

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Thursday, 28 March 2019 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, Huw Hilditch-Roberts, Martyn Holland, Alan James, Brian Jones, Huw Jones, Pat Jones, Gwyneth Kensler, Richard Mainon, Christine Marston, Barry Mellor, Melvyn Mile, Bob Murray, Merfyn Parry, Pete Prendergast, Arwel Roberts, Anton Sampson, Peter Scott (Chair), Glenn Swingler, 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), HR Services Manager (CR), Democratic Services Manager (SP), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Tony Flynn, Hugh Irving, Tina Jones, Geraint Lloyd-Williams, Paul Penlington and Andrew Thomas

2 DECLARATIONS OF INTEREST

Councillor Glenn Swingler declared a personal interest in Item 5.

Councillors Cheryl Williams, Ellie Chard, Martyn Holland, Julian Thompson-Hill declared personal interests in Item 8 as they were members on LJCC and Corporate Health & Safety Committee. At this juncture, the Head of Legal, HR and Democratic Services confirmed they did not need to declare a personal interest as LJCC was a Committee of the Council and, therefore, they had no interest to declare.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

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

- (i) Miss Talulah Thomas of Llangollen had sent in the following question but was unable to attend in person. The Head of Legal, HR & Democratic

Services proceeded to read the question on behalf of Miss Thomas in her absence:

“Will the relevant portfolio holder explain what steps the Council is taking to ensure that pupils in the county's schools receive the necessary mental health care, and what steps are being taken to identify any mental health disorders at an early enough stage?”

Response by the Lead Member for Education, Children and Young People, Councillor Huw Hilditch-Roberts:

“The Local Authority's responsibility on mental health lies with CAMHS (Children and Adolescent Mental Health Service). However, as an Authority, we are actually supporting the work of this, working alongside them with our young people in schools.

How do we do this? We use PASS (pupils attitude towards self and school) to evaluate the pupils self-esteem and emotional health in the school and what opportunities for the school to intervene if there are any issues at that stage. We also, as an Authority, provide ELSA (Emotional, Literacy Support Assistant) training for teaching assistants in schools to carry out emotional health interventions on individual pupils and groups of pupils who had been identified as requiring the support.

The Authority works with CAMHS to facilitate training for schools, carry out interventions for such as bereavement and loss and “think good, feel good” which is a behavioural intervention at school level.

The Authority provides access to education psychology service. The Authority also has school based counselling available in our secondary schools and at year 6 age. The Authority provides therapeutic service for pupils.

The Authority works extensively with CAMHS on the self-harm and suicide prevention pathway to train groups and staff in all secondary settings. The training provides a clear protocol for the trained school staff to liaise with CAMHS for every individual pupil who is identified as self-harming or suicidal to a certain risk and to create safety plans and determine the approach on the intervention with CAMHS.

There is an immense amount of work being done around this and we do recognise how important it is and we ensure we are putting the child at the fore every time. If Ms Thomas would like any further information, the officers and myself would be happy to meet up with her.”

(ii) Councillor Graham Timms raised the following question:

“Can you please update members concerning the council's intentions for 21st Century Schools Band B which is due to start in April 2019 in terms of its timetable and its scope?”

Response by the Lead Member for Education, Children and Young People, Councillor Huw Hilditch-Roberts:

“Band B - the 21st Century School programme will run for 7 years from 2019. In 2017 Cabinet approved Band B submission to Welsh Government and it was approved by them in November 2017. The Cabinet Secretary for Education at the Welsh Government announced in November, amendments to the funding regime which increases the percentage of the contribution from Welsh Government, however, the contribution will remain the same. This means Denbighshire's programme was likely to have a lower overall value than the programme back in 2017. Officers have been asked to re-examine where the original scope work we have done could be reviewed.

Feasibility works presently going on examining school buildings in the Denbigh area and the primary sector in Rhyl.

The future provision for children with additional needs is also currently under review with further works looking at provisions in Llangollen. The revised programme will be presented to elected members in September 2019 to note the work programme going forward.

Band A has seen some really good investments from the north to the south of Denbighshire. There have been some really good projects on which Councillor Eryl Williams led very successfully and our children are seeing the benefit of that in our area now.”

Councillor Graham Timms thanked the Lead Member for his response but went on to add:

“I have had an opportunity to visit Rhyl High School, Ysgol Glan Clwyd and the new school building in Ruthin. It is with great pride I see what has happened in Denbighshire under Band A where Welsh Labour Government and Denbighshire have been working together to finance some incredible buildings and it is good to see first hand the improvements in the school environment and how that leads to improvement in behaviour and improvement in achievement in schools.

Our three schools in Llangollen are genuinely struggling with the buildings which were mostly built in the last century and one of them in the previous century. Can you assure us that you will work with the Welsh Labour Government to ensure our children in Llangollen and other areas will be in schools fit for this century?

I would like to extend an invitation to the Lead Member to come with me to visit the Llangollen schools.”

The Lead Member responded further as follows:

“We are committed to these projects and we are committed to every child in Denbighshire and we will certainly do everything in our power, with the funding available from the Welsh Government to deliver the best we can.

You have my full commitment I will do everything in my power to support your project going forward but, obviously, dependent on funding and the feasibility work we are doing at the moment.

I accept your invitation to meet with you in Llangollen and visit the schools.”

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair and Vice-Chair for the period 25 January 2019 to 15 March 2019 had been circulated prior to the meeting.

The Chair highlighted three events:

- (i) Chairman's Charity Dinner
- (ii) Preview Evening at Corwen Museum, and
- (iii) Opening of Rhyl Seafront Travelodge.

The Vice Chair extended his apologies as he had not attended the Rhuddlan Mayor's Charity Concert on 9 February 2019 due to illness.

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 29 January 2019 and 19 February 2019 were submitted.

Accuracy:

Councillor Meirick Lloyd Davies stated that on page 12 (Item 8) it should read “Fire Authority” and not “Fire Authority Board”.

Councillor Davies also stated that there was a discrepancy between the Welsh and English version of the minutes. On page 11 of the English version the bullet point read “Schools to find 2% cuts was raised” . The paragraph had not been translated in full on the Welsh version.

There was also a discrepancy on page 10 as in the English version the bullet point “Schools savings of 2% (£1.3 million)” was correct but within the Welsh version it had stated “(£13million)”, which was incorrect.

Matters Arising:

Page 9 (Item 6) – Councillor Mabon ap Gwynfor enquired as to whether there would be any additional funding from the Welsh Government? He also queried if certain departments had an underspend would that money be carried forward?

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill confirmed that the annual Revenue Outturn paper would be presented at Cabinet in June 2019 and would deal with any underspend in services during this financial year. He also confirmed that no significant additional funding had been received.

At this point, the Lead Member for Highways, Planning and Sustainable Travel, Councillor Brian Jones stated that within his portfolio they had applied for additional funding but were unsuccessful in the bid.

Page 10 – Councillor Rhys Thomas – the addition of £100million into homeless prevention services – how much of that will be allocated to Denbighshire? He stated a written response would suffice.

The Lead Member for Well-being and Independence confirmed the £100million was for the whole of Wales and would be a pro-rata allocation to Denbighshire via the Supporting People Group.

Councillor Glenn Swingler declared a personal interest as he is a school governor. Page 11 (Item 6) – Councillor Glenn Swingler expressed concern regarding the 2% cut schools were expected to find. He explained the difficulty schools would have to make this saving. He also expressed concern for the standard of education to children if further cuts were continued to be made.

The Lead Member for Education, Children and Young People responded that during the past few years, education had been protected despite cuts from the Welsh Government. Communication had taken place with Chairs of Governors and Headteachers who were committed to find the 2% savings. Assurances were given that the cuts would not be at the detriment to the children’s education.

Page 12 (Item 7) – Councillor Rhys Thomas stated he had been provided with data regarding care leavers who were liable to pay council tax. There were five care leavers, two of whom lived within Denbighshire. Councillor Thomas asked if there had been any moves nationally to ensure care leavers were excluded from paying council tax. He confirmed a written response would suffice.

Page 13 (Item 9) – Councillor Gwyneth Kensler raised the issue of the potential impact of Brexit on the local economy of Denbighshire due to the issues currently in Westminster.

Councillor Huw Hilditch-Roberts informed Council that regarding period dignity, funding would be provided by Welsh Government but did not know, at this time, what the allocation to Denbighshire would be.

Page 17 (Item 3) – Councillor Mabon ap Gwynfor expressed his gratitude to the Lead Member for Highways, Planning and Sustainable Travel, Councillor Brian Jones, for sending a written response to Mrs Pauline Wheeler. He expressed concern that the information should be made clearer to parents. He went on to confirm that he had put it to Scrutiny Chairs and Vice Chairs and the matter would be presented at Scrutiny Committee.

Page 19 (Item 3) – Councillor Emrys Wynne expressed his thanks to the Lead Member for Education, Children and Young People, Councillor Huw Hilditch-Roberts for his comprehensive response regarding period poverty. Councillor Wynne went on to ask if any further responses had been received.

Councillor Huw Hilditch-Roberts confirmed that some schools were yet to respond but once all responses were received they would be collated and circulated.

RESOLVED that, subject to the above, the minutes of Full Council held on 29 January 2019 and 19 February 2019, be confirmed as a correct record and signed by the Chair.

6 ARRANGEMENTS FOR 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 2019/2020 to be formally elected at the Council's annual meeting on 14 May 2019.

It was confirmed that the current Vice Chair, Councillor Meirick Lloyd Davies, would become the Chair for the 2019/2020 municipal year and the formal election of the Chair would take place at the Annual Council to be held on 14 May 2019.

Election of Vice Chair:

Councillor Rhys Thomas proposed Councillor Arwel Roberts, seconded by Councillor David Williams, to be the Vice Chair for the 2019/2020 municipal year.

Councillor Joan Butterfield proposed Councillor Alan James, seconded by Councillor Huw Williams, to be the Vice Chair for the 2019/2020 municipal year.

A secret ballot was undertaken for the proposed Vice Chair.

11 votes for Councillor Arwel Roberts
28 votes for Councillor Alan James

Councillor Alan James was nominated as the proposed Vice Chair for the 2019/2020 municipal year.

Councillor James thanked Members for their support and was congratulated upon his nomination.

RESOLVED that Councillor Meirick Lloyd Davies be proposed Chair and Councillor Alan James be proposed Vice Chair of the County Council for the municipal year 2019/2020 to be formally elected at the Council's annual meeting on 14 May 2019.

7 ANNUAL REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF SCRUTINY CHAIRS

The Lead Member for Corporate Standards, Councillor Mark Young, introduced the report (previously circulated) for Council to consider changes in political balance in accordance with statutory requirements and be aware of how Scrutiny chairing and remuneration arrangements worked.

The Democratic Services Committee were due to meet the following day (29 March) and the membership of that committee was included within Appendix 2 of the report.

The Independent Remuneration Panel's Annual Report on members' salaries for 2019/2020 was to be discussed at the Democratic Services meeting.

It was agreed Group Leaders would liaise with their membership and then meet with the Democratic Services Manager with their selections.

RESOLVED that:

- (i) Council re-appoints the Chair and membership of the Democratic Services Committee for the 2019/2020 municipal year as set out in Appendix 2 subject to any changes made by the political groups in consultation with the Democratic Services Manager, and
- (ii) Council notes the political balance arrangements for the allocation of committee seats.

8 JOINT CONSULTATIVE COMMITTEE FOR HEALTH AND SAFETY AND EMPLOYEE RELATIONS

The Lead Member for Corporate Standards, Councillor Mark Young, introduced the report (previously circulated) to request Council's approval for the creation of a single committee for HR and corporate health, safety and welfare issues. The proposed name of the new committee was to be the Joint Consultative Committee for Health and Safety and Employee Relations.

There were currently two committees – the LJCC and the Corporate Health, Safety and Welfare Committee. There had been ongoing difficulties in achieving quorate meetings with many being held informally due to lack of a quorum or cancelled.

The proposal to merge the existing staff consultative committees had been discussed and unanimously endorsed at recent LJCC and Corporate Health, Safety and Welfare Committee meetings and at a Corporate Joint HR/Trade Union meeting.

At this juncture, the Lead Member extended his thanks to both the staff and the trade unions as a great deal of work had gone into the merger of the two committees.

RESOLVED that Council approves:

- (i) *The establishment of the Joint Consultative Committee for Health and Safety and Employee Relations;*
- (ii) *The termination of the existing Local Joint Consultative Committee (LJCC) and the Corporate Health, Safety and Welfare Committee; and*
- (iii) *The terms of reference for the Joint Consultative Committee for Health and Safety and Employee Relations.*

9 GEOLOGICAL DISPOSAL FACILITY - SITE EVALUATION CONSULTATION PAPER

The Lead Member for Housing Regulation and the Environment, Councillor Tony Thomas, introduced the report (previously circulated) to seek Members' views on the issues raised by the public consultation paper in order that a response to it may be drafted on behalf of the Council.

In May 2015, following a policy review and public consultation, the Welsh Government adopted a policy supporting geological disposal for the long-term management of higher activity radioactive waste (HAW). Geological disposal involves placing radioactive waste deep underground to ensure that the hazardous materials are kept away from people and the environment by isolating and containing the waste in a suitable geological environment for the time required for the radioactivity associated with them to reduce naturally.

Following the adoption of geological disposal, the Welsh Government joined a programme, funded by the UK Government, to seek a single geological disposal facility (GDF) for the HAW from Wales, England and Northern Ireland. The programme would be delivered by Radioactive Waste Management Ltd (RWM), a subsidiary of the Nuclear Decommissioning Authority.

The Welsh Government's policy was that a GDF could only be pursued if a community was willing to host it.

Following a further consultation in January 2019, the Welsh Government issued a policy statement setting out the broad outline of arrangements for working with potential host communities in Wales. The policy provided for Community Investment Funding. Once a Community Partnership was formed, it would be able to apply for Community Investment Funding which would be up to £1million per annum during the initial part of the siting process, rising to £2.5million per annum in areas that move to more detailed investigations such as deep boreholes to assess geological suitability of a site. The evaluation process could take up to 20 years, with the initial phase taking 5 years and the more detailed investigations up to 15 years.

During discussions a number of members spoke out against considering any such facility and it was the consensus of opinion that there was no support to have such a facility within Denbighshire.

It was suggested that as well as sending a response from Denbighshire alone, perhaps a regional response could be collated and sent. It was confirmed that other Local Authorities would be contacted regarding a regional response but the response needed to be done by 12 April 2019.

It was confirmed that there were no comments on the process and that the Council would not be willing to engage in the consultation as to how to evaluate sites.

RESOLVED that Council considered and commented upon the contents of the consultation paper entitled "Site Evaluation – How we will evaluate sites in Wales" and authorised the Lead Member to approve, in consultation with Group Leaders, a response on behalf of the Council.

10 SENIOR OFFICER PAY

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill, introduced the report (previously circulated) for Council to approve the change of remuneration of Head of Highways and Environmental Services from SLT1 to SLT2.

The post of Head of Highways and Environment salary had been re-evaluated by KornFerry Hay Group. Hay was the job evaluation scheme that the Council had adopted to evaluate the post of all senior officers.

The information was reviewed by KornFerry Hay Group and they evaluated the total job size as 904. The points range for SLT2 was 801-1100. The outcome was presented to the SLT Remuneration Panel who agreed with the outcome as detailed in the minutes dated 26 September 2018.

The proposal was then submitted to the Independent Review Panel for Wales (IRP) for their consideration. The IRP responded stating they were content with the information and evidence provided.

Following a brief discussion, it was:

RESOLVED that Full Council approve the change to the remuneration level for the Head of Highways and Environmental Services from SLT1 to SLT2 in accordance with the re-evaluation by Kornferry Hay Group.

11 ANNUAL PAY POLICY REVIEW

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill, introduced the report (previously circulated) to seek Council approval of the changes to the Pay Policy 2019/2020 which had been drafted in accordance with the requirements of 38 (1) of the Localism Act 2011 and

incorporated all existing pay arrangements for the workforce groups within the Council, including Chief Officers and the lowest paid employees.

RESOLVED that Full Council agree the changes to the Pay Policy for 2019/2020.

12 NOTICE OF MOTION

At this juncture, Councillor Rhys Thomas, stated he would withdraw the Notice of Motion put forward to Full Council.

He took the opportunity to thank the Housing Department and the Homelessness Team for all the difficult work they carried out.

13 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

The meeting due to take place on 9 April to consider the LDP had been cancelled.

14 May 2019 – Annual Council:

- North Wales Growth Bid Governance Agreement 2 – not ready so will be put forward at a future meeting.
- Standards Committee Annual Report – to be deferred to July meeting
- LDP to be presented following the Civics ceremony.
- Leisure ADM – possibility of moving this to a separate meeting as the Lead Member, Councillor Bobby Feeley would be unable to attend Annual Council on that date due to being away on holiday.

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

The meeting concluded at 11.55 a.m.