

## **COUNTY COUNCIL**

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 7 February 2012 at 10.00 am.

### **PRESENT**

Councillors Ian Armstrong, Raymond Bartley, John Bellis, Brian Blakeley, Joan Butterfield, June Cahill, Jeanette Chamberlain-Jones, William Cowie (Chairman), Ann Davies, James Davies, Meirick Davies, Pauline Dobb, Michael Eckersley, Christine Evans, Gwilym Evans, Hugh Evans, Bobby Feeley, Sharon Frobisher, George Green, Ian Gunning, Diana Hannam, Neville Hughes, Rhys Hughes, Glyn Jones, Huw Jones, Morfudd Jones, Richard Jones, Gwyneth Kensler, Paul Marfleet, Lucy Morris, Peter Owen, Dewi Owens, Allan Pennington, Barbara Smith, David Smith, David Thomas, Selwyn Thomas, Julian Thompson-Hill, Cefyn Williams, Eryl Williams and Jane Yorke

### **ALSO PRESENT**

Chief Executive (MM), Corporate Directors: Learning & Communities (HW); Demographics, Wellbeing & Planning (SE), and Business Transformation & Regeneration (BJ), Head of Legal and Democratic Services (RGW), Head of Finance and Assets (PM), Head of Planning, Regeneration and Regulatory Services (GB), Community Safety Enforcement Manager (RS) and Committee Administrator (KEJ)

### **POINTS OF NOTICE**

- the Chairman conveyed the Council's condolences to Councillor C. Hughes on the sad loss of his mother
- the Leader, Councillor H.H. Evans referred to the recent Estyn Inspection of Education Services and although findings were still provisional, he was pleased to report upon the positive position of the authority and praised the way in which the council had approached the process. He also praised councillors' knowledge of education based services with particular mention of the Scrutiny Chairs. Finally he commended the work of the Lead Member for Welsh Language, Children, Young People and Leisure and the Lead Member for Education for leading the authority through some difficult circumstances. Special thanks were also extended to the Corporate Director Learning and Communities and his staff
- the Head of Legal and Democratic Services read out a notice of motion which had been received immediately prior to the meeting concerning the preliminary conclusion reached by the Local Development Plan (LDP) Inspector; the extent of delegated authority relating to the LDP and the need to inform the Council of related matters requiring approval by full Council. His advice was that the matter should not be considered at today's meeting as it was not an emergency item but could be put on the next Council agenda if the relevant notice of motion was given

## **PRAYERS**

Prayers were offered at the commencement of the meeting by Reverend Val Rowlands.

### **1 APOLOGIES**

Councillors C. Hughes, R.W. Hughes, D.W. Lee and G. Williams.

### **2 DECLARATIONS OF INTEREST**

Councillor I.A. Gunning raised a personal interest in agenda item 7 'Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007' as he was a member of the North Wales Police Authority.

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

No urgent matters had been raised.

### **4 CHAIRMAN'S DIARY**

The Chairman referred to the civic engagements he had undertaken on behalf of the Council in January 2012 (diary previously circulated).

***RESOLVED** that the events attended by the Chairman in January 2012 be noted.*

### **5 MINUTES**

The minutes of the Council meeting held on 10 January 2012 were submitted.

Accuracy – Councillor E.R. Jones advised that his submitted apologies had not been recorded in the minutes.

***RESOLVED** that, subject to the above, the minutes of the meeting held on 10 January 2012 be confirmed as a correct record and signed by the Chairman.*

### **6 2012 / 13 BUDGET**

Councillor J. Thompson-Hill, Lead Member for Finance and Efficiency presented the report (previously circulated) seeking Council's approval of the 2012/13 budget and agreement to the resulting 2.8% increase in the level of Council Tax.

The Lead Member referred to the greater member involvement within the budget process compared to previous years and the review of the process by the Performance Scrutiny Committee which had found the system successful. Members were advised of the final settlement from the Welsh Government which showed an increase of 0.7% in revenue grant but a 6.9% reduction in the capital settlement. The implications on the Medium Term Financial Plan were highlighted together with the savings required over the next three years and the latest forecasts in terms of budget assumptions. Reference was also made to the allocations for investment in priority areas and Cabinet's recommendation that the unspent

contingency funds be allocated to 21st Century Schools and Town Plans & Communities (the exact allocation would be subject to a full business case to Cabinet). The budget proposals would result in a Council Tax rise of 2.8% and indicative figures suggested Denbighshire would probably be the second lowest rise in North Wales for 2012/13. Comparisons with other North Wales authorities indicated that Denbighshire had closed the gap to approximately £10 on a Band D property.

In conclusion Councillor Thompson-Hill emphasised that the budget needed to be sustainable and had been developed with a view to protecting front line services as much as possible. The proposals would deliver in excess of £3m savings with an investment of £1.3m in priorities and an additional £1.4m to schools. The proposed budget would be delivered with a Council Tax increase below the rate of inflation and would hold the authority in good stead for the future.

Councillor J. Thompson-Hill proposed the recommendations contained within the report which were seconded by Councillor M.J. Eckersley.

For clarity Councillor E.W. Williams advised that Cabinet had recommended the unspent contingency funds be allocated to Modernising Education of which 21st Century Schools was a part and for consistency he asked that Council allocate that funding to Modernising Education. Members accepted the amendment and upon being put to the vote it was –

**RESOLVED** that –

- (a) *subject to the above amendment the budget proposals for 2012/13 as detailed in the appendix to the report be approved, and*
- (b) *the resulting 2.8 % increase in the level of Council Tax for 2012/13 be agreed.*

The Head of Finance and Assets highlighted that it was a sensible budget which would stand the authority in good stead for the medium term. He had tried to involve members as much as possible within the budget setting process which he believed had been reflected by the absence of questions prior to approving the budget. He hoped to continuously improve the process with a view to securing a unanimous decision for next year's budget.

## **7 LOCAL AUTHORITIES (ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES) REGULATIONS 2007**

Councillor I.A. Gunning raised a personal interest in this item as he was a member of the North Wales Police Authority.

The Head of Planning, Regeneration and Regulatory Services (H:PR&RS) submitted a report (previously circulated) asking members to consider implementing an order regarding the consumption of alcohol in all public places delineated within the 30mph speed limit of Rhyl, Prestatyn, St. Asaph, Rhuddlan, Denbigh, Ruthin, Llangollen, Corwen, Dyserth and Bodelwyddan. Statistical information regarding the number of alcohol related offences in the proposed areas (Appendix A);

consultation responses to the proposals (Appendix B) together with Public Notice (Appendix C) had been attached to the report.

The H:PR&RS and Community Safety Enforcement Manager (CSEM) –

- emphasised the intention of the Order was not to impose a drinking ban but would give discretionary powers to the Police to effectively tackle public nuisance and disorder linked to the consumption of alcohol in Denbighshire
- recommended an extension to the areas currently subject to an Order and introduced new areas where evidence indicated problems of crime, public nuisance, disorder and anti social behaviour linked to the consumption of alcohol in public places
- provided some background history to the report detailing the areas in which such Orders were already in force and the benefits derived but a consequence of that success having led to displacement to other areas
- provided examples of when the Police could exercise their discretion under the Order including curtailing the activities of underage drinkers and drinkers congregating in particular areas which could be disruptive to the community
- confirmed that the proposed areas had been identified following a strategic assessment of crime and disorder which would be reviewed on an annual basis.

Members considered the results of the consultation together with the evidence provided in terms of alcohol related offences in the proposed areas. Overall members welcomed the report and supported the introduction of an Order to address the issues linked to the consumption of alcohol in public places. The successful introduction of the Order in Rhyl was highlighted which had been evidenced by the reduction in the number of alcohol related offences and it was hoped this could be replicated in other areas. Reference was also made to the successful partnership working between the Council and the Police which provided an excellent example of joint working to benefit the community. However a number of reservations were raised in terms of proportionality with assurances sought regarding the Police's application of such powers in particular circumstances and the implications of introducing the Order. A number of concerns had also been raised regarding the lack of detailed statistics to support the widespread proposals.

The officers responded to members as follows –

- confirmed that alcohol related crime had reduced in Conwy and Denbighshire against an increase in other neighbouring authorities and highlighted the work of the Community Safety Partnership and enforcement measures to tackle the issue
- the expectation that the introduction of the proposals would help sustain and improve future performance by providing powers to control anti social drinking
- the Police had provided detailed statistics and an overview had been produced within the report; the full detail could be submitted to the relevant scrutiny committee and member area groups for further consideration if necessary
- the statistics produced within the report had formed the basis for consultation although further statistics from April 2010 onwards could be provided if requested

Members also discussed a number of issues with the officers associated with their particular town and communities as follows –

- in welcoming an extension to the existing Order, Councillors D. Hannam, J. Butterfield and B. Blakeley had been pleased to note the reduction of alcohol related crime in Rhyl and paid tribute to the hard work of all those involved. They reported upon the problems associated with hardened street drinkers and people congregating outside particular premises together with the difficulty in managing those problems. In response to questions the CSEM reported that it was the Police's role to manage anti social behaviour and the Council provided assistance through the provision of CCTV and engaging with licensees in addressing the conduct of their customers
- Councillor J.R. Bartley welcomed the introduction of an Order for Denbigh but voiced his concern over the delay in reaching this stage of the process and highlighted the need for better communication between collaborative partners. The CSEM advised that Denbigh Town Council had not confirmed their support for the Order until December 2010
- Councillor E.R. Jones advised that the crime figures for Bodelwyddan were misleading as they included incidents relating to Glan Clwyd Hospital together with 41 crimes recorded in August which related to one incident. The CSEM confirmed that the Police recorded the number of crimes as opposed to the number of offenders and agreed to provide a further breakdown of the crime figures to Councillors E.R. Jones and M.Ll. Davies. The H:PR&RS also agreed to ask the Police to separate crime figures for the town and hospital in the future
- Councillor B. Smith referred to instances where the Police had been over zealous in the way they had dealt with young people and she felt problems may be caused if innocent youngsters were being challenged. The Chairman indicated that it was a matter for the Police as to how they handled such situations. The H:PR&RS suggested that the Member Area Groups may be interested in scrutinising individual cases arising from the annual strategic assessment of crime, disorder and anti social behaviour
- Councillor J.M. Davies highlighted that consultation on the Order for Prestatyn had not been brought before the Town Council or Member Area Group but had been dealt with by the Town Clerk and the then Mayor, Councillor M.J. Eckersley. [Councillor M.J. Eckersley referred to a number of anomalies on the consultation response from Prestatyn Town Council which should have clearly confirmed support for an Order in Prestatyn.] Councillor Davies felt that the Order may be too draconian a measure and expressed reservations that the crime statistics provided did not correlate with street drinking and that more evidence was required. The officers agreed that proportionality was important and provided assurances that action would only be taken when appropriate and that events benefiting from a Temporary Event Notice would be excluded from the Order
- Councillor T.R. Hughes stated that he did not wish for numerous signs to be erected in Llangollen identifying areas subject of the Order. In response to his

concern and further questions the CSEM reported upon the Police's powers to deal with anti social drinking and the reasoning behind the extension to deal with displacement and road safety issues. There was no requirement to erect signage but it was deemed good practice to have signs in key places

- Councillor B. Feeley referred to Ruthin Festival and queried the benefit of an Order to deal with anti social behaviour. She also highlighted the inadequate CCTV in the town and the closure of Llangollen and Ruthin Police Stations and subsequent implications on crime and disorder issues. The CSEM advised that benefits had been seen in other areas and the matter could be subject to review via the scrutiny process. Although limited, CCTV had been beneficial in pinpointing problems in certain parts of Ruthin. In terms of Ruthin Festival a premises licence had been obtained which would supersede the Order but those drinking and causing concern outside the designated area could be controlled.

Councillor I.A. Gunning reassured members that Denbighshire was a safe place to live and visit but recognised there were anti social problems linked to drinking. He welcomed the Order as a valuable tool in reducing crime and disorder and anti social behaviour associated with drinking and provided a number of statistics which highlighted the good work being undertaken and the strong partnership approach between the Council and North Wales Police. In terms of the potential closure of Police Stations and cutbacks, Councillor Gunning advised that no decisions had been made on station closures and the Police were currently recruiting. He provided assurances that a strong police presence would be maintained.

Councillor S. Frobisher proposed, seconded by Councillors I.A. Gunning that the recommendations contained within the report be approved. Upon being put to the vote it was –

**RESOLVED** that –

- (a) *members note the results of consultation with North Wales Police, Town and Community Councils and with owners of any land that may fall within the order, and*
- (b) *based on the evidence provided a Designated Public Place Order be made and delegated authority be granted to the Head of Planning, Regeneration and Regulatory Services to –*
  - *make an order identifying the areas as detailed within the report as Designated Public Places for the purposes of the Criminal Justice and Police Act 2001*
  - *publish a notice of making of such an order*
  - *erect signage identifying the scheduled areas as Designated Public Places*
  - *ensure that a copy of the Order is sent to the Secretary of State for the Home Office.*

## 8 COUNCIL FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services submitted the Council Forward Work Programme for consideration advising that the next County Council meeting would be held on 28 February. He also referred to the possibility of a special County Council meeting in March dependent upon business to be transacted.

In response to a question from Councillor T.R. Hughes, the Corporate Director Business Transformation and Regeneration confirmed that she would be including an item on the Foryd Harbour project within the future Work Programme.

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

The meeting concluded at 11.25 a.m.