

CABINET

Minutes of the meeting of the Cabinet held in the Assembly Rooms, Town Hall, Ruthin on Thursday 21 December 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.LI. Davies, R.J.R. Jones, M.M. Jones, K.N. Hawkins, G. Thomas.

ALSO PRESENT

Chief Executive, County Clerk, Financial Controller.

882. 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) Diary - Special Cabinet meeting to be held on Tuesday 9 January 2001 at 10.00 a.m. at the Assembly Rooms, Ruthin.
- (ii) Scala Cinema Closure Report.
- (iii) Housing Benefits Progress Report - the report is both Part I and Part II.
- (iv) Appointment of County Safety Officer.
- (v) LEA Governor Vacancies - Llantysilio School to be added to the list.
- (vi) Confidential paper from ECTARC for information.
- (vii) Council Depot at Kinmel Park, Bodelwyddan Report.

883. MINUTES OF THE CABINET

The Minutes of the Cabinet held on 5 December 2000 (previously circulated) were submitted.

Matters Arising:-

- (i) Item 7 (Best Value) - Councillor E W Williams expressed his concern about reports being tabled without prior approval by the relevant Cabinet Member. He suggested a convention whereby in the absence of the Lead Cabinet Member papers for Cabinet would be approved by the Leader and submitted in the Leader's name.
- (ii) Item 13 (Mountfields, Denbigh) - Omission of Councillor G M Kensler's vote against the proposal noted.

RESOLVED that the Minutes of the Cabinet meeting held on 5 December 2000 be approved as a correct record and signed by the Leader.

884. SCALA CINEMA CLOSURE

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism tabled the report informing Cabinet Members of the closure of the Scala Cinema and Arts Centre in Prestatyn and seeking approval to reallocate funds to commission a feasibility study to start the process of redevelopment and renovation of the facility.

Councillor R W Hughes explained that in view of the problems encountered there was a need for approval for virement of £10k for interim structural measures to fund the feasibility study.

RESOLVED that Members approve the reallocation of £10,000 capital funds to carry out a feasibility study to examine options for improvement and development of the Scala as a local arts facility.

885. REVENUE BUDGET 2000-2001

Councillor E A Owens, Lead Cabinet Member for Finance, submitted a report (previously circulated) informing Cabinet of the current budget position, namely an overspend of £2.057m against a maximum of £2m allowed for within the Recovery Plan.

Councillor E W Williams asked whether the cost of restructuring the senior management team was available. Councillor E A Owens said figures would be provided when the restructuring process has been completed.

Councillor G M Kensler drew attention on the need of Council to be vigilant as a result of the cutbacks, particularly with regard to coastal protection and highway maintenance.

Councillor E A Owens informed Members of the provisional settlement for 2001-2002 of a 5.7% increase from the Assembly to give a budget of nearly £110m, on which the first call will be the £2m overspend. Some commitment on the expenditure on floods over and above the Bellwin figures will be made.

The Chief Executive said the WLGA and National Assembly for Wales have agreed a settlement for Wales as a whole of 5.7% and 1% of that is for the increase in responsibilities to Local Authorities. No part of the settlement has been earmarked for any particular activity.

Councillor W R Webb reminded Members that strong representations are required on flooding matters.

RESOLVED that Members approve the report.

886. NATIONAL ASSEMBLY FOR WALES CABINET CONSULTATION PAPER - SIMPLIFYING THE SYSTEM: LOCAL GOVERNMENT FINANCE IN WALES

Councillor E A Owens, Lead Cabinet Member for Finance submitted a report and appendix (previously circulated) seeking Members' support of the draft WLGA response to the National Assembly for Wales Cabinet Consultation Paper - Simplifying the System: Local Government Finance in Wales. The deadline for responses to the paper was 31 December 2000. Councillor Owens explained the Assembly Cabinet proposals covered Revenues, Capital Finance and Taxes, fees and charges.

RESOLVED that Members support the draft WLGA response particularly with regard to the following:-

- (a) the new system of capital controls should be as simple as possible;
- (b) there is no case for legislative control over capital receipts within the HRA;
- (c) the Assembly should hold a revaluation for council tax using its existing powers;
- (ch) the Association welcomes the proposal to reduce the bills of small businesses, and
- (d) Local Government should have greater ability to raise resources locally.

887. HOUSING BENEFITS - PROGRESS AND ACTION REPORT

Councillor E A Owens, Lead Cabinet Member for Finance submitted a report (previously circulated) on the Housing Benefits Progress and Action, seeking Members' approval for additional monies (details provided by the Director of Resources following exclusion of press and public) and a continuation of the current arrangement whereby Russell House (Revenues Office) is closed for a period of 3 days a week

until the outstanding workload is completed, projected as being the 31 March 2001. Councillor Owens paid tribute to the Revenues staff who have made substantial inroads into the benefit arrears.

Councillor G M Kensler asked about the frequency of Revenues Liaison Forum meetings. The Head of Revenues said the Forum meet as necessary, usually every 4-6 weeks.

RESOLVED that:-

- (a) *the additional expenditure as outlined at the Cabinet meeting be approved for the procurement of additional consultancy days from Academy to remedy and clarify issues regarding the system and to retain four temporary staff for a period of 3 months ending March 2001;*
- (b) *that the existing closure arrangements of the Revenues Office at Russell House on Tuesday, Wednesday and Thursday be continued until the end of March 2001;*
- (c) *the securing of additional processing capacity by appointing an agency to deal with approximately 3000 claims/documents be approved, and*
- (ch) *the cost of decommissioning the old computer Bull DPS 7 by engaging Bull Information Systems Ltd. be approved.*

888. RECRUITMENT

The Leader submitted the following applications for approval:-

- (i) external advertisement for a Manual 3 Events Assistant Post at the Royal International Pavilion for the Countryside and Leisure Department;
- (ii) external advertisement for PO1 Environmental Health Officer (Health and Safety) post in the Environmental Health Health and Safety Enforcement Department, and
- (iii) PO1 County Safety Officer post in the Personnel Department (this item was considered as a matter of urgency, the Leader having given notice at the commencement of the meeting). The CEO asked for Members' approval for this recruitment plus a Safety Officer post for this Department, as there had been a last minute resignation resulting in two out of the three posts in the Unit becoming vacant.

RESOLVED that the external advertisement of the Manual 3 Events Assistant and PO1 Environmental Health Officer (Health and Safety), County Safety Officer and Safety Officer posts be approved.

889. LOCAL MEMBERS NOMINATIONS FOR LEA GOVERNOR VACANCIES

The Leader presented the report (previously circulated) for LEA Governor vacancies from the Local Member(s) for the area in which the school(s) are located.

The County Clerk said Councillor A J Tobin was the nomination of Bryn Collen CP School, Llangollen and not Councillor R J R Jones.

The County Clerk asked Members to consider the addition of Councillor R J R Jones as the nomination for Llantysilio School, Llangollen.

Councillor E W Williams drew Members' attention to a vacancy at Llanfair D C School and asked that a rerawl for nominations be carried out.

RESOLVED that the LEA Governor appointment(s) be approved as listed subject to the amendment and addition reported by the County Clerk and a rerawl be carried out for Llanfair D C School.

890. LEISURE TRUST FEASIBILITY STUDY

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism submitted a report (previously circulated) regarding the Leisure Trust Feasibility Study which had been discussed at Scrutiny Committee. Councillor Hughes asked that Members consider deferring the report seeking the commissioning of a feasibility study to look at a further phase of externalisation via a Trust/Non-Profit Distributing Organisation as further details are required before the consultants commence work.

***RESOLVED** that Members defer the report.*

891. THE ROYAL INTERNATIONAL PAVILION, LLANGOLLEN - FEASIBILITY STUDY: THE LONG TERM FUTURE

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism submitted a report (previously circulated) seeking Members' approval to the endorsement of the recommendation of the Officer Working Group to the establishment of a Llangollen Strategy Group. The Officer Working Group had been established to consider the feasibility study which investigated the possible future development of the site to incorporate the requirements of Denbighshire County Council and the Llangollen International Music Eisteddfod.

Councillor W R Webb suggested the Royal International Pavilion should be considered as a separate issue and a further report should be submitted to Cabinet as soon as possible.

***RESOLVED** that Members approve the establishment of a Corporate 'Llangollen Strategy Group' consisting of appropriate Members and Officers to be led by one (or more) members of the Corporate Directors.*

892. RHYL SPORT AND EDUCATION PARTNERSHIP

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism submitted the report and Appendix (previously circulated) seeking Members' approval in principle to support the initiative and to approve proposals to take the project forward.

***RESOLVED** that Members approve in principle support to the Rhyl Sport and Education Partnership project and, subject to funding, agree to undertake further work to examine the feasibility of the project.*

893. RATIONALISATION OF SCHOOL PLACES

Councillor K E Wells, Lead Cabinet Member for Education submitted a report (previously circulated) seeking Members' agreement to the establishment of a Member/Officer Task and Finish Group to agree and to establish criteria to be applied in consideration of matters relating to rationalisation of school places and capital expenditure on school buildings.

Councillor Wells explained the need to look at the future of education and the maintenance of school buildings in Denbighshire. The School Organisation Plan and the Draft Asset Management Plan for Schools documents would form part of the criteria to be adopted for future consideration.

***RESOLVED** that Members approve the establishment of a Member/Officer Task and Finish Group comprising the Chair of Lifelong Learning Scrutiny Committee, 1 Member of each political group, the Lead Member for Education and the Director of Lifelong Learning, to draw up criteria for determining the rationalisation of school places, and the allocation of capital expenditure on school buildings.*

894. RUTHIN PARK ROAD DEVELOPMENT

Councillor D M Morris, Lead Cabinet Member for the Environment presented a report (previously circulated) on the Ruthin Park Road development seeking Members' approval to determine a strategy for developing land adjacent to Park Road, Ruthin. Councillor Morris explained the need for outline planning consent for the development of the Park Road depot site.

The Chief Executive suggested three parts to the Park Road development, namely the depot to be demolished, agreement in principle to bring forward outline planning, and for Cabinet to approve the planning application before it is submitted.

RESOLVED that Members:-

- (a) agree to the Ruthin Park Road depot being demolished;
- (b) agree in principle to bring forward an outline planning application, and
- (c) receive a further report to Cabinet prior to approval of submission of a planning application and authorisation for officers to submit any supporting applications

895. CLOSING ORDER - YR HEN YSGOL (THE OLD SCHOOL), OCHR Y BRYN, HENLLAN

Councillor D M Morris, Lead Cabinet Member for the Environment submitted a report (previously circulated) seeking Cabinet approval to revoke a Closing Order on the above property. The old village school, later used as a dwelling house had been declared unfit and unsuitable for habitation but had since been renovated and since inspection had been found to be fit for human habitation.

RESOLVED that Members approve the closing order in respect of Yr Hen Ysgol, Henllan be revoked.

896. NORTH WALES GLIDING CLUB PUBLIC ENQUIRY

Councillor D M Holder, Lead Cabinet Member for Training gave a verbal report on the North Wales Gliding Club Public Enquiry held over two days this week at Llangollen. Councillor Holder wished to pay tribute to the staff of the County Clerks and Planning Departments for all their work.

At this juncture (11.10 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

897. EXCLUSION OF PRESS AND PUBLIC

RESOLVED 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.

898. PURCHASING ORGANISATION

The Leader submitted a report and Appendices (previously circulated) on the latest position regarding the Council's amended notice to quit the Wirral and North Wales Purchasing Consortium with effect from 31 March 2002 and to consider the information contained in the appendices regarding the organisation's activities.

RESOLVED that Members:-

- (a) note the consultant's progress report and note the figures included in the general manager's report, and
- (b) receive from the Financial Controller a further report to Cabinet of the Consortium's actual performance.

899. LOCAL AUTHORITY HOME CARE

Councillor A E Roberts, Cabinet Lead Member for Personal Services submitted a report (previously circulated) seeking Members' agreement to a limited reduction in the level of in-house provision with a corresponding increase in external provision, to be achieved through early retirement / voluntary redundancy.

Councillor Roberts said that consultations had been carried out with staff and the Trade Unions and that limited externalisation is the only viable way forward.

RESOLVED that Members:-

- (a) *agree a programme of limited externalisation to be achieved through voluntary redundancy, and*
- (b) *consider further capitalising the costs of the programme*

900. BUSINESS DEVELOPMENT GRANT APPLICATION

The Leader presented a report and Appendix (previously circulated) seeking Members' approval for consideration of a Business Development Grant application as detailed within the Appendix. The Leader also requested Members to approve the power of delegation to the County Economic Development Officer for the award of business development grants up to £5k in consultation with the Leader.

The Leader explained that delegated approval exists for other grants offered by the County Council but no such scheme has been approved for the Business Development Grant.

RESOLVED that Members:-

- (a) *approved the Business Development Grant as detailed in Appendix 1 of the report, and*
- (b) *approved the request for delegated authority to the County's Economic Development Officer for the award of business development grant up to £5k in consultation with the Leader.*

901. LAND ADJOINING NEWCROFT JOINERY, CORWEN

The Leader submitted a report (previously circulated) seeking Members' approval to a refusal to dispose of the land adjoining Newcroft Joinery, Corwen.

The land is located within the development boundary and could affect the Council land located adjacent to the site. Consultations had been carried out and the Local Member had made an objection owing to the close proximity of the County Council's car park.

RESOLVED that Members reject the sale of the land.

902. REQUIREMENT TO REPAY GRANT ARISING FROM BREACH OF RENOVATION GRANT CONDITIONS - 31 WATER STREET, DENBIGH

Councillor D M Morris, Lead Cabinet Member for the Environment, submitted a report and plan (previously circulated) seeking Members' consideration of a request to waive the Council's right to reclaim the grant aid paid to the previous owner in respect of works carried out at 31 Water Street, Denbigh.

The previous owner of the property had been given a grant in 1997 and had signed a legally binding certificate that in the event of the property being sold within 5 years of the date of the grant, the grant would be repayable either in whole or part. The conditions attached to grant aid approvals are registered as a land charge against the property for the life of the condition and on receipt of an official search the condition is disclosed to prospective purchases by the Council. The new owners were made aware of the condition. The grant aid is repayable and the condition was transferred to the new owner.

RESOLVED that Members agreed to refuse to waive the Council's right to reclaim the grant aid paid.

(Councillor G M Kensler requested that her abstention be recorded).

903. RENOVATION GRANT AID - FLATS AT 45-48 EAST PARADE, RHYL

Councillor D M Morris, Lead Cabinet Member for the Environment presented the report and plan (previously circulated) seeking Members' approval for a grant for the improvement and conversion of the property formerly known as the Plas Tirion Hotel, 45-48 East Parade, Rhyl into 22 self contained flats. Agreement has been given in principle by the WDA to grant aid the cost of the external works. The renovation grant sought equates to approximately 30% of the total cost of the project.

RESOLVED that Members agreed that the Head of Public Protection and Regulatory Services be given the authority to approve a grant of 30% of the eligible cost up to the maximum detailed in the report subject to the application being validated and all conditions being met.

904. ECTARC

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism submitted a report and appendices (previously circulated) and an ECTARC document for information at the meeting. Councillor Hughes asked for Members' approval to authorise officers to negotiate new leasing agreements with ECTARC and to agree a reduced level of County Council annual grant to ECTARC on the basis of the letter from the Director of ECTARC attached as Appendix 1 to the report.

RESOLVED that Members agreed to authorise officers to renegotiate the County Council agreement and leases with ECTARC in accordance with the provisional agreement as noted in the letter from the Director of ECTARC attached as Appendix 1 to the report.

905. MOVE OF EDUCATION STAFF FROM COUNTY HALL, MOLD TO OFFICES WITHIN DENBIGH AND SOCIAL SERVICES FROM MORFA HALL TO RUSSELL HOUSE

Councillor W R Webb, Lead Cabinet Member for Property submitted the report (previously circulated) seeking Members' approval to the principles of Flintshire County Council being served notice that Denbighshire County Council Education staff no longer require offices at County Hall, Mold as from 31 March 2001. Councillor Webb requested Members' approval to use the proceeds from the sale of land adjacent to Fron Fraith for residential development to finance the relocation of staff from Morfa Hall to Russell House.

The Chief Executive said any surplus monies from the sale of the Fron Fraith land would be used to house the extra staff at Russell House and form a better registry as the project was integrally linked and any surplus would be passed to central funds.

RESOLVED that Members:-

- (a) approved the termination of the office lease at County Hall, and
- (b) approved the proceeds from the Fron Fraith residential development be used to finance the proposed move from Morfa Hall to Russell House.

906. RHYL LIFEBOAT STATION

(Councillor R W Hughes declared an interest and left the Chamber during consideration of the item).

Councillor W R Webb, Lead Cabinet Member for Property submitted a report and plan (previously circulated) seeking Members' approval to grant a lease of land for the erection of a new lifeboat station.

The RNIB requested the 50 year lease of land adjoining the existing lifeboat station, to construct a new lifeboat station with access ramp and slipway and would incorporate a souvenir shop for fundraising purposes.

RESOLVED that Members approved the granting of a 50 year lease to the Royal National Lifeboat Institution and granted a 100% discount of the market rent, which would apply to subsequent rent

reviews and otherwise on terms to be agreed by the Head of Public Protection and Regulatory Services in consultation with the County Clerk.

907. DEE VILLA, MILL STREET, LLANGOLLEN

Councillor W R Webb, Lead Cabinet Member for Property submitted the report and plan (previously circulated) seeking Members' agreement to refuse to grant a right of way across Mill Street Car Park, Llangollen. The owners of Dee Villa have requested a vehicular and pedestrian right of way across the Council car park on Mill Street which would result in the loss of car parking spaces.

RESOLVED that Members refuse the request to grant a right of way across Mill Street Car Park in favour of the owners of Dee Villa.

908. PROPERTY / LAND DISPOSALS

Councillor W.R. Webb, Lead Cabinet Member for Property submitted the report (previously circulated) updating Members on the progress made on capital receipts gained arising from the sale or potential sale of Council owned property and land as listed in the report.

RESOLVED that Members note the information contained in the report.

909. POST 16 EDUCATION

(The Chief Executive declared a private/personal interest in the following item which was not clear and substantial).

Councillor K E Wells, Lead Cabinet Member for Education gave a verbal report on Post 16 Education. Councillor Wells drew Members' attention to fundamental changes in Post 16 Education from 1 April 2001, the changes made are to the 1996 Education Act. Important implications are that all Post 16 Education will in future be funded by the CETW and administered by the local CCETs. Councillor Wells indicated his profound disquiet that a matter of such momentous importance had not been reported to Members previously.

Councillor Wells outlined the options available - the Council could go with a changed CCET or could create a Denbighshire CCET with partners of a mixture of both. The options would be put forward to Council with the Lead Member for Education preparing a paper on the options for Members' urgent consideration.

Members were concerned that issues raised by the Lead Member were of profound significance and had received publicity in other fora and agreed therefore the need for an options paper at the earliest possible moment.

RESOLVED that Members note the report.

910. COUNCIL DEPOT AT KINMEL PARK INDUSTRIAL ESTATE, BODELWYDDAN

The Head of Public Protection and Regulatory Services reported verbally to Members that the WDA had offered for sale the freehold reversionary interest of sites leased at Kinmel Park and it could be to the Council's advantage to purchase and accordingly delegated power was sought by the officers.

RESOLVED that Members approve the purchase of the freehold reversionary interest of sites leased at Kinmel Park and authorised delegated powers to the officers.

911. HOUSING BENEFITS - PROGRESS AND ACTION REPORT

The Director of Resources provided details of the additional expenditure required.

The meeting concluded at 12.20 p.m.
