

COUNTY COUNCIL

Minutes of a meeting of the County Council held in via Video Conference on Tuesday, 22 February 2022 at 10.00 am.

PRESENT

Councillors Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Ann Davies, Meirick Davies, Gwyneth Ellis, Hugh Evans, Bobby Feeley, Tony Flynn, Huw Hilditch-Roberts, Martyn Holland, Alan Hughes, Alan James (Chair), Brian Jones, Tina Jones, Gwyneth Kensler, Richard Mainon, Christine Marston (Vice-Chair), Barry Mellor, Melvyn Mile, Bob Murray, Paul Penlington, Pete Prendergast, Arwel Roberts, Anton Sampson, Peter Scott, Glenn Swingler, Andrew Thomas, Rhys Thomas, Tony Thomas, Julian Thompson-Hill, Graham Timms, Cheryl Williams, David 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 Finance and Property/Section 151 Officer (SG); Head of Children's Services (RM); Head of Education (GD); Head of Business Improvement and Modernisation (AS); Chief Accountant (RWE); Business Support Manager (EW); Principal Manager – Support Services (AL); Operational Manager, Community Equipment Services (NJ); Zoom Host (SJ) and Committee Administrator (SLW)

Also in attendance – Air Commander Adrian Williams and Tony Fish, Regional Employer Engagement Director (North)

1 APOLOGIES

Apologies for absence were received from Councillors Geraint Lloyd Williams, Rachel Flynn, Pat Jones, Hugh Irving, Eryl Williams, Peter Evans and Joe Welch.

ERS Award

Councillor Richard Mainon, Armed Forces Champion introduced Air Commander Adrian Williams who is the highest ranked RAF Officer in Wales together with Tony Fish, Regional Employer Engagement Director (North).

Denbighshire County Council had been recognised in 2021 and was awarded the Silver ERS Award (Employer Recognition Scheme).

Air Commander Adrian Williams thanked Members for giving him the opportunity to attend in person to present the award. He acknowledged the amount of work involved to gain the award and thanked Denbighshire County Council for the

investment in time and commitment to the Armed Forces and looked forward to working together in the future.

Air Commander Williams presented the award to Councillor Alan James, Chair of Council.

2 DECLARATIONS OF INTEREST

Councillor Ellie Chard declared a personal interest in item 12, Notice of Motion, as she is a Governor of Ysgol Tir Morfa.

3 URGENT MATTERS AS AGREED BY THE CHAIR

None.

4 MINUTES

The minutes of Full Council held on 25 January 2022 were submitted.

RESOLVED that the minutes of Full Council held on 25 January 2022 be confirmed as a correct record.

5 NORTH WALES POPULATION NEEDS ASSESSMENT 2022

Councillor Bobby Feeley, Lead Member for Well-being and Independence, introduced the North Wales Population Needs Assessment (PNA) report (previously circulated).

The PNA had previously been scrutinised by Partnerships Scrutiny Committee and needed to be submitted to the Welsh Government prior to the end of March 2022.

Councillor Feeley gave an overview of the PNA to Council as follows –

- it was a statutory duty for local authorities and health boards to develop a joint assessment for the care and support needs of regional population across Wales on a 5-yearly basis and the first PNA published in 2017 had been used as the basis for the latest document
- the PNA had been produced by the North Wales Regional Partnership Board as a joint exercise involving the six local authorities, Betsi Cadwaladr University Health Board (BCUHB) and Public Health Wales with the document split into various thematic chapters
- Denbighshire's priorities would be included in the final version of the PNA along with a similar document for each of the local authorities and BCUHB
- the PNA aimed to improve understanding of the population across North Wales and how their needs would evolve and change over the coming years, and had been an expansive piece of work, taking into account the views of the population
- a wide range of consultations had taken place with organisations, partners and around 350 individuals had taken part in a regional survey to inform the PNA

- highlighted next steps with the PNA being taken through the approval processes of the other five local authorities and BCUHB prior to formal sign off by the Regional Partnership Board and submission to Welsh Government in March.

The Regional Population Needs Assessment has been split into thematic chapters. Attached in Appendix 2 were Denbighshire's own priorities.

Discussions took place and the following points were raised:-

- Disabled passenger assistance on public transport was requested to be looked into and also for people with learning difficulties. It was confirmed the document was a live document and would be updated as and when information was released.
- A query regarding Meifod was raised and it was confirmed that there were continuing problems with the heating but this would be dealt with and the building would be reviewed and hoping to open as soon as all the works were completed.
- Domestic Abuse issue was underfunded but there were refuges for women to be placed. On occasion they needed to be moved out of county for their own safety.
- It was confirmed that the Population Needs Assessment had been scrutinised at Partnerships Scrutiny Committee.
- Recruitment and retention of staff continued to be a problem but it was confirmed this was a national problem, not just in Denbighshire. Discussions were taking place with Welsh Government to pay Care Workers the Real Living Wage. Denbighshire were doing everything they could to recruit and retain staff.
- Delayed Transfer of Care from hospitals was an issue. Work was taking place with families and informal carers to assist with this issue.
- The work undertaken by volunteers during the pandemic was recognised and praised as this had been vital to those who were elderly and living independently at home. It was confirmed that the work continued with the "Edge of Care Team" which had been one of the best practices which had come out of the pandemic.

Thanks were extended to Geoff Davies, Ann Lloyd and the team for all the work they had done.

Councillor Bobby Feeley PROPOSED the approval of the North Wales Population Needs Assessment, SECONDED by Councillor Joan Butterfield.

Members were unanimously in favour and,

RESOLVED that Full Council approve the North Wales Population Needs Assessment 2022.

6 CLIMATE AND ECOLOGICAL CHANGE STRATEGY - UPDATE ON YEAR 1 DELIVERY

Councillor Brian Jones, Lead Member for Waste, Transport and the Environment acknowledged Alan Smith, Head of Business Improvement and Modernisation who

was due to retire and Councillor Jones stated what an asset he had been to the Local Authority and everyone expressed their gratitude for all his work during the years at Denbighshire and wished him well on his retirement.

Councillor Brian Jones introduced the report (previously circulated) to provide information on the delivery and progress made so far during year 1 of the Climate and Ecological Change Strategy 2021-2030 ('Strategy') delivery and explore options for the Climate Change and Ecological Emergency Political Working Group and induction of Members following the May 2022 elections.

During indepth discussions, the following points were raised –

- It was confirmed that a tree nursery had been set up in St. Asaph and a number of St Asaph residents had volunteered at the site.
- The new Recycle Centre in Denbigh was currently under construction which would enable extensive recycling.
- It was confirmed all political groups and members of the public had been involved and were united to push the agenda forward.
- Sequestration carbon on council owned land was a priority. Work was taking place with Communities to reduce their carbon.
- The UK Government were to fund, in the future, investment in EV (Electric Vehicle) charging. At this point it was also confirmed that a hydrogen hybrid bus was being trialled as an alternative to EVs.

Members congratulated all involved with the Climate Change Emergency works which had taken place to date

At this juncture, the Head of Legal, HR and Democratic Services confirmed that the recommendation 3.5 be amended to read "To consider the **support** of a dedicated Cabinet lead for Climate and Ecological Change as recommended by the Climate Change and Ecological Emergency Political Working Group".

Councillor Brian Jones PROPOSED the approval of the report, SECONDED by Councillor Arwel Roberts.

All Members present unanimously approved the report together with the amended recommendation 3.5 of the report.

RESOLVED that:-

- *To note the progress made so far during year 1 of the Strategy delivery.*
- *To agree in principal to continue the Climate Change and Ecological Emergency Political Working Group into new Council (2022-2027).*
- *To provide feedback on the draft plan / approach for inducting Members of the new Council after the May 2022 elections on this agenda.*
- *That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 1) as part of its consideration.*
- *To consider the support of a dedicated Cabinet lead for Climate and Ecological Change as recommended by the Climate Change and Ecological Emergency Political Working Group.*

7 COUNCIL TAX 22/23 AND ASSOCIATED MATTERS

Councillor Julian Thompson-Hill, Lead Member for Finance, Performance and Strategic Assets introduced the report (previously circulated).

In adopting the resolutions of the Council budget meeting of the 25 January 2022 it was necessary for the Council to pass further resolutions in a particular form to ensure that the Council Tax and its associated matters were legally valid.

A decision was required by Full Council to set the levels of Council Tax for 2022/23.

It was necessary for the County Council, as the Billing Authority, to consider the precepts received from the Police & Crime Commissioner for North Wales and the Town/Community Councils and to declare the Council Tax levels for the 2022/23 financial year.

Councillor Julian Thompson-Hill PROPOSED the report, SECONDED by Councillor Peter Scott.

All Members present unanimously approved the report.

RESOLVED that:

- It is necessary for the County Council, as the Billing Authority, to consider the precepts received from the Police & Crime Commissioner for North Wales and the Town/Community Councils and declare the Council Tax levels for the 2022/23 financial year.
- It is recommended that the amounts calculated by the Council for the 2022/23 financial year, in accordance with Sections 32 to 34 (1) of the Local Government Finance Act 1992 (the Act) and Alteration of Requisite Calculations (Wales) Regulations 2008 be as Appendix A section 3.
- It is recommended that the amounts calculated by the Council for the 2022/23 financial year, in accordance with Sections 34 (2) to 36 (1) of the Local Government Finance Act 1992 (the Act) be as Appendix A section 4.
- The amounts of Council Tax for the 2022/23 financial year for each of the categories of dwellings be as shown in Appendix C.
- The level of discount for Class A, B, and C as prescribed under the Council Tax (Prescribed Class of Dwellings) (Wales) Regulations 2004 be set at zero for the financial year 2022/23 with the caveat that this is dependent on no changes to legislation or local conditions.

BREAK 12:00 P.M. – 12:15 P.M.

8 CAPITAL PLAN 2021/22 - 2024/25 AND RECOMMENDATIONS OF THE STRATEGIC INVESTMENT GROUP

Councillor Julian Thompson-Hill, Lead Member for Finance, Performance and Strategic Assets, introduced the report (previously circulated) to provide members with an updated Capital Plan including an update on major projects and the Corporate Plan. The report also included the Capital Strategy Report for 2022-23.

Councillor Julian Thompson-Hill guided members through the report.

Councillor Christine Marston queried the up to date position regarding Llannerch Bridge. It was confirmed that a Business Case was being put together to obtain funding for the bridge from the Welsh Government. The Business Case should be completed by late summer/autumn.

Councillor Julian Thompson-Hill PROPOSED the report, SECONDED by Councillor Peter Scott.

All Members present unanimously approved the report.

RESOLVED that:-

- Members note the latest position on the 2021/22 element of the Capital Plan and the update on major projects.
- Members support the recommendation of the Strategic Investment Group as detailed in Appendix 5 and summarised in Appendix 6.
- Members approve the 2022/23 Capital Plan.
- Members approve the Capital Strategy Report for 2022/23 as detailed in Appendix 7.

9 TREASURY MANAGEMENT STRATEGY STATEMENT (TMSS) 2022/23 AND PRUDENTIAL INDICATORS 2022/23 TO 2024/25 (APPENDIX 1)

Councillor Julian Thompson-Hill, Lead Member for Finance, Performance and Strategic Assets, introduced the report (previously circulated) to seek Council's approval of the Treasury Management Strategy Statement (TMSS) for 2022/23 and Prudential Indicators for 2022/23 – 2024/25.

The Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management required the Council to approve the TMSS and Prudential Indicators annually.

Following discussion, members expressed their thanks to the Head of Finance, Steve Gadd and his team, together with Councillor Julian Thompson-Hill for all their hard work.

Councillor Julian Thompson-Hill PROPOSED the report, SECONDED by Councillor Martyn Holland.

RESOLVED that:-

- Council approves the TMSS for 2022/23 (Appendix 1).
- Council approves the setting of Prudential Indicators for 2022/23, 2023/24 and 2024/25 (Appendix 1 Annex A).
- Council approves the Minimum Revenue Provision Statement (Appendix 1 Section 6).
- Council confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.

10 ROLE OF DIVERSITY CHAMPION

The Leader, Councillor Hugh Evans introduced the report (previously circulated).

On 7th December 2021, Council considered a Notice of Motion which called for the creation of a Diversity Champion. Council resolved that a report on the role of a Diversity Champion be presented to Democratic Services Committee to define the role and a further report be presented to Full Council.

A role description had been drafted and attached in Appendix 1 to the report.

The role description was drafted to follow the same form as the role descriptions adopted for the current Champions.

At this juncture, Councillor Gwyneth Kensler suggested a section should be added in the role description as follows –

“participation in Council matters by the diverse communities should take place and to encourage people from diverse communities to stand for election”.

The Head of Legal, HR and Democratic Services confirmed that could be included within the role description if member agreed, which they did unanimously.

Councillor Hugh Evans PROPOSED the report to also include the suggestion put forward by Councillor Gwyneth Kensler, SECONDED by Councillor Gwyneth Kensler.

RESOLVED That Council, subject to the above, approves the creation of the role of Diversity Champion in accordance with the role description set out in Appendix 1.

11 NOTICE OF MOTION

The following Notice of Motion was put forward by Councillor Brian Jones on behalf of the Welsh Conservative Group for consideration by Full Council:

That Denbighshire County Council acknowledge that proposals for a large scale tidal project off the coast of Denbighshire are being developed by the private sector.

That significant work is required to bring mature proposals before the council and that the council would consider these detailed proposals in due course.

That the Council is supportive in principle to the development of a tidal energy project off the Denbighshire Coastline.

Accordingly Denbighshire County Council resolve to:

1) Support in principle to the development of a large scale tidal energy project off the Denbighshire Coast line.

2) That a group of DCC elected members, including the leader or nominated deputy, and member of each MAG be set up to monitor evaluate and progress a NW tidal lagoon and to lobby both governments to support the project.

Councillor Brian Jones PROPOSED the Notice of Motion SECONDED by Councillor Peter Scott.

The Leader, Councillor Hugh Evans confirmed he was in support of the Notice of Motion. It was a large complex project which would be seen as a North Wales Lagoon.

All members present unanimously agreed to the Notice of Motion.

RESOLVED that Council:-

- *Support in principle to the development of a large scale tidal energy project off the Denbighshire Coast line.*
- *Agree a group of DCC elected members, including the leader or nominated deputy, and member of each MAG be set up to monitor evaluate and progress a NW tidal lagoon and to lobby both governments to support the project.*

12 NOTICE OF MOTION

Councillor Ellie Chard declared a personal interest as she is a Governor of Ysgol Tir Morfa.

A Notice of Motion was put forward by Councillor Ellie Chard on behalf of the Labour Group as follows –

“On the behalf of the Labour Group I am seeking financial support from Denbighshire County Council to assist Ysgol Tir Morfa to build a hydrotherapy pool for the severely disabled pupils. The school does not have enough money to complete the project and every year the pool isn't built is a year of lost learning for the most vulnerable young people in society plus provision for the most disabled in Denbighshire is lacking.”

Cllr Chard gave the following supportive statement -

“The whole school community at Ysgol Tir Morfa have been trying to raise funds for a hydrotherapy pool to be used by their pupils. At present the school transport only 5 pupils to the nearest facility which is Ysgol Pen Coch in Flintshire once a week. This is costly in terms of staff time, travel costs and limited number of pupils who

can access the therapy. The Ffordd Derwen site has the space in which to accommodate a hydrotherapy pool. Pupils with the most complex physical, medical and cognitive needs are based on this site. By having the facility on site, the carbon footprint, staffing costs and a higher number of pupils who could access the facility would be addressed.

The wheelchair users experience freedom from outside of their chairs, encouraging muscle tone, digestion and circulation. The school has been saving for 5 years and has currently £250,000 towards it. DCC modernisation department want changes to the building which pushes total costs up to £450,000 which is out of reach.

Various options have been explored. Steve Morgan Foundation was initially going to support but the fabric of the school building was not suitable to house a warm, moist therapy pool. The modernisation team have been to inspect the school and all options they have suggested are well above the budget of the school meanwhile these most vulnerable members of society are being overlooked. A recent review showed that in all of Wales there are only 3 counties with no hydrotherapy provision for disabled young people and Denbighshire is one of them.

Being a LEA governor for nearly 5 years I feel that it in reality we need help for the youngsters and adults in the community with a disability. This pool would benefit the whole community during school hours and out of school hours.

So I am asking Council to support this project which would help so many of our pupils in Ysgol Tir Morfa and schools in Denbighshire plus adults in the community”.

Councillor Ellie Chard PROPOSED the Notice of Motion, SECONDED by Councillor Cheryl Williams.

Councillor Huw Hilditch-Roberts requested an amendment in that the Notice of Motion be put before the Modernising Education Board as this would be the appropriate forum rather than Full Council. Full Council was not the place to be making financial commitments based on a Notice of Motion. It was also confirmed that officers were aware of the need for a hydrotherapy pool and were looking at options for funding.

Councillor Ellie Chard agreed to the amendment and all present unanimously agreed to the amendment.

RESOLVED that the Notice of Motion for a hydrotherapy pool at Ysgol Tir Morfa in Rhyl be put forward to the Modernising Education Board for consideration.

13 COUNTY COUNCIL FORWARD WORK PROGRAMME

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

14 March 2022 – Formal Council to take place with Chief Executive presenting a report on the SLT structure. Thereafter, the meeting would be an informal Council Briefing.

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

THE MEETING CONCLUDED AT 13.45 P.M.