

COUNTY COUNCIL

Minutes of a meeting of the County Council held in via VIDEO CONFERENCE on Tuesday, 18 May 2021 at 10.00 am.

PRESENT

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

ALSO PRESENT

Corporate Director: Communities (NS), Corporate Director: Economy & Public Realm (GB), Head of Legal, HR & Democratic Services (GW), Head of Finance and Property (SG), Strategic HR Manager (CR), HR Specialist – Pay and Rewards (SV), Business Co-Ordinator (SE), Democratic Services Manager (SP), Zoom Host and Webcast (RTJ), Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Geraint Lloyd-Williams and Richard Mainon

2 DECLARATIONS OF INTEREST

None.

3 APPOINTMENT OF THE CHAIR OF COUNTY COUNCIL

The retiring Chair, Councillor Meirick Lloyd Davies, invited nominations for the appointment of Chair of County Council for the 2021/2022 municipal year.

Councillor Joan Butterfield proposed Councillor Alan James to be elected Chair. Councillor Emrys Wynne seconded the proposal.

There being no further nominations, and following a vote Councillor Alan James was unanimously elected to be Chair of the Council for the 2021/2022 year.

The retiring Chair delivered a short speech during which he reflected upon his time as Chair during the past two years, especially during the past 12 months due to covid-19.

He expressed thanks to all members of DCC for their support, patience and co-operation and for the honour of representing the county from 2019. He stated it had been an honour and privilege to have represented the county as Chair of the County Council on 3 occasions over the last 25 years.

He expressed thanks to his wife, Nesta and his family for their support. Thanks were extended to officers, support staff and translators for their support during his time as Chair, in particular to Eleri Woolford (Member Support & Development Manager), the late Sue License, Sharon Walker, Steve Price, and Rhodri Tomos. Thanks to Gary Williams, Head of Legal, HR and Democratic Services, for his consistent guidance and support. Thanks were also extended to Councillor Alan James for his support and assistance during the past 2 years. Thanks to the Reverend Doctor Rhodri Glyn and Reverend Aneurin Owen also to Councillors Arwel Roberts, Emrys Wynne and others who had delivered the prayer when requested.

The retiring Chair had raised a total of £1000 for his two chosen charities. At this juncture, the Chair read out a letter of gratitude from Carol Pritchard Jones of North Wales Cancer Appeal for the donation of £500.

Tina Lew, Chief Executive of Prostate Cymru joined the meeting via video conference, to thank the Chair for the donation of £500.

The retiring Chair wished the incoming Chair best wishes for the future. Councillor James completed his Declaration of Acceptance.

The incoming Chair thanked the retiring Chair and his consort for all their work during the past two years.

The incoming Chair named his wife, Wyn Mullen James, as his Consort.

He advised his chosen charities would be:-

- MacMillan Cancer Support
- Rhyl Lifeboat Crew

The Chaplain for the incoming Chair would be the Venerable Archdeacon Andy Grimwood.

4 APPOINTMENT OF THE VICE-CHAIR OF COUNTY COUNCIL

The Chair sought nominations for the appointment of Vice-Chair.

Councillor Martyn Holland proposed that Councillor Christine Marston be elected Vice-Chair of the Council for the 2021/2022 municipal year. He referred to Councillor Marston's vast experience.

Councillor Rhys Thomas seconded the nomination.

There being no further nominations and following a vote, Councillor Christine Marston was unanimously elected Vice-Chair of the Council for the 2021/2022 municipal year.

The Vice-Chair completed her Declaration of Acceptance of office.

The Leader, Group Leaders and Members paid tribute to the work of the retiring Chair over the previous two years and congratulated Councillors Alan James and Christine Marston upon being elected Chair and Vice-Chair respectively.

**At this juncture (10.35 a.m.) there was a 20 minute break.
The meeting reconvened at 10.55 a.m.**

5 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

At the juncture, the Chair offered congratulations to Councillors Mabon ap Gwynfor and Gareth Davies on their election to the Senedd and commiserations to all those who had stood for the PCC and Senedd elections but were unsuccessful.

6 MINUTES

The minutes of Special Council held on 15 March 2021 were submitted.

A vote took place and it was unanimously agreed the minutes were correct.

The minutes of Full Council held on 13 April 2021 were submitted.

Matters Arising –

Page 10, Item 4 – Councillor Peter Scott confirmed that the NRW Flood report regarding the floods in 2020 was now available on the NRW website.

A vote took place and it was unanimously agreed the minutes were correct.

RESOLVED that the minutes of the Special Council meeting held on 15 March 2021 and the Full Council meeting held on 13 April 2021 be confirmed as a correct record.

7 NOTICE OF MOTION

Councillor Martyn Holland put forward the following Notice of Motion on behalf of the Welsh Conservatives Group for consideration by Full Council.

'This Council calls upon the Budget Board in making its recommendations to Cabinet and Council for future allocations of capital to give full consideration to increasing the annual Highways allocation to £4m per annum as from 2022/23.

Further we would ask Council to support as a first allocation of any unallocated windfall funding received in 2021/22 with the intention of supplementing the capital Highways funding for 2021/22.'

Councillor Julian Thompson-Hill, Lead Member for Finance, Performance and Strategic Assets informed members of the process to determine capital schemes and the work of the Budget Board. Councillor Thompson-Hill confirmed the Budget Board would give due consideration to the Highways Business Case which had been prepared alongside work taking place considering competing bids.

Regarding the second part of the Notice of Motion, pre-allocation of in-year funding did not take place.

In-depth discussions took place and the following points were raised –

- Councillor Paul Penlington asked if Councillor Brian Jones, Lead Member for Waste, Transport and the Environment had been involved with funding discussions with Welsh Government in early 2020 as there had been additional highways funding available amounting to £65million across Wales. Councillor Brian Jones confirmed he had written to the Welsh Government but had received no response.
- Councillor Mabon ap Gwynfor expressed his concern regarding the budget issues and explained Plaid Group had voted against the budget in previous meetings.
- A number of Members confirmed they regularly received complaints regarding the state of the roads within the county.

Councillor Rhys Thomas proposed that the Notice of Motion be put to the Budget Board to enable Members to receive more information regarding the financial implications at a future Full Council meeting.

Councillor Meirick Lloyd Davies Seconded Councillor Thomas' proposal.

The Head of Legal, HR and Democratic Services confirmed that a vote would be required for the amendment as it had been proposed and seconded.

A poll took place as follows:-

For – 12

Against – 25

Abstain – 3

Therefore, the amendment was defeated.

Councillor Graham Timms proposed that the Notice of Motion be split into two sections as the first part of the Motion was on the Agenda for the June meeting of the Budget Board. The second part of the Motion was dependent on whether funds would be received and when. Councillor Timms confirmed he would personally vote against the second part of the Motion.

Councillor Mabon ap Gwynfor Seconded Councillor Timms proposal.

The Head of Legal, HR and Democratic Services confirmed that a vote would be required for the amendment as it had been proposed and seconded.

A poll took place as follows:-

For – 20
Against – 22
Abstain – 0

Therefore, the amendment was defeated.

Councillor Martyn Holland proposed the Notice of Motion be granted and seconded by Councillor Peter Scott.

The Head of Legal, HR and Democratic Services notified Members that a vote would take place on the original substantive Notice of Motion.

A poll took place as follows:-

For - 29
Against – 9
Abstain – 2

Therefore, it was –

RESOLVED that the Notice of Motion be passed.

8 PAY POLICY STATEMENT 2021/22

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill, introduced the Pay Policy Statement Report (previously circulated).

The report was to seek Council approval of the Pay Policy Statement which had been drafted in accordance with the requirements of 38(i) 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.

Councillor Mabon ap Gwynfor expressed his disappointment as there were two salary point below the Real Living Wage.

The Head of Legal, HR and Democratic Services, Gary Williams, confirmed work was ongoing with respect to a report to Council on the Real Living Wage. It was within the forward work programme but date to be confirmed.

There was a large amount of work required which was ongoing as soon as all the information was available, a report would be submitted to Full Council.

The Corporate Director : Economy and Public Realm also confirmed that information regarding the pay claim for the year was awaited and would have a financial impact on various calculations.

The annual national pay negotiations were paused during the Senedd election campaign and had since been recommenced.

Councillor Julian Thompson-Hill proposed Full Council approve the Pay Policy, seconded by Councillor Christine Marston.

A vote took place and it was unanimously agreed to accept the Pay Policy.

RESOLVED that Full Council agree the recommendation from the Senior Leadership Remuneration Panel to the changes to the Pay Policy for 2021/22 (copy in Appendix A)

9 ANNUAL REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF SCRUTINY CHAIRS

The Democratic Services Manager, Steve Price, 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.

Nominations for Chair would be required to be from either the Labour or Plaid Group as they could not be a Group who were part of Cabinet.

Councillor Joan Butterfield, Leader of the Labour Group, nominated Councillor Bob Murray, and was seconded by Councillor Jeanette Chamberlain-Jones.

There were no other nominations.

A vote took place and it was unanimously agreed Councillor Bob Murray to be Chair of Democratic Services Committee.

RESOLVED that Council –

- *Appoints the Membership and Councillor Bob Murray as Chair of the Democratic Services Committee for the 2021/2022 municipal year, and*
- *Considers the political balance arrangements for the allocation of Committee seats.*

10 ANNUAL REPORT OF THE COUNCIL'S SCRUTINY COMMITTEES 2020/21

Councillor Graham Timms presented the Annual Report of the Council's Scrutiny Committees 2020/2021 (previously circulated) on their activities during 2020/2021.

The Annual Report was to comply with Section 7.4.4 of the Council's Constitution which stipulated that Scrutiny Committee must report annually to Full Council on their work and make recommendations for future work programmes and amended working methods if appropriate.

Scrutiny request forms were submitted from members, officers and members of the public and presented to Scrutiny Chairs and Vice-Chairs Group who applied the criteria to determine whether the item merited scrutiny.

The report outlined Scrutiny's important role in relation to supporting the Council's work to deliver its corporate priorities and Corporate Plan, including its regular monitoring of the Plan's delivery.

Also included within the Annual Report were details on the task and finish groups operating under the auspices of the Council's Scrutiny Committees.

The report covered the period since the COVID-19 pandemic. As the effects of the pandemic permeated into every aspect of daily life, all scrutiny committee work programmes required to be reviewed to evaluate their relevance in post-pandemic Denbighshire.

Councillor Timms and other members expressed their gratitude to the Scrutiny Officer, Rhian Evans, for her support and hard work throughout the year.

Councillor Graham Timms proposed Members approve the report, seconded by Councillor Hugh Irvings.

A vote took place and it was unanimously agreed to approve the report.

RESOLVED that Council considered and approved the Annual Report of the Scrutiny Committees for 2020/2021.

11 ANNUAL REPORT OF THE STANDARDS COMMITTEE

The Monitoring Officer, Gary Williams, presented the Standards Committee Annual Report (previously circulated).

The Chair of Standards Committee, Ian Trigger, apologised as he was unable to attend the meeting.

Due to the suspension of meetings during the earlier period of the COVID-19 pandemic, the report covered the period from the last annual report presented in July 2019 and the end of the current municipal year. During the period covered by this report, the Committee had met on six occasions.

It had been agreed a report would be presented on an annual basis to full Council to keep members informed of trends, issues in respect of compliance with the members Code of Conduct generally across the county and the work of the Committee in driving up standards of behaviour at County level and also at City, Town and Community levels.

The main role of the Standards Committee was to monitor adherence to the Members Code of Conduct.

The terms of the independent members was stated within the report and it was noted that the Chair, Ian Trigger's second term of office would end on the date of the Local Government elections in 2022.

In the coming year, the Committee would be considering the implementation of the Local Government and Elections (Wales) Act 2021 which introduced new duties for Political Group Leaders to promote and maintain high standards of conduct by members of their groups and to co-operate with the Committee in the exercise of its functions. The Committee's Terms of Reference would be amended in order to reflect the new obligations.

Councillor Meirick Lloyd Davies proposed the acceptance of the report, seconded by Councillor Christine Marston.

A vote took place and it was unanimously agreed to approve the report.

RESOLVED that members note the contents of the Standards Committee Annual Report.

12 APPOINTMENT OF LAY MEMBERS TO STANDARDS COMMITTEE

The Monitoring Officer, Gary Williams, presented the Appointment of Lay Members to Standards Committee report (previously circulated).

The appointment of Independent Lay Members, Anne Mellor and Julia Hughes, to the Standards Committee required approval of Full Council.

The Standards Committee Regulations 2001, as amended, govern the composition and proceedings of Standards Committee. The Standards Committee was not required to be politically balanced.

The Chair and Vice-Chair of the Committee must always be independent lay members.

An independent lay member may only serve two terms of office. This would, therefore, be the proposed appointees' final term, if re-appointed.

Proposed by Councillor Barry Mellor and seconded by Councillor Arwel Roberts.

A vote took place and it was unanimously agreed to accept the report.

RESOLVED that:-

- *Anne Mellor be re-appointed as an independent lay member of the Standards Committee for a second term to expire on 18 May 2022*
- *Julia Hughes be re-appointed as an independent lay member of the Standards Committee for a second term to expire on 18 May 2022*

13 REVIEW OF THE ROLE OF HEAD OF SERVICE FOR EDUCATION AND CHILDREN SERVICES

Councillor Julian Thompson-Hill presented the Review of the role of Head of Service for Education and Children Services report (previously circulated).

The Head of Education and Children Services resigned from her post with effect from 2 August 2020. Since then, interim arrangements had been in place for a review to be undertaken on the most appropriate arrangement for managing the service going forward. The review was completed in January 2021 where it was agreed in principle to maintaining one service but recruit two Heads of Service, one with a specialism in Education and the other in Children Services.

The report proposed changes to the Senior Leadership Team structure. This was presented and discussed at the Senior Remuneration Panel on 22 April 2021. Both roles came out as SLT2, therefore, the proposal would increase costs. The overall increase in budget would be approximately £60,000.

Proposed by Councillor Julian Thompson-Hill, seconded by Councillor Emrys Wynne.

A vote took place and it was unanimously agreed to accept the report.

RESOLVED *that in accordance with the recommendation of the Senior Leadership Panel, that Full Council approve the remuneration level for the Head of Education and Head of Children Services in accordance with the re-evaluation by Kornferry Hay Group.*

14 CHIEF EXECUTIVE RECRUITMENT 2021

The Head of Legal, HR and Democratic Services, Gary Williams, introduced the Chief Executive Recruitment 2021 report (previously circulated) to seek Council approval to recruit to the role of Chief Executive and to agree the approach to be taken in the recruitment process. This also included the remuneration package to be offered.

It was essential arrangements for the recruitment process to fill the post was agreed and actioned quickly to ensure the Authority continued to have robust management and governance in place following the Chief Executive's departure on 7 April 2021.

The Senior Remuneration Panel met on 22 April 2021 to review the remuneration package for the Chief Executive and concluded that the remuneration package was appropriate.

As part of the recruitment process a Special Appointments Panel would be set up to shortlist candidates for interview and assessing their suitability for the post via an assessment process and interviews. A shortlist of suitable candidates would then be presented to Full Council at which each candidate would give a 15 minute presentation and 30 minute discussion with each candidate would take place. Full Council would then make the decision on who to appoint to the role.

Councillor Meirick Lloyd Davies proposed that the recommendations 3.1 – 3.4 be voted on separately, seconded by Councillor Gwyneth Kensler.

A poll took place as follows –

For – 8

Against – 18

Abstain – 1

Therefore, it was agreed to vote for the recommendations as one.

Councillor Julian Thompson-Hill proposed to accept the report, seconded by Councillor Bobby Feeley.

A vote took place and majority of members voted in favour of the report with one abstention.

RESOLVED that Council –

(i) Agree to recruit a new Chief Executive

(ii) Agree the proposed remuneration package

(iii) Agree the recruitment pack

(iv) Agree the recruitment process.

15 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

RESOLVED that the Council's Forward Work Programme be approved and noted.