

## **COUNTY COUNCIL**

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 12 May 2015 at 10.00 am.

### **PRESENT**

Councillors Ian Armstrong, Raymond Bartley, Brian Blakeley (Chair), Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Ann Davies, Meirick Davies, Richard Davies, Stuart Davies, Peter Duffy, Hugh Evans, Peter Evans, Carys Guy, Huw Hilditch-Roberts, Martyn Holland, Colin Hughes, Rhys Hughes, Hugh Irving, Alice Jones, Huw Jones, Gwyneth Kensler (Vice-Chair), Geraint Lloyd-Williams, Jason McLellan, Barry Mellor, Win Mullen-James, Peter Owen, Dewi Owens, Merfyn Parry, Paul Penlington, Pete Prendergast, Arwel Roberts, Gareth Sandilands, David Simmons, David Smith, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams and Eryl Williams

### **ALSO PRESENT**

Chief Executive (MM), Head of Legal, HR and Democratic Services (GW), HR Services Manager (CR), His Honour Judge Ian Trigger, and Committee Administrator (SLW).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors James Davies, Bobby Feeley, Pat Jones, Bob Murray, Barbara Smith and Huw Williams

#### **2 DECLARATIONS OF INTEREST**

No Declarations of Interest.

#### **3 APPOINTMENT OF THE CHAIR OF COUNTY COUNCIL**

The retiring Chair, Councillor Brian Blakeley, delivered a speech during which he reflected upon his time as Chair and highlighted a number of events he had attended over the last twelve months.

The retiring Chair had a very busy year attending events. He stated it had been an honour to represent Denbighshire at the commemoration of 100 years since the start of the First World War. Attending schools and meeting the young people had made him aware of all the work which had been taking place within the county to improve the schools.

He expressed his gratitude to Members for electing him as Chair for 2014/15 municipal year and to all the officers and hardworking staff in Denbighshire for ensuring his year as Chair had been such a pleasure.

The retiring Chair presented cheques from money raised during his time as Chair to his chosen charities:

- (i) Eluned Yaxley, Fundraising Manager, accepted the cheque for £1,250 on behalf of Ty Gobaith / Hope House Hospice.
- (ii) Daryl Crowther, Operations Manager, accepted the cheque for £1,250 on behalf of Rhyl R.N.L.I.

The retiring Chair then proceeded to present gifts to his Chaplain, Reverend Andy Grimwood, Democratic Services Manager, Head of Legal, H.R. and Democratic Services, Chief Executive, Business Co-ordinator – Leader's Officer, Committee Administrator and the Member Support and Development Manager in recognition of their support during the past twelve months.

At this point, the retiring Chair invited nominations for the appointment of Chair of the County Council for 2015/2016. Councillor Eryl Williams proposed Councillor Gwyneth Kensler to be elected Chair outlining the personal qualities and experience she would bring to the position.

The Leader, Councillor Hugh Evans, seconded the proposition adding Councillor Kensler would be an excellent Chair for the County and was glad to support the nomination.

There being no further nominations and following a vote by a show of hands, Councillor Gwyneth Kensler was unanimously elected to be Chair of the Council for the 2015/2016 year.

The retiring Chair wished the incoming Chair best wishes for the future and invested her with the Chair's Chain of Office, following which, she completed her Declaration of Acceptance of Office.

The incoming Chair paid tribute to the work undertaken by the retiring Chair and presented him with the Past Chair's Badge, plaque and a gift on behalf of the Council.

The incoming Chair named Gaynor Morgan Rees as her consort who, unfortunately, had been unable to attend Annual Council due to prior commitments.

The incoming Chair's Chaplain for the year was to be the Reverend Wayne Roberts and advised of her chosen charities as follows:

- Samaritans
- Autism Initiatives, and
- Mudiad Meithrin, in memory of Hywyn Williams.

At this juncture, the incoming Chair presented the retiring Chair's consort with a bouquet of flowers in gratitude of her support to the retiring Chair over the past twelve months.

#### **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 Ann Davies be elected Vice Chair of the Council for the 2015/2016 municipal year. He referred to Councillor Davies' vast experience and also her year as Mayor of Rhuddlan during 2014/2015.

Councillor Arwel Roberts seconded the nomination referring to Councillor Davies' work for the community.

There being no further nominations and following a vote by a show of hands, Councillor Ann Davies was unanimously elected Vice Chair of the Council for the 2015/2016 municipal year.

The Chair invested Councillor Ann Davies with the Vice Chair's Chain of Office, following which, she completed her Declaration of Acceptance of Office.

The incoming Vice Chair named her daughter, Jane Hugo, as her consort.

Group Leaders and Members paid tribute to the work of the retiring Chairman over the previous 12 months and congratulated Councillors Gwyneth Kensler and Ann Davies upon being elected Chair and Vice Chair respectively.

**At this juncture (10.55 a.m.) there was a 20 minute break.**

**The meeting re-convened at 11.15 a.m.**

#### **5 URGENT MATTERS AS AGREED BY THE CHAIR**

No urgent matters.

At this juncture:

- (a) Councillor Eryl Williams paid tribute to Hywyn Williams, Corporate Director of Customers, who had sadly passed away recently. A two minute silence was held in his memory.
- (b) The Chair offered congratulations to Councillor James Davies on becoming MP for the Vale of Clwyd and also thanked Chris Ruane for all his work during the past 18 years as MP for the Vale of Clwyd.
- (c) Councillor Hugh Jones offered congratulations to the Prestatyn under 16 girls football team who had recently won the Welsh Cup in Newtown. Councillor Jones stated how proud he was for the team to come from a school within Denbighshire.
- (d) Councillor Julian Thompson-Hill paid tribute to the Head of Finance and Assets, Paul McGrady who would be leaving the Local Authority to take up a new post. Councillor Thompson-Hill mentioned the work and achievements

of Paul during his years at Denbighshire. On behalf of all Members, Councillor Thompson-Hill wished him all the best for the future and thanked him for all his hard work and everything he had done for Denbighshire. Paul McGrady thanked all Members for their good wishes.

- (e) Councillor Joan Butterfield handed a petition to the Chair on behalf of the Rhyl taxi drivers who had obtained approximately 600 signatures in support of them being able to wear shorts. The Head of Legal, HR and Democratic Services, confirmed the petition would be passed on to the relevant department and the Head of the Department would respond within the next few weeks.

(f)

## **6 MINUTES**

The minutes of the Council meeting held on 14 April 2015 were submitted.

**Matters Arising** – Page 8 Item No. 5 – Minutes (Council Tax and Associated Matters).

Councillor Huw Hilditch-Roberts confirmed a letter had been sent to both the Minister, Leighton Andrews and to the WLG, inviting them to attend the Communities Scrutiny Committee on 9 July, and were awaiting a response as to who would be attending.

**RESOLVED** that the minutes of the meeting held on 14 April 2015 be confirmed as a correct record and signed by the Chair.

## **7 ANNUAL DELIVERY DOCUMENT FOR THE CORPORATE PLAN**

Councillor Julian Thompson-Hill presented the report (previously circulated) for Members to approve the final draft version of the Corporate Plan Year 4 Delivery Document to enable it to be translated and published.

Councillor Thompson-Hill initially extended his gratitude to Councillor Barbara Smith for the work she had carried out during the past year regarding the Corporate Plan.

A decision had been required to approve the final draft version of the Corporate Plan Year 4 Delivery Document. A Delivery Document had been created for every year of the Corporate Plan. The purpose of the Delivery Document had been to outline some of the key projects that would be started and/or delivered during the financial year for each of the 7 priorities, with the intention of illustrating how the Corporate Plan affected the work that was being carried out.

The Council's contribution to Denbighshire's Wellbeing Plan during 2015-16 was outlined. The document would be published on the website for availability to the regulators, the public and partners.

Discussion took place and questions were raised by Members. The following issues were raised:

- Consistency from the previous year. It was stated that there had been no mention, within the Corporate Plan, of the design work for the Ruthin School Review. It was clarified that work was ongoing and additional information would be included within the Corporate Plan to reflect this.
- Digital Denbighshire was still in the process of being completed for rural areas.
- A Welsh Language Strategic Lead Officer had been appointed to ensure compliance with the Welsh Language Standards. The Chief Executive confirmed the Welsh Language Strategy would be looked at in greater detail.
- Condition of the roads within the county. There had been a 3 year funding strategy from the Welsh Government. Further funding was being investigated to enable continued maintenance of the roads in the future.
- Rhuddlan Bridge. The bridge was a CADW structure. CADW had no funding for the repairs which were required. Unfortunately, Council funding had not been available to Denbighshire to assist with the repair of the bridge.
- Commitment was awaited from the Welsh Government for the new Faith school. A further issue had been the proposed site, which was proving controversial and a resolution was awaited. The Faith school remained an education priority.
- Litter and fly-tipping throughout the county was raised as an issue. Denbighshire employ a Keep Wales Tidy Officer, John Kelly, who would be available to attend Member Area Groups on request.
- Schemes for Students to be involved in were to be encouraged e.g. Young Enterprise.
- Confirmation had been given that the Town and Area Plans were a separate entity to the Corporate Plan. A budget had been agreed to ensure the Town and Area Plans would be delivered and published.
- Vulnerable people to live as independently as possible and to be protected was a key issue for Denbighshire. There would be risks due to the current difficult financial climate but the County were determined to protect both service users and children.
- Councillor Alice Jones raised issues regarding Bodelwyddan, especially as it was not included in the Town and Area Plans. It was clarified that there was a draft Bodelwyddan Town Plan which was receiving attention.

Members requested, and it was agreed that additions would be made to the draft Annual Delivery Document prior to finalisation, translation and publication.

***RESOLVED*** that subject to the above agreed changes, Members approve the draft Annual Delivery Document for the Corporate Plan

## **8 STANDARDS COMMITTEE ANNUAL REPORT**

His Honour Judge Ian Trigger, Chair of the Standards Committee, presented the Annual report (previously circulated).

Judge Trigger congratulated Councillors Gwyneth Kensler and Ann Davies on their appointment as Chair and Vice-Chair of Council respectively.

This was the first Annual Report of Standards Committee to Full Council and covered the year January to December 2014 only. The Chair of Standards Committee would present a report 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 not only at County level, but also at Town, City and Community levels.

A pro-active approach had been taken with regards to the work carried out by Members of the Standards Committee. Attendance at Town, City and Community meetings were carried out to assist and not to be judgemental.

A North Wales Standards Forum had been set up to share good practice and to learn from respective approaches in raising standards, sharing the cost of any training events and developing documentation which could assist Monitoring Officers, such as self-regulatory protocols or standards hearing procedures.

Judge Trigger expressed his gratitude to both the Monitoring Officer and Deputy Monitoring Officer for their hard work for the Standards Committee, also arranging and carrying out essential training events.

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

## **9 APPOINTMENT OF LAY MEMBERS TO THE STANDARDS COMMITTEE**

The Head of Legal, H.R. and Democratic Services / Monitoring Officer presented the report (previously circulated) for Members to appoint two independent lay members to the Standards Committee.

Due to the retirement of two independent members of the Standards Committee it was necessary to appoint two independent members.

It was a requirement that any vacancy for an independent member be advertised in at least two newspapers circulating the area. A Special Appointments Panel was set up and all Town, City and Community Councils were consulted in order to consider putting forward a Panel Member.

The recommendation of the Special Appointments Panel regarding the two individuals they considered most appropriate to sit as Lay members on the Standards Committee were:-

- (i) Anne Mellor
- (ii) Julia Hughes

***RESOLVED*** that Anne Mellor and Julia Hughes be appointed as Independent Lay Members to the Standards Committee.

**At this juncture (1.05 p.m.) there was a break for lunch**

**Meeting re-convened at 2.00 p.m.**

At this juncture, it was agreed to change the order of the Agenda as Councillor Jason McLellan had to leave the meeting imminently.

## **10 ANNUAL REPORT OF THE CORPORATE GOVERNANCE COMMITTEE**

Councillor Jason McLellan presented the Annual Report of the Corporate Governance Committee (previously circulated) for the financial year 2014/15.

The Council was statutorily required under the provisions of the Local Government Wales measure 2011 to have an Audit Committee. The Corporate Governance Committee was the Council's designated Committee for this purpose.

The main areas of work the Committee oversees were as follows:

- Audit role considering internal audit reviews, external audits and to consider the internal audit strategy.
- Risk Management.
- Financial Management
- To review and monitor policy on areas such as fraud, corruption and whistleblowing.
- Information Management, Freedom of Information requests and Data Protection.
- Monitor and review the operation of the Councils Constitution.
- Monitor and Update the Governance Improvement Plan.
- Review complaints and complaint policy and consider Customer feedback.

Councillor Jason McLellan expressed his gratitude to all members of Corporate Governance Committee together with the Lay Member, Paul Whitham, Head of Internal Audit, Chief Accountant and to Paul McGrady for all their hard work during the past year.

**RESOLVED** that Members note the content of the Annual Report of the Corporate Governance Committee.

## **11 ANNUAL REPORT OF THE COUNCIL'S SCRUTINY COMMITTEES**

Councillor Huw Hilditch-Roberts presented the Scrutiny Committee's Annual Report (previously circulated) for Members consideration.

To comply with Article 6.3.7 of the Council's Constitution, Scrutiny Committees must report annually to full Council on their work, make recommendations for future work programmes and amended working methods if appropriate.

Two versions of the Annual Report would be available – a concise version and a full version.

The Annual Report would follow the concise format as approved by the Scrutiny Chairs and Vice-Chairs Group. This would give the reader a brief overview of how Scrutiny operated, the work the three Scrutiny Committees had undertaken and to inform residents how they could participate and contribute to the Scrutiny process.

As well as containing a summary of each Scrutiny Committee's resolutions, the Annual Report concentrated on outlining Scrutiny's work in challenging the Council's plans to deliver its corporate priorities by 2017.

In future, the four key areas the Scrutiny Committees would be focussing on when setting their work programmes were:

- The corporate priorities and delivering the Corporate Plan.
- Budget savings and their impact on Denbighshire and its residents.
- Other high priority areas which scrutiny can influence and effect change, and
- Other urgent or unforeseen areas of high priority.

**RESOLVED** that Members note the Annual Report of the Scrutiny Committees for 2014/15

## **12 APPOINTMENT ON THE POLICE AND CRIME PANEL**

The Head of Legal, HR and Democratic Services presented the report (previously circulated) for the appointment of one member from the Labour Group to the North Wales Police and Crime Panel (the Panel) for a minimum of one municipal year.

The Panel membership included elected members drawn from the six North Wales Local Authorities based on a politically balanced calculation. The resignation of Councillor Bill Tasker from the Panel necessitated a new appointment by Denbighshire County Council.

Councillor Peter Prendergast put forward Councillor Brian Blakeley to serve on the Police and Crime Panel.

**RESOLVED** that Councillor Brian Blakeley be appointed on to the North Wales Police and Crime Panel for a minimum of one municipal year.

## **13 NOTICE OF MOTION**

Councillor Joe Welch put forward the following Notice of Motion on behalf of the Independent Group for the consideration of Full Council:

With an aim to provide a saving for Denbighshire County council, the Independent group would like to propose that members' expenses for attending meetings be discussed further at the Budget Workshop on 5 June 2015.

Councillor Julian Thompson-Hill confirmed it would be added to the Budget Workshop Agenda on the 5 June 2015.



**RESOLVED** that the Notice of Motion put forward by the Independent Group that members' expenses for attending meetings be discussed further at the Budget Workshop on 5 June 2015 be carried.

#### **14 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 Forward Work Programme be approved and noted.

#### **15 PAY POLICY**

The Leader, Councillor Hugh Evans, presented the report (previously circulated).

The Localism Act 2011 required Local Authorities to prepare pay policy statements. These statements must articulate an authority's own policies towards a range of issues relating to the pay of its workforce particularly its senior staff (or "chief officers") and its lowest paid employees. Pay Policy Statements must be approved by the Council on an annual basis, and published on the relevant website.

Discussion took place, and it was

**RESOLVED** that:

- I. Council agree to the Pay Policy Statement for 2015/16*
- II. The Council will pay the national annual cost of living pay increases for Chief Officers as and when determined in accordance with current contractual requirements*
- III. A Remuneration Committee is set up to determine the pay and reward for the Council's Senior Leadership Team which consists of the Directors and Heads of Service.*
- IV. The Chief Executive can award an honorarium of up to 15% of the Head of Service's substantive pay for a maximum period of 12 months, where they are required to carry out additional duties over and above their substantive post for a period of time. This would normally be to cover for a long term absence; following a restructuring whereby responsibility for additional services has been given to the Head of Service; or responsibility for a large project outside of their normal portfolio.*

MEETING CONCLUDED AT 2.50 P.M.