

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 3 December 2013 at 10.00 am.

PRESENT

Councillors Raymond Bartley (Chair), Brian Blakeley (Vice-Chair), Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Ann Davies, James Davies, Meirick Davies, Richard Davies, Stuart Davies, Hugh Evans, Peter Evans, Bobby Feeley, Huw Hilditch-Roberts, Martyn Holland, Hugh Irving, Alice Jones, Huw Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Margaret McCarroll, Jason McLellan, Bob Murray, Dewi Owens, Merfyn Parry, Arwel Roberts, Gareth Sandilands, David Simmons, Barbara Smith, David Smith, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams, Eryl Williams and Huw Williams

ALSO PRESENT

Chief Executive (MM), Corporate Director: Economic & Community Ambition (RM), Head of Legal & Democratic Services (GW), Head of Finance and Assets (PMcG), Head of Housing and Community Development (PMcH), HR Services Manager (CR) Employee Relations Specialist (GH), Democratic Services Manager (SP) and Committee Administrator (SLW).

Also present: Director of Ian Jeffcott Associates Ltd.

1 APOLOGIES

Apologies for absence were received from Councillors Ian Armstrong, Peter Duffy, Carys Guy, Colin Hughes, Rhys Hughes, Pat Jones, Barry Mellor, Win Mullen-James, Peter Owen and Paul Penlington

WELCOME

The Chair welcomed everyone to the Council meeting.

A welcome was extended to Councillor Alice Jones on her return to Council.

Councillor Julian Thompson-Hill informed Council Members, that Councillor Peter Owen had been admitted to hospital the previous day. It was agreed a card would be sent from Members, offering their best wishes and speedy recovery to Councillor Peter Owen and his wife Betty.

The Head of Legal & Democratic Services informed Members that the usual simultaneous translator was unable to attend the meeting due to a family emergency. Sandra Williams had kindly stepped in at very short notice but was unable to stay after 2 p.m. due to prior work commitments. Every effort would be made to find a replacement translator for the meeting after 2 p.m.

The Chief Executive referred to Item 7 on the Agenda – Attendance by Dr Higson, BCUHB, which had to be re-scheduled. Dr Higson had previously been invited to today's Council meeting for which he had confirmed his availability for the morning session. Due to the shortlisting of the candidates for the post of Director of Social Services, it had been realised the selection process would continue until past midday. Therefore, there would be insufficient time for Dr Higson to present to Full Council. Dr Higson had, therefore, been invited to the next Council meeting and his confirmation was awaited.

The Chair confirmed that the morning session of the appointment of Director of Social Services would take the meeting to approximately 12.30 p.m. whereupon there would be a 45 minute break and the afternoon session would reconvene thereafter.

2 DECLARATIONS OF INTEREST

No declarations of interest were declared.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken for the Council by the Chair and Vice Chair, for the period 31 October 2013 to 20 November 2013, had been circulated prior to the meeting.

***RESOLVED** that the list of civic engagements undertaken for the Council by the Chair and Vice Chair be received and noted.*

5 MINUTES

The minutes of the Council meeting held on 5 November, 2013 were submitted.

Page 14 – Item 11 – Councillor Meirick Lloyd Davies stated that he did not vote against his political group's notice of motion but it had been recorded that he was against it.

The Head of Legal & Democratic Services confirmed he would check the recorded vote sheet from the meeting.

***RESOLVED** that the minutes of the Council meeting held on the 5 November, 2013 be confirmed as a correct record.*

EXCLUSION OF PRESS AND PUBLIC

It was **resolved** that, under Section 100A of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds of the likely disclosure of exempt information as disclosed in paragraphs 12 and 13 of Part 4 of Schedule 12A of the Local Government Act 1972.

6 APPOINTMENT OF DIRECTOR OF SOCIAL SERVICES

The Chief Executive outlined the purpose of the post and how it would integrate with the Council's management team. The Council's recruitment adviser, Ian Jeffcott, reported on the recruitment process undertaken which included an assessment centre and a special appointment panel of members to shortlist viable candidates for full Council today. The Panel had put forward two candidates for full Council's consideration.

The two candidates gave presentations to Council and responded to set-questions from members of the Council.

The recruitment adviser outlined the results of the tests that had been held as part of the assessment process. A proposition to conduct the vote under the secret ballot procedure was passed by Council in accordance with standing orders and it was:

RESOLVED – *that Nicola Stubbins be appointed to the post of Director of Social Services.*

PART I – THE MEETING RESUMED IN OPEN SESSION

7 ATTENDANCE BY DR HIGSON, CHAIR OF BOARD (BCUHB)

As explained earlier by the Chief Executive, this item had to be deferred to the next Council meeting taking place in January 2014.

8 CAPITAL PLAN

The Lead Member for Finance & Assets, Councillor Julian Thompson-Hill introduced the Capital Plan Report 2013 – 2018 (previously circulated) to provide Council with an update regarding the Capital Plan including major projects and the Corporate Plan.

Members attention had been drawn to the fact that the Capital Plan 2013/14 – 2017/18 was last reported to Council in April 2013 when the 2013/14 Budget had been set. Updates were reported to Cabinet on a monthly basis.

Discussion took place and following questions posed by Members, the following were confirmed:-

- Bridge works in St. Asaph were not due for completion until late summer 2014. A block allocation of £1.3million had been provided for the bridge works hence no figure allocated for 2014/2015.
- An overspend had arisen due to the length of time taken to relocate the original tenants of the new Prestatyn Library building. The old library building on Nant Hall Road had been the subject of potential options. A request had been received from a potential tenant who had enquired regarding the lease of a section of the building. The project would go before the Asset Management Group in the New Year.

- At the last Project Board meeting, an allocation of cash had been provided for the Harbour Master to purchase equipment to run the service. The purchase of a 4 x 4 vehicle had not been included within the equipment required.
- The use of reserves would not be for discussion during this meeting. The matter would be discussed at the forthcoming Budget Workshop on 9 December 2013.

RESOLVED that Members noted the latest position on the 2013/14 element of the Capital Plan and the update on major projects.

9 BUDGET PROPOSALS FOR 2014/2015

The Lead Member for Finance and Assets, Councillor Julian Thompson Hill, introduced the Revenue Budget 2014/15 Report (previously circulated) to provide an update of the latest budget position for 2014/15 and to approve the saving proposals.

The Welsh Government provided a majority of the Council's funding via the Revenue Support Grant and redistribution of NNDR.

The draft Local Government Settlement for Wales 2014/15 had been published on 16 October, 2013. Denbighshire County Council had the worst settlement in Wales at -4.6%. A damping mechanism had been applied to lessen the impact in 2014/15 but this would then have an impact in 2015/16. Savings of approximately £8.5 million would be required. Savings of £1.7 million were approved in October 2013. A Member Workshop took place on 21 October, 2013 and details of further savings of £4.7 million had been presented.

£6.5 million (76%) of the savings target had been identified. The remaining £2 million savings would be discussed at the next Member Workshop on 9 December 2013 and re-presented at Council for approval in February 2014.

Following discussion, the following queries were raised:-

- In terms of savings proposals by Highways and Environmental Service Waste Management, one proposal had been, as of next winter, that green bin waste collection be stopped from 1 November until end of March. It would allow vehicles and staff to be allocated to other areas when a vast majority of people tend not to use their green bin waste collection.
- A Task and Finish Group of Service Users and Staff to ascertain the best solution for £50,000 savings. All Service Users and families would be informed of any future changes.
- Adult Mental Health would be dealt with largely through the NHS. Delivery of savings would be difficult without impacting on front line.
- Welfare Rights – each method of speaking or dealing with a client came at a cost. Savings were to be analysed.
- School improvement and inclusion in relation to music and arts – William Mathias Centre to be responsible for entire remit. William Mathias provide peripatetic music to schools within Denbighshire. Within the service level

agreement, there was a need to know the William Mathias organisation were creating opportunities and providing value for money. Whilst efficiency savings would be part of the review, it was about strengthening and not diminishing provision.

- Regarding the provision of the yellow bus. The bus would not be replaced and the service was to go out to contract.
- Consultation would be taking place regarding the prospective closure of Ysgol Llanbedr. The reason the data was shown as split over 2 financial years had been on the assumption consultation, with the recommendation to close the school, would be carried forward as part of the savings in 2014/2015 and part in 2015/2016. If the recommendation to close the school were not carried forward then the saving would be deleted from the system.

RESOLVED that Members noted the latest budget position for 2014/15 and to approve the savings proposals listed.

10 NORTH WALES GYPSY AND TRAVELLER ACCOMMODATION NEEDS ASSESSMENT (GTANA)

The Lead Member for Customers and Communities presented the North Wales Regional Gypsy & Traveller Accommodation Needs Assessment Report (GTANA) (previously circulated) to provide information regarding the GTANA undertaken by Bangor University.

The North Wales County Councils of Denbighshire, Flintshire, Conwy, Ynys Môn, and Gwynedd jointly commissioned Bangor University to undertake research to assess unmet accommodation need to Gypsies and Travellers.

The collaborative approach had been in line with Welsh Government guidance which urged “local authorities to work in a regional capacity and share the legal, moral, financial and political responsibility to address the accommodation inequality experienced by the Gypsy and Traveller community in Wales” (Travelling to a Better Future, Welsh Government).

The Bangor University Report recommended that collaboratively, the partaking Local Authorities identified and developed three or four transit sites across the region each accommodating up to seven caravans. In terms of static provision, it was identified that Denbighshire County Council (DCC) should make provision for two residential pitches, (each of which could accommodate up to 4 caravans) and one transit pitch which could accommodate up to 7 caravans on a short term basis – to be developed on a sub-regional basis with Conwy County Borough Council.

The advice received from DCC Legal Services was that the GTANA be adopted as it had identified an accommodation need within Denbighshire which the Council would be obliged to respond to. This requirement upon local authorities was to be further strengthened by Welsh Government in the forthcoming White Paper whereby Local Authorities were to be mandated to provide sites for the Gypsy and Traveller community where evidence showed a need existed. It was important for the Council to open up a dialogue with the Gypsy and Traveller community to ensure their needs would be met by the proposed sites that may be offered.

Should the Council decide to develop site provision there could be a capital cost including land acquisition and provision of services. A Welsh Government Grant provision could be applied for but these were limited and were subject to a bidding process.

Ongoing management and supervisory responsibilities would need to be considered and built into the site appraisal process. Options for site management included whether it was possible to host the service in-house, outsource or develop a collaborative approach. There would also be the possibility of the Gypsy and Traveller Community purchasing their own sites and Denbighshire County Council could assist in identifying suitable sites within the context of the Local Development Plan. No site locations had yet been identified, but any site would be supported by a business case.

The GTANA Report had been presented at Scrutiny Committee on 17 October 2013, but had been rejected on a split decision. Feedback from the Members had recommended more detail on the current costs of dealing with illegal encampments and costs relating to the provision of pitches in line with the GTANA. Receipt of the cost information would have proved useful in assisting Members during decision making.

Discussion took place and the following points were raised by Members:

- The need for legal encampments had been questioned, due to the fact that if the schemes were to go ahead, there would be issues as to the location of the sites.
- If Denbighshire were not to agree to the recommendation of these sites, what would be the consequences?

The Head of Housing and Community Development (HH&CD) responded:

- The fact there had been a number of illegal encampments indicated the need for legal sites within the county. There would likely be an increase in illegal Gypsy and Traveller encampments the longer it took to set up legal sites.
- The Welsh Government had stated it was the responsibility of the individual Local Authorities as to the need within their county. Denbighshire together with the other North Wales Local Authorities utilised Bangor University to provide independent evidence which disclosed there had been a need for sites and the Welsh Government then anticipated the North Wales Councils to act on evidence provided by the Report.
- New legislation would be expected to be passed as law in the summer of 2014.
- Dialogue with the Gypsy and Traveller Community would be paramount to ensure the sites provided would be fit for purpose.
- Any recommendations of sites would be subject to the full planning process.

The Chief Executive clarified the issue would be that Denbighshire had a responsibility to provide sites but if Members were to reject the recommendation the Council would be challenged.

Councillor Stuart Davies requested a recorded vote for the first part of the recommendation (3.1 of the report) which was agreed by a number of Members.

A recorded vote was taken and accordingly the following Members voted to approve recommendation 3.1 of the report:

Councillors Raymond Bartley, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Ann Davies, Hugh Evans, Bobby Feeley, Martyn Holland, Hugh Irving, Margaret McCarrol, Jason McLellan, Dewi Owens, Gareth Sandilands, David Simmons, Barbara Smith, David Smith, Bill Tasker, Julian Thompson-Hill, Cheryl Williams, Eryl Williams and Huw Williams.

The following Members voted against the recommendation 3.1 of the report:

Councillors Meirick Lloyd Davies, Richard Davies, Stuart Davies, Peter Evans, Huw Hilditch-Roberts, Bob Murray, Merfyn Parry, Joe Welch and Cefyn Williams.

The following Members abstained from the vote:

Councillors Alice Jones, Gwyneth Kensler and Arwel Roberts.

RESOLVED that Council approves the Gypsy and Traveller Accommodation Needs Assessment Report Recommendations from Bangor University in respect of:

- (i) *Denbighshire County Council shall be required to provide 2 residential pitches for Gypsies and Travellers (each of which could accommodate up to 4 caravans) and one transit pitch which could accommodate up to 7 caravans on a short term basis – to be developed on a sub-regional basis with Conwy County Borough Council; and*
- (ii) *Council supports the proposed composition and remit of the Steering Group, as outlined in Appendix 2 of the report to Council, to drive the recommendations forward and prepare a business plan accordingly.*

11 NOTICE OF MOTION

Councillor Hugh Evans put forward the following Notice of Motion for the consideration of Full Council:

“Denbighshire County Council is concerned about the prospect of a Local Government Review because it could undermine service provision to its residents, affect staff morale and end up costing more to implement than it saves.

Nevertheless, the council recognises that in the light of recent comments from the First Minister and members of the Public Services Commission a Local Government re-organisation appears inevitable.

If there is to be a re-organisation of Local Government in North Wales, then the Council would advocate a three Council solution as the most appropriate for residents in the region. The Council also calls on the Welsh Government to ensure that the Political representation of North Wales is not reduced”.

Discussion took place and the Notice of Motion was proposed and seconded.

RESOLVED that the Notice of Motion put forward by Councillor Hugh Evans that in the event of a Local Government re-organisation, the Council would advocate a three Council solution and to call on the Welsh Government to ensure that the Political representation of North Wales was not reduced.

12 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

The Council meeting originally scheduled for 4 February, 2014 to be moved to the Council Briefing date of 27 January.

The Welsh Government will be debating changes on 28 January and we need to adopt by the end January 2014.

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

The meeting concluded at 3.40 p.m.