

## **COUNTY COUNCIL**

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin LL15 1YN and by video conference on Tuesday, 28 January 2025 at 10.00 am.

### **PRESENT**

Councillors Michelle Blakeley-Walker, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Kelly Clewett, Ann Davies, Karen Edwards, Pauline Edwards, Gwyneth Ellis, James Elson, Chris Evans, Hugh Evans, Justine Evans, Bobby Feeley, Jon Harland, Elen Heaton, Huw Hilditch-Roberts, Martyn Hogg, Carol Holliday, Alan Hughes, Hugh Irving, Alan James, Brian Jones, Delyth Jones, Paul Keddie, Diane King, Geraint Lloyd-Williams, Julie Matthews, Jason McLellan, Barry Mellor, Raj Metri, Merfyn Parry, Will Price, Arwel Roberts (Vice-Chair), Anton Sampson, Gareth Sandilands, Peter Scott (Chair), Rhys Thomas, Andrea Tomlin, Cheryl Williams, David Williams, Eryl Williams, Emrys Wynne and Mark Young

### **ALSO PRESENT**

Chief Executive (GB); Corporate Director: Governance and Business / Monitoring Officer (GW); Corporate Director: Communities (NS); Corporate Director: Economy and Environment (TW); Head of Finance and Audit (LT); Principal Revenues, Benefits and Contract Manager (PB); Service Delivery Manager (LG); Finance and Assurance Manager (JR); Democratic Services Manager (SP); Zoom Host and Webcast (KJ); and Committee Administrator (SLW)

### **1 APOLOGIES**

Apologies for absence were received from Councillors James May, Terry Mendies, Elfed Williams and Huw Williams

### **2 DECLARATIONS OF INTEREST**

None.

At this juncture, Councillor Barry Mellor, Lead Member for the Environment and Transport, wanted to express his gratitude to Highways, Streetscene, the waste team and the switchboard staff for all their work over the last couple of weeks keeping everyone safe. Firstly with the wind, snow and ice from storm Darragh, and then from the very high winds last week that brought down around 30 trees blocking many of our roads from one end of the county to the other from storm Eowyn. It was not easy to work in those conditions and Councillor Mellor requested that it be minuted everyone was grateful to them as it had been a very trying time.

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

No urgent matters raised.

At this juncture, the Chair informed members that there were three questions which had been received.

#### Question 1

Question put forward by Councillor Justine Evans to the Leader of the Council, Councillor Jason McLellan.

“Could the Lead Member or Officers explain why local Rhyl Conservative County Council Members were not officially consulted about the approach from Lyons Holiday Parks to DCC about a potential lease deal for the Rhyl Sea Aquarium site”.

The Leader, Councillor Jason McLellan responded that there had been no substantial proposals that had led to any conclusions.

An offer had been made to purchase, it was indicated the council were only interested in leasehold and on that understanding expressions of interest were requested, together with further information about a business plan, proposed use of the building and draft heads of terms. A deadline was given and that deadline expired, a further extension of time was given and none of the information was forthcoming so it was believed the negotiations were not going ahead.

If any substantial offers going forward were received all members would be involved.

#### Question 2

Question put forward by Councillor Will Price

“Could the Lead Member or Officers provide a latest update on the future of the Rhyl Vue Cinema site further to its recent closure”.

The Leader, Councillor Jason McLellan responded that an email had recently been sent out that an expression of interest process was to start next month (February). Work was taking place with cinema specialists to get the cinema re-let as a cinema. Officers were working collaboratively with a strategic approach as it was an important building and important site in Rhyl. Rhyl members, Rhyl MAG and Rhyl Town Council, the Rhyl Town Board, the MS, MP and members were being updated regularly and assurance was given if there were any developments members would be kept informed.

#### Question 3

Question put forward by Councillor Hugh Irving requiring confirmation that the Rhyl Sky Tower or any other buildings were illuminated with purple lighting the previous evening to acknowledge the anniversary of Holocaust Day.

The Monitoring Officer, Gary Williams confirmed he would make enquiries and contact Councillor Irving following the meeting as it had been an important milestone in history.

Councillor Irving asked a supplemental question as to whether any Councillors had been invited to participate in the event.

The Monitoring Officer, Gary Williams, again confirmed he would make enquiries and contact Councillor Irving following the meeting.

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

The Chair, Councillor Peter Scott, reported on the civic events he had attended.

**RESOLVED** that the Chairman's Diary be noted.

#### **5 MINUTES**

The minutes of Full Council held on 12 November 2024 were submitted.

##### Matters Arising –

Page 11 (Question 2) – it was confirmed that a communication had been put out to the public to keep them informed regarding waste clearance. The Management team had also been working on the issue of the street bin collections over the Christmas period. Funding for extra staff in Streetscene had recently ceased for the Department which had left the service short of staff but they were now getting back to strength and the service should be improving.

Page 13 - Notice of Motion put forward by the Green Party regarding the Crown Estate. Confirmation was requested whether the Leader had written to the Welsh Government and if so, could a copy of the letter be circulated to Members. The Leader confirmed a letter had been sent out and he would provide a copy of the letter as requested.

**RESOLVED** that, subject to the above, the minutes of Full Council held on 12 November 2024 be confirmed as a correct record.

#### **6 COUNCIL TAX REDUCTION SCHEME 2025/26**

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, presented the Council Tax Reduction Scheme 2025/26 report (previously circulated).

From 31 March 2013 Council Tax Benefit had ceased and the responsibility for providing support for council tax and the funding associated with it, had passed to the Welsh Government.

The Welsh Government had finalised both sets of annual regulations on 24 January 2025 and the new Council Tax Reduction Scheme and Prescribed Requirements (Wales) Regulations 2013 and amendments Regulations 2025 were required to be adopted by all 22 councils in Wales by 31 January 2025.

The regulations required councils to adopt the discretionary elements in their schemes and for Council to approve the following three discretionary elements which had been consistent since the beginning of the scheme –

- (i) Not to increase the standard extended payment period of 4 weeks Council Tax Reduction to applicants, after they return to work when they had been in receipt of a relevant qualifying benefit;
- (ii) Disregard 100% of the War Disablement pensions and War Widows Pensions when calculating income; and
- (iii) Not to increase the CTR maximum backdate period beyond the standard 3 months.

The responsibility of validating the claims lay with the council. DCC worked with the National Fraud Initiative which was a data matching exercise that helped to prevent and detect fraud. DCC also relied on the Department of Work and Pensions (DWP) to provide a large amount of data.

Amendments to the CTRS were included within the report to ensure the 2013 regulations remained up to date and fit for purpose. One of the amendments related to Displaced Persons which was raised during discussions. Any displaced persons arriving in the UK from any of the mentioned countries within the report would be required to meet residency conditions and this would enable them to claim income-related, disability and carer benefits. The change would also allow those persons to claim CTRS in Wales.

PROPOSED by Councillor Gwyneth Ellis and SECONDED by Councillor Bobby Feeley.

A vote took place by show of hands and the report was unanimously approved.

**RESOLVED** that –

- (i) *Members adopt the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013, the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme)(Miscellaneous Amendments)(Wales) Regulations 2025 in respect of the 2025/26 financial year;*
- (ii) *Members approve the discretionary elements of the scheme, shown in section 4.4 of the report for 2025/26 financial year.*

## **7 CAPITAL PLAN 2024/25 - 2027/28**

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, presented the Capital Plan 2024/25 – 2027/28 report (previously circulated).

Members were provided with an update to the Capital Plan and the Capital Strategy Report for 2025/26. The Capital Plan recorded all actual and forecast Council Fund (CF) capital expenditure and funding. The Capital Strategy provided a high level, concise and comprehensive overview of how both CF and Housing Revenue Account (HRA) capital expenditure, capital financing and treasury management

activity contribute to the provision of the Council's services. The Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management (the "CIPFA TM Code") required the Council to approve a Capital Strategy and Prudential Indicators annually.

The full Capital Plan was last reported to Council in February 2024. Regular updates were presented to Cabinet.

The Council faced financial challenges, as all Welsh councils, due to inflationary and demand-led pressures exceeding the level of forecast funding. Due to the scale of the financial challenge, principles had been agreed for capital schemes going forward which were set out under 4.2 of the report.

The Capital Scrutiny Group had reviewed capital bids and had made recommendations for inclusion in the Capital Plan from 2025/26 onwards. These were detailed in Appendix 3 and summarised in Appendix 4.

During discussions, the following points were raised –

- (i) School investment in Denbigh – investment figures had not been included within the plan and the maintenance block had dropped from £3million to £900k. It was confirmed that for sustainable communities for learning when the full business case had been approved the figures would then appear in the Plan. Regarding the maintenance block, the figures were for 2024/25 and 2025/26. What would be in the 2025/26 table would be what had just been approved as part of the block allocation. In the 2024/25 was what had been allocated over a number of years and had been rolled into that larger figure. The figure for Schools Capital Maintenance Works was in Appendix 4 of the report.
- (ii) The Capital Plan of 2024/25 included Waste remodelling and clarification was requested as to whether there would be a need for additional capital going forward in 2025/26. It was confirmed that to date there would be no additional capital required. Discussions were ongoing with Welsh Government to secure a grant towards the £1.3million which had been approved by Cabinet in October 2024. Therefore, the figure stated would be lower once the grant was approved.
- (iii) There had been a reduction in the funding for highway maintenance. Concerns were raised regarding the bad state of repair of roads and investment would be needed before the cost of maintaining the roads escalated. It was stated that additional funding may be received from Welsh Government but could not currently be confirmed. This would alleviate some of the pressures on the highway maintenance.
- (iv) Each allocation produced a full business case and within the business case, the carbon emissions of each scheme had been set out as far as possible and that information would be shared with members.
- (v) It was confirmed that the private sector housing grant of £1.5million would be largely spent for the statutory requirements to provide disabled facilities grants to adapt people's homes in order for them to be able to maintain their independence and living independently within the community.
- (vi) Members requested if there was a figure in total to bring the Denbighshire highways up to a statutory level of safety etc. It was confirmed that it

would be impossible to provide an exact figure. A broad figure could be looked at and provided to members at the various Groups where Highways maintenance was reported. The matter would be referred to the Head of Highways.

- (vii) It was confirmed that the Highways Officer would attend all the Member Area Group meetings, as done in the past to update members on the highways within their areas.

At this point, the Chief Executive recommended that a Council Workshop should be planned to discuss Highways concerns as it was an issue members had numerous queries regarding.

PROPOSED by Councillor Gwyneth Ellis, SECONDED by Councillor Gareth Sandilands.

A vote took place by a show of hands and it was unanimously agreed to approve the Capital Plan 2024/25 – 2027/28 report.

**RESOLVED** that –

- (i) Members note the latest position on the current Capital Plan 2024/25 – 2027/28 included in Appendix 1 and the update on major projects included in Appendix 2*
- (ii) Members support the recommendations of the Capital Scrutiny Group and the Cabinet for capital bids to be included in the 2025/26 Capital Plan as detailed in Appendix 3 and summarised in Appendix 4*
- (iii) Members approve the 2025/26 Capital Plan included in Appendix 1*
- (iv) Members approve the Capital Strategy and Prudential Indicators for 2025/26 as detailed in Appendix 5*

## **8 TREASURY MANAGEMENT STRATEGY STATEMENT 2025/26 AND PRUDENTIAL INDICATORS 2025/26 TO 2027/28 (APPENDIX 1)**

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, presented the Treasury Management Strategy Statement (TMSS) 2025/26 and Prudential Indicators 2025/26 to 2027/28 (Appendix 1) report (previously circulated).

The TMSS showed how the Council would manage its investments and its borrowing for the coming year and set the policies within which the Treasury Management function operates.

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

PROPOSED by Councillor Gwyneth Ellis and SECONDED by Councillor Alan James.

A vote took place by a show of hands and the majority approved the report with one abstention.

**RESOLVED** that Council –

- (i) Approves the TMSS for 2025/26 (Appendix 1)
- (ii) Approves the setting of Prudential Indicators for 2025/26, 2026/27 and 2027/28 (Appendix 1)
- (iii) Approves the Minimum Reserve Provision Statement (Appendix 1 Section 6)
- (iv) Confirms that it has read, understood and taken account of the Wellbeing Impact Assessment (Appendix 2) as part of its consideration.

## **9 SCRUTINY ARRANGEMENTS FOR THE NORTH WALES CORPORATE JOINT COMMITTEE**

The Leader, Councillor Jason McLellan, presented the Scrutiny Arrangements for the North Wales Corporate Joint Committee report (previously circulated).

The North Wales Corporate Joint Committee (CJC) was established on 1 April 2021 as a separate corporate body to undertake statutory functions across the whole of North Wales. The CJC subsequently gained its functions in June 2022.

The functions of the CJC was to –

- (i) Prepare, monitor, review and revise a regional Strategic Development Plan
- (ii) Develop a Regional Transport Plan with policies for regional transport
- (iii) Have the power to do anything which was likely to promote economic wellbeing.

The CJC is a separate local authority body with its own functions and membership primarily drawn from the six North Wales Councils and the Eryri National Park Authority.

It was required to adopt most of the generic governance arrangements of a Local Authority including a Constitution, Governance and Audit Sub-Committee, Standards Sub-Committee and other legal requirements including Performance Reviews, Equalities and Biodiversity Policies and compliance with the Welsh Language Standards.

The CJC would be subject to scrutiny as part of the democratic process and the report provided information about DCC's ability to join the Regional Scrutiny Group and to individually and internally scrutinise issues around the CJC.

The law required that the CJC co-operated with a relevant scrutiny committee. The current statutory guidance on the CJC envisaged this would be based on scrutiny by the constituent authorities. Guidance suggested it would be appropriate for the scrutiny of the CJC to be carried out by a Joint Overview and Scrutiny Committee, a regional body which model had been adopted by the other CJs across Wales.

There was experience locally of a joint scrutiny committee and that was the Joint Conwy and Denbighshire Public Services Board.

The existence of a joint scrutiny would not prevent local Scrutiny Committees from scrutinising local issues arising from the work of the CJC.

2 members from each Local Authority would be appointed to the Joint Scrutiny Committee based on the political balance of each appointing authority.

The CJC would provide the secretariate support for the overall joint committee and Scrutiny Officers across the region would work together to manage items for the forward work programme for that Scrutiny Committee.

It was recommended that a Council Workshop take place to discuss further the CJs and the scrutiny of CJs. Officers confirmed this would be arranged for a future Council Workshop.

PROPOSED by Councillor Jason McLellan and SECONDED by Alan James.

A vote took place by a show of hands and it was unanimously agreed to support the Scrutiny Arrangements of the North Wales Corporate Joint Committee.

**RESOLVED** that –

- (i) Council agree to establish the North Wales Corporate Joint Committee Joint Overview and Scrutiny Committee with the Terms of Reference set out in Appendix 1*
- (ii) Council agree that the powers of local Scrutiny Committees provided for under The Corporate Joint Committees (General)(No. 2)(Wales) Regulations 2022 shall be retained*
- (iii) Agree the political balance of Denbighshire County Council's nominees to the joint overview and scrutiny committee (JOSC) will reflect the membership of Denbighshire County Council rather than the membership of all North Wales councils in aggregate*
- (iv) Agree that the secretariat for the Overview and Scrutiny Committee will be provided by the CJC in accordance with the Terms of Reference.*

## **10 DRAFT ANNUAL REPORT OF GOVERNANCE AND AUDIT COMMITTEE 2023-24**

The Chair of Governance and Audit Committee, David Stewart, presented the Draft Annual Report of Governance and Audit Committee 2023-24 (previously circulated) to account to the Council concerning the work of the Governance and Audit Committee for the municipal year 2023/24.

The Council is statutorily required, under the provisions of the Local Government Wales Measure 2011, as amended, to have a Governance and Audit Committee. The Committee is the Council's designated committee for that purpose.

The Committee is also responsible for keeping the Council's Constitution under review.

The Local Government Elections (Wales) Act 2021 required that a third of the Committee's members must be lay members. There are six elected members and three lay members on the Committee. The Act also required that the Chair of the Committee be a lay member. The current Chair is Mr David Stewart.



Members thanked the Chair, David Stewart and all Governance and Audit Committee members for their good work.

PROPOSED by Councillor Mark Young and SECONDED by Councillor Arwel Roberts.

A vote took place by a show of hands and it was unanimously agreed to accept the Draft Annual Report of the Governance and Audit Committee 2023-24.

**RESOLVED** that Council continued to take account of the importance of good corporate governance and noted the content to the report, particularly in regard to:

- (i) *The challenges facing the Council in respect to its financial strategy*
- (ii) *The continued effectiveness of the corporate risk register*
- (iii) *The committee's concerns about potential impacts on service delivery and key governance functions of difficulties in staff recruitment and retention.*

## **11 REVIEW OF POLLING DISTRICTS AND PLACES IN DENBIGHSHIRE**

The Democratic Services Manager, Steve Price, presented the Review of Polling Districts and Places in Denbighshire report (previously circulated).

The Council had a statutory duty to review its polling districts and polling places at least once every five years.

Public comments on the current or suggested polling districts, places and stations were invited during November and December of 2024. It was recommended that suggestions for changes to polling places should consider the following points –

- (i) Was it big enough to accommodate the number of electors (registered voters) allocated
- (ii) Was it in as central location as possible for the polling district it served
- (iii) Would there be long term guaranteed use of the polling place
- (iv) Would it, as far as practicable, be accessible to people with disabilities.

Consultation went live with information published on the Councils website and sent out to City Town and Community Councils, all councillors, and a range of accessibility and voluntary organisations whose remit covered Denbighshire.

The consultation and website information contained a link to a questionnaire for collective responses and the responses received were shown in Appendix 2.

Assessing the suitability of polling places and stations did not rely on the statutory review as the election office would consider changes, changes in circumstances and proposals at any time.

Experiences from recent elections held in the area or the potential of a more suitable premises, may and do prompt a change. A building that had been utilised as a polling station may become unavailable, which happened recently, and that prompted an immediate search for a suitable alternative.

The Electoral Commission stated there should be a choice of a range of fully accessible buildings conveniently located for electors in the area with owners willing to hire them out as a polling station at low cost. Unfortunately, in practice this was not always the case and in some areas there may be little choice available. The existing network appeared to be well received and fit for purpose. The consultation information stated that there is no requirement or expectation to submit representations though people were welcome to do so. If no representations were submitted, it would be assumed that the existing polling arrangements were suitable for the community.

The representations made were shown in Appendix 2 and were supportive of the existing arrangements. The exception was the suggestion made by the Acting Returning Officer (ARO) for Clwyd East who is also Flintshire County Council's Chief Executive, and who had responsibility for UK Parliamentary elections for Clwyd East which included the area covered by Waen Parish Hall on which the ARO commented on.

The requested change to be considered was to combine three polling stations using Waen Parish Hall to a single station for UK Parliamentary Elections. This change was supported by the electoral office as would not impact on voters, and voters would not notice the change. It would be a more efficient use of the polling station staff and the total number of voters for that polling station would be manageable.

One complaint had been made in the north of the county at an election held in 2024 in respect of a tactile voting device which could be used by people with impaired vision. The voter refused to use the device and the complaint received had not been from the actual voter but from a person who had been in the polling station at the time and had been confused as to whether a tactile voting device had been available.

Accessibility was extremely important and was raised by the Elections Act 2022. Within the polling stations there will be more gadgets eg: pen grips, adequate lighting, signage and also training of the polling station staff on accessibility issues.

Not all polling stations were built for accessibility but these were issues of which the electoral office was aware.

PROPOSED by Councillor Julie Matthews and SECONDED by Councillor Huw Hilditch-Roberts.

A vote took place by a show of hands and was unanimously agreed to approve the review.

**RESOLVED** that –

- (i) Council approve the existing network of polling districts, polling places and polling stations as set out in Appendix 1, subject to recommendation (ii) below*
- (ii) In respect of the Tremeirchion electoral ward, Council support the Returning Officer's response to the representations made in Appendix 2 for the*

*combining for parliamentary elections of the 3 polling stations into a single polling station for polling districts BKB, BKC and BKD located within Waen Parish Hall.*

## **12 COUNTY COUNCIL FORWARD WORK PROGRAMME**

The Monitoring Officer introduced and summarised the latest position of the Council and Council Workshop Forward Work Programme.

The next meeting of Full Council was to take place on 20 February 2025 and the next Council Workshop was to take place on 11 February 2025.

***RESOLVED*** that, *subject to the above, the Councils Forward Work Programme and the Council Workshop Forward Work Programme be noted.*

**The meeting concluded at 12 noon.**