

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 10 April 2018 at 10.00 am.

PRESENT

Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies, Hugh Evans, Peter Evans, Bobby Feeley, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Hugh Irving, Alan James, Brian Jones, Huw Jones, Pat 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, Glenn Swingler, Andrew Thomas, Rhys Thomas, Tony Thomas, Julian Thompson-Hill, Graham Timms, Joe Welch, Cheryl Williams, Eryl Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (MM), Head of Legal, HR & Democratic Services (GW), HR Services Manager (CR), Democratic Services Manager (SP), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Jeanette Chamberlain-Jones, Rachel Flynn, Peter Scott, David Williams and Huw Williams

2 DECLARATIONS OF INTEREST

Councillor Paul Penlington declared a prejudicial interest in Item 10 – Notice of Motion by Gwyneth Kensler.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair and Vice-Chair for the period 22 February 2018 – 23 March 2018 had been circulated prior to the meeting.

RESOLVED that the list of civic engagements undertaken by the Chair and Vice-Chair be received.

5 MINUTES

The minutes of the Full Council held on 25 January 2018, 30 January 2018, and 20 February 2018 were submitted.

RESOLVED that the minutes of the Full Council held on 25 January 2018, 30 January 2018, and 20 February 2018 be confirmed as a correct record and signed by the Chair.

6 ARRANGEMENTS FOR THE ELECTION OF CHAIR AND VICE-CHAIR

The Head of Legal, HR and Democratic Services presented the report (previously circulated) seeking agreement for the proposed Chair and Vice-Chair of the County Council for the municipal year 2018/19 to be formally elected at the Council's annual meeting on 15 May 2018.

It was confirmed that the current Vice-Chair, Councillor Peter Scott, would become the Chair for the 2018/19 municipal year and the formal election of Chair would take place at the Annual Council to be held on 15 May 2018.

Election of Vice-Chair – Councillor Arwel Roberts proposed Councillor Meirick Lloyd Davies, seconded by Councillor Ann Davies, to be the Vice-Chair for the 2018/19 municipal year.

Councillor Joan Butterfield proposed Councillor Bob Murray, seconded by Councillor Brian Blakeley, to be the Vice-chair for the 2018/19 municipal year.

A secret ballot was undertaken for the proposed Vice-Chair.

22 votes for Councillor Meirick Lloyd Davies
20 votes for Councillor Bob Murray

Councillor Meirick Lloyd Davies was nominated as the proposed Vice-Chair for the 2018/19 municipal year. Councillor Davies thanked Members for their support and was congratulated upon his nomination.

RESOLVED that Councillor Peter Scott be proposed Chair and Councillor Meirick Lloyd Davies be proposed Vice-Chair of the County Council for the municipal year 2018/19 to be formally elected at the council's annual meeting on 15 May 2018.

7 INDEPENDENT REMUNERATION PANEL FOR WALES ANNUAL REPORT

The Head of Legal, HR and Democratic Services introduced the Independent Remuneration Panel for Wales Annual Report 2018/19 (previously circulated) to advise of the Panel's determinations for 2018/19 in respect of payments to members and co-opted members and to adopt a schedule of remuneration.

This year the Panel had set a level of remuneration at £13,600 which would be an increase of £200 per year to the basic salary of each Councillor.

Councillor Mabon ap Gwynfor stated that due to the difficult financial times ahead faced by Local Authorities, he did not feel the increase should be accepted and would donate the £200 increment to a local good cause. He then went on to propose two separate votes be carried out on the two recommendations as he urged Members to refuse condition 3.2 as stated within the report. The proposal

was seconded by Councillor Glenn Swingler who expressed agreement with his fellow Councillor and also confirmed he would donate the £200 increment to a local good cause.

The Head of Legal, HR and Democratic Services explained that it was a legal requirement to make payment to individual members. If individual members took the decision to forego all or part of their salary they would be required to put the request in writing and, thereafter, payroll department would be informed.

A vote took place for the proposal of taking the two recommendations within the report as two separate votes.

VOTE:

In favour – 10

Abstain – 2

Against – 30

Therefore, the recommendations as stipulated in the report, were taken as one item, and it was:

RESOLVED that:

- (i) *Council notes the determinations of the Panel for the 2018/19 municipal year in respect of the payment of Basic Salaries, Senior and Civic Salaries and payments to co-opted members.*
- (ii) *Council adopts the schedule of remuneration as set out in appendix 1 (which remains unchanged from 2017/18 except as outlined in paragraph 4.4 of the report) for the 2018/19 municipal year.*

8 MEMBER TRAINING AND DEVELOPMENT

The Democratic Services Manager presented the report (previously circulated) to provide an update on member training issues.

Feedback had been provided from previous members following elections regarding the training which had been provided. 2008 members indicated there had not been sufficient training whereas 2012 members had indicated there had been too much training. As a result, the training provided since the 2017 elections had been aimed in between the two previous programmes in terms of intensity and scope.

The previous Council had identified a number of mandatory training requirements and currently two of those mandatory training courses had been carried forward:

- Code of Conduct for all members, and
- Training for Planning Committee members.

Members were requested to put forward suggestions of training which could be included as mandatory training courses.

Members were also requested to put forward suggestions of sanctions for non-attendance at mandatory training sessions. The previous Council had decided not impose sanctions for non-attendance at mandatory training.

During discussion, it was recommended by members that the following be retained as mandatory training:

- Code of Conduct
- Planning Committee
- Licensing Committee,
- Finance

It was also suggested that Corporate Parenting, Safeguarding and Data Protection be mandatory training courses.

Members commended the excellent standard of the in-house training which had been provided and thanked the Head of Legal, HR and Democratic Services and staff for their efforts in this respect.

It was recommended that a further report be submitted which would include a proposed list of mandatory training courses and possible sanctions

AGREED that the report be noted and that a further report be submitted in respect of mandatory and discretionary training and potential sanctions for non-attendance at “mandatory” training.

9 PAY POLICY STATEMENT 2018/19

The Lead Member for Finance, Performance and Strategic Assets, introduced the report (previously circulated).

The Localism Act 2011 required Local Authorities to prepare pay policy statements. The Pay Policy Statements must be approved by the Council on an annual basis and published on the relevant website.

The Pay Policy Statement reflected the current pay but the national pay awards were yet to be agreed for 2018/19.

The Chief Officer Pay Policy section reflected the current pay but the national position of the pay awards for Chief Officers and Chief Executives were yet to be agreed for 2018/19.

Central UK Government were introducing a cap at £95,000 on public sector exit payments, but there had not been any progress with this and, therefore, it was still to be introduced. At this time it was unclear how this would operate in Wales. On receipt of clarification, all policies on severance payments in Denbighshire County Council would be reviewed as appropriate to accommodate any relevant changes in legislation.

Central Government were also introducing legislation to enable recovery of public sector exit payments, but again there had not been any progress with this and,

therefore, it was still to be introduced. This would apply to employees returning to the public sector or sub sector within 12 months of leaving who earn over £80,000 per annum. At this time it was unclear how this would operate in Wales. All policies and severance payments in Denbighshire County Council would be reviewed as appropriate to accommodate any relevant changes in legislation.

Discussion took place and the following points were raised:

- Following the review of the Chief Executive's pay, the spot salary and performance related pay had been removed and replaced with an incremental scale.
- It was suggested that the Council should pay the "real" living wage rather than the "national" living wage.
- Well-being of Future Generations Act – Councillor Graham Timms expressed his concerns regarding the use of "fair pay" within the Well-being Impact Assessment. Rather than use the phrase "fair pay" Councillor Timms suggested that using the phrase "improving pay can" would be a more suitable wording. He also expressed his disagreement with the statement "by working, some employees may choose to take on private medical insurance". This would not, in his opinion, lead to a healthier country. At this juncture, Cllr Julian Thompson-Hill confirmed the change of wording within the document would be considered. He also confirmed that a Real Living Wage report would be presented at Full Council on 11 September 2018.

RESOLVED that Full Council agree to the changes to the Pay Policy Statement for 2018/19

10 NOTICE OF MOTION

Councillor Gwyneth Kensler put forward the following Notice of Motion for consideration of Full Council:

"Council deploras the way that Coleg Llandrillo-Menai have dealt with the proposed closure of Denbigh College and calls on the Welsh Government to intervene".

At this juncture, Councillor Paul Penlington declared a prejudicial interest as he was employed in Further Education and as such, left the chamber.

Members expressed their concerns following the announcement of the proposed closure of Denbigh College.

Councillor Geraint Lloyd Williams informed members that MP Chris Ruane and Assembly Member Ann Jones had attended a meeting following the announcement of the proposed closure. The meeting had been well attended by staff, users and public from the Denbigh and surrounding areas. Ann Jones had then also met with Carwyn Jones and Kirsty Williams. Following that meeting, the AM had received a letter from Kirsty Williams. Councillor Lloyd Davies had been awaiting permission to circulate the letter and once permission was received, he would do so. The Wellbeing Impact Assessment together with the Business Case had been requested by the MP and the AM but to date the information had not been

forthcoming. Therefore, Councillor Lloyd Williams had submitted a Freedom of Information Request for information as to how they came to the decision to close Denbigh College.

The Notice of Motion was proposed by Councillor Gwyneth Kensler and seconded by Councillor Rhys Thomas, and following a unanimous vote, it was.

RESOLVED that the Notice of Motion, Council deplores the way that Coleg Llandrillo-Menai have dealt with the proposed closure of Denbigh College and calls on the Welsh Government to intervene, was unanimously carried.

11 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

It was confirmed that the Council Briefing which was due to take place on 11 June would now be a Special Council meeting to discuss the LGR Green Paper and a workshop/briefing session would be arranged prior to that meeting.

The Item – Real Living Wage – was confirmed as being added to the September Council meeting Agenda.

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

Prior to the close of the meeting the Leader reported that Dr. Mohammed Mehmet, Chief Executive was attending his last Full Council meeting. The Leader reflected on Dr. Mehmet's time with the authority and conveyed his appreciation for his loyal and committed service, transforming and guiding Denbighshire to become one of the highest performing councils in Wales. Recently Denbighshire had received a very good Estyn report which had included excellent for leadership which, again had been a credit to Dr. Mehmet.

Members wished Dr. Mehmet and his family best wishes for the future.

The meeting concluded at 1.25 p.m.