

COUNTY COUNCIL

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin LL15 1YN on Tuesday, 5 February 2013 at 10.00 am.

PRESENT

Councillors Ian Armstrong, Raymond Bartley, Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, James Davies, Meirick Davies, Richard Davies, Stuart Davies, Hugh Evans, Peter Evans, Bobby Feeley, Huw Hilditch-Roberts, Colin Hughes, Rhys Hughes, Hugh Irving, Alice Jones, Huw Jones, Pat Jones, Gwyneth Kensler, Geraint Lloyd-Williams, Margaret McCarroll, Jason McLellan, Barry Mellor, Bob Murray, Dewi Owens, Arwel Roberts, Gareth Sandilands, David Simmons, Barbara Smith, David Smith, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl 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) and Committee Administrator (KEJ)

1 APOLOGIES

Councillors Brian Blakeley, Ann Davies, Carys Guy Davies, Martyn Holland, Win Mullen-James Merfyn Parry, Peter Owen, Eryl Williams.

2 DECLARATIONS OF INTEREST

Councillor Jason McLellan declared a personal interest in the Scala Cinema & Arts Centre, Prestatyn referenced in the 2013/14 Budget (Agenda Item 5).

Councillors Ray Bartley, Jeanette Chamberlain-Jones, Hugh Evans, Huw Hilditch-Roberts, Geraint Lloyd-Williams, Bill Tasker and Cefyn Williams declared a personal interest in the item on "Healthcare in North Wales is Changing" Decisions (Agenda Item 6).

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES

The minutes of the Council meeting held on 8 January 2013 were submitted.

RESOLVED that the minutes of the meeting held on 8 January 2013 be confirmed as a correct record and signed by the Chairman.

5 2013/14 BUDGET

Councillor Julian Thompson-Hill presented the report detailing the budget proposals for 2013/14 and resulting increase in the level of Council Tax. Budget Saving Proposals for 2013/14 (Appendix 1); Grants transferred into the General Settlement 2013/14 (Appendix 2); Denbighshire's Budget 2013/14 (Appendix 3) and the Equality Impact Assessment (Appendix 4) had been attached to the report.

Members were advised of a lower than expected final settlement from the Welsh Government which included a cut in capital funding which was a significant loss. The implications on the Medium Term Financial Plan (MTFP) were highlighted together with the savings required over the next three years and the latest forecasts in terms of pressures previously identified. Reference was also made to –

- the Welsh Government's expectation that schools and social care budgets would be protected from savings which would put additional strain on other services that had to find additional savings to compensate [for 2013/14 approximately 56% of the budget was ring fenced and protected]
- financial implications arising from the Council Tax Support Scheme, particularly in light of recent changes to the regulations resulting in a windfall of at least £300k for the year together with possible options for its allocation
- an update on the outcomes of the budget workshops held for members in November and December 2012 (regarding savings, priorities and council tax) together with the session on financing the Corporate Plan
- based on current proposals the resultant increase in Council Tax was a maximum 2% and the base assumption for future years was that Council Tax would continue to rise at around 2%. Formal approval for the level of Council Tax would be sought at the next meeting.

Councillor Thompson-Hill advised that it was another challenging financial year but the proposed budget was realistic and deliverable allowing investment in priorities and protecting front line services from major reductions. He took the opportunity to thank the Head of Finance and Assets (H:FA) and his team for all their hard work. Members had been heavily involved in the budget setting process and the H:FA thanked them for their engagement and political steer.

During consideration of the savings proposals members raised questions on the savings targets relating to individual services. Assurances were sought over the removal of the essential car user allowance and outcome of the staff ballot and that day care services would not be affected as a result of the savings in care services. In responding Councillor Thompson-Hill and the Head of H:FA –

- advised that initial savings proposals had included day care provision which had since been removed in light of members' concerns
- updated members on the negotiations with Trade Unions to remove the essential car user allowance which was due to be phased in over the year
- reported upon the carbon reduction scheme advising that the Council would be assessed in 2014/15 and a favourable outcome was expected
- elaborated upon projects contributing to modernising the Council including printer rationalisation, better use of space, reductions in mileage and stationery, procurement, sickness absence and confirmed that the modernisation agenda would feature strongly over the next few years

- referred to systems thinking being used to improve processes and moving from manual to electronic systems
- a saving of £100k had been possible for recycling parks following a renegotiation of the management contract with a private contractor
- elaborated upon the Planning and Public Protection restructure following the decision not to proceed with full collaboration with Conwy County Borough Council which would result in the removal of long term vacant posts
- indicated that capacity for in house fostering would be developed to ensure greater flexibility and less reliance on external fostering
- explained the Council had worked closely with all arms length companies to ascertain on an individual basis whether a reduced subsidy could be sustained. Consequently savings for the Scala and Pavilion Theatre had been deferred
- advised that during the members' session on financing the Corporate Plan an agreement was made that any windfalls during the year would be allocated to strategic investment
- explained the implications arising from the redesign of the street cleansing service and the merger of teams in Environmental Services
- reported upon the level of Council Tax in comparison with other local authorities.

During debate Councillor Joan Butterfield expressed concern regarding two savings proposals for Environmental Services, namely (1) DB1 – Increase in charges for certain services such as bulky waste collection, which she believed would impact on the poorest members of the community and likely result in increased fly-tipping, and (2) DB13 – Cemeteries Charging, which she believed to be discriminative and would also impact on those living in poverty. Consequently she proposed an amendment, seconded by Councillor Cefyn Williams, that those savings be removed from the budget. Councillor Thompson Hill explained that the increase in charges would not result in a cut in services but would bring the fees in line with neighbouring authorities. Councillor David Smith added that the savings for individual budgets had been considered at length during the service challenge process. Members debated the amendment and were advised that the removal of those savings would likely result in Environmental Services being asked to find them from elsewhere within the service. Upon being put to the vote the amendment was declared **CARRIED**.

Members considered the merits of the various options detailed in the report for the allocation of the £300k windfall arising from changes to the Council Tax regulations. Councillor David Simmons proposed, seconded by Councillor Joan Butterfield, that £200k be transferred into general balances to be used for services pressures arising during the year and £100k be allocated to Welfare Reform support. Councillor Barbara Smith reminded members that funding would be available from the Welsh Government to support the housing element of welfare reform and that other elements of welfare reform would either be phased in over time or implemented in the future. Consequently she questioned the need for extra funding for welfare reform support at this time and suggested an allocation to strategic investment. Councillor Hugh Evans agreed there would be no merit in allocating funding to welfare reform support at this time and proposed an amendment, seconded by Councillor David Smith, that £300k be allocated to strategic

investment in order to progress the Corporate Plan. Councillor Colin Hughes referred to the Council's welfare partners such as the Anti-Poverty Network who was also facing financial difficulty due to the loss of core funding and suggested consideration be given to increasing their funding in light of the surge in those needing welfare advice. Councillor Thompson-Hill welcomed the proposal to allocate £300k to strategic investment which he believed would ensure the best long term development from the funding and reminded members of the previous agreement to allocate windfall funding to strategic investment. He did not consider there to be a need to put additional funding into general balances.

In responding to the debate the H:FA advised that funding to address pressures during the year had been included within general balances which he considered to be a reasonable level. He added that if funding was allocated to strategic investment in the first instance it could be reallocated by members in future providing there was an overriding need. The H:FA confirmed that approximately £2m would be made available nationally from the Welsh Government to support the transitional costs of welfare reform and whilst £1m would be needed to cover IT costs, funding would be available which could be shared with partners such as the Citizens Advice Bureau and Benefits Advice Shop. In light of the advice provided by the H:FA Councillor David Simmons withdrew his proposal for allocation of the windfall. The H:FA added that he chaired the Welfare Reform Group and members would be welcome to observe those meetings if they had outstanding concerns in that regard. After further discussion it was –

RESOLVED that Council approves –

- (a) *the budget proposals for 2013/14 as shown in the appendices subject to the removal of –*
 - *DB1 Increase in Charges for Certain Services (e.g. bulky waste) - £5k*
 - *DB13 Cemeteries Charging - £10k, and Environmental Services be required to make alternative savings of £15k;*
- (b) *the allocation of the £300k windfall arising from changes to the council tax regulations to Strategic Investment (Option A detailed in the report) with expenditure being agreed by members, and*
- (c) *the resulting 2% increase in the level of Council Tax for 2013/14.*

At this juncture (11.40 a.m.) the meeting adjourned for a refreshment break.

6 "HEALTHCARE IN NORTH WALES IS CHANGING" DECISIONS

The Corporate Director Modernising and Wellbeing (CD:MW) introduced the report (previously circulated) summarising the decisions taken by the Betsi Cadwaladar University Health Board (BCUHB) on 18 January 2013 following consultation on the health service reviews. The report focused on the decisions as they related to facilities and services in Denbighshire together with timescales for implementation and detailed the outstanding issues and concerns for the Council. In terms of decision making members were reminded that the Community Health Council (CHC) was the only body that could formally refer the Board's decision to the

Minister and their response was required by 3 March 2013. Members' views were sought on the latest developments and next steps taking into account the report recommendations and verbal update from the Chief Executive.

The Chief Executive verbally reported upon a meeting between North Wales Local Authority Chief Executives and BCUHB held on 1 February when four broad areas of concern were discussed –

Extra costs associated with increased care in the community – the development of localities and enhanced home care could lead to an increase in demand on social services and costs. Home care was considered a positive step but there was insufficient detail in the proposals and issues around affordability, implementation and resources. BCUHB had given verbal assurances that costs would not be transferred to local authorities and councils had asked that a financial model be developed detailing funding costs and a clear process of implementation.

Capital Investment – the plans involved approximately £40m of capital investment in new provision of which £27m was in Denbighshire. The necessary funding had not yet been secured and plans were dependent on the quality of the business case and Welsh Government providing the funding. As this was a significant risk area assurances were sought that funding for replacement facilities would be secured before the implementation of planned closures.

Transport Arrangements – it was clear that more people, including vulnerable people, would have to travel for health care provision. The feeling was that the public sector and voluntary sector had a responsibility to develop a travel plan and BCUHB had committed £80k to respond to travel needs. The way forward would involve relevant partners developing a transport plan for those people affected.

Managing Transition Arrangements – plans to close services and facilities before new provisions had been established was also a key concern. BCUHB had clarified that no patient would be without services when needed and people affected would be supported until new provisions were in place. Assurances needed to be sought that effective transition plans had been developed.

Councillor Bobby Feeley, Lead Member for Social Care and Children's Services paid tribute to staff working in the health service during uncertain and difficult circumstances. Whilst agreeing that the review had been necessary she felt that the process could have been managed more effectively. The Council had carefully scrutinised the plans and the establishment of a county based Health and Social Care Strategic Forum would ensure dialogue continued. In commenting on the plans she expressed her disappointment that Ruthin Hospital would lose its minor injuries unit and x-ray services and over plans to close in-patient care beds at Prestatyn and Llangollen Hospitals before the establishment of new services. She also highlighted the need to revisit transport arrangements and neo-natal services. In light of the Chief Executive's verbal report Councillor Feeley proposed an urgent meeting with BCUHB seeking a guarantee that facilities did not close until funding for new capital investment had been secured. She also proposed a meeting with other agencies to address the transportation issue.

Councillor Ray Bartley, member of the CHC, confirmed that he had been keeping members updated on CHC's progress and would continue to do so. He would be attending the next Executive meeting on 20 February as a non-member.

The Chair opened the debate seeking members' views on recent developments and the way forward. Whilst appreciating the need for an overhaul of health services Council expressed their frustration and disappointment over decisions made by BCUHB despite local protests and fierce opposition to particular proposals which had been well documented in the comprehensive response to consultation. Concerns were raised that public views had been disregarded during decision making and that due regard had not been given to the Council's submission or sufficient response to provide assurances which had been sought over particular issues. Members considered that BCUHB had been misleading and less than honest in their dealings leading to a lack of trust and confidence in the Health Board. The speed of hospital closures and particular services was a serious concern, particularly in light of the latest announcement that some minor injury units would close within two weeks even before a response to the decisions had been received from the CHC. It was felt that the Health Board had provided little or no assurance in response to major issues which sent a message of indifference and disregard of local views. Members referred to their duty to represent the interests of their communities and felt strongly that a robust response was required and action taken to communicate their strength of feeling to BCUHB.

Councillor Stuart Davies held back from calling for a vote of no confidence in the Health Board instead proposing that the Council demanded an urgent meeting with the BCUHB to negotiate existing facilities remaining open until a firm commitment had been forthcoming from the Welsh Government on funding the new facilities and temporary facilities had been established. He added that if BCUHB was not willing to negotiate he would be putting forward a vote of no confidence at the next Full Council meeting. Councillor Peter Evans seconded the proposition.

Councillor Alice Jones reported upon research she had undertaken in light of the healthcare proposals and the effect on Ysbyty Glan Clwyd (YGC) and raised concerns regarding –

- the downgrading of YGC to a hospital hub and loss of status
- the impact of plans for vascular services, particularly as on-site vascular surgery was a requirement of YGC becoming a Coronary Intervention Centre
- the impact on Accident & Emergency which would no longer admit a full range of conditions but would become selective impacting on patient health and leading to difficulties in recruiting trainee doctors, and
- withdrawal of emergency surgery at the hospital.

Councillor Jones sought Council's support to protect the status and service of YGC as a District General Hospital and proposed an amendment to the Council's response to include reference to their opposition to YGC being downgraded to a hospital hub and for it to remain a District General Hospital with a full surgical unit of excellence to include an emergency vascular service. The proposal was seconded by Councillor Hugh Irving. Whilst accepting the concerns raised the CD:MW did not consider the denotation as a hub to mean a downgrading of the hospital but rather

that the services provided by hospital hubs would also be available there. She referred to the significant investment in Accident and Emergency and theatres at YGC and felt that clarification should be sought from BCUHB regarding on-site services rather than assuming the hospital would be downgraded.

Councillor Arwel Roberts expressed his concerns regarding neonatal services being moved to Arrowe Park Hospital on the Wirral and referred to a cross-party group of Assembly Members who had united with a view to stop the plans. Councillor Roberts proposed, seconded by Councillor Rhys Hughes, that all North Wales Chief Executives be called upon to oppose the move of neonatal services out of Wales. Councillor Cefyn Williams highlighted that the Board had confirmed the move of neonatal services within 6 – 12 months after receiving assurance that Arrowe Park had secured required standards compliance. Consequently Councillor Williams questioned the standard of care at Arrowe Park and felt that monies earmarked for neonatal care would be better spent in North Wales.

During debate members agreed their general areas of concern as follows –

- transition arrangements as BCUHB prepared to close some services and facilities before any guarantee of funding for new capital investment had been secured or temporary services established
- the level of support for carers and lack of proposals to fund enhanced home services
- transport and travel arrangements
- the potential cost to the Council as more services moved out of the hospital setting and into people's homes
- the future of Ysbyty Glan Clwyd as a District General Hospital
- transfer of neonatal care to Arrowe Park Hospital

Members also highlighted the impact of the Health Board's decisions on their particular towns and communities and raised concerns over –

- the closure of Prestatyn Community Hospital with patient beds being provided at neighbouring hospitals (who already had their own catchment area raising concerns about capacity) and no assurances provided that transport issues had been addressed
- Councillor Peter Evans wished it to be recorded that he opposed the closure of Prestatyn Community Hospital until new facilities had been set up in Rhyl
- services being transferred to GPs (who were already under pressure) without any provision to increase resources as a consequence
- resources and capacity for particular services to be accommodated elsewhere resulting in additional pressure on other services
- speed over the closures of the minor injuries units at Ruthin and Llangollen and closure of the x-ray facilities in Ruthin
- the closure of Llangollen Hospital and the detrimental impact on the local community and their wellbeing and the need to invest in the hospital instead.

In opposing the closure of Llangollen Hospital, Councillor Rhys Hughes proposed a motion of no confidence in the consultation process and BCUHB's proposals for the future in Denbighshire. The proposition was seconded by Councillor Huw Williams.

In light of the detailed debate and number of propositions made Council considered how best to address their outstanding concerns and represent the interests of the community. Consideration was given as to whether to take a vote of no confidence in the Health Board or to engage in further dialogue with a view to negotiation. Councillor Huw Hilditch-Roberts proposed that an urgent meeting be called with BCUHB and to consider a vote of no confidence at the next Full Council if satisfactory responses had not been forthcoming. On balance it was considered that a further attempt should be made to meet with BCUHB officials and negotiate a way forward and the call for a vote of no confidence in the Health Board be deferred pending the outcome of that meeting. It was agreed that the top level meeting should include the Lead Member, Councillor Bobby Feeley together with councillor representatives for different local areas as follows – Councillors Stuart Davies, Peter Evans, Alice Jones, Pat Jones, Gwyneth Kensler, Jason McLellan, Arwel Roberts, Julian Thompson-Hill and Huw Williams.

RESOLVED that –

- (a) *an urgent meeting be convened between the Chief Executive of BCUHB and the Council's Chief Executive and Corporate Director Modernising and Wellbeing together with nominated councillors (as detailed above) to bring forward the Council's concerns regarding the proposed service changes to healthcare provision across the region and negotiate a way forward, and*
- (b) *a report back on those discussions be considered at the next Full Council meeting on 26 February to enable members to further consider the Council's position in light of the feedback received.*

7 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services (H:LDS) submitted the Council Forward Work Programme confirming that feedback from the meeting with BCUHB as agreed under the previous agenda item would be added to the work programme for the next meeting. Councillor Hugh Evans reported that the North Wales Regional Board had agreed to issue a statement supporting the principle of a prison in North Wales and an item needed to be added to the work programme to discuss Denbighshire's position.

RESOLVED that, *subject to the above amendments, Council's Forward Work Programme be noted.*

The meeting concluded at 2.00 p.m.