

CABINET

Minutes of the meeting of the Cabinet held in the Monsanto Suite, Royal International Pavilion, Llangollen on Tuesday 1st August, 2000 at 10.00 a.m.

PRESENT

Councillors E.C. Edwards (Leader), I.M. German, D.M. Holder, R.W. Hughes, G.M. Kensler, D.M. Morris, E.A. Owens, A.E. Roberts, W.R. Webb, K.E. Wells and E.W. Williams.

OBSERVERS

Councillors M.Ll. Davies and A.J. Tobin.

ALSO PRESENT

Chief Executive, County Clerk, Financial Controller and Administration Services Manager.

340. ANNOUNCEMENT

The Leader reported that Item 10 (Best Value Approach for Grounds Maintenance) had been withdrawn from consideration.

341. URGENT MATTERS

The Leader gave notice of the following items which in his opinion should be considered at the meeting as a matter of urgency pursuant to Section 100(B)(4) of the Local Government Act 1972.

- (i) Sustainability and Objective One - Conference;
- (ii) Recruitment of Staff - County Clerk's Department and Directorate of Social Services, and
- (iii) J.N.C. for Chief Officers of Local Authorities - Pay Review 1998/99 National Agreement.

342. MINUTES OF THE CABINET

The minutes of the Cabinet held on 18th July, 2000 (previously circulated) were submitted.

Matters arising:

Membership of Cabinet - Councillor G.M. Kensler requested an update on the current vacancy within the Cabinet. The Leader indicated that a letter had been despatched to Councillor Kensler on that matter and he would be happy to meet any Member of the Cabinet regarding their concerns following his summer vacation.

RESOLVED that the Minutes of the Cabinet held on 18th July, 2000 be approved as correct record and signed by the Leader.

343. PREPARATION OF THE 2001/2002 BUDGET

Councillor E.A. Owens, Lead Cabinet Member for Finance, submitted a report (previously circulated) seeking agreement on the principles for the preparation of the 2001/2002 budget. In taking Members through the report Councillor Owens particularly referred to the need for Heads of Service to prepare draft budgets based on two reduction targets i.e. 4.5 per cent and 3 per cent and for draft budget proposals to be presented to the Cabinet on 28th September, 2000. Councillor Owens also indicated that there would be no validation of budgets this year and budget holders were expected to live within the cash limited budget and that any overspends would be the first charge on next year's budget. In considering each budget proposal the Cabinet would treat the S.S.A. proposed revisions as a framework with which to assess service expenditure both for the 2001/2002 budget and for future years. In response to Members' questions Councillor Owens indicated that:-

- (i) discussions would take place with the Assembly regarding the timetable for the submission of the draft budget;
- (ii) details of the current year's budget and pressures would be completed by the end of August, 2000;
- (iii) details of the sources of funding for the redundancy packages for retiring officers would be available shortly, and
- (iv) the views of Partners and members of the public would be taken into consideration as part of the consultation process on the budget proposals.

RESOLVED that the principles for the preparation of the 2001/2002 budget be approved.

344. CONFERENCES/SEMINARS/NOMINATIONS FOR OUTSIDE BODIES

The Leader submitted the following nominations for conferences/seminars for Members' consideration:-

- (i) Llandrillo College Further Education Corporation - Local Authority nominee.

RESOLVED that Councillor K.E. Wells and one representative from the Plaid Cymru Group and the Independent Group be nominated for consideration by Llandrillo College's Search and Governance Committee to fill one of the two designated Local Authority vacancies on the Full Corporation Board.

- (ii) Membership of the LGA Rural Commission 2000/2001.

RESOLVED that:-

- (a) Councillors E.C. Edwards and E.W. Williams be nominated as this Authority's representatives on the LGA Rural Commission 2000/2001 and attendance be approved with the payment of attendance allowance, and
- (b) Councillor E.C. Edwards be nominated to hold this Authority's vote on the Commission.
- (iii) Membership of the LGA Urban Commission 2000/2001.

RESOLVED that Councillor K.N. Hawkins and a Rhyl Member be nominated as this Authority's representatives on the LGA Urban Commission 2000/2001 and the Independent Group be identified as the political affiliation for the purpose of calculating the proportionality for the Urban Commission Steering Committee.

- (iv) WLGA Annual Conference 7th - 8th September, 2000 at Llandudno.

RESOLVED that the Chief Executive and Councillors E.C. Edwards, R.W. Hughes, W.R. Webb and one Plaid Member be nominated as this Authority's representatives to attend the WLGA Annual Conference on 7th - 8th September, 2000 and attendance be approved with payment of attendance allowance.

- (v) Sustainability and Objective One - a conference organised by Denbighshire County Council and the Agenda 21 Forum to be held at The Nova on 22nd September, 2000.

RESOLVED that the Cabinet agrees to support the above conference and Groups be requested to nominate Members to attend the conference with payment being made out of the Groups' individual budgets. Attendance would be approved with the payment of travelling allowance only

345. RECRUITMENT

The Leader submitted the following applications for approval:-

- (i) Extension to the engagement of a Legal Temp. in the County Clerk's Department,

- (ii) External advertisement for 2 Welfare Rights Assistant Posts (temporary for one year) in the Social Services Directorate,
- (iii) External advertisement for a Social Worker in the Social Services Directorate, and
- (iv) External advertisement for a Switchboard/Receptionist in the County Clerk's Department.

In respect of (i) above Members raised concerns regarding the pressures within the Legal Department and the number of staff currently on extended sick leave. The Chief Executive indicated that the matter had been discussed at the Department's Performance Review and he highlighted the problem of the pressures associated with the Social Services Solicitors and the time spent at Court with Child Protection cases.

In relation to items (ii) and (iii) above Councillor E.A. Owens indicated that she was conscious of the pressures within the Social Services Directorate and she would be meeting Officers to discuss those problems on Monday, 7th August, 2000.

RESOLVED that:-

- (a) *the extended engagement of a Legal Temp. in the County Clerk's Department to the 29th September, 2000 be approved,*
- (b) *the external advertisement of the two Welfare Rights Assistant posts and the Social Worker post be approved subject to the outcome of the meeting to be held between Councillor E.A. Owens and Officers of the Social Services Directorate on Monday, 7th August, 2000, and*
- (c) *the external advertisement of the post of Switchboard/Receptionist be approved.*

346. THE AUDIT COMMISSION'S "HOT PROPERTY" REPORT

Councillors D.M. Morris and W.R. Webb, Lead Cabinet Members for the Environment and Property and Land Holding respectively, submitted a joint report (previously circulated) which sought Cabinet approval to the formation of a Property Review Group in line with the Audit Commission's Report "Hot Property". The Audit Commission Report stated that the way in which Local Authorities use and managed property assets would be central to their ability to support Best Value service delivery and Councils needed to find ways of using current and future property assets in a way that maximised the quality and impact of the services that they provided (summary of the Audit Commission's recommendations attached to the report).

Councillor W.R. Webb emphasised the need for the establishment of a Property Review Group which would identify the property the Council owned, the usage, the floor space, costings, comparisons and value for money assessments. The remit of the Group would be to produce a preliminary database of information on properties to Cabinet by September.

Councillor R.W. Hughes stressed the need for the Leisure Trust Group to link in with the workings of the proposed Property Review Group. The Leader echoed those sentiments and felt that a meeting of both groups should be convened in September.

RESOLVED that the establishment of a Property Review Group be approved and Councillors R.W. Hughes, D.M. Morris, D.A. Thomas, W.R. Webb and E.W. Williams be appointed to serve on that Group.

347. BUSINESS PLAN 2001 - 2004 DESIGN SERVICES/PERFORMANCE REVIEW ON BUSINESS PLAN 1996 - 2001

Councillor D.M. Morris, Lead Cabinet Member for the Environment submitted a report (previously circulated) which sought Members' approval for the Business Plan (2001 - 2004) Design and Construction Services and acceptance of findings of Performance Review on previous Business Plan relating to Design Services (Consultancy) only. Councillor Morris congratulated the Officers on the production of the draft Business Plan.

Councillor E.W. Williams felt that the County Council should consider the draft Business Plan and Groups needed time to consider the Plan and comment if appropriate. Councillor E.W. Williams felt that the principles of Best Value had no link with the Business Plan and Design Services would need to address that issue.

RESOLVED that the draft Business Plan for Design and Construction Services 2000 - 2004 and the findings of the Performance Review of the previous Business Plan 1996 - 2001 for Design Services be noted.

348. DESIGN SERVICES BUILDING CONTRACT REVIEW

Councillor D.M. Morris, Lead Cabinet Member for the Environment submitted a report (previously circulated) seeking an endorsement of the review of building contracts completed by Design Services since Local Government Reorganisation and approval to the submission of an annual contract review and a half-yearly draft contract review.

RESOLVED that:-

- (a) the review of building contracts completed by Design Services since Local Government Reorganisation be received and noted;
- (b) a regular timetable for future reports at six monthly intervals be approved, and
- (c) the production of an annual report which would also include a Performance Review and a six monthly draft report be approved.

349. BUILDING CONTROL PERFORMANCE STANDARDS

Councillor D.M. Morris, Lead Cabinet Member for the Environment submitted a report (previously circulated) seeking Members' approval to adopt national standards for Building Control. In July 1999 Building Control performance standards had been published and the aim of the document was to seek consistent application on the regulations by all the Building Control bodies, public or private, and to raise standards. All Building Control bodies were encouraged to adopt and apply the standards (copy of the Standards for Building Control was reproduced as Appendix A to the report).

RESOLVED that the Standards for Building Control as detailed in Appendix A to the report be adopted.

350. MODERN APPRENTICES' PAY

Councillor I.M. German, Lead Cabinet Member with responsibility for Human Resources submitted a report (previously circulated) seeking Members' approval for an amendment to the Corporate Government Training Schemes Policy to take account of the law with regard to the national minimum wage as it applied to modern apprentices and to apply an annual increase in salaries in line with the National Insurance threshold.

RESOLVED that the amendments detailed within the report be accepted with immediate effect and retrospective payments to meet the national minimum wage be applied where applicable.

351. PEER REVIEW

Councillor D.M. Holder, Lead Cabinet Member for Training submitted a report (previously circulated) which sought an agreement that Denbighshire should put its name forward as an Authority to participate in the Peer Review system which had previously been reported to Members. The Improvement Programme was an important scheme run by IDEA which would help with the Authority's organisational development and the programme was a means by which Authorities were reviewed by their peers in other Authorities. The review provided for a diagnostic of Local Authority management to help Local Authorities take appropriate action to bring the management of their Authorities in line with Best Practice. The review would cover all services within the Authority and would take approximately one week to complete.

The Chief Executive felt that the Peer Review would be a useful exercise and Denbighshire would be one of only two Authorities in Wales to undertake such a review. Councillor R.W. Hughes indicated that she had participated in a similar review with Halton Borough Council which was of similar size to Denbighshire and felt that it was a very positive exercise. In response to Councillor E.A. Owens' concerns regarding the financing of the review the Chief Executive indicated that monies would be required from next year's budget. He also referred to the reviews to be undertaken by the District Audit, Audit Commission and the Joint Review Team and felt the Peer Review would be a useful exercise in preparing for those further scrutinies.

RESOLVED that Denbighshire's participation in the Peer Review system be approved.

(Councillor G.M. Kensler wished it to be recorded that she voted against the above resolution).

352. EXCLUSION OF PRESS AND PUBLIC (1)

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 involve the likely disclosure of exempt information as defined in paragraphs 8, 9 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

353. RUTHIN GAOL MASTER PLAN

The Leader submitted a confidential report (previously circulated) seeking Members approval to pursue outline planning permission for a Ruthin Gaol Master Plan. The Ruthin Gaol project was now fully funded and would commence in November of this year for a completion in July 2001. The project would be a major flagship development and there would be an opportunity to support development to adjacent land which would enhance the project and provide the gateway development to the town. The plans attached to the report showed indicative proposals to redevelop the area to support the Gaol development and to regenerate and revitalise that area of the town. Whilst welcoming the proposed options for development Members referred to the need to:-

- (i) undertake full consultation regarding the development;
- (ii) obtain full costings on the various options for the Objective 1 match funding process, and
- (iii) that Cabinet needed to finalise any plans prior to submission to Planning.

The Head of Planning Services reported that a full consultation process would need to be undertaken with effected persons regarding the development before any application was submitted to the Planning Committee for consideration. The Chief Executive indicated that there would be a need to consult on the Cabinet's preferred option and that no prior claim could be imposed on the capital budget. Councillor W.R. Webb proposed, seconded by Councillor R.W. Hughes that:-

- (a) the indicative redevelopment proposals for Ruthin Gaol and all the adjacent land be approved in principle, and
- (b) the Officers be requested to submit a further report on the issues referred to above to the next meeting of Cabinet on the 31st August 2000.

Upon being put to the vote it was:-

RESOLVED ACCORDINGLY.

354. WDA LAND RECLAMATION ROLLING PROGRAMME

Councillor D.M. Morris, the Lead Cabinet Member for Environment submitted a confidential report (previously circulated) seeking Members approval to the above initiative and to the endorsement of the priority listing as detailed in the report. In January 2000 the Authority secured WDA funding for Richards Moorhead and Laing Limited to carry out a desktop study to identify former contaminated sites within the County with the objective of submitting a list of identified sites to the WDA for inclusion in their Land

Reclamation Programme. The study had identified a possible sixty seven sites but ten sites had been prioritised in accordance with the WDA qualifying criteria.

Councillor E.W. Williams requested information on the sixty seven sites identified in the desktop study and the WDA qualifying criteria. Councillor R.W. Hughes suggested that the initiative should be linked into any Tourism initiatives within the County.

RESOLVED that the priority of schemes listed within the report be approved and they be submitted to the WDA for inclusion in their Land Reclamation Programme.

355. **PROPERTY AND LAND HOLDING**

Councillor W.R. Webb, Lead Cabinet Member for Property and Landholding submitted a confidential report (previously circulated) seeking Members instructions in respect of the disposal of identified land property holdings within the ownership of the Authority. Councillor Webb indicated that serious consideration should be given to disposing of surplus land/property at the earliest convenience and the schedule attached to the report was the first step in seeking to move that matter forward. The costs incurred in the sale of any land disposed of would be offset by the Capital Receipts in respect of any sales made. Councillor Webb thanked the Acting Head of Property Services and the Head of Design and Construction Services for the detailed work undertaken in preparing those schedules.

RESOLVED that:-

- (a) *the following decisions taken with regard to the schedule of properties/land referred to within the report be approved, and*
- (b) *in view of the urgency of the matter the Officers be authorised to engage external Agents and Solicitors to deal with the transactions, the costs thereof to be recouped from capital receipts.*

Rhyl Area

Property 1 - Officers be authorised to explore the possibility of the property and car park being sold on the open market following consultation with the appropriate directorates and to report back with further details at the next meeting of the Cabinet.

Property 2 - Officers be authorised to consult with the Directorate of Planning and Economic Development to explore in more detail the proposal for the land ; to obtain a formal valuation of the land if it is to be offered for sale with the conditions on the open market and to report back to cabinet.

Property 3 - the land be retained for future possible long term development.

Property 4 - subject to the pre-let conditions and the deposit being agreed on terms satisfactory to the Council the highest bid be accepted and the sale proceed forthwith. In the event of the conditions not being satisfactory to the Council, Officers to proceed with the sale to the second highest bidder having first consulted with the Financial Controller, County Clerk and Head of Internal Audit. Negotiations on both bids to proceed simultaneously.

Property 5 - Officers be authorised to consult with the relevant Directorates concerned and subject to satisfactory agreements being reached for the property to be placed on the open market for sale.

Property 6 - Officers be authorised to consult with the appropriate Directorates with regard to decanting of personnel/declaring the property surplus and the implications of PFI subject to satisfactory consultations to offer the site for sale on the open market.

Property 7 - no further action to be taken in respect of the site. The site to be kept under review pending future proposals for the area.

Prestatyn Area

Property 1 - a presentation to be received by Cabinet Members and local Members for the area concerned to be given by the company interested in securing a long lease for the site; officers to investigate the situation with regards to the grant claw back (if any) with a valuation of the site being obtained should it be sold on the open market with the exclusion of the area required for a tennis centre, bowls centre and common land and the report on the findings be submitted back to the Cabinet.

Property 2 - Officers be authorised to investigate the possibility of relocating the occupants (subject to the lease which is currently being held). Subject to satisfactory arrangements being made the property be offered on the open market for sale.

Property 3 - Officers to consider the matter in further detail when the details of the proposed lease with Prestatyn Town Council were further firmed up and that a further report be brought back to Cabinet at that time.

Property 4 - Officers be authorised to obtain a valuation and to report back to the next meeting of the Cabinet (Councillor W.R. Webb suggested that a small working group be set up to enter into discussions with the tenants in conjunction with Welsh Water).

Rhuddlan

Property 1 - Officers be authorised to consult the Directorate concerned and to offer the land for sale on the open market subject to it being declared surplus and a future report be brought back to Cabinet for consideration of the use of the capital receipt accrued from the sale.

St. Asaph

Property 1 - The Officers be authorised to combine the two plots of land and offer for sale on the open market.

Denbigh Area

Property 1 - The land be retained in its current form and let on a grazing licence pending a future requirement as an extension to the cemetery.

Ruthin area

Property 1 - Officers to investigate the land being sold on the open market (subject to PFI requirements) conditional on the purchaser carrying out certain works for the benefit of the Council as may be required for the Ruthin Gaol scheme and any highway improvements which might be needed in the area.

Property 2 - No further action to be taken pending the outcome of negotiations with the WDA and a report back to Cabinet.

Corwen area

Property 1 - The property be retained for long term development.

Property 2 - Outline planning permission had been obtained for residential development and the site was currently being marketed. The report was for the information of Members.

Nant Glyn area

Property 1 - Officers to investigate the options referred to in the report and to report back to Cabinet making further recommendations as appropriate.

Agricultural Estates - The Chief Executive indicated that a new policy would need to be considered following talks with Flintshire County Council and Officers would report back to the Cabinet at the appropriate time.

356. OPEN SESSION

At the conclusion of the foregoing the meeting resumed in open session.

357. LEADER ANNOUNCEMENTS

The Leader reported that:-

- (i) Councillor G.M. Kensler would be the Lead Member on the Welsh Language Cabinet Policy, and
- (ii) Councillor R.W. Hughes would be the Lead Member on Public Relations.

358. EXCLUSION OF PRESS AND PUBLIC (2)

RESOLVED that under Section 100(a) 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 involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

359. JNC FOR CHIEF OFFICERS OF LOCAL AUTHORITIES - PAY REVIEW 1998/99 NATIONAL AGREEMENT

(With the exception of the Chief Executive and the Administration Services Manager all Officers left the room during discussion and voting on the following item).

The Chief Executive referred to the recommendations of the Remuneration Panel regarding the review and implementation of the 1998/99 National Agreement on the pay review for Chief Officers. The County Council had satisfied the requirements of the National Agreement to carry out a review but it had not considered its implementation in an all Wales context. Some local authorities had reviewed and implemented the results, some had reviewed and not changed the pay rates and some had not carried out the review and were in the process of looking at it.

With regards to the new management structure arrangements there would be an assimilation process of moving JNC Officers from the old pay structure to the new pay structure. Part of that process would provide the opportunity for individual JNC Officers to review their old job descriptions in the context of the new working arrangements and seek re-evaluation of their posts.

The Chief Executive indicated that the pay review had an implementation date of the 1st January 1999 and the Remuneration Panel had considered whether there would be any retrospective payments from that date up to the implementation of the new management structure. Having considered the matter in some detail the Remuneration Panel recommended that the suggested pay range from the National Employers Organisation be not accepted for implementation on the basis that the County Council was already paying a salary range within the suggested range and no retrospective payments be made during the period from 1st January 1999 to the implementation of the new management structure.

RESOLVED that the recommendations of the Remuneration Panel as detailed above be approved.

360. APPOINTMENT OF CORPORATE DIRECTORS

In response to a question from Councillor W.R. Webb the Chief Executive updated Cabinet on the response to the adverts for the three Corporate Directors and the Assistant Director of Cultural Leisure. The consultants would be preparing a shortlist for consideration by Members at the beginning of September with interviews being possibly held on the 19th/20th September, 2000.

The meeting concluded at 12.30 p.m.
