

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 29 January 2019 at 10.00 am.

PRESENT

Councillors Mabon ap Gwynfor, Brian Blakeley, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies (Vice-Chair), Hugh Evans, Peter Evans, Bobby Feeley, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Hugh Irving, Alan James, Brian Jones, Huw Jones, Pat Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Richard Mainon, Christine Marston, Barry Mellor, Melvyn Mile, Bob Murray, Paul Penlington, 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, Huw Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (JG), Head of Legal, HR & Democratic Services (GW), Head of Finance (RW), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Joan Butterfield, Tina Jones, Merfyn Parry and Pete Prendergast

2 DECLARATIONS OF INTEREST

Councillors Meirick Lloyd Davies, Ann Davies, Brian Blakeley and Peter Evans declared personal interests in Item 8

Councillor Gwyneth Kensler declared a personal interest in Item 9

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent items.

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

Councillor Arwel Roberts raised the following question:

“Information please. Wrapping paper – which includes plastic in their manufacture. How does our county recycle this type of wrapping paper?”

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

“We currently send our mixed recycling to UPM paper mill who separate out paper from other mixed recyclables. Paper with plastic or foil content or with glitter is not recyclable as it cannot be used for making into newsprint, UPM’s main product. Bows, string, ribbons and tape must also be removed as they can impact on the recycling process. Most paper re-processors prefer not to accept wrapping paper at all as they find it contaminates the paper stream, however, if residents go to the trouble of separating recyclable paper from non-recyclable and removing sticky tape, tags and bows, then we do accept it in the blue bin”.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair and Vice-Chair for the period 4 December 2018 to 17 January 2019 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 4 December 2018 were submitted.

Matters Arising:

Page 8 (Item 3 (i)) – Councillor Glenn Swingler stated he had yet to receive a written response from the Lead Member for Housing, Regulation and the Environment, Councillor Tony Thomas.

Councillor Thomas responded that the officer with whom he needed to consult has been on leave for three weeks but would look into the matter and send a written response to Councillor Swingler.

Page 8 (Item 3 (ii)) – Councillor Mabon ap Gwynfor enquired of the Lead Member for Well-being and Independence, Councillor Bobby Feeley, if any further information had been available?

Councillor Feeley apologised and stated she would send on the information as requested.

Page 9 (Item 3 (iii)) – Councillor Huw Hilditch-Roberts requested confirmation from the Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill that schools would not have lunch payment arrears taken out of their budget if they refused to send out reminder letters to parents.

Councillor Thompson-Hill confirmed he had discussed the matter with the relevant Head of Service and a policy was in place to deal with issues and, therefore, his statement had been correct.

Page 11 (Item 6) – Councillor Meirick Lloyd Davies queried the fact that purchasers of a property which had previously been in receipt of the reduction for Council Tax would not be able to apply again for the reduction.

The Head of Finance clarified that the policy and legislation stated it was relevant to the property, not the actual person, but processes were in place for people to appeal.

RESOLVED that, subject to the above, the minutes of Full Council held on 4 December 2018, be confirmed as a correct record and signed by the Chair.

6 APPROVAL OF THE COUNCIL'S BUDGET 2019/20 (FINAL PROPOSALS)

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill, introduced the Budget 2019-20 – Final Proposals report (previously circulated).

The Council was 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.

The Final Local Government Settlement for 2019/20 had been received on 19 December 2018 and had resulted in a cash-flat funding position (the Welsh average being +0.2%). The Provisional Settlement received in October 2018 indicated a reduction of -0.5% (Wales average -0.3%). For the funding position to have been neutral in terms of minimum funding pressures in the Medium Term Financial Plan (MTFP), the Settlement would have had to have been closer to +5%.

The change between the two settlement figures reflected an additional £14.2million allocated to local government as part of the Welsh Government's final budget proposals, as a consequence of the UK Government budget in November 2018 and a new responsibility, funded at £7million across Wales. This was to provide for an increase in the capital limit for those paying for residential care to £50,000. The allocation to Denbighshire was £250,000.

The final proposals to balance the 2019/20 budget were shown in the extract from the Council's Medium Term Financial Plan in Appendix 1 to the report. The main points were as follows:

- Cash flat Settlement
- Pay, pension and National Living Wage pressures are funded (£1.9million)
- Price and energy inflation (£250,000)
- Fire Service Levy (£237,000)
- Allowances for increases to the Council Tax Reduction Scheme costs, reduction in DWP Administration Grant and central contingencies (£537,000).

In addition, the council continued to support schools by funding pay, related inflation and movement in pupil numbers. This amounted to £3.7million (5.4% in total) in 2019/20.

The proposed budget also recognised pressures in other priority areas, and in order to fund the pressures identified, savings of £5.7million had to be identified. These were made up of:

- Corporate savings identified in 2018/19 (£0.5million)
- Service efficiency savings (£1.3million)
- Service savings (£2.6million), and
- Schools savings of 2% (£1.3million).

A new budget process for 2019/20 had been established with the creation of a strategic Council Board which comprised of members of CET, the Leader of the Council and the Lead Member for Finance, Performance and Strategic Assets. The Board was also advised by officers from Finance, HR and Communications.

Service budgets were scrutinised by the Board and services were required to model a range of savings options. The Board assessed these and directed services to progress proposals in line with strategic priorities.

Details of all saving proposals had been circulated to elected members in December 2018.

The council's MTFP assumptions were regularly reviewed and cost pressures reassessed.

It was unsustainable to manage the pressures without permanently increasing the council's funding base. As the financial support from the Welsh Government reduced annually, in real terms, the burden had to be met locally. Therefore, a higher than originally planned Council Tax rise had been proposed.

The rise in Council Tax by 6.35% would raise an additional £797,000 compared to the rise applied in 2018/19, to be used as part of the overall package which included an additional allocation to social care of £2.0million.

The budget proposals continued to include an element of cash funding to support the overall position. The Lead Member stated that this was never an ideal position and reflected the ongoing financially difficult position the Council faced.

During discussions, the following items were raised:

- It was confirmed that grant funding could be available in the future for music provision in schools following the removal of the subsidy.
- Councillor Swingler, a member of Plaid Group thanked the Head of Finance for attending their Group to explain about the budget process. He then expressed his disagreement to the rise in Council Tax stating this would put additional financial pressures on the working poor. He also stated that services had been cut in both the Homeless Prevention Team and the Citizens Advice Bureau (CAB). Councillor Julian Thompson-Hill confirmed that there had not been cuts but a reorganisation of the Homeless Prevention team. The CAB contract had not been cut either, but they now had a longer contract. Councillor Bobby Feeley reiterated there were no cuts within the Homeless Prevention Team and Welsh Government were to add £100million into homeless prevention services.

- Schools to find 2% cuts was raised as a potential major issue. It was confirmed that school Governing Bodies would deal with the 2% cuts. A rigorous process was in place to assist delivery of the savings. The savings should be within the schools three year projections.
- It was suggested that a briefing take place from Children's Services as to how they utilise their budget. A briefing of this type had taken place in previous years and it had proved extremely informative for members.
- It was confirmed that the school transport policy had previously been approved by councillors. School transport was a statutory service and Denbighshire ensured that the service ran efficiently.
- With regards to the question of transparency of the budget information, it was confirmed that an open invitation had been sent out for members to speak to officers regarding the budget process. Also, the budget book had been distributed to members for their information on at least two occasions to keep them fully informed.

The Leader explained he had met with the First Minister and had requested a three year plan, to assist in the delivery of the budget. He assured members that everything possible had been done to provide value for money within the budget.

Members and the Chief Executive thanked the Lead Member and all officers for their work on delivery of a very difficult budget.

RESOLVED that Council:

- (i) *Notes the impact of the Local Government Settlement 2019/20*
- (ii) *Approves the budget as outlined in Appendix 1, which is in line with the proposals presented at the member budget workshop held on 11 January 2019*
- (iii) *Approves the average Council Tax rise of 6.35%, which recognises a range of significant pressures, including the increasing cost pressures in adults and children's social care and supports the allocation of £2.0 million of additional funding to across the two services*
- (iv) *Confirms that it has read, understood and taken account of the Well-being Impact Assessment submitted as part of the report.*

7 COUNCIL TAX REDUCTION SCHEME 2019/20

The Lead Member for Finance, Performance and Strategic Assets introduced the Council Tax Reduction Scheme 2019/20 (previously circulated).

The Welfare Reform Act 2012 contained provisions to abolish council tax benefit in its current form across the UK. From 31 March 2013 council tax benefit ceased and the responsibility for providing support for council tax and the funding associated with it, had been passed to the Welsh Government. The Welsh Government, in partnership with local authorities in Wales, introduced a new scheme to provide council tax support which was adopted by the Council in January 2013.

The Welsh Government had finalised both sets of regulations on 8 January 2019 and the new Council Tax Reduction Scheme and Prescribed Requirements (Wales)

Regulations 2013 and Prescribed Requirements (Wales) Amendments Regulations 2019, were required to be adopted by 31 January 2019.

Councillor Rhys Thomas queried whether young people living in care would be required to pay Council Tax. He stated that some local authorities did not charge until the person were 21 years of age and others when they reached 25 years of age.

The Head of Finance confirmed a consultation was taking place throughout Wales currently regarding the issue raised by Councillor Thomas.

RESOLVED that:

- *Members adopt the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Prescribed Requirements (Wales) Amendments Regulations 2019, in respect of the 2019/20 financial year.*
- *Members approve the 3 discretionary elements of the scheme, shown in section 4.2, for 2019/20.*

8 WELSH GOVERNMENT WHITE PAPER - REFORM OF FIRE AND RESCUE AUTHORITIES IN WALES

Councillors Brian Blakeley, Ann Davies and Peter Evans declared personal interests as they were members of the Fire and Rescue Authority.

Councillor Meirick Lloyd Davies declared a person interest as he is Chair of the Fire Authority Board

The Leader, Councillor Hugh Evans, introduced the Welsh Government White Paper – Reform of Fire and Rescue Authorities in Wales (previously circulated).

The Welsh Government had published a White Paper titled Reform of Fire and Rescue Services in Wales (the White Paper) with a consultation deadline of 5 February 2019. Whilst recognising that the three Fire and Rescue Authorities in Wales performed highly in their operations, the White Paper proposed changes to the governance and membership of Fire and Rescue Authorities, and to their relationship with their constituent local authorities in budget-setting.

The Head of Legal, HR & Democratic Services explained he had produced a concise presentation of the White Paper to enable members to give their opinions in readiness for a response to be drafted prior to 5 February.

During discussion the following points were raised:

- A number of members were in agreement with reducing the membership of the Fire & Rescue Authority Board, but they were in agreement that back-benchers, who had a wealth of knowledge and experience, should be included on the Board and not just Cabinet members.
- The consensus of opinion was that Welsh Government felt the Fire & Rescue Authorities were not accountable to the people. Members confirmed that the Authorities were audited and were run extremely efficiently.

- members felt that the existing levy system should be replaced by a Council Tax precept together with direct funding from Welsh Government

RESOLVED that Council considered the White Paper – Reform of Fire and Rescue Authorities in Wales and authorised the Leader to approve in consultation with Group Leaders, a response on behalf of the Council.

9 NOTICE OF MOTION

At this juncture, the Chair, Councillor Peter Scott, stated that there was a 30 minute time limit for discussion of a Notice of Motion.

Councillor Gwyneth Kensler declared a personal interest as she is Chair of Denbigh Museum, Secretary of Theatr Twm O'r Nant and Chair of LAG Cadwyn Clwyd who all receive European funding.

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

“This Council notes with concern DCC’s Corporate Risk Register entry for Brexit.

This Council further notes:

- Care Forum Wales’ concerns that the Care Industry is at ‘crisis point’ warning that the long-term effects of Brexit could lead to a massive staffing shortage;
- The total exports from Denbighshire & Conwy in 2016 was £188m. Of this £102m – 55% - went to the EU. For Flintshire and Wrexham total exports amounted to £5,051, of which £4,382 – 87% - went to the EU;
- Wales is a net beneficiary of the EU, receiving around £245m more from the EU than what we pay in;
- The UK Government’s Environment Secretary, Michael Gove MP’s, comments earlier this month saying that departure without a deal would cause “turbulence. It would hit those who are our smaller farmers and smaller food businesses. It’s a grim but inescapable fact that in the event of a no-deal Brexit, the effective tariffs on beef and sheep meat would be above 40% - in some cases well above that”;
- That every credible economic forecast, shows that Brexit – both with Theresa May’s deal and without, will damage the UK economy;
- The negotiations over these past two years have exposed the complexities of the various leave options.

This Council recognises that in Denbighshire, 13.5% of all local business units on 10 March 2018 were in the ‘Agriculture, Forestry & Fishing’ industry. This was the largest business industry classification.

This Council is concerned:

- of the potential impact of Brexit on the Health and Social Care sectors in Denbighshire;
- at the potential impact of Brexit on the local economy of Denbighshire.

Given this new information and the details known about the proposed deal, this Council calls on the UK Parliament to put the options now available, including the option to remain a member of the EU, before the people for a People's Vote."

At this juncture, Councillor Graham Timms proposed an amendment to the Notice of Motion to state the first sentence only as follows:

"This Council notes, with concern, DCC's Corporate Risk Register entry for Brexit".

The amendment was seconded by Councillor Huw Hilditch-Roberts.

A vote took place on the amendment as follows:

- (i) Agree to the amendment of the Notice of Motion – 17
- (ii) Abstain – 2
- (iii) Disagree with the amendment – 16

Therefore, the amendment to the Notice of Motion was approved.

As the amendment was passed, the amendment then became the substantive Motion which would require a vote as follows:

- (i) Agree to the substantive Motion – 22
- (ii) Abstain – 4
- (iii) Against the substantive Motion – 9

Therefore, following the vote, it was

RESOLVED that the Notice of Motion "This Council notes, with concern, DCC's Corporate Risk Register entry for Brexit" be agreed by Council.

10 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, the Forward Work Programme had been updated and a copy had been emailed to all Councillors for their information.

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

The meeting concluded at 1.24 p.m.