

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 20 February 2018 at 10.00 am.

PRESENT

Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies, Hugh Evans, Peter Evans, Bobby Feeley, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Hugh Irving, Alan James, Brian Jones, Huw Jones, Tina Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Richard Mainon, Christine Marston, Barry Mellor, Melvyn Mile, Bob Murray, Merfyn Parry, Paul Penlington, Pete Prendergast (Chair), Arwel Roberts, Anton Sampson, Peter Scott, Andrew Thomas, Tony Thomas, Graham Timms, Joe Welch, Cheryl Williams, Eryl Williams, Huw Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (MM), Head of Legal, HR & Democratic Services (GW), Chief Finance Officer / Section 151 Officer (RW), Head of Business Improvement & Modernisation (AS), Principal Manager, Education & Children's Services (JW), Principal Manager, Support Services (AL), Regional Project Manager – Population Assessment (SB), Head of Regional Collaboration (BJE), Strategic Planning Team Manager (NK) and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Pat Jones, Glenn Swingler, Rhys Thomas, Julian Thompson-Hill and David Williams

2 DECLARATIONS OF INTEREST

Councillor Paul Penlington declared a personal interest in item 10 – Appointment of a City, Town and Community Member to Standards Committee.

Councillor Meirick Lloyd Davies declared a personal interest for the question raised under Item 3 – Urgent matters.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No Urgent Matters.

At this juncture Councillor Meirick Lloyd Davies raised a question.

As per the Constitution, Councillor Davies had provided two clear days' notice of the question whereupon he would receive a reply but not debate would take place.

The question put forward was as follows:

The Highways Department under the Highways Act, 1980, are responsible for ensuring that owners of trees, hedges and growth along the highway is cut back to allow walkers, horse riders and traffic to have clear, unobstructed access on the County's roads.

A clear and understandable email was received from Jon Chapman, 14 November 2017, which outlines the regulatory requirements on farmers and land owners.

Therefore, why does the County and the above department refuse to cut back and kill growth of hedges, trees etc., which are growing unrestricted on the side of the road (to the Bodelyyddan Castle Walls) and local farmers (Engine Hill) from Glascoed Road, B5381 by the houses 1-8 Ffordd Glascoed, down (Engine Hill) for example?

Response by the Lead Member for Highways, Planning and Sustainable Travel, Councillor Brian Jones:

Our approach to the issue of roadside hedges and trees is consistent with the approach outlined in the procedures for dealing with trees that was presented to Communities Scrutiny Committee on 18 January 2018. Each issue is assessed on its own merits, and the general rule is that we won't take any action unless the growth constitutes a significant issue, i.e. hazard on the highway. This specific issue is currently not deemed to constitute a hazard and, therefore, no action is currently planned.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair for the period 25 January 2018 – 10 February 2018 had been circulated prior to the meeting.

***RESOLVED** that the list of civic engagements undertaken by the Chair be received.*

5 COUNCIL TAX 2018/19 AND ASSOCIATED MATTERS

The Leader, Councillor Hugh Evans introduced the Council Tax 2018/19 and Associated Matters report (previously circulated) in place of Councillor Julian Thompson-Hill who had been unable to attend due to illness.

Councillor Hugh Evans particularly referred to:

- The main features of the budget which had been approved on 30 January 2018
- Observations of the Head of Finance on the robustness of the budget estimates
- A breakdown of the precepts from City, Town and Community Councils and the Police & Crime Commissioner for North Wales, and
- Recommendations for the levels of Council Tax 2018/19
- An increase in funding to schools of £1.792m, and

- The provision of £1.5m in recognition of the continuing financial pressures facing adult and child social care provision.

Following the discussion, it was:

RESOLVED that Council:

- (i) Note that it is necessary for the County Council, as the Billing Authority, to consider the precepts received from the Police & Crime Commissioner for North Wales and the City, Town/Community Councils and declare the Council Tax levels for the 2018/19 financial year
- (ii) Approve the recommendation that the amounts calculated by the Council for the 2018/19 financial year, in accordance with Sections 32 to 34 (1) of the Local Government Finance Act 1992 (the Act) and Alteration of Requisite Calculations (Wales) Regulations 2008 be as Appendix A Section 3
- (iii) Approve the recommendation that the amounts calculated by the Council for the 2018/19 financial year, in accordance with Sections 34 (2) to 36 (1) of the Local Government Finance Act 1992 (the Act) be as Appendix A Section 4
- (iv) That the amounts of Council Tax for the 2018/19 financial year for each of the categories of dwellings be as shown in Appendix C, and
- (v) Approve the level of discount for Class A, B and C as prescribed under the Council Tax (Prescribed Class of Dwellings) (Wales) Regulations 2004 be set at zero for the financial year 2018/19 with the caveat that this is dependent on no changes to legislation or local conditions.

6 CAPITAL PLAN 2017/18 - 2020/212 AND RECOMMENDATIONS OF THE STRATEGIC INVESTMENT GROUP

The Leader, Councillor Hugh Evans introduced the Capital Plan report (previously circulated) in place of Councillor Julian Thompson-Hill who had been unable to attend due to illness.

The full Capital Plan had been last reported to Council in February 2017. Monthly updates had been presented to Cabinet. The estimated Capital Plan was now £38.5million. The Plan had been updated since being reported to Cabinet on 23 January 2018.

The Head of Finance guided Members through the report.

Both the Leader and the Head of Finance responded to questions regarding various aspects of the Capital Plan. Main areas of discussion focused on the following:

- Flooding was raised as an issue and also a query regarding the Flood Assessment report which had been awaited. The Head of Finance confirmed he would chase up the Flood Assessment report on behalf of Members.
- It was confirmed that if the Local Authority met the criteria, they would be able to access a Town Centre Loan Scheme which would be a 15 year interest free loan from the Welsh Government.
- 21st Century Schools report would be presented at a future Cabinet meeting and within the package there would be a commitment to fund and recognise

the need in Rhyl for the new primary school on the Aberkinsey Estate together with other issues raised by schools in Denbighshire.

- Issue of reducing the speed limit on the road known as Abergele Straight in Rhuddlan was raised. The Lead Member for Highways, Planning and Sustainable Travel confirmed that a proposal form be submitted to Scrutiny Chairs and Vice-Chairs for a report to be discussed at Scrutiny Committee.

Members expressed their gratitude to the Head of Finance, Richard Weigh and his team, together with the Lead Member, Councillor Julian Thompson-Hill for all their hard work.

RESOLVED that:

- *Members note the latest position on the 2018/18 element of the Capital Plan and the update on major projects*
- *Members support the recommendation of the Strategic Investment Group as detailed in Appendix 5 and summarised in Appendix 6*
- *Members support the recommendation of Cabinet to approve 25k for the Horseshoe Pass 40mph speed limit proposal as detailed in Appendix 5 and summarised in Appendix 6*
- *Members approve the 2018/19 Capital Plan*

At this juncture it was agreed to vary the order of the Agenda to complete the presentation of the finance based items.

7 TREASURY MANAGEMENT STRATEGY STATEMENT 2018/19 AND PRUDENTIAL INDICATORS 2018/19 TO 2020/21

The Leader, Councillor Hugh Evans introduced the Treasury Management Strategy Statement (TMSS) 2018/19 and Prudential Indicators 2018/19 to 2020/21 report (previously circulated) in place of Councillor Julian Thompson-Hill who had been unable to attend due to illness.

The Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management required the Council to approve the TMSS and Prudential Indicators annually.

Council considered the report and following discussion, Members expressed their thanks to the Head of Finance, Richard Weigh, and his team, together with Councillor Julian Thompson-Hill for all their hard work.

RESOLVED that Council:

- *Approves the Treasury Management Strategy Statement for 2018/19 detailed in Appendix 1 to the report*
- *Approves the setting of Prudential Indicators for 2018/19, 2019/20 and 2020/21 detailed in Appendix 1 to the report*
- *Approves the Minimum Revenue Provision Statement as detailed in Appendix 1 Section 6 to the report*
- *Confirms that it has read, understood and taken account of the Well-being Impact Assessment, as detailed in Appendix 2 to the report, as part of its consideration.*

At this juncture (11.40 a.m.) there was a 20 minute break.

The meeting reconvened at 12.00 noon.

8 NORTH WALES POPULATION ASSESSMENT REGIONAL PLAN

The Lead Member for Well-being and Independence, Councillor Bobby Feeley introduced the North Wales Population Assessment Regional Plan report (previously circulated).

Local Authorities and the Health Board in the North Wales region had to produce a 5 year Joint Area Plan in response to the population assessment by 1 April 2018. It was required by the Social Services and Well-being (Wales) 2014 Act and the Care and Support (Area Planning) (Wales) Regulations 2017.

The Plan had to focus on the integrated services planned in response to each theme identified in the population assessment.

The joint plans were to provide a description of the range and level of services proposed to be provided, or arranged, to respond to the care and support needs, and the support needs of carers, identified in the combined population assessment reports.

A consultation of the draft Plan had taken place between 11 August and 17 November 2017. The consultation had been to involve as many people as possible in writing and shape the plan at an early stage in the project. The findings of the consultation had been incorporated into a revised draft of the plan and a full consultation report had been produced.

At this juncture, the Lead Member, Councillor Bobby Feeley thanked the officers for their hard work. She confirmed this was now a very strong foundation especially in light of the ever increasing older population and looked after children population.

Following discussion, it was:

RESOLVED that:

- *Members approved the draft North Wales Population Assessment Regional Plan, and*
- *The Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix C) as part of its consideration.*

9 CONWY & DENBIGHSHIRE PUBLIC SERVICES BOARD WELL-BEING PLAN 2018-2023

The Leader, Councillor Hugh Evans introduced the Conwy & Denbighshire Public Services Board Well-being Plan 2018-2023 (previously circulated).

The Public Services Board (PSB) is a statutory organisation under the Well-being of Future Generations (WFG) (Wales) Act 2015.

A first draft of the plan had been published for consultation between 30 October 2017 and 22 January 2018. The first draft had included six priorities but at the Conwy & Denbighshire PSB meeting on 29 January 2018, the six priorities were rationalised to three:

- (i) People – Good mental wellbeing for all ages (encompassing the 1st 1000 days and the impact this had on a person's future)
- (ii) Community – Community Empowerment (encompassing the resilience of young & older people), and
- (iii) Place – Environment resilience.

These themes complement the priorities set out in Denbighshire's Corporate Plan.

The Strategic Planning & Performance Officer had attended Partnerships Scrutiny Committee on 14 December to present the draft plan and discuss the Committee's view on the consultation questions.

At this juncture, Councillor Jeanette Chamberlain-Jones read out a statement in her capacity as Chair of Partnerships Scrutiny Committee as follows:

As Partnerships Scrutiny Committee is the Council's designated scrutiny committee for Public Services Board matters it was one of the statutory consultees on the draft Well-being Plan. The Committee was consulted on the PSB's Well-being Plan's priorities and contents at its meeting on 14 December 2017. The points raised by the Committee are detailed in an appendix to the report presented to you today, which you have all had an opportunity to read. You will see from the points raised by the Committee at that meeting that:

- Members acknowledged that the Plan itself is a high level strategic document which sets out the PSB's aims and aspirations for the next five years. Its delivery would, therefore, be dependent on detailed cross organisational delivery plans and effective joint working by all partners;
- Members raised a number of points relating to promoting resilience amongst all age groups to improve health and well-being (both physical and mental), reduce obesity and social isolation etc. It is therefore pleasing that the PSB has, as a result of the consultation exercise, decided to focus on the three main priorities of:
 - i. People - Good mental wellbeing for all ages (including the 1st 1000 days and the impact this has on a person's future)
 - ii. Community – Community Empowerment (including the resilience of young & older people)
 - iii. Place – Environmental resilienceas they are all inter-dependent on each other, and complement one and other. They also support the prevention and effective partnership working ideology of both the Well-being of Future Generations (Wales) Act 2015 and the Social Services and Well-being (Wales) Act 2014 for the purpose of building resilience and improving well-being.

- the power to implement the priorities listed in the Well-being Plan lie with the public service organisations that are members of the PSB, i.e. through their strategic plans, here in Denbighshire our Corporate Plan. It was pleasing therefore that the themes in the final Well-Being Plan complement our Corporate Plan. To successfully deliver the Well-being Plan all partner organisations would need to work together effectively, they would also need to have clear communication channels with each other and with residents;
- in order to fulfil its responsibilities in relation to the Plan's delivery Scrutiny will be monitoring the PSB's progress in delivering the priorities and the Plan.

As Denbighshire has a joint PSB with Conwy work is currently underway to examine the most effective method for us to fulfil our PSB scrutiny responsibilities. The Scrutiny Chairs and Vice-Chairs Group are to shortly examine a number of potential options for scrutinising the PSB in future, including the potential of introducing joint scrutiny arrangements with Conwy. In the meantime Partnerships Scrutiny Committee will continue to act as the Council's designated PSB scrutiny committee.

Prior to publication of the Plan it had to be approved by the Boards of each PSB member organisation. In the case of Local Authorities, approval had to be sought from Full Council.

During discussion the following points were raised:

- The business plan for the Royal Alexandra Hospital in Rhyl had not yet been circulated. It was confirmed by the Lead Member for Well-being and Independence, Councillor Bobby Feeley, that following a meeting with the Chair of Betsi Cadwaladr University Health Board (BCUHB), Peter Higson, that the Business Plan would be re-submitted in March 2018 and he confirmed there was 100% commitment from BCUHB to the Royal Alexandra development.
- It was confirmed that collaborative working with public sector partners, community and voluntary services the Plan would progress to improve quality of life for residents.

Following discussion it was:

RESOLVED that:

- (i) *The committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix A) as part of its consideration, and*
- (ii) *Council supports the priorities for the Conwy & Denbighshire PSB Well-being Plan 2018-2023.*

10 APPOINTMENT OF A CITY, TOWN AND COMMUNITY COUNCIL MEMBER TO STANDARDS COMMITTEE

The Monitoring Officer introduced Appointment of a City, Town and Community Council member to Standards Committee report (previously circulated).

The Regulations required that the Council published an advertisement for the post of City, Town and Community Council member and a Panel of no more than five members to consider each application received and make recommendations to the Council on the appointment. At the Panel meeting on 17 October, Council appointed Councillors Gareth Davies, Richard Mainon and Mark Young to the Panel.

There were three applicants for the post of City, Town and Community member who were interviewed by the Panel on 19 January 2018. Councillor Gordon Hughes of Corwen Town Council had been considered by the Panel to be the most suitable candidate and was, therefore, recommended to Full Council for appointment.

RESOLVED that Councillor Gordon Hughes be appointed to the Standards Committee for a term of office to expire on the date of the next Local Government Elections in 2022.

11 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Head of Legal, HR and Democratic Services introduced the Council's Forward Work Programme (previously circulated).

Council Briefing – 12 March 2018 – Denbighshire Strategic Employment Approach to be removed.

RESOLVED that, subject to the above, the Council Forward Work Programme be approved and noted.

The meeting concluded at 1.35 p.m.