

## **COUNTY COUNCIL**

Minutes of a meeting of the County Council held in via VIDEO CONFERENCE on Tuesday, 13 April 2021 at 10.00 am.

### **PRESENT**

Councillors Joan Butterfield, Ellie Chard, Ann Davies, Meirick Davies (Chair), Hugh Evans, Bobby Feeley, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Alan Hughes, Hugh Irving, Alan James (Vice-Chair), Brian Jones, Tina Jones, 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, Huw Williams, Emrys Wynne and Mark Young

### **ALSO PRESENT**

Corporate Director: Communities (NS), Corporate Director: Economy & Public Realm (GB), Head of Legal, HR & Democratic Services (GW), Head of Finance and Property (SG), Democratic Services Manager (SP), Zoom Host and Webcast (SJ), Committee Administrator (SLW)

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Mabon ap Gwynfor, Brian Blakeley, Jeanette Chamberlain-Jones, Gareth Davies, Peter Evans, Gwyneth Kensler, Geraint Lloyd-Williams and David Williams

#### **2 DECLARATIONS OF INTEREST**

None.

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

No urgent matters.

The Chair welcomed Councillor Alan Hughes to his first County Council meeting. Councillor Hughes had won the election to replace the late Councillor Huw Jones.

The Chair gave the following statement –

“It is with deep sadness that we learned last Friday 9<sup>th</sup> April, of the death of His Royal Highness, Prince Philip, Duke of Edinburgh. As a County Council, we offer our sincerest condolences to Her Majesty the Queen and to the Royal Family. I will also be writing a letter of condolence to the Duke’s Private Secretary.

Flags are flying at half-mast at County Hall, Ruthin and at Russell House, Rhyl and they will remain at half-mast until after the Royal Ceremonial Funeral which will take place at St George's Chapel, Windsor Castle, on the 17<sup>th</sup> April.

A Book of Condolence has been created on our website which will allow residents to leave a message. Members of the public can make an appointment to use a public computer at a library and staff can help them access the online condolence form to leave a message if they so wish. Arrangements had been put in place to allow members of the public to lay floral tributes, but unfortunately, during the pandemic, this will not be possible."

A minute's silence was held as a mark of respect.

#### **4 MINUTES**

The minutes of Full Council held on 23 February 2021 were submitted.

##### Matters Arising –

Page 8, Item 4 – Councillor Peter Scott confirmed he had had sight of the draft copy of the flood report provided by NRW. He asked when it would be available for all Councillors and members of the public.

The Corporate Director: Economy and Public Realm, Graham Boase stated he had recently held a meeting with the Head of Highways and Environmental Services, Tony Ward, and the Flood Risk Engineer, Wayne Hope to discuss the draft NRW report. The report was being finalised and would then appear on the NRW website. Once the final report was made available it would be circulated to Elwy Member Area Group members and relevant Town Councillors. The Corporate Director also confirmed a Section 19 report regarding the flooding would be presented at the Communities Scrutiny Committee meeting taking place on 1 July 2021.

Page 10, Item 6, DCC's Climate & Ecological Change Strategy - Councillor Brian Jones stated he had recently attended a meeting with the Climate Change Programme Manager, Helen Vaughan-Evans and Councillor Graham Timms. It had been agreed that during the next 12 months, the Climate Change Group would hold three meetings to assess progress.

Proposed by Councillor Alan James and seconded by Councillor Peter Scott to accept the minutes of the meeting held on 23 February 2021.

A vote took place and it was unanimously agreed the minutes were correct.

***RESOLVED*** that the minutes of the Council meeting held on 23 February 2021 be confirmed as a correct record.

## 5 ARRANGEMENTS FOR THE ELECTION OF CHAIR AND VICE-CHAIR

The Head of Legal, HR and Democratic Services presented the report (previously circulated) seeking agreement for the proposed Chair and Vice Chair of the County Council for the municipal year 2021/2022 to be formally elected at the Council's annual meeting on 18 May 2021.

It was confirmed that the current Vice Chair, Councillor Alan James, would become the Chair for the 2021/2022 municipal year and the formal election of the Chair would take place at the Annual Council to be held on 18 May 2021.

### **Election of Vice Chair:**

Councillor Martyn Holland proposed Councillor Christine Marston, seconded by Councillor Rhys Thomas, to be the Vice Chair for the 2021/2022 municipal year.

Councillor Joan Butterfield proposed Councillor Pete Prendergast, seconded by Councillor Bob Murray, to be the Vice Chair for the 2021/2022 municipal year.

The Head of Legal, HR and Democratic Services explained that a poll would be undertaken via zoom and the results would show on relevant screens as a percentage. Unfortunately, there was not a facility to abstain from the vote and, therefore, if any member wished to abstain they would just refrain from the vote.

The poll took place and

79% of votes for Councillor Christine Marston  
21% votes for Councillor Pete Prendergast.

Councillor Christine Marston was nominated as the proposed Vice Chair for the 2021/2022 municipal year.

Councillor Marston thanked Members for their support and was congratulated upon her nomination.

***RESOLVED*** that Councillor Alan James be proposed Chair and Councillor Christine Marston be proposed Vice Chair of the County Council for the municipal year 2021/2022 to be formally elected at the Council's annual meeting on 18 May 2021.

## 6 AMENDMENTS TO THE CONSTITUTION

The Head of Legal, HR and Democratic Services presented the report (previously circulated) seeking agreement for Council to update the Constitution's provisions for remote attendance at meetings and for the Council's Corporate Governance and Audit Committee.

To allow local authorities to continue to function under Covid-19 restrictions the Welsh Government introduced the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 which came into force on 22 April 2020. The Regulations permitted remote attendance at meetings irrespective of the provisions contained in

a local authority constitution. These Regulations were temporary and would no longer apply after the 30<sup>th</sup> April 2021.

However, from 1<sup>st</sup> May, 2021, the provisions of Section 47 of the Local Government and Elections (Wales) Act 2021 would come into force.

Section 47 of the Act required local authorities to make arrangements from the 1<sup>st</sup> May to ensure their meetings are capable of being held remotely.

The Council had a statutory 'audit' committee called the Corporate Governance and Audit Committee. The Act changed the Committee's name to the 'Governance and Audit Committee'. The Act also extended the Committee's statutory remit to reviewing and assessing the Council's ability to handle complaints effectively, and to make reports and recommendations thereon. It also created a role for the Committee in the new performance assessment process.

Proposed by Councillor Martyn Holland and seconded by Councillor Hugh Evans to accept the amendments to the Constitution report.

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

**RESOLVED that:**

- (i) Council amends the Constitution by replacing the existing wording in Section 4.17 with the following:  
*"Remote attendance is permitted at all meetings, committees and sub-committees provided that those participating are able to speak to and be heard by each other. In the case of meetings which are required by law to be broadcast, participants are able to speak to and be heard by each other and to see and be seen by each other";*
- (ii) Council amends the name of the Corporate Governance and Audit Committee to the 'Governance and Audit Committee'; and
- (iii) Council authorises the Monitoring Officer to amend the wording of Section 13 of the Constitution relating to the Corporate Governance and Audit Committee's terms of reference and responsibilities, in order to reflect the 2021 Act's provisions relating to complaints and performance assessment duties which come into force from the 1<sup>st</sup> May 2021.

**7 APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER**

The Head of Legal, HR and Democratic Services presented the report (previously circulated) for Council to appoint an Electoral Registration Officer and Returning Officer to fulfil both roles pending the appointment of a new Chief Executive.

The Head of Legal, HR and Democratic Services informed members that s8 Representation of the People Act 1983 required the appointment of an officer of the Council as the Electoral Registration Officer for its area. Also s35 Representation of the People Act 1983 required the appointment of an officer of the Council as the Returning Officer for Local Government Elections for its area.

Proposed by Councillor Barry Mellor, seconded by Councillor Julian Thompson-Hill that the Corporate Director: Communities, Nicola Stubbins be appointed as the Electoral Registration Officer and Returning Officer.

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

**RESOLVED** that:

- (i) Nicola Stubbins be appointed as Electoral Registration Officer for Denbighshire to hold office until the appointment of a new Chief Executive.
- (ii) Nicola Stubbins be appointed as Returning Officer for Local Government Elections in Denbighshire to hold office until the appointment of a new Chief Executive.

## **8 COUNTY COUNCIL FORWARD WORK PROGRAMME**

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

18 May, 2021 – Annual Council:

- (i) Annual Scrutiny Report
- (ii) Annual Report – Political Balance
- (iii) Annual Standards Report
- (iv) Pay Policy Report

The Real Living Wage report may be deferred from 18 May meeting due to pay negotiations being suspended until the conclusion of the election but it would remain as a future item to be brought to a future meeting.

The Flood Investigation report would be presented to Full Council once all the information was collated.

Proposed by Councillor Alan James, seconded by Councillor Cheryl Williams.

A vote took place and it was unanimously agreed to accept the Forward Work Programmes.

**RESOLVED** that, subject to the above, the Council and Council Briefing Forward Work Programmes be approved and noted.

**The meeting concluded at 10.53 a.m.**