

COUNTY COUNCIL

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

PRESENT

Councillors Raymond Bartley, Brian Blakeley, Jeanette Chamberlain-Jones, Bill Cowie, 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, Geraint Lloyd-Williams, Jason McLellan, Barry Mellor, Win Mullen-James, Bob Murray, Dewi Owens, Paul Penlington, Pete Prendergast, Arwel Roberts, Gareth Sandilands, Barbara Smith, David Smith, Bill Tasker, Julian Thompson-Hill, Cefyn Williams, Cheryl Williams and Huw Williams

ALSO PRESENT

Chief Executive (MM), Head of Legal, HR and Democratic Services (GQ), Interim Head of Finance & Assets (JG), Head of Planning & Public Protection (GB), Chief Finance Officer (RW), Development Planning & Policy Manager (AL), Lead Officer – Community Housing (GD) and Committee Administrator (SLW)

The Head of Legal, HR and Democratic Services opened the meeting with an explanation that the Chair, Councillor Gwyneth Kensler was on holiday. Unfortunately, the Vice-Chair, Councillor Ann Davies was unable to attend the meeting as she was ill.

Councillor Arwel Roberts proposed Councillor Meirick Lloyd Davies as Chair for the meeting, and was seconded by Councillor Bill Cowie. A vote took place by a show of hands, and it was unanimously agreed that Councillor Meirick Lloyd Davies be Chair for the meeting of Full Council.

Councillor Lloyd Davies thanked everyone for the honour of being Chair and welcomed everyone to the meeting.

1 APOLOGIES

Apologies for absence were received from Councillors Ian Armstrong, Joan Butterfield, Ann Davies, Bobby Feeley, Pat Jones, Gwyneth Kensler, Peter Owen, Merfyn Parry, Anton Sampson and Joe Welch

2 DECLARATIONS OF INTEREST

Councillor Meirick Lloyd Davies declared a personal interest in Item 7 – Draft Denbighshire Housing Strategy.

Councillor Cheryl Williams declared a personal interest in Item 7 – Draft Denbighshire Housing Strategy and Item 8 – Community Housing Policy.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No Urgent Matters.

At this juncture Councillor Huw Jones paid tribute to the five people who had lost their lives recently in Corwen. Thoughts were also sent out to the passenger of one of the cars who was extremely unwell in Stoke hospital. Sympathies were extended to the families and friends of all people concerned with those injured and killed. Councillor Jones expressed his thanks to all Councillors, Officers and members of the public from all over Wales who had sent their good wishes to the community of Corwen at this extremely sad time.

The Chair, Councillor Meirick Lloyd Davies also expressed the Council's deepest sympathy to all involved and a one minutes silence was held in tribute to those who had lost their lives.

Following the one minute's silence, Members were informed Councillor Ian Armstrong was currently unwell in hospital and best wishes were sent to both Councillor Armstrong and his family.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair and Vice-Chair for the period 15 October, 2015 to 13 November 2015 had been circulated prior to the meeting.

RESOLVED that the list of civic engagements undertaken by the Chair and Vice-Chair be received.

5 MINUTES

The minutes of the Council meeting held on 7 October, 2015 were submitted.

Page 12 – Councillor Alice Jones referred to the request by the Interim Chief Executive of BCUHB for any evidence of bad care. It was confirmed that any information of evidence be given to either the Chief Executive or the Head of Legal, HR and Democratic Services and they would relay the information on to the Interim Chief Executive on her behalf.

Councillor Jones then requested a conclusion to the 7 October 2015 meeting.

The Chief Executive explained he had summed up at the conclusion of the meeting as follows:

- The issue of primary care in Prestatyn be referred to Scrutiny Committee in February 2015
- Members concern regarding the Royal Alexandra Hospital in Rhyl. The Chief Executive confirmed he had attended a meeting with the Interim Chief Executive of BCUHB and officers and he had been given the assurance that BCUHB were still committed to build the hospital in Rhyl. The Health Board were reconsidering the scope for provision and had agreed to meet again

- with the Chief Executive and the Corporate Director: Communities prior to the Christmas break.
- Members had been informed of HASCAS (Health & Social Care Advisory Service) and were awaiting a report from the Service in early 2016. The Chief Executive would gain an update from the Interim Chief Executive of BCUHB at the meeting prior to Christmas.
 - The information would be shared with the Rhyl Member Area Group and then presented at a Scrutiny Committee. Councillor Alice Jones requested the information should be shared with all Member Area Groups. The Chair confirmed the information be given to all Member Area Groups.

The Minutes of the Council meeting held on 20 October, 2015, were submitted.

RESOLVED that subject to the above, the minutes of the meetings held on 7 October 2015 and 20 October 2015 be confirmed as a correct record and signed by the Chair.

6 BUDGET 2016/17 - UPDATE

The Lead Member for Finance and Assets, Councillor Julian Thompson-Hill, introduced the Budget 2016/2017 report (previously circulated).

The report provided the latest position with regard to the delivery of the 2016/2017 revenue budget and highlighted the measures being taken as part of Phase 5 of the current two-year budget process. The report also highlighted the investment that the Council had made in crucial infrastructure and improvements throughout the county over a continuing period of funding reductions. The report also outlined how the Council's budget strategy had protected key services whilst managing a challenging financial position.

The Welsh Government was scheduled to publish its own budget on 8 December with the Provisional Local Government Settlement following on 9 December. This would make the funding position for 2016/17 clearer. The Provisional Settlement announcement would include a headline figure but the impact of changes to revenue grant funding streams may not be published at the same time.

The late announcement of the Provisional Local Government Settlement would mean that the budget timetable may need to be refined. The Council had to set its budget in time to allow the production and distribution of Council Tax bills in March 2016. Depending on the level of Provisional Settlement, it was probable that an extra meeting of the Full Council may be required to finalise the budget in February 2016.

Given the level of uncertainty about the revenue settlement, recent member budget workshops had focussed on a range of proposals that may or may not be required to be implemented for 2016/2017. In order to maintain momentum and limit risks at the end of the process, it had been explained that a set of measures would be presented to Council for information in December so that the impact on the budget could be noted.

There had been no clear steer as to whether there would be directives to protect schools and other budgets. There had been a Ministerial pledge since 2011 to protect school budgets in Wales. To comply with the pledge to “protect” school budgets, the Council should have increased schools funding by £3.4m over the last four years. In fact, school funding in Denbighshire had increased by £6.3m.

Indepth discussion took place and the following issues were raised:

- Scrutiny Committee had raised the issue of the Ruthin School review and funding regarding two new schools which were to be built. What had transpired recently was a new document had been prepared to the Welsh Government which suggested all schemes (21st Century School, Ruthin Review, and Faith School) be included as one package. The scheme would be funded 50% by DCC and 50% by the Welsh Government. An addition £6m from the Welsh Government would be expected towards the package. The Chair of Communities Scrutiny Committee confirmed he had written to Assembly Members regarding School issues.
- PFI Agreement – congratulations were offered following the termination of the PFI Agreement. Positive steps were expected for the future of the buildings.
- Clearer presentation of the figures had been requested to include a further breakdown, borrowing and figures for reserves. All members agreed to the request for a more detailed plan.
- The 2016/2017 Budget settlement from Welsh Government would be for one year only. Assurances had been received that following that year, three year settlements were expected.

RESOLVED that Council Members:-

- note the progress made in the delivery of the 2016/2017 budget and the proposed steps to finalise the process*
- note the bulk of the savings made to date in this two year budget process have not imposed cuts to services or increases in charges*
- note the capital investment of almost £200m on completed and planned projects across the county from 2012 out to 2019.*

7 DRAFT DENBIGHSHIRE HOUSING STRATEGY

The Lead Member for Modernisation and Housing, Councillor Barbara Smith, introduced the Draft Denbighshire Housing Strategy Report (previously circulated) to seek Members’ approval to adopt the Draft Housing Strategy and endorse the accompanying Action Plan.

At this juncture, the Lead Member thanked everyone who had worked on the Draft Housing Strategy including Angela Loftus and her Team together with the Members of the Task and Finish Groups.

The content of the Draft Housing Strategy and Action Plan represented the culmination of consultation with partners, work with officers across the Council and input from Members.

Access to good quality housing was a key corporate priority and the development of a clear and robust Housing Strategy would provide the framework for all relevant Council functions to successfully address the priority. The intention of the Housing Strategy was to provide a clear statement of the Council's vision and aims for housing in the county for the next five years.

The strategic vision was as follows:-

"Everyone is supported with pride to live in homes that meet their needs, within the vibrant and sustainable communities Denbighshire aspire to".

Within the Strategy, to ensure consistency, there were seven local principles:-

- Supporting the local economy – through house building and regeneration
- Reducing inequalities – by aiming to ensure that decent homes are available for all and vulnerable people are supported
- Engagement and involvement – with partners to help to collectively deliver decent homes and with residents in the regeneration of their neighbourhoods
- Sustainability – supporting a sustainable housing market and delivering sustainable communities
- Welsh language and culture – consideration & promotion in new development
- Monitoring & review – an annual review report will be produced to outline progress and any changes to agreed actions
- Outcome focussed – the strategy will focus on the delivery of the identified outcomes.

The Strategy identified five "themes" which were priority areas for action to be addressed and these formed the core of the Strategy. The five themes were:-

- More homes to meet local need and demand
- Creating a supply of affordable homes
- Ensuring safe and healthy homes
- Homes and support for vulnerable people, and
- Promoting and supporting communities

Indepth discussion took place and the following points were raised:-

- Achievability of target dates. Some of the actions were already in progress and some had almost been achieved. The actions were to be reviewed and would be flagged up if there was a prospect of the time line slipping.
- There were a number of actions under Theme 2 – Affordable Housing. Officers were talking of council housing and social housing all being grouped together. Lead Members were to take responsibility of the Action Plan and would be held to account. It was advised that if any Members had any issues which were not being delivered, they should be put forward to a Scrutiny Committee.

- Councillor Jason McLellan requested that with regards to Action 2.10 – “to develop a business plan to ensure more Council homes are provided” – an update be brought back to Council in April 2016.
- Promotion of the Welsh language and culture – any application over a certain size, the developer would be required to submit a Welsh Language Impact Assessment. The Draft Housing Strategy itself, once approved, would be translated and published in Welsh also.
- The current numbers on the housing waiting list was:-
 - 1915 general applications
 - 264 transfer requests
 - 28 homeless
- Empty Homes – Develop the Council’s Empty Homes Delivery Plan, investigate innovative mechanisms for bringing empty homes back into use and work with partners to develop new initiatives. The performance was quite good regarding working on empty homes.
- 24% of the population had an activity limiting illness or disability and because of this, the type of housing being made available would be imperative
- 176 properties were built between 2014/2015 which was up 17 on 2013/2014
- The Council had a duty to undertake and submit a Gypsy and Traveller Accommodation Needs Assessment prior to February 2016. This was a statutory requirement and would provide up to date information on gypsy & traveller accommodation needs in Denbighshire.
- During the previous ten years, just under 500 available homes had been provided in Denbighshire.

A consensus of gratitude was extended from Members to the Lead Members and Officers for all their work on the Draft Housing Strategy.

RESOLVED that subject to the above, the Council adopt Denbighshire’s Housing Strategy with accompanying draft Action Plan.

8 COMMUNITY HOUSING POLICY - UPDATES FOR APPROVAL

The Lead Member for Modernisation and Housing, Councillor Barbara Smith, introduced the Community Housing Policy report (previously circulated) to seek Members’ approval to the revision of the following Policies:

- (i) Allocations Policy
- (ii) Anti-Social Behaviour Policy, and
- (iii) Introductory Tenancy Policy.

Allocations Policy

The Allocations Policy had been due for review and needed to be updated to reflect new legislation and a new code of practice issued by the Welsh Government.

Whilst the updated policies ensured compliance with the legal requirements, on 14 January 2014, Cabinet approved adopting SARTH (the Single Access Route to Housing) which incorporated a move away from the current allocations points system to a housing need “banding” system. This Policy was, therefore, an interim

measure to ensure compliance with the legal obligations pending the implementation of SARTH in Denbighshire.

Anti-Social Behaviour Policy

The Anti-Social Behaviour Policy had been updated to reflect the introduction of the Anti-Social Behaviour and Policing Act 2014. There were no fundamental changes on dealing with nuisance behaviour, however, common legal remedies, such as the Anti-Social Behaviour Order (ASBO), had been replaced. The Policy had been updated to reflect the changes and all powers could be considered as part of the enforcement activities.

Introductory Tenancy Policy

The Introductory Tenancy Policy had been written with support from Whiteheads Solicitors to improve the clarity of the current Policy and procedure, whilst ensuring compliance with legislation.

RESOLVED that the Council approve the following Policies:

- (i) Allocations Policy
- (ii) Anti-Social Behaviour Policy, and
- (iii) Introductory Tenancy Policy.

9 PROPOSED REVISED HACKNEY CARRIAGE BYELAWS

The Lead Member for Public Realm, Councillor David Smith, introduced the Proposed Revised Hackney Carriage Byelaws report (previously circulated) for Members approval.

The reason for the report was to seek to adopt revised and up-to-date byelaws to ensure a fair, transparent and consistent approach when determining any hackney carriage enforcement issues.

The reason for bringing the report to Full Council was that making byelaws under s68 of the Town Police Clauses Act 1847 was a Council function (as opposed to an Executive function) under the Local Authorities Executive Arrangements (Functions and Responsibilities)(Wales) Regulations 2007.

RESOLVED that:-

- (i) Members agreed to adopt the Department for Transport Model Byelaws, as set out in Appendix 1 of the report
- (ii) Agreed to allow Officers to send the Model Byelaws to the Welsh Assembly Government for confirmation.

10 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

January 2016 – Local Government reorganisation – requested by Councillor Jason McLellan.

April 2016 – Add further report on element of housing strategy as agreed earlier in the meeting. To develop a business plan to ensure more council houses were provided – requested by Councillor Jason McLellan.

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

The meeting concluded at 12.30 p.m.