

COUNTY COUNCIL

Minutes of a meeting of the County Council held in Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 8 January 2013 at 10.00 am.

PRESENT

Councillors 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, Colin Hughes, Rhys Hughes, Hugh Irving, Alice Jones, Huw Jones, Pat Jones, Geraint Lloyd-Williams, Margaret McCarroll, Jason McLellan, Barry Mellor, Win Mullen-James, Bob Murray, Dewi Owens, Merfyn Parry, Allan Pennington, Arwel Roberts, Gareth Sandilands, David Simmons, Barbara Smith, David Smith, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams, Eryl Williams and Huw Williams

ALSO PRESENT

Chief Executive (MM), Head of Finance and Assets (PMc), Head of Legal and Democratic Services (RGW), Principal Benefits Officer (DD) and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Ian Armstrong, Gwyneth Kensler, Peter Owen and Bill Tasker

Prior to the full commencement of the meeting, Councillor Joan Butterfield requested an adjournment of 1 hour due to the fact a 39 page document had been received electronically from the Head of Finance and Assets by all Members shortly before the commencement of the meeting. The adjournment had been requested to enable Members to read the document thoroughly so a full and frank discussion could take place when the item was dealt with on the Agenda – Item 6, Council Tax Reduction Scheme.

It was suggested a 30 minute adjournment would suffice. A vote took place - 21 in favour and 21 against, the Chair had the casting vote and voted in favour of a 30 minute adjournment. The meeting was adjourned at 10.15 a.m. and reconvened at 10.45 a.m.

2 DECLARATIONS OF INTEREST

No personal or prejudicial interests were declared.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No items were raised which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 CHAIRMAN'S DIARY

A list of civic engagements undertaken for the Council by the Chair and Vice-Chair for the period 20th November, 2012 to 18th December 2012 had been circulated with the papers for the meeting.

The Chair referred to the Christmas Service which had raised £600 for various good causes, including the Flood fund.

***RESOLVED** that the list of civic engagements undertaken for the Council by the Chair and Vice-Chair be received and noted.*

5 MINUTES

The minutes of the Council meeting held on 4th December, 2012 were submitted.

Regarding accuracy of the minutes Councillor R J Davies stated on page 12, he had been referred to as J R Davies rather than R J Davies.

Matters Arising – Councillor Meirick Lloyd Davies asked for clarification of the issue raised on page 6 from various Councillors regarding their own areas which had suffered during the recent floods.

The Head of Legal and Democratic Services confirmed there would be an update on this issue at the informal Council meeting taking place on 21st January 2013.

***RESOLVED** that subject to the above, the minutes of the Council meeting held on 4th December, 2012 be confirmed as a correct record.*

6 COUNCIL TAX REDUCTION SCHEME

A copy of the report by the Head of Revenues and Benefits on the Council Tax Reduction Scheme had been circulated with the papers for the meeting.

Councillor Hugh Irving, Lead Member for Customers and Communities introduced the report.

The Welfare Reform Act 2012 contained provisions to abolish council tax benefit in its current form across the UK. From 31st March, 2013, council tax benefit would come to an end and the responsibility for providing support for council tax, and the funding associated with it, had been passed to the Welsh Government. The Welsh Government, in partnership with Local Authorities in Wales, had developed a new scheme to provide council tax support which Local Authorities had to adopt by 31st

January 2013. Within the scheme there were local discretions which were also required to be decided by full Council.

The Head of Finance and Assets reported that the Welsh Government finalised the scheme on 19th December 2012 and all Welsh Councils had been informed that the scheme must be approved by 31st January 2013.

The Council Tax Reduction Scheme was one element of the Welfare Reform which was to come into force from April 2013. The new scheme meant that if an individual was previously exempt from paying Council Tax they would now be billed for 10% of the Council Tax bill.

Local Authorities were to provide a small number of discretionary elements, similar to those available under the current Council Tax Benefit scheme, to respond to their differing local circumstances (provided that the costs of any local variation were locally funded). The discretionary elements were set out in full within the report.

The proposed scheme replicated the current Council Tax Benefit Scheme but with the following main exceptions:

- Second adult rebate to be removed (at the moment if an individual could afford to pay the Council Tax but lived with someone on a low income, assistance may be received to help with the payment of Council Tax).
- Minor amendments to earnings and capital disregards levels.
- Maintenance payments would no longer be disregarded – but only if receipt of maintenance payments were proven to be received.
- That to achieve the required budget savings a 10% reduction in Council Tax support payable would be applied.

Denbighshire County Council received £8.3million towards the cost of the new scheme. The forecasted expenditure for 2013/14 was approximately £9.6million, thereby resulting in a shortfall of approximately £1.3million. The Council could only bill residents the equivalent of approximately £1million and therefore there would be an overall shortfall of £300,000 which had already been factored into the budget.

The Council would endeavour to collect the Council Tax and would be looking at how best to support people to make payments and help to avoid escalation of Court proceedings or bailiff intervention.

There would also be an increased demand of enquiries to the Benefits Department, debt/ financial management and welfare advice centres. A Welfare Reform Group had been formed to co-ordinate activities and ensure that residents could obtain the relevant support. As well as all relevant Council departments, the CAB, Benefits Advice Shop and Welfare Rights were represented on the Welfare Reform Group.

An equality impact assessment had been undertaken, which had been previously circulated.

A consultation document had been sent out but only one response had been received which had been from Rhyl Town Council. The Town Council response had been that the scheme should have taken into account, areas of deprivation.

The response received from Rhyl Town Council would be forwarded on to the Welsh Government.

To ensure the information, regarding the new scheme, was being distributed to all individuals affected, a full page article in the County Voice was to be published and also letters were to be sent to people affected by the changes.

Lengthy discussions took place:-

- Various Members voiced their disagreement of the scheme, being Councillors Joan Butterfield, Brian Blakeley and Colin Hughes.
- If the scheme was not approved by full Council then Denbighshire County Council would be forced into a default scheme. It was clarified by the Head of Legal and Democratic Services that there were two sets of regulations. One was the requirement for a scheme incorporating prescribed requirements to be adopted by 31st January, 2013 albeit with some discretionary elements.,and the second set provided for a default scheme to be imposed without any discretionary elements where a council had failed to adopt a scheme..
- As part of the deal for the Welsh Government to vote the scheme through, the opposition had requested a sunset clause be inserted which was to monitor the scheme after 12 months.
- Weekly payments would be taken to assist individuals rather than a larger monthly sum and payment cards would also be distributed as soon as possible. The number of establishments where card payments could be made would also be increased.
- Denbighshire County Council were working closely with the CAB, Welfare Rights and the Benefit Advice Shop. The Welsh Government had made money available to assist for the first 12 months of the scheme. £4.6million would be available across Wales but there had been no direction of what the money could be used for. Denbighshire had already spent £50,000 to upgrade the IT system and were looking at the possibility, in the future, of employing additional staff. Welfare Rights had received funding for an extra two staff to work with the front line staff.
- It had been suggested that it should be made clear that Members were not in favour of this scheme and that it had been forced upon Members by Central Government.

The Chief Executive clarified the situation to Members by confirming that they were not being asked to vote for their own scheme. Denbighshire did not have a choice of the scheme or not. If the scheme was not approved, it would go through without the discretionary elements. Voting against the scheme meant enforcing a scheme without discretionary elements. This was the legal position. Councillor Eryl Williams questioned if the wording for the recommendation could be changed to “reluctantly agree”, so it would be on record for the future.

The Head of Legal and Democratic Services confirmed that amended wording could be added.

RESOLVED that the Member's reluctantly adopt the All Wales Council Tax Reduction Scheme and that they considered the 4 discretionary elements of the scheme and approved accordingly.

7 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services introduced the Council's Forward Work Programme, previously circulated, and Members agreed the following items be included:-

- Taith Presentation scheduled for 21st January, 2013 at Council Briefing would be deferred to a future date, yet to be confirmed.
- Customer Service Training for Elected Members would take place on 11th March, 2013 at Council Briefing.
- Councillor Joan Butterfield requested that the new Police Commissioner be invited to a future Council meeting. It was agreed by Members the invitation should be sent as soon as possible.
- Councillor Alice Jones requested the newly merged Countryside Council for Wales and the Forestry Commission be invited to a future Council meeting to explain how the new body would function and how it would be used to best effect. It was agreed to invite the North Wales Director, Tim Jones to a future Council meeting.
- The Chief Executive clarified that, regarding flooding, two written reports had been sent out to Members, one from CET and one from the Chief Executive. On the 21st January, 2013 at Council Briefing the Chief Executive was hoping to update Members of the up to date position. A presentation would be given by Don Norris, Emergency Response explaining the recovery, investigations and financial issues. An investigation was to commence as to why the floods happened at Rhuddlan, St. Asaph and Ruthin. This investigation was to be led by Rebecca Maxwell. With regard to the flooding at Glasdir, Ruthin, there would be a detailed independent investigation. The investigations would take time but were aiming to report back probably in May with the full investigation responses.
- Councillor Bill Cowie requested that information could be passed on to the residents who had been affected by the flooding and in due course, feedback from the investigations. This was agreed.

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

The meeting concluded at 11.55 a.m.