

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, 13 May 2025 at 10.00 am.

PRESENT

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

ALSO PRESENT

Chief Executive (GB), Corporate Director – Governance and Business / Monitoring Officer (GW), Head of Corporate Support Services - People (CR), Democratic Services Manager / Minute Taker (SP); Committee Officer / Host (SJ).

TRIBUTE TO FORMER COUNCILLOR HUGH IRVING

The Chair, Councillor Peter Scott, referred to the recent death of county councillor Hugh Irving and invited the political group leaders to address the Council.

The Group Leaders paid their tributes to Councillor Irving's long-standing dedication and hard work for his community in Prestatyn and for Denbighshire, for his effectiveness as a councillor, and for the respectful and courteous manner he invariably conducted himself.

Council stood in silence as a mark of respect.

1 APOLOGIES

Apologies for absence were submitted by Councillors Joan Butterfield, Ann Davies, Jon Harland, Geraint Lloyd-Williams, Raj Metri, David Williams and Elfed Williams.

2 DECLARATIONS OF INTEREST

Councillors Hugh Evans, Merfyn Parry, Huw Williams and Eryl Williams declared personal interests in item 11, Notice of Motion, in respect of their involvement in the farming industry.

3 CHAIRMAN'S DIARY

The Chair briefly highlighted a few of the civic engagements he had undertaken over his term as Chair of the Council.

4 APPOINTMENT OF THE CHAIR OF THE COUNCIL

The outgoing Chair, Councillor Peter Scott, thanked his daughter Elaine Morris and his granddaughters Elizabeth and Faye Williams who had accompanied him as consorts on his civic duties. Flowers were presented in thanks to the consorts and to the Business Support Manager, Eleri Woolford, for her work organising the civic programme of events and visits.

The Chair presented a cheque from his charity fund to Dr Ghazala, Fundraising Manger for St. Kentigern Hospice. Dr Ghazala thanked the Chair for the donation and outlined the services provided by the hospice and the financial commitment needed to support the hospice in its work. Dr Ghazala invited members of the Council to visit the hospice.

The Chair announced that his charity fund had raised money from charity concerts for an armed forces charity. The recipient charity would be notified shortly.

The Chair asked for nominations for candidates for the role of Chair of the Council for the 2025 – 2026 municipal year.

Councillor Delyth Jones proposed Councillor Arwel Roberts to be the next Chair of Council, seconded by Councillor Jason McLellan.

There were no further nominations and the members present confirmed their approval.

The new Chair, Councillor Roberts, paid tribute to the outgoing Chair, Councillor Scott, for his successful term and sense of humour in the role that had helped the Council negotiate difficult issues during his extended period of office.

The new Chair indicated that his consort would be his wife, Awen Roberts. His charity fundraising would raise funds for St. Kentigern Hospice and support families who would otherwise financially struggle to participate in Urdd camps and activities.

RESOLVED – That Councillor Arwel Roberts be elected as Chair of Denbighshire County Council for the 2025 – 2026 municipal year.

5 APPOINTMENT OF THE VICE-CHAIR OF THE COUNCIL

The Chair asked for nominations for candidates for the role of Vice Chair of the Council for the 2025 – 2026 municipal year.

Councillor Hugh Evans proposed Councillor Bobby Feeley to be the next Vice Chair of Council, seconded by Councillor Andrea Tomlin.

There were no further nominations and the members present confirmed their approval.

The new Vice Chair of Council, Councillor Feeley, thanked the previous Chair, Councillor Scott and gave her best wishes to the new Chair, Councillor Roberts. Councillor Feeley's husband would be her consort.

RESOLVED – That Councillor Bobby Feeley be elected as Vice Chair of Denbighshire County Council for the 2025 – 2026 municipal year.

The Chair announced a short break.

6 URGENT MATTERS AS AGREED BY THE CHAIR

The Chair granted a request from the Leader of the Council, Councillor McLellan, to pay tribute to the recently deceased musician and charity fundraiser Mike Peters.

Councillor McLellan paid tribute to Mike Peters' worldwide musical accomplishments and noted how North Wales and particularly Dyserth, Prestatyn and Rhyl (where Mike Peters' gave his first live musical performances) were always central to him. Councillor McLellan noted Mr Peters' contributions to Welsh life, language and culture and to his charity fundraising work for the Love Hope Strength Foundation whose aim was to raise funds and awareness to benefit people with cancer and leukaemia.

Councillor McLellan passed his condolences on to Mr Peters' wife, Jules and the family.

The Chair endorsed the Leader's comments.

7 MINUTES

The minutes of the Council meeting held on the 20 February 2025 and the special meeting of Council held on the 26 March 2025 were submitted.

Matters Arising: Special Meeting of Council – 26 March 2025

Councillor Mendies referred to his suggestion made at the special meeting that it might have been prudent for the county council to borrow the funding for the proposed Denbighshire Leisure Limited (DLL) business plan, and he suggested a couple of potential financial or commercial companies such as Shawbrook and Bluestone. Councillor Mendies stated that a response made by the Managing Director of DLL during the meeting that Bluestone was a leasing company was incorrect, and that Bluestone was indeed a commercial company. Councillor Mendies noted that this exchange was not covered in the minutes.

The Monitoring Officer advised that the minutes were not a verbatim record of the proceedings but that these points could be noted if members wanted them referenced in the minutes.

Councillor Huw Hilditch-Roberts stated that he felt the minutes did not adequately reflect the positive sides of the debate, such as the shareholding arrangements whereby shares would remain with the company should a shareholder leave the

company. He stated that the decision made was not to sell DLL but rather it was a decision 'in principle' and he felt it was important for that to be noted in the minutes for public information because the discussion itself had taken place in Part 2 (closed session). He also referred to the support given to the proposals by the Leader (subject to trade union discussions), by the senior leadership team and by the majority of members but Councillor Hilditch-Roberts condemned the sharing of confidential information in the media which he said had resulted in a loss of trust in the Councillors and reputational damage to the Council. He added that it would be beneficial to note that the Council was used to managing contracts through service level agreements as this had featured in the debate.

The Monitoring Officer noted the points made and advised that the discussion had been a difficult one to minute because it was covering a Part 2 discussion, so the aim was to provide as much transparency as possible for the public, without disclosing exempt information. There had been a fuller minute than was normal for a Part 2 discussion in order to achieve this balance.

The Leader of the Council, Councillor McLellan, referred to his query as to the reason why a member of staff, who was also a Unison trade union representative, had felt obliged to leave the meeting room once the meeting moved into Part 2. The Leader felt that the exchange and his preference for the staff member to have remained in the meeting, should be noted because it tied in with the points he made about the importance of staff terms and conditions and with engaging with the trade unions.

In responding to queries from Councillor Merfyn Parry, the Monitoring Officer clarified that even during a Part 2 discussion, the Council should be as transparent about the proceedings as it could be without revealing exempt information. In terms of a recorded vote, the way members voted was not exempt information so if members decided to have a recorded vote during a Part 2 item the way each member voted would have to be recorded in the minutes. Regarding the public disclosure of information after the meeting the Monitoring Officer viewed it as being unhelpful for information shared as being confidential to be released without proper authorisation as this could be corrosive to the Council's way of working. It was clarified that not everything in a Part 2 discussion would be confidential, and information that was confidential today might not be confidential in the future, so it was important that people checked before releasing information shared under Part 2.

Councillor Hilditch-Roberts asked for the Monitoring Officer's view on whether confidential information had been released after the meeting. The Monitoring Officer advised that in at least one case, information reported in the press and attributed to an anonymous source, was a breach of the confidentiality of the meeting.

RESOLVED that the minutes of the meeting held on the 20 February 2025 and, subject to the above comments, the meeting held on the 26 March 2025 be received and confirmed as correct records.

The Deputy Leader and Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews, introduced a report on the Pay Policy Statement 2025 / 2026 (previously circulated).

Councillor Matthews advised that the Council was committed to transparency in its pay policy for all staff grades. The Localism Act 2011 required local authorities to prepare pay policy statements. Members were advised that the statements must articulate an authority's own policies towards a range of issues relating to the pay of its workforce particularly its senior staff (or "chief officers") and its lowest paid employees. Pay Policy Statements must be approved and published by the Council on an annual basis.

Councillor Matthews highlighted the Council's pay policy for contributing towards a highly motivated workforce and she advised that the pay policy statement had been recommended for adoption in April 2025 by the Council's Senior Leadership Remuneration Panel which she had chaired. The Pay Policy Statement's aims were to provide a reward package that was competitive and enabled the Council to attract, motivate and retain the appropriately talented people needed to maintain and improve the Council's performance and meet future challenges. It set out a consistent approach to pay, terms and conditions across the Council which staff and managers understand and apply to a diverse workforce that reflected the community it served in a transparent, equitable and fair way, complying with legislation.

The Head of Corporate Support Services – People (HCSSP) reported that the annual pay policy tended to remain fairly static from one year to the next and there were very few changes to this year's document.

The HCSSP directed members' attention to paragraph 1.3 of the pay policy which summarised the significant financial challenges over the medium term to all councils in the UK. The increasing costs of service delivery and increases in complexity for statutory demand-led services resulted in the Council's budget requirement increasing year on year.

The HCSSP outlined the changes:

- The statement had been updated with the 2024 – 2025 pay award for all staff.
- The statement did not include the 2025 – 2026 pay award because that had not yet been agreed. The pay policy would be updated once the nationally agreed pay award had been agreed.
- An important aspect of the pay policy was the pay relativities within the Council, where the Chief Executive's salary was 6.4 times the salary of the lowest paid Council employee and the average chief officer salary was 4.4 times the salary of the lowest paid employee.
- The Chief Executive's salary was 5 times the salary of the average of all Council employees and the average chief officer salary was 3.4 times the salary of the average of all Council employees.
- There was a requirement that no public sector manager could earn more than 20 times the salary of the lowest paid employee in the organisation, so Denbighshire's figures were well within that limit.

- A full copy of the policy and a Well-being Impact Assessment were included in the documentation for today's report.

In response to queries from Councillor Martyn Hogg, the HCSSP clarified that the reference to 'median average' in paragraph 7.3 of the statement should be 'average salary' and that the document would be updated. In terms of how the pay relativities compared with other councils the Lead Member reported that data from other councils was considered, and though the data was not immediately to hand, her recollection was that the Council was satisfactorily placed in the middle of the range.

RESOLVED that Full Council accepts the recommendation from the Senior Leadership Remuneration Panel and approves the Pay Policy for 2025/26 (copy in Appendix A) and confirms that it has read, understood, and taken account of the Well-being Impact Assessment (Appendix B) as part of its consideration.

9 ANNUAL REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF SCRUTINY CHAIRS

The Democratic Services Manager (DSM) introduced a report on the Annual Review of Political Balance and Appointment of Scrutiny Chairs (previously circulated).

The DSM reported the following points:

- The Council was required to consider at least annually how the membership of its committees relates to the size of the groups.
- The report contained a summary of the statutory requirements linking the availability of committee seats to the size of the political groups within the council.
- The report outlined how Scrutiny Chairs were appointed by the political groups, with the vacant Chair of the Performance Scrutiny Committee to be determined by the Conservative Group.
- The consequential changes that would be made to the committee memberships from the election as Chair of the Council of Councillor Arwel Roberts because the Chair of Council did not sit on any of the public committees.
- The Council's committee systems and website had been updated to reflect the recent changes to Cabinet and updated versions of the appendices would be shared with the group leaders incorporating all of the changes to committee memberships.

RESOLVED that Council notes the political balance arrangements for the allocation of committee seats and the appointment to be made by the Conservative Group to the role of Chair of the Performance Scrutiny Committee.

10 APPOINTMENT OF LAY MEMBERS FOR STANDARDS COMMITTEE

The Head of Corporate Support Services – People (HCSSP) presented a report (previously circulated) on the appointment of two lay members to the Standards Committee.

The HCSSP reported that an Appointments Panel comprised of the former Standards Committee Chair, Julia Hughes, County Councillor Bobby Feeley, Community Councillor Gordon Hughes and Lay Member Noela Jones interviewed prospective applicants for the two vacant lay member positions on the Council's Standards Committee. Following the interview process, the Standards Committee Appointments Panel agreed to offer the two lay member positions to Kate Robertson and Maggie Griffiths, subject to Full Council approval.

Council was advised that, subject to its approval of the appointments, the new lay members would receive an induction from the Monitoring Officer before attending their first Standards Committee in June.

Councillor Mark Young declared a personal interest because he knew one of the candidates from undertaking voluntary work together.

RESOLVED that Council appoints Kate Robertson and Maggie Griffiths as lay members of the Council's Standards Committee.

11 NOTICE OF MOTION

Councillor Hugh Evans presented a motion previously circulated as follows:

'Denbighshire council is calling on the Prime Minister and Chancellor of the Exchequer to reconsider and reverse the decision they have made recently on the Inheritance Tax threshold relating to the agricultural industry. This will have a detrimental impact on many farmers, their families, and the next generation of young farmers'.

Councillor Evans reported on the potential significant impacts to the agricultural industry and farmers locally and nationally and the wider economy of the inheritance tax threshold, including:

- The tax needed to be fair and better linked to profit.
- The value of land did not correspond to the income generated from it from farming and many farmers would struggle to pay the tax from the income they generated. The value of land was only realised upon the sale of the land.
- Many farmers might have to sell land which could lead to ultimately going out of business.
- Government figures indicated that 1 in 25 farms had stopped farming in the last 12 months owing to other circumstances. However, since the Chancellor's statement, a study conducted by CBI Economics with 4,000 farmers found that 50% of family farms had stopped investing in their farms and 43% planned to stop by 2026 to avoid rising taxes from an increased value of the farms.

- The UK Treasury had not undertaken an impact assessment of effect on our rural areas of the tax.
- The Treasury believed that the tax would affect around 500 large estates, but the farming unions and the Country Land and Business Association estimated it would affect between 50% and 75% of farmers.
- The relatively low level of income the tax would generate.
- The proposed tax would not stop the takeover of farmland by large financial institutions for non-farming practices i.e. not for environmental or food production aims.
- The liabilities faced by the next generation of farmers and the proliferation of non-farming usages on farmland would put food security at risk.
- The farming community in Wales played a very important role in the survival of the Welsh language. Harming the farming community could also harm the Welsh language.
- Many tenancies were now not being renewed because of landowner fears of the tax implications.
- The proposals detrimentally impacted elderly farmers and mental health problems in the farming community.
- For many farmers there were no realistic options for diversifying farm income or raising product prices, with beef and sheep being a mainstay of the local farming community.

In the absence of the Lead Member, Councillor Emrys Wynne, the Leader of the Council responded to the motion. Councillor McLellan noted that this is one issue where a response from Councillor Wynne might have differed to his own.

Councillor McLellan's response included the following issues:

- It would be useful to know how many farms in Denbighshire would be affected.
- The new tax proposed a much higher threshold than ordinary inheritance tax and the payments were much lower too.
- The changes included spousal exemptions, a 7-year tapering relief and an ability for those inheriting to pay off the tax over a ten-year interest free period.
- Government's reforms to agricultural and business property relief meant that one person with farmland could pass on up to £1 million and two people who jointly own a farm could pass on up to £3 million to a direct descendant without paying any inheritance tax.
- The top 7% of potential estates accounted for 40% of the total value of agricultural property relief and that alone amounted to £220 million. Councillor McLellan asked members to consider the beneficial public service uses even small amounts of those sums could be put to.

Councillor Martyn Hogg referred to the stated absence of a government impact assessment of the changes and suggested that the wording of the motion could be amended from reconsidering and reversing the tax, to undertaking a proper evidence-based impact assessment before reconsidering.

In agreeing with Councillor Hogg's comments, Councillor Eryl Williams stressed the importance (greater in Wales than in England) of family farms to the Welsh agricultural industry and to the local communities and local businesses. He censured the Leader's defence of government policy and governmental handling of the issue and called on members to support the rural areas.

Councillor Huw Hilditch-Roberts stated that statistics from 2017 suggested that 2,000 farms in Denbighshire would be affected.

Councillor Delyth Jones underlined the importance of family farms in Wales to rural areas, food security and the Welsh language and identity. She reported that many farms survived on low incomes despite high land values and that a proper assessment of the impact on family farms should have been undertaken by the government.

Councillor Jones proposed an amendment to the motion, seconded by Councillor Huw Hilditch-Roberts, as follows:

Denbighshire Council is calling on the Prime Minister and Chancellor of the Exchequer to reconsider and commit to a full consultation with stakeholders on the impact of the changed inheritance tax threshold on the agricultural industry in Wales.

Councillor Merfyn Parry declared his support for the motion. Councillor Brian Jones added his support to the motion and praised the behaviour of the young farmers at recent protests.

Councillor Julie Matthews referred to the rationale and exemptions behind the changes which was to remove the tax shelter for millionaires and billionaires who were hovering up small farms and not paying tax on them which affected the tax income available for spending on public services. Councillor Matthews agreed that changes should be supported by impact assessments and be data driven.

Councillor McLellan believed that the amendment's aim reflected the consultation that was already ongoing between the government and the agricultural industry.

Councillor Brian Jones requested a recorded vote on the amendment, and a recorded vote was duly agreed.

In favour of the amendment:

Councillors Chamberlain-Jones, Karen Edwards, Pauline Edwards, Ellis, Elson, Chris Evans, Hugh Evans, Justine Evans, Feeley, Hilditch-Roberts, Hogg, Hughes, Brian Jones, Delyth Jones, Keddie, Mendies, Parry, Price, Roberts, Sampson, Scott, Thomas, Tomlin, Eryl Williams, Huw Williams, and Young.

Against the amendment:

Councillors Chard, Clewett, Heaton, Holliday, James, King, Matthews, May, McLellan, Mellor, Sandilands and Cheryl Williams.

Abstaining:

None.

The amendment was therefore passed.

Councillor Brian Jones requested a recorded vote on the motion as amended, and a recorded vote was duly agreed.

In favour of the amended motion:

Councillors Chamberlain-Jones, Karen Edwards, Pauline Edwards, Ellis, Elson, Chris Evans, Hugh Evans, Justine Evans, Feeley, Hilditch-Roberts, Hogg, Hughes, Brian Jones, Delyth Jones, Keddie, Mendies, Parry, Price, Roberts, Sampson, Scott, Thomas, Tomlin, Eryl Williams, Huw Williams, and Young.

Against the amended amendment:

Councillors Chard, Clewett, Heaton, Holliday, James, King, Matthews, May, McLellan, Mellor, Sandilands and Cheryl Williams.

Abstaining:

None.

RESOLVED - Denbighshire County Council calls on the Prime Minister and Chancellor of the Exchequer to reconsider and commit to a full consultation with stakeholders on the impact of the changed inheritance tax threshold on the agricultural industry in Wales.

12 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Monitoring Officer referred to the Council and Council Workshops forward work programmes (previously circulated) and reminded members that an extra workshop was being sought in respect of Denbighshire Leisure Limited.