

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 10 July 2012 at 10.00 am.

PRESENT

Councillors Ian Armstrong, Raymond Bartley, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ann Davies, James Davies, Meirick Davies, Richard Davies, Hugh Evans, Peter Evans, Bobby Feeley, Carys Guy-Davies, Huw Hilditch-Roberts, Martyn Holland, Colin Hughes, Rhys Hughes, Hugh Irving, Alice Jones, Huw Jones, Pat Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Margaret McCarroll, Jason McLellan, Barry Mellor, Bob Murray, Peter Owen, Merfyn Parry, Arwel Roberts, Gareth Sandilands, David Simmons, Barbara Smith, David Smith, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams, Eryl Williams and Huw Williams

ALSO PRESENT

L Atkin (Head of Strategic HR), G Boase (Head of Planning, Regeneration and Regulatory Services), P Gilroy (Head of Adult and Business Services), A Loftus (Planning Policy Manager), M Mehmet (Chief Executive), S Price (Democratic Services Manager) and G Williams (Head of Legal and Democratic Services)

1 APOLOGIES

Apologies for absence were received from Councillors Bill Cowie, Stuart Davies, Peter Duffy, Win Mullen-James, Dewi Owens, Allan Pennington and Bill Tasker

RHYL HIGH SCHOOL - OLYMPIC TORCH BEARERS

The Chairman welcomed pupils from Rhyl High School who had been selected to be Olympic Torchbearers as part of the Flame Followers programme for the London 2012 Olympic Torch Relay

The pupils addressed Council reporting that the school was selected because it had used the London 2012 Olympic and Paralympic Games to raise awareness of the Olympic values. The sponsors of the Torchbearers programme found that Rhyl High School's sporting successes and the number of students who had achieved individual success in sports - including at international standard - together with success in coaching and development, made them worthy participants.

The Chairman and councillors, including the member representing Rhyl South East, Councillor Blakeley, paid tribute to the Headteacher, staff and pupils for the significant improvements achieved by the school.

CHAIRMAN'S ANNOUNCEMENTS

The Chairman drew Members' attention to a 'Delivering Members' Priorities' event on the 31 July 2012 which would help shape the Council's future priorities; and to the success of the Denbighshire Youth Choir in being awarded the 'Rockschool Junior Choir Award' yesterday at the National Festival of Music for Youth at Birmingham Symphony Hall.

Councillor Eryl Williams led members in silent tribute to Mr Phil Rafferty, Conwy Council's Head of Regulatory Services who had also provided advice and support for Denbighshire's Licensing Committee.

2 DECLARATIONS OF INTEREST

Councillor Alice Jones declared a non-prejudicial, personal interest in agenda item 6 – Update of Denbighshire Local Development Plan. She indicated that she would be speaking on LDP issues in her role as ward member for Bodelwyddan.

3 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent matters.

4 MINUTES

RESOLVED *The minutes of the Annual Meeting of Council on the 15 May 2012 and the meeting of Council on the 22 May 2012 were confirmed as a correct record.*

EXCLUSION OF PRESS AND PUBLIC

It was **resolved** that, under Section 100A of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds of the likely disclosure of exempt information as disclosed in paragraphs 12 and 13 of Part 4 of Schedule 12A of the Local Government Act 1972.

5 APPOINTMENT OF CORPORATE DIRECTOR: ECONOMIC AND COMMUNITY AMBITION

The Head of Strategic HR and the Council's recruitment adviser reported on the recruitment process undertaken which had resulted in 31 applications and 6 candidates being taken through an assessment process. Members were advised that a Special Appointments' Panel of councillors had judged two of the candidates to be potentially suitable for appointing.

The two candidates gave presentations to Council and responded to set-questions.

The recruitment adviser outlined the results of the tests that had been held as part of the assessment process.

RESOLVED – *that Rebecca Maxwell be appointed to the post of Corporate Director: Economic and Community Ambition.*

PART I - THE MEETING RESUMED IN OPEN SESSION

6 UPDATE OF DENBIGHSHIRE LOCAL DEVELOPMENT PLAN

The Head of Planning, Regeneration and Regulatory Services (HPRRS) introduced a report that provided updated information on the Local Development Plan (LDP) and which sought authorisation for Group Leaders to oversee and monitor work undertaken in response to the findings of the Inspector from the Planning Inspectorate.

Councillor Eryl Williams referred to the long LDP process, commended the councillors who had contributed to the development of the plan and requested clarification of the Inspector's position and the process ahead.

The HPRRS referred to the Inspector's notes on housing need and supply attached as appendices to the report. He advised that the Inspector had accepted the Council's estimate of Denbighshire's needing 7,500 new homes built over the lifetime of the LDP but he still believed that additional sites would be needed to deliver those homes. Accordingly, the Council was being asked to identify additional sites for housing development. He confirmed that local councillors and the Member Area Groups would be consulted on proposals within their areas.

Councillor Joan Butterfield reported that some councillors had received a letter from Bodelwyddan Town Council which suggested that incorrect processes had been followed.

Councillor Alice Jones had previously declared a personal interest in this item. Councillor Jones stated that she had not been involved in the letter referred to and was not suggesting that improper processes had been followed. She was however concerned that the LDP as it stood was unmanageable, had too much of the housing need allocation in one site (Bodelwyddan) and that the current plan should be withdrawn and re-drafted.

Councillor Jones outlined her constituents' disapproval of the proposed large housing allocations in Bodelwyddan.

Councillor Jones proposed an amendment to recommendation 2 of the report, seconded by Councillor Rhys Hughes, which would authorise the previously constituted LDP Implementation Steering Group to oversee and monitor the LDP work in relation to the Inspector's findings, rather than the Group Leaders.

On being put to the vote the amendment was lost.

RESOLVED – *that Council:*

- (i) Notes the contents of the report;*
- (ii) Authorises the Group Leaders to oversee and monitor work undertaken in response to the Inspectors' findings; and*
- (iii) Agrees that the results of consultation on any additional sites for housing development will be reported back to full Council in November and for Council to consider whether additional sites should be submitted to the Inspectors conducting the LDP Examination.*

7 FINAL REVENUE OUTTURN 2011/12

Councillor Julian Thompson-Hill (Lead Member for Finance and Assets) introduced a report by the Head of Finance and Assets (previously circulated) that sought Council's approval of the final revenue outturn position for 2011 / 2012 and the treatment of reserves and balances as detailed in appendices 1 and 2 of the report.

Councillor Thompson-Hill reported that the outturn position was generally good for the last financial year because overall services had spent less than their allocated budgets and the Council Tax yield had increased. He advised that a lot of work had been done with those schools experiencing financial difficulties.

He proposed that services be allowed to carry forward their under-spends in full to deliver the 2012 / 2013 budget strategy and that he would take a report to Cabinet on how they proposed to spend those funds. Councillor Thompson-Hill also proposed that £600K of the un-allocated funds be used to build cash reserves to contribute to the Modernising Education / 21st Century Schools capital programme.

In the ensuing discussion Members considered the following points:

- Single Status financial reserves and timescales for resolution
- Schools' balances which had risen by £223K. The Chief Executive advised that different schools had different balances and one school's surplus balance could not legally be taken to subsidise another school's deficit balance.
- The current uncertainty about the levels of match funding from the Welsh Government for capital works to schools.
- Councillor Brian Blakeley highlighted his deep concerns regarding funding levels for the Council's day-care centre provision which he reported provided excellent services for the elderly.
- Any acronyms in future reports to be fully explained.

RESOLVED – *that Council:*

- (i) *Approves the final revenue outturn position for 2011 / 2012; and*
- (ii) *Approves the treatment of reserves and balances as detailed in the report and in appendix 2 to the report.*

8 APPOINTMENT OF LAY MEMBER TO CORPORATE GOVERNANCE COMMITTEE

The Head of Legal and Democratic Services (HLDS) introduced a report (previously circulated) regarding the appointment of a lay member to the Corporate Governance Committee.

The HLDS advised that as the Corporate Governance Committee was the Council's Audit Committee for the purposes of the Local Government (Wales) Measure 2011 at least one lay member was required for the Committee. He outlined the recruitment and interview process that had been used.

Councillor Martyn Holland reported on the interviews which he and Councillor David Simmons had participated in as part of an interview panel of councillors and officers which had led to a recommendation being put to Council today.

RESOLVED *That Council appoints Mr Paul Whitham as a lay member of the Corporate Governance Committee, as recommended by the interview panel, for a term of office to expire on the date of the next local government election in 2017.*

9 LOCAL GOVERNMENT BOUNDARY COMMISSION FOR WALES - COUNCIL SIZE POLICY CONSULTATION PAPER

The Head of Legal and Democratic Services (HLDS) introduced a report (previously circulated) that sought Council's approval of the submission of a draft consultation response to the Commission's proposals on the number of elected members in each unitary authority in Wales.

The HLDS reported that the consultation paper had been circulated to group leaders for the views of their members to be incorporated into the Council's response.

In response to Councillor Colin Hughes the HLDS confirmed that a previous boundary review had been scrapped and replaced by this review. He added that the review set minimum and maximum levels for council sizes (30 and 75 councillors respectively) and that Denbighshire's figure was given as 43 councillors, but the Commission had indicated that their figures could be altered by 3 councillors either way. This would be the starting point for the review and the Commission would be visiting each authority as the review progressed.

As the Commission's figures were based on a ratio of one councillor for every 1,750 electors Councillor Martyn Holland queried whether the impact of the 7,500 new homes proposed under the Planning Inspectorate's LDP findings had been considered by the Commission.

RESOLVED – *that, subject to references to the impact of the new housing developments proposed under the draft Local Development Plan being included for consideration by the Commission, Council approves the submission of the consultation response shown at appendix 4 of the report.*

10 ANNUAL COUNCIL REPORT: SOCIAL SERVICES 2011/2012

The Head of Adult and Business Services (HABS) introduced a report (previously circulated) by the Corporate Director: Modernisation and Well-being which sought Council's endorsement of the Director's assessment and improvement priorities for 2012 / 2013.

The HABS summarised the assessment by reporting that overall Denbighshire Social Services has continued to perform well and he outlined the main challenges facing the service which included legislative changes in Wales that needed to be addressed.

Councillor Bobby Feeley (Lead Member for Social Care and Children's Services) endorsed the HABS' comments and the report and expressed her hopes that gaps in provision would be met by Social Services and the NHS working effectively together.

During the discussion Members referred to:

- The beneficial services delivered through extra care housing schemes
- An appreciation of the services provided through day care centres and concerns over the uncertain future of some centres in Rhyl and Denbigh were raised by Councillors Blakeley, Bartley and Colin Hughes
- Problems experienced by some people who require help in knowing what health or social services were available and how to access them.

Councillor Feeley encouraged Members to attend a Corporate Priorities-setting event on the 31 July 2012 to ensure that future priorities reflected councillors' priorities in respect of social services.

RESOLVED – Council endorses the Director's assessment and improvement priorities for 2012 / 2013 as detailed in the report.

11 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services introduced the Council's Forward Work Programme (previously circulated) and reported the following new items for inclusion in September 2012:

- A Community Covenant with the Armed Forces
- West Rhyl Housing Improvement Project
- Standards Committee – Independent Members' Terms of Office

RESOLVED that the forward work programme be noted.