

## **CABINET**

Minutes of the meeting of the Cabinet held in the Monsanto Suite, Royal International Pavilion, Llangollen on Thursday 19th April, 2001 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, J.A. Smith and C.H. Williams.

## **ALSO PRESENT**

Deputy Chief Executive, County Clerk, Assistant Chief Executive: Strategy and Financial Controller.

## **APOLOGIES**

Apologies were received from the Chief Executive

### **1358. 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:-

Agenda Item 23 Dinas Bran - New Classroom Block  
Agenda Item 24 Foot and Mouth Disease - New Financial Support  
Map for Agenda Item No 12 - Alcohol Bylaw - Rhyl Town Centre  
Part II Peripatetic Music Provision  
Part II Report of Rita Hale Consultants

### **1359. MINUTES OF THE CABINET**

The Minutes of the Cabinet held on 3 April 2001 (previously circulated) were submitted.

#### **Matters Arising:-**

Item 4 Leisure Centre Use Forum - Councillor G.M. Kensler asked for "to match local circumstances" be inserted after 'represented on the forum'.

**RESOLVED** that subject to the above the Minutes of the Cabinet meeting held on 3 April 2001 be approved as a correct record and signed by the Leader.

The Minutes of the Special Cabinet held on 11 April 2001 (previously circulated) were submitted.

**RESOLVED** that the Minutes of the Cabinet meeting held on 11 April 2001 be approved as a correct record and signed by the Leader.

### **1360. RECRUITMENT**

The Leader of the Council submitted a report (previously circulated) seeking approval for external advertisement:-

3(i) Residential Home Manager SO 2 2 Year Contract ~ Personal Services Directorate: Provider Unit - Approved.

3(ii) Part Time Fitness Consultant Planet Pulse MAN3 ~ Lifelong Learning Directorate: Culture & Leisure - Approved.

3(iii) Admin Assistant Sc 2 ~ Personal Services Directorate: Personal Services Administration - Councillor W R Webb queried whether this was a full or part time post and the location of the post. The Director of Personal Services ascertained the home was Awelon and it would be a part time, 20 hours per week post. Approved.

3(iv) Senior Minerals and Monitoring Officer SO 2 ~ Environment Directorate: Planning Services - Approved

3(v) Press Officer SO1 (6 months temporary post) ~ Chief Executives: Public Relations - Approved.

**RESOLVED** that the external advertisement of the above posts be approved.

#### **1361. TIMETABLE FOR COMMITTEES / PANELS**

The Leader submitted the report and appendices (previously circulated) seeking Members approval for the timetable of County Council, Scrutiny Committees and statutory Committees / Panels for the forthcoming municipal year.

Councillor I.M. German asked that the LJCC and Corporate Health, Safety and Welfare Committees be held on separate days. The County Clerk agreed to move one of the Committees to another date.

Councillor G.M. Kensler suggested that more Scrutiny Committees could be held in Denbigh.

**RESOLVED** that Cabinet recommend to County Council that the timetable of meetings for the forthcoming Municipal Year be approved, subject to the LJCC and Corporate Health, Safety and Welfare Committees being held on separate days.

#### **1362. LLANGOLLEN CULTURE AND LEISURE FACILITIES**

Councillor R.W. Hughes, the Lead Cabinet Member for Culture and Leisure submitted the report (previously circulated) seeking Members' approval, as a result of The Old Chapel, Castle Street, Llangollen coming back into Denbighshire management responsibility from April 2001, to explore the opportunity and to analyse the capital and revenue cost of refocusing, refurbishing and relaunching the Old Chapel to provide a new integrated Culture, Learning and Information Centre. Members' approval was also sought to approve temporary contracts to the retail staff of the gift shop which is self-financing until the future of the Old Chapel is determined. Members were asked, in principle, to support negotiations with Llangollen Town Hall Management Committee regarding the transfer of the management of Llangollen Town Hall and the facilities at Riverside Gardens.

Councillor G.M. Kensler suggested that "Hall" be included after Llangollen Town in 7.3. This was agreed by Members.

**RESOLVED** that Members approved:-

- (a) to explore the opportunity and to analyse the capital and revenue cost of refocusing, refurbishing and re-launching the Old Chapel, Castle Street, Llangollen to provide a new integrated Culture, Learning and Information Centre that will involve the sale of the current library building and relocation of the library;
- (b) to approve that temporary contracts be offered to the retail staff of the gift shop which is self-financing until the future of the Old Chapel is determined, and
- (c) to agree in principle to devolve management of Llangollen Town Hall and Riverside Park to Llangollen Town Council, subject to approval of the details of the proposed transfer.

#### **1363. DENBIGHSHIRE MARQUEE LLANGOLLEN INTERNATIONAL MUSIC EISTEDDFOD**

Councillor R.W. Hughes, the Lead Cabinet Member for Culture and Leisure submitted the report (previously circulated) seeking Members' approval of the refocused plans for the Denbighshire marquee at the Llangollen International Music Eisteddfod 2001.

The changes would focus on Cultural Tourism with displays and marketing leaflets of key visitor attractions such as Plas Newydd, Bodelwyddan Castle, the Dee Valley and Clwydian Hills and events including the National Eisteddfod and Ruthin Arts Festival. The displays would be portable and usable for other events and venues.

**RESOLVED** that Members agreed to the refocused plans for the Denbighshire Marquee at the Llangollen International Music Eisteddfod.

**1364. CULTURE AND LEISURE CONFERENCE “A FOUNDATION FOR THE FUTURE”**

Councillor R.W. Hughes, the Lead Cabinet Member for Culture and Leisure submitted the report (previously circulated) seeking Members' approval to hold a conference on 16.05.2001 at the Royal International Pavilion, Llangollen and to nominate 6 Members to attend the event, which would begin the process of developing the Culture and Leisure Strategy for Denbighshire, with a cross section of voluntary organisations, businesses and agencies being invited to join with the Culture and Leisure staff and Members to discuss the strategic aims for Culture and Leisure.

Councillor E.W. Williams expressed his support for the conference and suggested that all Council Members be invited to attend. Councillor E.A. Owens said the cost of the conference would be met from current budget provision.

**RESOLVED** that Members agreed to hold a conference on 16.05.2001 at the Royal International Pavilion, Llangollen and to extend an invitation to all Councillors to attend the event.

**1365. DENBIGHSHIRE COUNTRYSIDE GRANT SCHEMES**

Councillor R.W. Hughes, the Lead Cabinet Member for Culture and Leisure submitted the report (previously circulated) seeking Members' approval to the Council's various Countryside Grant Schemes and seeking support for the allocation of funds from the 2001-02 Rural Programme tapering grant to maintain this initiative as detailed in the Appendices.

**RESOLVED** that Members:-

8.1 noted the progress on the Council's Countryside Grant Schemes, and

8.2 approved the allocation of Rural Programme tapering funds to match Countryside Grant Scheme Objective 1 EAGGF grant in 2001-02.

**1366. BALCHDER BRO - PRIDE OF PLACE**

Councillor R.W. Hughes, the Lead Cabinet Member for Culture and Leisure submitted the report (previously circulated) seeking Members' approval to participate in a pilot scheme for a proposed new Countryside Council for Wales (CCW) Heritage Lottery Fund initiative.

CCW had secured funding from the Heritage Lottery Fund to pilot a new local distinctiveness initiative known as 'Balchder Bro' or 'Pride of Place' initially in three areas of Wales for 18 months in Swansea, the Brecon Beacons and the Rural/Urban Villages of the Dee Valley. The Scheme would be managed by the Wales council for Voluntary Action on behalf of CCW and the HLF with up to £60,000 grant made available to suitable local projects in each pilot area. The County Council would become one of the partners involved in the scheme providing support and guidance for community groups and providing specialist advice on projects.

**RESOLVED** that Members approved Council participation in the proposed Balchder Bro - Pride of Place initiative.

**1367. DENBIGHSHIRE LANDSCAPE STRATEGY**

Councillor R.W. Hughes, the Lead Cabinet Member for Culture and Leisure submitted the report (previously circulated) seeking Members' approval to the responses to the draft Landscape Strategy

approved by Cabinet for consultation purposes on 23.11.2000 (summary of consultations at Appendix 1) and to approve the final Landscape Strategy document.

A Landscape Strategy for Denbighshire was a commitment in the Council's 2000-2001 Statement of Priorities and a policy in the Countryside Strategy and was prepared in conjunction with the Countryside Services' work on the new CCW sponsored landscape assessment methodology known as LANDMAP. The Strategy covered parts of Flintshire and Wrexham to take in the entire Clwydian Range AONB.

**RESOLVED** that Members agreed the proposed changes to the Draft Strategy as a result of consultations and approved the document, subject to Scrutiny and Council endorsement, as the Council's Landscape Strategy. Members similarly agreed to the development of the Landscape strategy and LANDMAP as Supplementary Planning Guidance.

#### **1368. CLWYDIAN RANGE AONB ENVIRONMENT DEVELOPMENT FUND**

Councillor R.W. Hughes, the Lead Cabinet Member for Culture and Leisure submitted the report (previously circulated) seeking Members' approval to a new funding opportunity for the Clwydian Range AONB and to approve the arrangements to manage the scheme. A new £750k 3 year grant Environment Development Fund scheme was announced for the Principality's 5 AONB's including the Clwydian Range, totalling £50k per annum for each AONB for innovative and sustainable environmental projects involving local communities.

Management and administration of the scheme would be carried out by Local Authorities in conjunction with AONB Joint Advisory Committees with Denbighshire Countryside Services having overall management responsibility for the Clwydian Range on behalf of the JAC. JAC had agreed to establish a small EDF Sub Committee with membership based on one third local government, one third voluntary sector and one third business interests with authority to award grants of up to £25,000 for suitable projects.

The Leader thanked Tony Hughes, Head of Countryside and Leisure Services and his staff for their work on the various countryside initiatives within Denbighshire.

**RESOLVED** that Members welcomed the proposed AONB Environment Development Fund initiative and agreed the management arrangements for the scheme as set out in the report.

#### **1369. ALCOHOL BY-LAW ~ RHYL TOWN CENTRE**

Councillor D.M. Morris, the Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' agreement to recommend to Council the adoption of alcohol by-laws prohibiting the drinking of alcohol on the streets within a defined area of Rhyl, particularly the square immediately behind the Town Hall and the area surrounding the refurbished Railway Station complex. The Town Centre Crime and Disorder Group were consulted as were owners of premises within the area with open access.

Members agreed that the map accompanying the report should incorporate Rhyl Railway Station.

**RESOLVED** that Members recommend to Council that a by-law prohibiting the consumption of alcohol in public places be adopted by the County Council, covering the area defined in the map (incorporating Rhyl Railway Station) attached to the report.

#### **1370. PETITION - RHYL ROAD, DENBIGH**

Councillor D.M. Morris, the Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' agreement to possible action subject to financial provision regarding the receipt of a petition regarding pedestrian safety on Rhyl Road, Denbigh.

**RESOLVED** that Members agreed to:-

(a) note the petition and the current situation with accident statistics, and

- (b) *the petitioners be informed that appropriate improvements and sources of funding would be investigated as part of the general improvement programme of Denbigh.*

**1371. CLAIMED PUBLIC BRIDLEWAY ALONG BODAWEN LANE, GELLIFOR**

Councillor D.M. Morris, the Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' agreement to make a Definitive Map Modification Order adding the above route as shown between points A and B on the attached plan as a Byway Open to All Traffic to the County Council's Definitive Map and Statement of Public Rights of Way.

**RESOLVED** *that Members authorise the County Clerk to make a Definitive Map Modification Order to add the Claimed Public Bridleway along Bodawen Lane, Gellifor as a Byway Open to All Traffic and seek confirmation of the Order if necessary by reference to the National Assembly of Wales.*

**1372. A STRATEGY FOR CARERS IN DENBIGHSHIRE**

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' agreement to the Strategy for Carers in Denbighshire, produced by the joint Agency Carers Strategy Group.

**RESOLVED** *that Members recommended that Council approve the Strategy for Carers in Denbighshire.*

**1373. DIRECT PAYMENTS**

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' agreement to establishing a Direct Payments Scheme in Denbighshire, resulting from the 1999 Social Services consultation and research into the viability of such a scheme. The Scheme would give disabled people greater control over their services, promote independent living, respond to the views of local disabled people and respond to the Government's increasing emphasis on direct payments.

Councillor E.A. Owens welcomed the initiative and also reminded Members that Denbighshire would need to work closely with Internal Audit at an early stage of the Scheme's implementation.

**RESOLVED** *that Members supported the development of a Direct Payments Scheme in Denbighshire.*

**1374. CHARGING POLICY FOR SOCIAL SERVICES**

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' agreement to the Charging for Services Received in the Home and in the Community - Guidelines for Staff as the definitive statement of the Department's current charging policy for non residential services.

Councillor E.A. Owens expressed concerns regarding some of the phrasing within the report which could be ambiguous and also the references to unpaid bills, and suggested a statement be included as a caveat in the Introduction to the Report before it is put to Council.

**RESOLVED** *that Members agreed to recommend that Council approves the document Charging for Services Received In the Home and in the Community - Guidelines for Staff as the definitive statement of the Department's current Charging Policy for non residential services, with an explanatory caveat included in the Introduction.*

**1375. CONTRACT RENEWAL AND FEE INCREASES FOR PROVIDERS OF RESIDENTIAL AND NURSING HOME CARE UNDER THE EXISTING AGREEMENT**

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' agreement to an extension of a further twelve months to the current contracts (as detailed in Appendix 1) due to expire on 31.01.2001. The new date of

termination of contracts would be 31.03.2002. Members were asked to agree fee increases for Providers from 09.04.2001 as detailed in the report..

The County Clerk reminded Members that Cabinet are able to make decisions on contract renewals.

In answer to Councillor G.M. Kensler's question of comparisons with other LAs, the Deputy Chief Executive explained that many Local Authorities are in a similar situation in that they are currently reviewing their fee levels which will be set at levels that are influenced by local conditions.

**RESOLVED** that Members approved the extension of the contract to the Providers listed at Appendix 1 until 31.03.2002 and that Council approve the new fee levels set out in Appendix 2.

**1376. SERVICES TO PEOPLE WITH A MENTAL ILLNESS - MENTAL HEALTH ACT 1983 - APPROVED SOCIAL WORKERS**

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' approval for the appointment of Approved Social Workers required to discharge the statutory functions of Section 114 of the Mental Health Act 1983.

**RESOLVED** that Members:-

- (a) received the report, and
- (b) formally approved the Appointments of the Social Workers named with immediate effect and remain valid until 31.12.2005.

**1377. INCREASES IN THE AMOUNTS PAID UNDER THE CONTRACT FOR DOMICILIARY CARE SERVICES**

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' agreement to increases in the amounts paid under the Contract for Domiciliary Care Services of 4% from 01.04.2001 and a further 7% from 01.10.2001 as detailed in the report.

**RESOLVED** that Members approved the increase in the amounts paid to Independent Sector Providers of domiciliary care under the Contract for Domiciliary Care Contract as set out in the report.

**1378. LEARNING DISABILITY SERVICES - POLICY ON COMMUNITY LIVING ARRANGEMENTS**

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' agreement:-

- (i) to the principles of the All Wales Strategy on Community Living with Community Living being the preferred method by which the Council met the needs of people with a learning disability needing 24 hour care;
- (ii) that Council may ask a person with a learning disability to move to another community living home only if the request is unlikely to have an adverse effect on the person and that the person's refusal must be respected;
- (iii) that Council acts to fill vacancies in community living homes as quickly as possible in line with agreed protocol, and
- (iv) that Council commission community living homes of various sizes to meet a variety of needs.

The Deputy Chief Executive said the report had been the product of work commissioned by the Scrutiny Committee.

**RESOLVED** that Members recommend that Council approves the four decisions as detailed in the report, which would guide policy for the future of community living.

**1379. BARNARDO'S ~ HENLLAN TRAINING CENTRE**

Councillor W.R. Webb, the Lead Cabinet Member for Property submitted the report (previously circulated) seeking Members' agreement to charge Barnardo's a rental at 'less than best consideration' for three rooms at Henllan Training Centre as detailed on the map.

Councillor W.R. Webb suggested that the 'nominal rent' be set at 75% and not £1.00 and supported Councillor E.A. Owens' request for inclusion of a break clause at 18 months.

**RESOLVED** that Members:-

- (a) *approved a 'nominal rental', taking into consideration the Organisation's financial contribution towards a working partnership with Denbighshire County Council and re-furbishment of the office accommodation at Henllan Training Centre, to be set at 75% per annum of the market rent and applied in accordance with the benchmarks as set out in the Council's Policy on 'Leasing/Renting Council Property to Non-Commercial Organisations'. The lease will record the Open Market Rent and the discount would be recorded by way of a side letter and will include a break clause at 18 months, and*
- (b) *other terms and conditions to be agreed by the Head of Consultancy Services, in consultation with the County Clerk.*

At this juncture (11.30 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

**1380. YSGOL DINAS BRAN, LLANGOLLEN - NEW CLASSROOM BLOCK**

Councillor K.E. Wells submitted a report (copy distributed at the meeting) seeking Members' approval to pursue the completion of the proposed 4 classroom block at Ysgol Dinas Bran which would receive funding from the National Assembly for Wales for the construction of the block. The estimated cost of the proposal was £150k to provide 2 complete classrooms fitted out and 2 classrooms with minimum works. Both Councillor K.E. Wells and Councillor W.R. Webb urged Members to agree to the 4 classrooms being fitted out to the same standard. To complete the proposed works a shortfall of £38k existed which would be repaid from another source to ensure no breach of the Council's proposed capital allocation procedures.

Councillor E.W. Williams queried the '5.1 Governor' under the Consultation Carried Out. Councillor W.R. Webb said the Consultation Carried Out at 5.1 should read 'Governing Body'.

**RESOLVED** that Members approved capital funding of £38,000 to allow completion of the new classroom block at Ysgol Dinas Bran, Llangollen.

**1381. FOOT AND MOUTH DISEASE - SPECIAL NAFW FINANCIAL SUPPORT**

The Financial Controller submitted the paper (distributed at the meeting) seeking Members' approval to the Action Plan contained within the report to enable support to be channelled to those businesses suffering from the impact of the Foot and Mouth outbreak. Also included was a guidance note from the WLGA. The National Assembly for Wales would provide £880k funding to be awarded between 01.04.2001 and 30.06.2001. The Financial Controller said a meeting of officers of all North Wales Councils would be held on 23.04.2001.

Councillors E.W. Williams and W.R. Webb sought guidance on declaration of interest as members of the farming community. The County Clerk affirmed that Members should not be excluded from the debate or vote as general policy matters only were being discussed at this stage rather than individual applications for grant aid.

The Financial Controller said it was hoped to send Denbighshire business ratepayers mailshots regarding the financial assistance available as soon as possible.

***RESOLVED** that Members note the latest position regarding the special funding and the latest advice from the WLGA and agreed the Action Plan.*

**1382. 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 1, 8, 9 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972.*

**1383. WAIVER OF CONDITIONS - LLANGOLLEN GROUP REPAIR SCHEME PHASE 2**

Councillor D.M. Morris, the Lead Cabinet Member for the Environment sought Members approval to a request from the owners of a property in the Llangollen Group Repair Scheme to waive the Council's right to reclaim the grant aid paid to the owners in respect of works carried out.

The Head of Public Protection and Regeneration Services detailed the options available and said Council could support either option 1 or 2.

After discussion Members agreed to support Option 1 contained in the report.

***RESOLVED** that Members agreed to Option 1 - Repayment of the Grant in Full.*

**1384. DISPOSAL OF LAND - COLOMENDY INDUSTRIAL ESTATE, DENBIGH**

Councillor W.R. Webb, the Lead Cabinet Member for Property submitted the report (previously circulated) seeking Members' approval for the freehold disposal of a parcel of land of 270m<sup>2</sup> at Colomendy Industrial Estate, Denbigh.

***RESOLVED** that Members agreed the 270m<sup>2</sup> of land situated at Colomendy Industrial Estate, Denbigh be sold at terms to be agreed with the Corporate Property Officer in consultation with the County Clerk.*

**1385. RUTHIN GAOL**

Councillors D.M. Morris and R.W. Hughes submitted the report (previously circulated) seeking Members approval to let the contract of £1,794,927 for the main phase of the refurbishment of Ruthin Gaol.

The Conservation Architect said CADW funding of £110,000 was not agreed yet but he had been informed that CADW's recommendation to the Historic Buildings Council would support the project. It was hoped that a decision from CADW would be received in 2 weeks.

After discussion, Members agreed to defer the report until the CADW support of £110,000 had been agreed.

***RESOLVED** that the Ruthin Gaol report be deferred until the Cabinet meeting on 1 May 2001.*

**1386. PERIPATETIC MUSIC PROVISION**

Councillor K.E. Wells, Lead Cabinet Member for Lifelong Learning submitted the report (circulated at the meeting) seeking Members' approval to give notice of termination of a three year contract with the Williams Matthias School of Music Service on 27.04.2001. The three year contract with WMSMS ended in December 2000 but the WMSMS granted an extension to July 2001 to allow continuity of pupils' lessons to the end of the academic year.

***RESOLVED** that Members agreed to give notice of termination of the three year contract with the William Matthias School of Music Service (WMSMS) on 27.04.2001, to strengthen links between the four neighbouring counties of Wrexham, Flintshire, Conwy and Denbighshire and to develop a Denbighshire Music Service within existing budgets.*



**1387. REPORT OF RITA HALE CONSULTANTS**

The Leader submitted the report (circulated at the meeting) seeking Members' approval to commissioning a limited consultancy to undertake work in respect of the Local Government Boundary Commission's consultant's report on the financial implications on the transfer of Llangollen / Llantysilio to Wrexham County Borough Council.

The Assistant Chief Executive: Strategy detailed reasons for seeking a limited consultancy and suggested Deloittes be appointed consultants as they had previous knowledge of Denbighshire.

**RESOLVED** that Members approved the limited 3 days consultancy from Deloittes. (Councillor G.M. Kensler asked that her vote against the appointment of consultants be recorded).

**1388. BEST VALUE SERVICE REVIEW: PERSONNEL SERVICES**

Councillor I.M. German, the Lead Cabinet Member for Human Resources submitted the report (previously circulated) seeking Members approval to the Best Value Service Review for Personnel Services.

Councillor E.W. Williams highlighted the importance of the participation by all persons assigned to a particular Best Value Project Team. The County Clerk agreed to make the appropriate notification.

**RESOLVED** Members received and approved the Personnel Services report.

The Leader announced that this was the last Cabinet meeting for Ken Stephens, Head of Personnel who would be retiring in two weeks and on behalf of the Cabinet wished him well in his retirement.

Councillor I.M. German also thanked Ken Stephens for his courtesy and support to her as the Lead Cabinet Member for Human Resources.

Councillor W.R. Webb also thanked Ken Stephens for his courtesy to all Members and for the way he had carried out his duties.

The meeting concluded at 1.00 p.m.

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