams about working in an agile manner.
4. Methods of communication should be agreed to ensure that both parties are fully consulted and informed, using a combination of virtual, electronic, face to face conversations, emails, telephone and team meetings/briefings. Managers will need to ensure that employees have regular one to one meetings and are subject to regular catch ups and conversations.

5. Agile working arrangements should be reviewed on a regular basis through one to one discussions. These discussions should include expected work outputs and performance. Significant findings or conclusions should be recorded on the employee's personnel file.
6. Employees who work in an agile manner will have a base of work for admin purposes, which is usually where the main function is based. Travel will only be permitted when online meetings are not possible or suitable for the subject matter etc. Managers will be required to monitor and approve all travel claims. Employees will be able to claim travel and time expenses in line with the Travel and Subsistence Policy based on the following principles: -
 - Deduct home to contractual work base travel mileage and time from the total journey
 - Mobile workers will need to refer to the Travel and Subsistence Policy for further details on travel and time.

Please see section on [Travel](#)

7. Employees may be required to attend work on a particular day, at the request of their line manager or Head of Service for meetings, training, customer appointments that the line manager and/or Head of Service have determined should be conducted in person. Similarly, there may be circumstances in which employees are asked to work remotely or from other work locations, when employees would otherwise expect to attend the workplace. In such cases, employees will be given as much notice as possible, however they will be expected to attend.
8. Working patterns for agile working might fall out of the normal office hours. It will therefore be essential to agree a work schedule so that managers and colleagues are aware of individual working patterns, where they are located and how to contact them. The hours of work must be agreed in advance for those employees that will be working from home as part of the agile working arrangements. For those subject to the flexi time system, your working hours of

work (including start and finish times) must be agreed in advance for those employees who work from home as part of this agile working arrangement, employees who work more than 6 hours in a working day must take a break of at least 30 minutes. Further details can be found in the Vision Time policy.

9. Employees must note that the ability to work from home is not a substitute for child care or similar carer responsibilities. It will be an employee's responsibility to ensure that adequate childcare / caring facilities are in place.

10. Agile working is based on the concept of mutual trust between the employer and the employee, any fundamental breach of that trust will be viewed as a conduct matter and will be addressed under the council's Disciplinary Policy.

Workstyles

The council has 3 workstyles that have been created:

- **Fixed Location Worker** – a workplace based employee who operates from an office, depot or DCC Building, i.e. receptionist, street scene operative, catering assistant. A fixed worker will typically remain at a workstation or place of work for most of the day. Employees will only be given a fixed workstation in limited circumstances due to the nature of the job or specific workstation requirements.
- **Agile Worker** – an employee can carry out their activities from a mixture of appropriate locations, e.g. work from home, work from a council building, in the community visiting people and/or to attend meetings where required. An agile worker could be an Admin Officer, Project Manager, Finance/HR Officer for example.
- **Mobile Worker** – an employee who works at different locations on a daily basis within the community normally away from their contractual base e.g. building maintenance operatives. Please refer to the Travel and Subsistence Policy for further details on travel and subsistence for Mobile workers.

In assessing whether a role is suitable for agile working, managers will need to consider the nature of the work being undertaken. There will be roles that are not suitable for agile working and business needs will take priority. For those who do not fit into the above categories, their circumstances will be considered on an individual basis.

Working Environment

All employees will be provided with a contractual base from which they can work. Employee's will also be able to access other council buildings to work from.

Subject to agreement with Managers, there are a number of working environments employees will be able to work from, the main environments are as follows:

- Denbighshire Buildings (Offices, Depots etc.) – the council will be responsible for ensuring office and building spaces are available for employees to use. The Council is responsible for this working environment and will provide, desk, chair, heating, lighting, ventilation and connection to the Council's ICT network.
- Home – the employee will be responsible for this working environment and the safety aspects of this environment including desk, chairs, heating, lighting, ventilation and enabling connection through broadband to Denbighshire's ICT network. Working from the home will not be authorised if any of these factors cannot be met.
- In the Community. Line managers with employees will be responsible for understanding and risk assessing the work environments and the activities carried out in them.

If an employee is working from home, the expectation is that this will be the home address supplied to the council. If employees wish to work from another address or location, then the employee should seek authorisation via their line manager.

Undertaking work from a second home / holiday home location in the UK will only be permitted with line manager approval. Employees who wish to work outside of the UK will need to seek authorisation from their Head of Service and the Head of ICT and this will only be granted in exceptional circumstances.

Technology and Work Equipment

Employees will be provided with the necessary ICT equipment and technology in order to work in an agile manner. As a minimum you will be provided with:

- A laptop
- Keyboard and Mouse
- Laptop stand
- Headset

Employees may discuss any additional requirements they have with their line manager.

Employees will be responsible for providing their own broadband for agile working purposes. Employees working from home are required to provide suitable working conditions including a chair and desk, however, in line with the Equality Act 2010, the council will consider and support any reasonable adjustments. All requests for special equipment will be considered by Occupational Health.

Employees must take care of any equipment provided. All equipment will remain council property and employees should notify their line manager and the ICT helpdesk if there are any faults or issues with the equipment.

Employees will not be permitted to buy their own equipment and claim this back, instead they will need to discuss with their line manager and contact ICT. All equipment must be returned to the employee's line manager upon leaving the council.

Where an employee cannot connect to the ICT (CAG) facilities for any reason, they will need to travel to an office facility where they can work effectively.

Communication and Contact

Communication arrangements must be open and robust. Employees working in an agile manner should be contactable, via teams, email, telephone and Jabber during their working day. Employees must keep their calendar up to date at all times and ensure that read only access is given to managers and colleagues.

It is the responsibility of line managers to agree the communication arrangements with their employees and ensure these are reviewed on a regular basis and at one to one discussions.

Managers and Employees are encouraged to have face to face contact agreed as part of their communications on a regular basis.

- Employees must not carry out face to face meetings in their own home with customers, elected members or officers from other agencies.
- Employees must keep their electronic calendar up to date if they have plans to attend site meetings or site visits direct from home. Lone working arrangements must be put in place for these circumstances.

Lone Working

Line managers must ensure that a Lone working safe system of work is in place for their employees. Any Lone worker safe system of work will be determined from the findings of a lone worker risk assessment.

New Starters

Agile working should be encouraged, where appropriate, for new starters. Where possible there should be opportunities to integrate the new starter into the team, in person, on a regular basis. As part of the employee's probation review, agile working arrangements should be discussed and documented alongside performance expectations.

Please see [Manager Guidance – How to Induct an Agile Working Employee](#).

Corporate Image

For those employees who work in an agile manner, Denbighshire adopt the 'Dress for your day', allowing employees to tailor their clothing choice to suit their day and demands of the role. Employees should consider their day's schedule, tasks being performed and the people they will be interacting with. Good judgement should be applied when making decisions on workday attire, e.g. if you are attending face to face or virtual meeting with a

Councillor, member of the public or customer then smart/professional clothing must be worn.

Formal face to face or virtual/webcast meetings such as; Planning Committee, Licensing Committee, Scrutiny Committees, Cabinet and Council (not exhaustive) will require professional work attire at all times.

Clothing should always be suitable and safe for the work being performed.

Employees may not opt out of using/wearing personal protective equipment (PPE) whenever it is identified as a requirement in the findings of a risk assessment.

Travel and Expenses

It is anticipated in the majority of circumstances, the costs of working from home will be offset by the savings in the cost and time of commuting to work, and the benefits of an improved work/life balance. Therefore, any additional costs incurred by working in an agile manner will not be met by the council.

Mileage claims will be reimbursed under the usual terms and conditions of claiming expenses and subsistence allowance. For the purposes of mileage claims, agile workers will have a nominated base of work. This will be the main location that their department/service operates from.

Employees will be reimbursed for any additional mileage undertaken. Where an employee is undertaking a business journey which starts or ends at their home, there is a requirement to deduct the normal home to work mileage from the total business mileage incurred. Employees must also deduct the time for the normal home to work journey from any claim.

Employees who have been identified as Mobile Workers will need to refer to the Travel and Subsistence Policy for details on travel and time.

Please refer the Travel and Subsistence Policy for further information.

Additional Allowances for working from home

Employees will not be eligible to claim expenses for homeworking.

Health and Safety

Health and Safety Regulations apply to the employer and to all employees. Employees have a responsibility for their own (and others) health and safety whilst carrying out any work activities regardless of the work location and in accordance with the council's health and safety guidance.

- When agile working is employed, line managers with their employees must ensure that suitable and sufficient risk assessments are in place and reviewed when necessary. (see below Health and Safety Risk Assessments section).
- Accidents or incidents at home during work time are classed as work related accidents/incidents and must be reported immediately to the line manager and also be reported by the employee on the DCC online incident/accident form. This form can be found on the Corporate Health and Safety pages on Linc (Intranet). Employees will only be required to report incidents if they are related to the work activity being done and the equipment DCC have provided to carry out that work.
- Employees will be provided with equipment which is appropriate for their job roles and in line with any reasonable adjustments that an individual has. Any other equipment requested outside of the standard equipment provision will need to be considered once a clear business reason has been made by the individual.
- Employees who use other council locations to work should familiarise themselves with the local arrangements for managing health and safety. Particular attention must be paid to fire safety arrangements and actions required when hearing a fire alarm and ensure they adhere to the signing in and out arrangements. Please see the attached [Office Building Guidance](#).

Health and Safety Risk Assessments

The Management of Health and Safety at Work Regulations requires employers to ensure that a risk assessment of all activities is carried out with the significant findings being recorded and safe working systems developed where necessary. Agile working requires the following:

Managers are required to:

- Develop and record an Agile Working Risk Assessment with their employees.
- Ensure that employees understand the findings of their risk assessments and follow them.

Employees are required to:

- Complete a Homeworking Checklist and share any significant issues with their line manager.
- Carry out a Workstation Risk Assessment and feedback any significant findings to their line manager e.g. requirement for additional resources or unsuitability of their home setup.
- Follow the findings of any team risk assessments and report any concerns or lack of understanding to their line manager.

The above documents can be found on the Intranet (Linc) under the Corporate Health and Safety pages.

Risk Assessments must be carried out and reviewed periodically or when there are any significant changes or when an accident/incident has occurred. Line managers must keep records of Risk Assessments, Checklists and working agreements. The records may be held in any format e.g. on paper or electronically but they must be available to employees.

If an employee is unable to work safely at home, then they will be required to work from an appropriate council office.

Wherever an employee is working with DSE equipment they will need to assess its suitability for their individual needs.

Further information can be found in the attached [Guidance for Employees – How to Work in an Agile Way](#).

Mental Health and Wellbeing

Working in an agile manner will contribute to improved wellbeing. Employees and managers must communicate on a regular basis to ensure that the workloads, demands and training needs are discussed.

Employees are encouraged to use their annual leave and take regular breaks, avoiding working long hours and replying to emails outside of normal working hours. Employees will need to ensure that they take at least 30 consecutive minutes if working more than 6 hours and make time to switch off. Working in an agile way should not significantly change the hours an employee works.

Further support can be accessed via the council's EAP (Employee Assistance Programme) provided by CareFirst. This service is able to provide confidential practical and emotional support for issues in work or at home, which is available 24 hours a day.

To contact Care first, please call **0800 174 319** or alternatively, access this service confidentially online at [Care First: Lifestyle \(external website\)](#)

Username and password details can be accessed via the Occupational Health page on the Intranet (LINC) or by asking your line manager, Occupational Health or Human Resources.

See attached guidance on [Guide for Employees – How to Work in an Agile Way](#)

Sickness Absence

When working remotely, if an employee is not able to work due to being unwell, the council's sickness absence reporting procedures apply as it would if the employee was attending the workplace. Please refer to the council's Attendance at Work Procedure for

further details.

Return to work interviews can be carried out via telephone and Microsoft Teams if it is not practical to meet face to face on the employees first day back at work.

Data Protection and Security

Employees who are working in an agile manner must comply with all relevant legislation and council policies. Access to council systems and the processing of data must only be carried out on approved devices. The employee is responsible for the security of equipment, files and any information in their possession. This includes the transportation of such items when working in an agile manner.

The Council's Information Security Policy must be followed in relation to protecting information appropriately. If handling personal data, the council's Data Protection (GDPR) Policy and procedure must be adhered to.

Managers must ensure their employees:

- Understand their responsibilities under the Data Protection Act and the councils Information Security Policies.
- Do not remove or store work files off the corporate network and save to home computers.
- Do not send work related emails or sensitive data to an employee's personal computer.
- Understands that any loss of equipment or information is reported immediately to their line manager.
- Never leave a logged on computer with an 'unlocked screen' when unattended.
- Ensure conversations of a sensitive / confidential nature should not be carried out in public spaces.
- Family members or any other individuals should not have access to personal data on paper or as electronic records.

- Printed documents must be kept locked away when not in use.
- Confidential waste should be disposed of in the normal way.

Please refer to the Data Protection Policy and Procedure which is available on the Denbighshire website.

Insurance, Mortgage and Tenancy Arrangements

Computers, laptops, phones and other items of equipment provided by the Council are covered by the council's insurance policy. However, employees will still need to make sure the equipment and any information on it is safe and secure.

Employees should only use equipment that they are competent to use and all equipment should be checked by the user before use to ensure that it shows no signs of fault or damage. Faulty or damaged equipment must be replaced.

Employees are responsible for contacting anyone with an interest in their property (e.g. mortgage lenders, landlords, leaseholders, building and contents insurer) to make sure there is nothing they need to consider when working from home. The council will not be responsible for any additional costs as a result.

Employees working at home or from home will be covered by the council's Employers Liability Policy. Any accidents must be reported immediately in accordance with the council's reporting guidelines.

Requesting Flexible Working

This policy is for agile working arrangements, but there are other forms of flexible working. Employees can refer to the Employee Handbook which contains details on the formal Right to Request Flexible Working.

Flexi Time (Vision Time) will remain in place and should be used in accordance with this policy. Further details and guidance on Vision Time can be accessed on the Denbighshire

website.

Reviewing Arrangements

Arrangements made between managers and employees must be reviewed on a regular basis to ensure they are suitable for service delivery and business need. This policy will be reviewed on a regular basis by Human Resources.

Guidance – How to work in an agile way

Version control

This document is subject to regular review due to legislative and policy changes. The latest versions of all our publications can be found on our website. Before contacting us about the content of this document, we recommend that you refer to the most recent version on the website and any relevant guidance.

Version	Date approved	Approved by	Notes / changes
v1.0			New guide

Contents

Version control	2
Contents	3
Guidance – How to work in an agile way	4
Introduction	4
Definition	4
Points to consider when working in an agile way	5
Corporate Image	5
Create a space to work from	5
Set a beginning and end time for the workday	7
Set a routine for the working day	8
Build in self care	9
Keeping in touch	10

Guidance – How to work in an agile way

Introduction

There's a certain energy that comes with being in a physical office space. It can be driven by morning routines, familiar conversations, and casual kitchen/printer or corridor interactions. That energy can be difficult to recreate when employees work in an agile way.

Denbighshire County Council is committed to ensuring that all employees are supported whilst working in an agile way. It is proved that employees who have the choice as to whether they work in the office, at home or another location will have a positive work engagement. However, the council recognise that there is a need to support some employees who may find this way of working more of a challenge.

This guide will give employees some general guidance and offer advice of things that they can consider to adopt when working in an agile way. Some of the suggestions may not work for all employees and working in this manner will dependant on business needs also, but there may be some useful ideas that could be adopted which would support a more agile way of working.

Definition

Agile working is a form of flexible working where employees spend some of their time working remotely (usually, but not necessarily, from home) and some in the employer's workspace. At the same time, it is important to recognise that agile working may not work well for everyone. There may also be certain roles or tasks that require employees to be co-located (i.e. working in the same physical location as colleagues), and that working at home or from another location would not suit the service.

It is advised that managers and employees continually review their working arrangements as part of the 1 to 1 discussions. Circumstances and job roles frequently change and evolve, and it is therefore important that the working arrangements works for both parties, that an open dialogue is adopted. Business needs will remain the priority when working arrangements are being discussed and agreed.

If any employee requires any additional support when working in an agile manner, the following pages on the council website might be of use:

<https://www.denbighshire.gov.uk/en/jobs-and-employees/my-employment/mental-health-wellbeing/mental-health-and-wellbeing.aspx>

Points to consider when working in an agile way

This guide will look at the main important points that employees may wish to consider when working in an agile way.

Corporate Image

For those employees who work in an agile manner, Denbighshire adopt the 'Dress for your day', allowing employees to tailor their clothing choice to suit their day and demands of the role. Employees should consider their day's schedule, tasks being performed and the people they will be interacting with. Good judgement should be applied when making decisions on workday attire.

Clothing should always be suitable and safe for the work being performed. Employees may not opt out of using/wearing personal protective equipment (PPE) whenever it is required.

Agile working may mean lone working

Ensure that a lone worker risk assessment has been carried out with your line manager, this should cover you and the way you work. A lone worker "safe working procedure" must be in place for you.

Create a space to work from

Employees should, where possible, have a physical space specifically set aside where they can work consistently. While not all employees will be able to have an ideal setup, things to consider when trying to optimise the space include personal comfort, privacy, noise, Wi-Fi connection strength, natural light and a temperature-controlled area. The kitchen table will do for short term working, but employees might want to think more strategically if they're setting up for longer stretches of time.

Consider some of the following:

- Set up a designated workspace. Separate space for yourself to work in, somewhere you can focus on tasks without being distracted and set up with everything you need for a normal working day – laptop, keyboard, mouse, stationery, papers etc.
- Make sure you have all the technology you need. This includes a reliable and secure internet connection, any necessary files, hardware and software, remote access to your company network (CAG) and, importantly, knowledge of how to get IT support.
- You will need to consider Health and Safety. Your Line manager should have developed an Agile Working Risk assessment with you and your team.
- Employees are responsible for their own home set up and are required to complete a **‘Workstation Risk Assessment Checklist’** and the **‘Homeworking Checklist’** which can be accessed via the Corporate Health and Safety pages on Linc (intranet). You should inform your line manager if your workstation assessment identifies that you require additional DSE equipment, you will not be charged for this.
- You may not necessarily need office type furniture or equipment at home to achieve a good posture. Equally your own furniture or equipment may not be suitable or sufficient. The Workstation Risk Assessment Checklist is a useful tool to help decide what is needed for your situations and circumstances.
- Make sure that you are comfortable and have the appropriate chair and screen as well as any other equipment which will make things easier for you to work from home.
- It is important to note that if you do not have the required space or equipment to work from home, then there will be office space available for you to use.

Please ensure that you:

- Arrange equipment and furniture to avoid trailing leads and cables
- Check that your plugs, leads, wires and cables are in good condition
- Keep your work area tidy and free from obstructions that could cause slips or trips

- Check you have adequate lighting in your work area to avoid eyestrain
- Report any work related incidents and/or accidents to your line manager immediately. All incidents and/or accidents must be reported using the Accident / Incident Form available on the Corporate Health Safety pages in the intranet (Linc).

Set a beginning and end time for the workday

Remote worker burnout is a concern. Come up with a plan and stick to it consistently. Some employees might find adhering to an 9am-5pm schedule will work for them, however for some employees this will not work, due to personal commitments and childcare.

Employees must note that the ability to work from home is not a substitute for child care or similar carer responsibilities. It will be an employee's responsibility to ensure that adequate provision is in place to avoid conflict with work performance whilst at home. All working arrangements, working patterns and working hours will need to be discussed on a regular basis and agreed in advance with your line manager. Business needs will take priority.

Flexibility is a benefit to agile working and being able to have a better work life balance has proved to be successful in keeping employees engaged and morale high. However, you need to understand what your manager expects of you and this should be discussed on a regular basis. It is essential that the needs of the service has equal priority to your Health Safety and Welfare.

Consider some of the following:

- Know when to step away from your desk. Be clear about when your working day begins and ends and take breaks to refresh. It's easy to let yourself be 'always on' when your home and office are the same place.
- At the end of the day ensure that you close the door on the work space where possible as if you would when leaving the office or your other place of work. If you have no dedicated work space, ensure that you pack away your work equipment out of sight until the following day, so that you have a clear distinction between home and work.

- For those sending emails outside of the normal 9-5 working pattern, the following sentence should be added to the signature of emails to prevent an “always on” culture, “Please be aware that I work flexible hours, so whilst this is a convenient time for me to send this email to you - I do not expect a response from you outside your normal working hours.”

Set a routine for the working day

Employees should treat the beginning of their day as if it were any other day. Shower and get dressed and have breakfast, as you would if you were going to a place of work. From there, have time set aside for daily tasks, team meetings, and even breaks throughout the day. Having a good routine will keep energy levels high. It may be that you complete a daily exercise class before or after work, walking the dog, reading or spending some time meditating.

Consider some of the following:

- Get dressed. Changing into working clothes will help you mentally switch to productive work mode. It will also help you distinguish between ‘homeworking’ and ‘home life’.
- Make sure to take time for lunch and don't have lunch at your desk. Take the time to re-energise at lunch break for example. It's really easy for employees to just work through lunch and then have a snack so ensure you have a proper break.
- When scheduling meetings try and not to schedule back to back meetings. When commuting between locations for meetings travel time was always considered, however when it is a virtual meeting there is a likelihood that in between time will not be factored in. Employees need this time to be able to de-brief and re-focus.
- At the end of the day ensure you switch off and ‘shut down’ the laptop. It will be far easier to glance and check emails again later in the evening if the laptop is still on and not shut down.
- Use what was your commuting time from work, to walk the dog, exercise or anything that will determine that the working day has ended.

Build in self care

Those extra flights of stairs and the walk from the parking to your base were a built-in way of keeping employees moving. It is important that you are able to look after your mental health and wellbeing and finding a routine of self-care that works for you. It may be that you try and do your daily exercise class before or after work as part of what would have been your commuting time. Or you may be able to work flexibly to fit in a virtual or face to face class in throughout the day, or even a lunch time walk. Speak to your manager at your regular 1 to 1 meetings and agree what would work for the team and you individually.

Consider some of the following:

- When work is over, be sure you switch off to avoid burnout. Think about having 'core hours' which people you work with are around for.
- Go for a walk or outside where possible to get some much needed vitamin D.
- Work from a different location a morning or two a week, this could mean moving locations in your house.
- Suggest to your manager that you would like to have a 1 to 1 meeting whilst walking so that you can meet in person.
- Make agile working work for you. Change where you sit, put on music, whatever helps you work.
- Continue to monitor your working time to ensure that you monitor the hours you work, and make sure that your manager is aware of any issues that may arise.
- Rather than feeling obliged to attend all the meetings that you are invited to, consider and discuss with the organiser whether to attend for part of the agenda items only, rather than the full meeting.
- Set aside and block out time in the online diary for the completion of work, break times and lunch breaks. Always keep your online calendar up to date so that colleagues are aware of when you are available.
- Write a daily to-do list. Set out a list of realistic, achievable tasks to keep you focused.

Keeping in touch

When regularly working from home, it is important that employees remain connected and engaged with their working teams and services despite the physical distance. A lack of engagement or connection to the team and service has an impact on morale, mental health, productivity and retention so this is a very important aspect of home working to get right, with the underlying principle being that home workers should feel as integrated and connected to the team as those who are on site or office based.

It is important that you read the Meeting Etiquette guide, as there are still standards that need to be adhered to whether you are attending a face to face meeting or a virtual meeting.

Consider some of the following:

- Stay in conversation. Contribute regularly to team chats/group emails so you don't drop off the radar. Ask about what people are working on and share what's on your to do list. Being physically separated means you miss the 'kitchen or printer chats' so this is a means to keep informed
- Ensure that you and your manager schedule in regular 1 to 1 meetings and these can be face to face or virtually. You may want to suggest meeting and walking if that works for both parties.
- Foster relationships. Make time for non-work chats as you would in the workplace and use video calling to maintain face-to-face contact or even Jabber.
- Be clear in your communication. Speaking in person gives you visual and audio cues that help you communicate. Conversing remotely removes a lot of that extra information so make your communications extra clear and concise.
- When you are communicating virtually in any setting make sure that your camera is on. There is a tendency that you don't want anyone to see you but it is important that you have your camera on in order for everyone to feel part of a team. You wouldn't hide away in a face to face meeting?

- It may be necessary for you to communicate the rest of your team your working pattern and what you are working on so that everyone is clear.
- It may be an idea to meet up as a team for a lunch or a team walk to ensure that feeling of integration and reduce the feeling of isolation.
- Ask for support when needed. Speak out when you need assistance, further training or support. Your manager, colleagues and you are part of a team and should be supporting each other, especially remotely.

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Guidance for Employees

Meeting/Training Etiquette (when working in an agile way)

Version control

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Version	Date approved	Approved by	Notes / changes
v1.0	12/11/2021	AM/LH	New guide

Contents

Version control	2
Contents	3
Guidance – Meeting Etiquette (when working in an agile way)	4
Introduction	4
Plan and Prepare	4
Physical preparation	5
Dress Code	5
Time Keeping	6
Be Present	6
Top 10 tips for effective online meetings	6

Guidance – Meeting Etiquette (when working in an agile way)

Introduction

Agile working has become the new way of working with virtual meetings and training becoming an essential part of how the council maintains productivity and continuity. While virtual meetings/training has likely been a part the daily work routine for some time now, it's still easy to fall victim to some major meeting/training faux pas.

Like any other medium, there are differences between face-to-face meetings/training and online video meetings. As a result, virtual meeting and training etiquette differs slightly from standard business etiquette.

Employees need to pay attention to the etiquette that is expected of them, ensuring that the meeting is always productive, professional and effective at all times. Virtual space can be a distraction and employees need to be aware of this as they continue to work in an agile way.

This guide can be used to remind employees of the standards expected and will include some hints and tips and also the do's and don'ts. It is also useful for meeting hosts or trainers as they also have meeting etiquette responsibility.

Plan and Prepare

It is essential that you plan and prepare for your meeting/training in advance. This will mean ensuring that you have a quiet and appropriate place to be able to take part. Think about the location, and whether this is free from distraction and noise.

Ensure that the software and technology is up to date and that it has been loaded correctly, in readiness for the start of the meeting/training. Employees must also ensure they apply the corporate background images, stored with Microsoft Teams, when attending online external meetings.

Employees should also be conversant in how to use the software that is being used, including how to use the variety of functions. If employees are unaware of how to use the

software, User guides are available on the ICT training hub on Linc. Employees should also seek additional guidance from their manager or colleagues.

Employees should ensure that they arrive at the virtual meeting/training on time as they would with any normal face to face meeting. Allowing enough time for them to be able to join and iron out any technological issues. It is also essential that employees are ready to take part in that meeting/training, ensuring that they read any pre-meeting papers or complete any pre-course work that may have been required.

Meeting hosts or trainers should also ensure that they send out the agenda or information in a timely manner and that the participants have had enough time to prepare.

Physical preparation

If face to face meeting/training was taking place employees would prepare physically, but getting up and moving so that they made their way to the meeting room/space. Employees would ensure that they take what they needed with them and got themselves ready. This same approach should be taken with any virtual meeting/training. Think about the area and the distractions – find a space where distractions are at a minimum so that everyone within that meeting/training can focus.

It may be that employees need to prepare physically by getting up from their normal workstation, stretched, get a drink, or log in from a different room. These examples may help to re-focus and get the mind to fully engage with the next meeting/training, and leaving behind the previous piece of work that they have been working on.

Dress Code

The council have a dress code which can be found in the Agile Working Policy, the Employee Handbook and details are contained within the terms and conditions of employment. Employees must ensure they dress appropriately for the meeting and the audience. Employees are representing the council during external meetings and therefore the corporate image must be upheld.

Time Keeping

As with face-to-face sessions, please be on time and be respectful of other people's time. Don't log into the virtual meeting/training at the last moment, this is not professional and can be distracting for all.

It is also important that meetings/training does not go beyond the allocated time set aside. Meetings need to be well managed. Even the most focused attendees can find themselves tuning out when virtual meetings/training take too long.

Be Present

This means that the camera function is switched on. Employees need to be present at the meeting or training and ensure that they switch camera's on, unless there is a requirement to have them off.

It is also good practice that when a meeting/training is taking place that jabber system is turned to 'Meeting' or 'Do not disturb' mode, and that employees are present in that meeting/training and not instant messaging other attendees or colleagues. The same practice needs to be adhered to in relation to answering/checking emails and completing other pieces of work. This can be distracting for all attendees and employees might miss a crucial bit of information or an opportunity to give input.

Employees should avoid having meetings where possible in shared, open office spaces where possible as background noises can be off putting for all attendees. All employees should keep their microphones on mute when not speaking / participating in a conversation to avoid any additional background noise for the host and other attendees.

Leaving your seat during an online meeting and eating food should also be avoided.

Top 10 tips for effective online meetings

1. Embrace video calling. Being present and seeing each other is an important part of keeping connected. Don't hide away or do other work during the meeting.

2. Use headsets or earphones. This will give better sound quality. Speak directly into the mic and remember to mute it when not speaking to limit background noise.
3. Speak clearly and steadily. This will help ensure everyone can understand you. And try to modulate your voice, to keep people interested and engaged.
4. Establish etiquette guidelines. Agree a system to give everyone a voice. Arrange 'hands up' signals to agree who speaks next and use chat functions to allow everyone to contribute.
5. Repeat the question. The chair or presenter should repeat questions they ask or before answering them, to ensure all participants are aware of the original question. Repeating the question in writing within a chat box could provide additional clarity.
6. Use names and give context. When responding to chat comments, repeat the relevant remarks and make clear who you're responding to. Don't just say 'yes, Jane that's right' because others may not have seen Jane's comment and it won't make sense to them.
7. Keep slides simple. Keep to a single thought per slide to help participants understand and focus on what's being discussed. It's better to have more slides with fewer things on them.
8. Keep slides visual. Your participants may be joining from a mobile device and wordy slides will be tough to read. Anchor your presentation on relevant, image-based slides.
9. Engage participants regularly. It's hard to simply listen online for a long time. Invite participants to give comments or ask questions, and use tools like chat or polls.
10. Be explicit about actions and summarise. Spell out clearly any actions that need to be taken and by whom. Summarise meeting takeaways and circulate notes promptly.

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Managers Guidance – How to engage an agile working team

Version control

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Version	Date approved	Approved by	Notes / changes
v1.0			New guide

Contents

Version control	2
Contents	3
Guidance – How to engage an agile working team	4
Introduction	4
Definition	4
How do you engage and agile working team?	5
Communication	6
The Denbighshire Way – 5 Key Priorities and Values	6
Ask & Listen	8
Employee Recognition	9
Management style and behaviour	9

Guidance – How to engage an agile working team

Introduction

Denbighshire County Council is committed to ensuring that all employees are engaged in the workplace. Our employees are all working in a different way in which they were used to and it is vital that managers and supervisors ensure that the team are supported. This guide will support managers as to how to engage an agile team.

Definition

Agile working is a form of flexible working where workers spend some of their time working remotely (usually, but not necessarily, from home) and some in the employer's workspace. At the same time, it is important to recognise that agile working may not work well for everyone.

Leading and managing agile teams requires an adaptation of approach, however some aspects of day to day people management (such as keeping people safe in the workplace SFARP*, communication, relationship building and performance management) will become more important than ever before.

SFARP* = So far as reasonably practicable

Managers are encouraged to openly talk to their employees and teams about the way in which agile working is working for the business and them personally. Recognising that some employees will struggle to adopt this way of working due to personal circumstances that will not allow for them to be able to work remotely at home or from another location.

There may also be certain roles or tasks that require staff to be co-located (i.e. working in the same physical location as colleagues), and that working at home or from another location would not suit the service.

It is advised that managers and employees continually review their working arrangements as part of the 1 to 1 discussions. Circumstances and job roles frequently change and

evolve, and it is therefore important that the working arrangements works for both parties and that an open dialogue is adopted.

If any employee requires any additional support when working in an agile manner, the following pages on the council website might be of use:

<https://www.denbighshire.gov.uk/en/jobs-and-employees/my-employment/mental-health-wellbeing/mental-health-and-wellbeing.aspx>

How do you engage and agile working team?

Recruiting and inducting a new team member into an established team that is now working in an agile manner will need to be thought through. More planning and preparation is needed, so that the new employee feels part of the team, even though that team may be working in an agile manner.

It is important that an induction plan is devised with various time slots given so that the employee meets the whole team and feels part of a team. More information can be found in the How to Induct an Agile Employee Guide.

It is essential that managers take the lead in engaging their agile working team and not forgetting the 'One Council' approach. Creating a team that work together to deliver the same Chief Executive's 5 key principles of the council:

- Culture
- Communities
- Performance
- Member/Officer relations
- Staff

In this guide we will look at the main important points we believe that managers and supervisors should consider when trying to engage an agile working team.

The Denbighshire Way – Chief Executive’s 5 Key Principles and Values

It is essential to any organisation that employees including managers and supervisors work towards the vision. Denbighshire County Council has set out its vision and priorities and all employees should work towards these by ensuring that they also abide by the organisational values. It is therefore essential that the team are aware of the vision, priorities and values, so that they are able to fulfil the overall aim of the Denbighshire Way.

Consider some of the following:

- Teams should be aware of what the council vision and priorities are and how the team contributes to them. Talk about these in team meetings, check understanding and making this a regular feature in team meetings, 1to1’s and other such meetings.
- The council values should be adopted by all. Managers should ensure that any new employees joining the council demonstrates the values as well as then ensuring that all team members abide by the values whilst in the employment of Denbighshire.
- Teamwork is essential and it is important that managers have a “we” rather than “I” approach.
- Team and individual expectations are communicated thoroughly and regularly.

Communication

Agile working is based on effective communication and is critical to the success of any organisation. When communication is not well managed, it can result in poor information flow, knowledge gaps, and barriers to effective team working and exclusion of team members who are not in the office. Communication needs to be more intentional, as casual or ad-hoc conversations may not happen the same as they used to when people were in the office and talking casually in the office, kitchen and other areas. Employees need to feel connected.

Consider some of the following:

- Meetings should be held on a regular basis and can take many forms, think about doing a mix of face to face and virtual meetings. Also think about different ways in which team meetings can be done, for example going for a team walk and getting out into the fresh air.
- Teams should be encouraged and supported to establish their own principles of communication. This may include making use of daily communication via Jabber, email and phone as well as face to face meetings and walks.
- Build in regular social and human connection opportunities to support employee engagement and team building, for example team walks, sport or getting out and helping the Denbighshire community groups by volunteering as a team.
- Sharing what every team member is working on or focussing on. Some members will not be aware of what projects or key work areas that others are working on.

Wellbeing

It can be more difficult to provide adequate support and maintain social links for agile workers. People who are deprived of social contact through work can feel isolated or disconnected, bringing on pressure and stress or aggravating pre-existing mental health problems.

There are practical things we can do to help manage the risk of stress and mental health problems for agile workers:

- Talk openly with them about the possibility of them becoming stressed or mentally unwell
- Involve them in completing stress risk assessments so they can help identify potential problems and solutions
- Keep them updated on what is happening so they feel involved and reassured
- Have regular keep-in-touch meetings or calls so they can share any concerns

- Make home workers aware of occupational support that is available to them
- Take account of the needs of the individual – if someone is an agile worker for medical reasons you may need to meet their needs differently

Ask & Listen

Regular feedback is critical to keeping you team motivated as it helps with aligning on expectations and objectives. It also demonstrates to the team that managers and supervisors care about their work and their professional development, which will encourage them to take risks and try more innovative approaches, all of which will motivate and engage the team even more. It's easy to forget about feedback in a remote set up. If you're out of sight, feedback can be out of mind.

Consider some of the following:

- Be a coach to your team. Provide regular feedback on how they can constantly become better.
- Ensure 1to1's are completed on a regular basis, and provide quick feedback on their work.
- Ask about their wellbeing, and use the question "How are you?" which is provided in the 1 to 1 form. Be interested in them as a person, ask them about their home or personal aspects, to get that personal connection. Showing that you care goes a long way to motivating your team.
- Ask about their work life balance, those working from home can sometimes work longer hours, making them tired and potentially stressed. Speak regularly about workloads, demands and training needs.
- Encourage employees to take regular breaks and use their annual leave. Make sure people aren't working too long to meet unrealistic deadlines or feel obliged to answer emails outside normal working hours.
- Stress can build up over time and the causes can be work-related or from other issues. Whatever the cause, it's important that any worker gets help as soon as possible, and we should support them to do so.

Employee Recognition

As mentioned employees who work as part of an agile working team need to feel connected and valued. Some employees may not be aware that the work that they do alone and within their own four walls has a positive contribution to the wider team and council priorities. Employees don't need to be seen to be productive. Therefore it is essential that managers and supervisors encourage employee recognition to ensure employees feel valued, motivated and connected.

Consider some of the following:

- Simple regular team 'shout outs' across the team so that the whole team are aware of what individuals have been doing and how great they have been working.
- Share comments and feedback that has been received about your team.

Management style and behaviour

Management style and behaviour is key to building a successful agile working team. The team should be clear on where they are headed, the expectations of them. Together with this it is important to have the right management style and behaviour to lead, manage and engage an agile working team.

When managing an agile team managers and supervisors will need to think about the working environment and giving employees the support they need, and trust them to get them job done, which will encourage motivation and morale.

Consider some of the following:

- Adopt a coaching style, encourage participation and employee development, and empower the team to make decisions, but ensuring that you are visible and available.
- Manage by outcomes rather than presence; recognise effort and accomplishment; avoid micromanaging.

- Get to know your own team and their own personal strengths and attributes.
- Listen to each team member and care about them by facilitating openness and trust.
- Lead by example – role model effective agile working behaviours.
- Consider your own behaviours, including tone of voice (face to face and by email), dress code and expectations in meetings etc.
- Setting boundaries for agile working and what is acceptable and not acceptable e.g. the time in which you send an email, you may want to all agree that there are no expectations that emails will be responded to late or early in the morning. Consider placing sentence “Please be aware that I work flexible hours, so whilst this is a convenient time for me to send this email to you - I do not expect a response from you outside your normal working hours.”
- Consider the health and wellbeing of the team. Asking the team about their health and wellbeing and supporting employees with any challenges that they may have. Therefore, reducing the stigma around mental health.

Managers Guidance – How to induct an agile working employee

Version control

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Version	Date approved	Approved by	Notes / changes
v1.0			New guide

Contents

Version control	2
Contents	3
Guidance – How to induct and agile working employee	4
Introduction	4
The existing team	5
The new employee	5
Induction Process	5
Face to face or virtual?	6
Buddy and/or pairing up system	7
Small manageable tasks	7
The Denbighshire Way	7
Availability of team	8
Social team time	8
Regular 1 to 1's and probationary period reviews	9
New manager induction	Error! Bookmark not defined.

Guidance – How to induct and agile working employee

Introduction

Induction is a key part of the worker experience, and can influence how well the new starter manages with both their new role and their employer. It begins from the point at which an offer is made and accepted, and incorporates the entire joining experience, taking into account learning about the role, understanding the organisation and its culture, and building relationships with new colleagues.

Health and Safety legislation requires employers to provide whatever information, instruction, training and supervision as is necessary to ensure, “so far as is reasonably practicable” (SFARP), the Health Safety and Welfare (HS&W) of employees at work. HS&W training is particularly important when people start work or are new to a role.

Managers need to consider how they manage the whole process of embedding new staff from the interview to the point at which they’re truly part of the team. It is about them moving from being outsiders to being insiders.

Managers will have an established team, who know one another and work well together, it is therefore essential that the new employee feels part of this team and is given the opportunity to be part of that established team. This can be a daunting time for a new employee and it may take more time than usual for them to feel fully integrated into the team. Managers therefore need to spend more time in planning and preparing and utilising the probationary period to its full. We cannot expect a new employee to fit in and thrive with a poor induction programme.

This guide will support managers as to how to induct and agile working employee. More information can be found on the website under induction and new starters and further information can be found in the ‘How to engage an agile working team’ guide, which may be useful.

The existing team

When a new employee is recruited into an existing team, it is essential that all staff are made aware of the new person and when they are starting and be involved where possible in the induction process or programme. This will encourage team work, and give some existing team members a role in helping and supporting the new employee to feel part of the team.

Managers should communicate to the team the information of when the new employee will join and there will be an expectation that all will welcome that employee into the team. Explaining that they were all 'new' to the team at one point and therefore to be on hand to support at any time.

The new employee

Managers should keep in contact with the new employee straight from the point of offer, ensuring that they check in and make sure that the on boarding process is going smoothly and that they are on hand should then new employee have any questions in relation to their new role and induction.

Managers need to ensure what the new employee may need in terms of support or any other additional considerations that need to be given to support their induction.

New employees will no doubt feeling anxious and apprehensive prior to them starting, and managers should try and ease this anxiousness by ensuring that the new employee is fully aware of what the induction process will entail, and be prepared and ready on their first day, with all the information sent or given to them.

New employees need to be made aware of safety processes and measures that the employer has in place to keep them safe SAFRP whilst at work.

Induction Process

Managers need to ensure that they fully understand the induction process. Ensuring that they explain to the new employee what the expectations are in terms of the completion of

mandatory modules within the 6 months probationary period. There are also handy induction checklists that can be used for your new employees. These are devised as a checklist and it may be that you want to use or create a new department specific checklists with specific departmental processes and tasks that you wish to include. For more information please visit <https://www.denbighshire.gov.uk/en/jobs-and-employees/my-employment/probationary-period.aspx>

There is also a dedicated New Starter Website which has all the information that a new employee will need and this needs to be communicated and shared with the staff member at the earliest opportunity. <https://www.denbighshire.gov.uk/en/jobs-and-employees/my-employment/new-starters/new-starters.aspx>

All new employees will receive their E-Learning log on details in their contract of employment and will normally be the first three letters of their first name followed by their payroll number (including the letter), all in lower case. Passwords are always set to Welcome1% (capital W).

It may be that some new employees will have already accessed this site as soon as they have received their contract of employment, and this is encouraged so that they can become familiar with the site and ensure that the site is working for them.

Face to face or virtual?

Managers need to consider whether it is at all possible to conduct all or part of the induction programme face to face within the office environment, or whether any tasks could be done virtually.

Ideally it is always better for the new employee to be shown face to face and if there is no reason why this cannot be done, this should be the preferred and better approach. Of course planning is key and having a rota/timetable where different people are in the office for a set period of time may work.

This will give the new employee an opportunity to meet the team and to be shown first-hand the Denbighshire Way. This can be crucial in embedding and retaining the new employee into the team and into Denbighshire County Council.

Buddy and/or pairing up system

When developing an induction programme, make sure that there is someone within the team that will act as a buddy or be paired up with the new employee to show them the processes.

This will ensure that the new employee will have someone to go to should they have a query or concern later on in their journey when they are working in a more agile manner.

Managers should also consider allocating a single buddy to the new person at the beginning of their journey and throughout their probationary period so that the employee has a point of contact.

When considering a buddy, it may be beneficial to think about their home to work location where maybe they could car share as well as other factors like roles, hobbies and interests etc.

Small manageable tasks

Consider giving your new employee a small number of tasks per day/week which are varied. This will give them a sense of progress and get them used to delivering specific pieces of tasks/work. They will not feel too overwhelmed and will feel that they are contributing to the team.

Ensure that as their manager that you give them feedback on these tasks, this can support with the management of their probationary period, but also set clear expectations as to the standards that are expected of them. Feedback is extremely important to any employee but more so to an employee who is working in an agile manner.

The Denbighshire Way

Ensure that you explain what is meant by the 'Denbighshire Way'. Ensure each new employee (and existing employees) understand what is meant by this. Are they clear the Denbighshire County Council values and the Chief Executives 5 priorities, all establishing the 'one council' approach?

Managers will need to explain how they fit into this and how their role supports the 'one council' approach. Managers should get the whole team to be involved with the new employee's induction process and a good way to set a 'one council' approach.

Availability of team

When the new employee is embarking on their probationary period, and trying to learn the new role and embedding themselves as a team member, it is essential that they know who is available within the team.

It is therefore essential that there is a team rota in place, where they can see who is working and who is not. This can be done via calendars, therefore it is essential that the team keeps their calendars up to date at all times.

The internal Jabber system can also be a tool where new employees can see at a glance of which team member is available to them should they need to call upon someone for support. The new employee needs to understand what it means when an employee is displaying a 'do not disturb' mode or 'away'.

Social team time

Joining a new team can be daunting and overwhelming especially if there is no normal office environment. It is therefore essential that the new employee feels part of the team, and has the time to get to know their colleagues.

This can be done via virtual or face to face social team time. It may be a good idea to introduce the new employee to the whole team via a coffee/tea break which can be done virtually. Managers could also arrange a face to face walk where the team can get together socially and get to spend some time together, which they may not get an opportunity to do all the time. Even meeting for a monthly team lunch followed by a team meeting may be a good way to engage and get the team together to bond and socialise.

It may be an idea to do something fun, and for each existing employee to state a unique fact about themselves so that the new employee can get to know them better. It may also be appropriate if the new employee is willing to share some interesting facts about themselves to the rest of the team.

Agile working is about people and culture as much as processes and practices, so spending time welcoming and getting to know employees is time well spent.

Regular 1 to 1's and probationary period reviews

Throughout the 6-month probationary period it is essential that managers have regular 1 to1 meetings with all staff including new employees.

This will be an opportunity to talk about how they are settling in and how they are finding the team and to answer any questions or concerns they may have. It will also be an opportunity for managers to feedback on their progress and whether they are meeting the expectations expected of the new employee.

These will need to be conducted in a professional manner, and be recorded appropriately using iTrent. If there are any improvements needed then these should be discussed and agreed with a review period set.

Manager should speak to their HR Business Partner should they need to seek advice and support on this matter.

The best way to improve your employee induction process is to ask about their experiences.

For example;

- What is something you wish we had explained better in the first week?
- What's one piece of advice you would give to the next person who is recruited?
- How could we have done a better job of your induction? What could be improved?

This gives you great feedback to consider and include in your future inductions, as your team grows. It is also a good idea to ask for feedback from them. What do they think is going well in terms of their own induction? How they are finding the process?

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Agile Working Policy: Well-being Impact Assessment Report

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

Assessment Number: 1190

Brief description: The Agile Working Policy will replace the current flexible working policy.

Date Completed: 09/05/2023 09:31:29 Version: 3

Completed by: Andrea Malam

Responsible Service: Legal, HR and Democratic Services

Localities affected by the proposal: Not Applicable,

Who will be affected by the proposal? The staff within the council will be affected by the policy and potentially the citizens of Denbighshire due to staff working in an agile manner.

Was this impact assessment completed as a group? Yes

Summary and Conclusion

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

Score for the sustainability of the approach

3 out of 4 stars

Actual score : 31 / 36.

Summary for each Sustainable Development principle

Long term

It's important to note that building and assets are being discussed within a separate project and this policy has a focus on employees and how agile working can give an employee more choice in line with business needs.

Prevention

Agile working has a positive impact on the environment and the climate. An overall reduction in travel due to smarter ways of working will also contribute to carbon reduction and staff will be able to reduce the need to travel in and around the county.

Integration

The local development plan is not applicable to this policy. The corporate priorities are considered at all stages of the policy as employee working environment and conditions have an impact on the plan being delivered.

Collaboration

This policy has been developed with SLT, employees, ICT, H&S and trade unions. Feedback has been obtained throughout the process and the policy has been amended to ensure each point is considered.

Involvement

Public engagement is not applicable for an employee policy.

Summary of impact

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

Main conclusions

Overall the WIA is positive and will help the council run in a more effective and efficient manner. Employees will benefit from agile working along side the community and residents. Any disadvantages or negative impacts can be reduced by employees using an office but it is all about giving employees that choice. Agile working will be essential for recruitment and retention moving forward and help Denbighshire Council become that employer of choice.

The likely impact on Denbighshire, Wales and the world.

A prosperous Denbighshire

Overall Impact

Positive

Justification for impact

There are numerous positives which outweigh the negatives. Agile working will create more opportunities for people and give people the choice of when, where and how they work.

Further actions required

We are looking at more recruitment and retention schemes to ensure that we attract and retain employees and agile working will be a great benefit to existing and future staff.

Positive impacts identified:

A low carbon society

agile working means smarter working, less travel and utilising technology more.

Quality communications, infrastructure and transport

employee's with disabilities are able to make a choice about when and how they work, making our jobs more accessible.

Economic development

locals towns where employees live will benefit from employees shopping and using facilities closer to home. Less travel will help reduce car maintenance costs, the need for a car potentially and a reduction in fuel costs.

Quality skills for the long term

agile working will encourage a wider pool of applicants from further afield and also enable people to obtain employment with the council who may have never been able to secure employment due to

Agile Working Policy

family responsibilities, logistical issues or due to hours of work etc. Employees might also be able to complete a qualification remotely cutting out the need to travel and opens up a larger pool of qualifications and frameworks that can be accessed if they are completed online.

Quality jobs for the long term

There will be an increased number of employment options for candidates in the community (and wider) due to agile working, opening up more options for those with disabilities, families, multiple jobs etc. Agile working will also open up the possibilities for more volunteers in some areas because of the nature of the work and it will be made more accessible.

Childcare

employees with families will have more options to remain in work and work around the family rather than having to end their employment when they start a family for example. It will also encourage working mums to return to work after having children given the agile and flexible employment opportunities. The need for childcare facilities will increase within the local communities, creating employment in those areas due to working parents. Agile working will create less pressure for parents to have to take unpaid leave or use annual leave to look after children who are absent from school due to sickness.

Negative impacts identified:

A low carbon society

higher consumption of heating, lighting etc in the employees home. However less energy used in office buildings.

Quality communications, infrastructure and transport

considered but none identified.

Economic development

increased energy bills at the homes of employees.

Quality skills for the long term

we could lose staff and have retention issues due to other workplaces being agile and potentially offering a higher salary.

Quality jobs for the long term

applicants may favour another employer due to more employers offering agile working.

Childcare

there are a number of jobs where agile working is not possible and therefore the same opportunities will not apply. More pressure for child care providers to provide care out of normal hours.

A resilient Denbighshire

Overall Impact

Positive

Justification for impact

Less travel, less cars on the road, less use of public transport and less energy used within council buildings. There is the option to consider whether all of our buildings are necessary or require to be heated / lights etc.

Further actions required

Employees will have higher energy bills, however they will be able to consider cheaper options in the long term, with more economical heating solutions, i.e. air sourced heating and solar panels. The reduction in travel costs and time will hopefully offset the higher energy bills.

Positive impacts identified:

Biodiversity and the natural environment

Less travel and more working from home or smarter working. More meetings are held online. less energy used i.e. heat and lighting for the council buildings.

Biodiversity in the built environment

considered but not applicable

Reducing waste, reusing and recycling

more recycling in employees homes. employees who live outside of the county will alleviate pressure on the council waste team.

Reduced energy/fuel consumption

less travel equates to less fuel consumption. possible reduction in the number of cars the household requires. more options for households to look at cleaner, economical ways to heat their homes, i.e. air sourced heating. reduced use in public transport due to agile working.

People's awareness of the environment and biodiversity

possible increase of awareness and will encourage the need for recycling more.

Flood risk management

considered but not applicable

Negative impacts identified:

Biodiversity and the natural environment

increased energy usage at the home.

Biodiversity in the built environment

considered but not applicable

Reducing waste, reusing and recycling

possible increase in waste and recycling for council for the employees who live in the county and work from home.

Reduced energy/fuel consumption

increased energy usage in employees homes and potential increased bills.

People's awareness of the environment and biodiversity

none identified.

Flood risk management

considered but not applicable

A healthier Denbighshire

Overall Impact

Positive

Justification for impact

Employees will have more freedom of when, how and where they work. There will be more flexibility and more time to enjoy leisure time, exercise more, eat healthier and attend appointments.

Employees who don't have access to agile working are given the time off to attend Drs and dentists appointments.

Further actions required

Potential isolation and wellbeing concerns for staff who need that interaction. There may be teams who do not meet, bond and consider team working necessary. Management and Heads of service will need to ensure that team dynamics are maintained and team working is still taking place. Any concerns about wellbeing must be dealt with and support immediately offered. One to one meetings are vital to ensure the questions are being asked.

Positive impacts identified:

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

agile working can improve mental health and wellbeing. there is more time to attend appointments,

visit GPs, dentists, grocery shop, exercise at time which is more convenient to the employee.

Access to good quality, healthy food

people will be able to spend more time accessing supermarkets at a more convenient time to them and also have more time to possibly grow their own fruit and vegetables, whilst working from home.

People's emotional and mental well-being

agile working encourages more of a work life balance, increases wellbeing and allows the employee more flexibility in when, where and how they work.

Access to healthcare

more availability of appointments for GPs and dentists etc as they can work around those appointments and are no longer limited to before 9am and after 5pm.

Participation in leisure opportunities

more options to exercise, spend time with friends and family including caring responsibilities.

Negative impacts identified:

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

working in a remote manner may impact on employee mental health being so isolated.

Access to good quality, healthy food

considered but none identified.

People's emotional and mental well-being

isolation of working alone might impact some employees. new starters might feel they are not part of a team and build those same bonds as people do when they are in the office.

Access to healthcare

considered but none identified.

Participation in leisure opportunities

considered but none identified.

A more equal Denbighshire

Overall Impact

Positive

Justification for impact

Agile working opens up a more flexible approach to work which, in turn, enables more candidates to have the option of applying. Single parents, carers, low income households and disabled people for example can find work with the council and be able to work in a way that suits their needs.

Further actions required

Managers can consider options of car sharing, organising lifts from other team members, meeting in various locations near to those employees so that they can walk to team meetings for example.

Positive impacts identified:

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

agile working is applicable for all protected characteristics where the job allows. Staff with a disability will be able to work in the way they want and reasonable adjustments are supported in this way of working.

People who suffer discrimination or disadvantage

agile working will potentially provide more accessible jobs. Employees with caring responsibilities will be able to working around their responsibilities which in turn will help with their own wellbeing.

People affected by socio-economic disadvantage and unequal outcomes

agile working will benefit those from lower income households, as they may not need transport to come into work, they can work from their own homes and we will provide the equipment.

Areas affected by socio-economic disadvantage

agile working will encourage more people to apply for jobs, i.e. single parent families, due to the flexible nature.

Negative impacts identified:

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

none identified.

People who suffer discrimination or disadvantage

none identified.

People affected by socio-economic disadvantage and unequal outcomes

if the person is required to go into the office on a regular basis they might not have the means to.

Areas affected by socio-economic disadvantage

if the person is required to go into the office on a regular basis they might not have the means to.

A Denbighshire of cohesive communities

Overall Impact

Neutral

Justification for impact

Agile Working Policy

Overall the policy will enable more flexible working and improve communities but there are some negative impacts which might outweigh the positive.

Further actions required

Any employee who is unsafe at home can always work in another location or from the office. There will always be a place to work where they feel safe. Unfortunately we are unable to influence broadband provision and connectivity to an extent but again employees will always have a base where they can work from.

Positive impacts identified:

Safe communities and individuals

when employees work from home there are more people around in the day and less homes left unoccupied which is beneficial for safe communities.

Community participation and resilience

considered but none identified.

The attractiveness of the area

more employees work from home and therefore can maintain their houses in their spare time. there may be less travel and therefore more funds to spend on improving their house because this is now their office.

Connected communities

demand for reliable broadband will increase and encourage providers improve their offer.

Rural resilience

the policy will enable employees to visit clients/customers at times which suit both parties, rather than just 9 - 5.

Negative impacts identified:

Safe communities and individuals

agile working and working from home may cause issues for employees that are victims of domestic abuse for example. more work equipment is left in the home.

Community participation and resilience

considered but none identified.

The attractiveness of the area

considered but none identified.

Connected communities

those in rural places may not reliable connections and therefore might not be as agile as they want to be because of where they live. employees might move out of the area for better connectivity.

Rural resilience

those in rural places may not reliable connections and therefore might not be as agile as they want to be because of where they live. employees might move out of the area for better connectivity.

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact

Positive

Justification for impact

There will be more options to attend Welsh classes and lessons online for staff, which will increase the number of Welsh speakers and learners in the council, which will ultimately provide a better service to our communities.

Further actions required

Translation services and wait times might need to be reviewed.

Positive impacts identified:

People using Welsh

Services are more accessible for communities and therefore they will be able to access services in Welsh at more convenient times for them. agile working and online courses will allow more people to learn and improve their Welsh during work without the need to travel.

Promoting the Welsh language

Agile working means more electronic information which increases the need and use of the Welsh Language.

Culture and heritage

staff will have more time to participate and attend Welsh culture activities and events due to agile working

Negative impacts identified:

People using Welsh

considered but none

Promoting the Welsh language

more translation services required and longer waiting times

Culture and heritage

considered but none

A globally responsible Denbighshire

Overall Impact

Positive

Justification for impact

Agile working will make staff more accessible to other organisations possibly outside of normal working hours. Agile working will also reduce the need to keep our buildings operating in the same way and could reduce the current energy bills each building produces.

Further actions required

Increased energy bills may be offset with reduced travel costs and time. There is always the option for staff to work at an office base.

Positive impacts identified:

Local, national, international supply chains

considered but none

Human rights

considered but none

Broader service provision in the local area or the region

more access to staff at a variety of times.

Reducing climate change

Agile working will contribute to reducing climate change with less travel and smarter working. possible reduction in building required for staff.

Negative impacts identified:

Local, national, international supply chains

considered but none

Human rights

considered but none

Broader service provision in the local area or the region

considered but none

Reducing climate change

increased energy bills at employees home

Report to	Cabinet
Date of meeting	23 May 2023
Lead Member / Officer	Julie Matthews
Head of Service	Lisa Jones (Interim)
Report author	Karen Bellis, Helen Spafford
Title	North Wales Construction Framework (NWCF) Phase 3 – Stage 1- Initiate Project approval

1. What is the report about?

1.1. The purpose of this report is to seek approval to begin the process for the procurement of the NWCF Phase 3 to be in place for June 2024. NWCF Phase 2 is due to end May 2024. In order to ensure that all projects in the current programme of works are procured and monitored appropriately. This will allow for a smooth transition by continuing the engagement with stake holders and to secure the commitment of the North Wales Local Authorities (NWLA).

2. What is the reason for making this report?

2.1. Following the success of the NWCF and the benefits in procurement time, cost and value added provided by it, it is proposed to initiate a project that allow the NWLA to continue to have a Framework in place for the procurement of regional construction projects.

2.2. It is proposed to update the Framework and to extend its scope to cover all relevant construction projects over £250K threshold, and to incorporate the lessons learned from the current iteration.

2.3. The NWCF phase 1 and 2 have been a catalyst for engagement and upskilling of local contractors operating within the regional supply chain, this will encourage local contractors to be become part of NWCF3.

- 2.4. Alongside the regional framework, the project will continue to drive improvement in construction procurement practices across the region, to ensure consistency, driving the delivery of community benefits, develop continuous improvement and set new benchmarks for best practice.
- 2.5. It is proposed that the framework will be set up by the six NWLA and accessible to other public sector agencies (e.g. Higher Education, Police Authority and Fire and Rescue Services, etc.) by June 2024 and be in place for a total of four years (2+1+1 years).
- 2.6. A condition of the Sustainable Communities for Learning Programme grant funding is that one of the three Welsh Frameworks is used to procure the project.

3. What are the Recommendations?

- 3.1. It is recommended to approve the initiation of the project to procure NWCF3.
- 3.2. That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 1) as part of its consideration

4. Report details

- 4.1. The operational board of NWCF, formed by the six NWLA's, is seeking to continue to have a collaborative construction Framework in place as it is now evident that procuring projects via this route is effective.
- 4.2. It also consistently aids the delivery of added value in the form of; Targeted Recruitment and Training, supply chain engagement and upskilling, reduced time and cost of the procurement process, Standardised approach and processes that in turn helps reduce risks, continue to have a collaborative relationship with the contractor partners in the Framework minimising confrontation, and engagement with supporting agencies to enable the delivery of KPI targets.

Project Governance

- 4.3. The project has been set up with sound governance and reporting structures. Cabinet approval will be sought to procure NWCF3 and before appointment of successful contractors.

Value and scope of Programme

4.4. The main driver for the project is to deliver value for money in public procurement and deliver community benefits across the region. This is best achieved through an aggregation of construction projects associated with the Sustainable Communities for Learning Programme and other public sector projects.

Lotting Strategy (the way in which the framework will be divided into value bands)

4.5. Proposed lotting structure for framework–

Lot	Value	Maximum Contractors
Lot 1	£250K – £2m	Up to 10
Lot 2	£2m - £5m	Up to 6
Lot 3	£5m - £10m	Up to 6
Lot 4	£10m - £15m	Up to 6
Lot 5	£15m+	Up to 6

Procurement Strategy - Overview

4.6. Continuation of improvement to current practises for construction projects with standardised procurement approaches and collaboration procedures, sharing of best practice, developing standard specifications and sharing of resources.

Community Benefits

4.7. The upcoming Public Procurement Reform (UK) Bill and the Social Partnership and Public Procurement (Wales) Bill include obligations to deliver economic, social, environmental and cultural Well-being benefits. The Framework will incorporate these new obligations in addition to the Welsh Community Benefits toolkit.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

See Appendix 2

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

6.1. The current Framework has an Inter Authority Agreement (IAA) in place that enables the six NWLA to fund the Framework Management Team.

6.2. The funding agreed through the IAA is of £15K each LA per annum, we are proposing that this continues for the setting up of NWCF3.

See cost breakdown on Appendix 3

Legal

6.3. An IAA is required to ensure that in the event of any legal challenge in procuring the overarching framework, the cost would be spread amongst the collaborative authorities and not borne by an individual authority and to provide a governance structure for the next four years.

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

7.1. Stakeholder Engagement has been a key part of the project work. Key stakeholders in this process have been the construction industry, officers in all six North Wales authorities and Welsh Government. Contractor briefing events will be held to engage with the wider Construction industry in order to provide support to local firms to enable them to bid NWCF3. The Well-being assessment (No. 1180, see Appendix 1) has a score of 32/36. The Framework will include, as a baseline, statutory obligations as set out in Social Partnership and Public Procurement (Wales) Bill. The Framework will make monitor and report upon Well-being impacts generated and secured by clients via use of the Framework.

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

8.1. The current Framework partners, clients and contractors have been consulted.

9. Chief Finance Officer Statement

9.1. The first iteration of the NWCF appears to have been successful and the principle of this method of procurement collaboration is supported. In addition, the proposal does not include any increase in the fees that Local Authorities are required to contribute and therefore DCC already has a budget in place to cover the contribution. The proposal is supported.

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

10.1 The main risk identified is that local SMEs are not appointed onto the NWCF3. The project team (working with national trade bodies) aim to mitigate this by engaging with the market and ensuring that the proposed procurement vehicle is a fair and transparent model to all potential contracting organisations.

11. Power to make the decision

11.1 Local Government (Wales) Measure 2009 in respect of duties to consider collaboration as a default positions.

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North Wales Construction Framework Phase 3: Well-being Impact Assessment Report

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

Assessment Number: 1180

Brief description: Renewal of a Framework to procure public sector construction projects in North Wales in partnership with the North Wales Local Authorities

Date Completed: 15/03/2023 15:40:12 Version: 1

Completed by: Helen Spafford

Responsible Service: Legal, HR and Democratic Services

Localities affected by the proposal: Whole County,

Who will be affected by the proposal? LA clients, contractors, members of the public

Was this impact assessment completed as a group? No

Summary and Conclusion

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

Score for the sustainability of the approach

3 out of 4 stars

Actual score : 32 / 36.

Summary for each Sustainable Development principle

Long term

The framework place importance on delivering the greatest benefit from the investment made ensuring there is a positive impact on local communities.

Prevention

The framework place importance on delivering the greatest benefit from the investment made ensuring there is a positive impact on local communities.

Integration

The Framework will overall have a positive impact not only in Denbighshire but in the north Wales region by creating new facilities for public use including new schools which will create jobs in the construction sector, improve educational attainment, provide opportunity for community involvement and engagement and help promote vibrant, culture and welsh language

Collaboration

The NWCF was established to deliver value for money and the benefits associated with a long term collaborative relationship. We undertook a unique approach of early engagement with clients, contractors and construction bodies via workshops that helped us to define its structure.

Involvement

It was been built on an ethos of openness, transparency and flexibility achieved by continuous communication and engagement with stakeholders through our Forums and special interest groups (SIGs) These have been invaluable in ensuring that common processes and tools have been established and implemented across the framework for the benefit of the individual projects and ultimately the clients.

Summary of impact

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

Main conclusions

The Framework will overall have a positive impact not only in Denbighshire but in the north Wales region by creating new facilities for public use including new schools which will create jobs in the construction sector, improve educational attainment, provide opportunity for community involvement and engagement and help promote vibrant, culture and welsh language.

The framework place importance on delivering the greatest benefit from the investment made

ensuring there is a positive impact on local communities.

The likely impact on Denbighshire, Wales and the world.

A prosperous Denbighshire

Overall Impact

Positive

Justification for impact

The large investment in the region will most likely boost the economy through the creation of jobs, training initiatives and the creation of quality new educational facilities.

Further actions required

Each project will be reviewed individual in order to minimise negative impact. The new Framework is design to create opportunities for medium and small local businesses.

Positive impacts identified:

A low carbon society

Use of recyclable and recycled materials.

Carbon reduction special interest groups.

Energy Efficient buildings. Breeam Excellent is the target for the majority of project in the programme.

Quality communications, infrastructure and transport

The majority of buildings under this Framework will be for education, a travel plan is likely to be included as part of the project.

Economic development

Imbedded community benefits deliver on each project, support the local supply chain.

Delivers construction jobs.

Quality skills for the long term

There will be training and apprenticeship places as an integral part of construction contracts.

Quality jobs for the long term

Sustainable targeted recruitment and training initiatives incorporated into the Framework Agreement and each project.

Childcare

Majority of projects will be educational buildings.

Negative impacts identified:

A low carbon society

Materials such as concrete are unavoidable and will have an impact on the environment

Quality communications, infrastructure and transport

Potential disruption to local businesses during the construction phase.
Buildings in remote rural areas are likely to face public transport shortage.

Economic development

[TEXT HERE]

Quality skills for the long term

[TEXT HERE]

Quality jobs for the long term

[TEXT HERE]

Childcare

[TEXT HERE]

A resilient Denbighshire

Overall Impact

Positive

Justification for impact

The new buildings will be developed under an strict set of regulations to minimise their impact and where we are developing on brown field sites it will create the opportunity to improve the environment. The Framework has an specific requirement to educate the community on environmental issues.

Further actions required

Some new building will be on green field sites but we would have undertaken an options appraisal to determine the best location and always seek to minimise the environmental impact of the build.

Positive impacts identified:

Biodiversity and the natural environment

working to the BREEAM target will mean that biodiversity issues will be incorporated into the whole construction process.

Biodiversity in the built environment

A lot of the adverse impact will be addressed at the planning stage and working to the BREEAM target will mean that biodiversity issues will be incorporated into the whole construction process.

Reducing waste, reusing and recycling

The target for projects under the Framework is 95% waste diverted from land field and on site separation of waste.

Reduced energy/fuel consumption

The buildings will be far more energy efficient than any building they replace.

People's awareness of the environment and biodiversity

We target working with local companies and where possible buying material locally to reduce travel requirements To educate the community through the projects on how the build handles biodiversity and the incorporation or renewables, via site visits and displays.

Flood risk management

Some of the buildings that will be deliver through this project will be in flood risk areas, but the adverse impact will be addressed at the planning stage.

Negative impacts identified:

Biodiversity and the natural environment

Any significant construction site has the possibility of having a negative impact on natural environment. Some sites may have protected species presence which will require special action.

Biodiversity in the built environment

Any significant construction site has the possibility of having a negative impact on natural environment. Some sites may have protected species presence which will require special action.

Reducing waste, reusing and recycling

There are products historically used in construction that by their nature are not recyclable.

Reduced energy/fuel consumption

Some specified products in builds may be source abroad and therefore travel long distances

People's awareness of the environment and biodiversity

[TEXT HERE]

Flood risk management

[TEXT HERE]

A healthier Denbighshire

Overall Impact

Positive

Justification for impact

It will increase opportunities for healthy leaving and active lifestyles whilst improving the built environment and create a positive feel for the place where they live 'sense of pride'.

Further actions required

N/A

Positive impacts identified:

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

When planning a school an important consideration is for children to be able to walk or cycle to and from school providing cycle storage.

Access to good quality, healthy food

As part of the business case for a school safe environments where children can play in the evenings, weekends and holidays are inbuilt into the project.

People's emotional and mental well-being

Creating a dining hall provide an environment where children want to be which encourage healthy eating as well as providing healthy options as part of the menu.

Access to healthcare

We create environment where more children can participate in sport and becoming hooked on sport for life.

outdoor and indoor spaces to practice.

Participation in leisure opportunities

We create positive learning environments designed to have a positive impact on pupils, offering opportunities to learn new skills and practice sports.

Negative impacts identified:

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

[TEXT HERE]

Access to good quality, healthy food

[TEXT HERE]

People's emotional and mental well-being

[TEXT HERE]

Access to healthcare

[TEXT HERE]

Participation in leisure opportunities

[TEXT HERE]

A more equal Denbighshire

Overall Impact

Positive

Justification for impact

The buildings delivered through the Framework will be fully accessible and where appropriate the design of new buildings will incorporate the needs of other protected groups, through the construction process the training opportunities and work placements offers will help tackle poverty on those further from the job market.

Further actions required

By continuing to work closely with the community.

Positive impacts identified:

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

All new buildings delivered through the Framework will be fully accessible, religious requirement will be considering at design stage.

People who suffer discrimination or disadvantage

[TEXT HERE]

People affected by socio-economic disadvantage and unequal outcomes

As part of the Community Benefits inbuilt into the Framework agreement, tackling disadvantaged groups and those further from the market through work experience, apprenticeships and job opportunities through each the projects. Additionally grants are provided to specific projects in the community that will improve living standards.

Areas affected by socio-economic disadvantage

[TEXT HERE]

Negative impacts identified:

Improving the well-being of people with protected characteristics. The nine protected characteristics are: age; disability; gender reassignment; marriage or civil partnership;

pregnancy and maternity; race; religion or belief; sex; and sexual orientation

It would be difficult to design every building to cater for every potential need as a protected requirements ie. we wouldn't be able to provide prayer rooms where a Muslim user is not currently identified.

People who suffer discrimination or disadvantage

[TEXT HERE]

People affected by socio-economic disadvantage and unequal outcomes

[TEXT HERE]

Areas affected by socio-economic disadvantage

[TEXT HERE]

A Denbighshire of cohesive communities

Overall Impact

Positive

Justification for impact

The programme is likely to create a sense of community through positive engagement and participation from the community during the development of the project, the final building will improve the attractiveness of the area and be designed to create safe environments.

Further actions required

By continuing to work closely with the community.

Positive impacts identified:

Safe communities and individuals

Safe environment is part of the BREEAM process, all projects need to meet this requirements, safety elements are considered in the design process.

Community participation and resilience

Community engagement is an integral part of the Framework and building users have opportunities to have an input into the design elements of the building through small community projects.

The attractiveness of the area

The Framework will deliver projects that will have a positive impact on the physical appearance of the areas where those are built, increasing the sense of pride in the community.

Connected communities

[TEXT HERE]

Rural resilience

[TEXT HERE]

Negative impacts identified:

Safe communities and individuals

If the design is wrong it may create areas vulnerable to vandalism and antisocial behaviour.

Community participation and resilience

Some people may not want to be involved.

The attractiveness of the area

In rural areas a new building may detract from the natural feel of the area.

Connected communities

[TEXT HERE]

Rural resilience

[TEXT HERE]

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact

Positive

Justification for impact

Overall the provision of new or refurbished buildings through the programme will encourage greater use of the Welsh language and provide opportunities for cultural events. Larger national contractors may need to develop processes to engage closely with the local communities to understand their needs and continue to promote communication through Welsh medium.

Further actions required

The Framework Agreement will include the use of Welsh language standards as a requirement so that in every project let the client can specify the use of Welsh language, also through the identification of Local needs the contractors can tailor their delivery of Community Benefits to maximise their impact.

On a project level Business Case the issues identified against negative impact to the Welsh language should be addressed earlier at the planning stage, before building design work commences.

Positive impacts identified:

People using Welsh

We will be delivering new schools where the use of Welsh language is inbuilt into the programme, where we deliver Welsh medium schools the new modern facilities are likely to attract a greater number of pupils. The contractors in the Framework are employing Welsh speaking staff to be able to improve their delivery in Welsh speaking regions.

Promoting the Welsh language

Under the Framework all of the contractors will be required to work in line with the Welsh language standards, this will have a particular impact on the larger national contractors who may not have had it as a requirement if the contract are let through a different procurement route.

Culture and heritage

Where we are refurbishing existing building we are sensitive of the original architecture of the building, specially where the building is listed or in a conservation area.

The building themselves as public buildings will create venues for a whole range of cultural events.

Negative impacts identified:

People using Welsh

[TEXT HERE]

Promoting the Welsh language

Larger national contractors may need to develop processes to engage closely with the local communities to understand their needs and continue to promote communication through Welsh medium

Culture and heritage

Development of new public buildings may result on the closure of other existing public buildings it may result on the loss of culture and heritage in the community where the building is closed.

A globally responsible Denbighshire

Overall Impact

Positive

Justification for impact

The Framework will be put together and procured in a way that takes account of local supply chains and human rights issues.

Further actions required

The building design should be done with sustainability in mind and products should only be specified when the positive impact is greater, a supply chain gap assessment should be on going to encourage companies to fill those gaps in the region.

Positive impacts identified:

Local, national, international supply chains

We positively encourage and facilitate local supply chain, the Framework will be fully OJEU compliant. The framework has imbedded fair payment practices for subcontractors, use of project bank accounts is encouraged.

Human rights

Through the procurement process all contractors on the Framework are required to meet at least minimum standards for H&S, employment rights, etc. this requirement feeds down to their subcontractors and suppliers.

Broader service provision in the local area or the region

[TEXT HERE]

Reducing climate change

Design buildings better suited to provide venues for shared use with the community and other organisations.

Negative impacts identified:

Local, national, international supply chains

Some products and suppliers may only be sourced internationally having a negative impact on local suppliers.

Human rights

Whilst we have the right to audit the contractors and their supply chain on these issues, we do not

have the resources to undertake such an audit

Broader service provision in the local area or the region

[TEXT HERE]

Reducing climate change

[TEXT HERE]

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How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

- It supports the Well-being of Future generations (Wales) Act 2015.
- **Community Benefits** are a key priority for the project. The project must also deliver on the commitment to securing economies of scale, continuous improvement and efficiencies through procuring projects through a framework approach.

The Framework will continue to support priorities within the current (2022-2027) Denbighshire Corporate Plan in terms of:

A Denbighshire of quality housing that meets people's needs- All Sustainable Communities for Learning Programme projects delivered through the framework will be at a minimum of BREEAM Excellent (BRE Environmental Assessment Method, which is the leading and most widely used environmental assessment method for buildings).

A prosperous Denbighshire – Zero waste and carbon reduction initiatives will be essential part of the Framework KPIs, energy efficient buildings with the use of new technologies to achieve efficient low emissions.

A healthier and happier, caring Denbighshire - The NWCF3 will continue to maximise the benefits delivered by projects to the local community.

A learning and growing Denbighshire - The Framework successfully attained CITBs accolade of National Skills Academy for Construction (NSAFC) enabling each of the Council's on the Framework to use the methodology for the monitoring and delivery of Community Benefits.

The Framework successfully attained CITBs accolade of National Skills Academy for Construction (NSAFC) enabling each of the Council's on the Framework to use the methodology for the monitoring and delivery of Community Benefits.

The NWCF3 will continue to maximise the benefits delivered by projects to the local community. The following considerations will be sought through a community benefits plan submitted by the contractors. It is proposed that the training and employment

Appendix 2

element of community benefits has a core approach and other elements be non-core and these will be set out in the terms and conditions in the individual contracts and the framework management will ensure sound contract management to deliver the wider benefit's set out below:

- Training and employment targets – work experience, mentoring, training in line with the NSAfC
- Embed the use of the Fair Payment Charter and promote and encourage prompt payment of sub-contractors
- Consider opportunities for supported businesses
- Education – work placements, volunteering at school / college open day events, school visits
- Work experience programmes
- Community Initiatives – e.g. supporting local youth groups and community
- Standardisation of tender documentation

Each local authority will determine their own specific needs to ensure the contract conditions for each project specify are relevant. This allows flexibility in the process and can be tailored to each specific project and local authority's needs, whilst delivering the community benefits from this investment across the region.

A better connected Denbighshire- Through collaboration with the local supply chain, work experience programmes, supported businesses and community initiatives.

A greener Denbighshire- By supporting the reduction of carbon emissions from Council assets through the delivery of new and refurbished buildings. It will also contribute to the adoption of Zero Carbon initiatives that enable procuring bodies to manage the carbon footprint of their asset, as well as providing training to Clients and the Supply chain. Introducing a mechanism to identify baseline carbon emissions from its Contractors, reviewing the annual reduction targets of their main contractors including their supply chain and reviewing their performance against achieving Net Zero Carbon

Appendix 2

A fairer, safe, and more equal Denbighshire- By using NWCF3 as a lever to deliver Community Benefits that support people to plan and shape their community's resilience. By continuing to build schools via the Sustainable Communities for Learning Programme and ensuring that each contract provides opportunities to develop skills, work experience, career advice and mentoring, as well as creating local sustainable employment.

A Denbighshire of vibrant culture and thriving Welsh language- It contributes toward the Council's commitment to support the local economy by enabling local supply chain growth. New Welsh language Schools will be procured through the Framework as part of the Sustainable Communities for Learning Programme.

A well-run, high performing council- Nurture and promote a common collaborative environment of industry-leading best practices and continuous improvement, working towards Net Zero Carbon emissions

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Forecast income

On the basis of the charges detailed above the following income is forecast for NWCF3 (as of March 2023):

Potential work subject to BC approval	Income Average charge of 0.12% of Construction Cost
NWLA	
DCC FCC Conwy Anglesey Gwynedd Wrexham	£90,000 (LA Fee)
Recharge from the Collaborative Procurement team for 50% Collaborative Procurement and Framework Manager post	£36,157
Coleg Cambria	
Project 1 £9m Project 2 £4m	£15.5K
Sub-Total £13m	
North Wales Police	
project 1 £1m project 2 £2m project 3 £1m project 4 £2m project 5 £3m project 6 £0.25m	£32K
Sub-Total £9m	
	£138K

Additional projects identified and using the framework over its lifetime will increase income.

Costs and resource of the Framework management structure

The below proposal seeks to ensure that the Framework is resourced adequately to manage the significant increase in the volume of works.

Staff cost	Annual Cost
Collaborative Procurement and Framework Manager 0.5 FT	£36157.00
Community Benefits Lead Officer FT	£46886.00
Sub total	£83043.00

Appendix 3

Resource cost	
Admin Support	£16,000.00
Travel expenses	£ 3,000.00
Events and Marketing (request contribution from contractors when tendering the Framework)	£ 3,000.00
KPI tool	£ 5,000.00
Allocation for setting up next Framework	£20,000.00
Sub total	£47,000.00
TOTAL	£130,043.00

Report to	Cabinet
Date of meeting	23 May 2023
Lead Member / Officer	Cllr Jason McLellan, Leader and Lead Member for Economic Growth & Tackling Deprivation / Tony Ward, Director: Environment & Economy
Head of Service	Nicola Kneale, Joint Interim Head of Corporate Support Service: Performance, Digital & Assets
Report author	Nicola Kneale
Title	Governance for the Levelling Up Fund monies

1. What is the report about?

- 1.1. Governance arrangements for overseeing delivery of projects funded by the Levelling Up Fund.

2. What is the reason for making this report?

- 2.1. As lead delivery body for the Clwyd West LUF project, Denbighshire County Council is required to have a constituted delivery board that has LUF in its Terms of Reference. This report describes to Cabinet the oversight and assurance mechanisms that are in place, and how they are integrated into the governance arrangements of the Council.

3. What are the Recommendations?

- 3.1. That Cabinet confirms that it has read and understood the governance and assurance arrangements described, and that it is satisfied that those arrangements are sufficiently integrated into the Council's business. In particular, Cabinet may have a view on:

- Strategic Overview of Delivery Approach, p6
- Programme Board Membership, noting the Leader's inclusion on the board, p7
- Reporting to Cabinet, Scrutiny, etc., pp8 & 11
- Relationship with CET, p10
- Relationships with area-specific politicians and other stakeholders, p11

4. Report details

- 4.1. Section 8.3 of the Memorandum of Understanding between the UK Government and Denbighshire County Council regarding the Clwyd West Levelling Up Fund project states that:

'The Council will provide upon request evidence of a constituted LUF delivery board or that a pre-existing delivery board has formally adopted LUF governance within its Terms of Reference. Integration into the full governance arrangements of the Council should be evident.'

In order to satisfy that requirement the Governance document at Appendix A has been developed.

- 4.2. The document describes the purpose of the Levelling Up Board that will be created; the frameworks and approaches that will be used as it undertakes its work; Board membership, etc. it also cites how the Board will interact with other key bodies in the Council (CET, Cabinet, Scrutiny, etc.) and also outside of it (i.e. stakeholder management with interested parties such as MPs, Town Councils and third party project deliverers).
- 4.3. It should be noted that this governance document also covers Levelling Up Fund work that is not associated with Clwyd West, i.e. its remit is broader than just that of the Clwyd West project. This is because we're also delivering against the UK Government's levelling up agenda in partnership with Wrexham for the Clwyd South area, and in terms of the Shared Prosperity Fund. This work requires collective oversight to monitor progress, work through issues, etc. This work had previously been undertaken via a less formal Post-Brexit Funding Group meeting of DCC officers. This newly established Board will cover that group's work instead. Membership will be broadly the same, with the addition of the Leader.

4.4. Should there be further awards of monies under the Levelling Up fund suite, it would be in the intention for oversight of their delivery to also be via this Board.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

5.1. This decision is about governance for delivery under the Levelling Up Fund. The good practise approach will indirectly contribute to theme 9: A well-run, high performing Council. The projects are aligned to the Corporate Plan as closely as possible (given the paramaters from UK Government with which DCC is working).

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

6.1. Costs will be absorbed through existing teams. No extra cost.

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

7.1. This report is about governance arrangements and a WIA is not required.

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

8.1. These arrangements have previously been discussed with the Post-Brexit Funding Group, CET and the Leader.

9. Chief Finance Officer Statement

9.1 There are no direct financial implications of this report with any costs, as stated in 6.1, being absorbed within existing budgets. The report sets out the governance arrangements for overseeing delivery of projects funded by the Levelling Up and Shared Prosperity Funds. 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 Capital Scrutiny Group.

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

10.1. No particular risks associated with making this decision.

11. Power to make the decision

11.1. General Power of Competence under the Local Government and Elections
Wales Act 2021 s.24

Levelling Up Funding Board Governance Document May 2023

Levelling Up Board Terms of Reference

Contents

Contents	2
1. Introduction	4
2. Executive Summary	4
2a. Board Principle Interdependencies.....	4
2b. Outputs and Outcomes	4
3. Vision and Purpose for the Levelling Up Board	5
3a. Programme Vision.....	5
3b. Programme Purpose	5
4. Governance Principles and Management.....	5
4a. Delivery Approach.....	5
4b. Programme Board Members	7
4c. Roles and Responsibilities	7
Programme Board (collective)	7
Programme Board Members (individuals)	8
The Board Chair Person	9
The Board Programme Manager	9
Programme Board Administrator	10
4d. Board Relationships	10
Relationship with Corporate Executive Team	10

Levelling Up Board Terms of Reference

Relationship with area-specific politicians	11
4e. Reporting Process.....	12
Agenda Setting	12
4f. Management Strategies	14
Information Management Strategy.....	14
Resource Management Strategy	15
4g. Closing down the Programme	16
5. Costs.....	18
6. Contact Information.....	18

Levelling Up Board Terms of Reference

1. Introduction

This Programme Definition Document sets how the Levelling Up Board (henceforth The Board) plans its work and how it monitors delivery against plans and projects funded by the UK Government's Levelling Up programme.

The document describes the structure which will support the Board, which includes member responsibilities and reporting mechanisms.

2. Executive summary

The Board must undertake delivery of the Clwyd West project (LUF20687 Protecting Ruthin's Unique Heritage, Wellbeing & Rural Communities); the Denbighshire elements of the Clwyd South project (LUF 0309 Maximise the potential of the post-COVID-19 visitor economy); and oversee delivery against the Denbighshire element of the regional Shared Prosperity Fund Investment Plan, by planning and monitoring the work of Lead Members and Officers.

2a. Board Principle Interdependencies

- All Denbighshire County Council Services and Strategies
- Equalities Legislation
- State aid / subsidy control
- Procurement
- Health and safety
- Fraud

2b. Outputs and Outcomes

The Clwyd West, Clwyd South and Shared Prosperity Fund plans all note particular projects and/or interventions that have associated Outputs and Outcomes. As well as monitoring progress against projects, the Board has a role in monitoring achievements against outputs and outcomes and overseeing reporting back to UK Government.

Levelling Up Board Terms of Reference

3. Vision and Purpose for the Levelling Up Board

3a. Programme Vision

The Programme Board is required to drive change and delivery of the priorities under the Plans that have been approved by the UK Government

3b. Programme Purpose

The Board will utilise the corporate programme / project management methodology to ensure a strong focus on achievement of outcomes and associated benefits for all the plans approved by UK Government under Levelling Up Funding.

At the highest level, the Programme Board is responsible for:

- Clearly and consistently communicating the aims, particularly the desired outcomes.
- A focus on managing the outputs and outcomes, and the internal and external threats to their achievement.
- Co-ordination of a number of projects and their interdependencies.
- Leadership, influence, management, and directing the programmes
- Communication with key stakeholders including national and local politicians

4. Governance Principles and Management

4a. Delivery Approach

Delivery against the Fund's deadlines will demand good project management; the Board will set projects in motion by providing a mandate from the top down.

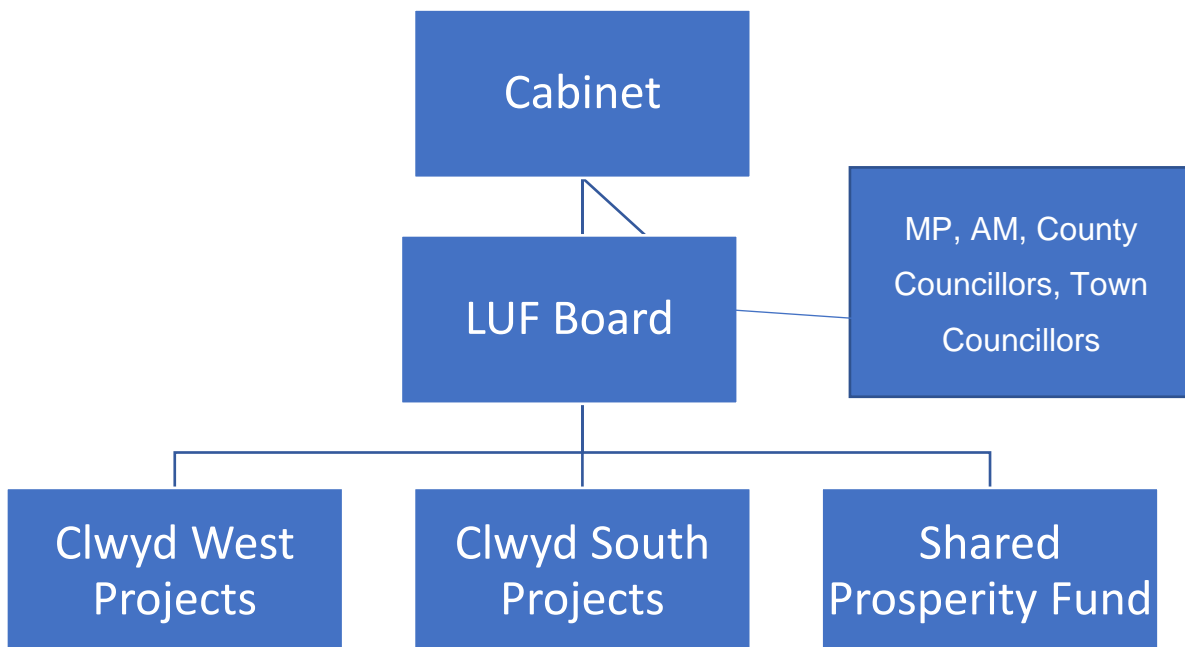
The approach is designed to ensure that Levelling Up commitments cascade into a coherent set of projects designed to enable delivery against the Funding's requirements and in line with Denbighshire's strategic priorities as far possible.

Levelling Up Board Terms of Reference

Projects within the scope of the Board will be developed, managed and implemented by nominated project managers either in-house or with third parties with support from a Matrix team. This Team primarily sits within DCC's Corporate Support Service: Performance, Digital & Assets service, and consists of a Programme Manager supported by a Project Officer for each constituency bid, External Funding Officer, and Administration and Compliance Officer. In other services the work of this team is supported by a Senior Finance Officer, Communications Officer, and others as required.

Regardless of the team and/or organisation that's delivering a project, normal delivery will be undertaken following methodology from Managing Successful Programmes and Prince-2 Project Management, consisting of a Project Brief (including Well-being Impact Assessment), Business Case and Highlight Reports for DCC projects. Delivery will be enhanced using the corporate programme / project management methodology (or a workaround for it, in the case of third party delivery) to ensure a strong focus on achievement of outcomes and associated benefits.

Strategic Overview of Delivery Approach



Levelling Up Board Terms of Reference

4b. Programme Board Members

The Programme Board will comprise members as below:

Core Members

- Corporate Director: Economy, Environment, Communities (Chair)
- Leader and Lead Member for the Economy & Tackling Deprivation
- Lead Member for Finance & Assets
- Head of Corporate Support Services: Performance, Digital & Assets
- Head of Planning, Public Protection & Countryside Services
- Head of Finance & Audit
- Head of Housing & Communities

Advisory members

- Programme Manager
- External Funding Manager
- Senior Finance Officer
- Communications Officer
- Compliance, Monitoring & Administration Officer

4c. Roles and Responsibilities

Programme Board (collective)

The Programme Board must concentrate on effectively delivering against the Levelling Up funding the Council has received. It must achieve this through:

- Delivering the agreed programme through structures such as project boards, task and finish groups, that are proportionate to the task.
- Ensuring that scarce resources are prioritised to deliver maximum benefit.

Levelling Up Board Terms of Reference

- Communicating progress with stakeholders through a corporately managed communication and engagement plan.
- Agreeing actions to overcome obstacles.
- Managing the programme through regular reporting on progress and referring to other structures within the Council for approval where required, as follows:
 - Project leads will be accountable to the Board via the Programme Manager
 - Capital projects will be shared with the DCC Capital Scrutiny Group
 - Progress updates will be captured via Quarterly Performance Reports, routinely shared with Cabinet and Performance Scrutiny.
- Managing programme level risk.
- Making recommendations to Corporate Executive Team / Senior Leadership Team / Cabinet where required.
- Programme leads will also develop supporting material, including a Forward Work Programme and a Risk Register, for delivery of the overall programme to enable a sound management approach to the successful delivery against Levelling Up. Risk Register and activities will take into account our Risk Appetite for the Council.
- Ensure that projects respond to emergent evidence and other changes in the political and operational context.
- Manage interdependencies as outlined above.

Programme Board Members (individuals)

Programme Board Members are tasked with:

- The delivery of the Levelling Up programme outcomes and benefits assigned to them.
- Heads of Service and Lead Member will collectively be responsible for making arrangements for the Levelling Up plans on which they're leading (e.g. Clwyd West, Clwyd South, SPF), and should be able to report back to the Board with progress updates as required.

Levelling Up Board Terms of Reference

- Working collaboratively as part of the Board to solve issues and overcome obstacles.
- Reporting to Performance Scrutiny, Senior Leadership Team, Cabinet, County Councillors, AMs and MPs on their areas of responsibility, when required.
- Proactively managing relationships with key delivery partners such as town councillors, community councillors, etc.

The Board Chair Person

This role will be undertaken by the Director for the Economy, Environment & Communities.

The Board Chair Person has responsibility to:

- Chair and provide support to the Board. This will include offering a manageable agenda for each Board meeting.
- Ensure the Board stays focused on achieving the vision.
- Ensure communication of the Board's purpose and outcomes.
- Ensure that the benefits envisaged by the Board are realised (for example by ensuring that resources are contributed by service areas).
- Provide a link with portfolio holders and service areas to direct and manage projects, risks, issues, decisions.
- Share day-to-day executive management of the Board with the Chief Executive of the County Council.
- Provide support to the Programme Manager to manage risks and resolve issues.

The Board Programme Manager

The Board will be supported by Business Improvement and Modernisation by a Programme Manager of a matrix team. Responsibilities are to:

- Plan the programme, making recommendations to the Board.
- Provide management and monitoring of overall progress.

Levelling Up Board Terms of Reference

- Be responsible for organising quality assurance and overall integrity of the programme.
- Manage the dependencies and interfaces between projects.
- Manage the risks to successful outcomes.
- Initiate extra actions where deficits in the programme are identified.
- Support outcome owners, middle managers and project managers where appropriate
- Ensure that projects adhere to the Corporate Project Management Methodology.
- Manage and monitor a Plan for the Board to track, control and deliver the programme outcomes and benefits. This will ensure all activities within the Levelling Up suite are reviewed at timely and regular intervals.

Programme Board Administrator

The Programme Board Administrator role will be undertaken by the Compliance, Monitoring and Administration officer. The officer will be responsible for:

- Booking all meetings and providing all necessary support papers.
- Coordinating the compilation of outcome reports and relevant papers.
- Supporting the Chair and the Programme Manager.

4d. Board Relationships

Relationship with Corporate Executive Team

The Board will have programme level authority to implement the actions required under Levelling Up. The Chair is empowered to make judgements as to which decisions can be made at the Programme Board and relayed directly to relevant Service Areas and/or public sector partners, and which decisions need to be referred back to CET and/or Cabinet. The latter are most likely to be decisions that will impact upon the wider organisation, those which may attract significant negative publicity or where the Board view differs significantly from that of a Service Area and/or third party or political interest.

Levelling Up Board Terms of Reference

Relationship with Council, Cabinet and Capital Scrutiny Group.

The Board's work will be reported to Cabinet at quarterly intervals as part of current performance management arrangements for the Corporate Plan, where there is synergy with the Levelling Up projects. There will be clear and identified routes in relationship to working with the Council, Cabinet and Capital Scrutiny Group where resources are required, and political agreement is required for Board activities. Cover reports for project briefs, business cases and highlight reports will outline key recommendations and the power to make a decision.

Relationship with Scrutiny Committees

The Board's work will be reported to Performance Scrutiny at quarterly intervals as part of current performance management arrangements for the Corporate Plan, where there is synergy with the Levelling Up projects. At any other time, the Board may be asked to present its programme to Scrutiny Committees, which will play a key role in providing assurance to the Council that the Programme and its Board are delivering in line with the Levelling Up commitments. The Programme Manager will provide these reports.

Relationship with area-specific politicians and other stakeholders

For Levelling Up projects in Clwyd South and Clwyd West in particular, there will be much interest in progress from politicians at Town, County, National (Wales) and UK level.

The Head of Planning, Public Protection & Countryside and the Leader will arrange regular and timely updates on progress, with the support of the Programme Manager.

Occasionally the Corporate Director for Economy, Environment & Communities and the Leader will need to meet with one or more of this stakeholder group on an adhoc basis if an issue arises that needs to be dealt with at that particular political level (e.g. if there is a challenge that only UK Government can deal with the meeting might be with the MP).

Levelling Up Board Terms of Reference

4e. Reporting Process

Agenda Setting

The Board will meet as required, but as a minimum, quarterly.

A typical agenda might include:

- Levelling Up Plan/ Forward Work Plan.
- Programme level Highlight Report
- Project Briefs, Wellbeing Impact Assessments, Business Cases, or Highlight Reports on projects (for DCC projects. Third party projects will have similar documentation, but without access to DCC system they won't be identical).
- Finance Report
- Risk Register
- Exception reports from programmes/projects.
- Key decisions required from the Board.
- Communications plan, including key messages for communication and engagement and with which stakeholders

Highlight reports at each meeting will present the Board with a high-level snapshot of progress to date, and highlight any risks, issues or areas of further work that require Board input. The Highlight report is an export from Verto and, as such, relies on the quality of information therein. Exception reports will be triggered if the programme develops a 'ROYG' (Red, Orange, Yellow Green) RED or ORANGE status in its delivery confidence or if any projects develop a RED or ORANGE status that can't be addressed at project level and might impact successful delivery of the programme.

Board Papers

The Board Administrator will endeavour that papers are emailed to the Board at least 5 working days before scheduled meetings.

Levelling Up Board Terms of Reference

Where there are queries relating to agenda items Board members are encouraged to seek clarification from the Programme Manager in advance of attendance at meetings.

When board members are responsible for providing information to the Programme Manager they should ensure that the timescales adhere to the above requirement. Board members should promote this message to project managers and teams to ensure a consistent approach.

Project Related Documentation

Programme managers and project leads are responsible for ensuring that programme information is kept up to date by work stream leads and business change managers using Verto, including a Well-being Impact Assessment (WIA), details of identified stakeholders, project benefits / disbenefits, project context, impact, risks, milestones, progress on achieving benefits outputs and outcomes, etc.

Outcome Monitoring

All projects within the Programme will follow the Corporate Project Management methodology which requires clear identification of project baselines, outputs and outcomes, expected benefits, measurement indicators and timescales for reporting on these. Projects will monitor their individual progress indicators and, where applicable, will also be linked to Programme outcomes via shared indicators so that progress towards achieving an outcome – through monitoring progress on a number of projects - can be tracked.

Risk, Risk Appetite and Issue Management

See 4f. below for Risk Management Strategy.

Risks and issues will be actively managed throughout the programme, and the overall risk and issues profiles continually monitored by the Programme Manager. This will incorporate the County Council's Risk Appetite requirements; Risk Appetite is the level of risk we are prepared to tolerate or accept as a Council in pursuit of our long term, strategic objectives. Determining and articulating our risk appetite allows us to consider all options

Levelling Up Board Terms of Reference

to respond to risk and make informed decisions that are most likely to result in successful delivery whilst also providing an acceptable level of value for money.

The identified risks need to be regularly reviewed and challenged. New risks may be identified and responses planned or actioned. The Programme Manager is responsible for escalating issues arising from individual projects to the Board Chair Person, liaising with Board Members or working with the project leads to manage risks and resolve issues that could affect delivery of project outputs and programme outcomes, and therefore benefits realisation.

Projects must be clear about when risks need to be managed at a project level and when these should be escalated to the Programme Manager (and should then be defined in the risk management strategy).

Circumstances that should require a project to escalate risks or issues to the Programme Manager may include situations where:

- Dependent projects or programmes are impacted.
- The project does not have sufficient authority for the action required.
- The action required will exceed project tolerances for quality, time and cost.
- The project does not have the necessary skills or experience and does not have the authority to acquire them.
- The project cannot deliver its outputs.

4f. Management Strategies

Information Management Strategy

Up-to-date information is critical to enabling the Board to make informed decisions at appropriate times. The Programme Manager is responsible for ensuring accurate information is available to the Board in the correct format at specific reporting periods.

Levelling Up Board Terms of Reference

Project managers are responsible for preparing required reports in line with the Corporate Programme Office and Prince 2 methodology for DCC projects.

Verto is the Programme Management System adopted to support project and programme officers in DCC. Verto enables users to record and monitor key programme and project information and produce relevant reports and plans. The quality of the information recorded in Verto is a key factor in the success of the programme. Verto provides standard change control and configuration management functions that support the provision of relevant, accurate information.

Resource Management Strategy

The Board is responsible for steering and monitoring activities associated with all Priorities within the Levelling Up programme, and for making recommendations to take work further. This includes ensuring the provision of resources - physical, financial and manpower - with the support and guidance of Capital Scrutiny Group, Cabinet, and members of the Board, particularly when approval is required from those decision making forums relating to significant resources.

The programme methodology will ensure that resources are identified during the initiation phase. This will allow the Board to identify dependencies, prioritise activities and agree resources.

Once resource is committed, it is the responsibility of project managers to ensure that individual projects stay on track and within tolerance. The exception process is used to manage projects when resource requirements fall outside of the tolerances set.

The Programme Manager is responsible for reporting to the Board when exception situations arise and ensuring corrective action is taken with the minimum disruption.

Risk Management Strategy

Proactive programme risk management and issue resolution will be considered in the main by the Board, and within the context of the corporate risk management methodology. See

Levelling Up Board Terms of Reference

Risk, Risk Appetite and Issue Management above. Risks will be entered into the Board Risk Register (as featured in Verto) and Issues into the Issue Log (as featured in Verto) by the Programme Manager. Risks will be reviewed at each Board meeting in line with this Corporate Risk Strategy. This will include Risk Appetite, as mentioned above; this is useful for sense checking our appetite to take risks with our corporate priorities, projects, corporate or service risks and so on

Any member of the Board can highlight potential risks to or issues that might impact upon achievement of programme benefits to the Programme Manager. Each risk will be considered in terms of impact and probability, together with mitigating action responses. The risk/issue will be assigned an owner by the Board, a 'ROYG' (Red, Orange, Yellow or Green) status in accordance with the corporate risk management methodology and reported on through highlight reports. Any that are ranked as red or orange and escalating will be brought to the attention of the Board.

Project risks/issues will be handled at a project level and only those risks or issues that are ranked as orange and escalating will be brought to the attention of the Programme Manager. Where it is felt that there is potential for impact on the wider programme the risk/issue will be escalated for the attention of the Board. If necessary, the matter may need to be brought to the attention of Senior Leadership Team through the Project Register.

Verto will be used to record project risks and issues so that they are visible at the programme level to the Programme Manager, who will then be able to identify programme related interdependencies around risk at an early stage.

The Programme Manager will table the Risk Register at each Board meeting.

4g. Closing down the Programme

The purpose of closing the Programme is to formally recognise that objectives have been completed.

Levelling Up Board Terms of Reference

The Board Chair Person will propose closure to the Board. If satisfied with the overall outcome, they will endorse the recommendation to confirm the programme closure. If they are not satisfied, they must give clear direction about further work to be carried out.

There may be a necessity to close the Programme prematurely.

As part of closure a formal review should be conducted to assess delivery of the Programme and the following should be assured:

- Business case has been satisfied (thus far).
- All projects have been completed satisfactorily.
- Business performance is stable.
- Outcomes and outputs have been achieved.
- Benefits are self-sustaining.
- Last tranche review has been completed as per the programme plan.
- No risks or issues are outstanding that are unacceptable to operations, and risk appetite has been considered.
- Any remaining handover or transition activities required have been defined and assigned to the relevant business operations.

Once the above criteria have been satisfied, the Board must then:

- Confirm ongoing support is in place.
- Confirm programme closure.
- Notify programme is about to close.
- Review programme.
- Update and finalise programme information.
- Provide feedback to Council.
- Disband programme organisation and supporting functions.

Levelling Up Board Terms of Reference

5. Costs

In developing the Levelling Up programme, estimated costs have been used to inform the process to allow a broad funding strategy to be produced. As delivery develops, the projects and actions identified will have to be properly costed and more detailed business cases developed. It is important to involve the Head of Finance and Audit at an early stage of this process.

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 Capital Scrutiny Group.

Council funding to support the Levelling Up programme is limited and therefore will have to be prioritised should pressures arise such as inflation, escalating costs, scarcity of resources, etc. The Council's overall funding outlook is set out in the Medium Term Financial Plan and the Levelling Up assumptions may have to be revised to reflect changes to the overall financial position.

6. Contact Information

For more information on anything within this document please feel free to contact the Levelling Up Programme Manager via the Corporate Programme Office. We would be happy to provide any additional guidance and materials to help you.

Email levellingup@denbighshire.gov.uk

Report to	Cabinet
Date of meeting	23 rd May 2023
Lead Member / Officer	Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets / Steve Gadd, Head of Finance and Audit
Report author	Steve Gadd, Head of Finance and Audit
Title	Finance Report (2022/23 Financial Outturn)

1. What is the report about?

Cabinet has received regular monitoring reports throughout the financial year on the performance of expenditure against budget and savings as agreed for 2022/23. This report details the final position at financial year end.

The first draft of the Annual Statement of Accounts for 2022/23 is on target to be submitted to the external auditors prior to submission to the Governance and Audit Committee in September for information. After consulting with Audit Wales and the Governance and Audit Committee it is currently planned that the audited accounts will then be presented to the Governance and Audit Committee in January 2024 for formal approval.

2. What is the reason for making this report?

To report the final revenue position and approve the proposed treatment of balances.

3. What are the Recommendations?

3.1 Members note the final revenue outturn position 2022/23

3.2 Members approve the proposed treatment of reserves and balances as described in the report and detailed in Appendices 1 and 2

3.3 Members note the details of transfers to and from Earmarked Reserves as set out in Appendix 3

4. Report details

4.1 The final Revenue Outturn figures are detailed in Appendix 1, along with the proposed treatment of service year end balances. The key points are summarised below:

- The final position on service and corporate budgets (including schools overspend of £3.509m) is an overspend of £5.095m.
- Excluding schools, the position is an overspend of £1.585m.
- On the funding side there was a very small shortfall in Council Tax collection of £0.019m.
- This resulted in the requirement to utilise £1.604m of unearmarked reserves in order to fund the net overspend.

The 2022/23 budget required service savings and efficiencies of £0.754m to be identified and these are assumed to have been achieved.

4.2 Schools - The budget agreed by Council for 2022/23 included a total net additional investment (excluding increases in Welsh Government grants) in schools delegated budgets of just over £4.4m. An overall school balance is to be carried forward into 2023/24 of £8.939m, which represents a decrease of £3.509m on the balances brought forward into 2022/23 of £12.448m. Education and Finance colleagues will work closely to help ensure that these balances are used in a timely and effective manner. The school balances position is detailed in **Appendix 2**.

4.3 Corporate Budgets – The key elements of the underspend of £2.203m relates to a number of factors that have been reported to Cabinet throughout the year. However, the majority of the underspend relates to centrally held contingency budgets for the possible ongoing impact of Covid, pay settlements, inflationary pressures and Business Rates. The increase in the underspend from that reported in March largely relates to refunds received due to Business Rates revaluations and lower pension costs.

4.4 Service Outturn Positions - As agreed in the autumn, given the overall position within services and the availability of corporate funds, it is proposed that services do not

carry forward any under spends to help deliver the overall budget strategy and help fund other service overspends. The position for services is shown in **Appendix 1**.

4.5 Appendix 3 details the transfers to and from **Earmarked Reserves** in full. The majority of the movements have been budgeted for or have been approved in previous monitoring reports to cabinet. It should be noted that all reserves are reviewed as part of the annual budget process.

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

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

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

The council's net revenue budget for 2022/23 was £233.696m. The final position on service and corporate budgets was a net overspend £1.585m (1% of the net revenue budget for those areas). Taking account of funding and schools, the variance on the total budget was an overspend of £5.114m (2.2% of net revenue budget). The net overspend figure includes £3.509m overspend within schools which is carried forward separately. The overall position required the use of £1.604m of unearmarked reserves in order to fund the net overspend position.

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

A Well-being Impact Assessments for the Council Tax rise was presented to Council on 25 January 2022.

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

In addition to regular reports to the Corporate Governance Committee, the budget process has been considered by SLT, Cabinet Briefing, Group Leaders and Council Briefing

meetings. The School Budget Forum have been included in the proposals through-out the year. Trade Unions have been consulted through Local Joint Consultative Committee.

9. Chief Finance Officer Statement

The substantial level of overspend across services is a grave concern in the current year and for the medium term. Significant investment has gone into these specific service areas in recent years and it is expected that that need will continue. However it is welcome that all services reviewed expenditure and income in their areas to help mitigate these budget overspends during the autumn and that the final outturn position is broadly in line with the in year monitoring following that exercise. These issues, along with inflationary pressures across all services, are becoming increasingly hard to finance as our funding fails to keep up with inflationary, service and demographic pressures. The action in year to help reduce the overall pressure has meant that we have been able to fund the overspend from unearmarked reserves, while keeping the level of those reserves above the £5m level that we view as a prudent level to cope with unforeseen financial pressures.

Although school balances have decreased this financial year, they still remain at historically high levels. However it is likely that schools will face significant financial challenges in 2023/24 and 2024/25 and these balances are expected to fall further in those years.

The Council has a robust Budget Process in place which will help identify these pressures and identify savings and methods of funding which will help maintain the Council's financial health going forward.

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

This remains a very challenging financial period and there is still uncertainty around the ongoing inflationary increases, and the financial strategy of the UK government in dealing with the long term financial impact on the public finances of the response to Covid and the cost of living crisis. A Medium Term Financial Strategy, which provided a range of financial forecasts and a summary of the Budget Strategy for 2024/25 and beyond, was presented to Cabinet in April. This forms the basis of the risk management approach.

11. Power to make the decision

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

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Appendix 1

	Outturn Position			Schools Movement £'000	Committed Service Balances £'000	Use of Unearmarked Reserve £'000	Final Outturn £'000
	Budget £'000	Outturn £'000	Variance £'000				
Services							
Communities and Customers	3,592	3,395	-197				-197
Education and Children's Service	19,160	21,904	2,744				2,744
Business Improvement and Modernisation	5,380	4,972	-408				-408
Legal, HR and Democratic Services	2,692	2,270	-422				-422
Finance and Property	5,248	5,085	-162				-162
Highways, Facilities and Environmental Services	17,275	18,562	1,288				1,288
Planning and Public Protection	11,168	11,872	704				704
Community Support Services	44,174	46,069	1,895				1,895
Leisure - ADM	3,654	3,659	5				5
Service Budgets	112,343	117,789	5,446		0	0	5,446
Schools							
Schools Delegated	86,145	89,654	3,509	3,509			0
Schools Non-delegated	-3,815	-3,973	-158		0		-158
Corporate Budgets							
Corporate	17,699	15,495	-2,203		0	0	-2,203
Capital Financing/Investment Interest	15,944	14,444	-1,500				-1,500
Levies	5,381	5,381	0				0
Total Services & Corporate Budgets	233,696	238,791	5,095	3,509	0	0	1,585
FUNDING							
Welsh Government Funding							
RSG B03	139,190	139,190	0				0
NNDR B15	34,451	34,451	0				0
	173,640	173,640	0				0
Council Tax & Balances	60,056	60,036	19			1,604	-1,585
Total Funding	233,696	233,677	19	0	0	1,604	-1,585
In-year Position	0	5,114	5,114	3,509	0	1,604	0

RESULTING POSITION AT 31/03/2022

School Balances

School Balances Brought Forward	12,448
In Year contribution	-3,509
School Balances Carried Forward	8,939

Budget Mitigation Reserve

Balance Brought Forward	4,850
In-year Movement	-119
Year End Contribution	0
Balance Carried Forward	4,731

General Unearmarked Balances

Balance Brought Forward	7,135
In-year allocation to funding	-1,604
Balance Carried Forward	5,531

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Primary School Balances 31/03/2023

0.5 = Nursery

(Red) = DEFICIT

Cost Centre	School	Balance as at 31.03.2022	Balance as at 31.03.2023	Movement in Year	Total Pupil Nos Sept 2022	Balance per Pupil	School Budget 2022/2023	Balance as %age of Budget
114	Ysgol Betws Gwerfil Goch	100,578	101,705	1,128	28	3,698	270,492	37.60%
116	Ysgol Y Faenol	165,066	116,154	(48,912)	130	893	621,871	18.68%
117	Ysgol Bodfari	(19,607)	(29,196)	(9,590)	31	(957)	270,316	-10.80%
136	Ysgol Carrog	96,465	84,921	(11,545)	34	2,498	277,444	30.61%
140	Ysgol Cefn Meiriadog	60,934	49,705	(11,229)	46	1,081	322,251	15.42%
147	Ysgol Carreg Emlyn	131,000	99,422	(31,578)	68	1,462	425,396	23.37%
162	Ysgol Caer Drewyn	179,904	110,277	(69,627)	93	1,186	491,670	22.43%
165	Ysgol Bro Dyfrdwy	131,938	71,321	(60,617)	107	667	577,466	12.35%
168	Ysgol Y Parc Infants	136,871	51,568	(85,303)	166	311	813,212	6.34%
169	Ysgol Frongoch Juniors	103,470	62,374	(41,095)	205	304	802,158	7.78%
172	Ysgol Twn o'r Nant	187,385	160,058	(27,327)	293	547	1,229,119	13.02%
173	Ysgol Pendref	29,938	29,586	(352)	123	242	843,988	3.51%
176	Ysgol Hiraddug	141,129	63,134	(77,995)	194	326	874,936	7.22%
196	Ysgol Gellifor	89,883	96,420	6,538	35	2,755	296,476	32.52%
210	Ysgol Bro Elwern	118,903	145,969	27,066	59	2,474	342,812	42.58%
219	Ysgol Henllan	84,893	75,977	(8,916)	66	1,151	398,515	19.06%
247	Ysgol Bro Famau	87,989	42,514	(45,475)	55	780	446,966	9.51%
249	Llanbedr Controlled	70,616	47,648	(22,968)	65	739	364,132	13.09%
251	Ysgol Dyffryn Ial	22,158	1,172	(20,986)	49	24	311,154	0.38%
255	Ysgol Bryn Clwyd	90,276	84,916	(5,360)	41	2,071	329,320	25.79%
258	Ysgol Llanfair D.C.	78,673	55,640	(23,033)	108	515	553,658	10.05%
266	Ysgol Bryn Collen	59,913	19,912	(40,002)	156	128	698,773	2.85%
268	Ysgol Bro Cinmeirch	119,617	112,380	(7,237)	90	1,256	458,941	24.49%
284	Ysgol Melyd	56,018	(21,695)	(77,713)	152	(143)	692,795	-3.13%
325	Ysgol Pentrecelyn	33,610	26,579	(7,031)	22	1,236	269,494	9.86%
332	Ysgol Bodnant Community School	240,921	91,162	(149,758)	446	204	1,771,942	5.14%
333	Clawdd Offa	216,161	64,909	(151,252)	332	196	1,376,798	4.71%
336	Ysgol Penmorfa	298,505	46,597	(251,908)	385	121	1,689,843	2.76%
337	Ysgol Y Llys	247,992	154,849	(93,144)	333	465	1,472,752	10.51%
338	Ysgol Pantpastynog	79,306	46,546	(32,759)	67	695	369,694	12.59%
361	Ysgol Y Castell	222,197	280,919	58,722	216	1,304	922,236	30.46%
364	Ysgol Bryn Hedydd	300,836	234,027	(66,809)	442	530	1,653,314	14.16%
365	Christ Church C.P.	442,143	236,822	(205,321)	409	580	1,902,447	12.45%
366	Ysgol Dewi Sant	305,623	214,271	(91,353)	380	565	1,665,708	12.86%
367	Ysgol Emmanuel	630,370	442,156	(188,214)	434	1,019	1,917,794	23.06%
368	Ysgol Llywelyn	512,552	350,743	(161,809)	647	542	2,568,291	13.66%
373	Ysgol Borthyn Controlled	53,739	81,237	27,497	93	878	541,928	14.99%
374	Rhos St. C.P.	153,696	118,167	(35,529)	207	572	856,853	13.79%
375	Ysgol Penbarras	252,580	174,247	(78,333)	267	654	1,158,092	15.05%
390	St. Asaph Infants V.P.	116,032	54,847	(61,185)	73	757	408,153	13.44%
392	Ysgol Esgob Morgan	143,597	156,628	13,031	103	1,521	489,093	32.02%
405	Ysgol Trefnant Controlled	111,094	94,794	(16,301)	84	1,128	444,807	21.31%
408	Ysgol Tremeirchion	61,001	31,299	(29,702)	76	415	404,985	7.73%
467	Ysgol Gymraeg Y Gwernant	127,012	43,244	(83,768)	152	284	682,988	6.33%
TOTAL		6,872,978	4,575,925	(2,297,053)	7,551		35,281,071	12.97%

Average

606

Secondary School Balances

Cost Centre	School	Balance as at 31.03.2022	Balance as at 31.03.2023	Movement in Year	Total Pupil Nos Sept 2022	Balance per Pupil	School Budget 2022/2023	Balance as %age of Budget
513	Denbigh High School	18,303	254,905	236,602	497	513	3,437,347	7.42%
527	Ysgol Dinas Bran	1,201,220	757,414	(443,806)	1,080	701	6,546,328	11.57%
537	Prestatyn High School	375,522	676,150	300,628	1,447	467	7,944,344	8.51%
541	Rhyl High School	1,084,107	439,400	(644,707)	1,192	369	6,909,115	6.36%
549	Ysgol Brynhyfryd	780,532	299,128	(481,403)	1,096	273	6,459,781	4.63%
553	Ysgol Glan Clwyd	1,128,994	1,248,583	119,588	1,058	1,180	6,457,667	19.33%

TOTAL		4,588,678	3,675,579	(913,099)	6,370		37,754,582	9.74%
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Average 577

Special School Balances

Cost Centre	School	Balance as at 31.03.2022	Balance as at 31.03.2023	Movement in Year	Total Pupil Nos Sept 2022	Balance per Pupil	School Budget 2022/2023	Balance as %age of Budget
619	Ysgol Plas Brondyffryn	284,802	37,663	(247,139)	132	285	3,491,922	1.08%
655	Ysgol Tir Morfa	596,761	669,712	72,951	117	5,749	2,519,346	26.58%

TOTAL		881,563	707,375	(174,188)	249		6,011,268	11.77%
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Average 2,847

Middle School Balances

Cost Centre	School	Balance as at 31.03.2022	Balance as at 31.03.2023	Movement in Year	Total Pupil Nos Sept 2022	Balance per Pupil	School Budget 2022/2023	Balance as %age of Budget
790	St. Brigid's	(2,005)	(158,997)	(156,992)	462	(344)	2,686,959	-5.92%
795	Christ the Word	107,135	139,218	32,083	898	155	4,370,215	3.19%

TOTAL		105,130	(19,779)	(124,909)	1,360		7,057,173	-0.28%
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Average (15)

TOTAL ALL SCHOOLS		12,448,349	8,939,100	(3,509,249)	15,530		86,104,094	10.38%
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Average balance per pupil - all schools

Average 576

Transfers to/from Earmarked Reserves	Balance at 31/03/2022 £000	Transfers Out 2022/23 £000	Transfers In 2022/23 £000	Balance at 31/03/2023 £000
Schools				
School Balances	(12,448)	4,406	(896)	(8,939)
Grant & Capital Related				
Capital Schemes	(13,986)	2,193	(7,446)	(19,240)
Modified Loan Reserve	(4,486)	70	0	(4,416)
Revenue Grants Unapplied	(2,458)	1,464	(312)	(1,306)
Service Reserves				
<u>Business Improvement & Modernisation</u>				
Ruthin Gaol Heritage Projects	(104)	26	0	(78)
New Ways of Working	(181)	0	0	(181)
IT Networks Development	(807)	235	(104)	(676)
IT Systems Development (EDRMS)	(69)	0	0	(69)
Resident Survey	(38)	0	0	(38)
Schools IT Network Development	(5)	5	0	(0)
Carbon Zero Project	(242)	475	(947)	(714)
<u>Communities & Customers</u>				
Destination Managed Project	(400)	0	0	(400)
Working Denbighshire	(506)	315	(173)	(364)
Major Events Reserve	(78)	36	0	(43)
<u>Community Support Services</u>				
Modernising Social Care	0	0	0	0
CESI Pooled Budget	(109)	93	0	(17)
Domiciliary Care Transport	(332)	0	0	(332)
Adult Social Care Reserve	(2,440)	2,440	0	0
Health & Social Care Support Workers	(38)	0	0	(38)
Social Care Amenity Fund	(14)	0	0	(14)
Social Care in Partnership	(10)	0	0	(10)
Social Service Improvement Agency	(116)	0	0	(116)
Safeguarding Business Unit	(172)	0	(9)	(181)
Delivering Transformation	(831)	4	(765)	(1,592)
Regional Commissioning Team	(131)	0	0	(131)
<u>Education & Children's Services</u>				
Modernising Education	(122)	0	0	(122)
ALN Reforms	(693)	431	(248)	(511)
Schools Financial Resilience	(300)	0	0	(300)
Education IT Investment	0	0	(241)	(241)
<u>Finance & Property</u>				
Revenues & Benefits	(725)	140	(214)	(800)
Finance Systems	(166)	0	0	(166)
Health & Safety	(78)	0	0	(78)
Design & Development	(315)	0	(179)	(494)
External Funding Administration	(116)	0	0	(116)
<u>Highways & Environmental Services</u>				
Pont y Ddraig Bridge	(90)	0	0	(90)
Severe Weather (incorporating Winter Maintenance)	(338)	338	0	0
Facilities	(154)	0	0	(154)
Free School Meals	(150)	0	0	(150)
<u>Legal, HR & Democratic Services</u>				
Training Collaboration	(30)	0	(20)	(50)

Transfers to/from Earmarked Reserves	Balance at 31/03/2022 £000	Transfers Out 2022/23 £000	Transfers In 2022/23 £000	Balance at 31/03/2023 £000
Legal	(28)	0	0	(28)
NW Schools Framework	(50)	50	0	0
Planning & Public Protection				
Town & County Planning Act (s.106) Requirements	(1,143)	2	(27)	(1,168)
Ash Die-back	(282)	0	0	(282)
Bodelwyddan Country Park	(165)	74	0	(91)
Picturesque Project	(152)	0	0	(152)
ECA Board	(240)	2	0	(238)
Signing Schemes	(40)	30	0	(10)
Prosecution/Appeal Costs	(61)	0	0	(61)
LDP Future Costs	(188)	0	0	(188)
Planning Delivery for Wales	(317)	122	0	(195)
Corporate Reserves				
2017 Corporate Priorities	(315)	48	0	(267)
Growth Bid	(50)	0	0	(50)
Elections	(197)	128	0	(69)
Risk Management Fund	(521)	0	(28)	(549)
Superannuation Recovery	(2,630)	0	(1,000)	(3,630)
Travelodge	(89)	0	(28)	(116)
Leadership Development	(13)	0	0	(13)
Area Member Reserve	(15)	0	0	(15)
Budget Mitigation	(4,850)	119	0	(4,731)
Coroner	(269)	33	0	(236)
Rhyl Regeneration	(88)	71	0	(16)
Insurance Fund	(932)	129	(68)	(872)
Energy	0	0	(374)	(374)
Total	(55,912)	13,475	(13,078)	(55,516)

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
27 June	1	The Council acting as the Lead Body for the renewal of the Regional North Wales Domiciliary Care Agreement	To seek Cabinet approval for Denbighshire County Council to act as the ‘Lead Body’ on an Invitation to Tender for Domiciliary Care & Support Services for Children / Young People and Adults	Yes	Cllr Gill German/Elen Heaton Lead Officers –Rhiain Morrllle / David Soley / Ann Lloyd Report Author –Liana Duffy / John Williams / Llinos Howatson
	2	Queen’s Market: operator contract award	Following the culmination of the procurement process to appoint an operator for the Queen’s Market in Rhyl, approval is sought from Cabinet to award a contract to the preferred tenderer	Yes	Cllr Jason McLellan Lead Officer – Emlyn Jones Report Author – Russell Vaughan
	3	Welsh Language Strategy	To seek Cabinet’s approval of a new Welsh Language Strategy 2023-2028	Yes	Cllr Emrys Wynne Lead Officer – Gary Williams Report Author – Manon Celyn
	4	Commissioned Services for Homelessness	To seek Cabinet’s authorisation to extend the current contract to allow more time to scope supported housing need in line with the new Rapid Rehousing model	Yes	Cllr Rhys Thomas Lead Officer – Ann Lloyd Report Author – Sharon Whalley / Hayley S Jones / Nigel Jones

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
	5	North Wales Velodrome Business Case	To consider the business case for the North Wales Velodrome Project	Tbc	Tbc Gary Williams / Jamie Groves
	6	Council Performance Self-Assessment	To present an update on the council's performance against its functions, including Corporate Plan and Strategic Equality objectives	Tbc	Cllr Gwyneth Ellis Lead Officer – Nicola Kneale Report Author – Emma Horan
	7	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	8	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Lead Officer – Scrutiny Coordinator
18 July	1	Long Term Empty and Second Homes Premium	To provide members with information for their consideration, to review the recommendations and agree a way forward	Tbc	Cllr Gwyneth Ellis Steve Gadd / Paul Barnes / Leah Gray
	2	Ysgol Plas Brondyffryn – New Build Project	To seek Cabinet endorsement of the preferred site for the progression of the new build project for Ysgol	Yes	Cllr Gill German Lead Officer – Geraint Davies Report Author – James Curran / Lisa Walchester

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
			Plas Brondyffryn		
	3	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet’s attention	Tbc	Lead Officer – Scrutiny Coordinator
19 September	1	Rhyl Business Improvement District (BID): ballot for 2 nd 5-year term	To request a decision on whether DCC should vote “yes” or “no” in the ballot to determine whether there should be a 2 nd 5-year term for the Rhyl BID	Yes	Cllr Jason McLellan 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
24 October	1	Finance Report	To update Cabinet on the current financial position of	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
			the Council		Steve Gadd
	2	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Lead Officer – Scrutiny Coordinator
21 November	1	Care Home Fee Setting 2024/25	To brief Cabinet on the outcome of the Regional 2024/25 Care Home Fee Setting process and seek approval for Denbighshire's response to its recommendation	Yes	Cllr Elen Heaton Lead Officer / Report Author – Nicola Stubbins / David Soley
	2	Council Performance Self-Assessment Update – July to September	To present an update on the council's performance against its functions, including Corporate Plan and Strategic Equality objectives	Tbc	Cllr Gwyneth Ellis Lead Officer – Nicola Kneale Report Author – Emma Horan
	3	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Cllr Gwyneth Ellis Lead Officer/Report Author Steve Gadd
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Lead Officer – Scrutiny Coordinator

Cabinet Forward Work Plan

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>27 June</i>	<i>13 June</i>	<i>18 July</i>	<i>4 July</i>	<i>19 September</i>	<i>5 September</i>

Updated 16/05/2023 – KEJ

Cabinet Forward Work Programme.doc

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