

COUNTY COUNCIL

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 9 May 2023 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, Chris Evans, Hugh Evans, Justine Evans, Bobby Feeley, Gill German, Jon Harland, Elen Heaton, Huw Hilditch-Roberts, Martyn Hogg, Carol Holliday, Alan Hughes, Hugh Irving, Alan James, Brian Jones, Delyth Jones, Paul Keddie, Diane King, Geraint Lloyd-Williams, Julie Matthews, Jason McLellan, Barry Mellor, Terry Mendies, Win Mullen-James, Merfyn Parry, Pete Prendergast (Vice-Chair), Arwel Roberts (Chair), Gareth Sandilands, Peter Scott, Rhys Thomas, Andrea Tomlin, David Williams, Elfed Williams, Huw Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (GB), Corporate Director: Governance and Business (GW), Business Support Manager (EW), Head of Planning, Public Protection and Countryside Services (EJ), Strategic Planning and Housing Manager (AL), Principal Planning Policy Officer (LG); HR Project Manager – Pay and Rewards (SV), Democratic Services Manager (SP),

1 APOLOGIES

Apologies for absence were submitted by Councillors Cheryl Williams and Eryl Williams.

2 DECLARATIONS OF INTEREST

Councillor James Elson declared a personal interest in item 13 as he was a non-hunting member of the Flint and Denbigh Hunt.

3 CHAIRMAN'S DIARY

The outgoing Chair of the Council, Councillor Arwel Roberts reported on the civic events he had attended and contributed to, and the charity fundraising activities undertaken during his year as Chair.

The Chair paid his thanks to key individuals who had supported his work during his term as Chair of the Council.

The Chair presented cheques to the charities supported by his charity fund, relating to dementia support and the Book of You project; and the National Society for the Protection of Children aim to support a NSPCC volunteer based in Prestatyn.

The Chair called forward Council officers Ann Lloyd and Tony Mayles to the dais to explain their recent charity sky-dive in aid of Childline.

4 APPOINTMENT OF THE CHAIR OF THE COUNTY COUNCIL

The Chair of the Council, Councillor Arwel Roberts, requested nominations for the appointment of the new Chair of Council for the 2023 – 2024 civic year. Councillor Jason McLellan proposed Councillor Pete Prendergast, seconded by Councillor Joan Butterfield.

No further nominations were proposed, and the meeting indicated its affirmation to the appointment.

Councillor Prendergast declared his acceptance of the office of Chair and announced that his Consort would be Councillor Diane King. He paid tribute to the previous Chair and Consort for their hard work during the last year.

RESOLVED – That Councillor Pete Prendergast be appointed Chair of Denbighshire County Council for the 2023 – 2024 civic year.

5 APPOINTMENT OF THE VICE CHAIR OF THE COUNTY COUNCIL

The new Chair of the Council, Councillor Prendergast, requested nominations for the appointment of the new Vice Chair of Council for the 2023 – 2024 civic year. Councillor High Irving proposed Councillor Peter Scott, seconded by Councillor Huw Hilditch-Roberts.

No further nominations were proposed, and the meeting indicated its affirmation to the appointment.

Councillor Scott declared his acceptance of the office of Vice Chair and announced that his Consort would be his wife, Susan Scott.

RESOLVED – That Councillor Peter Scott be appointed Vice Chair of Denbighshire County Council for the 2023 – 2024 civic year.

6 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent matters raised.

7 MINUTES

The draft minutes of the meeting of Council held on the 28th February 2023 (previously circulated) were submitted.

RESOLVED – that the minutes of the meeting of Council held on the 28th February 2023 be confirmed as a correct record of the meeting.

8 REPLACEMENT LOCAL DEVELOPMENT PLAN PREFERRED STRATEGY - REPORT OF CONSULTATION

A report entitled the Replacement Local Development Plan Preferred Strategy – Report of Consultation (previously circulated) was introduced by the Lead Member for the Local Development Plan (LDP), Councillor Win Mullen-James.

Councillor Mullen-James referred to the role of the Strategic Planning Group, which as lead member she chaired. Councillor Mullen-James reflected on the importance of the Group in engaging members of the Council in developing the replacement LDP.

The Head of Planning, Public Protection and Countryside Services (HPPPCS) advised that the Preferred Strategy sets out the vision, objectives, growth, spatial strategies, key policies and framework for the draft LDP and required Council approval before the LDP process could move onto the next stage of consultations. The HPPPCS highlighted:

- The preferred Strategy was consulted on in 2019, but the Covid pandemic and changes in the evidence base had delayed reporting back until now. The key recommended amendments to the 2019 Vision included an increased prominence in aspects such as climate change, renewable energy, active travel and carbon neutrality.
- The key recommended changes to the Growth Strategy was a reduction of new B-use employment land to be allocated in the county.
- The key recommended amendment to the Spatial Strategy was the removal of the Bodelwyddan Key Strategic Site from the LDP due to concerns around the delivery and sustainability of the site.
- It was also recommended that the target for the provision of affordable housing be increased, as a number of affordable homes had been built and there was scope for being more ambitious. Members would be consulted on the actual target to be used before going into the deposit LDP.
- The Preferred Strategy Consultation being considered today had been recommended for approval by the Strategic Planning Group and by Cabinet, and the HPPPCS recommended the report today to Council.

Councillor Mark Young endorsed the aim of having the right homes in the right places and supported the overall approach being taken. In respect of the Health Impact Assessment, he highlighted the current difficulties residents faced in accessing health services and was concerned that new developments should not worsen the situation for health service provision. Councillor Young recommended that the Health Board attend the Member Area Group meetings. In respect of infrastructure for new developments, Councillor Young queried how sewage infrastructure that was not coping now, would fare when additional houses were added to the infrastructure.

The HPPPCS agreed that a holistic approach and early discussions with key partners to develop a strategy was required, and that greater focus on these issues would be needed once individual sites were being discussed.

The Strategic Planning and Housing Manager (SPHM) agreed that working together with partners who provided health and utility services was essential and was ongoing; and she confirmed that the Health Board would be attending a forthcoming Strategic Planning Group meeting. The SPHM was aware that there were a number of existing problems and improvements, and partnership working was needed in order to deliver the aspirations for the LDP.

In response to questions from Councillor Brian Jones the HPPPCS confirmed that the process ahead included further public consultation. The SPHM outlined that the next major stage would be the deposit stage, but there would be further consultation, for example for city, town and community councils. The SPHM reported that candidate sites had been reviewed by members at workshops and further contact would be made with landowners. She was not aware of any specific discussions with landowners regarding potential land swaps.

In respect of candidate sites, the SPHM agreed with Councillor Hilditch-Roberts and confirmed that efforts would be made to distinguish for the public, the difference between publication of candidate sites and the allocation of sites in the Deposit LDP and the granting of planning permission. The LDP team would ensure that local members were notified prior to the publication of the Deposit LDP.

Councillor David Williams raised doubts about whether discussions with the health board and utility providers, referred to earlier in the debate, could lead to improvements, citing serious problems accessing health care and the discharge of sewage into watercourses as examples.

RESOLVED – That Council

- (i) confirms that it has read, understood and taken account of the Wellbeing Impact Assessment (Appendix 3) as part of its consideration;
- (ii) approves the Preferred Strategy as amended by this report;
- (iii) approves the Preferred Strategy as amended by this report to form the basis for developing the Deposit Replacement Local Development Plan for consultation.
- (iv) authorises the Lead Member for Local Development and Planning in consultation with the Head of Planning, Public Protection and Countryside Services, to agree any minor amendments and corrections required to the Denbighshire Replacement Local Development Plan Preferred Strategy.

9 PAY POLICY STATEMENT 2023 - 2024

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, introduced a report on the Pay Policy Statement 2023 – 2024 (previously circulated).

Councillor Ellis reported that the preparation of pay policy statements and their approval by Council on an annual basis, was a statutory duty under the Localism Act 2011. These statements articulated an authority's policies in respect of pay issues, particularly those relating to its chief officers and its lowest paid employees.

The HR Project Manager – Pay and Awards (HRPM) highlighted the main areas of change from the previous year’s statement, the main ones being the national pay awards and chief executive pay which were still being negotiated. Confirmation of chief officer pay had recently been received and the document would be updated accordingly. The most recent comparison between the highest and lowest paid in the Authority had shown that Denbighshire’s figures were comfortably within the parameters set out in the Hutton report on fair pay in the public sector.

RESOLVED – That Council -

- (i) accepts the recommendation from the Senior Leadership Remuneration Panel and approves the Pay Policy for 2023 – 2024 as shown in Appendix to the report);
- (ii) confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix B) as part of its consideration.

10 ANNUAL REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF SCRUTINY CHAIRS

The Democratic Services Manager (DSM) introduced a report on the Annual Review of Political Balance and the Appointment of Scrutiny Chairs (previously circulated).

Council was advised that the consideration of the political balance arrangements annually was a statutory duty.

The DSM referred to the information on the political balance position and the membership of committee that had been appended to the report. He reported that the appended information was shared with Group Leaders at appropriate times throughout the year.

RESOLVED - That Council notes the political balance arrangements for the allocation of committee seats.

11 NOTICE OF MOTION

Councillor Hugh Irving presented a motion on behalf of the Welsh Conservatives Group (previously circulated) in respect of the previous loss of accommodation for the North Wales Police in Prestatyn. Councillor Irving detailed the pressing need for suitable replacement premises to be found.

With the motion duly seconded, the lead member, Councillor Rhys Thomas, advised that he was aware of, and supportive of the continuing efforts with the police to identify suitable premises for the police to have a permanent presence in Prestatyn. He advised members that this motion supported those efforts which had been ongoing for a considerable period.

The Leader of the Council, Councillor Jason McLellan, reported on a recent meeting with the Police and Crime Commissioner in Prestatyn that had discussed

potential sites. Councillor McLellan stated that the Council was already doing what the motion was calling for. Councillors McLellan and Kelly Clewett reported on their understanding of the previous Council's role in removing public services from the Nant Hall building.

Councillor McLellan proposed an amendment to the motion, duly seconded, altering the final paragraph to highlight the Council's on-going efforts to assist the Police in finding a base in Prestatyn. A vote was taken confirming that the motion as amended had become the substantive motion.

RESOLVED – That Council approves the following motion:

'There is concern within the Prestatyn Community that one of the larger towns in North Wales remains many years after the Divisional Police HQ and local facilities were relocated to the St Asaph Business Park, with no Police Facilities in the town.

Every rateable property in Prestatyn contributes at least £330 to finance the Police Service. With many new residential developments under way this sum will rise substantially but with increased population comes demand and there are already antisocial behaviour issues requiring frequent intervention.

The group recognise there is little headroom in the North Wales Police Capital programme to build new facilities but there is an opportunity for Denbighshire County Council to provide North Wales Police with premises suitable for a local Police Station within a Town Centre Project nearing completion.

It is proposed that the Council pass a resolution asking the Authority to continue their discussions regarding these premises with North Wales Police and take all action in their power to negotiate terms that will meet this objective. Council recognises that officers are already in discussion with North Wales Police.'

12 NOTICE OF MOTION

Councillor Brian Jones presented a motion (previously circulated) on behalf of the Conservative Group. Councillor Jones advised that the motion had been inspired by the 'Alex Angels' and outlined the background to the Alex Angels group. He paid tribute to the group's understanding of the issues facing the Health Board, and the potential for solutions to deliver increased bed capacity and help relieve pressure on other areas of the Health Board's services.

The motion having been duly seconded, the lead member, Councillor Elen Heaton, thanked the Alex Angels for their valuable contribution to the community and advised that she and the Council's Corporate Director were keen to meet with them and listen to their views regarding the development of health and social care in the county. In addressing the motion, Councillor Heaton reported that in-patient beds had been removed from the Royal Alex hospital owing to fire safety concerns, but a range of out-patient services continued to be delivered from the site.

Councillor Heaton stated that the motion would not resolve bed-blocking problems, which were complex and multi-faceted. Councillor Heaton reported that most

people were waiting for, and preferred, community-based services, and she reported on the risks of hospital-based deconditioning, where frail patients' capacity to care for themselves was further diminished.

Councillor Heaton argued that the aim must be for more comprehensive solutions; namely the full business case proposal for the redevelopment of the Royal Alexander hospital in its entirety (known as the North Denbighshire Community Hospital Project).

Councillor Heaton proposed an amendment to the motion as follows:

- That all Denbighshire councillors pledge their support to the full business case currently awaiting a decision from the Welsh Government.
- That Councillor Heaton, as lead member, with the Corporate Director for Social Services and Education, meet with the Alex Angels to engage in meaningful consultation regarding the development of health and social care in the county.
- That the Partnerships Scrutiny Committee continue to scrutinise the North Denbighshire Community Hospital Project.

In responding to the lead member, the proposer of the original motion Councillor Brian Jones conveyed the serious doubts he held about the Welsh Government's commitment to deliver the North Denbighshire Community Hospital Project; citing the long-standing and continuing delays to the project, and his understanding that no funding had been allocated to deliver the project. He rejected the lead members' position and endorsed the Royal Alexander Angels' petition for a feasibility study to reinstate bed capacity as being a viable and practical short to medium term solution.

On being put to the vote Council resolved to amend the motion as proposed by the lead member.

Councillor Ann Davies raised her concerns about the closure of community hospitals, bed-blocking problems and the delays in building a new hospital, and she endorsed having extra bed capacity in the Royal Alex. Councillor Chamberlain-Jones endorsed these comments, with her own recent experiences of the problems that the Health Board was experiencing in terms of capacity to deliver its services in the county.

Councillor Clewett, citing her experience as a senior health care professional (and on seeking advice from the Monitoring Officer regarding her employment, declaring a personal but non-prejudicial interest), with knowledge of community hospitals and the Royal Alex, reported that the existing Royal Alex hospital could not deliver the in-patient care that was needed, though she agreed that there were serious problems and concerns in respect of health service provision in the county.

RESOLVED – That Council approves the amended motion as follows:

- (i) All Denbighshire councillors pledge their support to the full business case currently awaiting a decision from the Welsh Government.

- (ii) That Councillor Heaton, as lead member, with the Corporate Director for Social Services and Education, meet with the Alex Angels to engage in meaningful consultation regarding the development of health and social care in the county.
- (iii) That the Partnerships Scrutiny Committee continue to scrutinise the North Denbighshire Community Hospital Project.

13 NOTICE OF MOTION

Councillor Jon Harland, on behalf of the Green Party Group, introduced a motion (previously circulated) in respect of seeking support for a ban on hunting with dogs, including trail hunting, on Council-owned land.

Councillor Harland clarified that the motion was not about preventing people from undertaking any legal activities on their own land; rather it sought to send a clear message about the Council's view on hunting with dogs, and would align the Council with the steps taken by other significant public sector landowners.

The motion having been seconded, the lead member, Councillor Gwyneth Ellis queried the accuracy of the motion, as the Council already did not give consent to hunting with dogs on council-owned land. Consequently, Councillor Ellis proposed an amendment, duly seconded, to the wording of the motion to clarify this position as follows:

'The Council notes the widespread support across Denbighshire and Wales for the ending of animal cruelty and improvement of animal welfare; and confirms its support for a county-wide ban on hunting of mammals with dogs, including trail hunting, on land we as a Council own.'

In further discussing the motion, the following points were raised:

- Whether the proposed motion could inadvertently affect legitimate culling of pests or the proper management of moorlands and mountains. The response provided was that the culling of pests (often or usually by shooting) was not considered to be hunting and those land-management activities would not be affected by the motion.
- In response to a concern about whether the resources were available to enforce a ban, members were advised that any criminal offences occurring in respect of hunting would be a matter for the police. If the Council found that council land was being used contrary to the Council's wishes and to any tenancy rights, then the Council could take enforcement action.

RESOLVED – that Council notes the widespread support across Denbighshire and Wales for the ending of animal cruelty and improvement of animal welfare; and confirms its support for a county-wide ban on hunting of mammals with dogs, including trail hunting, on land we as a Council own.

14 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Corporate Director: Governance and Business introduced the Council's forward work programme (previously circulated).

RESOLVED – that the Council's forward work programme be noted.