

COUNTY COUNCIL

Minutes of a meeting of the County Council held in via WebEx on Tuesday, 13 October 2020 at 10.00 am.

PRESENT

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

ALSO PRESENT

Chief Executive (JG), Head of Legal, HR and Democratic Services (GW), Climate Change Programme Manager (HV-E), Strategic Planning Team Manager (NK), Scrutiny Co-ordinator (RE), Democratic Services Manager (SP), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Martyn Holland, David Williams and Huw Williams

2 DECLARATIONS OF INTEREST

No declarations of interest.

3 APPOINTMENT OF THE CHAIR AND VICE-CHAIR OF COUNTY COUNCIL

Due to the coronavirus response Welsh Government passed emergency legislation enabling councils to postpone the annual meeting. In recognition of the difficulties caused by remote meetings that emergency legislation also permitted Councils to extend the tenure of office holders until May 2021 if desired.

PROPOSED by Councillor Gwyneth Kensler and SECONDED by Councillor Julian Thompson-Hill.

A vote was taken and it was unanimously agreed to extend the tenure of the Chair and Vice-Chair of Council until May 2021.

RESOLVED that the tenure of the Chair and Vice-Chair of Council be extended until May 2021.

4 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent items.

Question put forward by Councillor Mabon ap Gwynfor:

How does the Local Authority respond to the very latest up to date COVID information received daily by our SLT?

The Chief Executive responded – We receive daily reports from Public Health Wales by area and positivity rates and percentage of tests positive. Also get information by contact trace and trace those contacts. Problem is the data is highly sensitive and received by public protection officers and Public Health and they look at any hot spots and whether action needs to be taken.

We are also Public Health Wales for heat maps.

We will keep members informed of any clusters.

Councillor Mabon ap Gwynfor – will you consider releasing some of the figures locally to us by Ward? Less people now adhering to the rules as don't see logic in rules. How much was the Local Authority involved with the county lockdown? That is why I think transparency is the key.

Chief Executive – there are no local hotspots and incidents in schools shows that. It will certainly help us to have heat maps to share.

5 MINUTES

The minutes of Full Council held on 25 February 2020 were submitted.

Matters Arising –

Page 13 – Item 7 Treasury Management Strategy Statement 2020/21 and Prudential Indicators 2020/2021 – 2022/2023 - Councillor Paul Penlington requested a list of the banks involved.

PROPOSED by Councillor Alan James to accept the minutes, SECONDED by Councillor Merfyn Parry.

A vote took place and it was unanimously agreed to accept the minutes.

RESOLVED that, subject to the above, the minutes of the Council meeting held on 25 February 2020 be confirmed as a correct record.

6 TACKLING CLIMATE AND ECOLOGICAL CHANGE IN COUNCIL DECISION MAKING

The Lead Member for Waste, Transport and the Environment, Councillor Brian Jones, introduced the Tackling Climate and Ecological Change in Council Decision making report (previously circulated).

The report outlined the amendments proposed to the Council's Constitution and supporting documents and processes together with the timeline for implementing

those changes, if approved by Council, including the roll out of Carbon Literacy Training.

The Corporate Governance and Audit Committee had considered the proposals on 9th September 2020 and agreed unanimously that the recommendation be put forward to Council for approval.

Following consultation with the Monitoring Officer, the change proposed was to Section 13.2 of the Council's Constitution - Principals of Decision Making. It was the addition of a bullet point under "*All decisions of the Council will be made in accordance with the following principles*" with the following wording: "*having regard to tackling climate and ecological change*". Full detail of the change was provided in Appendix C of the report.

A number of members indicated that Climate and Ecological Change should be taken into consideration by the Planning Department when considering planning applications. It was clarified by the Monitoring Officer that the report was "have regard to" contained within the constitution but law would override the constitution. No information had been received from the Welsh Government regarding Welsh national planning guidance.

Members welcomed the report and paid tribute to Helen Vaughan-Evans, Climate Change Programme Manager and her team for all the work they had carried out to progress the issue.

The Chief Executive also offered her thanks to the staff who had worked on the project. Members were informed that if the report was approved, Denbighshire County Council would be the first Local Authority in Wales to do so.

The Climate Change Programme Manager confirmed she was to attend a future LDP Group.

The Leader stated the report did not give consideration to working partners and there was still a considerable amount of work needed going forward.

PROPOSED by Councillor Barry Mellor to approve the report, SECONDED by Councillor Brian Blakeley.

A vote took place and it was unanimously agreed to approve the report.

RESOLVED that Council:

- (a) approve to amend Section 13.2 of the Council's Constitution- Principals of Decision Making to include an additional bullet point under "*All decisions of the Council will be made in accordance with the following principles*" with the following wording: "*having regard to tackling climate and ecological change*".
- (b) confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix A) as part of its consideration.

7 ANNUAL PERFORMANCE REVIEW 2019 TO 2020

The Lead Member for Finance, Performance and Strategic Assets, Councillor Julian Thompson-Hill introduced the Annual Performance Review 2019 to 2020 report (previously circulated) for approval which the council was required to publish by October 31 each year under the Local Government (Wales) Measure 2009.

In 2019 the report was published in July and included the quarter 4 update on the Corporate Plan. However, because of disruption caused by the Covid-19, the report was delayed, so now also covered quarter 1 where the information was available, and sought in particular to demonstrate how the council had maintained key services, and more, for the benefit of residents during the pandemic.

The Annual Performance Review also included case studies and examples of progress against the corporate priorities from the council's wider portfolio. This recognised that services carried out important work outside of the Corporate Plan which benefitted residents.

The Strategic Planning Team Manager explained that despite Covid-19 the council continued to make good progress with its priorities and noting the impressive flexibility in the way projects and services had adapted to change. There had been slippage in some timescales, but in the main, projects remained on course to deliver the benefits for communities.

Council was guided through the report and provided with a comprehensive update on progress made against each of the corporate priorities.

The five priorities were as follows:

- Housing – everyone is supported to live in homes that meet their needs;
- Connected Communities – Communities are connected and have access to goods and services locally, online and through good transport links;
- Resilient Communities – the council works with people and communities to build independence and resilience;
- Environment – Attractive and protected, supporting well-being and economic prosperity; and
- Young People – a place where younger people will want to live and work and have the skills to do so.

During discussion, the following issues were raised:

- Digital Infrastructure 4G access issues – The Chief Executive confirmed that in some rural areas there were connectivity problems. The North Wales Growth Deal would be looking at digital coverage. Denbighshire's Digital Officer worked with communities to give them as much information as possible. Digital coverage was part of the council's priorities.
- Online transactions – regarding those residents who did not have access to online facilities, particularly the vulnerable and elderly, libraries, one stop shops and call centres were able to assist those residents.
- Roads – COVID had a considerable impact on the county's summary of repairs. Work had been able to commence on repairs and areas were being prioritised.

- It was confirmed that a Moorland Officer had been appointed since the Llantysilio fire who was working with NRW and landowners.
- Residential care – the question of the length of time residents were in residential homes was raised and also whether there had been an increase in deaths due to Covid. It was confirmed that residential care had been monitored and information was available as to why residents were admitted and why they left. Some residents passed away and some moved to a higher level of care. Alternative care was offered to a number of residents. There had been an increase in deaths in both Homes and the community due to Covid.
- Resilient Communities – Volunteers within the county had assisted greatly during the Covid pandemic and officers confirmed they were to contact all foodbanks in the county to ascertain how the work was progressing and to inform them of Covid grants which were available. Denbighshire County Council acknowledged the work carried out by volunteers during this difficult time.
- Active travel – Obesity was an ongoing issue. Public Health were leading on this but it would be a multi-agency approach.
- The target of 15% reduction in CO2 from energy bills had been met. Councillor Graham Timms requested how much CO2 was produced and raised the issue of the UK Governments recategorisation. Councillor Timms also requested how the energy bills were currently. It was confirmed the information would be obtained and circulated.
- Housing of Homeless people during Covid – Councillor Gwyneth Kensler asked whether this would continue and whether they would remain in the accommodation. It was confirmed that the housing of homeless scheme would continue and people would remain in the accommodation they had been allocated. Denbighshire County Council had secured funding to provide emergency accommodation and the funding needed to be utilised by March 2021.
- 179 empty homes had been returned to use. Councillor Kensler asked what was the average time to return to use. Officers confirmed they would find out the information and circulate it to members.
- Councillor Eryl Williams stated that the Clocaenog wind farm had now been launched and he understood that a 20% match funding would be required. Due to the match funding this would limit the amount of projects. Officers confirmed they had raised the issue with the Panel and that the criteria was in place for projects over £10,000.
- Care of trees - It was confirmed that there was a list of trees which were under a Tree Preservation Order (TPO) available and if a tree was under a TPO then a cutting down application would need to be submitted to Planning Committee.
- Rhyl Community Development – Officers confirmed they were in dialogue with Rhyl BID.

Members paid tribute to all the Welsh Local Authorities who had kept services running during the pandemic.

PROPOSED by Councillor Jeanette Chamberlain-Jones to approve the report, SECONDED by Councillor Gwyneth Kensler.

A vote took place and it was unanimously agreed to approve the report.

***RESOLVED** that, subject to any agreed changes, Council approve the Annual Performance Review 2019 to 2020.*

At this juncture (12.25 p.m.) there was a 15 minute break.

The meeting reconvened at 12.40 p.m.

8 ANNUAL REPORT OF THE COUNCIL'S SCRUTINY COMMITTEES 2019/2020

Councillor Graham Timms presented the Annual Report of the Council's Scrutiny Committees 2019/20 (previously circulated) on their activities during 2019/20.

At this juncture, Councillor Timms paid tribute to the late Councillor Huw Jones who had been the Chair of Performance Scrutiny Committee. He had made a tremendous contribution not only to Performance Scrutiny Committee but to the Council as a whole and would be sadly missed.

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.

Scrutiny Request forms were submitted from members, officers and members of the public and presented to the Scrutiny Chairs and Vice Chairs Group who applied the criteria to determine whether the item merited scrutiny.

The report outlined Scrutiny's important role in relation to supporting the Council's work to deliver its corporate priorities and Corporate Plan, including its regular monitoring of the Plan's delivery.

Also included within the Annual Report were details on the task and finish/working groups operating under the auspices of the Council's Scrutiny Committees.

The Joint overview and Scrutiny Committee for PSB had formally only met once and the second meeting had been inquorate. Conwy were to Chair the Joint Committee for two years following which it would pass over to Denbighshire. It was proving difficult to schedule meetings.

At this juncture, Councillor Jeanette Chamberlain-Jones expressed her thanks to the Vice-Chair of Communities Scrutiny Committee, Councillor Emrys Wynne for all his work and support.

Councillor Hugh Irving also took the opportunity to state it had been a pleasure and a privilege to be Vice-Chair to the late Huw Jones on Performance Scrutiny Committee.

Councillor Timms and other Members expressed their gratitude to the Scrutiny Officer, Rhian Evans, for her support and sterling work throughout the year.

PROPOSED by Councillor Graham Timms to approve the report, SECONDED by Councillor Hugh Irving.

A vote took place and it was unanimously agreed to approve the report.

RESOLVED that Council considered and noted the Annual Report of the Scrutiny Committees for 2019/20.

9 ANNUAL REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF SCRUTINY CHAIRS

The Lead Member for Corporate Services and Strategic Direction, Councillor Richard Mainon, introduced the report (previously circulated) for Council to consider changes in political balance in accordance with statutory requirements and be aware of how Scrutiny chairing and remuneration arrangements worked.

The Democratic Services Committee would have considered a similar report at its meeting on the 2 October and relevant comments will be reported to full Council. The political groups are consulted on committee membership and political balance matters whenever issues arise, for example to fill vacancies on committees.

PROPOSED by Councillor Richard Mainon to approve the report, SECONDED by Councillor Christine Marston.

A vote took place and it was unanimously agreed to approve the report.

RESOLVED that Council:

- (i) re-appoints the chair and membership of the Democratic Services Committee for the 2020 / 2021 municipal year;
- (ii) considers the political balance arrangements for the allocation of committee seats.

10 COMMITTEE TIMETABLE 2021

The Lead Member for Corporate Services and Strategic Direction, Councillor Richard Mainon, introduced the report (previously circulated) to enable Members to approve the draft Committee timetable for 2021.

The timetable for the following year would normally have been approved earlier to maintain an 18 month timetable. This has been delayed because of the COVID-19 coronavirus pandemic which resulted in the postponement of Council meetings.

It was necessary for the Council to approve a timetable for 2021 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 Councillor Paul Penlington expressed his disappointment to note that no evening meetings had been scheduled. He also questioned why meetings were not scheduled during school holidays.

The Democratic Services Manager explained a survey had been taken with Councillors at the beginning of their term and a majority agreed to the timings of meetings.

Councillor Mainon expressed his thanks to Kath Jones, Committee Administrator for preparing the schedule and liaising with officers as it had required extremely careful organisation.

PROPOSED by Councillor Richard Mainon to approve the report, SECONDED by Councillor Alan James.

A vote took place and a majority of members voted in favour of the report and one member voted against.

RESOLVED that Council approves the draft committee timetable for 2021.

11 NOTICE OF MOTION

Councillor Huw Hilditch-Roberts put forward the following Notice of Motion for consideration by Full Council:

'That this Council supports the following petition lodged on the parliamentary petition website:

For the first year, young drivers must have a black box fitted before they can drive. Furthermore, they should only be able to carry one passenger, who must be an experienced driver. These changes should significantly decrease the amount of young road crash fatalities by encouraging safer driving.'

All members expressed their support for the Notice of Motion.

A vote took place and it was unanimously agreed to approve the Notice of Motion.

RESOLVED that full Council supports the following petition lodged on the parliamentary petition website:

For the first year, young drivers must have a black box fitted before they can drive. Furthermore, they should only be able to carry one passenger, who must be an experienced driver. These changes should significantly decrease the amount of young road crash fatalities by encouraging safer driving.

12 NOTICE OF MOTION

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

“In line with the authority’s commitment to protecting our natural environment, from today, all council building developments will incorporate hedgehog highways and ensure they are protected.

To be achieved through; only using native hedging as boundaries wherever practicable and only using native plants in any landscaping. Any necessary solid wall or fencing boundaries will incorporate ground level hedgehog tunnels.

Further to that the authority will actively encourage private developers to adopt the same practice.”

Following discussions it was agreed to refer the Notice of Motion to SPG.

A vote took place and it was unanimously agreed to refer the Notice of Motion to SPG.

RESOLVED that full Council supports the Notice of Motion to be put forward to Supplementary Planning Guidance Group.

13 NOTICE OF MOTION

Councillor Mark Young put forward the following Notice of Motion on behalf of the Independent Group for consideration by Full Council:

That Denbighshire County Council:

- (i) acknowledges the efforts that this council has made to reduce greenhouse gas emissions and promote renewable energy;
- (ii) further recognises:
 - that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,
 - that making these financial costs proportionate to the scale of a renewable electricity supplier’s operation would enable and empower new local businesses, or councils, to be providers of locally generated renewable electricity directly to local customers, and
 - that revenues received by new local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;
- (iii) accordingly resolves to support the Local Electricity Bill, supported by 187 MPs which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply companies and co-operatives by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply operation; and
- (iv) further resolves to:
 - inform the local media of this decision,
 - write to local MPs, asking them to support the Bill, and

- write to the organisers of the campaign for the Bill, Power for People, (at [8 Delancey Passage, Camden, London NW1 7NN](https://www.powerforpeople.org.uk) or info@powerforpeople.org.uk) expressing its support.

A vote took place and it was unanimously agreed to approve the Notice of Motion.

RESOLVED that full Council supports the Notice of Motion –

- (i) acknowledges the efforts that this council has made to reduce greenhouse gas emissions and promote renewable energy;
- (ii) further recognises:
 - that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so,
 - that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would enable and empower new local businesses, or councils, to be providers of locally generated renewable electricity directly to local customers, and
 - that revenues received by new local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;
- (iii) accordingly resolves to support the Local Electricity Bill, supported by 187 MPs which, if made law, would establish a Right to Local Supply which would promote local renewable electricity supply companies and co-operatives by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply operation; and
- (iv) further resolves to:
 - inform the local media of this decision,
 - write to local MPs, asking them to support the Bill, and
 - write to the organisers of the campaign for the Bill, Power for People, (at [8 Delancey Passage, Camden, London NW1 7NN](https://www.powerforpeople.org.uk) or info@powerforpeople.org.uk) expressing its support.

14 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.

The meeting concluded at 1.50 p.m.