

COUNTY COUNCIL

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 6 November 2012 at 10.00 am.

PRESENT

Councillors Ian Armstrong, Raymond Bartley, Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Ann Davies, James Davies, Meirick Davies, Richard Davies, Stuart Davies, Hugh Evans, Peter Evans, Bobby Feeley, Carys Guy-Davies, Huw Hilditch-Roberts, Martyn Holland, Rhys Hughes, Huw Jones, Pat Jones, Gwyneth Kensler, Margaret McCarroll, Jason McLellan, Barry Mellor, Win Mullen-James, Bob Murray, Dewi Owens, Merfyn Parry, Arwel Roberts, Gareth Sandilands, David Simmons, Barbara Smith, David Smith, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams, Eryl Williams and Huw Williams

ALSO PRESENT

Chief Executive (MM); Corporate Directors: Economic and Community Ambition (RM); Customers (HW) and Modernising and Wellbeing (SE); Head of Legal and Democratic Services (RGW); Head of Finance and Assets (PM), Head of Revenues and Benefits (KJ) and Committee Administrator (KEJ).

POINTS OF NOTICE

- It was agreed to send a letter of condolence on behalf of the County Council to the bereaved families following the recent house fire in Prestatyn.
- The Chairman reminded those individuals who had been asked to lay wreaths during remembrance Sunday to collect their wreaths from her office following the meeting. It was agreed to seek clarification from the Members Support and Development Manager regarding the criteria governing the allocation of wreaths within the county.

1 APOLOGIES

Councillors Colin Hughes, Hugh Irving, Alice Jones, Geraint Lloyd-Williams and Peter Owen

2 DECLARATION OF INTERESTS

Councillor Barbara Smith raised a personal interest in agenda item 8 'Welfare Reform Update' as she worked for the Department of Work and Pensions.

3 URGENT MATTERS

No urgent matters had been raised.

4 CHAIRMAN'S DIARY

The Chairman referred to the civic engagements she and the Vice Chairman had undertaken on behalf of the Council for the period 27 September – 22 October 2012 (details previously circulated). She also took the opportunity to thank the Vice Chairman for attending a number of events whilst she had been away on holiday. The Vice Chairman referred to his attendance at the Food Festival 2012 in Llangollen on 19 October and paid tribute to the hard work of local Councillors Rhys Hughes and Stuart Davies and the team responsible for ensuring the show's success and subsequent boost to the local economy.

RESOLVED that the events attended by the Chairman and Vice Chairman be noted.

5 MINUTES

The minutes of the Council meeting held on 9 October 2012 were submitted.

Accuracy – Councillor Gwyneth Kensler referred to references within the minutes to 'Councillor C.L. Hughes' which should be amended to 'Councillor Colin Hughes'.

RESOLVED that, subject to the above, the minutes of the meeting held on 9 October 2012 be confirmed as a correct record and signed by the Chairman.

6 APPOINTMENT OF LAY MEMBERS TO THE STANDARDS COMMITTEE

The Head of Legal and Democratic Services/Monitoring Officer submitted a report (previously circulated) recommending the appointment of two independent lay members to the Council's Standards Committee.

Members were reminded of the composition of the Standards Committee and the requirement for the two retiring lay members to be replaced. The selection process had been delegated to the Special Appointments Panel who had interviewed a number of candidates and recommended the appointment of the two individuals they considered most appropriate to sit as independent lay members on the Standards Committee, namely Judge Ian Trigger (Circuit Judge) and Reverend Steven Wayne Roberts (Minister of Religion).

Council considered the Panel's recommendation and it was –

RESOLVED that, in accordance with the recommendation of the Special Appointments Panel, Judge Ian Trigger and Reverend Steven Wayne Roberts be appointed to sit as Lay Members on the Standards Committee.

7 ROLE OF CHAMPIONS

Councillor Barbara Smith, Lead Member for Modernising and Performance introduced the report seeking members' consideration of the draft role descriptions for, and the appointment of, the Champions identified in the Council's Constitution and to discuss the process by which other Champion roles may be identified as suitable for adoption by the Council. She elaborated upon the posts of the four Champions which had been identified in the Constitution for the following areas –

- Older People's Champion
- Homelessness Champion
- Carer's Champion
- Learning Disabilities Champion

Group Leaders had discussed the appointment process for Champions and agreed that nominees would prepare a CV and appointments made by full Council. It was suggested that CVs be submitted to the Democratic Services Manager by 16 November and appointments be considered by Council on 4 December. This procedure would ensure that no member was disenfranchised. Councillor Gwyneth Kensler noted further clarification had been required on the appointment process following the Group Leaders meeting and questioned the quality of feedback to members.

During the ensuing discussion Council agreed that the Corporate Governance Committee should consider the merit in appointing Champions for other interests and a number of suggestions were put forward for consideration as follows –

- Councillor Jason McLellan proposed a Young Persons Champion highlighting the difficulties faced by young people and the need to empower and engage them in the political process. Other members spoke in favour of that proposal and Councillor Carys Guy-Davies added that the targeted age group should be 14 – 19 with a focus on raising political awareness.

Arising from the proposal the Chairman advised that arrangements were being made for a delegation of young people to attend Council Briefing in January with a view to generating an interest in politics. Councillor Joan Butterfield suggested that the younger councillors be specifically invited to interact with that delegation and engage with the young people. Councillor Eryl Williams added that work was ongoing in schools to engage youngsters and each school had elected a School Council. He felt that young people were put off by politics in the media.

- Councillor Ann Davies highlighted the need for a Young Carer's Champion (a post previously held by the former Councillor Morfudd Jones) to provide a monitoring role and ensure young carers received the necessary support
- Councillor David Smith asked that consideration be given to a Scrutiny Champion, a post he had held previously, highlighting the importance of the scrutiny function and being part of the Scrutiny Champions Network.

The current Champions for Older People and Learning Disabilities, Councillors Bobby Feeley and Ray Bartley also took the opportunity to highlight the importance of those roles and the good work and achievements in those areas in recent years. Councillor Feeley noted the differing opinions as to whether or not Champions should be based at cabinet level. She felt that the approach taken should be decided by individual authorities and welcomed nominations from others for the post of Older People's Champion. Councillor Meirick Davies thought Cabinet members already carried a full workload and suggested it would be good practice to only allow those members outside of Cabinet to take up the Champions roles.

Councillor Hugh Evans felt that further clarification was required on the role of Champions and suggested that the Corporate Governance Committee would be best placed to develop individual roles and describe their interaction with others in order for Champions to add value to particular areas.

Councillor Barbara Smith was pleased to hear the positive debate about the value of Champions. In considering the way forward it was suggested that, in addition to the Champions already proposed for other areas, members be given a further opportunity to put forward further suggestions for consideration by the Corporate Governance Committee. Research would also be undertaken to examine the appointment process and roles of Champions in other authorities to aid the Corporate Governance Committee's deliberations. Accordingly it was –

RESOLVED that –

- (a) *CV nominations for the four Champions identified within the Council's Constitution be submitted to the Democratic Services Manager by 16 November 2012 with a view to appointing those Champions at the next meeting of the County Council to be held on 4 December 2012;*
- (b) *the role descriptions set out in the appendices to the report in respect of the four Champions to be appointed be adopted, and*
- (c) *the Corporate Governance Committee be asked to consider whether there was merit in appointing Champions for those interests identified by members and to provide clarification of those roles if recommended as suitable for adoption.*

8 WELFARE REFORM UPDATE

[Councillor Barbara Smith declared a personal interest in this item as she worked for the Department of Work and Pensions.]

Councillor Barbara Smith, Lead Member for Modernising and Performance introduced the report which detailed the current and likely future impact of Welfare Reform on Denbighshire. The report provided an update on information previously presented to the Member Area Groups regarding the ongoing impact of changes to Housing and Council Tax Benefits as part of the overall implementation of Universal Credit. Whilst many details had yet to be finalised the Council had taken a proactive approach, setting up a cross service Welfare Reform Group to share information, support customers and identify the potential impact upon Denbighshire.

The Head of Finance and Assets (H:F&A) presented the report which covered the following main areas –

- Universal Credit
- Housing Benefit
- Localisation of Council Tax Benefit, and
- Other significant changes to benefits.

During his presentation the H:F&A detailed the impact of individual welfare reform changes on Denbighshire and highlighted the complexities involved within the benefits system and subsequent implications for both claimants and the authority. He also highlighted the significant financial risks attached to the changes which were compounded by current uncertainties and the short timescale for implementation. Assumptions had been built into the Council's Medium Term Financial Plan arising from the loss in income for the authority. Pressure points included increased demands and impact on Revenues and Benefit staffing resources; rent collection and the impact on Social Services. A key change recently announced which had not been included in the report concerned an additional £10bn cut in welfare payments.

Members voiced their concerns regarding the impact of the changes on the county's residents, highlighting the need to protect those most vulnerable where possible. Concerns were also expressed regarding the negative impact on the authority's income and resources as a result of welfare reform; the uncertainties surrounding the changes to the benefits system and tight timescales for implementing those changes. Whilst commending the proactive approach taken by the authority in terms of establishing the Welfare Reform Group and sharing information, members felt that more should be done to raise awareness of the changes and impact on individuals suggesting the use of the mobile information bus, resources centres and County Voice. They were also keen for welfare advice agencies to be adequately funded and resourced in view of the vital service they provided. Specific questions regarding welfare changes were raised and members discussed their concerns with the officers who responded that –

- welfare advice agencies worked closely together but data protection laws prohibited the sharing of information with other bodies
- a targeted approach was being taken to sharing information once definitive advice was received and letters had been sent to individuals affected by specific changes; a full page had been reserved in the January edition of County Voice to advise on changes to Council Tax
- agreed to the suggestion that councillors be more involved in the process with a view to sharing information within their towns and communities
- whilst welfare agencies had been instrumental in helping people secure their benefit entitlements it was suggested that more emphasis needed to be placed on providing advice on budgeting and managing money
- reported upon the results of some of the pilot schemes being undertaken prior to full implementation of the changes and acknowledged the short timescale in addressing problems identified
- officers were unaware of any planned funding reductions to advice agencies
- highlighted the potential negative publicity arising from the likely increase in the number of prosecutions by the authority for non payment
- the Welfare Reform Group had recognised the issues surrounding the type and availability of housing arising from the introduction of the size criteria rules, i.e. the 'bedroom tax' and a housing strategy was being devised in that regard
- advised that as a landlord the council had no duty in law to re-house tenants affected by the 'bedroom tax' or to pay their tax but the council did have a duty to collect tax

- advised that pensioners were exempt from the ‘bedroom tax’
- private landlords would not be affected by the introduction of the ‘bedroom tax’ because payments were already based on size criteria
- agreed there may be problems arising from the direct payment of housing benefit to tenants as opposed to landlords which should be identified during the pilot scheme
- the Welsh Local Government Association had carried out much research in responding to the Welsh Government’s consultation on the Council Tax scheme in order to influence its design and implementation
- confirmed that the funding scheme to help pensioners with Council Tax would likely continue in a modified form in future years
- indicated there was virtually no discretion afforded to councils administering the Council Tax scheme in Wales in order to protect particular groups or individuals and the timescale for implementation was extremely short
- members would be updated on the funding allocation for the Council Tax scheme at December’s Budget Workshop
- information was shared with landlords via the Landlords Forum and landlords were kept up to date with developments.

Councillor Barbara Smith took the opportunity to thank the H:F&A and Head of Revenues and Benefits for their informative and detailed report.

RESOLVED that the report be received and noted.

9 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services submitted the Council Forward Work Programme confirming the appointment of Champions would be added to the work programme for December as previously agreed by members.

Councillor Julian Thompson-Hill asked that items on the Revenue Budget Agreement and Council Tax Setting and Associated Matters be added to the work programme for 5 February and 26 February respectively. He also took the opportunity to stress the importance of members’ attendance at the Budget Workshop scheduled for 11 December. For those members who had been unable to attend the first budget session held in October, a second session had been scheduled for 15 November between 5.00 p.m. and 7.00 p.m. Lastly, Councillor Bobby Feeley advised that Sarah Rochira, the Older People’s Commissioner had been invited to attend a future meeting and confirmation of her availability was currently awaited.

RESOLVED that, subject to the above amendments and comments, Council’s Forward Work Programme be noted.

At this juncture (11.30 a.m.) the meeting adjourned for a refreshment break.

PART II

EXCLUSION OF PRESS AND PUBLIC

RESOLVED under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 14 of Schedule 12A of the Local Government Act 1972.

10 CAPITAL PLAN 2012/13 - 2015/16

Councillor Julian Thompson Hill, Lead Member for Finance and Efficiency presented the confidential report updating Council on the 2012/13 element of the Capital Plan including an update on major projects. A summary of the total plan and how it was financed (Appendix 1) had been attached to the report together with details of actual and planned expenditure by each Head of Service. The Lead Member proceeded to update members on the current range of major projects and capital receipts.

Councillor Stuart Davies welcomed the Foryd Harbour Development and highlighted the need to market the facilities and ensure appropriate equipment was provided to allow winter storage of yachts which could prove a profitable enterprise. Following a brief discussion the Head of Finance and Assets (H:F&A) agreed to clarify the availability of equipment in the next report back to Council.

In response to members' questions/comments the Lead Member and H:F&A –

- elaborated upon Phase 3 of the Rhyl Coastal Defence works and reassured members that the Council would continue to pursue its preferred option during discussions with the Welsh Government
- advised that a business plan had been prepared for the Rhyl Harbour development and funding for a Harbour Master had been made available
- renovation of the Bee & Station Hotel was close to completion. Under the terms of the grant it was unlikely that the Council would be permitted to utilise the building to house its own facilities
- the Project Manager for the West Rhyl Housing Improvement Project was significantly involved with the Welfare Reform Group and fully aware of the implications in terms of the housing element; the purpose of the project was to bring a balanced housing market to the area
- in terms of potential funding available from pension funds discussions were taking place with Pension Fund representatives to encourage investment in the county
- provided a breakdown of the anticipated capital receipts generated during 2012/13 and noted the request to provide that level of detail in future reports.

Whilst not part of the capital plan item, queries were raised regarding the allocation of revenue earmarked for community funding. The Corporate Directors for Customers and Economic & Community Ambition updated members on the latest position advising of ongoing work to ensure a strategic approach and an equitable allocation of funding to deliver town and community priorities. In light of members' comments the Chief Executive suggested that the issue be discussed further in the Budget Workshop scheduled for December.

RESOLVED that Council note the latest position on the 2012/13 element of the capital plan and the update on major projects.

The meeting concluded at 12.20 p.m.