

DENBIGHSHIRE COUNTY COUNCIL

Minutes of the County Council held in the Council Chamber, County Hall, Ruthin on Tuesday 22 January, 2008.

PRESENT

Councillors K N Hawkins (Chairman) J R Bartley, R E Barton, B Blakeley, J Butterfield, J Chamberlain Jones, D Cooper, J M Davies, M LI Davies, S A Davies, P A Dobb, E C Edwards, G C Evans, H H Evans, S Frobisher, I M German, M A German, D Hannam, C L Hughes, N J Hughes, R W Hughes, T R Hughes, N Hugh-Jones, D Jones, E R Jones, G A Jones, H Jones, M M Jones, G M Kensler, P J Marfleet, P W Owen, D Owens, G J Pickering, N P Roberts, S Roberts, J A Smith, D A J Thomas, S Thomas, J Thompson-Hill, M A Webster, C H Williams, E W Williams, G Williams, R LI Williams

ALSO PRESENT

Chief Executive, Corporate Directors, County Clerk and Administration Services Manager.

PRAYERS

Canon Dr R Bayley offered prayers at the commencement of the meeting. During prayers Canon Bayley referred to the recent deaths of Councillor T K Hodgson and Mrs Margaret Wild an employee in the Environment Directorate. Members, Officers and members of the public stood in silence as a mark of respect.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillor D Jones and G O Rowlands

ANNOUNCEMENTS

The Chairman congratulated

- (i) Councillor N P Roberts on his award of an MBE in the New Year's Honours List and
- (ii) Mr Mark Webster of Denbigh on his achievement in becoming World Darts Champion

671 URGENT ITEMS

There were no urgent items

672 MINUTES OF THE COUNCIL

The minutes of the ordinary meeting of County Council held on 20 November 2007 (previously circulated) were submitted.

Accuracy – Minute No 22 (Senior Salary Review) – amendment put forward by Councillor G M Kensler – insert the word “first” between “be” and “considered” in the second line.

RESOLVED that subject to the above amendment the minutes of the ordinary meeting of the Council held on 20 November 2007 be approved as a correct record.

673 VOLUME OF MINUTES

RESOLVED that the Volume of Minutes for the Council's various meetings for the period 16 July to 20 November 2007 be received and noted.

674 CHAIRMAN'S REPORT

The Chairman verbally reported upon the diary of events he and the Vice-Chairman had hosted/attended during November to January. In particular he referred to the launch of Llangollen International Musical Eisteddfod and paid tribute to the excellent work carried out by the Chief Executive, Mr Gwyn Williams who was taking up a post as Creative Programmer for the Cultural Olympiad in Wales.

The Chairman also referred to the funeral of the late Councillor T K Hodgson and the excellent attendance by Members which had been much appreciated by the family.

The Chief Executive's diary for the same period had also been circulated at the meeting.

RESOLVED that the report be received and noted.

675 RELATIONSHIP MANAGER'S ANNUAL LETTER 2006/07

The Chairman introduced Mr Rod Alcott and Mr Kevin Emmitt of the Wales Audit Office who had been invited to the meeting to give a presentation on the Relationship Manager's Annual Letter for 2006/07.

Mr K Emmitt, Audit Manager referred to the Accounts and Governance arrangements and reported that there were sound financial management arrangements within the Council. He referred to the Key conclusions arising from accounts and governance and reported that:-

- the financial position had continued to improve
- there were budgetary pressures for 2008/09 but acknowledged that good budget monitoring processes were in place
- significant financial managements arrangements were in place
- improvements were required in the compilation of the financial statement and
- once again the Wales Audit Office had issued an unqualified opinion on the account.

Mr Emmitt referred to the requirement to have a Value for Money assessment and the conclusion made by the Relationship Manager "that the Council had proper arrangements in 2006/07 to help it achieve economy, efficiency and effectiveness in its use of resources except for education services".

Mr R Alcott indicated that the regulatory work had revealed a mixture of performance with serious concerns in education contrasting with progress in other areas. However he felt that the Council had a good track record in tackling issues identified by external bodies such as housing rents and Children's Services. The issues had been addressed which had resulted in a reduction of risks and service improvement. Mr Alcott emphasised the need to tackle the education problems without detriment to other services.

Mr Alcott felt that the Council should do more preventative work so that under performing services are identified at an early stage through performance management and the scrutiny process. He emphasised that there should be corporate ownership of services through senior officers and members. In conclusion Mr Alcott indicated that the Appointed Auditor had recommended that no statutory inspections be made this year.

Members took the opportunity to raise various questions/comments with the officers particularly referring to:- the inadequate budget allocation by the Assembly to deliver services; the need to identify why services failed and to do more preventative work; the importance of partnership working with other external agencies; the role for

scrutiny in monitoring key performance indicators; the corporate responsibility for service delivery; personnel issues affecting service delivery.

The Leader of the Council welcomed the positive issues arising from the presentation and felt that the Council was an improving authority. Councillor H H Evans suggested that the Assembly was not supporting local authorities with its budget allocation to provide balanced service delivery. He acknowledged that there was room for improvement and referred to the steps taken arising from the Estyn Inspect report on education services.

Mr Alcott and Mr Emmit responded to various questions/comments raised by Members and the Chairman thanked them for their presentation.

RESOLVED that the presentation be received and noted.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 14 and 15 of Part 4 of Schedule 12A of the Local Government Act 1972.

676 2007/08 – 2010/11 CAPITAL PLAN

The Lead Member for Finance submitted a confidential report (previously circulated) requesting Council to note the latest position on the 2007/08 element of the Capital Plan and to approve the purchase of a yellow bus as detailed in paragraph 2.5 of the report subject to a review by the Finance Department.

Councillor J Thompson-Hill took Members through the report particularly referring to the position with the current projects, new projects, projects proposals being developed, capital bids for 2008/09 and capital receipts. In response to Members' questions Councillor J Thompson-Hill report that:-

- the increased costs for the Rhuddlan Recycling Park covered landscaping and some land acquisition
- a bid for the Community Fund for 2008/09 had been submitted to the Capital Strategy Group
- there had been delays in the disposal of capital assets for 2007/08
- the plan only referred to capital costs not revenue costs
- the costs for Bryn Tyner had escalated due to the reasons detailed in the report
- the Scala Project was within budget
- the provision of the new school in Prestatyn would not lead to a review of the existing schools in Prestatyn
- the office move to Brighton Road had resulted in a review of the vacant accommodation in Rhyl and Prestatyn
- there were some health and safety issues relating to the Lon Parcwr depot
- the use of Prudential Borrowing for highways was not available for 2008/09
- there would be a phased admission policy at Ysgol Clawdd Offa

In conclusion the Lead Member referred to the proposed acquisition of the Yellow Bus and responded to the various issues raised by Members.

In view of the concerns raised by Members regarding the acquisition of the Yellow Bus the Corporate Director; Environment suggested that the Lead Member for Environment be involved in the procurement of the bus. He also referred to the presentation given to the Environment Scrutiny Committee on the Bryn Tyner Scheme and raised real concerns over the impact of the current weather on the existing highway infrastructure. The Corporate Director reported that the Assembly

had increased significantly funding for Trunk Road Schemes whereas local authorities had a limited increase in funding. In conclusion he referred to the planning issues at the Rhuddlan Recycling Park and the health and safety issues at the Lon Parcwr depot.

Councillor G J Pickering proposed an amendment, seconded by Councillor G A Jones that the purchase of the Yellow Bus be referred to the Lifelong Learning Scrutiny Committee for consideration.

The Chief Executive reminded Members that the purchase of the bus was within the officers' spending limits and the issue had only been forwarded to Council by the Capital Strategy Group. Upon being put to the vote the amendment was declared LOST.

RESOLVED that:-

- (a) *the latest position on the 2007/08 element of the Capital Plan be noted, and*
- (b) *the purchase of a yellow bus as detailed in paragraph 2.5 of the report be approved subject to a review by the Finance Department and the Lead Member for Environment being involved in the procurement of the vehicle.*

At this juncture (12.10 am) the meeting adjourned for 15 minutes to allow Members to partake in refreshments.

677 SINGLE STATUS – UPDATE ON NEGOTIATIONS AND COMPENSATION PAYMENTS

(Councillors M LI Davies, S A Davies, M M Jones, N Roberts, S Roberts and C H Williams declared an interest in the following item and left the Chamber during discussion and voting thereon).

The Head of Personnel submitted a confidential report (previously circulated) requesting Council to agree the Recommended Local Agreement on the Pay and Grading Structure and Terms and Conditions Package. She indicated that the local agreement had been achieved with assistance from ACAS but was still subject to Trade Union national approval. It was anticipated that feedback from UNISON would be received by the end of January.

The Head of Personnel took members through the report particularly referring to:- the changes that had to be made to the proposed grading structure to achieve agreement; details of the collective Agreement (Appendix 1); the financial impact over the next five years (Appendix 2); future implementation plans; the ongoing negotiations regarding compensation and details of the grievances received.

The Lead Member for Personnel referred to the considerable amount of work put in by the Single Status team over the past 3 years and thanked the team for their efforts. Councillor J A Smith also referred to the detailed communication to be undertaken with staff over the next 3 months.

The Head of Personnel responded to various questions put forward by Members regarding the Agreement.

The Chief Executive took the opportunity to thank staff and trade union representatives for all their hard work during the Single Status negotiations. He expressed his pleasure that the pay and grading review had been completed.

RESOLVED that:-

- (a) *the Recommended Local Agreement on the Pay and Grading structure and Terms and Conditions Package be approved and*
- (b) *ongoing negotiations on compensation as outlined in paragraph 5 of the report be noted*

OPEN SESSION

Upon completion of the foregoing the meeting resumed in open session

678 MILITARY RESERVISTS POLICY AND EMPLOYEE SECONDMENT POLICY

The Head of Personnel submitted a report (previously circulated) requesting Council to approve the above policies which had previously been agreed by the unions at the Local Joint Consultative Committee on 16th October 2007 (copy of policies attached to the report).

Councillor P A Dobb expressed concerns over the Employee Secondment Policy and the effects of staff covering secondments. The Head of Personnel indicated that the secondments were mainly short term and provided development opportunities for staff. Councillor R E Barton shared the same concerns as Councillor Dobb particularly where secondments had been made from small units within departments, such as the Scrutiny Support Unit.

In response to questions from Members the Head of Personnel hoped that School Governing Bodies would adopt both policies.

The Chief Executive emphasised the need to have regard to the business operations of the Council and the importance of secondments to meet the priorities of the Council. With regard to future budget pressures he felt there was a need to look at the policy on the re-deployment of staff between departments and for there to be increased flexibility.

RESOLVED that the Military Reservists Policy and the Employee Secondment Policy be approved.

679 DENBIGHSHIRE LOCAL DEVELOPMENT PLAN (LDP) 2021: KEY SITES AND KEY POLICIES

The Head of Planning and Public Protection submitted a report (previously circulated) requesting Council to approve the following two issues for public consultation which would form part of the Pre-Deposit LDP:-

- (i) Key LDP Sites (Appendix 1)
- (ii) Key LDP Policies (Appendix 2)

The Team Leader, Policy, Information and Research (J Cawley) took Members through the report and indicated that the key sites and key policies had been discussed in detail at the LDP Working Group and Appendices 1 and 2 broadly reflected the views of that Group. He emphasised that they key sites identified at Rhyl, Bodelwyddan and St. Asaph were major or strategic development sites that would form an integral role in meeting the LDP growth targets. The key policies were regarded as key land use policies that were integral to the delivery of development in the LDP.

In response to Members' questions the officers reported that:-

- no conclusion had been reached on the route of the St. Asaph Relief Road which would be subject to future consultation by the Highways Department
- all residential developments would be expected to make a contribution to affordable housing with different approaches to urban and rural areas
- Prestatyn would be subject to lower growth locations
- Commuted sums for all properties did not apply at present in other North Wales authorities
- Affordable housing needed to be located strategically within an overall development
- Infrastructures needed to be in place before developments took place
- the implementation of current policy/guidance on the provision of on site open space would be closely monitored
- Greenfield sites should have open space and that commuted sums should not be the first option

Councillor E W Williams referred to Policy 9 (Retail) and felt that commuted sums for retail development should be included in the consultation document. Officers agreed to consider that possibility.

Councillor P J Marfleet referred to the key site at Bodelwyddan and the need to engage in discussions with the Conwy/Denbighshire NHS Trust regarding that development. He also indicated that capital monies had been made available to the Trust to re-build the hospital and the opportunity to have discussions with the Trust on developments on their own site. The officers confirmed that significant discussions had already been undertaken with the Trust and Local Health Board Officers.

The Chair of the Planning Committee and the LDP Working Group welcomed the report and emphasised the importance of the consultation programme. Councillor S Thomas indicated that the LDP would shape communities for the next 10/15 years and required the support of all interested parties.

RESOLVED that Council approves, for the purpose of public consultation, the following:-

- *LDP Key Sites and*
- *LDP Key Policies*

680 ESTYN INSPECTION REPORT - PROGRESS ON ACTION PLAN

The Leader of the Council submitted a report (previously circulated) updating Members on progress since the submission of the Action Plan to Estyn on 20th December 2007. Councillor H H Evans indicated that Estyn had provided no comments on the Plan but reported that they would monitor it in February.

The Leader referred to:-

- the appointment of a Programme Manager and Business Change Manager to manage the reporting and to monitor progress against the Plan and to challenge the progress and outcomes against the Action Plan
- the setting up of a Modernising Education Board in September 2007 to oversee the effective implementation of the Action Plan
- the facilitated sessions to be provided to support members prior to meetings of the Lifelong Learning Scrutiny, Resources Scrutiny and County Council meetings
- the Welsh Local Government Association having seconded three monitoring officers to undertake checks on progress and to test the success criteria of the Action Plan and associated work plans
- the establishment of an Independent Recovery Board by the Assembly who would report directly to the Minister for Education and

- that Estyn were due to return to Denbighshire to undertake a monitoring visit on 26th February 2008.

Councillor R E Barton felt that the Cambridge Education report was being neglected following the publication of the Estyn Inspection report. The Leader indicated that elements of the Cambridge report were contained in the Estyn Action Plan. He indicated that the Modernising Education report would be discussed at the end of the term of this Council. Councillor Evans reported that the Council did not have the capacity to deal with the Estyn and Cambridge reports together.

RESOLVED that the report be received and noted.

681 REGIONAL PARTNERSHIP BOARD UPDATE

The Leader of the Council submitted a report (previously circulated) requesting Council to:

- consider the progress the Authority was making to meet the collaboration strand of the 'Making the Connections' agenda and request further information and/or action where required and
- note the Agenda of the Regional Partnership Board meeting which had been held in Ynys Môn on the 13th December 2007 (Appendix I) and the most recent position in relation to the collaboration projects (Appendix II).

Councillor H H Evans felt that it would be beneficial for Leaders of neighbouring authorities to meet to discuss possible local collaboration projects.

RESOLVED that the report be received and noted.

682 COMMITTEE MEMBERSHIP

The County Clerk submitted a report (circulated at the meeting) requesting Council to approve changes to committee membership. He also referred to the current vacancies on committees and particularly referred to the vacancies caused by the recent death of Councillor T K Hodgson. The County Clerk suggested that the Conservative Group should fill those vacancies and status quo should prevail. Members agreed to that course of action.

Councillor R E Barton indicated his willingness to serve on various committees particularly where substitutes were allowed such as the LJCC and the Corporate Health, Safety and Welfare Committee. He reported that on some occasions those committees were barely quorate.

Councillor P J Marfleet indicated that he was a member on both of the above committees and the committee clerk would check on the attendance of members prior to the meeting to ensure that the meetings were quorate.

RESOLVED that

- (a) the following changes to committee membership be approved

<i>Local Joint Consultative Committee</i>	<i>Councillor J A Smith to replace Councillor S A Davies</i>
<i>Social Services and Housing Scrutiny Committee</i>	<i>Councillor N J Hughes to replace Councillor T R Hughes Councillor S A Davies to fill Independent vacancy</i>

<i>Resources Scrutiny Committee</i>	<i>Councillor S Roberts to replace Councillor J A Smith Councillor T R Hughes to replace Councillor G M Kensler</i>
<i>Planning Committee</i>	<i>Councillor S Roberts to replace Councillor H H Evans</i>
<i>Lifelong Learning Scrutiny Committee</i>	<i>Councillor M A Webster to replace Councillor S A Davies</i>

and

(b) *Groups to notify the County Clerk on any nominations to fill the vacancies on the following committees*

<i>Corporate Governance Committee</i>	<i>1 Independent 1 Plaid</i>
<i>Appeals and Complaints Committee</i>	<i>1 Independent</i>
<i>*Social Services and Housing Scrutiny Committee</i>	<i>1 Conservative</i>
<i>*Planning Committee</i>	<i>1 Conservative</i>
<i>*Licensing Committee</i>	<i>1 Conservative</i>
<i>* Vacancies arising from the death of the late Councillor T K Hodgson</i>	

683 COUNTY COUNCIL FORWARD WORK PROGRAMME

The County Clerk submitted the County Council Forward Work Programme for consideration. He indicated that the Local Development Plan Delivery Agreement would now be submitted to Council on 26th February 2008 and a report on changes to the Constitution re: Annual Accounts would be submitted to Council on 12th February 2008. The Chief Executive indicated that a report on Post 16 Provision - Rhyl would be submitted to Council on 8th April 2008.

RESOLVED *that subject to the above amendments the County Council Forward Work Programme be received and noted.*

The meeting concluded at 2.00pm.
