

## **CABINET**

Minutes of the meeting of the Cabinet held in the Assembly Rooms, Town Hall, Ruthin on Tuesday 12th September 2000 at 10.00 a.m.

## **PRESENT**

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

## **OBSERVERS**

Councillors P. Douglas, M.A. German, M.M. Jones, R.J.R. Jones and A.J. Tobin.

## **ALSO PRESENT**

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

## **APOLOGIES FOR ABSENCE WERE RECEIVED FROM**

Councillors D.M. Morris, K.E. Wells and E.W. Williams.

### **436. 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 100B(4) of the Local Government Act 1972:-

- (i) Fuel Shortage;
- (ii) Gartner Symposium/ITxpo Conference;
- (iii) Foundation for High Standards - Early Years Provision - Conference, and
- (iv) Audit Commission - Learning Lessons - Social Services Conference.

### **437. FUEL SHORTAGE - EMERGENCY ARRANGEMENTS**

(This item was considered as a matter of urgency notice having been given by the Leader).

The Chief Executive reported that the County Council had today reviewed its operational arrangements for the delivery of services as a consequence of the current shortage of fuel. All Council departments would endeavour to provide normal services wherever possible but only essential services could be guaranteed from Wednesday 13th September and the situation would be closely monitored. Key officers had been identified to ensure that those essential functions were delivered and would, if necessary, be assisted with transport into work. Fleet Management were endeavouring to provide pool transport for essential staff requiring transport. All non essential meetings would be cancelled and consultations were taking place with the Unions regarding the proposed operational arrangements.

The Chief Executive also indicated that a meeting would take place that afternoon with senior management from all North Wales Authorities in order to co-ordinate services on a regional basis. As a consequence of the fuel shortage the representative from Riley's, Consultants would not be attending Cabinet to advise Members on the results of the assessment for the posts of Corporate Directors and Assistant Director, Culture and Leisure (Agenda item number 15). In response to Members concerns regarding the possible delay in making appointments for those posts the Head of Personnel indicated that he would make contact with the representative from Riley's and advise Cabinet at the end of the meeting.

The Leader indicated that all Members would be appraised of the current situation regarding the fuel shortage and a press release would be published at 3.30 p.m. that afternoon.

**RESOLVED** that the position be noted.

#### 438. MINUTES OF THE CABINET

The minutes of the Cabinet held on the 31st August 2000 (circulated at the meeting) were submitted.

##### Matters arising

(i) Boundary Review - Llangollen

The Chief Executive reported that the application for leave to seek judicial review on the matter was progressing. A letter had been despatched to the Boundary Commission declining their invitation to meet the Cabinet to discuss the Llangollen boundary review or to provide them with any further information following Counsel's advice. The Chief Executive also indicated that he would be requesting relevant Cabinet Members to form part of a team with officers to progress the judicial review application.

(ii) Funding for the redundancy packages for retiring officers

Councillor E.A. Owens reported that officers were still working on the financial details regarding the redundancy packages but there had been a slight delay in providing that information.

(iii) Membership of Cabinet

Councillor G.M. Kensler indicated that she had still not received the letter from the Leader regarding the current membership of the Cabinet. The County Clerk agreed to pursue that matter.

(iv) Conferences/Seminars

Councillor E.A. Owens reported that a paper would be submitted to Council on the Members Allowances Scheme and Cabinet might need to review certain nominations to attend conferences as a consequence of that report.

(v) Ruthin Craft Centre Development Feasibility Study

Councillor R.W. Hughes indicated that the shortfall in the costs of the feasibility study would be £2,500 and not £1,500 as indicated in the minute as the grant would be 75% and not 85%.

(vi) Management Arrangements for Local Authority Residential Homes

Councillor W.R. Webb indicated that the minute should have included his comments regarding the need to consult the North Wales Health Authority regarding the provision of health authority beds in local authority residential homes. The Deputy Chief Executive indicated that a meeting of the Joint Planning and Commissioning Group had been convened for that afternoon and that particular issue had been programmed for discussion. However due to the current fuel shortage that meeting had now been deferred to a future date.

(vii) Ffrith Beach, Festival Gardens, Prestatyn

Councillor R.W. Hughes reported that the proposed developer had given a presentation to Members on the 8th September and she would report further on the matter under Part II of the agenda.

**RESOLVED** that subject to the amendments referred to above the minutes of the Cabinet held on 31st August 2000 be approved as a correct record and signed by the Leader.

**439. BUDGET MONITORING**

Councillor E.A. Owens, Lead Cabinet Member for Finance submitted an interim verbal report on the current budget situation. She indicated that Cabinet had previously been informed that the projected overspend for 2000/2001 would be in the region of £2.6million. Councillor Owens congratulated the Education Directorate on the work done within the curricular services which had resulted in a possible full year saving of £130, 000 and that the financial position with the Pavilion Theatre in Rhyl had improved and the budget could hit its projected target.

Councillor Owens reported that income from car parking had shown a deficit of £40K and officers would be addressing that situation. She also raised her concerns with the unidentified cuts within the Technical Services Directorate which was currently projected at £250K. In conclusion Councillor Owens indicated that a full report would be submitted to the next meeting of the Cabinet giving the outturn to the end of August 2000.

***RESOLVED** that the report be received and noted.*

**440. NOMINATIONS FOR OUTSIDE BODIES**

The Leader requested Members to consider making nominations to the following outside bodies:-

- (i) to nominate a representative to serve on the Area Environment Group of the Environment Agency Wales.

***RESOLVED** that the Environment Scrutiny Committee be requested to submit a nomination for Cabinet approval.*

- (ii) to nominate two representatives to serve on the Denbighshire (North) Citizens Advice Bureau Management Committee for the year 2000 - 2001.

***RESOLVED** that the Personal Services Scrutiny Committee be requested to submit the nominations for Cabinet approval.*

**441. RECRUITMENT**

The Leader submitted the following applications for approval:-

- (i) Appointment of Environmental Health Officer (Food Safety), in the Public Protection Department, and
- (ii) External advertisement for a Quality Assurance Officer on a two year temporary contract, in the Social Services Directorate.

With reference to (ii) above Councillor E.A. Owens queried the grading of the post and sought further information thereon.

***RESOLVED** that:-*

- (a) *the Officers be authorised to fill the vacant post of Environmental Health Officer (Food Safety), and*
- (b) *the application for the external advertisement for the vacant post of Quality Assurance Officer in the Social Services Directorate be deferred to the next meeting of the Cabinet.*

**442. PERFORMANCE REVIEWS**

The Leader submitted a report (previously circulated) seeking approval of the performance review summaries for onward transmissions to the Council and relevant Scrutiny Committees. Those reports had been compiled following meetings with the Chief Executive and relevant Cabinet Member/Members where available when reviewing Directorate Performance (copies attached to the report).

The Chief Executive took Members through the report and highlighted the general themes which had emerged following the performance reviews. Those themes covered modernising; financial solvency; best value; restructuring and the impact of the new Directorates, and communication. In particular the Chief Executive referred to the impact of Best Value and indicated that the Authority was awaiting the District Auditor's approval of the Council's Best Value Plan. Those Best Value Plans would also be looked at by the Best Value Inspectorate, who would also engage in consultations/dialogue with residents of Denbighshire to ascertain whether those Plans were actually delivering improved service provision. The Chief Executive also referred to the new system of performance reviews which would entail a team of officers assessing particular services and presenting reports to Cabinet. In response to a question from Councillor G.M. Kensler the County Clerk indicated that the Modernising Panel provisionally scheduled for the 29th September would be considering the establishment of the Standards Committee for the Authority. Councillor R.W. Hughes on behalf of the Cabinet thanked all officers for the work undertaken with regard to the performance reviews.

**RESOLVED** that the performance review summaries be approved for onward transmission to the County Council and relevant Scrutiny Committees.

#### **443. LEARNINGSTREAM**

Councillor E.A. Owens Lead Cabinet Member for Finance submitted a report (previously circulated) requesting the Cabinet to support, in principle, the capital and revenue investment in the delivery of the Learningstream network proposal which was needed to provide the minimum network requirement to enable schools and libraries access to external funds from NOF and the Welsh Assembly which would also support the Authority's policy towards Electronic Service Delivery, Lifelong Learning, Objective 1, Social Inclusion, Agenda 21 and Community Strategies. The proposal would also meet the needs of multiple projects that were up and coming and which related to the government's e-government agenda.

The Head of ICT took the opportunity to take Members through the report and indicated that Learningstream was a new pricing band offered from BT on wide area network links which provided medium speed links for Department For Education and Employment registered buildings at significantly less cost than standard circuit costings. The ICT department had spent some time designing a network based on Learningstream which would meet the needs of schools, the local authority and Denbighshire as a whole and would provide a major advantage and cost saving over the use of the traditional BT circuit offerings. The Network Design was based on libraries within Denbighshire being the focal point in the communities. The libraries would soon be able to use NOF funding and be kitted out with PC networks being made available to members of the public. Consequently libraries could then become One Stop Shops; Information Centres; Internet Access Points to the public; Training Centres etc.

In response to Members' questions the Head of ICT indicated that the 71 sites only covered schools and libraries and would not be linked to rural post offices (initially) and mobile libraries. Councillor E.A. Owens congratulated the Head of ICT and his officers on using their own in-house skills in designing a network based on Learningstream and proposed that the recommendations within the report be accepted.

**RESOLVED** that:-

- (a) Cabinet agrees with the guidance within the report and notes the £335,280 requirement from the 2001/2002 Capital Programme, and
- (b) Cabinet notes the requirement for £180,795 of new growth in the ICT Revenue Budget.

#### **444. HOUSING OPTIONS WORKING PARTY**

Councillor A.E. Roberts Lead Cabinet Member for Personal Services submitted a report (previously circulated) seeking confirmation that a seminar be arranged so that all Members of the Council be further informed regarding the options for the future of the Council's Housing Stock including possible transfer to a Community Ownership Housing Organisation. The Housing Options Working Party consisted of five County Council Members and five representatives of the Denbighshire Tenants and Residents Federation. Four sets of consultants had been appointed to advise the Working Party and

the Lead Consultants were producing an Options Appraisal to assess the best way forward. Should Stock Transfer be the preferred option then there would need to be an extensive period of consultation.

The Chief Executive requested the Cabinet to reaffirm the Council's previous position on Stock Transfer. He indicated that the National Assembly was urging Council's to adopt the Stock Transfer which would generate substantial capital receipts and also at the same time improve the Housing Stock within the authority. Those capital receipts could be made available for Objective 1 funding etc. and the Chief Executive suggested that the seminar be held as soon as possible.

Councillor E.A. Owens expressed concerns over the cost implications of housing stock transfer, particularly with regard to the costs of the proposed ballot some of which might not be met by the National Assembly or the Council's Housing Revenue account. She felt that the Council required true up to date costs of the proposed stock transfer before any actions were taken.

The Head of Housing Services indicated that there was no significant change in the estimated costs for stock transfer and agreed to provide updated figures at the proposed seminar for Members. He emphasised that the Council would receive substantial capital receipts even after allowing for the cost of transfer and paying off the existing Housing Capital Debt.

Whilst acknowledging the need for up to date costings the Chief Executive indicated that the potential housing stock transfer was in accordance with the Council's Financial Recovery Plan and indicated that the District Auditor would raise concerns if the Council was now delaying actions within that Recovery Plan.

Councillor W.R. Webb felt that the Council needed to make progress on the Stock Transfer and proposed that the seminar be convened as quickly as possible. Upon being put to the vote it was:-

**RESOLVED ACCORDINGLY.**

**445. LAND ADJACENT TO BRYN COLLEN SCHOOL, LLANGOLLEN**

This item was deferred to the next meeting of the Cabinet.

**446. CONFERENCES/SEMINARS**

(This item was considered as a matter of urgency, notice having been given by the Leader).

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

- (i) Gartner Symposium/ITxpo Conference in Cannes

**RESOLVED** that two Members of staff from the ICT Department be nominated to attend the above conference.

- (ii) Foundation for High Standards - Early Years Provision Conference in London

**RESOLVED** that Councillor E.A. Owens be authorised to attend the above conference with payment being made out of the Group's individual budgets.

- (iii) Audit Commission - Learning Lessons - Social Services Conference 6th October 2000

**RESOLVED** that the relevant Cabinet Member plus the Chair of the Personal Services Scrutiny Committee (if appointed, or otherwise the previous Chair of Social Services Scrutiny Panel) plus an officer be authorised to attend the above conference with payment being made out of the Group's individual budgets for those two Members.

Councillor I.M. German expressed concerns that Cabinet did not receive any feedback from Members attending conferences. The Leader agreed to address that problem.

At this juncture (11.10 a.m.) the meeting adjourned for twenty minutes to allow Members to partake in refreshments.

**447. 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 involve the likely disclosure of exempt information as defined in Paragraphs 1, 7, 8, 9 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972.*

**448. OFFICES AT 6/8 NANT HALL ROAD, PRESTATYN**

Councillor W.R. Webb Lead Cabinet Member for the Corporate Property Portfolio submitted a confidential report (previously circulated) seeking Members approval to grant a lease for a term of 7 years to Prestatyn Town Council in respect of offices at 6/8 Nant Hall Road, Prestatyn. The Town Council presently occupied first floor offices at 7/9 Nant Hall Road, Prestatyn and a request had been received from the Town Council to relocate to 6/8 Nant Hall Road, Prestatyn. First floor offices had been identified which fulfilled their requirements and Outline Heads of Terms had been agreed to grant a lease for a term of 7 years. Councillor E.A. Owens suggested that the proposed rental for the premises should be allocated to central funds.

*RESOLVED that:-*

- (a) the grant of a 7 year lease to Prestatyn Town Council on terms to be agreed by the Acting Director of Technical Services in consultation with the County Clerk be approved;*
- (b) an initial reduction in the rent payable to be applied as requested by Prestatyn Town Council, but long term arrangements to be subject to a general policy review on rents, and*
- (c) the rent payable be allocated to central funds.*

**449. PROPERTY/LAND DISPOSALS**

Councillor W.R. Webb Lead Cabinet Member for the Corporate Property Portfolio submitted a confidential report (previously circulated) updating Members on the progress made to date in the disposal of land and property as previously instructed by Cabinet. The report referred to the appointment of Estate Agents to act on behalf of the Council up to the 31st March 2001 and the list of Council properties currently with those Agents.

The Chief Executive reminded Cabinet that the ultimate decision to dispose of any Council land/property would be taken by the County Council.

*RESOLVED that:-*

- (a) the report be received and noted, and*
- (b) further updated reports on land/property disposals be reviewed at future meetings of the Cabinet.*

**450. FFRITH BEACH, FESTIVAL GARDENS, PRESTATYN**

Further to Minute Number 31 of 31st August 2000 Councillor R.W. Hughes reported upon the presentation given to Members on the 8th September 2000 by the proposed developer which outlined their proposals for the Ffrith Beach area. Members at the presentation acknowledged that there would be complicated issues to consider but had indicated that they would be happy to have further discussions with the developer to pursue matters further. Councillor Hughes referred to the previous request by the developer for the Council to enter into a "Lockout Agreement" for a period of 6 months to enable them to develop their theme further. She felt that the request for a "Lockout Agreement" should be considered by the County Council and that the proposed development should be progressed via an Officer/Member Working Group.

At this juncture Councillor W.R. Webb submitted a report for Members consideration relating to the proposed "Lockout Agreement".

**RESOLVED** that subject to the approval of the County Council:-

- (a) *Officers be authorised to enter into a "Lockout Agreement" on terms to be agreed by the Acting Director of Technical Services in consultation with the County Clerk with the developers with the proviso:-*
  - (i) *that the land required for the proposed tennis centre be excluded;*
  - (ii) *that Officers continue negotiations with a third party in respect of their requirements on site, and*
- (b) *a Working Group of officers/relevant Cabinet Members/Ward Members be established to progress matters further.*

**451. UNMETERED ELECTRICITY SUPPLY 2000/2002**

A confidential report by Councillor D.M. Morris Lead Cabinet Member for the Environment (previously circulated) was submitted seeking authority to enter into a supply agreement with Scottish Power for unmetered electricity to run from 1st April 2000 - 31st March 2002. Denbighshire County Council was a Member of the North Wales Joint Negotiating Body and negotiations for the supply of electricity for the next two years has now been concluded. Negotiations for the renewal supply agreement had resulted in a significant reduction on the standard tariffs, inclusive of the retention of that price structure for the following 2 years.

**RESOLVED** that Officers be authorised to enter into a Joint Supply Agreement with Scottish Power for the supply of unmetered electricity for a two year period effective from 1st April 2000 to 31st March 2002.

**452. REVIEW OF SENIOR MANAGEMENT STRUCTURE: PROPERTY MANAGEMENT**

(This item was considered as a matter of urgency, notice having been given by the Leader).

The Deputy Chief Executive submitted a confidential report (previously circulated) seeking Members views on the proposed management arrangements for the Council's property function. He reminded Members that the County Council had previously received a report by Pamela Whitford-Jackson, Management Consultancy who have been commissioned to carry out a review of the Senior Management Structure of the County Council. Within that report there were issues identified relating to "Property" which required further detailed consideration and accordingly the same consultants were asked to carry out a detailed review of the Property Function to resolve some of the issues raised in an earlier report. A further report had been submitted to the County Council on the 25th July 2000 and the issues in respect of the "Property" and the delivery of the asset management and maintenance functions had been deferred pending the receipt of a further report.

The Deputy Chief Executive took the opportunity to take Members through the report and particularly referred to the proposed structure for the management of property functions (Appendix B to the report). He also referred to the extensive consultation undertaken with members of staff and indicated that the current report to Cabinet was part of that consultation programme.

Members took the opportunity to discuss various aspect of the detailed report and it was:-

**RESOLVED** that the County Council be informed that Cabinet, agrees in principle, with the proposed management arrangements for the Council's Property Function.

At this juncture all Officers with the exception of the Chief Executive were excluded from the meeting.

453. **SHORT-LISTING OF APPLICANTS FOR CORPORATE DIRECTOR AND ASSISTANT DIRECTOR, CULTURE AND LEISURE**

Following telephone contact with Riley's Consultants it was agreed that the short listing by Cabinet for candidates for the Assistant Director, Culture and Leisure post and Corporate Director, Lifelong Learning take place on the afternoon of 19th September, 2000.

It was agreed that arrangements should proceed for final interviews for the Corporate Director, Environment and Resources post by Council on 20th September, 2000 with an informal evening session between Cabinet and short listed applicants on the preceding evening.

On the basis of interviews conducted by Riley's and the results of the assessment centre, four candidates were short listed for the Corporate Director, Resources and four for the Corporate Director, Environment posts.

***RESOLVED*** that the following be short listed for interview by Council on 20th September, 2000:-

*Corporate Director, Environment*

*Iwan Prys-Jones;  
David Hughes;  
Paul Roberts, and  
Philip Brelsford.*

*Corporate Director, Resources*

*Roger Parry;  
Emlyn Watkin;  
Alan Evans, and  
Stuart Munslow.*

The meeting concluded at 12.30 p.m.

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