

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 12 April 2016 at 10.00 am.

PRESENT

Councillors Raymond Bartley, Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Ann Davies (Vice-Chair), Meirick Davies, Stuart Davies, Peter Duffy, Hugh Evans, Peter Evans, Huw Hilditch-Roberts, Martyn Holland, Hugh Irving, Huw Jones, Gwyneth Kensler (Chair), Geraint Lloyd-Williams, Jason McLellan, Barry Mellor, Dewi Owens, Merfyn Parry, Paul Penlington, Pete Prendergast, Arwel Roberts, Anton Sampson, Gareth Sandilands, Barbara Smith, 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), Chief Finance Officer (RW), Democratic Services Manager (SP) and Committee Administrator (SLW).

1 APOLOGIES

Apologies for absence were received from Councillors Ian Armstrong, Brian Blakeley, Bobby Feeley, Colin Hughes, Rhys Hughes, Alice Jones, Pat Jones, Win Mullen-James, Bob Murray and Huw Williams

2 DECLARATIONS OF INTEREST

The Head of Legal, HR and Democratic Services explained to Members that under the Members Code of Conduct, they would all have to declare a personal interest in Item 9, Independent Remuneration Panel for Wales Annual Report 2016/2017. Members had an exemption from being a prejudicial interest. No declaration of interest forms were required to be completed as the personal interests had been recorded.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

TRIBUTES TO COUNCILLORS RICHARD DAVIES AND PETER OWEN

The Chair paid tribute to Councillors Richard Davies and Peter Owen who had sadly passed away recently. Tributes were made to both Councillors for their hard work by all Group Leaders, together with Councillor Meirick Lloyd Davies on behalf of the Fire Authority.

Sincere condolences were sent to Councillors Richard Davies and Peter Owens wives and families at this sad time. All Councillors endorsed the views expressed that both Councillor Davies and Councillor Owen would be sadly missed.

One minutes silence was held as a mark of respect for Councillor Richard Davies and Councillor Peter Owen.

At this juncture, the Chair also extended best wishes, on behalf of full Council to Councillors Brian Blakeley, Bob Murray, Win Mullen-James, and Alice Jones following their recent illnesses. Also best wishes were sent to Councillor Joan Butterfield's husband as he had been very ill recently.

The Chair welcomed Councillor Bill Tasker back to Council following a recent bout of illness.

Councillor Bill Tasker thanked everyone for their good wishes whilst he was ill.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair for the period 28 February 2016 to 31 March 2016 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 the Council meeting held on 23 February 2016, were submitted.

Matters Arising

Page 8, Item 5 – Councillor Eryl Williams queried the fact that the information regarding Grants had to date not been circulated to Members. Councillor Julian Thompson-Hill apologised to Members as he had recently received the information from the Head of Finance, Richard Weigh, and he would distribute the link to the information following full Council.

Page 13 –Item 10 – Councillor Bill Cowie raised the issue that it had not been noted within the minutes that he had raised the issue regarding financial allocation to areas for flooding and whether St. Asaph would be included.

Councillors Meirick Lloyd Davies and Arwel Roberts both thanked Councillor Bill Cowie for the work he had done to assist with the issues of flooding and they asked it to be noted that both Cefn Meiriadog and Rhuddlan had, in the past, been affected by flooding also.

***RESOLVED** that subject to the above, the minutes of the meeting held on 23 February, 2016, be confirmed as a correct record and signed by the Chair.*

6 ARRANGEMENTS FOR THE ELECTION OF CHAIR AND VICE-CHAIR OF COUNCIL

The Head of Legal, HR and Democratic Services introduced the report (previously circulated) seeking agreement for the proposed Chair and Vice-Chair of the County

Council for the municipal year 2016/17 to be formally elected at the Council's annual meeting on 10 May, 2015. Nominations for both posts had been sought.

Election of Chair – Councillor Martyn Holland proposed, seconded by Councillor Arwel Roberts, that Councillor Ann Davies be nominated Chair for the 2016/17 municipal year. There were no further nominations. Councillor Davies thanked Members for their support and was congratulated upon her nomination.

Election of Vice Chair – Councillor Joan Butterfield proposed, seconded by Councillor Jeanette Chamberlain Jones that Councillor Win Mullen-James be nominated for Vice Chair for the 2016/17 municipal year. There were no further nominations. Unfortunately, Councillor Win Mullen-James could not attend the meeting due to illness.

RESOLVED that Councillor Ann Davies be proposed Chair and Councillor Win Mullen-James be proposed Vice Chair of the County Council for the municipal year 2016/17 to be formally elected at the Council's annual meeting on 10 May, 2016.

7 WHISTLE BLOWING POLICY

The Lead Member for Modernisation and Housing, Councillor Barbara Smith, introduced the Whistleblowing Policy (previously circulated) to seek Members' approval to the adoption of the Policy.

The Policy had been updated and reformatted to include clearer roles and responsibilities and legislative changes. The Enterprise and Regulatory Reform Act (2013) brought about a number of changes which impacted on whistleblowing.

The three key changes to the Whistleblowing Policy were as follows:-

- a) Only disclosures made "in the public interest" are protected. Employees now have to show that they "reasonably believe" that the disclosure they are making is in the "public interest"
- b) The removal of the requirement for disclosures to be made in "good faith" in order to be protected
- c) Making employers liable for the acts of employees (such as harassing a colleague who has raised a concern) and making employees personally liable.

The Policy would be conveyed to all employees, including schools, via the intranet, training, power hours/workshops and also taken to management meetings via HR Business Partners. Schools could adopt a corporate policy, if they so wished, and schools would be encouraged to adopt the Policy.

Following discussion, it was:

RESOLVED that Council agree to adopt the Whistleblowing Policy.

8 BOUNDARY REVIEW BETWEEN THE PRESTATYN CENTRAL AND MELIDEN WARDS

The Democratic Services Manager, introduced the Boundary Review Report (previously circulated) for Council to approve the amendment to the ward boundary between Prestatyn Central ward and Meliden ward.

The review was undertaken in response to a formal request from Prestatyn Town Council for a review of the boundary between the Central Prestatyn and Meliden wards and to review an historic anomaly in the warding arrangements.

The Council has a statutory duty to maintain warding arrangements that are desirable in the interests of effective and convenient Local Government and the existing anomalous situation in Bishopswood Road and Cambrian Drive was unacceptable.

Discussion took place and the following points were raised:

- A suggestion had been made during the consultations of the inclusion of properties on Meliden Road and The Paddock within the Central Prestatyn Ward. Councillor Hugh Irving proposed a third recommendation to the current two points of recommendation within the report, that the Council revisit the ward boundary such that Meliden Road and The Paddock to be included within Central Prestatyn, seconded by Councillor Julian Thompson-Hill.
- Councillor Peter Evans (Local Member) confirmed he would be agreeable to the recommendations within the report, relating to Bishopswood Road and Cambrian Drive but emphasised he was against any further boundary review for Meliden Road and The Paddock.
- At this point Councillor Joe Welch proposed that no further boundary review should take place due to Meliden being an historic village and being mentioned in the doomsday book. Seconded by Councillor Peter Evans.

The Head of Legal, HR and Democratic Services clarified to all Members present that the first amendment by Councillor Hugh Irving would be required to be voted on in the first instance.

The vote took place and the results were as follows:

VOTE for the amendment to include (iii) that the Council revisit the boundary in relation to Meliden Road and The Paddock

For - 5
Abstain – 1
Against – 27

The result was that the amendment would not be included within the recommendation.

At this juncture, Councillor Joe Welch withdrew his amendment.

VOTE for the substantive recommendation (i) and (ii)

For - 31
Abstain - 1
Against - 1

Therefore, it was:

RESOLVED that Council approves:

- (i) Amendment to the ward boundary between Prestatyn Central ward and Meliden ward to include the properties on Bishopswood Road and Cambrian Drive as illustrated on the map in Appendix 1 to the report; and*
- (ii) That the Central Prestatyn and Meliden electoral wards for the Town Council and the County Council be amended in accordance with the boundary shown in Appendix 1 to the report.*

At this juncture (11.15 a.m.) there was a 20 minute break.

The meeting reconvened at 11.35 a.m.

9 INDEPENDENT REMUNERATION PANEL FOR WALES ANNUAL REPORT 2016/17

The Head of Legal, HR and Democratic Services, introduced the Independent Remuneration Panel for Wales Annual Report (previously circulated) to make Members aware of the Panel's determinations for 2016/17 in respect of payments to Members and Co-opted Members.

The Panel's determinations would take effect from the Annual Council which would be held on 10 May 2016.

Following discussion it was:

RESOLVED that:

- (i) Members note the determinations of the Panel for the 2016/17 municipal year in respect of the payment of Basic Salaries and Senior Salaries and payments to co-opted Members;*
- (ii) That Members adopt the schedule of remuneration as set out in Appendix 1 of the report (which remains unchanged from 2015/16) for the 2016/17 municipal year.*

10 COMMITTEE TIMETABLE 2016/2017, ANNUAL REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF SCRUTINY CHAIRS

The Democratic Services Manager introduced the Committee Timetable 2017, Annual Review of Political Balance, and Appointment of Scrutiny Chairs report (previously circulated).

It was necessary for Council to approve a timetable for 2017 in line with Council's decision to maintain an 18 month timetable, to enable meeting venues and resources to be confirmed, to publicise the timetable and to populate the members' diary. As the new municipal year would commence in May, it would also be appropriate for Council to consider changes in political balance.

Councillor Paul Penlington expressed his disappointment to note that no late afternoon or evening meetings had been scheduled. Councillor Penlington was advised that the committee timetable had been prepared in line with Members' guidance. At this point, Councillor Penlington requested a response from the Chief Executive.

The Chief Executive clarified to all present that if any Member felt strongly enough, they could bring a Notice of Motion to a Council meeting to assess other Members points of view. Also the Chief Executive expressed concerns regarding attendance at meetings. He urged Members to ensure that public meetings were quorate and to make every effort to attend. The quality of Scrutiny Committee meetings were good but the issue occasionally had been lack of attendance by Members.

Discussion took place and the following issues were raised:

- The dates for Full Council meetings in January and February 2017 were queried as possibly being held too early in the month. The Democratic Services Manager confirmed he would check alternative dates.
- Conwy & Denbighshire Joint Adoption Panel, together with the Fostering Panel, attendance of these two Committees were requested to be included within the statistics of the Councillors attendance records. It was explained as Democratic Services staff did not facilitate these two meetings, they were not included on the website, but the technical issue would be assessed to enable the attendance figures to appear on the website.
- The issue of Committee meetings occasionally clashing with meetings held by outside bodies was raised.
- The Chair requested all Members send apologies to both the Chair and the officers, as soon as possible if they were unable to attend any meetings.

Councillor Joan Butterfield proposed a Working Group be set up to look at the diversification of Council meetings. Seconded by Councillor Barry Mellor.

A vote took place as follows:

For -	18
Abstain -	0
Against -	11

Officers confirmed they would contact Group Leaders to convene a Working Group from a cross section of Members including the Lead Member.

At this point, Councillor Meirick Lloyd Davies nominated himself to become a Member on Standards Committee, seconded by Councillor Arwel Roberts. There was a unanimous show of hands in agreement.

A Vote took place for the original recommendations contained within the Report:

For - 21
Abstain – 1
Against – 0

Therefore, it was:

RESOLVED that:

- (i) Council approves the draft timetable*
- (ii) Council re-appoints the existing Chair and membership of the Democratic Services Committee for the 2016/17 municipal year, subject to any changes notified by the Groups*
- (iii) Council appoints Councillor Meirick Lloyd Davies to the Standards Committee, and*
- (iv) A working group be set up to look at the diversification of meeting times and venues.*

11 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.

At this juncture, the Chair, Councillor Gwyneth Kensler thanked all Members and Officers for their assistance and co-operation during her year as Chair as this would be her final full meeting as Chair.

The meeting concluded at 12.35 p.m.