

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 23 October 2018 at 10.00 am.

PRESENT

Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies (Vice-Chair), Hugh Evans, Bobby Feeley, Rachel 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, Arwel Roberts, Anton Sampson, Peter Scott (Chair), Glenn Swingler, Andrew Thomas, Rhys Thomas, Tony Thomas, Julian Thompson-Hill, Graham Timms, Joe Welch, Cheryl Williams, David Williams, Eryl Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (JG), Corporate Director: Economy & Public Realm (GB), Head of Legal, HR & Democratic Services (GW), Democratic Services Manager (SP), Strategic Planning Team Manager (NK), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Jeanette Chamberlain-Jones, Tony Flynn and Huw Williams

Prior to commencement of the meeting, there was a minutes silence for Alan Jones, husband of Councillor Jeanette Chamberlain-Jones, who had passed away recently. The funeral was to be held at St. Thomas' Church, Rhyl on Monday 29 October, 2018.

At this juncture, a petition was handed in by Councillor Joan Butterfield on behalf of residents of Westbourne Avenue, Seabank Drive and Oakland Avenue regarding their concerns of planning use.

2 DECLARATIONS OF INTEREST

Councillor Paul Penlington declared a personal interest in Item 6, A Growth Deal for the Economy of North Wales Proposition Document.

Councillors Mabon ap Gwynfor, Hugh Evans and Merfyn Parry declared a personal interest in Item 11, Notice of Motion

Councillors David Williams and Eryl Williams declared a prejudicial interest in item 11, Notice of Motion.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent items.

At this juncture, Members were informed that there would be two questions put forward as follows:

(i) Councillor Rhys Thomas raised the following question:

“This Council wisely wrote to the Department for Work and Pensions asking for the roll-out of Universal Credit to be delayed due to the many technical difficulties that had been already highlighted. This week, the Government is having to delay the roll-out of Universal Credit to those already on benefits for the very reasons that we gave as a Council.

Does the Council have any evidence that hardship has been caused to any of our citizens by the introduction of Universal Credit in Denbighshire?”

Response by the Lead Member for Corporate Standards, Councillor Mark Young:

“The issue of Universal Credit has been over the national press but will respond with a snap shot of the Universal Credit roll-out across our Authority. Not only are we looking after people affected by this but by setting up Working Denbighshire, we are helping people to get into work and improving their skills for better jobs. We are taking a resilient approach to supporting people. Thanks were extended to Mel Evans (Principal Manager, Strategic Employment) and her Team.

As you are aware, the Universal Credit roll-out was presented to Communities Scrutiny Committee on 17 May 2018. It focussed on the likely effects of the introduction of Universal Credit Full Service on the Council services, the County’s residents, and the planning and preparation work taken to date. Members scrutinised the topic with many Members commenting on the value of the report. Members asked that their congratulations and gratitude be conveyed to all partners involved with the proactive approach taken to manage the impact of Universal Credit introduction in Denbighshire.

Scrutiny had asked:

- To continue to support the on-going work of the Universal Credit Board to understand and manage the impacts for both Council Services and Denbighshire residents of the introduction of Universal Credit, and
- Unless concerns merit earlier consideration, to request that a further report be presented to the Committee in 12 months’ time on the impact of the introduction of Universal Credit Full Service on residents and Council Servics, and that the report include details of any lessons learnt from the initial roll-out and an overview of the work underway to mitigate the impact on the Council and residents of the migration of current benefit recipients to Universal Credit in due course.

The Universal Credit Project Team had been working with Partners and Services to monitor the impact of Universal Credit and here are some key facts:

- Over 2,500 Denbighshire customers have now moved on to Universal Credit Full Service since April 2018
- Citizens Advice Bureau (CAB) and Library services have seen an increase in the numbers of customers they are supporting (but within our resources, and demand is being met)
- Merger of DCC staff and CAB staff working in Job Centres was working extremely effectively (helping over 500+ customers to access council services and support)
- Universal Credit Board is still meeting and monitoring any operational impact (proactively setting up this Board nine months before Universal Credit went live in Denbighshire has helped hugely)
- Working closely with WLGA and other Welsh Authorities to share best practice

Some key information on Universal Credit in relation to Denbighshire Housing:

- 181 Tenancies have moved to Universal Credit at the moment. Housing also became a trusted partner with Department for Work & Pensions (DWP) mid-August 2018 (this has improved the process of applying for direct payments to protect vulnerable tenants)
- All tenants are contacted once housing costs have been confirmed with the DWP to assess if any additional support was required (budgeting etc.)
- The amount of new cases per month was at the higher end of our initial projections
- Crucially, Court Enforcement had not increased in DCC housing since the implementation of Universal Credit so a huge well done to DCC Officers and Partners.

So in summary, DCC had anticipated the challenges and managed any issues from the roll-out. In this instance, the DCC way has worked but if any residents have problems, please direct them to the CAB as they can help.”

(ii) Councillor Arwel Roberts raised the following question:

“Following the publication of the HMRS’s Stamp Duty figures which show that a quarter of the houses bought in Denbighshire last year have been bought as second homes or holiday homes, could we have an update on the policy for increasing tax on long-term empty homes and holiday homes?”

Response by the Lead Member for Housing, Regulation and the Environment, Councillor Tony Thomas:

“As the Lead Member responsible for empty homes, I can confirm a Business Case had been submitted at the Young People & Housing Board in October, 2018. The Empty Homes Delivery Plan would be nearing completion by the end of the month and from that a Project Group has been set up.

I can also confirm that a request for an Empty Homes Officer has been put forward.”

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair and Vice-Chair for the period 3 September 2018 to 4 October 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 Full Council held on 11 September 2018 were submitted.

Matters Arising:

Page 10 (Item 3) – Councillor Glenn Swingler confirmed he had attended a meeting with Councillor Mabon ap Gwynfor and the Head of Education & Children Services. From that meeting Councillor Swingler stated that not all schools had been contacted regarding free sanitary products.

The Lead Member for Education, Children & Young People, Councillor Huw Hilditch-Roberts, confirmed that all schools had been contacted as there were a number of officers who contacted schools and officers from GwE. He stated if the Councillor had evidence any schools had not received information regarding sanitary products to pass the information on to the Lead Member.

Page 14 (Item 6) – Councillor Joseph Welch requested information as to when the decision of a 6% increase to the North Wales Fire & Rescue Authority was to be made.

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill, clarified that payment to the Fire Authority was a levy rather than a precept. The Fire Authority set their own budget and Denbighshire had no decision as to what they charge. The amount was included in the overall budget.

Councillor Welch suggested that as no decision would be required on the levy that he saw no reason why the Fire Officers should attend Full Council as a simple report would be more appropriate.

Councillor Meirick Lloyd Davies responded as Chair of the Fire Authority and stated that an invitation not be issued if that was what Council wanted.

Page 13 (Item 5) – Councillor Arwel Roberts requested an update on the provision for children with additional education needs through the medium of Welsh.

The Lead Member for Education, Children & Young People, Councillor Huw Hilditch-Roberts, confirmed he was confident with the standard of Welsh in those schools and there was a need to match with their home language.

Page 15 (Item 6) – It was confirmed by the Chief Executive that the Local Resilience Forum was a forum for officers only and the meeting was out of the remit of DCC.

***RESOLVED** that, subject to the above, the minutes of Full Council held on 11 September 2018 be confirmed as a correct record and signed by the Chair.*

6 A GROWTH DEAL FOR THE ECONOMY OF NORTH WALES: PROPOSITION DOCUMENT

The Leader, Councillor Hugh Evans introduced the report recommending Council adopts the Proposition Document and authorisation for the Leader to commit the Council to entering Heads of Terms with Governments alongside the political and professional leaders from the nine other statutory partners represented on the North Wales Economic Ambition Board, and the North Wales Mersey Dee Business Council.

Background information was provided regarding previous collaborative approvals to adopt the Growth Vision and develop a Growth Deal Bid for the region. The Proposition Document set out the priority programmes for activity and projects to be considered for inclusion in the Growth Deal at the Heads of Terms stage and required approval from all six North Wales local authorities. The Leader stressed that adoption did not commit the Council to any financial investment of its own at this stage and was subject to the financial risks and benefits of the final Growth Deal.

Both the Leader and the Chief Executive advocated the Proposition Document as the best opportunity to expand the economy of North Wales and compete with other regions highlighting the possible impact on Denbighshire specifically.

The Chief Executive added that Denbighshire had a tremendous opportunity through the Growth Deal to secure investment in areas identified in the Corporate Plan, including transport, digital, business development and learning skills.

The Corporate Director: Economy and Public Realm, guided members through the Proposition Document and pertinent points.

During discussions, the following points were raised:

- the impact on rural areas needed to be made clearer and discussions were ongoing in that regard.
- the difficulties in predicting the financial implications given the number and cost of projects still to be approved, other partners contributions and assumptions some projects may generate revenue – consequently, a range of estimates had been provided with heavy caveats and with a peak cost for Denbighshire of £130k - £320k depending on a range of variables and over the fifteen year period there may be anything from no cost or over £1m costs – given those uncertainties, financial implications should be noted.
- if the Bid was successful, details of the financial commitments required from individual local authorities in order to be part of the Growth Deal would likely

become known as early as February/March 2019, and would depend on the amount of Government investment secured.

- the importance and extent of private sector involvement and investment in the Growth Deal was highlighted, and it was noted that discussions with the private sector were ongoing in that regard. There was a private sector representative on the North Wales Economic Ambition Board and a Stakeholder Group had been established involving the private sector to progress expectations.
- prioritised projects in the Proposition Document were currently being assessed and would be subject to further negotiation with the UK and Welsh Governments. Whilst it would be too late to submit any new projects as part of the Growth Deal, they could potentially be considered as part of the Growth Bid.
- concerns were raised regarding nuclear technology and it was confirmed that the Wylfa Project was not part of the Growth Deal and the SMART Access to Energy Programme included a package of projects which accepted nuclear technology would be part of the UK's energy production but also recognised low carbon projects being brought forward. The two nuclear projects relating to Trawsfynydd Power Station and Nuclear Centre of Excellence amounted to about £38.6m of the total £335m capital investment sought from both Governments and, therefore, was not considered heavily biased towards nuclear energy.
- similar reports had been submitted to Council Briefings and Council to each of the six North Wales local authorities to ensure consistency across the region.
- there is a North Wales Digital Strategy in place – one part would be included within the Growth Bid but other projects are underway, and as a region it would be Local Full Fibre Networks (LFFN) which would come under under UK Government funding.

RESOLVED that:

- (i) council adopts the Proposition Document as (1) the basis of a longer-term regional strategy for economic growth and (2) the regional bid for the priority programmes and projects from which the content of a Growth Deal will be drawn at the Heads of Terms Agreement stage with Governments. Adoption does not commit the council to any financial investment of its own at this stage and is subject to the financial risks and benefits of the final Growth Deal being set out in details, for full consideration, when the final Deal is presented for approval at a later date.*
- (ii) The Leader be authorised to commit the council to entering Heads of Terms with Governments alongside the political and professional leaders from the nine other statutory partners represented on the North Wales Economic Ambition Board, and the North Wales Mersey Dee business Council, with the Proposition Document setting out the parameters for the Heads of Terms Agreement.*

At this juncture (11.45 a.m.) there was a 15 minute break.

The meeting reconvened at 12.00 p.m.

7 2017/18 ANNUAL PERFORMANCE REVIEW

At this juncture, Councillor Paul Penlington declared a prejudicial interest and left the Chamber.

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill, introduced the Annual Performance Review Report (previously circulated) for Members to approve the draft 2017/2018 Annual Performance Review, subject to agreed changes to enable translation and publication prior to 31 October 2018.

The Council's Corporate Plan 2017-22 sets the strategic direction for the council and its priorities for the five-year period.

The Annual Performance Review provided a retrospective evaluation of the Council's success in delivering against the plans during 2017-18, and whether the Council had successfully fulfilled its obligation to make arrangements to secure continuous improvement.

The draft report had been developed by the Strategic Planning Team, in consultation with other council services. The performance information contained within the document had been provided by services, and had been drawn from the Verto performance management system. Consultation had taken place at Cabinet Briefing and the Senior Leadership Team (SLT) prior to being submitted to County Council for approval.

There were five priority areas as follows:

- Housing - Everyone to be supported to live in homes that meet their needs
- Connected Communities - Communities are connected and have access to goods and services locally, online and through good transport links
- Resilient Communities - the Council works with people and communities to build independence and resilience
- Environment – Attractive and protected, supporting well-being and economic prosperity
- Young People – a place where younger people will want to live and work and have the skills to do so.

During discussion, the following issues were raised:

- Modern slavery – it was clarified that this was a safeguarding issue and training was available by the Safeguarding Board.
- Affordable Housing List – it was confirmed that Communications Team would be contacted as to the most appropriate way of getting the information out to residents to register on the affordable housing list.

- The raising of Llangollen's profile within the Corporate Plan was raised by the Local Member. He confirmed work had taken place with local residents, Chamber of Trade and local councillors.
- Air Quality was measured every 12 months and no issues had been identified. It was agreed councillors could have sight of the results.

The Chief Executive expressed her gratitude to the staff who had put together the report as it captured well where the Council was in terms of the Corporate Plan. The Council remained a high performing Council and thanked all the members and Officers for driving it through.

Councillor Huw Jones congratulated the Community Arts Development Officer, Sian Fitzgerald and her team on winning the National Campaign for the Arts, Hearts for the Arts Award for best Local Authority Arts Project encouraging cohesion for the project Lost in Art, a project for those living with dementia and their carers.

RESOLVED that subject to any changes, Members approve the draft 2017/18 Annual Performance Review to enable publication before 31 October 2018

8 A JOINT SCRUTINY COMMITTEE FOR THE PUBLIC SERVICES BOARD

The Democratic Services Manager introduced the Joint Scrutiny Committee for the Public Services Board (PSB) report (previously circulated) to inform Council of the proposed future arrangements to scrutinise the work of the Conwy and Denbighshire Public Services Board.

It had been the view of the PSB in September 2017 that a formal joint Scrutiny Committee would be the most appropriate vehicle to effectively scrutinise a strategic cross-county / county borough board like the PSB. The PSB confirmed its support for a joint Scrutiny Committee on 19 June 2018.

The Scrutiny Committees in both Conwy and Denbighshire councils have considered and agreed with the views put forward by the PSB to establish a joint committee and endorsed draft terms of reference for further consideration. Denbighshire's Democratic Services Committee had the opportunity for a final look at the proposals when it met on 19 October and confirmed it was supportive of the proposal.

Within the draft terms of reference it was proposed Joint Scrutiny Committee meet twice a year. The role of Chair should be allocated for a two year period and not be remunerated with a senior salary.

Councillor Alan James extended thanks to the Democratic Services Manager and the Scrutiny Co-ordinator for their hard work on this proposal.

RESOLVED that:

- (i) Council approves the establishing of a formal joint Scrutiny Committee with Conwy County Borough Council to scrutinise the Conwy and Denbighshire Public Services Board.

- (ii) Council approves the attached draft terms of reference and rules of procedure for the joint Scrutiny Committee.*
- (iii) Council agreed the role of Chair of Joint Scrutiny Committee should not be eligible for remuneration through a senior salary.*

9 NOTICE OF MOTION

Councillor Rachel Flynn put forward the following Notice of Motion for consideration by Full Council:-

“Denbighshire County Council adds its support to Lucys Law, the National Campaign to ban and outlaw the sale of puppies sold through third parties. That Denbighshire County Council will add its name to the growing list of our supporting organisations and will proactively highlight the campaign to our residents across the County. Members ask that Denbighshire County Council writes to both the UK and Welsh Government supporting the call for urgent action on this matter.”

RESOLVED that Council supports Lucys Law, the National Campaign to ban and outlaw the sale of puppies sold through third parties and to write to both the UK and Welsh Government supporting the call for urgent action on this matter.

10 NOTICE OF MOTION

Councillor Graham Timms put forward the following Notice of Motion for consideration by Full Council:-

“This Council asks the Corporate Governance Committee to consider options and present a report to the Full Council on 19 February, 2019 which outlines how the constitution could be changed to remove the requirement for political balance in Cabinet”.

Discussions took place and it was confirmed that if changes to the Constitution were to take place, a report would be required at Corporate Governance Committee and then to Full Council.

A number of members stated that all parties had the opportunity to join Cabinet but some had made the decision to decline their seats.

A vote took place and the notice of motion was carried by a majority of members present. Therefore, it was:

RESOLVED that Council support the Notice of Motion and a report would be presented to Corporate Governance Committee and a further report submitted to Full Council in February 2019.

11 NOTICE OF MOTION

Councillor Mabon ap Gwynfor put forward the following Notice of Motion for consideration by Full Council:-

“This Council notes:

- The Welsh Government’s Brexit and Our Land White Paper and subsequent consultation
- The proposals within the paper to scrap Basic Payments for farmers
- That basic payments make up some 80% of livestock farmers income
- That agriculture industry continues to be a substantial employer, both directly and indirectly, in Denbighshire
- That the Welsh Government’s proposals could lead to other landowners (e.g. third sector organisations, forestry companies, extremely wealthy individuals or organisations) being able to access the limited amount of public funds currently available to farmers
- Previous Government proposals regarding farm payments have been accompanied by detailed and thorough economic impact assessments.

This Council expresses concern that the Brexit and Our Land White Paper provides no modelling or assessments of how the proposed changes will impact on neither the local or the national economy.

This Council is concerned that the proposed changes could have a negative impact on the economy of Denbighshire.

This Council believes that no changes to farm payments should be introduced until thorough and detailed impact assessments are provided on the potential economic impact of their proposals.

This Council calls on the Cabinet Member with responsibility for the Economy to make representations in response to the Consultation opposing the proposals until the Welsh Government produce a comprehensive and detailed assessment of the potential impact to jobs and the economy in Denbighshire.”

The Lead Member for Corporate Standards, Councillor Mark Young responded and stated as follows:

- The Minister for Agriculture, Lesley Griffiths, had publically stated that the full impact of Brexit was yet to be known.
- Agriculture was a massive industry for Denbighshire and across the North Wales region with many businesses benefitting from the present subsidy system as linked companies. The change anticipated would remove millions of pounds out of the local economy undermining the Future Generations Act which would also have a detrimental impact on the Welsh language and put Welsh farmers at a massive competitive disadvantage to the rest of the UK and Europe.

Councillor Martyn Holland confirmed that the Welsh Conservatives supported the Notice of Motion in principle and expressed concern at the Welsh Government making decisions prior to all the information being available following Brexit.

RESOLVED that Council support the Notice of Motion and believes that no changes to farm payments should be introduced until thorough and detailed impact assessments are provided on the potential economic impact of their proposals.

12 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 since the Agenda pack had been published, a Budget Workshop had been added on 13 November 2018.

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

At this juncture, Councillor Martyn Holland offered congratulations to Rhuddlan for obtaining Gold at the Wales in Bloom competition.

The meeting concluded at 1.25 p.m.