

COUNTY COUNCIL

Minutes of a meeting of the County Council held via VIDEO CONFERENCE on Tuesday, 7 December 2021 at 10.00 am.

PRESENT

Councillors Brian Blakeley, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Gareth Davies, Meirick Davies, Gwyneth Ellis, Hugh Evans, Peter Evans, Bobby Feeley, Rachel Flynn, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Alan Hughes, Hugh Irving, Alan James (Chair), Brian Jones, Pat Jones, Tina Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Christine Marston (Vice-Chair), 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, David Williams, Eryl Williams, Emrys Wynne and Mark Young

ALSO PRESENT

Chief Executive (GB); Corporate Director: Communities (NS); Head of Legal, HR and Democratic Services (GW); Head of Business Improvement and Modernisation (AS); Head of Highways and Environmental Services (TW); Head of Education (GD); Head of Children's Services (RM); Principal Manager – Support Services (AL); Risk and Asset Manager (TT), and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Joan Butterfield and Huw Williams

2 DECLARATIONS OF INTEREST

Cllrs Pete Prendergast, Bobby Feeley and Huw Hilditch Roberts declared a personal interest in Item 6, Appointment of Director – Denbighshire Leisure Limited as they were all members of the Board.

Cllrs Hugh Irving and Tony Flynn declared a personal interest in Item 10, Notice of Motion put forward by Councillor Paul Penlington, as they were Governors of Prestatyn High School.

Cllr Rachel Flynn declared a personal interest in Item 10, Notice of Motion put forward by Councillor Paul Penlington, as she occasionally worked at Prestatyn High School.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

At this juncture, Councillor Arwel Roberts put forward a Petition to Full Council regarding the Abergele Road in Rhuddlan. He stated there had been a problem with drivers ignoring the speed limit along the Abergele Road and the petition was to lower the speed limit from 40 mph to 30 mph along the length of the road. Councillor Roberts expressed his thanks to Rhuddlan Town Council for purchasing a speed indicator device and also to Denbighshire County Council for organising the device to be located. The petition was also requesting a pedestrian crossing for walkers, residents and visitors for safety reasons when attempting to cross the road and there was a great need for more dropped kerbs for wheelchair users. Councillor Roberts confirmed he would pass on the petition to the highways officers in Denbigh.

The Head of Legal, HR and Democratic Services confirmed on receipt of the petition by the relevant department, a response would be sent to Councillor Arwel Roberts within 14 days.

At this juncture, Councillor Glenn Swingler put forward a question:

“Has progress been made over the last 4 difficult years to prevent and also to support those Denbighshire families that are at risk of becoming homeless through no fault of their own?”

Response from the Lead Member for Bobby Feeley – “thank you for the question and for your continuing interest and empathy towards homelessness. As you say anyone can find themselves homeless through no fault of their own. Progress has been made and every effort has been made to support families at risk of homelessness. My ultimate ambition would be to see the end of homelessness here in Denbighshire although, strategically good progress has been made, some solutions will take a little more time to be delivered fully. The last few years has been a difficult time, particularly for this service. The pandemic has undoubtedly increased the workload and staff vacancies continue to impact on our homelessness service. We have a new structure which will focus on prevention and we have linked closer with housing. There has been a reduction in the number of families presenting as homeless. This is, obviously, partly to the Welsh Government preventing evictions during the pandemic but this lifts, we may well see more people coming through again. We are in the process of tendering for HSG funding early intervention contract to prevent homelessness. This will involve mediation, for example, with Landlords, maybe clearing debts, helping with rent arrears and help with all sorts of other family issues. Over the last 12 months we have run a pilot project with Civica, which has been successful and, in fact, it has prevented 84 households from becoming homeless. We have also used HSG monies to develop a specialist tenancy support workers team working across the county and the private rented sector to try and avoid people becoming homeless in the first place. Welsh Government launched a tenancy hardship grant earlier this year to help those in arrears. We have encouraged people to apply for this grant but, unfortunately, the take-up has not been as high as expected. We have also worked with housing and Registered Social Landlords to take advantage of suspension of SARTH which has resulted in 99 households being given permanent tenancies. When I read recent updates from internal audit, which goes to

Partnerships Scrutiny Committee on 16 December, I was re-assured it had progressed well, in fact, I was surprised when I got towards the end I noticed it was still low assurance and I was perturbed by this so spoke to Lisa Harte in Internal Audit and she did agree with me that we had made progress but because certain areas had not been addressed sufficiently, we had to remain at a low assurance. A full and frank report will go to Partnerships Scrutiny on 16 December and there will be time for as many detailed questions and answers as members may have but, I hope this brief explanation will suffice for now. Ann Lloyd who is Head of Service and Nicola Stubbins, Corporate Director covering social services are here this morning and if you wish to ask a supplementary question”

Councillor Swingler confirmed he would ask a supplementary question and thanked the Lead Member for the comprehensive response and wanted it noted that he supported the Homeless Prevention Team who did an awesome job. “Has reorganisation worked or is there still more work to do and how bad are staffing levels?”

Councillor Bobby Feeley responded to the supplementary question as follows: “it is going to work but very early days. The more holistic approach to homelessness and preventing it happening in the first place was required and hence the new structure. We have improved regarding the staffing now but still have 1 vacancy.”

Ann Lloyd responded as follows:

“Following consultation, we did get everyone in post but, unfortunately, we lost some members of the team because they applied for other posts within the Council, so we have actually seen a significant change in the staffing team since the consultation and for a lot of them, that was promotion, so it was good for them, not good for us. It has taken us a little while to get the team into a stable position but all the posts we wanted in our multi-disciplinary team are there. We have a dedicated counsellor, a dedicated mental health practitioner, dedicated offending manager role, and social worker in the team. We are just in the process of bringing in the final role of a substance misuse/ mental health person who has come on secondment from Betsi Cadwaladr who will still have access to all the mainstream provision through Betsi Cadwaladr services for substance misuse and mental health but will be dedicated to the homelessness team so picking up those individuals who have got lower level needs and medium level needs but still also being able to access some of the services there. Biggest issue we have the moment is moving people from emergency accommodation into permanent tenancies and that is something we will struggle with for some time. The housing market over the last 12 months has not helped at all because, obviously, rents have soared, property prices have soared so we are battling against getting affordable properties, but we have the corporate approach to that now. We are working closely with other departments, Planning and Public Protection, Community Housing, and we have got the Senior Leadership Team Sub-Group who look at this from a corporate perspective. Working together, we are really moving forward and we have recently received the Welsh Governments Ending Homeless High Action Plan which now needs to be looked at and we need to develop Rapid Re-Housing Transition Plan which is a five year plan as to how we are going to move to the Welsh Governments Rapid Re-Housing model that means as soon as someone

comes into homelessness we virtually offer them a tenancy. We are putting that support in place right away. It is quite ambitious but with the support of the whole council we will get there.”

The Chair, Councillor Alan James suggested if any further statements were released, they could be circulated to all councillors and if any queries arose, they could contact the relevant officer direct.

4 MINUTES

The minutes of Full Council held on 12 October 2021 were submitted.

Accuracy -

Cllr Meirick Lloyd Davies stated he had raised a number of questions but his name had not been allocated to the questions within the minutes.

Councillor Lloyd Davies also thanked Councillor Peter Scott for raising the issue of Glan Llyn Farm in Trefnant Ward .

Councillor Lloyd Davies also requested that the minutes be corrected as they referred to a gravity valve, but did not note the location, this valve is on a small river let from Cefnmeiriadog.

Matters Arising –

Councillor Paul Penlington (item 6) asked if a response had been received from the UK Government.

Councillor Bobby Feeley confirmed a response had been received and had been circulated to all Councillors. Councillor Feeley felt the response was disappointing and did not address the question asked and, therefore, felt it had not been successful.

At this juncture Councillor Gwyneth Kensler expressed her thanks to all the teams who had worked during Storm Arwen the previous weekend.

RESOLVED that, subject to the above, the minutes of Full Council held on 12 October 2021 be confirmed as a correct record.

5 20TH JANUARY 2021 FLOOD EVENT - SECTION 19 FLOOD INVESTIGATION REPORT

The Lead Member for Waste, Transport and the Environment, Councillor Brian Jones, introduced the 20th January 2021 Flood Event – Section 19 Flood Investigation Report.

On the 20th of January 2021, extensive flooding occurred across Denbighshire as a result of Storm Christoph. Council officers, as well as officers from Natural Resources Wales and Dŵr Cymru Welsh Water, had carried out investigations into

the flooding in accordance with Section 19 of the Flood and Water Management Act. The investigation was to understand the reason why the flooding occurred, the likelihood of it happening again and to assess whether measures could be put in place to reduce flooding in future

The main sources of flooding during the January 2021 event were the River Clwyd River Ystrad and River Alyn. These were classified as main rivers and the responsibility for the detailed investigation of each flood location was with Natural Resources Wales. There were five separate locations affected by main river flooding. These ranged from large communities, such as Ruthin and Denbigh (Brookhouse), to individual isolated properties within the Llandyrnog, Llanrheadr and Llanarmon yn Iâl Communities.

There were also some localised surface water flooding experienced at Llanynys, Llanfair D.C, St.Asaph, Bodelwyddan and Dyserth Communities, and the latter Community also experienced flooding from the section of ordinary watercourse known as Afon Ffyddion . The responsibility for the investigation of the events was with Denbighshire County Council as the Lead Local Flood Authority.

The Investigation Report had previously been presented at Scrutiny Committee following which the recommendations were currently being worked through.

Following the flood events, a Flood Task and Finish Group had been set up which encapsulated representation from Denbighshire County Council, Natural Resources Wales, Welsh Water, together with inclusion of representations from the Farmers Union. The Task and Finish Group will submit a formal report to Full Council prior to April 2022.

The Head of Highways and Environmental Services, Tony Ward, informed members that the Risk and Asset Manager, Tim Towers, Flood Risk Engineer, Wayne Hope and the representative from Natural Resources Wales were in attendance to respond to any questions put forward by the members.

During discussions, the following points were raised:

- Regarding the flooding at Mill Street and Clwyd Street, Ruthin, the bund level had been raised but local members enquired as to how to respond if flooding were likely to happen in the future. Also whether the drains could be inspected as to whether they are clear on a more regular basis than currently eg: every three months. Officers confirmed there was a comprehensive review currently taking place regarding highways drainage. Due to the time of the review taking place, the focus would be on highway drainage hot spots. Improvement works to the Cae Ddol embankment had taken place to raise certain areas of the embankment. A Partnership Flood Group had been established and work was taking place with Ruthin Town Council to ensure the community were involved.
- It was confirmed that NRW were undertaking modelling work to look into future flood events and the impact of climate change.
- It was raised the fact that Llannerch Bridge had not been included within the flood investigation report. It was clarified that the flood investigation had focussed on property and where there had been risk to life. Officers also

confirmed the investigation report was not required to cover infrastructure but plans were being taken forward to ascertain funding opportunities to replace the bridge.

- The Capacity to respond to storms was confirmed as there were teams on standby together with contractors to assist. Information regarding response to storms was available on the NRW website.
- The area of Rhuddlan was at risk from a number of sources and some work had been undertaken in risk areas. It was confirmed it was a challenge to manage river flows and fluvial flood waters but there were work plans in place with relevant teams to minimise the risk.
- Plans were still ongoing regarding the Dyserth Flood Defence Scheme and the scheme was in the development phase.
- Work was taking place to look into the advantage of tree planting in the future and both DCC and NRW were working closely together regarding this.

Councillor Brian Jones proposed approval of the investigation report, seconded by Councillor Christine Marston.

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

The Chair thanked the representative from NRW and officers for the comprehensive report and for attending the Full Council meeting.

RESOLVED that:

- Members considered the flood investigation report and provided feedback and comments.*
- The Council seeks assurance from Natural Resources Wales that the recommendations identified in Natural Resources Wales' flood investigation reports would be carried out.*

6 APPOINTMENT OF DIRECTOR - DENBIGHSHIRE LEISURE LIMITED

The Head of Legal, HR and Democratic Services introduced the Appointment of Director – Denbighshire Leisure Limited (DLL) report (previously circulated).

Council were requested to amend the composition of the DLL Board and the appointment of a director following the resignation of Graham Boase as a consequence of his appointment as Chief Executive.

It had been recommended that the Corporate Director : Communities, Nicola Stubbins be appointed as Director of DLL.

Following a brief discussion, Councillor Barry Mellor proposed approval of the recommendation, seconded by Councillor Julian Thompson-Hill.

The recommendation was unanimously approved by all those members present.

RESOLVED that

- Council approves the amendment of the composition of the DLL Board, and*

(ii) Council resolves that Nicola Stubbins be appointed as a director of Denbighshire Leisure Limited.

7 ROLE OF YOUNG PERSONS' CHAMPION

The Head of Legal, HR and Democratic Services, Gary Williams, introduced the Role of Young Persons' Champion report (previously circulated).

On the 7th September 2021 Council considered the following notice of motion; "That Denbighshire County Council appoint a Young Persons Champion covering all ages up to 18."

Council resolved that a report on the role of a Young Persons Champion be presented to Democratic Services Committee to define the role and a further report to be presented to Full Council. A role description had been drafted (attached to the report). The role description was drafted to follow the same form as the role descriptions adopted for the current champions as set out in Appendices 1-4 of the report.

Democratic Services Committee agreed to recommend to Council that there should be a role of Young Person's Champion and that it should be carried out by a non-Cabinet member. The Committee considered the definition of young person should include persons up to the age of 25 years and that the role description should be amended to reflect this.

Councillor Hugh Evans proposed approval of the Role of Young Persons' Champion report, seconded by Councillor Barry Mellor.

The recommendation was unanimously approved by all those present.

RESOLVED that Council approves the creation of the role of Young Persons' Champion in accordance with the role description set out in Appendix 5.

At this juncture (12.15 p.m.) there was a 20 minute break.

The meeting reconvened at 12.35 p.m.

8 PROPOSALS FOR MEMBERS TO ADOPT NEW WAYS OF WORKING

The Lead Member for Finance and Property, Councillor Julian Thompson-Hill, introduced the Proposals for Members to Adopt New Ways of Working Report (previously circulated). The report had been a joint report with the Leader, Councillor Hugh Evans, the Head of Legal, HR and Democratic Services, Gary Williams and the Head of Business Improvement and Modernisation, Alan Smith.

The report summarised proposals generated by the work of the Members' New Ways of Working Task & Finish Group, and which were intended to apply to the new Council following the elections in May 2022. The report considered two elements: Firstly, how Members should conduct meetings and secondly, what ICT equipment would be required to do so.

A New Ways of Working Protocol had been attached to the report as an Appendix.

It was confirmed that following the election taking place in May 2022, all members would be issued with a laptop and mobile phone. I pads would no longer be utilised as the level of support for them would no longer be provided.

It was also confirmed that Councillors would be able to make public their new mobile phone numbers rather than home phone numbers which would be better from a security aspect.

Following discussions, Councillor Julian Thompson-Hill proposed the approval of the Proposals for Members to Adopt New Ways of Working Report, seconded by Councillor Gwyneth Kensler.

A vote took place and it was unanimously agreed by all those present.

RESOLVED that :

- (i) Council agrees, in accordance with the recommendation of Democratic Services Committee, the method by which to hold different categories of meeting on the basis of the proposals set out in the report presented to the Members' New Ways of Working Task and Finish Group and attached to this report as Appendix 1*
- (ii) Council agrees, in accordance with the recommendation of Democratic Services Committee, that the ICT equipment to be provided to Members in the new Council should be as set out in Section 2 of the report presented to the Members' New Ways of Working Group and attached to this report as Appendix 1.*
- (iii) Council adopts, in accordance with the recommendation of Democratic Services Committee, a Protocol in respect of the conduct of Hybrid meetings in substantially the same terms as those set out in Appendix 2 to this report*

At this juncture, the order of the Agenda was amended to accommodate Councillor Gwyneth Kensler who had to leave the meeting shortly.

9 NOTICE OF MOTION

Notice of Motion put forward by Councillor Gwyneth Kensler for consideration by Full Council –

'That Council create and appoint a Champion for diversity'.

The Leader, Councillor Hugh Evans recommended the appointment of a Champion for Equality and Diversity be put before the Democratic Services Committee to look at the role in more detail and the bring it back to Full Council as soon as possible so that a Champion to this role could be appointed.

Councillor Hugh Evans proposed the appointment of a Champion for Equality and Diversity be put forward to the Democratic Services Committee, seconded by Councillor Glenn Swingler.

At this juncture, Councillor Graham Timms proposed a question be put forward, seconded by Councillor Gwyneth Kensler.

A vote took place and it was unanimously agreed by all those present.

RESOLVED *that the appointment of a Champion for Equality and Diversity be submitted to the Democratic Services Committee to assess the role in more detail and then to re-submit to Full Council as soon as possible.*

10 NOTICE OF MOTION

Councillor Pete Prendergast put forward the Notice of Motion in the absence of Councillor Joan Butterfield. The Notice of Motion was originally put forward on behalf of the Labour Group for consideration by Full Council:

“That the council support a call for the UK Government to continue with the £20 per week enhancement to Universal Credit to support the vulnerable at a time of rising household costs and economic uncertainty. That this council writes to our local members of Parliament to invite support”.

The Lead Member for Finance and Property, Councillor Julian Thompson-Hill, confirmed that the setting of levels of Universal Credit was not within the remit of either the Local Authority or the Welsh Government but lay with the Treasury. A lot of work had taken place in relation to Welfare reform and Universal Credit which had been presented at Scrutiny on a number of occasions. The pandemic did result in an increase in the take up of Universal Credit within Denbighshire.

In the first response to the pandemic the UK Government introduced a number of short term and temporary measures to support both businesses and individuals which included the furlough scheme and the increase to the universal credit referred to in the Notice of Motion. Both furlough and the uplift to universal credit ceased approximately two months ago there would not be a practical reason for the call for it to be continued as it does not actually exist at present. It is clearly a matter for members as to how they want to address the issue.

The Notice of Motion was proposed by Councillor Pete Prendergast and seconded by Councillor Barry Mellor.

Councillor Glenn Swingler confirmed his support this Notice of Motion and proposed an amendment – that this Council writes to our local Member of Parliament and Members of the Senedd to invite support.

Councillor Pete Prendergast confirmed he was in agreement to the amendment being added to the original Notice of Motion.

Councillor Bob Murray seconded the amendment to the Notice of Motion.

Councillor Meirick Lloyd Davies proposed a further amendment that the Notice of Motion should say the amount should be reintroduced and not continued with. Seconded by Councillor Barry Mellor.

Vote took place on the amendment and it was unanimously agreed

Amendment carried, therefore a vote took place on the substantive Motion which was unanimously in favour of the Notice of Motion.

RESOLVED that the council support a call for the UK Government to reinstate the £20 per week enhancement to Universal Credit to support the vulnerable at a time of rising household costs and economic uncertainty. That this council writes to our local Members of Parliament and Members of the Senedd to invite their support

11 NOTICE OF MOTION

Councillor Paul Penlington withdrew the Notice of Motion as he required to take advice from the Head of Legal, HR and Democratic Services on the way forward for the Motion.

12 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).

5 April 2021 – in pre-election period and will consult as to whether the meeting will take place.

A Budget Workshop is to take place on 17 December 2021.

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

The meeting concluded at 1.50 p.m.