

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 15 May 2018 at 10.00 am.

PRESENT

Councillors Mabon ap Gwynfor, Brian Blakeley, Joan Butterfield, 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, Geraint Lloyd-Williams, Richard Mainon, Christine Marston, Melvyn Mile, Bob Murray, Merfyn Parry, Paul Penlington, Pete Prendergast (Chair), Arwel Roberts, Anton Sampson, Peter Scott, Glenn Swingler, Andrew Thomas, Rhys 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 (JG), Head of Legal, HR & Democratic Services (GW), Head of Finance (RW), Strategic Planning & Housing Manager (AL), Democratic Services Manager (SP), Scrutiny Co-ordinator (RE), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Jeanette Chamberlain-Jones and Barry Mellor

2 DECLARATIONS OF INTEREST

No declarations of interest.

3 APPOINTMENT OF THE CHAIR OF COUNTY COUNCIL

The retiring Chair, Councillor Pete Prendergast, invited nominations for the appointment of Chair of County Council for 2018/2019. Councillor Martyn Holland proposed Councillor Peter Scott to be elected Chair outlining the experience and qualities he would bring to the position.

Councillor Christine Marston seconded the proposal.

There being no further nominations, and following a vote by a show of hands, Councillor Peter Scott was unanimously elected to be Chair of the Council for the 2018/2019 year.

The retiring Chair delivered a short speech during which he reflected upon his time as Chair during the past twelve months.

He expressed his thanks to Councillor Peter Scott and his wife Sue for their support during the past year. Thanks were also extended to officers and staff for their support and in particular to Eleri Woolford (Member Support & Development Manager), Sue License (Personal Assistant to Head of Legal, HR & Democratic Services), and Sarah Dixon (Curriculum enrichment co-ordinator) for all their work and support during his time as Chair.

The retiring Chair raised a total of £61,500 to be shared by his two chosen charities:

- St. Kentigern Hospice, and
- Rhyl Life Boat.

Unfortunately representatives from Rhyl Life Boat were unable to attend the meeting.

Laura Parry accepted the cheque on behalf of St. Kentigerns Hospice.

The retiring Chair wished the incoming Chair best wishes for the future and invested him with the Chair's Chain of Office, following which, he completed his 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 and gift on behalf of the Council. He also extended thanks to retiring Chair's Consort, Mr Bill Tasker for all his work throughout the year supporting the Chair.

The incoming Chair named his wife, Mrs Sue Scott, as his consort.

The incoming Chair then advised his chosen charity would be St. Kentigerns Hospice.

4 APPOINTMENT OF THE VICE-CHAIR OF COUNTY COUNCIL

The Chair sought nominations for the appointment of Vice-Chair.

Councillor Arwel Roberts proposed that Councillor Meirick Lloyd Davies be elected Vice-Chair of the Council for the 2018/2019 municipal year. He referred to Councillor Davies' vast experience.

Councillor Ann Davies seconded the nomination.

There being no further nominations and following a vote by a show of hands, Councillor Meirick Lloyd Davies was unanimously elected Vice-Chair of the Council for the 2018/2019 municipal year.

The Chair invested Councillor Meirick Lloyd Davies with the Vice-Chair's Chain of Office, following which, he completed his Declaration of Acceptance of Office.

The incoming Vice-Chair named his wife, Nesta Davies, as his consort.

The Leader, Group Leaders and Members paid tribute to the work of the retiring Chair over the previous twelve months and congratulated Councillors Peter Scott and Meirick Lloyd Davies upon being elected Chair and Vice-Chair respectively.

At this juncture (10.30 a.m.) there was a 15 minute break.

The meeting reconvened at 10.45 a.m.

5 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent items.

At this juncture, Councillor Gwyneth Kensler handed a petition to the Chair on behalf of Cariad Cards, Denbigh.

At this juncture, Councillor Mabon ap Gwynfor raised a question:

What is the Council doing to ensure continuation of care to Denbighshire people who receive care from Allied Health Care following the news that the Company is in financial difficulties?

Response by the Lead Member for Well-being and Independence, Councillor Bobby Feeley:

Allied Health Care, who provide care across Wales, had applied for Company Voluntary Arrangement (CVA) to restructure its debts. Welsh Government had convened an Allied Health Care Planning Group including representatives from the NHS and Social Care. The Planning Group would be in contact with each Local Authority across North Wales for support. Community Support Services within Denbighshire were engaged in monitoring the situation. Contact had been made and assurances had been given that it was "business as usual". The risk was moderate and there was in house care provision together with alternative care. Denbighshire were working closely with the Welsh Government and Allied Health Care. A meeting was to take place later today (15.05.2018) following which more information would be available.

6 MINUTES

The minutes of Full Council held on 10 April 2018 were submitted.

RESOLVED that the minutes of Full Council held on 10 April 2018 be confirmed as a correct record and signed by the Chair.

7 LDP TIMETABLE

The Lead Member for Highways, Planning and Sustainable Travel introduced the report (previously circulated) to seek approval for amendments to the timetable for production of the Denbighshire Replacement Local Development Plan.

Following approval by Council on 5 December 2017, the LDP Review Report and Replacement LDP Delivery Agreement were formally submitted to the Welsh Government on 13 December 2017. Correspondence had been received from Lesley Griffiths, Cabinet Secretary for Energy, Planning and Rural Affairs, inviting Denbighshire and Conwy County Borough Council to prepare a Joint Local Development Plan. The joint response from both Councils had set out the preference that individual LDPs should be produced.

The Cabinet Secretary confirmed that both Councils could progress their LDP reviews on an individual basis.

This process resulted in a delay to the timetable for production of the replacement LDP, which formed part of the Delivery Agreement previously approved by Council.

RESOLVED that Council:

- *approves the Denbighshire Replacement Local Development Plan Delivery Agreement timetable, as amended, for submission to Welsh Government (attached as Appendix 2 to the report)*
- *authorises the Lead Member for Highways, Planning and Sustainable Travel in consultation with the Head of Planning & Public Protection to agree any future amendments required to the Denbighshire Replacement Local Development Plan Delivery Agreement.*
- *confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 3 to the report) as part of its consideration.*

8 ANNUAL REPORT OF SCRUTINY COMMITTEES

Councillor Hugh Irving presented the Scrutiny Committees' Report on their activities during 2017/18 (previously circulated) for Members consideration.

The Annual Report was to comply with Section 7.4.4 of the Council's Constitution which stipulated that Scrutiny Committee must report annually to Full Council on their work and make recommendations for future work programmes and amended working methods if appropriate.

The Annual report was the first on its activities during the current Council's term of office.

Due to the formation of a new Council in May 2017, the 2017/18 year had been a time of establishing and learning. With the agreement of the new corporate priorities together with the adoption of the Corporate Plan for 2017-2022 Scrutiny would now commence the regular monitoring of its delivery.

The Annual Report also informed residents of Denbighshire on how they could participate and contribute to the Scrutiny process.

The potential of establishing joint scrutiny arrangements with Conwy County Borough Council to scrutinise the Public Services Board was being explored. Any decision to establish the Joint Scrutiny Committee would have to be taken by Full

Council at both Conwy and Denbighshire. The work would be concluded later in the year.

Councillor Hugh Irving thanked the Scrutiny Co-ordinator, Rhian Evans, for her support and assistance during the past year.

RESOLVED that Council considered and noted the Annual Report of the Scrutiny Committees for 2017/18

9 COMMITTEE TIMETABLE FOR 2019 AND ANNUAL REVIEW OF POLITICAL BALANCE

The Lead Member for Corporate Standards introduced the report (previously circulated) to enable Members to approve the draft Committee timetable for 2019.

It was necessary for the Council to approve a timetable for 2019 in line with the 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' diaries.

Discussion took place and the following issues were raised:

- Councillor Paul Penlington expressed his disappointment to note that no late afternoon or evening meetings had been scheduled. Councillor Penlington was advised that at the beginning of the last term, the consensus of opinion was for day meetings. A questionnaire would be sent out to Members in the coming months and the schedule could be amended if consensus was for changing the times of the meetings.
- It was confirmed that the Vice-Chair of Council would be able to be a member of a number of Committees in the future, but would no longer be required to be a member of Corporate Governance as had been the case in the past.
- The issue of Committee meetings occasionally clashing with meetings held by outside bodies was raised.
- It was agreed to re-appoint the existing Chair and membership of the Democratic Services Committee for the 2018/19 municipal year.

The Democratic Services Manager expressed his gratitude to his colleague Kath Jones (Committee Administrator) for preparing the schedule and liaising with officers as it had required extremely careful organisation.

The Lead Member for Corporate Standards and other Members expressed their gratitude to the Democratic Services Manager and his team for all their effort and hard work.

RESOLVED that Council:

- (i) Approves the draft committee timetable for 2019
- (ii) Re-appoints the existing chair and membership of the Democratic Services Committee for the 2018/19 municipal year, subject to any changes notified by the Groups, and

(iii) Considers the political balance of the Committees.

10 NOTICE OF MOTION

Councillor Huw Jones put forward the following Notice of Motion for consideration by Full Council:

- (i) This Council notes that:
 - a. School Uniform Grants were provided to children from the most disadvantaged backgrounds as they entered Year 7
 - b. The value of the Grant was £105 per pupil
 - c. 156 pupils in Denbighshire received this Grant in 2017/18, and an average of 166 pupils have received it per year since 2009/10
 - d. The value of this school uniform grant for DCC last year (2017/18) was £16,380
- (ii) This Council condemns the Welsh Government's plans to scrap the School Uniform Grant.
- (iii) This Council believes that ill-conceived announcements creates uncertainty, and that DCC will have to budget according to information that is available not on vague assurances that another form of funding will replace the Grant
- (iv) This Council seeks urgent clarification from the Welsh Government as to what new funding it plans to put in place to replace the School Uniform Grant, and a clear timetable when the Council should expect to receive the funds.

Councillor Arwel Roberts seconded the Notice of Motion put forward by Councillor Huw Jones.

Discussion took place and the following points were raised:

- A uniform exchange had been launched in the last school year in Rhyl and would be launched in Ruthin imminently.
- It was stated that it was not Council policy to have school uniforms but for each individual school to have a school uniform policy.

The Head of Finance confirmed correspondence had been received from the Welsh Government seeking views to ascertain how to address the reduction in pupil in deprivation grant and how to best do that to make funding available for the September term.

Councillor Graham Timms supported the Notice of Motion but stated he did not support paragraph (ii) as worded and would prefer the word "condemn" to be replaced by "dissatisfied". Both the proposer, Councillor Huw Jones, and the seconder of the Notice of Motion agreed to the change in the wording.

Following a unanimous vote in favour of the Notice of Motion, it was:

RESOLVED that:

- (i) *This Council notes that:*
 - a. *School Uniform Grants were provided to children from the most disadvantaged backgrounds as they entered Year 7*
 - b. *The value of the Grant was £105 per pupil*
 - c. *156 pupils in Denbighshire received this Grant in 2017/18, and an average of 166 pupils have received it per year since 2009/10*
 - d. *The value of this school uniform grant for DCC last year (2017/18) was £16,380*
- (ii) *This Council is dis-satisfied with the Welsh Government's plans to scrap the School Uniform Grant.*
- (iii) *This Council believes that ill-conceived announcements creates uncertainty, and that DCC will have to budget according to information that is available not on vague assurances that another form of funding will replace the Grant*
- (iv) *This Council seeks urgent clarification from the Welsh Government as to what new funding it plans to put in place to replace the School Uniform Grant, and a clear timetable when the Council should expect to receive the funds.*

11 NOTICE OF MOTION

Councillor Glenn Swingler put forward the following Notice of Motion for consideration by Full Council:

This Council calls on Denbighshire County Council to provide female sanitary products for free to schools in Denbighshire, ensuring that girls are able to receive them in a way that respects their dignity and independence.

Research had shown that girls who could not afford sanitary products were reluctant to play with friends during their period and were less likely to join in with sports or leisure activities including swimming. Some girls were not attending school during this time which had repercussions on their family as there could be financial penalties incurred.

Councillor Emrys Wynne seconded the proposal of the Notice of Motion put forward by Councillor Glenn Swingler.

During discussion, the following points were raised:

- Councillor Eryl Williams requested that the wording be changed from "... to provide female sanitary products ..." to "...to investigate female sanitary products ..." which was agreed by members.
- There would be a need to ascertain the requirement and cost and where funding would be made available.
- Open conversation with the sanitary product manufacturers as to what assistance they could offer to all schools in the country, and again, the cost which would be incurred.

Councillor Joan Butterfield suggested an amendment to the Notice of Motion which would be to bring a report back to a future Council meeting with the costs involved and also report on the dialogue with the manufacturers of the products. This was seconded by Councillor Pat Jones.

At this juncture, the Head of Legal, HR & Democratic Services confirmed that the Notice of Motion request related not to a Council function but to an executive function and therefore, the actual decision of whether to do this, or not, fell under the executive part of the council. Council could request Cabinet to do something and also request Scrutiny to look at the issue.

Another issue raised had been in respect of the timetable being three months, which would mean it would go to the executive in September.

The amended wording of the Notice of Motion would be as follows:

Council directs that officers should develop a detailed report for the Cabinet to consider at its September meeting regarding the extent of the need for free female sanitary products in schools and the costs to include the dialogue with the relevant manufacturers about the support they may be able to provide.

A vote took place regarding the amendment and it was:

RESOLVED that:

Council directs that officers should develop a detailed report for the Cabinet to consider at its September meeting regarding the extent of the need for free female sanitary products in schools and the costs to include the dialogue with the relevant manufacturers about the support they may be able to provide.

12 NOTICE OF MOTION

Councillor Paul Penlington put forward the following Notice of Motion for consideration by Full Council:

This Council requests Cabinet not to renew Kingdom Security's contract in November 2018 and calls on the Cabinet to instruct DCC officers to bring a paper to the September meeting of the Council outlining options for delivering a similar service through their own staffing and resources, focused more on public support and education rather than sanctions.

Councillor Geraint Lloyd-Williams seconded the Notice of Motion put forward by Councillor Paul Penlington.

In-depth discussion took place and it was stated that Kingdom representatives would be in attendance at Performance Scrutiny Committee on 7 June 2018.

Councillor Huw Hilditch-Roberts suggested an amendment as the matter was not one for Council but for the Executive to consider. Therefore the amendment suggested was that Council request Scrutiny provide a report for Cabinet on the

provisions and workings of Kingdom and, thereafter, Cabinet could make a decision on that in November.

Councillor Andrew Thomas seconded the amendment.

The Head of Legal, HR and Democratic Services confirmed that more information and figures would be put forward at Scrutiny Committee in June and, thereafter, a report would be put forward to the Executive.

A vote took place for the amendment to the Notice of Motion which was passed and therefore, became the substantive motion.

A vote then took place on the substantive motion which was approved.

RESOLVED that Council request Scrutiny to provide a report to Cabinet following their consideration of the performance of Kingdom on 7 June with a recommendation as to future provision.

13 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

It was confirmed that the Regional Growth Bid item would be added to the 3 July 2018 meeting.

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

The meeting concluded at 1.05 p.m.