

COUNTY COUNCIL

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin and via Video Conference on Tuesday, 6 December 2022 at 10.00 am.

PRESENT

Councillors Michelle Blakeley-Walker, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Kelly Clewett, Ann Davies, Karen Edwards, Pauline Edwards, Gwyneth Ellis, James Elson, Justine Evans, Gill German, Jon Harland, Elen Heaton, Huw Hilditch-Roberts, Martyn Hogg, Carol Holliday, Alan Hughes, Hugh Irving, Alan James, Delyth Jones, Paul Keddie, Diane King, Geraint Lloyd-Williams, Julie Matthews, Jason McLellan, Barry Mellor, Win Mullen-James, Merfyn Parry, Pete Prendergast (Vice-Chair), Arwel Roberts (Chair), Gareth Sandilands, Peter Scott, Rhys Thomas, Andrea Tomlin, Cheryl Williams, Elfed Williams, Eryl Williams, Huw Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Corporate Director: Business and Governance (Monitoring Officer)(GW); Corporate Director: Economy and Environment (TW); Planning and Public Protection Manager (AL); Senior Planning Officer (LG); Education Enrichment Coordinator (SD); Asset and Risk Manager (TT); Zoom Host and Webcast Officers (RTJ and NPH); and Committee Administrator (SLW)

Also in Attendance – Chair of Standards Committee, Julia Hughes

1 APOLOGIES

Apologies for absence were received from Councillors Chris Evans, Hugh Evans, Bobby Feeley, Raj Metri and David Williams

At this juncture there was a minutes silence held for the late Councillor Brian Blakeley and the ex-Councillor the late Rhys Webb.

The Chair and Group Leaders paid tribute to the late Councillor Brian Blakeley. They acknowledged his work ethic and dedication to the community for which he was local Councillor and also the work for the county. The late Councillor Blakeley had been a well respected Councillor and would be sadly missed.

2 DECLARATIONS OF INTEREST

None.

3 URGENT MATTERS AS AGREED BY THE CHAIR

- (i) The Chair informed members that he had attended an event in Cardiff to represent Denbighshire County Council (DCC). DCC had been awarded a

national recognition to the commitment to the Armed Forces personal, past and present, together with their families. The Chair presented the award to the Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews. Councillor Matthews acknowledged the hard work of the staff at DCC in supporting the armed forces within Denbighshire. Councillor Matthews also thanked the Chair, Councillor Arwel Roberts for attending the event and receiving the reward on her behalf.

- (ii) The Chair confirmed that one of his Charities whilst he was in post was "Save the Children". The Chair confirmed he had been working with the Education Enrichment Coordinator, Sarah Dixon, and they were to attend schools within Denbighshire to launch the Denbighshire School Art Competition entitled "Beth Syn Eich Gwneud Chi'n Hapus" "What Makes You Happy". The competition would be for under 12 year olds. The NSPCC Hub in Prestatyn had also been involved with the Art Competition and DCC were extremely proud to support NSPCC North Wales. The art would be on display in libraries across the county during Childrens Mental Health week (6 – 12 February 2023). The overall winner would win a free workshop in school with a leading Welsh artist. The closing date for entries is 27 January 2023.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair for the period 1 October 2022 to 1 December 2022 had been circulated prior to the meeting.

***RESOLVED** that the list of civic engagements undertaken by the Chair be received.*

5 MINUTES

The minutes of Full Council held on 6 December 2022 were submitted.

***RESOLVED** that the minutes of Full Council held on 6 December 2022 be confirmed as a correct record.*

6 CENTRAL RHYL AND CENTRAL PRESTATYN COASTAL DEFENCE SCHEMES

At this juncture, the Monitoring Officer informed members that Appendices 4 and 5 were Part II Confidential and if discussions were to involve those Appendices the meeting would be required to move to Part II.

The Lead Member for Environment and Transport, Councillor Barry Mellor, introduced the Central Rhyl and Central Prestatyn Coastal Defence Schemes report (previously circulated).

Due to the level of financial commitment required by the council, approval is sought to proceed to the construction phase of both schemes.

The existing coastal defences along Rhyl Golf Course frontage were constructed approximately 70 years ago and were in poor condition. Due to the condition of the coastal defences, the council wanted to ensure they were upgraded well

ahead of time. If the existing defences failed in this location, the flood risk to over 2,000 properties in the Prestatyn area would increase significantly.

The central area of Rhyl (between Splash Point and the Drift Park) was currently protected by sea defences that were deteriorating. The Council wanted to ensure that existing defences were replaced well ahead of time, to protect this popular part of Rhyl's coastline from flooding and coastal erosion. If the existing defences failed in this location, the flood risk to over 600 properties in the Rhyl area would increase significantly.

The planned schemes were set out within the report and summarised by Councillor Mellor.

A full Business Case for both schemes had been submitted to the Welsh Government (WG) in November 2022. The Council had worked closely with WG throughout development of the schemes and anticipated WG approval to be granted by the end of December 2022.

A carbon impact assessment had been carried out which showed that, over the lifetime of the scheme, the carbon impacts were very similar to the carbon benefits, which meant that the scheme was carbon neutral.

The Council has been involved in positive discussions and negotiations with businesses affected by the scheme.

The combined cost of both schemes was approximately £92m. 85% was to be funded by the Welsh Government as grant in aid, paid to the Council over a 25-year period through the Revenue Support Grant.

During discussions, the following points were raised:-

- Local members spoke of the devastation to residents during the floods in previous years and welcomed the flood defence schemes.
- Members were reassured that the calculation of the modelling for the scheme was correct and would alleviate flooding in the Central Rhyl and Prestatyn areas.
- It was confirmed that Balfour Beattie representatives would monitor and manage the projects together with consultation with officers. It was confirmed that the two schemes would seal up the Denbighshire coastline.
- The construction phase would take place over a three year period. There was an ongoing dialogue with residents to keep them notified of the works taking place, levels of noise and biodiversity etc. A public meeting had also recently taken place to ensure local residents were kept fully informed.
- A Project Board would meet monthly to monitor the scheme progress.
- Access to the beach would be improved following the construction of the scheme.

The Chair thanked officers for the report and for the work they had carried out.

PROPOSED by Councillor Barry Mellor, SECONDED by Councillor Alan James

RESOLVED that –

- That Council confirms that it has considered the content of the Well-being Impact Assessments for each scheme (attached at Appendix 3a and Appendix 3b).
- That Council supports the proposal to progress the Central Rhyl Coastal Defence scheme to the construction phase, using the grant aid funding model set out by the Welsh Government. This is subject to Welsh Government approving the Full Business Case and agreeing to provide 85% of the cost of borrowing to fund the scheme.
- That Council supports the proposal to progress the Central Prestatyn Coastal Defence scheme to the construction phase, using the grant aid funding model set out by the Welsh Government. This is subject to Welsh Government approving the Full Business Case and agreeing to provide 85% of the cost of borrowing to fund the scheme.
- That Council delegates authority to the Coastal Defence Project Board to deliver the schemes.

**At this juncture (11.15 a.m.), there was a 20 minute break.
The meeting reconvened at 11.35 a.m.**

7 REVISED DELIVERY AGREEMENT FOR THE REPLACEMENT LOCAL DEVELOPMENT PLAN

The Lead Member for Local Development and Planning, Councillor Win Mullen-James, introduced the Revised Delivery Agreement for the replacement Local Development Plan report (previously circulated).

The report set out the revised Delivery Agreement for the replacement Local Development Plan (LDP) 2018 – 2033. The Delivery Agreement (DA) set out the timetable for progressing the replacement LDP to adoption and outlined whom, how and when the Council would consult on the various stages of the LDP preparation. A revised DA was required due to delays in the agreed timetable brought about by the Covid – 19 pandemic; delays in the publication of flood risk policy and guidance and, local elections. A revised DA needed to be approved by Cabinet and Council then formally submitted to Welsh Government for their agreement.

The Strategic Planning Group and Cabinet had recommended that the revised DA be put forward to Council for approval and subsequent submission to Welsh Government.

The Senior Planning Officer informed members that the DA set out the timetable for the preparation of the LDP and the consultation arrangements. The current DA had been approved in May 2018. The revised Delivery Agreement was a key stage in progressing the replacement LDP and no further formal consultation stages could be delivered until the revised DA was approved

The Leader, Councillor Jason McLellan stated that a great deal of debate had taken place during Cabinet.

PROPOSED by Councillor Peter Scott, and SECONDED by Councillor Karen Edwards.

RESOLVED that –

- *That Council confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.*
- *That Council approve the revised Delivery Agreement (DA) at Appendix 1 and subsequent submission to Welsh Government.*
- *That Council authorises the Lead Member for Local Development and Planning in consultation with the Head of Planning, Public Protection and Countryside Services to agree any future amendments required to the Denbighshire Replacement Local Development Plan Delivery Agreement.*

8 STANDARDS COMMITTEE CHAIRS' ANNUAL REPORT

The Chair of Standards Committee, Julia Hughes, presented the Standards Committee Chairs' Annual Report (previously circulated)

The Annual Report of Standards Committee covered the calendar year January to December 2021. The report covered the period where the current Chair (Julia Hughes) presenting this report was Vice Chair and the Committee membership related to the last Council term.

The Standards Committee Annual Report was presented on the work of the committee each year and its findings and observations. This was part of the Committee's drive to increase standards of ethical behaviour and compliance with the Members Code of Conduct.

Standards Committee regulations stipulated that the size of the Committee would not be less than 5 but no more than 9 Members with the Committee. In Denbighshire the Standards Committee consisted of 2 County Councillors, 4 Independent (co-opted) Members, and 1 Community Council Member, therefore 7 members. The majority of the Members were not elected, but recruited from members of the public as per the requirements of the Standards legislation in Wales. The Committee could also only be quorate when at least half of those Members present were the independent lay members.

During 2021 the Welsh Government commissioned an independent review of the ethical framework in Wales – the Penn Review, which looked at whether the framework remained fit for purpose. The overall conclusion was that the framework was fit for purpose and did not need significant alteration. It was recommended some minor adjustments and amendments to include consideration of the role of Standards Committees in supporting community councils and additional powers that may be needed, not least resource implications in delivering such support. Of note the review highlighted serious concerns about the extent of bullying, lack of respect or otherwise generally disruptive behaviour by some members at meetings of Town and Community Councils in Wales.

This had been the first phase of the review with the second phase focusing on working with partners and stakeholders to deliver any changes to the ethical

standards framework that were considered appropriate and necessary by Welsh Ministers in the light of the findings and recommendations of the first phase of the review.

Following the summary of the Annual report, the Chair thanked the Chair of Standards Committee for her presentation and work.

PROPOSED by Councillor Hugh Irving and SECONDED by Councillor Paul Keddie.

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

9 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Corporate Director – Business and Governance, introduced the Council Forward Work Programme together with the Council Workshop Forward Work Programme (previously circulated).

The next Council meetings were scheduled to take place on 31 January 2023 and 28 February 2023.

The next Council Workshop meeting was due to take place on 16 December 2022.

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

THE MEETING CONCLUDED AT 12:10 P.M.