

To: Members of the County Council

Date: 24 January 2024

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Dear Councillor

You are invited to attend a meeting of the **COUNTY COUNCIL** to be held at **10.00 am** on **TUESDAY, 30 JANUARY 2024** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN LL15 1YN AND VIA VIDEO CONFERENCE.**

Yours sincerely

G Williams
Monitoring Officer

AGENDA

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

1 APOLOGIES

2 DECLARATIONS OF INTEREST (Pages 5 - 6)

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

3 URGENT MATTERS AS AGREED BY THE CHAIR

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

4 MINUTES (Pages 7 - 14)

To receive the minutes of the meeting of County Council held on 14 November 2023 (copy attached).

5 COUNCIL BUDGET 2024/25 (Pages 15 - 42)

To consider a report by the Head of Finance (copy attached) which sets out the implications of the Welsh Government Provisional Funding Settlement for Local Government 2024/25 and proposals to set a balanced budget for 2024/25.

6 COUNCIL TAX REDUCTION SCHEME 2024/25 (Pages 43 - 78)

To consider a report by the Head of Finance (copy attached) for the adoption of the All Wales Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the All Wales Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Amendment)(Wales) Regulations 2024.

7 COUNTY COUNCIL FORWARD WORK PROGRAMME (Pages 79 - 84)

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

MEMBERSHIP

Councillors

Councillor Peter Scott (Chair)

Councillor Diane King (Vice-Chair)

Michelle Blakeley-Walker
Joan Butterfield
Jeanette Chamberlain-Jones
Ellie Chard
Kelly Clewett
Ann Davies
Karen Edwards
Pauline Edwards
Gwyneth Ellis
James Elson
Chris Evans
Hugh Evans
Justine Evans
Bobby Feeley
Gill German
Jon Harland
Elen Heaton
Huw Hilditch-Roberts
Martyn Hogg
Carol Holliday
Alan Hughes
Hugh Irving
Alan James

Brian Jones
Delyth Jones
Paul Keddie
Geraint Lloyd-Williams
Julie Matthews
James May
Jason McLellan
Barry Mellor
Terry Mendies
Raj Metri
Win Mullen-James
Merfyn Parry
Arwel Roberts
Gareth Sandilands
Rhys Thomas
Andrea Tomlin
Cheryl Williams
David Williams
Elfed Williams
Eryl Williams
Huw Williams
Emrys Wynne
Mark Young

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LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of

*(*please delete as appropriate)*

Denbighshire County Council

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

*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

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

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COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 14 November 2023 at 10.00 am.

PRESENT

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

ALSO PRESENT

Chief Executive (GB); Corporate Director: Governance and Business (GW); Corporate Director: Economy and Environment (TW); Head of Planning, Public Protection and Countryside Services (EJ), Public Protection Business Manager (IM); zoom host and webcast (NH) and Committee Administrator (SLW)

Chair of Governance and Audit Committee, David Stewart, in attendance for item 7.

1 APOLOGIES

Apologies for absence were received from Councillors Merfyn Parry and Elfed Williams

2 DECLARATIONS OF INTEREST

Councillors Gill German and Rhys Thomas both declared a personal interest in item 10, (Appointment of Director to the Board of Denbighshire Leisure Limited) as they were members of the Board.

3 APPOINTMENT OF THE CHAIR OF COUNTY COUNCIL

The Corporate Director: Governance and Business, introduced the appointment of the Chair of County Council report (previously circulated).

The election of Chair was necessary following the sad passing of the Council's Chair, Councillor Pete Prendergast.

Councillor Hugh Irving nominated Councillor Peter Scott, seconded by Councillor Huw Hilditch-Roberts to be Chair for the remainder of the 2023-2024 municipal year.

No further nominations were proposed.

All members present affirmed their assent to the appointment of Councillor Peter Scott.

Councillor Peter Scott declared his acceptance of the office of Chair.

RESOLVED that Councillor Peter Scott be appointed as Chair of Denbighshire County Council for the remainder of the 2023 – 2024 municipal year.

4 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent items.

At this juncture, Group Leaders paid tribute to the late Chair, Councillor Pete Prendergast who sadly passed away recently.

Councillor Diane King also paid tribute to the late Councillor Pete Prendergast as she had been his friend for many years and was also his consort during his time as Chair to the Council.

Councillor Peter Scott paid a heartwarming tribute to the late Councillor Prendergast especially as he had also recently lost his wife and expressed his gratitude to Councillor Prendergast for his kindness to both him and his wife during the extremely difficult time they had faced.

There was silent reflection held in memory of Councillor Pete Prendergast.

5 APPOINTMENT OF THE VICE-CHAIR OF COUNTY COUNCIL

The Chair, Councillor Peter Scott, requested nominations for the appointment of a new Vice-Chair of Council for the remainder of the 2023-2024 municipal year.

Councillor Gill German proposed Councillor Diane King, seconded by Councillor Delyth Jones.

No further nominations were proposed.

All members present affirmed their assent to the appointment of Councillor Diane King.

Councillor Diane King declared her acceptance of the office of Vice-Chair.

RESOLVED that Councillor Diane King be appointed as Vice-Chair of Denbighshire County Council for the remainder of the 2023-2024 municipal year.

6 MINUTES

The minutes of Full Council held on 5 September 2023 were submitted.

Matters Arising –

Page 23 - Councillor Huw Williams stated that following his Notice of Motion at the meeting, he was disappointed no enforcement action would be taken and that the Notices of Motion which were put forward at meetings were not being carried through. A lot of work went in to researching the Notices of Motion, and if passed at Council they needed to be carried through.

Matters Arising –

Page 12 - Councillor Terry Mendies asked if a written response had been provided to Councillor Chris Evans following his question and supplementary question asked at the meeting. If a response had not been sent, when would it be expected.

The Leader, Councillor Jason McLellan responded that, unfortunately, it had taken time to obtain the information from the appropriate officials in Welsh Government. Councillor McLellan apologised to Councillor Evans for the delay in his response.

A response had been sent to Councillor Evans which outlined the position in that the money referred to was money that the UK Government gave to Welsh Government for covid and throughout covid the monies for revenue projects had been able to be utilised for capital projects. Unfortunately, the UK Government had informed the Welsh Government, that the sum in question, £155 million, could not be used for capital projects, such as the Llanerch Bridge, and took the money back.

RESOLVED that, subject to the above, the minutes of Full Council held on 5 September 2023 be confirmed as a correct record.

7 DRAFT ANNUAL REPORT OF GOVERNANCE AND AUDIT COMMITTEE

The Chair of Governance and Audit Committee, David Stewart, introduced the Draft Annual Report of Governance and Audit Committee (previously circulated) to account to the Council concerning the work of the Governance and Audit Committee for the municipal years 2020/21, 2021/22 and 2022/23.

The Council was statutorily required under the provisions of the Local Government Wales Measure 2011, as amended, to have a Governance and Audit Committee. The Committee was the Council's designated committee for this purpose.

The Committee was also the body responsible for keeping the Constitution under review.

Prior to May 2022 the Committee had been comprised of six elected members and a lay member. The Chair of the Committee during that time had been Councillor Barry Mellor. The current Chair, David Stewart, thanked Councillor Mellor for all his work during his time as Chair.

The Local Government and Elections (Wales) Act 2021 amended the position and the law now required that a third of the Committee's members must be lay members. Therefore, six elected members on the Committee and three lay

members. There was a statutory requirement that the Chair of the Committee must be a lay member, which was David Stewart.

During a brief discussion, it was confirmed that the Climate and Ecological Change Strategy would be on a future agenda of the Climate and Ecological Change Strategy Panel Group.

Members thanked the Chair David Stewart and the Governance and Audit Committee members for all their work.

RESOLVED that –

- (i) *Council continues to take account of the importance and good corporate governance and notes the content of the report, particularly in regard to –*
- *The continued effectiveness of the corporate risk register*
 - *The Committee's concerns about the potential impacts on service delivery and key governance functions of difficulties in staff recruitment and retention*
 - *The importance of the Climate and Ecological Change Strategy.*

8 PROPOSED REVISED GAMBLING ACT 2005 STATEMENT OF LICENSING PRINCIPLES

The Lead Member for Local Development and Planning, Councillor Win Mullen-James, introduced the Proposed Revised Gambling Act 2005 Statement of Licensing Principles report (previously circulated) to request members to formally adopt the Principles.

Gambling could be addictive and lead to individuals becoming problem gamblers, where the activity disrupted or compromised their lives and those of their families. Problem gambling had an impact on families, communities and health services.

As required by legislation, and in accordance with the Guidance issued by the Gambling Commission, the Council was required to consult upon, and prepare a Statement of Gambling Principles on a three yearly basis.

On 7 December 2022 the revised Statement of Gambling Principles was approved by members of the Licensing Committee for statutory consultation. As a result of the consultation, no representations were received and, therefore, referred to Full Council for approval.

The Council had not received any legal challenge to the existing Principles, nor had the Licensing Authority received any adverse comments from the Gambling Licensed Trade or Legal Profession in regards to the content. Therefore, significant changes had not been proposed in the revised Principles, support by the Licensing Committee.

Discussions took place and the following points were raised –

- (i) It was confirmed that licenses were renewed annually which gave the opportunity to note the gambling machines in each premises.

- (ii) Within the Wellbeing Impact Assessment, the impact of a Prosperous Denbighshire and Healthier Denbighshire were both marked as Positive. Councillor Mark Young queried whether this was appropriate especially knowing the issues gambling addiction caused. The Head of Planning and Public Protection, Emlyn Jones responded that careful consideration had been taken around the risks and the detrimental impacts of gambling activities when it was not regulated well. It was confirmed he would note Councillor Young's point and review the WBIA.
- (iii) Within the Policy one of the objectives had been to reduce crime or avoid criminal activity to protect the vulnerable. Under protecting the vulnerable it stated "people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs". A question was raised as to why would gambling machines be sited in an establishment which sold alcohol and should this type of establishment be allowed gambling machines? It was confirmed that the Local Authority was guided by the legislation and codes of practice which were in place set by the UK Government. The individual premises had a responsibility of the management of the gambling machines. They were obliged to ensure there were appropriate signs and under 18s were not given access to the machines.
- (iv) The Addiction Recovery Agency were a Charity contracted by Welsh Government for the whole of Wales to provide emergency help and support for people suffering from gambling addictions and the effects it could cause. The welfare of residents was paramount and officers confirmed they would engage with Agencies to ensure assistance would be made available.

Following a unanimous agreement to the report, it was –

RESOLVED that –

- (i) *The Council formally adopts the Draft Revised Statement of Gambling Principles (Appendix 1).*
- (ii) *The Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.*

9 PROPOSED REVISED STATEMENT OF LICENSING POLICY

The Lead Member for Local Development and Planning, Councillor Win Mullen-James, introduced the Proposed Revised Statement of Licensing Policy report (previously circulated) for members to formally adopt the Policy.

The Licensing Act 2003 regulated the sale and supply of alcohol, the provision of regulated entertainment and the sale and supply of late night refreshment. Responsibility for the administration and enforcement of licensing the above activities was that of the Licensing Authority – the Council – and was delivered through Public Protection service.

Legislation, along with the Statement of Licensing Policy aimed to reduce harm and nuisance whilst ensuring a level playing field for businesses.

As required by the legislation, and in accordance with the Guidance issued by the Secretary of State under Section 182 of the Act, the Council was required to consult upon, and prepare a Statement of Licensing Policy on a five yearly basis.

Officers confirmed that spot checks were carried out on premises to ensure legislation was being adhered to. Members were invited to attend spot checks in the future which were usually carried out in the evenings so they could assess the process which took place.

Following discussions, it was –

RESOLVED that –

- (i) *the Council formally adopts the Draft Revised Statement of Licensing Policy (Appendix 1).*
- (ii) *the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.*

10 DENBIGHSHIRE LEISURE LIMITED - APPOINTMENT OF DIRECTOR

At this juncture, Councillors Gill German and Rhys Thomas both declared a personal interest in this item as they were members of the Board.

The Leader, Councillor Jason McLellan, introduced the Denbighshire Leisure Limited – Appointment of Director report (previously circulated).

The Corporate Director: Governance and Business, Gary Williams informed Council that following the sad death of Councillor Pete Prendergast, the seat on the Board of Directors of DLL needed to be occupied by a non-cabinet elected member.

Councillor Julie Matthews nominated Councillor Diane King, seconded by Councillor Carol Holliday.

Councillor Huw Hilditch-Roberts nominated Councillor Bobby Feeley, seconded by Councillor Hugh Irving.

A vote took place as follows –
Councillor Diane King – 24
Councillor Bobby Feeley – 19

Therefore, it was

RESOLVED that *Councillor Diane King be appointed as Director of Denbighshire Leisure Limited (DLL).*

11 APPOINTMENT OF MEMBER TO NORTH WALES POLICE AND CRIME PANEL

The Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews, introduced the Appointment of a Member to the North Wales Police and Crime Panel report (previously circulated).

The Corporate Director: Governance and Business confirmed that the appointment of a representative to the Police and Crime Panel was a Council function. The Council's previous appointment to the Panel had been the late Councillor Pete Prendergast.

Each of the six Local Authorities in North Wales could nominate a member or members to sit on the Panel. The allocation of seats to each local authority was based on political balance and population distributions across North Wales with the d'hondt methodology used to identify the number of seats each local authority was allocated and to which political group or groups they apply.

Based on population, Denbighshire would appoint 1 member from the Labour Group.

The Leader, Councillor Jason McLellan, nominated Councillor Diane King on behalf of the Labour Group, seconded by Councillor Barry Mellor.

It was unanimously agreed for Councillor King to be appointed to the North Wales Police and Crime Panel.

RESOLVED that Council appoint Councillor Diane King to the North Wales Police and Crime Panel for the term of this Council.

12 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Corporate Director: Governance and Business, Gary Williams, introduced the Council's Forward Work Programme and the Council Workshop Forward Work Programme.

RESOLVED that the Council's Forward Work Programme and the Council Workshop Forward Work Programme be noted.

THE MEETING CONCLUDED AT 11.30 A.M.

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Report to	County Council
Date of meeting	30 th January 2024
Lead Member / Officer	Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets
Report author	Liz Thomas, Head of Finance and Audit
Title	Council Budget 2024/25

1. What is the report about?

The report sets out the implications of the Welsh Government's (WG) Provisional Funding Settlement for Local Government 2024/25 and proposals to set a balanced budget for 2024/25.

2. What is the reason for making this report?

2.1 The Council is legally required to set a balanced and deliverable budget before the start of each financial year and to set the resulting level of Council Tax to allow bills to be sent to residents.

2.2 There is a statutory duty on the Head of Finance and Audit (Section 151 Officer) to report to full Council, at the time the budget is considered and the Council Tax is set, on the robustness of the budget estimates and the adequacy of financial reserves.

2.3 To set out the impact of the Provisional Settlement and to approve the budget for 2024/25, including the level of Council Tax.

3. What are the Recommendations?

3.1 To note the impact of the Provisional Settlement 2024/25.

3.2 That Council supports the proposals outlined in Appendix 1, and detailed in Section 4, as recommended by Cabinet in order to set the budget for 2024/25.

3.3 To approve the average Council Tax rise of 8.23% for council services plus an additional 1.11% for the increase in the levy to the North Wales Fire and Rescue Authority. This equates to an overall uplift of 9.34% proposed (paragraph 4.4).

3.4 To delegate authority to the Head of Finance and Audit, in consultation with the Lead Member for Finance, to adjust the use of cash reserves included in the budget proposals by up to £500k if there is movement between the draft and final settlement figures in order to allow the setting of Council Tax in a timely manner.

3.5 That Council supports the strategy for use of reserves as set out in paragraph 4.5, as recommended by Cabinet.

3.6 That Council confirms that it has read, understood and taken account of the Well-being Impact Assessments as set out in Section 7.

4. Report details

4.1 Provisional Funding Settlement for Local Government 2024/25

4.1.1 The Provisional Settlement for 2024/25 was received by the Council on 20th December 2023 and resulted in a cash increase of £6.720m or 3.6% when compared with the level of funding received in 2023/24. WG have produced tables so that funding levels in 2023/24 and 2024/25 can be compared on a like for like basis across all Welsh councils. Denbighshire's percentage increase at 3.7%, is higher than the cash comparison above as the council tax base (the number of properties used in the calculation of council tax) has been adjusted for in the 2023/24 comparator WG have used (and has been adjusted for all Welsh councils).

4.1.2 Denbighshire's increase compares favourably to the Welsh average of 3.1% and follows increases in population and free school meals data used in the formula to distribute funding to councils. The increase in the data will result in higher demands for services.

4.1.3 Within the announced figure WG have advised the following:

- All pay increases for both teaching and non-teaching posts are included within the settlement.
- The costs of enabling authorities to continue to meet the additional costs of introducing the Real Living Wage (RLW) for care workers are included in the

settlement. This includes paying the RLW to both our own social care employees and the private social care sector.

4.1.4 The UK Government's Autumn Statement referred to changes in costs of employers' contributions to teachers pensions. Whilst the WG recognises the implications for local authority budgets in the covering letter, they expect funding to be provided by UK Government during 2024/25 financial year and are seeking assurances on amounts and timing from the Treasury. The increase in the costs of employers' contributions to teachers pensions is certain and therefore has been included in the Council's cost pressures (see paragraph 4.2.4). Uncertainty remains around funding for this cost pressure from both UK and Welsh Governments.

4.1.5 Part of WG Programme of Government commits to ensuring local authorities are not hampered by unnecessary bureaucracy. A programme of work to reduce the number of separate grants paid to local authorities from 2024-25 and to move grants into the Settlement is ongoing. Some areas have already been identified for change, in particular education specific grants with grants previously paid to regional educational consortia such as GwE in North Wales (the regional school improvement and effectiveness service) transferring to local authorities. As this work continues, we expect more changes to be presented as part of the Final Settlement, WG has committed to transparency in this respect.

4.1.6 The Final Settlement is expected in early March. WG cannot guarantee that there will be no other changes between the provisional and final settlements, but do not intend to make changes to methods or data underpinning the distribution of the settlement.

4.1.7 The provisional settlement provides no indication of what future year settlements are likely to be as it has done in the past couple of years.

4.1.8 There were no 'transfers in' included in the draft settlement, referring to grant funding that ceases to be ringfenced for a specific purpose or initiative, with the grant 'transferring into' the settlement alongside the ongoing responsibility to deliver that initiative.

4.1.9 In summary, whilst the increase in the settlement is above the planning assumption used in the Medium Term Financial Plan (MTFP) is positive and welcomed it does not

materially change the unprecedented financial challenge the Council faces in setting a balanced budget in 2024/25 and in the future.

2024/25 Budget Setting

4.2 Pressures

4.2.1. The proposals to balance the 2024/25 budget are shown in the Medium Term Financial Plan (MTFP) in Appendix 1. The main areas of growth and pressures are:

- Pay pressures of £4m for non-schools assuming an April 2024 pay award of 5%.
- Allowance for increase in Council Tax Reduction Scheme of £0.350m
- Schools' inflationary pressures are recognised amounting to £5.486m. This includes funding for teaching and non-teaching pay awards estimated at 5%, utilities, NDR and service level agreements.
- Schools demographic pressure of £0.213m recognising an overall increase in the number of learners.
- £7.969m to recognise increases in demand and forecast costs in Adult Social Care and Homelessness. This is part of the Council's long-term strategy to manage care budgets as well as recognising the agenda to ensure all care staff are paid the Real Living Wage. A pressure to fund the increase in demand for homelessness has also been included within the figure.
- £2.000m to recognise existing pressures in Education and Children's Services relating to children's social care placements.

4.2.2 Pay Grading pressure. In recent years increases to the National Living Wage driven by high levels of inflation has had an impact on the Council's pay structure. Grades have compressed at the lower end of the structure due to the removal of some spinal points and there is an increasing need to review the structure. It is hoped that this will also assist in addressing the recruitment and retention issues the Council has been experiencing. Though final decisions around implementation will need to be considered carefully during 2024/25, initial modelling has been undertaken and a cost pressure equating to the minimum changes required has been included for 2024/25 at £1.759m. This work can only be concluded once details of the April 2024 pay award are known. It is proposed to set aside a reserve to fund the costs of additional changes under consideration in 2024/25 (see reserves paragraph 4.5), which are built in as additional pressures within the MTFP from 2025/26.

4.2.3 Arrangements to fund the North Wales Fire and Rescue Authority are that a levy based on population is charged on all 6 North Wales councils. The levy is set by the Fire Authority, not by the councils, which ultimately must be paid. Following a public consultation to review a set of options for emergency cover, the Fire and Rescue Authority is planning to increase the levy by 8.8% in total across the region. Due to changes in population data used in the settlement, Denbighshire's increase is 11.8% and equates to a pressure of £0.716m.

4.2.4 The employers' teachers' pension contribution rate will increase by 5% from April 2024 and this equates to an additional £1.917m cost pressure for schools which has been included in the increased funding to schools. As set out previously in the report (para 4.1.4). Funding is anticipated from governments to cover the costs but has not been confirmed at this stage.

4.2.5 In recent years the Council has invested significantly in highways resurfacing, with £4m being the current annual capital allocation (in addition to revenue funding and any WG capital funding available). The £4m allocation is funded by borrowing which costs c£300k every year for 40 years from revenue. Given the Council's current financial position, funding through borrowing at this level every year is unsustainable. It is proposed to review the funding approach and reduce the capital allocation to £2m in 2024/25 which requires an estimated £150k increase in the capital financing budget (labelled as Investment in Priorities in Appendix 1).

4.3 Efficiencies, Savings and Reductions to Services

4.3.1 The pressures identified above amount to £24.561m. A draft settlement of around 13.06% would have been required to fund all these pressures. The provisional settlement generates £6.720m additional revenue leaving a funding gap of £17.841m. The following items are included in the proposals to bridge that gap:

- Major Savings Proposals amounting to £2.388m (see Appendix 2 for details) – Heads of Service were tasked with bringing forward large-scale saving projects, in discussion with Lead Members. Each proposal has been considered by CET and at informal meetings of Cabinet, before a report is issued to all Members and being discussed at a virtual meeting arranged.
- Services have also identified non-strategic savings/efficiencies amounting to £1.367m (summarised in Appendix 3) along with capital and corporate savings of £0.928m that have been identified (summarised also within Appendix 3). Bringing the total non-strategic savings/efficiencies to £2.295m.

- Schools were also asked to plan for 3% savings which amount to £2.7m, after receiving funding increases to cover inflationary pressures totalling £7.616m as set out in section 4.2 of this report (schools position is summarised in full paragraph 4.6 below).

4.3.2 Despite efficiencies, savings, and reductions in costs/services to date, in total they are insufficient to set a balanced budget without an unsustainable use of reserves. All Heads of Service have therefore been issued with further savings targets totalling £3m. These savings are being worked on now and will need to be delivered as soon as practical. In March 2024 separate budget sessions for Members will be arranged and will involve each Head of Service presenting the savings they have found, what services are impacted and how those impacts will affect our communities. Ordinarily, these further savings proposals would have been identified before the budget is set but given the scale of the challenge this year and that the Provisional Settlement was not released until late December 2023 this has not been possible.

4.4 Council Tax (Appendix 4 for Council Tax sensitivity analysis)

4.4.1 Based on the final additional budget requirement of £24.561m, an overall annual increase of 8.23% is required on Council Tax for Council Services plus an additional 1.11% for the increase in the levy to North Wales Fire and Rescue Authority. This equates to an overall uplift of 9.34% and provides overall additional yield of £7.458m in 2024/25.

4.4.2 This amounts to an average increase of £126.36 per annum (£2.43 per week equivalent) and brings the amount to £1,661.71 on a Band D equivalent for council services, and an average increase of £17.04 per annum (£0.33 per week equivalent) on a Band D equivalent for the North Wales Fire and Rescue Service Levy.

4.4.3 The council services increase combined with the fire levy equates to an average increase of £143.40 per annum and brings the amount to £1,678.75 on a Band D equivalent (£2.76 per week equivalent).

4.4.4 This increased level is on a par with indicative increases across North Wales.

4.5 Reserves

4.5.1 Unearmarked reserves currently stand at £5.6m. The current convention is to keep a minimum £5m unearmarked reserve, to meet any unforeseen costs pressures and unexpected events outside of the Council's control. It would be imprudent to plan to use the first £5m of this reserve. Furthermore, it is not proposed to plan to use the £0.6m

above the £5m base level reserve given the increased level of risk that will be inherent in the budget set in 2024/25. Should there ever be a call on this reserve, there would need to be a plan to replenish the reserve to its target level of £5m.

4.5.2 The Council also has earmarked reserves which are set aside for specific purposes. Some are restricted in their use by, for example, the terms and conditions of grant where their source is government funding. Earmarked reserves are also used by services to manage their budgets and are reviewed regularly as part of budget monitoring. The Council holds limited centrally held earmarked reserves and it is appropriate to consider the need to use these reserves cautiously to assist the Council to set annual budgets as set out within the paragraphs below.

4.5.3 The Council is currently forecasting a net 2023/24 in-year overspend which will need to be funded from reserves. The level of overspend is currently £3.2m (January Finance update to Cabinet). The earmarked Budget Mitigation reserve will be used to support the overspend. The reserve currently stands at £4.7m, leaving a forecast balance of £1.5m available to assist with future funding gaps.

4.5.4 The Council has limited other earmarked reserves that it is proposed are re-assigned to assist with the current financial situation:

- Pensions reserve £3.6m – the aim of this reserve is to mitigate the risk that the triennial review of the Clwyd Pension Fund will return to a deficit position requiring a significant budget pressure in 2026/27. It is proposed to re-assign the Pension reserve for the pay regrading costs in 2024/25 over and above the pressure included within the MTFP (paragraph 4.2.2 relates) and exit costs associated with the Voluntary Exit Scheme that has been running since November 2023. After funding both initiatives there is likely to be very little left in this reserve.
- Modified Loan reserve £4.4m – this was created as a result of discussions with external auditors and a change in the way the Council accounts for a set of historical loans. It is proposed to re-assign the modified loan reserve and to transfer the balance to the budget mitigation reserve. Re-assigning the reserve requires the inclusion of a budget pressure to be included in the MTFP (£100k) within the capital financing budget which will need to increase each year by a relatively small amount of £5k.

4.5.5 The Council has, and will have to, utilise reserves available to fund;

- 2022/23 net in-year overspend - £1.6m

- 2023/24 forecast in-year overspend - £3.2m
- 2023/24 and 2024/25 funding the costs of the voluntary exit scheme – unquantifiable at this stage
- 2024/25 pay regrading at the maximum estimate of additional costs for 2024/25 £2.7m (over and above £1.7m pressure included in MTFP).

The Council is having to make considerable use of its reserves, which is necessary given the unprecedented financial position. Reserves can only be used once however, and reliance on reserves is not sustainable. A significant in-year overspend in 2024/25, of the like seen in 2023/24, would leave the Council with little financial resilience going forward which is concerning given the Council's forecast for 2025/26 and 2026/27 is just as challenging as 2024/25, if not worse.

4.5.6 The strategy for use of reserves therefore is to minimise the use of cash reserves in setting future budgets as far as possible and the proposal is not to use reserves in balancing the 2024/25 budget.

4.6 Schools

4.6.1. Schools will receive a combined increase in funding of 5.82% in 2024/25. This includes all increases in funding as set out in section 4.2 of the report and then the application of a 3% reduction. The Schools and Non-delegated School Budgets are currently £84m+ and account for 33.7% of the Council's budget, its largest budget. In recent years the Council has protected schools. Given the scale of the financial challenge the Council faces in setting balanced budgets in the medium term, schools cannot be exempt from finding savings and reducing their levels of expenditure. The Council has committed to regular communication with schools regarding its budget through regular updates to the Schools Budget Forum and Headteacher meetings. Schools have been notified to expect a reduction in funding of between 2-4% after inflationary funding some months ago. The Council provides schools with indicative 3-year funding allocations which has included a 3% reduction in funding in 2024/25, and so schools have been preparing and developing their plans in readiness.

4.7 Medium Term Financial Plan – 2024/25 to 2026/27

4.7.1 Appendix 1 MTFP also shows the headline financial projections for 2025/26 and 2026/27. Funding is based on Council Tax increases of 3.8% for both years and on latest forecasts from the Wales Fiscal Analysis for WG future funding levels at slightly negative reductions of -0.3% in 2025/26 and -0.5% in 2026/27. With modest forecast pressures

included for pay and price inflation, demography and increases in demands in Social Care resulting in a shortfall in funding of £15m in 2025/26 and £13m in 2026/27. The cumulative shortfall over the 3 years is £38m. To put that into context, that equates to 15% of the current budget (2023/24 budget equates to £251m). The financial challenge therefore continues into future years, and the Council will need to reconsider its strategic approach to delivering services within the funding available, a more transformational approach will need to be adopted in future. A refreshed MTFP is planned for April, and there will be opportunities for all Members to fully engage in future transformational discussions.

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

Effective management of the Council's budgets and delivery of the agreed budget strategy underpins activity in all areas. The proposals include allocations to continue to support both corporate and service priorities, but the Council will need to reflect on the future financial outlook and consider realistically what can be achieved within available funding.

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

As set out within the report.

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

The 2024/25 budget is being viewed as an evolving process rather than a one-off event in January. The Well-being Impact Assessment (WIA) for the budget is similar and is evolving alongside saving proposals.

WIA for each of the major savings proposals of significant impact are tabled for informal discussion with CET and Cabinet. Upon being progressed, each Head of Service has completed a full Well-being Impact Assessment to support understanding more fully the impact of the reduction in service and develop further the possible mitigations.

All assessments to date have been collated and reviewed by strategic planning and performance officers to highlight any themes and patterns emerging to provide CET and Cabinet with regular updates on the aggregate impact in respect of each of the well-being

goals and whether the savings were disproportionately affecting any particular protected group. This has been collated to form an overall WIA regarding the impact of necessary budget reduction measures at Appendix 5. It should be noted that this WIA focuses on a high-level aggregation of the combined budget reduction measures, and this work will continue as savings proposals are refined.

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

In addition to regular reports to the Governance and Audit 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

9.1 There is a statutory duty on the Head of Finance and Audit (Section 151 Officer) to report to full Council, at the time the budget is considered and the Council Tax is set, on the robustness of the budget estimates and the adequacy of financial reserves. The Council must have regard to this report in making its decisions on its budget.

9.2 The Council, along with all other Welsh councils, faces unprecedented financial challenges. Whilst the report contains proposals for setting a balanced budget in 2024/25, the details of some of those proposals are currently being worked through and therefore the work to ensure the budget can be delivered is ongoing with further updates to be provided to Members in the coming weeks. As set out in paragraph 4.7, the medium term financial outlook for financial years 2025/26 and 2026/27 looks equally as challenging as 2024/25 and must be considered when making decisions for the 2024/25 budget.

9.3 Cost pressures have been included within the budget that recognise and remedy in-year and forecast service pressures as much as possible in order to build in resilience. These have been estimated based on latest forecasts of demands and costs and are therefore considered to be reasonable having regard to statutory services' spending needs in 2024/25 and the financial context within which the budget is set.

9.4 The budget proposals for 2024/25 contains a level of financial estimates due to the uncertainty of the impact on the Council of current economic events. Having considered

the level of funding required by services and the savings / budget reductions proposals put forward, I am satisfied that they are reasonably robust. It is clear, however, that there continue to be some significant risks within the 2024/25 budget proposals (as set out in section 10 of this report).

9.5 The position with regard to financial reserves is set out in section 4.4 of the report. I recommend that the council maintains unearmarked reserves at the current level (£5.6m) and minimises as far as possible further use of reserves to balance the budget in 2024/25. It is important to protect current levels of reserves to safeguard the Council's position against potential risks.

9.6 Due to the very late date for the Final Settlement it is recommended that Cabinet and Council delegate authority to the Head of Finance and Audit in consultation with the Lead Member for Finance to adjust the use of reserves included in the budget proposals by up to £500k. WG has indicated that there are unlikely to be any material changes, however it is sensible to have a contingency plan agreed beforehand.

9.7 It is important to note that if the proposals in this report are not accepted, alternative proposals must be submitted so that the Councils statutory responsibility to set a balanced budget can be met.

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

10.1 The budget process itself is a risk management measure with the aim of identifying, assessing and agreeing budget proposals in a planned and timely way. Failure to agree these proposals without viable alternatives will risk not achieving a balanced budget for 2024/25.

10.2 The allocation of savings targets now to be achieved as soon as practical is not a strategy that the Council has previously had to use in balancing its budget and therefore exposes the Council to a level of risk it has not experienced before. A number of initiatives, however, are under development which will assist every service in meeting that service savings target and include the voluntary exit scheme, and the fees and charges review to increase income. These initiatives have yet to be concluded and therefore at this stage it is difficult to assess how sufficient they will be. The finance team will work to

support services throughout the coming weeks to calculate savings and report the total level of savings proposals to Members before the beginning of the new financial year.

10.3 The total savings / reductions to budgets needing to be found for the 2024/25 budget at £7.683m (excluding schools) is significantly higher than in recent years. Savings listed have been given a Red, Amber, Yellow and Green rating purely in terms of being able to achieve the savings and are shown in Appendices 2 and 3 (please note that this does not assess risk to service delivery). A system is being developed to track and measure savings delivered ensuring that progress can regularly be reported at an appropriate level of detail at various committees. This will strengthen the effectiveness of the Council's financial management and ensure prompt action can be taken to mitigate any impacts should variances occur in year. It is likely that a savings / reductions tracker will be added to budget monitoring processes and will feed through to the monthly finance report to Cabinet, and further consideration will be given to the roles of the Scrutiny and Governance and Audit Committees.

10.4 Forecasting cost pressures has been challenging in setting budget proposals for 2024/25 and are driven by both increases in demands for services and increases in costs by higher levels of inflation. Despite the use of the most up to date demand forecasts in budget calculations, these are estimates and risks remain that expenditure could exceed budgets even though budgets have been increased in the new financial year. In particular specific demands for statutory services within social care, homelessness and waste services. The Council's reserves mitigate against such risks materialising in year, and also a prudent approach has been adopted with regards to future inflation increases, for example, pay inflation has been included at 5%, at the time of writing this is higher than some economic forecasts are predicting for 2024. Should such forecasts be confirmed this will provide further mitigation to demand led risks.

10.5 Despite careful monitoring of costs and tracking of savings proposals, ultimately if a significant in-year over spend materialises in 2024/25 of the like seen in 2023/24, and, if savings proposals cannot be delivered, this will lead to reserves being called upon in 2024/25. This will reduce the Council's level of financial resilience and sustainability going forward. The financial situation is extremely challenging and effective and disciplined in-year financial management is essential by all budget holders.

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
MTFP - as at January 2024

	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000
Funding				
Revenue Support Grant & NNDR (RSG)	188,024	194,744	194,159	193,188
Council Tax	62,768	70,226	73,369	76,650
SSA / Budget Requirement	250,792	264,970	267,529	269,839
Use of Balances				
Total Funding	250,792	264,970	267,529	269,839
Expenditure				
Base Budget	233,696	250,792	264,970	282,625
Inflation / Pressures:				
Pay	3,269	4,000	3,000	3,000
Pay Grading Issue		1,760	2,655	
Price - targeted	2,902		100	100
Price	150		150	150
CTRS	350	350	500	500
Fire Levy	535	716	100	100
Income Inflation			(250)	(250)
Adults Social Care & Homelessness	8,187	7,969	3,000	3,000
Childrens Service	2,700	2,000	1,500	1,500
Other Service Pressures				
Covid Contingency	(1,000)			
CJCs	(200)			
School Transport	1,000			
Schools - Teachers Pension		1,917		
Schools Inflation	3,936	5,486	4,000	4,000
Schools Demography Adjustment	310	213	700	700
Savings Contingency				
Other known items:				
Investment in Priorities 1				
Investment in Priorities 2	500	150	700	700
Service Non-Strategic Pressures	1,282		1,500	1,500
Transfers into/out of Settlement	148			
New Responsibilities				
EFFICIENCIES / SAVINGS:				
Savings Target (tbc)		(3,000)		
Capital and Corporate Savings	(1,067)			
Pensions Triennial Review	(3,828)			
Non-Strategic Savings	(961)	(2,295)		
Major Savings Proposals	(300)	(2,388)		
Schools Efficiency Target	(816)	(2,700)		
Total Expenditure	250,792	264,970	282,625	297,625
Funding Shortfall / (Available)	0	0	15,097	27,787
Annual increase/(decrease) in shortfall	0	(0)	15,096	12,690
Key Assumptions				
Settlement %	8.20%	3.71%	-0.30%	-0.50%
Council Tax Increase % Band D	3.80%	8.23%	3.80%	3.80%
Council Tax Increase % for Fire Levy		1.11%		
Total Council Tax Increase % Band D	N/A	9.34%	N/A	N/A

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Budget 2024/25 - Major Savings Proposals

APPENDIX 2

Title	Brief Description	CET	Cabinet / CET	Members - Teams Meeting	Final Decision	Estimated Savings £000	Notes	RAYG - (Achieving Savings)
Childrens Services: Fostering Care	Project to invest to save in the fostering service - aim to reduce reliance on external agencies and increase in house foster carers.	10.07.23	05.10.23	17.11.23	Delegated - HofS	141	Proposal being actively progressed.	RED
PPP: Car Parking fees and project to review provision	Report detailing proposals went to Scrutiny in October - main aspect to review fees that has been delayed due to the pandemic.	25.09.23	02.10.23	13.12.23	Delegated - HofS	700	Aiming to implement from the 1 st of February 2024	AMBER
H&C: Review of Libraries Provision	Reduction in opening hours but keeping all libraries open.	24.07.23	19.09.23	26.10.23	Cabinet - 19.12.23	360		GREEN
CSSP: Managed reduction in headcount	Scheme to help reduce headcount on a voluntary basis	16.10.23	24.10.23	17.11.23	CET - January 2024	TBC	Scheme closes 8th January, difficult to forecast takeup in total and across different services.	YELLOW
ASC&H: Social Care Packages & Homelessness prevention	Homelessness Prevention Service - Rapid rehousing plan, and review of adult social care packages.	13.11.23	21.11.23	19.01.24	Cabinet - 23.01.24	837	Savings will form part of 2024/25 budget solution	RED
CSSPDA: Asset Strategy	Review of all aspects of asset management. Revenue savings on a number of properties already agreed for disposal. Consideration to reduce office accommodation and possible alternative uses.	27.11.23	08.12.23	13.02.24	Delegated - HofS	150	Savings will form part of 2024/25 budget solution	YELLOW
HES: Public Conveniences	Project to review provision	20.11.23	21.11.23	24.01.24	Cabinet - TBC	200	Savings will form part of 2024/25 budget solution	YELLOW
Education/PPP: Non statutory school transport	Review of non-statutory school transport provision.	06.11.23	09.11.23	TBC	TBC	TBC	Awaiting legal opinion	RED
Education/PPP: School Transport	Review of procurement, costs and management of school transport.	18.03.24	Apr-24	TBC	TBC	TBC		RED
HES: Review Fleet Services	Medium Term project to look at all aspects of fleet services	12.02.24	Mar-24	TBC	TBC	TBC		RED
PPP: Review Bus Services	Review subsidised bus services provision	08.01.24	Feb-24	TBC	TBC	TBC		RED
PPP: Review Heritage Services	Project to review all aspects of provision.	08.04.24	Apr-24	TBC	TBC	TBC		RED
CSSP: Review democratic calendar/meetings	Project at initial stage to review options	Jan-24	Jan-24	TBC	TBC	TBC		RED
Total to date						2,388		

Proposal below are reductions in pressures and not included in the total savings on the MTFP

HES: Reduction to capital investment in highways	Highways capital budget is funded by prudential borrowing, by reducing the capital budget the associated costs of borrowing (revenue) also reduce.	20.11.23	21.11.23	21.12.23	Cabinet - 20.02.24 Council - 27.02.24 (Capital Plan)	150	Highways capital budget approved in capital plan in February. Revenue implications in budget report in January.	GREEN
CSSPDA: Reduce net carbon zero and ecologically positive council 2030 pressure	During 2024/25 prioritise workstreams that reduce costs as well as carbon (buildings and fleet) at an investment level that enables the prudential borrowing costs in 2024/25 and 2025/26 for new projects initiated in 2024/25 to be funded from reserves held.	02.10.23	24.10.23	17.01.24	Cabinet - 23.01.24	200	Savings will form part of 2024/25 budget solution	GREEN

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Appendix 3: Non Strategic Savings (including Capital & Corporate Savings)

Service	Category	Saving (£k)	RAYG Status	Service Total
Childrens Service	Insourcing of contracts	30	Yellow	43
	Service Change	13	Amber	
Adult Social Care and Homelessness	External Income Maximisation	8	Red	227
	Service Review	75	Red	
	External Income Maximisation	108	Red	
	External Income Maximisation	36	Red	
Corporate Support, Performance Digital and Assets	Technical Budget Reduction	40	Green	248
	Technical Budget Reduction	14	Green	
	New Ways of Working	50	Yellow	
	Systems Changes	43	Green	
	Service Review	31	Green	
	Technical Budget Reduction	27	Green	
	Review of vacant posts	43	Green	
Corporate Support Sevices: People	Review of vacant posts	28	Green	110
	Review of vacant posts	14	Red	
	Systems Changes	15	Green	
	Service change	1	Green	
	Service Review	52	Green	
Education	Service Review	22	Green	66
	Service Review	44	Green	
Finance and Audit	External Income Maximisation	150	Yellow	200
	Systems Changes	50	Green	
Capital and Corporate	Technical Budget Reduction	500	Yellow	928
	Technical Budget Reduction	300	Yellow	
	Capital Financing Budget	128	Green	
Highways and Environment Service	Service Change	136	Yellow	276
	Service Change	10	Green	
	Technical Budget Reduction	50	Green	
	Service Change	55	Red	
	External Income Maximisation	25	Yellow	
Planning, Public Protection and Countryside Services	Service Review	20	Amber	198
	Service Review	51	Red	
	Collaboration	10	Green	
	Review of vacant posts	32	Yellow	
	Review of vacant posts	30	Green	
	Technical Budget Reduction	5	Green	
	Service Review	40	Green	
	Service Change	10	Green	

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APPENDIX 4

Council Tax Sensitivity Analysis

					EXCLUDING Impact of CT Base Increase	INCLUDING Impact of CT Base Increase	
2023/24	Increase %	Increase in Band D £	Proposed Band D £	Total Funding £000	Inc/Dec in Funding £000	Change from Current Assumption £000	Inc/Dec in Funding £000
	0.00%	0.00	1,535.35	64,222	0		1,454
	0.50%	7.68	1,543.03	64,544	321		1,775
	1.00%	15.35	1,550.70	64,865	643		2,097
Fire Levy Additional (11.8%)	1.11%	17.04	1,552.39	64,936	714		2,167
	2.00%	30.71	1,566.06	65,508	1,286		2,739
	2.50%	38.38	1,573.73	65,829	1,607		3,061
2022/23 Increase	2.95%	45.29	1,580.64	66,118	1,896	-3,394	3,350
	3.00%	46.06	1,581.41	66,151	1,928		3,382
	3.25%	49.90	1,585.25	66,311	2,089		3,543
	3.50%	53.74	1,589.09	66,472	2,250		3,704
2023/24 Increase	3.80%	58.34	1,593.69	66,665	2,443	-2,848	3,897
	4.00%	61.41	1,596.76	66,793	2,571		4,025
2020/21 Increase	4.30%	66.02	1,601.37	66,986	2,764	-2,526	4,218
	4.50%	69.09	1,604.44	67,115	2,893		4,346
	5.00%	76.77	1,612.12	67,436	3,214		4,668
	5.50%	84.44	1,619.79	67,758	3,536		4,989
	6.00%	92.12	1,627.47	68,079	3,857		5,311
2019/20 Increase	6.35%	97.49	1,632.84	68,304	4,082	-1,209	5,536
	6.50%	99.80	1,635.15	68,400	4,178		5,632
	7.00%	107.47	1,642.82	68,722	4,500	-791	5,954
	7.50%	115.15	1,650.50	69,043	4,821	-469	6,275
	8.00%	122.83	1,658.18	69,365	5,143	-148	6,596
Current Assumption	8.23%	126.36	1,661.71	69,513	5,290		6,744
	8.50%	130.50	1,665.85	69,686	5,464	174	6,918
	9.00%	138.18	1,673.53	70,008	5,785	495	7,239
CT Plus Fire Levy Element	9.34%	143.40	1,678.75	70,226	6,004		7,458
	10.00%	153.53	1,688.88	70,650	6,428	1,138	7,882

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Cumulative Impact Assessment for 2024 to 2025 Budget Proposals, as at January 2024

1. Introduction

1.1 This document provides a cumulative view of impact of major budget saving proposals currently being progressed as of January 2024 on Denbighshire's people and places. It is based on the evidence provided by officers within the relevant Service areas through the Well-being Impact Assessment (WIA) tool, outlines the key findings of the cumulative impact assessment and makes recommendations for the next steps. It is intended that this cumulative assessment work is updated as existing WIAs are revised, and as new budget saving proposals are developed.

2. Approach

2.1 Major budget saving proposals that have an impact on Denbighshire's people and places have completed the Council's Well-being Impact Assessment (WIA) tool as part of their consideration and development and to aid decision making by Cabinet and the Corporate Executive Team (CET). WIA is an important and useful tool in identifying impacts, ensuring exposure of opportunities and consequence and a way of exploring mitigation action and controls. Eight savings proposals have been included within this cumulative assessment as of January 2023 and include:

- Review of Libraries Provision
- Car Parking fees
- Reduction to capital investment in highways
- Social Care Packages and Homelessness prevention
- Public Conveniences
- Asset Strategy
- School Budgets
- Increase in Council Tax

Cumulative Impact Assessment for 2024 to 2025 Budget Proposals, as at December 2024

2.2 Consideration of budget savings for the 2024 to 2025 budget will be a continuous process rather than a single event. This cumulative assessment will be revisited and updated along this continuous process as additional future saving proposals are put forward for consideration that have an impact on Denbighshire's people and places and a WIA is completed.

2.3 The cumulative assessment work has been undertaken by officers within the Council's Strategic Planning Team. The framework for assessing and analysing the cumulative impacts of savings proposals to date is based on the evidence provided by officers through the Well-being Impact Assessment (WIA) tool, and takes into account important legislation:

- Welsh Language (Wales) Measure 2011
- The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and The Equality Act (Authorities subject to the Socio-economic Inequality Duty) (Wales) Regulations 2021
- Well-being of Future Generations (Wales) Act 2015
- Environment (Wales) Act 2016
- Local Government and Elections (Wales) Act 2021

2.4 A core pillar of the approach is about balancing the needs of the present with the needs of future generations. This framework considers the sustainable development principle and considers risks for the future.

2.5 Evidence within the saving proposals WIAs has been reviewed and summarised. In some cases, existing WIAs have been challenged by officers within the Council's Strategic Planning Team where it is felt there is some possible optimism (and in some cases pessimism) bias. In these cases, overall impacts have been amended (e.g., from positive to neutral or negative to neutral) and indicated where impacts are probable or possible, pending additional evidence.

2.6 Taking the eight budget saving proposals together and analysing the distribution of their impact, conclusions have been drawn about those impacts and whether certain

Cumulative Impact Assessment for 2024 to 2025 Budget Proposals, as at December 2024

people, groups or places are affected differentially or disproportionately negatively impacted. Where a negative impact has been identified, an analysis of the ‘impact severity’ has been provided based on Public Health Wales methodology. This is to provide members and officers with an understanding as to the extent or degree to which a negatively identified impact may affect people or places (minimal, moderate, or major).

2.7 It should be noted that savings proposals are at different stages. Some are further developed and have a more comprehensive Well-being Impact Assessment (WIA) – e.g., parking charges. The majority are new and are still in development. Those WIAs tend to be in the form of a light-touch screening of impacts, with some gaps and a lack of supporting evidence.

3. Summary of findings: cumulative impact for people and places in Denbighshire

3.1 The table below provides a summary of the analysis of cumulative impact of the eight proposals taken together and provides a conclusion on nature of the impact (positive, negative, or neutral) and, where the impact is negative, the possible severity.

Locality Impact	Cumulative impact of the seven proposals	Possible severity* where negative (minimal, moderate, or major)
Rhyl	Negative (probable)	Moderate
Prestatyn	Negative (probable)	Moderate
Elwy	Negative (probable)	Moderate
Denbigh	Negative (probable)	Moderate
Ruthin	Negative (probable)	Moderate
Dee Valley	Negative (probable)	Moderate
Well-being Goals		
Prosperous Wales	Neutral	-
Resilient Wales	Positive (probable)	-
Healthier Wales	Negative (probable)	Minimal
More Equal Wales	Negative (probable)	Moderate <i>(Taken with impacts in areas with socio-economic deprivation the severity could be at least moderate).</i>

Cumulative Impact Assessment for 2024 to 2025 Budget Proposals, as at December 2024

Locality Impact	Cumulative impact of the seven proposals	Possible severity* where negative (minimal, moderate, or major)
A Wales of Cohesive Communities	Negative (possible)	Minimal
A Wales of Vibrant Culture and Thriving Welsh Language	Negative (possible)	Unknown <i>(Following inclusion of the Schools Budget proposal into this cumulative assessment, the overall impact is considered to be Negative (possible). Subject to how the savings proposals are achieved. There could be some reduction in support for cultural and Welsh-medium extra-curricular activities).</i>
A Globally Responsible Wales	Neutral	-
Sustainable Development		
Long Term e.g., impact and opportunities for recovery	Negative (probable)	Unknown <i>(Impacts could be felt over the longer-term, and service standards could be difficult to recover).</i>
Prevention e.g., likely impact on public service partners (and impact on demand for services)	Negative (probable and possible)	Minimal to moderate
Integration e.g., of sustainable development into all aspects of operation	Unknown <i>(Some proposals need to consider their impact on wider organisational objectives).</i>	-
Collaboration e.g., between departments, organisations, and sectors	Unknown <i>(Some proposals have not considered their impact on other partners.)</i>	Unknown <i>(Subject to how the savings proposals are achieved. There could be some impact on opportunities for collaboration).</i>
Involvement e.g., extent to which community can be involved and shape the proposal	Negative (probable)	Moderate.

*Possible severity is based on Public Health Wales Methodology and descriptions as follows:

Cumulative Impact Assessment for 2024 to 2025 Budget Proposals, as at December 2024

- *Major: Significant in intensity, quality, or extent. Significant or important enough to be worthy of attention, noteworthy.*
- *Moderate: Average in intensity, quality, or degree.*
- *Minimal: Of a minimum amount, quantity, or degree, negligible.*

3.2 Overall, there is a negative impact for all areas in the County. It is likely to be most acutely felt in areas with existing socio-economic disadvantage, and areas where it is more likely that people with protected characteristics live (which, the [evidence](#) suggests, tends to be areas of disadvantage). Pre-existing well-being inequality could be exacerbated for people (including children, young people and families) due to reduced capacity within schools or changes to public conveniences for example, which is likely to affect most negatively vulnerable or disadvantaged people. However, subject to mitigations the reduced service could have impacts that amount to some short-term disruption.

3.3 The severity of negative impacts for people in areas of socio-economic disadvantage / possessing one more protected characteristic is unknown and largely depends on how proposals can reduce negative impacts or design them out entirely, either by changing our proposals and / or by working alongside our partners.

3.4 The proposals offer some potentially positive long-term gains for sustainable development, e.g., by reducing our carbon emissions. However, the need to deliver savings quickly means that proposals are unlikely to be perfect in terms of whether they can safeguard the well-being of future generations; whether the proposals have been developed and informed by those affected by them; and in terms of how a proposal from one service could deliver budget savings in one area but increase costs or demands in another. It was observed that there is little scope for communities to have their say on savings proposals currently. It is likely that over the long-term, the proposals may result in poorer performance and standards. The ability to improve and recover is unknown at this time and depends on the extent to which services could be readily built back up again should financial recovery and

Cumulative Impact Assessment for 2024 to 2025 Budget Proposals, as at December 2024

investment into public services occur sooner or to a greater extent than might be expected.

4. Recommendations

- 4.1 All WIAs, but less developed ones in particular, will need to be revisited and updated as proposals develop. As proposals develop, mitigating controls should be identified through the WIA process to help minimise the severity of impact.
- 4.2 All existing and new WIAs should be undertaken as a group. Officers should seek advice from the Strategic Planning Team where there is uncertainty as to who to involve, or where facilitation may be required. Officers should engage, where that is possible, with groups likely to be affected.
- 4.3 Going forward, in line with budget savings being considered as continuing process rather than a single event, impact assessment will also need to be a continual process. All major budget saving proposals which have an impact on Denbighshire's people and places must continue to complete the Council's Well-being Impact Assessment (WIA) tool as part of their consideration and development. Impacts should be identified as confirmed, probable or possible. The Strategic Planning Team should continue to appraise and update the cumulative impact assessment to support CET and Cabinet in keeping a watchful eye on overall impacts arising from the whole set of budget proposals.
- 4.4 The council should share its assessment work with the Denbighshire Voluntary Services Council (DVSC) and the North East Wales Community Cohesion Team to look at ways in which we can support each other and mitigate any unintended disproportionately negative impacts. A meeting to do so with representatives has already been arranged for January 22.

Report to	County Council
Date of meeting	30 th January 2024
Lead Member / Officer	Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets / Liz Thomas, Head of Finance and Audit
Report author	Leah Gray / Liz Thomas
Title	Council Tax Reduction Scheme 2024/25

1. What is the report about?

The adoption of the All Wales Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the All Wales Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Amendment) (Wales) Regulations 2024

2. What is the reason for making this report?

From 31 March 2013 council tax benefit ceased and the responsibility for providing support for council tax and the funding associated with it, has been passed to the Welsh Government.

The Welsh Government have finalised both sets of annual regulations on 19th January 2024 and the new Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and amendments Regulations 2024 are required to be adopted by 31st January 2024.

The statutory instrument amendments to the 2013 CTRS Regulations uprate certain figures in those Regulations used to calculate entitlement to a council tax reduction. And the amount of any reduction awarded to applicants in the 2024/25 financial year, to reflect the increases in the cost of living. It also makes minor technical, presentational and consequential changes to the 2013 CTRS Regulations.

3. What are the Recommendations?

- 3.1. That members adopt the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Amendment) (Wales) Regulations 2024 in respect of the 2024/25 financial year.
- 3.2. That members approve the discretionary elements of the scheme, shown in section 4.4, for 2024/25 financial year.

4. Report details

4.1. The Proposed Scheme 2024/25

In considering the development of a new scheme for 2024/25, Welsh Government agreed that the amended scheme should observe the following parameters:

- To continue with a single nationally defined scheme to providing a consistent level of support to claimants across Wales. The maximum level of support is set at 100%.
- To continue providing a small number of discretionary elements, similar to those available under the current scheme, allowing local authorities to respond to their differing local circumstances (provided that the costs of any local variation are locally funded).
- To continue to be based on a reform of the previous Council Tax Benefit system, until 2025-26 so that operational risks are managed and that support can continue to be provided.

4.2 Uprating for 2024/25

The amended 2013 CTRS Regulations uprate financial figures used to calculate entitlement to a reduction in line with Welsh Government policy. A number of other figures are included in the uprating for 2024/25. These include:

- Personal allowances in relation to working age, and carer and disabled premiums
The financial figures in respect of these allowances have been amended and have increased in line with the cost-of-living rises. The convention is to uprate in line with

the Consumer Price Index figure for September from the previous year (2023), which is 6.7%.

- Personal allowances in relation to pensioners The financial figures in respect of pensioner rates have been amended and are aligned with Housing Benefit. These have been calculated with assistance from the Department of Work and Pensions and have been updated by different mechanisms. For example, the Pension Credit Standard Minimum Guarantee is updated by earnings, whereas the Additional Pension and increments are updated by prices.
- Non-dependant deductions The financial figures for the income bands and deductions made in relation to non-dependants have been updated. If amendments are not made, the deductions from CTRS awards would not be appropriate as the income thresholds would no longer reflect average earnings and the deduction would no longer reflect the overall cost of council tax.

4.3 Additional Amendments

- Widowed Parent's Back Payment WG have made amendments to the regulations to disregard any payment under this scheme or the Bereavement Support Payment from an applicant's capital.
- Compensation and Support Payments Applicants who receive compensation or support payments in relation to the Post Office Horizon System, the Vaccine Damage Payment Scheme, or the Infected Blood Inquiry will also be disregarded from the calculation of an applicant's capital under the scheme.

4.4 Discretionary Elements for Council Decision

Council are recommended to adopt the following three discretionary elements of the scheme:

- not to increase the standard extended payment period of 4 weeks Council Tax Reduction to applicants, after they return to work when they have been in receipt of a relevant qualifying benefit.
- disregard 100% of the War Disablement pensions and War Widows Pensions when calculating income
- not to increase the CTR maximum backdate period beyond the standard 3 months

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

Adopting this scheme will help vulnerable people, ensuring they are able to live as independently as possible, reduce homelessness and child poverty. If the uprating figures were not adopted, the eligibility criteria would be out of date, with earning thresholds no longer reflecting the overall cost of council tax. Applicants would be disadvantaged by reducing or stopping their entitlement to support. It could also cause confusion for applicants and increase the administrative burden for the Local Authority and local support providers.

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

£8.815m has been identified in the settlement for Denbighshire for Council Tax Support from the Welsh Government (£8.769m last year). However current expenditure is £10.817m and if the Net Council Tax increased by 9.53% (i.e the councils current proposed increase) the forecast expenditure for 2024/25 is circa £11.848m. This gives a shortfall of around £3.033m for 2024/25 for which budgetary provision has been made since 2013 and further £350k additional provision has been proposed as part of the budget proposals for 2024/25.

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

A Well-being Impact Assessment has not been completed for this report as the proposal is for the extension of the current scheme which was consulted on in 2012. There are no material changes proposed (and no changes to the discretionary elements), however it is a legal requirement that the scheme is formally approved by Council on an annual basis.

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

Not applicable as this is an extension of the current scheme, which was consulted on in 2012.

9. Chief Finance Officer Statement

The Council is required to adopt a reduction scheme annually. As funding for CTRS has remained static, or reduced across Wales for a number of years the impact of Council Tax

rises on the reduction scheme has to be funded locally. The proposals in this report have been included as part of the budget proposals for 2024/25.

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

There are risks to the Council in not adopting this scheme, in that Denbighshire CC would then have to adopt the default scheme, which may increase the total cost.

11. Power to make the decision

Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013.

The Council Tax Reduction Scheme (Default Scheme) (Wales) Regulations 2013.

Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2024.

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**Explanatory Memorandum to the Council Tax Reduction Schemes
(Prescribed Requirements and Default Scheme) (Amendment) (Wales)
Regulations 2024**

This Explanatory Memorandum has been prepared by Local Government Finance Reform Division and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Amendment) (Wales) Regulations 2024. I am satisfied the benefits justify the likely costs.

Rebecca Evans
Minister for Finance and Local Government
5 December 2023

PART 1

1 Description

- 1.1 Council Tax Reduction Schemes (CTRS) are the mechanism by which local authorities in Wales provide support to low-income households in meeting their council tax liability.
- 1.2 This statutory instrument makes amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (referred to collectively in this Explanatory Memorandum as ‘the 2013 CTRS Regulations’). It uprates certain figures used to calculate an applicant’s entitlement to a reduction under a Council Tax Reduction Scheme, and the subsequent level of reduction, and makes certain technical and consequential amendments.

2 Matters of special interest to the Legislation, Justice and Constitution Committee

- 2.1 None.

3 Legislative background

- 3.1 Section 10 of, and Schedule 4 to, the Local Government Finance Act 2012 inserted a new section 13A and new Schedule 1B into the Local Government Finance Act 1992 (the 1992 Act). These provisions enabled the Welsh Ministers to introduce Council Tax Reduction Schemes (CTRS) in Wales via regulations.
- 3.2 This statutory instrument is made pursuant to powers in section 13A and Schedule 1B to the 1992 Act. The instrument is subject to approval of the Senedd (the draft affirmative procedure) by virtue of section 13A(4) and (8) of the 1992 Act.

4 Purpose and intended effect of the legislation

- 4.1 This statutory instrument amends the 2013 CTRS Regulations to uprate certain figures in those Regulations used to calculate entitlement to a council tax reduction, and the amount of any reduction awarded to applicants in the 2024-25 financial year, to reflect increases in the cost of living. It also makes minor technical, presentational and consequential changes to the 2013 CTRS Regulations.

Background

- 4.2 The Welfare Reform Act 2012 contained provisions to abolish Council Tax Benefit from 31 March 2013. From 1 April 2013, responsibility for providing support for council tax was transferred to local authorities in England. Fixed funding, reduced by 10% compared to the 2012-13 costs, was passed to the

Welsh Government and to the Scottish Government to allow the Devolved Governments to develop replacement schemes.

- 4.3 Following the UK Government's decision, the Welsh Government sought provisions in the Local Government Finance Act 2012 which amended the 1992 Act, to provide the Welsh Ministers with executive powers to introduce Council Tax Reduction Schemes in Wales via regulations.
- 4.4 The 2013 CTRS Regulations were approved by the National Assembly for Wales on 26 November 2013.
- 4.5 The Welsh Government provided £244m in the Local Government Settlement for CTRS for 2013-14. This was partly funded through the fixed budget of £222m which was transferred from the UK Government. The Welsh Government provided an additional £22m to enable local authorities to continue to provide all eligible applicants with their full entitlement to support. The Welsh Government has continued to provide £244m within the local government settlement each year since.

2013 CTRS Regulations

- 4.6 Aligned with the provisions in the 1992 Act, the 2013 CTRS Regulations govern the operation of CTRS in Wales. These regulations were closely based on the previous Council Tax Benefit rules to prevent low-income households facing sharp changes in the level of support they received. All eligible applicants were automatically and seamlessly transferred from Council Tax Benefit onto Council Tax Reduction Schemes from 1 April 2013. If an applicant receives Income Support, Income-Based Jobseeker's Allowance (JSA), Income-Based Employment and Support Allowance (ESA), Pension Credit, or Pension Credit Guarantee, they are entitled to the maximum, full, reduction in their council tax liability. Approximately 44% of CTRS applicants in Wales receive these passporting benefits.
- 4.7 If an applicant does not receive any of the passporting benefits, the weekly amount of money which they are judged to need to live on is calculated. This is known as the 'applicable amount' and consists of two components.
 - The first is the personal allowance – the basic amount a person needs to live, which varies according to the household's circumstances. For example, the allowance for a couple with children is higher than that for a single person without children. These allowances are also set at higher rates for those who have reached State Pension Age.
 - The second component is the premium – additional amounts added to reflect any personal circumstances which increase the cost of living, such as a disability or a carer's responsibilities. Once the applicable amount has been determined, the applicant's level of income is calculated.

- 4.8 For CTRS, Universal Credit (UC) recipients are treated in a similar way to non-passported applicants. However, instead of an 'applicable amount' being calculated, the 'maximum amount' (calculated within their UC application) is used instead.
- 4.9 If the applicable amount or maximum amount is higher than an applicant's calculated income, they are entitled to the maximum reduction in their council tax liability. If income exceeds the applicable amount, the weekly entitlement is reduced by 20p for each £1 of excess weekly income, until entitlement is withdrawn – this is known as the taper.
- 4.10 Adjustments can be made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant and who are therefore assumed to make a financial contribution to the household (non-dependant deductions).
- 4.11 Adjustments can also be made to take into account of savings. If an applicant has capital of £6,000 (or £10,000 for pension age applicants) or less, this will be ignored when working out whether they are entitled to a reduction.
- 4.12 If a working-age applicant has capital of between £6,000 and £16,000, the local authority will treat it as income. This is known as tariff income. The local authority will assume an applicant has an income of £1 a week for each £250 of capital between £6,000 and £16,000. This will be added to other income to work out whether an applicant is entitled to a reduction and how much they are entitled to.
- 4.13 If a pension-age applicant has capital of between £10,000 and £16,000, the local authority will treat it as income. The local authority will assume an applicant has an income of £1 a week for each £500 of capital between £10,000 and £16,000. This will be added to other income to work out whether an applicant is entitled to a reduction and how much they are entitled to.

Uprating figures for 2024-25

- 4.14 This statutory instrument amends the 2013 CTRS Regulations to uprate financial figures used to calculate entitlement to a reduction in line with Welsh Government policy.
- 4.15 The statutory instrument seeks to uprate a number of other figures included in the 2013 CTRS Regulations. These include the following.
- Personal allowances in relation to working age, and carer and disabled premiums
The financial figures in respect of these allowances have been amended and have increased in line with the cost-of-living rises. The convention is to uprate in line with the Consumer Price Index figure for September from the previous year (2023), which is 6.7%.

- Personal allowances in relation to pensioners
The financial figures in respect of pensioner rates have been amended and are aligned with Housing Benefit. These have been calculated with assistance from the Department of Work and Pensions and have been uprated by different mechanisms. For example, the Pension Credit Standard Minimum Guarantee is uprated by earnings, whereas the Additional Pension and increments are uprated by prices.
- Non-dependant deductions
The financial figures for the income bands and deductions made in relation to non-dependants have been uprated. If amendments are not made, the deductions from CTRS awards would not be appropriate as the income thresholds would no longer reflect average earnings and the deduction would no longer reflect the overall cost of council tax.

Additional Amendments

4.16 In addition to uprating the financial figures, this statutory instrument makes a number of other amendments to the 2013 CTRS Regulations. These amendments make provision for the treatment of the following types of payments and ensure the 2013 Regulations remain up-to-date and fit for purpose.

Widowed Parents Allowance and Bereavement Support back payments

4.17 The proposed amendment to the 2013 CTRS Regulations will ensure no applicant living in Wales is negatively impacted because they have received a Widowed Parents Allowance (WPA) back payment or a retrospective Bereavement Support Payment (BSP).

4.18 The amendment makes provision to disregard any payment received from the calculation of an applicant's capital under the scheme.

4.19 The amendment proposes that any backdated BSP award would be aligned with the existing provision for BSP awards and disregarded for a period of 12 months. Any WPA back payments will continue to be disregarded from a person's capital.

Post Office Compensation payments

4.20 The UK Government has announced funding to enable the Post Office to deliver compensation schemes and arrangements for various cohorts of postmasters. These include the Horizon Shortfall Scheme, compensation arrangements for postmasters whose convictions were overturned and a compensation scheme for postmasters who did not receive remuneration during a suspension period.

4.21 An amendment will ensure no applicant living in Wales is negatively impacted because they receive any compensation or support payment made in connection with the failings of the Post Office Horizon system.

4.22 The amendment makes provision to disregard any compensation or support payment received from the calculation of an applicant's capital and a non-dependant's deduction under the scheme.

The Vaccine Damage Payment scheme

4.23 The Vaccine Damage Payment Scheme (VDPS) incorporated COVID-19 from December 2020, and the scheme is now processing these claims. The majority of VDPS awards are already disregarded relating to compensation for personal injury. However, this does not currently apply to the partners of vaccinated individuals who receive a payment derived from a VDPS award.

4.24 The proposed amendment to the 2013 CTRS Regulations will ensure that no applicant living in Wales is negatively impacted because they receive a payment under the Vaccine Damage Payments Act 1979 in respect of a partner.

4.25 The amendment makes provision to disregard a payment received from the calculation of an applicant's capital under the scheme.

The Infected Blood Inquiry

4.26 The Infected Blood Inquiry published its first interim report in July 2022: this made a number of recommendations for a framework for compensation and redress for the victims of infected blood. The report recommended that interim compensation payments of £100,000 be made to infected persons and bereaved partners who registered with a UK infected blood support scheme.

4.27 Where an infected person or their bereaved partner died before the interim payment could be made, the Government agreed that the interim payment of £100,000 would be made to that person's estate.

4.28 An amendment to the 2013 CTRS Regulations will ensure that no applicant living in Wales is negatively impacted because they receive an interim infected blood compensation payment from their deceased parent's estate.

4.29 The amendment makes provision to disregard a payment received from the calculation of an applicant's capital under the scheme.

Minor technical and consequential amendments

4.30 Some further minor technical amendments are proposed to the 2013 CTRS Regulations to align provisions in Wales with England and housing benefit provisions. These ensure an applicant who is a pensioner and responsible for a young person who is in receipt of an Armed Forces Independence Payment is taken into account when calculating eligibility. The amendment also ensures that the list of matters which must be disregarded in relation to non-dependant deductions in relation to working-age people also applies to pensioners.

4.31 A consequential amendment will also reflect changes to the legislative landscape as a result of The Tertiary Education and Research (Wales) Act 2022 which becomes operational from April 2024.

PART 2: REGULATORY IMPACT ASSESSMENT (RIA)

Options

Option 1 – Do nothing

- 1 If the financial figures used to assess household allowances in the council tax reduction means-test remained static, the criteria would be slightly less generous for non-passported applicants and would lead to small decreases in support in real terms.
- 2 The financial figures used to assess the eligibility of households with non-dependants would be out-of-date. The income thresholds would no longer reflect average earnings and the adjustment made to the final council tax reduction would no longer reflect overall cost of council tax.
- 3 If consequential amendments are not made to the 2013 CTRS Regulations, this would mean that they would not take account of changes to related welfare benefits and other legislation. This could disadvantage some applicants by reducing or stopping their entitlement to support. It could also create confusion for applicants and increase the administrative burden for local authorities and advice providers.
- 4 If the amendments to disregard the range of compensation schemes set out are not made, an applicant in Wales could be negatively impacted by a reduction or loss of their entitlement to support.

Option 2 – Make amending Regulations

- 5 This option would mean that amendments would be made to uprate the financial figures in the 2013 CTRS Regulations in line with Welsh Government policy, cost-of-living increases and changes to qualifying benefits.
- 6 The financial figures in relation to working age, disability or carer rates will continue to increase with the cost of living: this is 6.7%, as measured by CPI. The personal allowances for all pensioners will be uprated to reflect the higher personal allowance provided within the Housing Benefit system. The increase would be aligned to the UK Government's Standard Minimum Guarantee (in Pension Credit) plus the maximum amount of Savings Credit (in Pension Credit).
- 7 The financial figures used to calculate the adjustment for non-dependant deductions would be uprated. The income thresholds in relation to non-dependants would be uprated to reflect average earnings and the non-dependant deduction from CTRS would reflect the average increase in council tax.
- 8 The necessary technical and consequential amendments would also be made.

- 9 The amendments would disregard the range of compensation schemes from the calculation of an applicant's entitlement and ensure any support they are entitled to would be maintained.

Costs and Benefits

Costs

Option 1 – Do nothing

- 10 If the financial figures for working age and pensioner allowances do not increase with the cost of living (as measured by CPI), CTRS recipients would be slightly worse off in real terms.
- 11 The financial figures used to assess the eligibility of households with non-dependants would also be out-of-date. The calculation would no longer make a fair assessment of the income of non-dependants or the overall cost of council tax. There is a risk that this aspect of the scheme would be viewed as unfair or inequitable.
- 12 If the technical and consequential amendments to the 2013 CTRS Regulations are not made, they would no longer align with Housing Benefit provisions and other related benefits. It would lead to references being out of sync with the overall benefits system and could disadvantage certain applicants by reducing their entitlement to support. This could potentially lead to additional administrative burden on local authorities and advice providers. It may also lead to confusion for some applicants who, as a result, could be treated significantly differently under benefit schemes.

Benefits

- 13 Not uprating pensioner and working age allowance figures would help to limit any increases in total reductions under CTRS, meaning local authorities could raise more revenue for local services. However, not uprating figures in relation to non-dependant deductions, would result in council tax reductions for relevant households being higher than they would otherwise be.

Option 2 – Make amending Regulations

Costs

- 14 Uprating the financial figures in respect of pensioner and working age allowances would slightly increase total reductions under CTRS. However, if the financial figures in relation to non-dependant deductions were also uprated, this would mitigate some of the increase in total reductions. Consequently, total council tax reductions are not expected to rise substantially as a result of the uprating.
- 15 The number of people in Wales receiving payments under the VDPS and the Post Office or infected blood compensation schemes is expected to be small,

with little impact on the CTRS. The number of people receiving a Widowed Parents Allowance (WPA) back payment or a retrospective Bereavement Support Payment (BSP) is uncertain but is expected to be larger. However, the number of people eligible for CTRS will not change, rather, the disregards protect those people who are already entitled or in receipt of a reduction.

Benefits

- 16 Uprating the financial figures in the 2013 CTRS Regulations will ensure that the personal allowance for working age applicants continues to increase in line with the CPI (6.7%).
- 17 Uprating the financial figures in respect of the personal allowance for pensioners means the allowance continues to increase in line with the Standard Minimum Guarantee plus the Savings Credit. Maintaining the higher personal allowance for CTRS will help low-income households who reach state pension age to meet their council tax liability: they might otherwise receive less housing benefit compared to a pensioner who has already reached pension age.
- 18 If the financial figures in relation to non-dependant deduction rates are uprated, this will ensure the calculation used to assess the eligibility of non-dependant households remains up-to-date. The calculation would continue to make a fair assessment of the income of non-dependants and the cost of council tax. This will ensure the system remains fair and equitable.
- 19 As part of these Regulations, consequential and technical amendments are made that are associated with wider welfare changes made by the UK Government. This would ensure CTRS reflects changes made to interrelated social security benefits which often determine entitlement to a reduction. It would also avoid additional administrative burden for local authorities or advice providers arising from managing different regimes.

Sectors

- 20 Local government and the voluntary sector were consulted during the development of proposals to introduce CTRS in Wales. Local authorities have been informed of the proposed amendments for 2024-25.
- 21 This legislation will not affect the business sector.

Duties

- 22 In drafting these Regulations, consideration has been given to the duty on Welsh Ministers to promote equality and eliminate discrimination.
- 23 An Equality Impact Assessment was completed for the introduction of the 2013 CTRS Regulations.
- 24 This statutory instrument is provided bilingually. CTRS is implemented and operated by local authorities who are under general duties to comply with Welsh language and sustainable development duties.
- 25 Further consideration has been given as to whether CTRS could be used to improve the opportunities of persons to use the Welsh language treating the Welsh language no less favourably than the English language. As the sole

purpose of CTRS is to provide support to low-income households in meeting their council tax liability, it is considered there are no such opportunities.

- 26 Maintaining full entitlements to CTRS will continue to help low-income households in meeting their council tax liability and, as such, will contribute to the Welsh Government's commitment to make council tax fairer.

Competition assessment

- 27 These Regulations have been scored against the competition filter test which indicated that there will be no detrimental effect on competition.

Consultation

- 28 There is no requirement to consult, and no formal consultation has been undertaken in respect of this statutory instrument. The 2013 CTRS Regulations were consulted upon, and details are provided in the Regulatory Impact Assessments accompanying those Regulations. Dialogue is maintained between Welsh Government officials and local authorities to continue to ensure that all the changes made benefit applicants. The Regulations cannot be finalised until DWP has provided figures in relation to uprating. This typically occurs in the week before laying which means that there is no opportunity to consult. The Regulations must be made prior to 31 January preceding the financial year as this is the date by which an authority must make its scheme.

Post implementation review

- 29 Amendments are required on an annual basis to uprate the financial figures used to calculate entitlements to reductions. This provides an opportunity to review the legislation.

Draft Regulations laid before Senedd Cymru under section 13A(8) of the Local Government Finance Act 1992, for approval by resolution of Senedd Cymru.

DRAFT WELSH STATUTORY
INSTRUMENTS

2024 No. (W.)

COUNCIL TAX, WALES

**The Council Tax Reduction
Schemes (Prescribed Requirements
and Default Scheme) (Amendment)
(Wales) Regulations 2024**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (“the Prescribed Requirements Regulations”) and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (“the Default Scheme Regulations”) made under section 13A(4) and (5) of, and Schedule 1B to, the Local Government Finance Act 1992.

The Prescribed Requirements Regulations require each billing authority in Wales to make a scheme specifying the reductions that are to apply to amounts of council tax payable by persons, or classes of persons, whom the authority considers are in financial need. The Prescribed Requirements Regulations also set out the matters that must be included in such a scheme.

The Default Scheme Regulations set out a scheme that will take effect, in respect of dwellings situated in the area of a billing authority, if that authority fails to make its own scheme.

Regulation 3 inserts new definitions into the Prescribed Requirements Regulations as a consequence of other amendments made by these Regulations. Regulation 12 makes the same amendments to the Default Scheme Regulations.

Regulations 4(c) (but see further below), 6(a)(i) to (v) and (vii), 7(c), and 9(a)(i) to (v) and (vii) amend the Prescribed Requirements Regulations to create new

disregards in relation to payments made by the Secretary of State or the Post Office for the purpose of providing compensation or support in connection with the failings of the Post Office Horizon computer system or otherwise payable following the judgment in *Bates and Others v Post Office Ltd* ((No. 3) “Common Issues”) [2019] EWHC 606 (QB), or in relation to payments made under the Vaccine Damage Payments Act 1979. The same amendments are made by regulations 13(c), 17(a)(i) to (v) and (vii), and 18(a)(i) to (v) and (vii) of the Default Scheme Regulations.

Regulation 4(c) amends the Prescribed Requirements Regulations to correct a previous omission in those Regulations to ensure that the list of matters which must be disregarded in relation to non-dependant deductions which apply to working age persons also apply to pensioners. The same regulation also includes an amendment which provides for a disregard in relation to Post Office compensation payments (for which see above).

Regulation 5(d) amends the Prescribed Requirements Regulations to ensure that where an applicant or the partner of an applicant is responsible for a young person who is a member of the applicant’s household, and that young person is in receipt of an armed forces independence payment, then such a payment is taken into account when determining the amount of premium that applies for the purpose of determining the amount of any reduction. The same amendment is made to the Default Scheme Regulations by regulation 15(d).

Regulations 6(a)(vi) and 9(a)(vi) amend the Prescribed Requirements Regulations to enable certain payments made from the estate of a deceased person to be disregarded for the purpose of determining eligibility for a reduction. The disregard applies to payments derived from a payment made from an approved blood scheme, or the Scottish Infected Blood Support Scheme, which is to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29 July 2022. That report recommended that an interim payment should be made to all those infected from contaminated blood or blood products and all bereaved partners registered on UK infected blood support schemes and those who register before the inception of any future scheme. Where an infected person or their bereaved partner registered with such a scheme but died before the interim payment could be made, it will be paid to their estate. A payment derived from an interim payment paid from an estate of a deceased person will be disregarded for the purpose of determining eligibility for a reduction if it is made to a deceased person’s son, daughter, step-son or step-daughter. The same amendments are made to the

Default Scheme Regulations by regulations 17(a)(vi) and 18(a)(vi).

Regulations 6(b) and (c) and 9(b) and (c) amend the Prescribed Requirements Regulations in consequence of the Bereavement Benefits (Remedial) Order 2023 (S.I. 2023/134) (“the Remedial Order”) which came into force on 9 February 2023. By virtue of the Remedial Order, entitlement to bereavement benefits is extended to survivors of cohabiting partnerships who have dependent children. Previously these payments were only available to eligible bereaved parents who were married or in a civil partnership.

Certain lump sum payments of bereavement support payment and widowed parent’s allowance made to the survivors of cohabiting partnerships are disregarded when calculating an applicant’s capital for the purposes of entitlement to a council tax reduction. Any lump sum payment of bereavement support payment at the higher rate as set out in regulation 3(1) of the Bereavement Support Regulations 2017 will be disregarded for a period of 52 weeks, from 1 April 2024 or from the date of receipt of the payment, whichever is later. Any lump sum payment of widowed parent’s allowance, made to the surviving partner of a cohabiting partnership as a result of a death occurring before the coming into force of the Remedial Order, will be disregarded. The same amendments are made to the Default Scheme Regulations by regulations 17(b) and (c) and 18(b) and (c).

Regulation 10 amends the Prescribed Requirements Regulations in consequence of the Tertiary Education and Research (Wales) Act 2022. The amendment ensures that where access funds are paid to students on a discretionary basis by the Commission for Tertiary Education and Research, such funds are taken into account when determining eligibility for a council tax reduction. The same amendments are made to the Default Scheme Regulations by regulation 14.

The amendments made to the Prescribed Requirements Regulations by regulations 4(a) and (b), 5(a) to (c) and (e), 7(a) and (b) and 8 uprate certain figures used to calculate whether a person is entitled to a reduction, and if so, the amount of that reduction. The uprated figures apply to non-dependant deductions (adjustments made to the maximum amount of a reduction that a person can receive taking into account adults living in the dwelling who are not the applicant’s dependants) and the applicable amount (the amount against which an applicant’s income is compared to determine the reduction, if any, which the applicant may be entitled to receive). A number of other figures are also uprated to reflect changes to various other entitlements. The same amendments are

made to the Default Scheme Regulations by regulations 13(a) and (b), 15(a) to (c) and (e) and 16.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Local Government Finance Reform, Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

Draft Regulations laid before Senedd Cymru under section 13A(8) of the Local Government Finance Act 1992, for approval by resolution of Senedd Cymru.

DRAFT WELSH STATUTORY
INSTRUMENTS

2024 No. (W.)

COUNCIL TAX, WALES

**The Council Tax Reduction
Schemes (Prescribed Requirements
and Default Scheme) (Amendment)
(Wales) Regulations 2024**

Made

Coming into force

19 January 2024

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by section 13A(4) and (5) of, and paragraphs 2 to 6 of Schedule 1B to, the Local Government Finance Act 1992(1).

In accordance with section 13A(8) of that Act, a draft of this instrument has been laid before and approved by resolution of Senedd Cymru(2).

Title, coming into force, application and interpretation

1.—(1) The title of these Regulations is the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Amendment) (Wales) Regulations 2024.

(1) 1992 c. 14. Section 13A was substituted by section 10(1) of the Local Government Finance Act 2012 (c. 17). Schedule 1B was inserted by section 10(2) of, and paragraph 1 of Schedule 4 to, that Act. See section 116(1) of the 1992 Act for the definition of “prescribed”.

(2) The reference in section 13A(8) to the National Assembly for Wales now has effect as a reference to Senedd Cymru, by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32), as amended by section 9 of, and paragraph 2(7)(c) of Schedule 1 to, the Senedd and Elections (Wales) Act 2020 (anaw 1).

(2) These Regulations come into force on 19 January 2024.

(3) These Regulations apply in relation to a council tax reduction scheme made for a financial year beginning on or after 1 April 2024.

(4) In these Regulations—

“billing authority” (“*awdurdod bilio*”) has the meaning given in section 1(2)(b) of the Local Government Finance Act 1992 (“the 1992 Act”);

“council tax reduction scheme” (“*cynllun gostyngiadau'r dreth gyngor*”) means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013(1), or the scheme that applies in default by virtue of paragraph 6(1)(e) of Schedule 1B to the 1992 Act.

Amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013

2. The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 are amended in accordance with regulations 3 to 10.

3. In regulation 2(1) (interpretation)—

(a) at the appropriate places insert—

““the Horizon system” (“*y system Horizon*”) means any version of the computer system used by the Post Office known as Horizon, Horizon Legacy, Horizon Online or HNG-X;”;

““the Post Office” (“*Swyddfa'r Post*”) means Post Office Limited (registered number 02154540);”;

““Post Office compensation payment” (“*taliad digollediad Swyddfa'r Post*”) means a payment made by the Post Office or the Secretary of State for the purpose of providing compensation or support which is—

(a) in connection with the failings of the Horizon system, or

(b) otherwise payable following the judgment in *Bates and Others v Post Office Ltd* ((No. 3) “Common Issues”)(2);”;

(1) S.I. 2013/3029 (W. 301), amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21), S.I. 2017/46 (W. 20), S.I. 2018/14 (W. 7), S.I. 2019/11 (W. 5), S.I. 2020/16 (W. 2), S.I. 2021/34 (W. 9), S.I. 2022/51 (W. 19) and S.I. 2023/47 (W. 6).

(2) [2019] EWHC 606 (QB).

“vaccine damage payment” (*“taliad niwed drwy frechiad”*) means a payment made under the Vaccine Damage Payments Act 1979(1);”;

- (b) in the definition of “qualifying person”, after “means” insert “a person who is in receipt of a Post Office compensation payment or a vaccine damage payment or”.

4. In Schedule 1 (determining eligibility for a reduction: pensioners), in paragraph 3 (non-dependant deductions: pensioners)—

- (a) in sub-paragraph (1)—
- (i) in paragraph (a), for “£16.40” substitute “£17.35”;
 - (ii) in paragraph (b), for “£5.45” substitute “£5.80”;
- (b) in sub-paragraph (2)—
- (i) in paragraph (a), for “£236.00” substitute “£256.00”;
 - (ii) in paragraph (b), for “£236.00”, “£410.00” and “£10.90” substitute “£256.00”, “£445.00” and “£11.55” respectively;
 - (iii) in paragraph (c), for “£410.00”, “£511.00” and “£13.70” substitute “£445.00”, “£554.00” and “£14.50” respectively;
- (c) after sub-paragraph (9)(b) insert—
- “(c) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund or the Independent Living Fund (2006)(2);
 - (d) any Post Office compensation payment.”

5. In Schedule 2 (applicable amounts: pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowance)—
- (i) in sub-paragraph (1), for “£217.00” substitute “£235.20”;
 - (ii) in sub-paragraph (2), for “£324.70” substitute “£352.00”;

(1) 1979 c. 17.

(2) See regulation 2(1) (interpretation) of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 for the meaning of each term.

- (iii) in sub-paragraph (3), for “£324.70” and “£107.70” substitute “£352.00” and “£116.80” respectively;
 - (b) in column (2) of the Table in paragraph 2(1) (child or young person amounts), for “£77.78”, in both places it occurs, substitute “£83.24”;
 - (c) in paragraph 3 (family premium), for “£18.53” substitute “£19.15”;
 - (d) in paragraph 8 (disabled child premium)—
 - (i) at the end of sub-paragraph (c) for “.” substitute “; or”;
 - (ii) after sub-paragraph (c) insert—
 - “(d) is in receipt of an AFIP.”;
 - (e) in the second column (amount) of the Table in paragraph 12 (amounts of premium specified in Part 3)—
 - (i) in sub-paragraph (1), for “£76.40”, in both places it occurs, substitute “£81.50” and for “£152.80” substitute “£163.00”;
 - (ii) in sub-paragraph (2), for “£30.17” substitute “£32.20”;
 - (iii) in sub-paragraph (3), for “£74.69” substitute “£80.01”;
 - (iv) in sub-paragraph (4), for “£42.75” substitute “£45.60”.
- 6. In Schedule 5 (capital disregards: pensioners)—**
- (a) in paragraph 16—
 - (i) after sub-paragraph (1) insert—
 - “(1A) Any Post Office compensation payment or vaccine damage payment.”;
 - (ii) in sub-paragraph (2), after “Trusts” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (iii) in sub-paragraph (3), after “Trusts” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (iv) in sub-paragraph (5), after “Trusts” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (v) in sub-paragraph (6), after “Trusts” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (vi) after sub-paragraph (6) insert—
 - “(6A) Any payment out of the estate of a person, which derives from a payment to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29

July 2022⁽¹⁾ made under or by the Scottish Infected Blood Support Scheme or an approved blood scheme to the estate of the person, where the payment is made to the person’s son, daughter, step-son or step-daughter.”;

(vii) in sub-paragraph (7), after “Trusts” insert “or from a Post Office compensation payment or a vaccine damage payment”;

(b) in paragraph 28C—

(i) the existing text becomes sub-paragraph (1);

(ii) after sub-paragraph (1) insert—

“(2) Where bereavement support payment under section 30 of the Pensions Act 2014⁽²⁾ is paid to the survivor of a cohabiting partnership (within the meaning of section 30(6B)⁽³⁾ of that Act) in respect of a death occurring before 9 February 2023, any amount of that payment which is—

(a) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment Regulations 2017⁽⁴⁾, and

(b) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died,

but only for a period of 52 weeks beginning from 1 April 2024 or from the date of receipt of the payment, whichever is the later.”;

(c) after paragraph 28E insert—

“**28F.** Any payment of a widowed parent’s allowance made under section 39A of the SSCBA⁽⁵⁾—

(a) to the survivor of a cohabiting partnership (within the meaning of section 39A(7) of that Act) who is

(1) See <https://www.infectedbloodinquiry.org.uk/reports/first-interim-report>. A hard copy may be obtained from the Department for Work and Pensions, Caxton House, Tothill Street, London SW1H 9NA.

(2) 2014 c. 19. Section 30 has been amended by S.I. 2023/134.

(3) Subsection (6B) was inserted by S.I. 2023/134.

(4) S.I. 2017/410.

(5) 1992 c. 4. Section 39A was inserted by section 55(2) of the Welfare Reform and Pensions Act 1999 (c. 30). It was subsequently amended by sections 254(1) and 261(4) of, and paragraph 20 of Schedule 24 and Schedule 30 to, the Civil Partnership Act 2004 (c. 33); section 1(3) of and paragraph 3 of Schedule 1 to, the Child Benefit Act 2005 (c. 6); section 51 of the Welfare Reform Act 2007 (c. 5); section 31(5) and paragraph 12 of Schedule 16 to, the Pensions Act 2014; S.I. 2014/560; S.I. 2014/3229, S.I. 2019/1458 and S.I. 2023/134. There are other amendments but none are relevant to this instrument.

entitled to a widowed parent's allowance for a period prior to 9 February 2023, and

- (b) in respect of any period of time during the period ending with the day before the survivor makes a claim for a widowed parent's allowance."

7. In Schedule 6 (determining eligibility for a reduction: persons who are not pensioners), in paragraph 5 (non-dependant deductions: persons who are not pensioners)—

- (a) in sub-paragraph (1)—
 - (i) in paragraph (a), for "£16.40" substitute "£17.35";
 - (ii) in paragraph (b), for "£5.45" substitute "£5.80";
- (b) in sub-paragraph (2)—
 - (i) in paragraph (a), for "£236.00" substitute "£256.00";
 - (ii) in paragraph (b), for "£236.00", "£410.00" and "£10.90" substitute "£256.00", "£445.00" and "£11.55" respectively;
 - (iii) in paragraph (c), for "£410.00", "£511.00" and "£13.70" substitute "£445.00", "£554.00" and "£14.50" respectively;
- (c) in sub-paragraph (9), after paragraph (b) insert—
 - "(ba) any Post Office compensation payment;"

8. In Schedule 7 (applicable amounts: persons who are not pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1), for "£90.40", in both places it occurs, substitute "£96.45" and for "£71.55" substitute "£76.35";
 - (ii) in sub-paragraph (2), for "£90.40" substitute "£96.45";
 - (iii) in sub-paragraph (3), for "£141.95" substitute "£151.45";
- (b) in column (2) of the Table in paragraph 3(1), for "£77.78", in both places it occurs, substitute "£83.24";
- (c) in paragraph 4(1)(b) (family premium), for "£18.53" substitute "£19.15";
- (d) in the second column (amount) of the Table in paragraph 17 (amounts of premiums specified in Part 3)—

- (i) in sub-paragraph (1), for “£39.85” and “£56.80” substitute “£42.50” and “£60.60” respectively;
- (ii) in sub-paragraph (2), for “£76.40”, in both places it occurs, substitute “£81.50” and for “£152.80” substitute “£163.00”;
- (iii) in sub-paragraph (3), for “£74.69” substitute “£80.01”;
- (iv) in sub-paragraph (4), for “£42.75” substitute “£45.60”;
- (v) in sub-paragraph (5), for “£30.17”, “£19.55” and “£27.90” substitute “£32.20”, “£20.85” and “£29.75” respectively;
- (vi) in paragraph 23, for “£33.70” substitute “£35.95”;
- (vii) in paragraph 24, for “£44.70” substitute “£47.70”.

9. In Schedule 10 (capital disregards: persons who are not pensioners)—

- (a) in paragraph 29—
 - (i) after sub-paragraph (1) insert—

“(1A) Any Post Office compensation payment or vaccine damage payment.”;
 - (ii) in sub-paragraph (2), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (iii) in sub-paragraph (3), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (iv) in sub-paragraph (4), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (v) in sub-paragraph (5), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;
 - (vi) after sub-paragraph (5) insert—

“(5A) Any payment out of the estate of a person, which derives from a payment to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29 July 2022 made under or by the Scottish Infected Blood Support Scheme or an approved blood scheme to the estate of the person, where the payment is made to the person’s son, daughter, step-son or step-daughter.”;
 - (vii) in sub-paragraph (6), after “Trusts” insert “or from a Post Office compensation payment or a vaccine damage payment”;
- (b) in paragraph 65—

(i) the existing text becomes sub-paragraph (1);

(ii) after sub-paragraph (1) insert—

“(2) Where bereavement support payment under section 30 of the Pensions Act 2014 is paid to the survivor of a cohabiting partnership (within the meaning of section 30(6B) of that Act) in respect of a death occurring before 9 February 2023, any amount of that payment which is—

(a) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment Regulations 2017, and

(b) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died,

but only for a period of 52 weeks beginning from 1 April 2024 or from the date of receipt of the payment, whichever is the later.”;

(c) after paragraph 67 insert—

“68. Any payment of a widowed parent’s allowance made under section 39A of the SSCBA—

(a) to the survivor of a cohabiting partnership (within the meaning of section 39A(7) of that Act) who is entitled to a widowed parent’s allowance for a period prior to 9 February 2023, and

(b) in respect of any period of time during the period ending with the day before the survivor makes a claim for a widowed parent’s allowance.”

10. In Schedule 11 (students), in paragraph 1(1) (interpretation), in the definition of “access funds”, after paragraph (a) insert—

“(aa) any funding provided under section 85 of the Tertiary Education and Research (Wales) Act 2022(1) for the purpose of providing funds on a discretionary basis to be paid to students;”.

(1) 2022 asc 1.

Amendments to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013

11. The scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013(1) is amended in accordance with regulations 12 to 18.

12. In paragraph 2(1) (interpretation)—

(a) at the appropriate places insert—

““the Horizon system” (“*y system Horizon*”) means any version of the computer system used by the Post Office known as Horizon, Horizon Legacy, Horizon Online or HNG-X;”;

““the Post Office” (“*Swyddfa'r Post*”) means Post Office Limited (registered number 02154540);”;

““Post Office compensation payment” (“*taliad digollediad Swyddfa'r Post*”) means a payment made by the Post Office or the Secretary of State for the purpose of providing compensation or support which is—

(a) in connection with the failings of the Horizon system, or

(b) otherwise payable following the judgment in *Bates and Others v Post Office Ltd* (No. 3) “Common Issues”);”;

““vaccine damage payment” (“*taliad niwed drwy frechiad*”) means a payment made under the Vaccine Damage Payments Act 1979;”;

(b) in the definition of “qualifying person”, after “means” insert “a person who is in receipt of a Post Office compensation payment or a vaccine damage payment or”.

13. In paragraph 28 (non-dependant deductions: pensioners and persons who are not pensioners)—

(a) in sub-paragraph (1)—

(i) in paragraph (a), for “£16.40” substitute “£17.35”;

(ii) in paragraph (b), for “£5.45” substitute “£5.80”;

(b) in sub-paragraph (2)—

(1) S.I. 2013/3035 (W. 303), amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21), S.I. 2017/46 (W. 20), S.I. 2018/14 (W. 7), S.I. 2019/11 (W. 5), S.I. 2020/16 (W. 2), S.I. 2021/34 (W. 9), S.I. 2022/51 (W. 19) and S.I. 2023/47 (W. 6).

- (i) in paragraph (a), for “£236.00” substitute “£256.00”;
- (ii) in paragraph (b), for “£236.00”, “£410.00” and “£10.90” substitute “£256.00”, “£445.00” and “£11.55” respectively;
- (iii) in paragraph (c), for “£410.00”, “£511.00” and “£13.70” substitute “£445.00”, “£554.00” and “£14.50” respectively;
- (c) in sub-paragraph (9)—
 - (i) at the end of paragraph (b) omit “and”;
 - (ii) after paragraph (b) insert—
 - “(ba) any Post Office compensation payment;”;
 - (iii) at the end of paragraph (c) omit “and”.

14. In paragraph 70(1) (interpretation), in the definition of “access funds”, after paragraph (a) insert—

“(aa) any funding provided under section 85 of the Tertiary Education and Research (Wales) Act 2022 for the purpose of providing funds on a discretionary basis to be paid to students;”.

15. In Schedule 2 (applicable amounts: pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowance)—
 - (i) in sub-paragraph (1), for “£217.00” substitute “£235.20”;
 - (ii) in sub-paragraph (2), for “£324.70” substitute “£352.00”;
 - (iii) in sub-paragraph (3), for “£324.70” and “£107.70” substitute “£352.00” and “£116.80” respectively;
- (b) in column (2) of the Table in paragraph 2(1) (child or young person amounts), for “£77.78”, in both places it occurs, substitute “£83.24”;
- (c) in paragraph 3 (family premium), for “£18.53” substitute “£19.15”;
- (d) in paragraph 8 (disabled child premium)—
 - (i) at the end of sub-paragraph (c) for “.” substitute “; or”;
 - (ii) after sub-paragraph (c) insert—
 - “(d) is in receipt of an AFIP.”;

- (e) in the second column (amount) of the Table in paragraph 12 (amounts of premium specified in Part 3)—
 - (i) in sub-paragraph (1), for “£76.40” in both places it occurs, substitute “£81.50” and for “£152.80” substitute “£163.00”;
 - (ii) in sub-paragraph (2), for “£30.17” substitute “£32.20”;
 - (iii) in sub-paragraph (3), for “£74.69” substitute “£80.01”;
 - (iv) in sub-paragraph (4), for “£42.75” substitute “£45.60”.

16. In Schedule 3 (applicable amounts: persons who are not pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
 - (i) in sub-paragraph (1), for “£90.40”, in both places it occurs, substitute “£96.45” and for “£71.55” substitute “£76.35”;
 - (ii) in sub-paragraph (2), for “£90.40” substitute “£96.45”;
 - (iii) in sub-paragraph (3), for “£141.95” substitute “£151.45”;
- (b) in column (2) of the Table in paragraph 3(1) (amount), for “£77.78”, in both places it occurs, substitute “£83.24”;
- (c) in paragraph 4(1)(b) (family premium), for “£18.53” substitute “£19.15”;
- (d) in the second column (amount) of the Table in paragraph 17 (amount of premiums specified in Part 3)—
 - (i) in sub-paragraph (1), for “£39.85” and “£56.80” substitute “£42.50” and “£60.60” respectively;
 - (ii) in sub-paragraph (2), for “£76.40”, in both places it occurs, substitute “£81.50” and for “£152.80” substitute “£163.00”;
 - (iii) in sub-paragraph (3), for “£74.69” substitute “£80.01”;
 - (iv) in sub-paragraph (4), for “£42.75” substitute “£45.60”;
 - (v) in sub-paragraph (5), for “£30.17”, “£19.55” and “£27.90” substitute “£32.20”, “£20.85” and “£29.75” respectively;
- (e) in paragraph 23, for “£33.70” substitute “£35.95”;
- (f) in paragraph 24, for “£44.70” substitute “£47.70”.

17. In Schedule 8 (capital disregards: pensioners)—

- (a) in paragraph 16—
 - (i) after sub-paragraph (1) insert—

“(1A) Any Post Office compensation payment or vaccine damage payment.”;
 - (ii) in sub-paragraph (2), after “Trusts” insert

“or from a Post Office compensation payment or a vaccine damage payment”;
 - (iii) in sub-paragraph (3), after “Trusts” insert

“or from a Post Office compensation payment or a vaccine damage payment”;
 - (iv) in sub-paragraph (5), after “Trusts” insert

“or from a Post Office compensation payment or a vaccine damage payment”;
 - (v) in sub-paragraph (6), after “Trusts” insert

“or from a Post Office compensation payment or a vaccine damage payment”;
 - (vi) after sub-paragraph (6) insert—

“(6A) Any payment out of the estate of a person, which derives from a payment to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29 July 2022 made under or by the Scottish Infected Blood Support Scheme or an approved blood scheme to the estate of the person, where the payment is made to the person’s son, daughter, step-son or step-daughter.”;
 - (vii) in sub-paragraph (7), after “Trusts” insert

“or from a Post Office compensation payment or a vaccine damage payment”;
- (b) in paragraph 28C—
 - (i) the existing text becomes sub-paragraph (1);
 - (ii) after sub-paragraph (1) insert—

“(2) Where bereavement support payment under section 30 of the Pensions Act 2014 is paid to the survivor of a cohabiting partnership (within the meaning of section 30(6B) of that Act) in respect of a death occurring before 9 February 2023, any amount of that payment which is—

 - (a) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment Regulations 2017, and
 - (b) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died,

but only for a period of 52 weeks beginning from 1 April 2024 or from the date of receipt of the payment, whichever is the later.”;

(c) after paragraph 28E insert—

“**28F.** Any payment of a widowed parent’s allowance made under section 39A of the SSCBA—

- (a) to the survivor of a cohabiting partnership (within the meaning of section 39A(7) of that Act) who is entitled to a widowed parent’s allowance for a period prior to 9 February 2023, and
- (b) in respect of any period of time during the period ending with the day before the survivor makes a claim for a widowed parent’s allowance.”

18. In Schedule 9 (capital disregards: persons who are not pensioners)—

(a) in paragraph 29—

(i) after sub-paragraph (1) insert—

“(1A) Any Post Office compensation payment or vaccine damage payment.”;

(ii) in sub-paragraph (2), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;

(iii) in sub-paragraph (3), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;

(iv) in sub-paragraph (5), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;

(v) in sub-paragraph (6), after “refers” insert “or from a Post Office compensation payment or a vaccine damage payment”;

(vi) after sub-paragraph (6) insert—

“(6A) Any payment out of the estate of a person, which derives from a payment to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29 July 2022 made under or by the Scottish Infected Blood Support Scheme or an approved blood scheme to the estate of the person, where the payment is made to the person’s son, daughter, step-son or step-daughter.”;

(vii) in sub-paragraph (7), after “Trusts” insert “or from a Post Office compensation payment or a vaccine damage payment”;

(b) in paragraph 65—

(i) the existing text becomes sub-paragraph (1);

(ii) after sub-paragraph (1) insert—

“(2) Where bereavement support payment under section 30 of the Pensions Act 2014 is

paid to the survivor of a cohabiting partnership (within the meaning of section 30(6B) of that Act) in respect of a death occurring before 9 February 2023, any amount of that payment which is—

(a) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment Regulations 2017, and

(b) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died,

but only for a period of 52 weeks beginning from 1 April 2024 or from the date of receipt of the payment, whichever is the later.”;

(c) after paragraph 67 insert—

“68. Any payment of a widowed parent’s allowance made under section 39A of the SSCBA—

(a) to the survivor of a cohabiting partnership (within the meaning of section 39A(7) of that Act) who is entitled to a widowed parent’s allowance for a period prior to 9 February 2023, and

(b) in respect of any period of time during the period ending with the day before the survivor makes a claim for a widowed parent’s allowance.”

Name

Minister for Finance and Local Government, one of the Welsh Ministers

Date

COUNCIL FORWARD WORK PROGRAMME

Meeting	Item (Description / Title)		Purpose of Report	Council Decision Required (yes/no)	Lead member and Contact Officer
30 January 2024	1	Budget 2024-2025 – Final Proposals		Yes	Lead Member – Cllr Gwyneth Ellis Head of Finance – Liz Thomas
	2	Council Tax Reduction Scheme 2024-2025		Yes	Lead member – Cllr Gwyneth Ellis Head of Finance – Liz Thomas Report Author – Paul Barnes
27 February 2024	1	Council Tax 2024/2025 and associated matters		Yes	Lead Member – Cllr Gwyneth Ellis Head of Finance – Liz Thomas Report Author – Paul Barnes
	2	Capital Plan 2024/2025 and recommendations of the Strategic Investment Group		Yes	Lead Member – Cllr Gwyneth Ellis Head of Finance – Liz Thomas
	3	Treasury Management Strategic Statement (TMSS) 2024/2025 and Prudential Indicators 2024/2025		Yes	Lead Member – Cllr Gwyneth Ellis Head of Finance – Liz Thomas Report Author – Rhys Ifor Jones
	4	Review the composition of the Standards Committee Recruitment Panel		Yes	Gary Williams Lisa Jones
	5	Corporate Plan Update	To consider the corporate plan.	Yes	Cllr Julie Matthews / Helen Vaughan-Evans

COUNCIL FORWARD WORK PROGRAMME

14 May 2024	1	Appointment of the Chair and Vice-Chair of County Council	To appoint the Chair and Vice-Chair of the Council for the 2024-2025 municipal year	Yes	Gary Williams / Steve Price
	2	Pay Policy Statement 2024-2025	To approve the Pay Policy Statement for 2024-2025	Yes	Lead Member – Cllr Gwyneth Ellis Head of Service – Catrin Roberts Report Author – Sophie Vaughan
	3	Annual Review of Political Balance and Appointment of Scrutiny Chairs	To consider a report on Political Balance and Committee-related issues	No	Lead Member – Cllr Julie Matthews Head of Service – Catrin Roberts Report Author – Steve Price
	4	Annual Report of Scrutiny	To review the annual report of Scrutiny	No	Lead Member – Cllr Julie Matthews Head of Service – Catrin Roberts Report Authors – Rhian Evans and Karen A. Evans
	5	Petition Scheme	To approve a Petition Scheme for the Council	Yes	Cllr Julie Matthews / Gary Williams
9 July 2024	1	Reviewed and updated Denbighshire County Council's Climate and Ecological Change Strategy (2021-2030)	To present the reviewed and updated Climate and Ecological Change strategy document for Council to decide on whether to adopt it	Yes	Cllr Barry Mellor / Liz Wilcox-Jones / Helen Vaughan-Evans
	2	Council Performance Self-Assessment 2023 to 2024 (year end)	To consider a report by the Strategic Planning Team for Council to approve the Performance Self-Assessment 2023 to 2024.	Yes	Cllr Gwyneth Ellis Lead Officer/Report Author – Helen Vaughan-Evans, Iolo McGregor, Emma Horan
10 September 2024					
12 November 2024					

COUNCIL FORWARD WORK PROGRAMME

FUTURE ITEMS

Meeting	Item (Description / Title)	Purpose of Report	Council Decision Required (yes/no)	Lead member and Contact Officer
TBC	Review of Polling Places and Stations	To consider a statutory review of the county's polling places and polling stations.	Yes	Cllr Julie Matthews / Steve Price / Shellan Rowley

Note for Officers – Full Council Report Deadlines

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
				30.01.2024	16.01.2024
27.02.2024	13.02.2024	14.05.2024	30.04.2024	09.07.2024	25.06.2024
10.09.2024	27.08.2024	12.11.2024	29.10.2024		

Updated 23/1/2024 - SLW

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Council Workshops Forward Work Programme

DATE OF COUNCIL WORKSHOP	TOPIC(S)	LEAD SLT / LEAD MEMBER
2024 DATES Tuesday 2pm		
6 February		
12 March	Waste Model pre roll out of the new model	Tony Ward / Russell Vaughan / Peter Clayton / Simon Lammond Councillor Barry Mellor
9 April	Update on National Park Proposal from Natural Resources Wales	Huw Rees / Emlyn Jones / Councillor Win Mullen-James
7 May		
11 June		
16 July		
3 September		
1 October		
5 November		
10 December		

Reserve List for consideration post 2023;

1. Strategic Flooding approach (inc DCC Strategy) - Tony Ward & Emlyn Jones / Councillor Barry Mellor

Council Workshops Forward Work Programme

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

Promotion of Welsh Language (within the Council, Communities and Schools - Welsh Education Strategic Plan, New Language Categorisation). (This was the topic for the 10 oct 2023 Workshop which meeting was cancelled, with the intention of being rescheduled).

Revised 19/1/24 SLW