

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 17 October 2017 at 10.00 am.

PRESENT

Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies, Hugh Evans, Peter Evans, Bobby Feeley, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Hugh Irving, Alan James, Brian Jones, Huw Jones, Pat Jones, Tina Jones, Gwyneth Kensler, Richard Mainon, Christine Marston, Barry Mellor, Melvyn Mile, Bob Murray, Merfyn Parry, Paul Penlington, Pete Prendergast (Chair), Arwel Roberts, Anton Sampson, Glenn Swingler, Andrew Thomas, Tony Thomas, Julian Thompson-Hill, Graham Timms, Joe Welch, Cheryl Williams, David Williams, Eryl Williams, Huw Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (MM), Head of Legal, HR & Democratic Services (GW), Head of Business Improvement & Modernisation (AS), Chief Finance Officer/Section 151 Officer (RW) and Committee Administrator (SLW)

Ian Trigger – Chair of Standards Committee

The Local Democracy and Boundary Commission for Wales representatives:-

Chief Executive – Steve Halsall

Deputy Chief Executive – Matthew Redmond

Lead Commissioner – Theodore Joloza

Review Officer – Cher Cooke

1 APOLOGIES

Apologies for absence were received from Councillors Geraint Lloyd-Williams, Peter Scott and Rhys Thomas

2 DECLARATIONS OF INTEREST

None.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

At this juncture, Councillor Arwel Roberts handed a Petition to the Chair due to the dangerous speed and road on a section of Highlands Road, Rhuddlan. Councillor Roberts was hoping the Petition would ensure speed restrictions would be put on the road. The Chair confirmed the Petition would be passed on to the relevant Department.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken by the Chair and Vice-Chair for the period 1 July 2017 – 28 September 2017 had been circulated prior to the meeting.

The Chair had attended a large number of events but particularly commended the concert held at the Llangollen Eisteddfod and also the Royal Welsh Freedom Parade, in Ruthin. The Royal Welsh had presented the Chair with a commemorative plaque which was to be hung in the reception area of County Hall, Ruthin for all to see.

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

5 MINUTES

The minutes of Full Council held on 4 July 2017 were submitted.

Councillor Meirick Lloyd Davies stated that the result of the vote for item 6 should have been noted in the minutes. It was confirmed that the minute did read “there was a unanimous acceptance of the report”.

Councillor Lloyd Davies also questioned why there was not a separate item for “Matters Arising” on the Agenda. The Head of Legal, HR & Democratic Services confirmed that the accuracy and matters arising of the minutes of previous meetings were covered under the same item “Minutes”.

RESOLVED that the minutes of Full Council held on 4 July 2017, be confirmed as a correct record and signed by the Chair.

6 ELECTORAL REVIEW OF DENBIGHSHIRE

The Head of Legal, HR and Democratic Services introduced the report by confirming to Members that the Electoral Review of Denbighshire was a completely separate review to the Parliamentary Review.

The Local Democracy and Boundary Commission (the Commission) were undertaking Electoral Reviews of all 22 Local Authorities in Wales. The Review had begun in January 2017 and the final recommendations would be presented to the Welsh Government prior to the 2022 local government elections. The representatives from the Commission were in attendance to outline Denbighshire's Electoral Review.

Representatives from the Commission had met with Group Leaders and council officials in September 2017 to outline the scope of the review and clarify the process to be used. The objective of the Electoral Review was to seek to ensure that the ratio of local government electors to the number of members of the council was, as nearly as may be, the same in every electoral ward within the county.

The latest Office for National Statistics estimate the population of Denbighshire at 94,691, a population density of less than 2 persons per hectare and over 40% of the population lived in settlements smaller than 10,000 people. Those factors placed Denbighshire in Category 4 which should have a councillor to population ratio of 1:2000. Therefore, the overall council size aim for this review would be 47 members.

Denbighshire currently had 76,292 electors and a membership of 47 – an average of one councillors to 1,623 electors. Within this scheme, the Commission may consider varying the number of members from 47 to 46, or 48.

It was stated that the following would not be considered during the review:

- Parliamentary or Assembly constituency boundaries
- Local political implications of the proposals
- Postcodes or addresses
- Transfers of wards/areas from one council to another
- Changes to the boundaries of:
 - School catchment areas
 - Polling districts.

Effective representations would be judged on the quality of evidence presented. The Commission representative suggested that the Council members could assist by providing suggestions:

- Early in the process
- Which consider the whole of the county equally
- That take note of community ties, and
- Follow the rules, legislation and commission policies.

Representations of support would be as important as those which were opposed.

It was confirmed that there would be a 12 week consultation period which would commence on 1 November 2017 until 23 January 2018.

During discussions the following points were raised:

- In areas of electoral inequality, areas of electoral equality would be produced. Areas needed to be assessed in detail. Numbers of Members within the county might vary by one or two if the assessment produced areas of electoral inequality.
- It was confirmed that the Boundary Commission were funded by the Welsh Government.
- Again, it was stated that political motivation did not apply to the review.

It was confirmed by the Monitoring Officer that following Full Council, the report would go to Group Leaders within the week to ascertain how they wished to work through the review.

RESOLVED that Full Council considered the presentation by the Commission and the presentation was noted by Members.

At this juncture, the Chair agreed to the change in the order of Agenda items.

7 ANNUAL PERFORMANCE REVIEW 2016/2017

The Lead Member for Finance, Performance and Strategic Assets, introduced the Annual Performance Review Report (previously circulated) for Members to approve the draft 2015/16 Annual Performance Review, subject to agreed changes to enable translation and publication prior to 31 October 2017.

As this year marked the end of the 2012-2017 Corporate Plan, the Report commented on progress made over the course of the Corporate Plan and, where relevant, offered narrative about how work from this Plan had evolved and would progress during the next Corporate Plan, covering the Council term 2017-2022.

The draft report contained a summary of progress for each corporate priority, highlighting key successes or challenges encountered during the year. It also summarised the performance of corporate projects, corporate risks, comparable indicators (National Strategic Indicators – NSIs), (Performance Accountability Measures – PAMs), and key findings from external regulators. In addition, the report contained summary information regarding work undertaken in relation to diversity and equality, the Welsh Language Standards, as well as partnership and collaborative working.

The draft report had been developed by the Strategic Planning Team, in consultation with other council services. The performance information contained within the document had been provided by services, and had been drawn from the Verto performance management system. Consultation had taken place with the Senior Leadership Team (SLT) and Cabinet prior to being submitted to County Council for approval.

During discussion, the following issues were raised:

- A large amount of investment had taken place in schools and monitoring arrangements were in place within education services to ensure success of the investment.
- A number of schools within Denbighshire had been reported as being in financial deficit. It was confirmed that every school had a plan in place to clear their deficit. There had been a national dip in results due to the change in the examination structure. The Education Department offered to meet with any Member who required additional information on this issue.
- It was confirmed that Single Access Route to Housing (SARTH) was now in place to provide easier access going forward.
- A new school building with the new Aberkinsey Site in Rhyl awaited Welsh Government funding. No decision had been taken to date by the Welsh Government.
- It was confirmed that assurances were given that not every project could be delivered within 5 years and was the same for the Corporate Plan but the projects would be integrated into the Corporate Plan for continued progression.

The Lead Member for Well-being and Independence offered her gratitude to the officers involved with the detailed work for the Annual Performance Review and the Corporate Plan.

The Leader expressed his gratitude to the Lead Member for Finance, Performance and Strategy for presenting the report. He stated it was imperative that momentum continued from the previous Corporate Plan to ensure high performance would still be delivered.

RESOLVED that subject to any agreed changes, Members approve the draft 2016/17 Annual Performance Review to enable translation and publication before 31 October 2017.

At this juncture (12.05 p.m.) there was a 20 minute break.

The meeting reconvened at 12.25 p.m.

8 CORPORATE PLAN 2017-2022

The Lead Member for Finance, Performance and Strategic Assets, introduced the Corporate Plan 2017-2022 report (previously circulated).

It was a statutory requirement that Local Authorities published an Improvement Plan and also Well-being Objectives. Denbighshire's Corporate Plan 2017-2022 served both of those functions.

The key pledges which the Local Authority were committed to, to achieve in the Plan were important because they either:

- Required significant capital / revenue funding: e.g. roads and new schools although not everything required extra funding.
- Require significant cultural / organisational change: e.g. the way the Local Authority engaged with communities, and / or
- Will impact across the whole county e.g. 1000+ extra homes.

The priorities outlined in the Corporate Plan had been arrived at via a thorough and clear process of evidence-gathering and analysis (Well-being Assessment) and in-depth consultation with communities (County Conversation).

The total cost of the Plan had been estimated as £135 million but this would change as details developed. Significant items within the Plan, such as the next band of school improvement proposals, assumed contributions from the Welsh Government to progress.

Budget decisions would become more difficult in the next few years so the Plan would need to be flexible enough to respond to financial challenges. No investment would be made without a clear, affordable business case having been agreed following the council's approval process.

During discussion, the following issues were raised:

- It was confirmed that Programme Boards would assess how to best deliver on the Plan. Wider groups, SIG and Scrutiny to ensure delivery of the issues raised.
- The Programme Boards would be executive bodies who implement decisions, not make decisions. The responsibility for steering implementation would be down to the Lead Members. The process of decision making would not be changed, they would go through the usual process via Cabinet, Council etc.
- It was confirmed that the Programme Boards were a high level delivery model. Part of the role within the model would be Scrutiny who would be able to call in any item at any time. Regarding the housing element, Lead Member Councillor Brian Jones, who was a Rhyl Local Member, would be a member of the Board.
- It was confirmed that transport would always be a high priority area for the Local Authority.
- Highway cleanliness was also important and was part of the Business Service Plan. It was confirmed that not everything was mentioned fully within the Plan as that would mean the document would be too large.
- It was confirmed that 1000 additional houses would be built in the future, in addition 500 empty property would be brought back into use. The 500 empty properties would be a rolling process. The Council intended building 170 of the 1000 houses together with affordable housing element provided by developers.
- Additional investment in roads, pavements and bridges was raised. Within connected communities, there had been a specific area regarding roads and bridges. Maintenance of the roads within the county had always been a high priority and work was carried out with the resources available. It was confirmed, at this point, that the issue of funding for highways would be raised with the Head of Highways & Environmental Services.
- Mental Health was one of the pressures on both the Local Authority and the Health Sector. It was confirmed that direct Mental Health services were not within the control of the Local Authority. In future years, improved liaison with the Health Board would be put in place.
- The Lead Member for Finance confirmed that the Local Authority did not receive funding direct from Europe. The Welsh Government received European funding which was then distributed. He also stated he would attend Member Area Group meetings to go into more detail of European funding from the Welsh Government if required.
- Young people who attained high examination results were found to leave the area which caused a problem. A model to retain these young people in local areas would be continued to be looked at.
- The fact that the bus service had been withdrawn from Dyserth High Street was raised. It was requested by the Local Councillor, David Williams that it be raised as a priority within the next year.

RESOLVED that:

- *Subject to any agreed changes, that Members approve the final draft of the Corporate Plan 2017-2011 to enable the document to be translated and published*
- *That Members confirm they have read, understood and taken account of the Well-being Impact Assessment as part of its consideration.*

9 STANDARDS COMMITTEE ANNUAL REPORT

Ian Trigger, Chair of the Standards Committee, presented the Annual Report (previously circulated).

This was the third Annual Report of Standards Committee to the Full Council and covered the calendar year January to December 2016 only. It had been agreed that 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 at County level and also at Town, City and Community levels.

Standards Committee main role was to monitor adherence to the Members Code of Conduct. All Members were aware that their Code was founded (and should be read in conjunction with) the 7 Nolan Principles of Public Life but in Wales there were 10 principles which were set out within the report.

During 2016, Standards Committee had been particularly interested in the final principle of "Leadership" which supported the concept of community leaders, similar to the Officer "Leadership Strategy" which had been developed at County level.

Standards Committee comprised of 2 County Councillors, 1 Community Council Member and 4 Independent (co-opted) Members. The majority of the Members were not elected, but were recruited from members of the public as per the requirements of the Standards legislation in Wales.

There was currently a need for two replacements, one for an Independent Member, Paula White who had retired after many years of faithful service and one for Community Councillor David Jones. At this juncture, Mr Ian Trigger expressed his gratitude to both retiring Members for their loyal and hard work over the years.

County Councillors Andrew Thomas and Paul Penlington had replaced previous County Councillors, Barry Mellor and Meirick Lloyd Davies. Again, Mr Ian Trigger expressed his gratitude to Councillors Mellor and Davies for their work on the Committee.

Mr Trigger extended his gratitude to both the Monitoring Officer and the Deputy Monitoring Officer for their hard work for the Standards Committee and for arranging and carrying out essential training events.

RESOLVED that:

- *Members note the contents of the Standards Committee Annual Report, and*
- *Noted that a Well-being Impact Assessment was not required for the purpose of this report.*

10 STANDARDS COMMITTEE RECRUITMENT ADVISORY PANEL

The Monitoring Officer presented the Standards Committee Recruitment Advisory Panel report (previously circulated).

There were two vacancies which needed to be recruited in respect of the Council's Standards Committee. One for an independent member and one in respect of a "community" member. A recruitment process was underway and the Council was now required to make the nominations to the Recruitment Advisory Panel.

A decision was required from Full Council to agree 3 members to sit on the councils' Standards Committee Advisory Panel for the full term; therefore in the event of any further vacancies, the Council had the Advisory Panel set up.

Councillor Martyn Holland proposed Councillors Gareth Lloyd Davies and Richard Mainon.

Councillor Peter Evans proposed Councillor Mark Young.

RESOLVED that:

- *Councillors Gareth Lloyd Davies, Richard Mainon and Mark Young be nominated and appointed on to the Standards Committee Advisory Panel until the expiry of this Council's term*
- *The Council confirms there is no requirement for a Well-being Assessment.*

11 REVISED MINIMUM REVENUE PROVISION (MRP) POLICY 2017/2018

The Lead Member for Finance, Performance and Strategic Assets presented the Revised Minimum Revenue Provision (MRP) Policy 2017/18.

Following a review of the Council's current MRP Policy, it had been identified that by changing the method for making the MRP a significant saving opportunity would be delivered. The proposed change also introduced a more equitable method for apportioning the costs associated with the capital programme.

RESOLVED that:

- *Members considered and approved the following revisions to the MRP Policy for 2017/18:*
 - *Policy for 2017/18 – Option 3 (Asset Life Method – straight line) to be used for calculating MRP on outstanding supported borrowing as at 31 March 2017. The calculation will be the "straight line" method over 50 years. This represents a change from Option 1 (Regulatory Method) as approved by Council on 14 February 2017.*
 - *Policy for 2017/18 – Option 3 (Asset Life Method – straight line) to be used for calculating MRP on Supported borrowing incurred on or after*

1 April 2017. The calculation will be the “straight line” method over an appropriate number of years, dependent on the period of time that the capital expenditure is likely to generate benefits. This also represents a change from Option 1.

- *Policy for 2017/18 – Option 3 (Asset Life Method – straight line) to be used for calculating MRP on all capital expenditure funded from unsupported borrowing. This represents a continuation of the approved Policy.*
- *Members are requested to note the agreed use of the cash saving in 2017/18 and the recurring budget saving from 2018/19 as set out in the latest version of the Medium Term Financial Plan and summarised below:-*
 - *2017/18 Cash Saving – the cash saving of £1.861m will be placed in the Budget Mitigation Reserve in order to help mitigate the effects of budget reductions in 2018/19*
 - *Ongoing saving of from 2018/19 – this will be used to reduce the capital financing budget by £1.861m as part of the strategy to balance the 2018/19 budget.*

12 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Monitoring Officer introduced the Council’s Forward Work Programme (previously circulated).

The Monitoring Officer confirmed Budget Briefing sessions were to take place on 16 November 2017 and 22 November 2017.

RESOLVED *that the Council Forward Work Programme be approved and noted.*

The meeting concluded at 2.10 p.m.