

CABINET

Minutes of the meeting of the Cabinet held in the Assembly Rooms, Town Hall, Ruthin on Tuesday 3 April 2001 at 10.00 a.m.

PRESENT

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

Observers - Councillors M.LI. Davies, K.N. Hawkins, D. Jones, M.M. Jones and W.G. Thomas.

ALSO PRESENT

Chief Executive, County Clerk, Assistant Chief Executive: Strategy, Corporate Director: Resources, Financial Controller.

APOLOGIES

Apologies were received from Councillors R.W. Hughes and E.W. Williams.

The Leader welcomed Councillor D. Jones, Vice Chairman of Denbighshire County Council to his first Cabinet meeting. The Leader also welcomed the Press and thanked them for their positive reporting on Denbighshire matters.

1. URGENT MATTERS

The Leader gave notice of the following item 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:-

Objective 1 - the Leader would give a verbal update of the latest approvals.

Foot and Mouth Disease - Access to Countryside paper distributed at the meeting and would become item 7 of the Agenda.

Agenda Item 9 - Barnardo's - Henllan Training Centre was withdrawn but would be included at a later date when more information would be available.

2. MINUTES OF THE CABINET

The Minutes of the Cabinet held on 22 March 2001 (previously circulated) were submitted.

Matters Arising:-

Item 4 Leisure Centre Use Forum - Councillor G.M. Kensler asked if some local flexibility could be achieved to enable representation of other interested organisations within the locality e.g. For the Denbigh Forum could tennis or bowls clubs be represented on the forum. It was agreed that this be explored by the relevant officers.

Item 13 Proposed Renewal Areas - South West Rhyl and Denbigh - typographical error to read Councillor D.M. Morris.

Item 17 Applications to Lease Commercial Units B and C, Rhyl Railway Station - minute to incorporate the need for offloading arrangements for the Units to be made.

Item 22 Land Adjacent to Pen y Llan, Bishop's Wood Road, Prestatyn - typographical error to read: 375 sq metres in both the minute and resolution.

RESOLVED that subject to the above the Minutes of the Cabinet meeting held on 22 March 2001 be approved as a correct record and signed by the Leader.

3. RECRUITMENT

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

Clerical Officer - Denbighshire childcare Partnership Scale 2 Part Time

RESOLVED that the external advertisement of the above post be approved.

4. BETTER BUSINESS WALES

The Leader submitted the report (previously circulated) seeking Members approval for the County Council to become a member of a company limited by guarantee established to deliver the Better Business Wales initiative, a major initiative to enable Welsh businesses to maximise the opportunities provided by e-commerce. The initiative is supported by BT, HSBC, the National Assembly for Wales, the Welsh Local Government Association and EU Objective One Funding.

RESOLVED that Council should apply to become a member of the company limited by guarantee established to deliver the Better Business Wales initiative.

5. HIGHWAYS AND TRANSPORTATION - INTERIM FLOOD RESPONSE PROCEDURE

Councillor D.M. Morris, the Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' approval to interim land drainage flood response procedure for use on a year-round basis, in conjunction with the winter maintenance and 24 hour emergency call-out procedures already operated by Highways and Transportation. Members were asked to recognise the importance of having such a service in place and support the allocation of additional funding within subsequent years' revenue budget, to enable continued provision.

RESOLVED that subject to the observations of the Environment and Resources Scrutiny Committees, Members:-

- (a) approved the Highways and Transportation Interim Flood Procedure as a formal methodology for responding to land drainage flooding threats, and
- (b) recognised the need to allocate additional funds within subsequent years' budget rounds in order for this enhanced level of service to be maintained.

6. FLOOD DEFENCE PROGRAMME 2001-2004

Councillor D.M. Morris, the Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' approval to proceed with a flood defence programme encompassing the major sites within the County which were prone to repeated and/or severe flooding from non-main river land drainage systems. Approval was sought to utilise designated Capital funding allocated by the County Council and supplemented as far as possible by external grants, to firstly carry out the necessary specialist feasibility/design exercises for each location, followed by execution of the appropriate flood defence works.

Councillor G.M. Kensler asked that Dalar Wen, Denbigh be included as a site where flood defence should be included as a priority alongside the Clwyd Avenue Culvert and Lenten Pool Culvert, Denbigh.

Councillor G.M. Kensler pointed out that Lenten Pool is Pwll y Grawys in Welsh.

The Leader and Head of Economic Regeneration said Denbighshire was making an application for additional money to WEFO.

Councillor E.A. Owens outlined the revenue and capital items and reminded Cabinet that if there was a change in priority this should not create an additional spend. Councillor Owens suggested that when Scrutiny consider this they look at compensatory savings on the revenue side as part of their remit. Resources Scrutiny will follow through the application of capital procedures.

RESOLVED that subject to the observations of the Environment and Resources Scrutiny Committees, Members authorised the Head of Highways, to utilise the specifically allocated Capital funding, supplemented by grant aid as appropriate, to prepare and implement a flood defence programme (initially based on a 3 year period) covering the major flooding-prone locations within the County.

7. FOOT AND MOUTH DISEASE

Councillor D.M. Morris, the Lead Cabinet Member for the Environment presented the report which was circulated at the meeting. Councillor Morris said the National Assembly for Wales expected Local Authorities to open areas to the public where there would be minimal risk. The Appendix 1 document attached was a Draft Risk Assessment for the Opening of Selected Countryside Sites and Appendix 2 gave examples of signage which could be used. Before any areas were opened to the public, consultation would be carried out with MAFF, NFU, FUW, CCW and Local Members.

Councillor K.E. Wells said that opening some areas to the public could create confusion and the Authority could be sending out the wrong message to the public.

The Head of Public Protection reminded Members of the needs of the tourist industry and said that any proposed opening of sites would be discussed with both the farming unions.

Councillor D.M. Morris suggested that the detailed risk assessments could be brought to Cabinet along with details of the consultations carried out.

RESOLVED that Members agreed to a risk assessment being carried out with the results being presented to a Special Meeting of the Cabinet.

8. REGISTRATION SERVICE (BIRTHS, DEATHS AND MARRIAGES) - INCREASE IN SCALE OF FEES - CIVIL WEDDINGS

The Leader submitted the report (previously circulated) seeking Members approval to an increase in the existing fees in respect of applications for the approval of premises for use as venues for Civil Marriages and attendance of Registration staff at such marriages.

RESOLVED that Members approved the increase in existing fees as detailed in the report.

9. STREET LIGHTING MAINTENANCE CONTRACT - EXTENSION

Councillor D.M. Morris, the Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' agreement to extend the 4 year contract for a further 12 months in accordance with the terms of the contract.

The Leader said this contract demonstrated an ideal partnership with another Local Authority.

RESOLVED that Members agreed:-

- (a) that the contractor be offered an extension to the contract until 30 June 2002, and
- (b) that the Head of Highways and Transportation be given delegated powers to extend and let such contracts in consultation with the Cabinet Member for the Environment.

10. CHARGING FOR RESIDENTIAL SERVICES 2001-2002

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' approval for the maximum charge for Local Authority Residential Accommodation 2001/2002 and that Members approve an inflation factor increase of 2.5%.

***RESOLVED** that Members approved the 2.5% increase in charges as detailed in the report with effect from April 2001.*

11. CHARGING FOR NON-RESIDENTIAL SERVICES 2001-2002

Councillor A.E. Roberts, the Lead Cabinet Member for Personal Services submitted the report (previously circulated) seeking Members' approval to increase charges by inflation and to approve the revised table of charges as set out in the Appendix to the report.

***RESOLVED** that Members approved the 2.5% increase in charges as set out in Appendix 1.*

12. NEW OPPORTUNITIES FUND OUT OF SCHOOL HOURS CHILD CARE - CONSORTIUM BIDS

Councillor K.E. Wells, the Lead Cabinet Member for Lifelong Learning submitted the report (previously circulated) seeking Members' agreement to Denbighshire County Council Directorate for Lifelong Learning becoming the lead body for consortium bids to the New Opportunities Fund (Out of School Hours Childcare).

***RESOLVED** that Members agreed for Denbighshire County Council Lifelong Learning Department to become the lead body of consortium bids for New Opportunities Fund Out of School Hours Childcare.*

13. OBJECTIVE ONE

The Leader gave a verbal update on Objective One in Denbighshire - four applications have been approved:-

Showcase Project for the ground floor of Denbigh Town Hall to provide a focus for new development opportunities in the town - grant of £216,000 towards the total project cost of £550,000.

A Visitor Enhancement Programme to update the environment around the High Street, Rhuddlan - grant of £235,000 towards the total project cost of £690,000.

A Community Key Fund providing capital grants for the most deprived parts of Denbighshire - grant of £385,000 together with National Assembly funding of £138,000 towards a total project cost of £587,000.

A Rural Key Fund - grant of £182,000 together with National Assembly funding of £185,000 towards a total project cost of £435,000.

At this juncture (11.50 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

14. 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.*

15. RESTRUCTURE AND STRENGTHENING OF CENTRAL ACCOUNTANCY FUNCTION

Councillor E.A. Owens, the Lead Cabinet Member for Resources submitted the report (previously circulated) seeking Members' approval for a new structure for Central Accountancy, the strengthening of links between the centre and the staff devolved to Directorates, together with the appointment of 2 accountants by external advertisement and as detailed in the appendices to the report.

RESOLVED that Members approved the new structure for Central Accountancy Division together with the strengthened links between the central and devolved staff and that approval be given to the external advertisement of accountant posts following the appointment of the Principal Management Accountant.

16. BEST VALUE - PAYROLL SERVICES

Councillor E.A. Owens, the Lead Cabinet Member for Resources submitted the detailed report and appendices (previously circulated) seeking Members' approval to the Best Value Performance Plan for Payroll Services.

The Head of Exchequer expanded on the process of the preparation of the Best Value Review. Members were informed of the outcome of the external challenge.

RESOLVED that Members received and approved the Payroll Services Best Value report.

17. CORWEN RAILWAY STATION AND TOWN CENTRE LINK STUDY

The Leader submitted the report (previously circulated) seeking Members approval to the appointment of RPS Chapman Warren Limited by the County Council to undertake the Corwen Railway Station and Town Centre Link Study.

RESOLVED Members agreed the implementation of the Corwen Railway Station and Town Centre link Study by confirming the appointment of RPS Chapman Warren Limited by the County Council to undertake the study.

18. THE POST OF CHIEF EXECUTIVE

The Chief Executive submitted the report and appendix (previously circulated) which detailed guidance to Members on whether or not Council continue with a Chief Executive post and gave details of draft guidance circulated to both England and Wales together with the key characteristics of a Chief Executive Post for a Modernised Local Authority.

RESOLVED that Cabinet recommend to Council:-

- (a) that a Chief Executive should be appointed;
- (b) tenders be sought for specialist consultants, and
- (c) the specialist consultants advise with regard to the eventual Job Description / Person Specification for the post.

Councillor G.M. Kensler abstained from voting.

19. INTERIM POLITICAL ARRANGEMENTS

Beverlea Frowen, District Audit gave an overview of her role within the District Audit which looked at Performance Management and the Modernising Agenda.

Her research would address:-

- 1 improved policy making
- 2 improved decision making
- 3 the achievement of greater accountability

This would entail examining the operation of the County's Executive and Scrutiny arrangements together with arrangements to meet the new ethical framework via Standards Committee and a New Code of Conduct. In addition the views would be sought of external partners e.g. Health Authority, Police, Schools and the Voluntary Sector, as to the Council's modernisation programme.

Work had commenced by holding 5 focus groups and there would be further individual Member and Officer interviews. Cabinet was requested to consider whether it wished to participate by means of a focus group, individual interviews or a combination of both.

Members then questioned Ms. Frowen on a range of issues appertaining to the implementation of the Modernising Agenda.

Three key areas were identified, namely - mechanisms for "call in" of decisions, scrutiny of proposals and the review of policy and strategic direction.

RESOLVED that Members agreed to meet with Ms. Frowen both on an individual basis and as a Cabinet.

The meeting concluded at 12.25 p.m.

REPORT TO CABINET

CABINET MEMBER: LEADER

DATE: 19 APRIL 2001

SUBJECT: TIMETABLE FOR COMMITTEES/PANELS

1 DECISION SOUGHT

1.1 To recommend to Council a proposed timetable for meetings of County Council, Scrutiny Committees and statutory Committees/Panels for the forthcoming municipal year.

2 REASON FOR SEEKING DECISION

2.1 The Council needs to set a formal timetable for meetings in order to carry out its democratic processes.

2.2 I attach for Members' consideration a list of the statutory Committees/Panels (Appendix 1) together with a list of the Scrutiny Committees (Appendix 2) The Cabinet dates for 2001 have already been set and the dates for 2002 will need to be determined at a later date.

3 COST IMPLICATIONS

3.1 Funding is allocated from within the "costs of democracy" budget.

4 FINANCIAL CONTROLLER STATEMENT

4.1 No financial implications.

5 CONSULTATION CARRIED OUT

5.1 Consultations on the proposed timetable have been undertaken with relevant Heads of Service.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 Covers all policy areas.

7 RECOMMENDATION

7.1 Cabinet recommend to County Council that the attached timetable of meetings for the forthcoming Municipal Year be approved.

APPENDIX A

NAME OF COMMITTEE/PANEL	SCHEDULE OF DATES AND VENUES
Cefndy Enterprises Panel	6/6, 12/9, 5/12 - Cefndy Enterprises, Rhyl
Adoption and Fostering Panel 9.30 am	23/4, 21/5, 25/6, 23/7, 24/9, 22/10, 26/11, 17/12, 28/1, 25/2, 25/3, 22/4 all meetings held at Children's Resource Centre, Cefndy Road, Rhyl
Children and Residential Care Homes Panel 10.00 am	3/5 (R), 7/6 (Ru), 5/7 (D), 6/9 (R), 4/10 (Ru), 1/11 (D), 6/12 (R), 3/1 (Ru), 7/2 (D), 7/3 (R), 4/4 (Ru)
Adoption and Fostering Appeals Panel Children and Residential Appeals Panel Secure Accommodation Panel Guardianship Panel Complaints Review Panel	Dates and Venues to be arranged as and when required
J.C.C. (Health) 11.00 am	20/9 (R) - further dates to be determined if required
L.J.C.C. 2.30 pm	17/7 (P), 16/10 (R), 8/1 (P), 9/4 (R)
Corporate Health, Safety and Welfare Panel 10.00 am	17/7 (P), 16/10 (R), 8/1 (P), 9/4 (R)
Housing Benefits Review Board	Weekly - dates and venues to be determined
Teachers Consultative Committee 10.00 am	19/6 (R), 7/11 (D), 5/3 (Ru)
S.A.C.R.E. 10.00 am	3/7 (R), 8/10 (P), 31/1 (Ru)
Joint Agricultural Board 2.00 pm	9/7 (D), 8/10 (Flintshire), 7/1 (D), 8/4 (Flintshire)
Contracts Management Board 2.00 pm	31/5, 28/6, 26/7, 27/9, 25/10, 29/11, 31/1, 28/2, 28/3, 25/4 Depot, Bodelwyddan
Contracts Management Board (Culture and Leisure) 10.00 am	Dates and Venues to be determined (if required)
Clwydian Range A.O.N.B. Joint Advisory Committee 2.00 pm	12/10 - further dates to be determined all meetings held at Loggerheads
Planning Committee 10.00 am	23/5 (Ru), 27/6 (R), 25/7 (Ru), 5/9 (R), 3/10 (Ru), 31/10 (R), 28/11 (Ru), 19/12 (R), 30/1 (Ru), 27/2 (R), 27/3 (Ru), 24/4 (R)
Audit Panel 10.00 am	18/7 (R), 17/10 (Ru), 16/1 (P), 6/3 (D)
U.D.P. Panel	Dates to be determined as and when required
Licensing Panel 10.00 am	30/5(Ru), 31/7 (R), 19/9 (P), 20/11 (Ru), 13/2 (R), 10/4 (P)
Cabinet 10.00 am	1/5 (R), 17/5 (Ru, 29/5 (LI), 12/6, 28/6, 10/7, 26/7, 14/8, 30/8, 13/9, 25/9, 11/10, 23/10, 6/11, 22/11, 4/12, 20/12 - dates for 2002 to be determined.
County Council 10.00 am Ruthin	24/7, 18/9, 27/11, 15/1, 12/2 (Special Budget), 26/2 (Special Budget), 26/3, 14/5 (Annual Council)

Key: R - Rhyl, Ru - Ruthin, P - Prestatyn, D - Denbigh, LI - Llangollen.

SCRUTINY COMMITTEES

RESOURCES	LIFELONG LEARNING	ENVIRONMENT	PERSONAL SERVICES	BEST VALUE
<u>MAY</u> 16 (am) (R)	16 (pm) (R)	22 (am) (Ru)	22 (pm) (P)	23 (pm) (Ru)
<u>JUNE</u> 13 (pm) (Ru)	13 (am) (Ru)	20 (am) (R)	20 (pm) (P)	27 (pm)(R)
<u>JULY</u> 11 (am) (R)	11 (pm) (R)	19 (am) (Ru)	19 (pm) (P)	25 (pm) (Ru)
<u>SEPTEMER</u> 11 (pm) (Ru)	11 (am) (Ru)	12 (am) (R)	12 (pm) (P)	26 (am) (R)
<u>OCTOBER</u> 18 (am) (R)	18 (pm) (R)	10 (am) (Ru)	10 (pm) (P)	31 (pm) (R)
<u>NOVEMBER</u> 13 (pm) (Ru)	13 (am) (Ru)	14 (am) (R)	14 (pm) (P)	28 (pm) (Ru)
<u>DECEMBER</u> 11 (am) (R)	11 (pm) (R)	12 (am) (Ru)	12 (pm) (P)	19 (pm) (R)
<u>JANUARY</u> 22 (pm) (Ru)	22 (am) (Ru)	23 (am) (R)	23 (pm) (P)	30 (pm) (Ru)
<u>FEBRUARY</u> 19 (am) (R)	19 (pm) (R)	20 (am) (Ru)	20 (pm) (P)	27 (pm) (R)
<u>MARCH</u> 19 (pm) (Ru)	19 (am) (Ru)	20 (am) (R)	20 (pm) (P)	27 (pm) (Ru)
<u>APRIL</u> 16 (am) (R)	16 (pm) (R)	17 (am) (Ru)	17 (pm) (P)	24 (pm) (R)

REPORT TO CABINET

CABINET MEMBER: **COUNCILLOR R W HUGHES, LEAD CABINET MEMBER FOR CULTURE, LEISURE AND TOURISM**

DATE: **19 APRIL 2001**

SUBJECT: **LLANGOLLEN CULTURE AND LEISURE FACILITIES**

1. DECISION SOUGHT

1.1 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 benefit both the local community and visitors to Denbighshire.

1.2 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.

1.3 To seek in principle support to begin negotiations with Llangollen Town Hall Management Committee regarding the transfer of the management of Llangollen Town Hall and the facilities at Riverside Gardens which include a paddling pool, crazy golf, bowling green and a playground.

2. REASON FOR SEEKING DECISION

2.1 The Old Chapel formally the Ectarc Centre comes back into Denbighshire management responsibility from April 2001. There are short-term and medium-term implications for this facility. In the short-term the upstairs will remain for hire by local groups for meetings and events. The ground floor contains a social history exhibition which is of interest to visitors to Llangollen and should remain opening for the summer season. Ectarc currently run a gift shop which covers the cost of employing a shop/retail manager and casual staff. These local staff would be made redundant by Ectarc. As these are self-financing it is proposed to offer the staff a temporary contract until the medium-term future for the building is costed and determined.

2.2 In the medium-term the building provides an ideal location and opportunity to provide a new and innovative cultural service that will benefit visitors and the local community. The new vision for the centre involves the relocation of the library and the one stop shop to the first floor of the centre together with an IT facility for business advice, training and homework club to provide a new learning and information service. A social history trail and display will run throughout the building. The ground floor would incorporate a gallery space to sell local, regional and national fine art, a craft shop stocked by Ruthin Craft Centre, the relocation of the Tourist Information Centre and the Countryside Services staff. This would be backed up by a new Cultural Tourism Strategy with destination marketing and IT provision for people to design their own visit/stay/walks in Denbighshire etc.

2.3 In March last year the former Planning and Economic Development Scrutiny Panel endorsed the principle of transferring management responsibility for Llangollen Town Hall to the Town Council/Local Management Committee subject to negotiation of satisfactory arrangements for the transfer. However, the proposal was not progressed at the time following problems associated with reduced capacity of the main hall as a result of inadequate means of escape in the event of fire. This problem has now been resolved with the provision of a new fire escape and the way is now clear to progress the proposals for the transfer of management responsibility. Since this time the Town Council have also expressed an interest in managing Riverside Park. It is therefore proposed to negotiate the transfer of the Town Hall and Riverside Park as a package.

3. COST IMPLICATIONS

3.1 There will be capital costs associated with the facility which needs improvements to ensure an improved physical appearance and disability access to the front of the building to comply with the Disability Discriminations Act which comes into effect in 2004. The building also needs some refurbishment to the ground floor as there are static display cases which restrict the usage. The sale of the current library site could be used to match potential funding from objective 1, Wales Tourist Board and Arts Council. There is anticipated revenue costs which could be off set by income from the rent of the retail unit currently occupied by the Tourist Information Centre and income from the car park on East Street which also comes back to Denbighshire. A full costing will be brought back to cabinet for approval in due course.

3.2 There remains work to be done on the details of the proposed transfer to management of the Town Hall and Riverside Gardens, including the cost implications. However, it is intended that any agreement should be cost-neutral to the Council.

4. FINANCIAL CONTROLLER STATEMENT

4.1 The Capital costs of any proposals will need to be subjected to the process of prioritising funding for schemes, that is currently being considered by a task and a finish group of members and officers, for eventual recommendation to Cabinet.

Any revenue budget implications will need to be contained within the current year's budget and considered as part of the budget setting exercise for 2002/03 which will begin in late summer.

5. CONSULTATION CARRIED OUT

5.1 Initial consultation has been undertaken with Llangollen Town Council. Further discussions need to be held with property, legal, building maintenance, grounds maintenance and finance, etc., to consider the proposal in detail and to engage in informal discussions with the Town Council prior to reporting back to Cabinet.

6. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 The principal impacts relate to Community Governance. Devolving management of such local facilities to local organisations is consistent with the Council's approach to developing effective partnerships with communities.

7. RECOMMENDATION

7.1 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.

7.2 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.

7.3 To agree in principle to devolve management of Llangollen Town and Riverside Park to Llangollen Town Council, subject to approval of the details of the proposed transfer.

REPORT TO CABINET

AGENDA ITEM NO: 6

CABINET MEMBER: Councillor R W Hughes

DATE: 19 April 2001

SUBJECT: Denbighshire Marquee Llangollen International Music Eisteddfod

1. Decision Sought

1.1 To approve the refocused plans for Denbighshire Marquee at the Llangollen International Music Eisteddfod, Llangollen 2001.

2. Reason For Seeking Decision

2.1 Denbighshire has had a presence at the LIME for a number of years and it is the appropriate time to review purpose and content of the marquee. Only limited rather than a general changes can be made due to the restricted budget available. Rather than a general awareness raising of Denbighshire, more value would be obtained from a Cultural Tourism focus with displays and marketing leaflets of key visitor attractions such as Plas Newydd, Bodelwyddan Castle, Dee Valley and the Clwydian Hills and events including the National Eisteddfod and Ruthin Arts Festival. These displays will be portable and usable for other events and venues and therefore maximising use. In addition to marketing there will be a modest programme of participating activities and performances. A new partnership between environmental artists and a dry stone waller will create an evolutionary installation throughout the week which will attract public interest and raise the profile of the participants and educational nature of Culture and Leisure. Some use will be made of signs/banners displays prepared for the National Eisteddfod to save costs. There will be a private awning at the rear of the Marquee with table, chair, tea, coffee and water for members and officials.

3. Cost Implications

3.1 The cost of the Denbighshire Marquee can be contained within the budget of £16,191 within this budget is £6,000 grant to the Eisteddfod and £1,800 prize money to the Eisteddfod, the remaining is spent on the Marquee, filling displays and participating activities.

4. Financial Controller Statement

4.1 In previous years the budget for this event has been under pressure, but this was addressed as part of the budget validation for 2000/01. The position for last financial year was much closer to the budget although still slightly overspent.

5. Consultation Carried Out

5.1 The Committee Members of the LIME have been consulted and welcome the proposals.

6. Implications On Other Policy Areas Including Corporate

6.1 Not applicable

7. Recommendation

7.1 That the Cabinet agree to the refocused plans for Denbighshire Marquee at the Llangollen International Music Eisteddfod.

CABINET MEMBER: COUNCILLOR R W HUGHES,

DATE: 19 APRIL 2001

SUBJECT: CULTURE AND LEISURE CONFERENCE:
"A FOUNDATION FOR THE FUTURE"

1. Decision Sought

1.1 To seek approval for the plans to hold a conference on Wednesday 16th May 2001 at Royal International Pavilion, Llangollen and to nominate 6 members to attend the event.

2. Reason For Seeking Decision

2.1 The aim of the conference is to begin the process of developing a Culture and Leisure Strategy for Denbighshire, see Agenda Appendix A. A broad cross section of voluntary organisations, businesses and agencies have been invited to join with Culture and Leisure staff in discussion and debate focused on the strategic aims for Culture and Leisure. Examples of good practice will be shared and areas of common principles for successful partnership working, public consultation and community participation will be identified.

This inclusive process is a model approach to collective planning, ensuring a wide ownership and laying the foundation stones for Culture and Leisure for the future and gaining commitment and collective responsibility for its success.

Advice will be taken regarding Foot and Mouth should the situation change.

3. Cost Implications

3.1 The conference has been organised by volunteers from across Culture and Leisure and is held at the Royal International Pavilion minimising the costs to the hospitality and translation which will be contained within the Lifelong Learning Budget.

4. Financial Controller Statement

4.1 The costs of the event are to be contained within existing budget provisions

5. Consultation Carried Out

5.1 The Culture and Leisure Conference is fully participatory and consultative

6. Implications On Other Policy Areas Including Corporate

6.1 None

7. Recommendation

7.1 To seek approval for the plans to hold a conference on Wednesday 16th May 2001 at Royal International Pavilion, Llangollen and to nominate 6 members to attend the event.

***Denbighshire Culture and Leisure
“A Foundation for the Future”
Conference
Wednesday 16th May
Royal International Pavilion
Llangollen***

A G E N D A

- 9.45 Registration / Coffee / Networking
- 10.15 Welcome and Introduction Councillor E Edwards
Leader of Denbighshire County Council
- 10.20 The importance of Culture and Leisure
Councillor Rhiannon Hughes, Denbighshire County
Council Lead Member for Culture, Leisure and Tourism
- 10.30 The Bigger Picture.
Sioned Bowen, Corporate Director of Lifelong Learning
- 10.40 Culture and Leisure Foundation and Strategy
Process: Ann Gosse, Assistant Director: Culture and Leisure
- 10.50 Discussion Workshops 1, Culture and Leisure - 6 key aims
- 12.00 Feedback from Workshops
- 12.45 Lunch / Networking
- 1.30 Discussion Workshop 2, Good Practice Principles
- 2.45 Feedback from Workshops
- 3.20 Next Steps
- 3.30 Close / Tea / Networking

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR RHIANNON HUGHES, LEAD CABINET MEMBER FOR CULTURE, LEISURE AND TOURISM

DATE: 19 APRIL 2001

SUBJECT: DENBIGHSHIRE COUNTRYSIDE GRANT SCHEMES

1. DECISION SOUGHT

1.1 To advise Members of the current position with the Council's various Countryside Grant Schemes, and to seek support for the allocation of funds from the 2001-02 Rural Programme tapering grant to maintain this initiative.

2. REASON FOR SEEKING DECISION

2.1 Members will recall that the Council were successful in securing Objective 5b funding for a 2 year Countryside Grant Scheme for parts of the County in 1999 and that more recently we have obtained Objective 1 funds to roll out the project to all of Denbighshire for a further 2 years. The scheme provides small grants to farmers and landowners (up to a maximum of £1,000) to carry out conservation projects to enhance the appearance of the countryside and/or to benefit wildlife. A copy of the promotional leaflet is enclosed.

2.2 In addition, we have secured funding from the Manweb Rural Care Scheme to operate a Hedgerow Renovation Grant project over the last six months, and are hopeful that a further grant will be awarded to enable the scheme continue for the next year. This also provides small grants (up to a maximum of £1,000) for farmers and landowners to restore degraded hedgerows.

2.3 When the interim results of the Objective 5b scheme were reported to Council in February 2000 (see Min 893), it was resolved that a final report on the project should be presented to the Council. This is attached as Appendix 1, and shows that both conservation and economic benefits were secured by the scheme. It was a very successful and oversubscribed scheme which was well received by both the farming and conservation sectors.

2.4 Confirmation of Objective 1 grant for continuation of the scheme was received in January 2001, and I am pleased to report that despite the short time-scale and problems associated with the Foot and Mouth emergency we achieved some good results. The projected outputs for the first season are shown in Appendix 2.

2.5 The outputs for the first phase of our Manweb Rural Care funded Hedgerow Renovation Grant are set out in Appendix 3. An application has been submitted to Manweb for a further phase of the scheme to be implemented during the winter of 2001-02. A decision has not yet been made, but we are hopeful that the bid will be successful.

3. COST IMPLICATIONS

3.1 The Objective 5b scheme secured £50k EAGGF grant, which was match funded by the rural Programme. The Objective 1 scheme has been awarded £60k EAGGF grant over the two years of the project. The scheme has been match funded by the Rural Programme for the 2000-01 season, but match funds will also have to be allocated to support the scheme in 2001-02. It is proposed that this should continue to be via the Rural Programme tapering grant.

3.2 The Hedgerow Restoration Scheme received a 100% Manweb Rural Care grant. The current bid is also for 100% grant and will not impact on the Council's finances.

4. FINANCIAL CONTROLLER STATEMENT

4.1 It will be necessary to contain costs within the various elements of grant funding available.

5. CONSULTATION CARRIED OUT

5.1 The former Denbighshire Rural Forum endorsed the principles of the original Countryside Grant Scheme. The Forum included representatives from a wide range of countryside interests, including farming, conservation, landowners, Community Councils, and many other agencies and organisations.

6. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 The principal impacts relate to Local Agenda 21. The grant schemes also support the Economic Development Strategy, and are fully consistent with the Council's Countryside Strategy.

7. RECOMMENDATION

7.1 To note progress on the Council's Countryside Grant Schemes

7.2 To allocate Rural Programme tapering funds to match Countryside Grant Scheme Objective 1 EAGGF grant in 2001-02.

OBJECTIVE 5b - 1998 - 2000

DENBIGHSHIRE COUNTRYSIDE ENHANCEMENT GRANT SCHEME
FINAL OUTPUTS

SUMMARY OF KEY OUTPUTS

	1998/99	1999/00
Number of advisory visits made	47	56
Number of applications received	37	55
Number of applications completed	31	55
Number of projects referred to F.C.	3	1
Total grants paid (£)	16,650	34,305
Gross value of completed projects (Est)	40,000	75,000
No. of kms of hedgerow restored	3.6	6.53
No. of field ponds restored	3	3
Metres of stone wall repaired	21	112
Hectares of woodland enclosed/managed	3.8	3.6
Hectares of new tree planting	0.67	0.4
No. of specimen trees planted	---	26
Length of green lane restored (metres)	200	---
Hectares of bracken treatment on heather moorland	---	2.8
Area of Lapwing breeding habitat conserved (ha)	---	2.0
Jobs created	2	2
Jobs safeguarded	5	5

OBJECTIVE 1

**DENBIGHSHIRE COUNTRYSIDE ENHANCEMENT GRANT SCHEME
PROJECTED FINAL OUTPUTS 2000/2001**

SUMMARY OF KEY OUTPUTS

	2000/2001
Number of advisory visits made	60
Number of applications received	62
Number of applications completed	58
Number of projects referred to F.C.	-
Total grants paid (£)	45,110
Gross value of completed projects (Est)	96,373
No. of kms of hedgerow restored	9.54
No. of field ponds restored	-
Metres of stone wall repaired	220
Hectares of woodland enclosed/managed	-
Hectares of new tree planting	0.5
No. of trees planted	626
Length of green lane restored (metres)	-
Hectares of bracken treatment on heather moorland	-
Area of Lapwing breeding habitat conserved (ha)	-
Length of Riverside Corridor enclosed (kms)	1.48
Jobs created	4
Jobs safeguarded	5

**RURAL CARE HEDGEROW RESTORATION SCHEME
FINAL OUTPUTS 2000/2001****SUMMARY OF KEY OUTPUTS**

	2000/2001
Number of advisory visits made	13
Number of applications received	12
Number of applications completed	12
Number of projects referred to F.C.	-
Total grants paid (£)	9,165
Gross value of completed projects (£)	18,790
No. of kms of hedgerow restored	1.91

REPORT TO CABINET

CABINET MEMBER: **COUNCILLOR RHIANNON HUGHES, LEAD CABINET MEMBER FOR CULTURE, LEISURE AND TOURISM**

DATE: **19 APRIL 2001**

SUBJECT: **BALCHDER BRO - PRIDE OF PLACE**

1. DECISION SOUGHT

1.1 To seek Cabinet approval to participate in a pilot scheme for a proposed new Countryside Council for Wales (CCW) Heritage Lottery Fund initiative.

2. REASON FOR SEEKING DECISION

2.1 CCW have secured funding from the Heritage Lottery Fund to pilot a new local distinctiveness initiative to be known as 'Balchder Bro' or 'Pride of Place'. It is proposed that the scheme be piloted in three areas of Wales prior to being rolled out to cover the entire Principality.

2.2 The scheme is based on the successful Local Heritage Initiative which is already operational in England. It is aimed at encouraging and enabling communities to explore, celebrate and enhance locally important physical, cultural, historic or other distinctive elements of their environment or heritage. This will be achieved by making substantial grants of up to 90% available to community groups.

2.3 The pilot project will run for around 18 months and three are proposed by CCW. These are:

- Urban : Swansea
- Rural : Brecon Beacons
- Rural/Urban Villages : Dee Valley

The Dee Valley area takes in the communities of Llangollen, Corwen, Cynwyd and Llandrillo together with the urban village Community Council areas of Chirk, Cefn and Llangollen Rural in Wrexham.

2.4 The scheme is to be managed by the Wales Council for Voluntary Action on behalf of CCW and the Heritage Lottery Fund. Up to £60,000 of grant will be made available to suitable local projects in each pilot area. Preference will be given to fewer, larger projects up to a maximum of £20,000. When the scheme is rolled out to cover all of Wales it is envisaged that around £1m of grant will be made available each year for up to 10 years.

2.5 The County Council will be one of many partners involved in the scheme. It is envisaged that our involvement would extend to being one of a network of organisations providing support and guidance for community groups, as well as providing specialist advice on projects, (e.g. archaeology, ecology, woodland and countryside management, etc.)

2.6 Clearly this project has great potential to help local communities understand and enhance their environment, and will bring in new money to achieve these ends. It is an expression of CCW's confidence in Denbighshire's ability to deliver on such community based initiatives that has led them to select the Dee Valley as one of the pilot areas. It is recommended that Cabinet agree to participate in the pilot project.

3. COST IMPLICATIONS

3.1 There are no direct financial implications for the Council, but obviously existing staff time will be involved in advising groups and assisting them in taking forward projects. Such community based activity is already part of the work of many Countryside Service staff. The possibility of community groups 'buying in' expertise from organisations such as the County Council is being explored as part of the scheme.

4. FINANCIAL CONTROLLER STATEMENT

4.1 Costs are 100% grant funded.

5. CONSULTATION CARRIED OUT

5.1 No consultations carried out with local communities as yet, but CCW did consult widely on the principle of a local distinctiveness initiative as part of their Wales Landscape Strategy. The pilot project is to be launched in early May and it is intended that one of the first tasks will be to promote the scheme in the pilot areas.

5.2 It is recognised that there are potential linkages between Balchder Bro and the Dee Valley Small Towns and Villages Initiative. Discussions have been held with colleagues in Economic Development and the STVI co-ordinator.

6. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 The principal impacts relate to Local Agenda 21. Enabling local communities to take direct action to record, conserve and enhance their local environment/heritage is a key element of LA21. Balchder Bro is also fully consistent with the Council's Countryside Strategy 'Caring for our Countryside'.

7. RECOMMENDATION

7.1 To approve Council participation in the proposed Balchder Bro - Pride of Place initiative.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR RHIANNON HUGHES, LEAD CABINET MEMBER FOR CULTURE, LEISURE AND TOURISM AND COUNCILLOR DAVID MORRIS, LEAD CABINET MEMBER FOR ENVIRONMENT

DATE: 19 APRIL 2001

SUBJECT: DENBIGHSHIRE LANDSCAPE STRATEGY

1. DECISION SOUGHT

1.1 To consider responses to the draft Landscape Strategy approved by Cabinet for consultation purposes on 23 November 2000 (see Min 774) and to approve the final Landscape Strategy document.

1.2 Members should refer to the draft Landscape Strategy document previously circulated.

2. REASON FOR SEEKING DECISION

2.1 Preparation of a Landscape Strategy for Denbighshire is a commitment in the Council's 2000-01 Statement of Priorities and is a policy in our Countryside Strategy. It has been prepared in conjunction with the Countryside Services' work on a new CCW sponsored Landscape assessment methodology known as LANDMAP.

2.2 The Strategy covers part of Flintshire and Wrexham with the agreement of these authorities. This is to take in the entire Clwydian Range AONB and adjoining areas which could be included in any future extension of the AONB. The document divides the study area into 45 cohesive landscape character areas, summarises their qualities and, most importantly, sets out key management objectives for each area. In addition to providing a framework for future landscape management and conservation policies and decisions, the strategy and LANDMAP (on which the strategy is based) can also inform planning and land use decisions. It is therefore proposed that they should also be adopted as Supplementary Planning Guidance. This is consistent with the advice in the latest draft Planning Guidance (Wales) issued by the National Assembly. Development of the Strategy and LANDMAP as Supplementary Planning Guidance will require further work before such guidance can be finalised.

3. COST IMPLICATIONS

3.1 No direct additional cost other than to print and publish the approved strategy document. This will be grant aided by CCW and is covered by the existing Countryside Service budget.

4. FINANCIAL CONTROLLER STATEMENT

4.1 No additional financial implications.

5. CONSULTATION CARRIED OUT

5.1 The consultative draft strategy was published and made available for comment for a six week period. Copies were sent out to over 150 interested organisations, including Town and Community Councils, and made available for inspection at public libraries and Council offices. News releases and other means of promotion were used to raise awareness of the strategy and to inform the public of the opportunity to comment. Regrettably, the scheduled public meeting had to be cancelled because of the Foot and Mouth emergency.

5.2 The closing date for receipt of comments was 21 March. Only 17 submissions were received. These are summarised in Appendix 1 attached to this report, together with the suggested response.

5.3 The LANDMAP Steering Group which is made up of representatives from a wide range of interests involved in the landscape (e.g. farming, landowners, conservation groups, statutory agencies, and adjoining local authorities) have also been consulted on the comments made on the draft strategy and have endorsed the proposed responses.

5.4 As it is proposed that the Strategy and LANDMAP should also be adopted by the Council as Supplementary Planning Guidance, it is also intended to report the matter to the Planning Committee in due course.

5.5 It is recommended that Cabinet agree the proposed changes to the Strategy arising from the consultation process, and also agree to develop the document and LANDMAP as Supplementary Planning Guidance in conjunction with the Planning Committee.

6. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 The Landscape Strategy is an important part of Local Agenda 21. It is also a commitment in the Council's Statement of Priorities and Countryside Strategy. Its adoption as Supplementary Planning Guidance will complement the Unitary Development Plan.

7. RECOMMENDATION

7.1 To agree the proposed changes to the Draft Strategy as a result of consultations and to approve the document as the Council's Landscape Strategy.

7.2 To develop the Landscape Strategy and LANDMAP as Supplementary Planning Guidance .

**DENBIGHSHIRE LANDSCAPE STRATEGY
SUMMARY OF CONSULTATIONS AND PROPOSED RESPONSES**

COMMENTS RECEIVED	PROPOSED RESPONSE
<p>Sustrans General - Interesting document. Specific - Requests that the Millennium Route which passes through Rhyl and Prestatyn Coast and Coast Prestatyn - Talacre Character Areas is mentioned in communication links along the coast.</p>	<p>Noted Agreed</p>
<p>WDA No comments</p>	<p>Noted</p>
<p>Celtec Not within Celtec's remit and therefore no comments to make.</p>	<p>Noted</p>
<p>CPRW Denbighshire Branch General - Very interesting and potentially valuable document. Specific - 1. While section 2 states that one of purposes of LANDMAP is to provide guidance on an extension to the AONB, the document does not appear to provide any guidance of this nature.</p>	<p>Noted Clarify that a separate report is dealing with this issue.</p>
<p>2. Add to specific uses - "Assisting in the determination of Planning Applications and assisting Inspectors at Public Enquiries, etc". The Management Objectives will effectively become "official policy" and must therefore be available to influence planning decisions.</p>	<p>Agreed. However, LANDMAP can only inform the planning process and is only one consideration. LANDMAP will form the basis of Supplementary Planning Guidance.</p>
<p>3. Earth Science Overview refers to 20 distinct earth science aspect areas but list only 12, and the Clwydian Range is omitted.</p>	<p>To be clarified. An Appendix listing all aspect areas to be added.</p>
<p>4. Development of Ideas - mention should be made of Gerard Manley Hopkins, whose perception and vision of the Vale of Clwyd while at St Beuno's changed the face of English poetry.</p>	<p>Further research is required.</p>
<p>5. Minor amendments to management objectives relating to hedgerow maintenance for Vale of Clwyd North, East and South Character Areas, and addition of objective to discourage development in ways which would</p>	<p>Agreed</p>

impair views into East and South areas from the Clwydian Hills and the hills to the west.	
6. Clwydian Hills Main Ridge Character Area - i) It would be highly desirable to add a long-term objective for the extension of Moel Famau Country Park. ii) It is important to include as an objective the removal of illegal fencing from the Country Park and Common Land.	Currently there are no proposals to extend the Country Park. Noted. Denbighshire's Countryside Strategy has a policy ENJ 26 - To consult on options to resolve the problem of illegal internal fencing on Moel Famau Common.
7. Brenig/Forest and Cynr-y-Brain Forest Character Areas - In view of the their importance to tourism and leisure add objective - "Encourage forest management in ways which will provide open views from the forest to the surrounding hills."	Agreed
8. Berwyn Mountain - Tentatively suggest that management objectives should include: "Encourage designation of the area as an AONB"	AONB designation is considered in a separate report.
Ruthin and District Association General - Document usefully provides a systematic record of the landscape and underlying features. Look forward to concerted action to implement management recommendations. The management recommendations should be used as a reference against which UDP policies, planning applications and the likely effects of other proposals should be judged. Further landscape analysis, by an experienced landscape architect, would be welcomed.	Noted LANDMAP can only inform the planning process. LANDMAP will form the basis of Supplementary Planning Guidance. Secondary outputs of LANDMAP would be the development of design guidelines
Specific - 1. Vale of Clwyd South and Clwydian Slopes West Character Areas - Refer to need to repair degraded hedges and banks resulting from vehicles before further loss, and lack of sensitive management.	The maintenance of hedgerows is included as a management objective.
Vegetation along many streams and small rivers is significant feature. This is poorly managed in places. Need care and liaison during minor flood-defence and repair schemes, to protect or reinstate natural vegetation.	Noted
2. Denbigh and Ruthin Hills Character Area - Objective 9 relating to respecting local character needs to be stated in more character areas, concerned that "urban" housing in villages is extending.	Not part of LANDMAP; considered as part of UDP and planning process.
Alun - Chwiler Conservation Society General - An excellent example of how LANDMAP approach throws up a useful framework for future research. Find it to be realistic and potentially helpful.	Noted
Specific - 1. Wheeler Valley should be	To be corrected, Chwiler is Welsh version - will

referred to as Chwiler, River Alyn should be River Alun and gafelkind should be changed to gavelkind.	ensure this is in Welsh translation document.
2. References to National interest need to be clarified that this refers to UK and not Wales.	Agreed, National removed.
3. Culture Overview - amend reference to churches and chapels to read - ".....churches of the disestablished Church in Wales and chapels of the nonconformist denominations."	Agreed
FRCA General - 1. A very comprehensive and well-written document. Perhaps the Introductory and Purposes sections could be expanded to give more emphasis on the dynamic nature of the exercise, how it will be used, how it will be kept up-to-date and who will have access to it.	To be added.
2. It will be helpful to give some comment on how the weightings have been applied to the components of the character areas, and how any conflicts between them will be resolved. Perhaps above all it should be stressed that LANDMAP is only a source of information and a guide. It is not a decision making process.	To be clarified. Additional information will be added to explain evaluation criteria.
Specific - 1. Reference to the need to clarify that golden plover is not a bird of prey.	To be clarified.
2. Reference to identification of unimproved grassland requires clarification.	To be clarified.
3. Culture/History - a) There seems to be confusion between history and culture and question the worth of several of the cultural designations and values, in particular, the section on communications, divisions based on boundaries and recreation.	There is a great deal of overlap between culture and history. It is hoped that this will be clarified when the history and culture layers are re-addressed in 2001/2 due to changes in the methodology.
b) Refers to other inconsistencies, and queries why Land Management is the defining issue in some areas but not others, including why a large area of coniferous forestry, which was planted in response to economic and political forces, is defined as a cultural area and why has this been singled out but not quarries or agricultural developments; also why do the old mining areas have a generally high cultural marking but not the limestone quarries.	It is because some aspects of the landscape came about as a result of economic and social forces that they fall into the cultural dimension. There are inconsistencies and these will be addressed with the review of the culture aspect in 2001/2.
c) There are also inconsistencies when the character areas are assessed, eg in the Wheeler Valley Character Area historic park and gardens aspect areas have a high rating, but elsewhere, such as in the Coastal Hills Character Area they are not mentioned.	These inconsistencies will be removed with the reappraisal of the culture and history layers which will take place in 2001/2.
4. Character areas - a little concerned about	The initial scoping exercise identified the level

<p>the number of High and Moderate ratings, preferring a wider spread of values to try and reflect the great diversity of the County and its features. Also there is a need to look very carefully at a consistent approach, suggesting a cross-County exercise looking at specific features, eg historic settlement cores, country houses and estates, eg there is no mention of Nantclwyd House within the Woodlands South of Ruthin Character Area, yet its garden must be important in the County context, although of a more modern development.</p>	<p>of detail. A greater level of detail would be able to achieve this. Nantclwyd Hall is included in the aspect area but has not been mentioned specifically in the text due to local sensitivities.</p>
<p>Dyserth and District Field Club 1. The A5 is now classified as an Historic Route.</p>	<p>Noted</p>
<p>2. Reference to extractive industries, in particular Limestone Quarrying, are not mentioned fully, and reference to lead mining need clarification.</p>	<p>Text will be altered to reduce ambiguity.</p>
<p>3. Agree with the need for quality buildings, but at a price that local people can afford, to prevent the drift of local people away from rural areas.</p>	<p>This was a conclusion from the public perception study. The question of affordable housing will be addressed as socio-economic information is included within LANDMAP.</p>
<p>4. Roman roads are not mentioned.</p>	<p>Features which do not form part of the landscape are not highlighted. The Strategy is not intended to be a comprehensive source of information. Information is held within SMR which is referred to and linked within the database.</p>
<p>5. No mention of former industries and their remains at places such as Lleweni (flax processing), Heseltine's ironworks and other industries in the Ruabon-Llangollen area, and also of importance of Rhyl and other harbours and jetties and their importance in the past and possibly in the future.</p>	<p>Some of this information is too site specific to be picked up within the Landmap Historic aspect areas. However the Sites and Monuments Record will be used as back-up information for LANDMAP and this contains the relevant information. This will be clarified in the document.</p>
<p>6. Reference to the need to clarify that golden plover is not a bird of prey.</p>	<p>To be clarified.</p>
<p>7. Built up areas of Denbigh and Ruthin are not villages.</p>	<p>Text to be altered.</p>
<p>8. Queries whether Prestatyn-Dyserth Walkway is now called Prestatyn-Dyserth Way.</p>	<p>Prestatyn-Dyserth Way is the official name.</p>
<p>9. There is no mention of the Roman Bath House in the Rhyl and Prestatyn Character Area.</p>	<p>This information is noted within the database for the history/archaeology aspect</p>
<p>10. There is no mention of NWWT Nature Reserves at Dyserth and Cilygroeslwyd, Ruthin nor of Woodland Trust property near Ruthin.</p>	<p>The strategy has not attempted to list all properties in public or trust ownerships. This will be clarified.</p>
<p>Forestry Commission No comments</p>	<p>Noted</p>

<p>Wrexham Borough County Council (Planning Department)</p> <p>Comments relate to the areas within Wrexham that may be the subject of a possible extension of the Clwydian Range AONB:-</p> <p>1. Ruabon Moors Character Area - Add management objective - Retain the integrity of the open moorland ridge by keeping it clear of vertical features which would be seen on the skyline in distant views, for example transmission towers, masts, wind generators or forestry plantations.</p>	<p>Agreed, but will need to ensure consistency for other similar areas. Add justification that the moors provide important views from Wrexham direction and the value of uninterrupted skylines.</p>
<p>2. Gwynfryn Limestone Character Area - a) The Minera area is above 200m and could be included in the Upland classification along with Gwynfryn although it is partly valley. It is a small area which does not form part of a much larger Lowland area outside the proposed AONB boundary, and shares some characteristics with the Gwynfryn area.</p>	<p>There is some inconsistency in advice given by LANDMAP Advisory Service for the classification of transitional areas as Upland or Lowland, explaining these differences. Any changes would need to be consistent across Denbighshire. The possible AONB extension is being considered in a separate report.</p>
<p>b) Add management objectives -</p> <p>i) Encourage rationalisation or removal of existing overhead power and telephone lines and undergrounding of future services.</p> <p>ii) Keep visual impact of telecommunications masts to the minimum by encouraging mast sharing, a high standard of design and siting away from skylines and settlement.</p> <p>iii) Encourage the retention and restoration of local stone wall boundaries.</p> <p>iv) Conserve limestone outcrops and limestone flora of disused quarries and spoil.</p>	<p>Agreed, but need to ensure consistency for other similar areas.</p>
<p>3. Hill slopes above Wrexham Character Area -</p> <p>a) This area is also over 200m and could be included in the Upland classification. The main justification for this is that these areas are seen as hill when viewed from the Cheshire Plain/Wrexham Maelor. Together with the upland moorland plateau they form a visual edge to the plain, a backdrop to the lowland area of Wrexham. From the hill slopes there are long distance views eastwards towards the mid-Cheshire ridge some 25 km away, and towards the Dee estuary.</p>	<p>Again, due to differences in advice regarding the classification of transitional areas as Upland (see 2 above). Perhaps, it is more important that these areas have been identified as discrete areas by both authorities.</p>
<p>b) Culture - add Historic park and garden, Trevor Hall.</p>	<p>The culture aspect is to be re-addressed in the year 2001/2 and this will be considered for incorporation.</p>
<p>c) Add management objectives -</p> <p>i) Maintain hedgerows and existing small scale field pattern.</p>	<p>Agreed</p>

<p>ii) Maintain scale and character of existing settlement pattern and road network. iii) Keep visual impact of telecommunications masts to the minimum by encouraging mast sharing, a high standard of design and siting away from skylines and settlement.</p>	
<p>4. Add general comments applying to all character areas - i) Prepare Supplementary Planning Guidance to encourage appropriate development and enhancement of existing landscape. ii) Encourage high standards in scale, design and materials and landscape for new development. iii) Encourage use of low key indigenous building materials by controlled opening of historic quarries.</p>	<p>Agreed, add section on general objectives relating to all character areas.</p>
<p>Wales Tourist Board In the main, the Landscape Strategy appears to accord with the main issues relating to the environment contained in the WTB's strategy "Achieving Our Potential - A Tourism Strategy for Wales", which also recognises the value of landscape and high quality environments, and that of the North Wales Regional Tourism Strategy "Co-operating to Compete", and therefore at this stage is welcomed. The WTB commitment to safeguarding these landscapes and environments is reiterated.</p>	<p>Noted</p>
<p>Rhyl Environmental Association Appreciate the effort which has gone into preparing this document and consider it to be a good base which can be added to as time goes on.</p>	<p>Noted</p>
<p>RSPB 1. Queries how the Landscape Strategy will support the UDP formulation process, bearing in mind that the UDP process is too far advanced for the strategy to have any impact on allocations, and therefore cannot be used to direct development away from sensitive sites, and also how the Strategy will inform the formulation of a UDP 1st Review. Also queries on the adoption and status of Supplementary Planning Guidance arising from the Strategy.</p>	<p>The LANDMAP methodology and process was not sufficiently developed to inform Denbighshire's UDP process. However, there are UDP protective policies for sensitive sites. It is intended that the Strategy will provide a basis for Supplementary Planning Guidance, which will be the subject of further consideration, and will also inform the UDP 1st Review. The UDP will be the main consideration, but where an SPG is approved by the Council and has been subject to public consultation it will be a material planning consideration.</p>
<p>2. Queries regarding the relationship between the Landscape Strategy and the Wildlife Site designation process.</p>	<p>Wildlife Site designation is a separate process. However, it is emphasised that the Wildlife Site overlay (ie maps) should be used in conjunction with the LANDMAP overlays especially Biodiversity aspect, and Wildlife Sites information is also given in the database.</p>
<p>3. Request amendments to description on upland birds and habitats.</p>	<p>Agreed</p>

<p>4. Requests that references to species and habitats also refer to their conservation status in terms of the UKBAP process, the Species of Conservation Concern process, Annex 1 of the EU Birds Directive 1979 and Annex 1 of the Habitats Directive.</p>	<p>Where relevant the status of species will be referred to.</p>
<p>5. Requests that all SPA's, SAC's, SSSI's, NNR's and WS's are listed.</p>	<p>The Strategy does not aim to list all designations for all aspects. This information can be found in the database or within the overlays for these designations. It is emphasised that the database should be used with other overlays. Will clarify this in the document.</p>
<p>CLA 1. Reiterates that membership of the Steering Group does not signify CLA's agreement with the strategies within LANDMAP.</p>	<p>Noted</p>
<p>2. Express concerns that not only is the system unlikely to be accessible by the private landowner from home due to inability of CCW to obtain the correct copyrights from the Ordnance Survey, but LANDMAP was well underway in Gwynedd, Ynys Mon and Denbighshire prior to the handbook being completed.</p>	<p>Methodology has altered during its development, but in the main the process is largely the same. Copyright is now easier. It is the aim to make LANDMAP accessible on the web.</p>
<p>3. Queries how the Landscape Strategy will relate to UDP landscape policies. Also concerns that the Strategy will be used to refuse otherwise well justified and needed development in the countryside, eg to sustain the rural economy, the social fabric and the environment of the area in the countryside.</p>	<p>To be clarified. The Strategy will be only one of a number of planning considerations when determining planning applications, in order to take a balanced view.</p>
<p>4. Points out that there appears to be no assessment of the need for a diversified rural economy and no consideration of the important contribution of market towns and the rural area to the economy and housing of the area.</p>	<p>CCW are looking at the socio-economic aspects of LANDMAP for inclusion as a layer.</p>
<p>5. The Strategy makes no reference to floodplains or drinking water sources including aquifers in the Vale of Clwyd. There is no assessment of the qualities and grading of farmland or the importance of agriculture within any area.</p>	<p>CCW are looking at the inclusion of hydrology as an informative layer within LANDMAP. For the agriculture landuse layer, FRCA have been fully involved and have provided information. However, the level of detail possible has been constrained by the need to respect confidentiality of information about individual farms or groups of farms.</p>
<p>6. There is a need for information on the GIS database to be easily accessible for landowners and farmers, preferably through the Internet or perhaps through the provision of all the data on a set of CD's, and a need to amend information if necessary.</p>	<p>Agreed. It is intended that LANDMAP will be made more widely available on the web once technical and copyright problems have been overcome. This will be clarified in the document. GIS enables amendments to be made easily to the database.</p>
<p>7. There should be liaison with landowners involved over management objectives.</p>	<p>Noted. There will be liaison with landowners on proposals which directly affect their property.</p>
<p>8. CLA strongly resists the extension of the Clwydian Range AONB as being one of the</p>	<p>Agree that it is not the purpose of the Strategy to recommend AONB designation, or any land</p>

<p>purposes of the Strategy. It has been understood that LANDMAP has never been a tool to increase designation, but to review needs and boundaries of designations, justified as a result of the study. There is no presumption that there should be an increase to the present AONB boundary.</p>	<p>designations. At the first meeting of the Steering Group it was agreed that the LANDMAP database be used to review a possible extension of the AONB. This is considered in a separate report.</p>
<p>9. The Strategy should be proactively taken forward by the County Council as a tool to bid for additional grant aid, particularly for the rural areas.</p>	<p>Agreed</p>
<p>10. Countryside Action Programmes should be developed in consultation and with the support of landowners and farmers within the area, as it is only through co-operation that results will be achieved.</p>	<p>Noted. There will be liaison with landowners on Countryside Action Programme projects which directly affect their property.</p>
<p>11. When monitoring changes within the landscape it is important to also look at causes.</p>	<p>Agreed</p>
<p>12. Contend statement that Steering Group define the scope of LANDMAP, considering that this is undertaken by CCW and the local authority.</p>	<p>Do not agree. LANDMAP allows local Steering Groups to define the scope within constraints of methodology.</p>
<p>13. Requests additional information on major bus routes, restructuring of the agricultural industry, government support for diversification opportunities in the countryside, need for alternative uses for redundant farm buildings, and recognition that maintenance of field boundary patterns will be largely dependent on the ability to generate sufficient income and the availability of funding of agri-environment schemes. Welcomes the encouragement that is given to diversification, and new uses of farm building, but would like more detail.</p>	<p>Noted. More information will be added.</p>
<p>14. Culture - concerns that parks and gardens are highlighted, when these are only one part of the landscape, and it should be emphasised that they are non-statutory.</p>	<p>Parks and gardens have been identified as a cultural phenomenon.</p>
<p>15. Public Perception Study - concerned that initial conclusions reached are unclear and of limited value, give no real indication of "public perception", and are best excluded from the final draft until more work has been carried out.</p>	<p>Do not agree that initial conclusions should be excluded, but it will be clarified in the document that these should be treated with caution and that further work is required.</p>
<p>16. Character Areas - a number of specific comments have been received on the various character areas, in particular, concerns expressed about references to restricted development, recommended survey and protection of ponds, extent of protection of other habitats, and the negative nature of some of the management objectives.</p>	<p>Noted. Justification for management objectives will be clarified, eg ponds and other habitats are highlighted where they have been identified as being an important feature of the landscape and to the biodiversity aspect. Management objectives will be amended to be more positive.</p>
<p>17. There should be provision for prolonged</p>	<p>A detailed consultation on the Strategy has been carried out with 150 organisations being</p>

<p>consultation and review to take account of individual landowners and managers.</p>	<p>consulted including the document being deposited at various locations. Individual landowners and managers will be consulted where proposals directly affect them. Also, when LANDMAP is more widely available on the web there will be opportunities to have greater feedback, and GIS facilitates updating of information.</p>
<p>St Asaph Town Council General - Welcome the document, particularly for highlighting the value of Denbighshire's landscape. Specific - Pointed out that the Music Festival held in St Asaph is part of the cultural landscape, as well as economy.</p>	<p>Noted</p> <p>Culture and History to be re-addressed and incorporated then. CCW are looking at the socio-economic aspects of LANDMAP for inclusion as a layer.</p>
<p>Gwaenysgor Conservation Group Trelawnyd Plateau Character Area - Gwaenysgor is in the process of purchasing some wetland in the village of Gwaenysgor and suggest that an additional management objective could be added - Encourage the development and maintenance of wetland habitat.</p>	<p>Wetland has not been identified as a particular feature of this character area. However, the Council supports the Group's conservation aims.</p>
<p>Flintshire County Council (Transportation and Planning) The Strategy is to be reported to the next Council Cabinet Meeting on 24 April, and the Council request additional time for consideration of comments.</p>	<p>Noted and agreed</p>

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR RHIANNON HUGHES, LEAD CABINET MEMBER FOR CULTURE, LEISURE AND TOURISM

DATE: 19 APRIL 2001

SUBJECT: CLWYDIAN RANGE AONB ENVIRONMENT DEVELOPMENT FUND

1. DECISION SOUGHT

1.1 To advise Cabinet of a new funding opportunity for the Clwydian Range AONB, and to approve arrangements to manage the scheme.

2. REASON FOR SEEKING DECISION

2.1 Those members who sit on the Joint Advisory Committee (JAC) for the Clwydian Range will be aware that over the last few years there has been considerable national pressure on government to enhance funding for AONB's. In Wales, a recent NAW response to this has been to announce a new £750k, three year grant scheme for the Principality's five AONB's, including the Clwydian Range. The scheme is known as the Environment Development Fund (EDF) and, via the Countryside Council for Wales (CCW), will make available £50k per annum to each AONB for innovative and sustainable environmental projects involving local communities. The aim is to develop and test ways of achieving a more sustainable way of living in a countryside of great beauty and diversity such as the Clwydian Range. The scheme is intended to be operational in 2001-02, and will be formally launched by Sue Essex, Assembly Minister for the Environment in early May. A copy of the promotional leaflet is enclosed.

2.2 Following discussions between CCW, NAW and the Welsh local authority AONB Officers, the objectives of the scheme have been defined as:

- to conserve and enhance the natural beauty of the AONB, including the built environment.
- to promote sustainable forms of social and economic development that will help conserve and enhance the AONBs.
- to promote the economic and social well-being of local communities.
- to promote quiet enjoyment of the AONBs.

Groups eligible to apply include Voluntary and Community groups, Community Councils, local authorities, and the private sector where it can be demonstrated that the project is in the wider public interest. Grant rates will normally be 50%, but can go up to 75% for voluntary sector projects.

2.3 It is recommended by CCW that management and administration of the scheme should be carried out by the local authorities in conjunction with AONB Joint Advisory Committees. Denbighshire Countryside Service has overall management responsibility for the Clwydian Range on behalf of the JAC, which includes representatives from Flintshire. The JAC have agreed to establish a small EDF Sub Committee with membership based on the 'thirds' principle, (one third local government, one third voluntary sector, and one third business interests) which will have authority to award grants for suitable projects up to £25,000. To ensure a speedier response for appropriate smaller projects seeking up to £1,000 in grant, this is to be delegated to the AONB Officer.

3. COST IMPLICATIONS

3.1 The EDF scheme will be 100% funded by NAW and will not impact on the Council's revenue or capital expenditure budgets. It has been agreed that managing local authorities can retain 5% of the allocation to cover administration costs. In addition, a separate application has been lodged with CCW as part of our 2001-02 Countryside Action Programme for grant aid to appoint a part-time AONB Community Initiatives Warden to assist local communities to develop EDF projects.

4. FINANCIAL CONTROLLER STATEMENT

4.1 Costs are 100% grant funded.

5. CONSULTATION CARRIED OUT

5.1 Details of the scheme have been worked up in partnership between NAW, CCW, and the local authorities. The JAC for the Clwydian Range AONB have also been consulted and fully endorse the scheme.

6. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 The principal impacts relate to Local Agenda 21. The scheme is also fully consistent with the Council's Countryside Strategy. .

7. RECOMMENDATION

7.1 To welcome the proposed AONB Environment Development Fund initiative, and to agree the management arrangements for the scheme as set out in this report.

REPORT TO CABINET

CABINET MEMBER: Councillor David Morris, Lead Member for the Environment

DATE: 19 April, 2001

SUBJECT: Alcohol By-Law - Rhyl Town Centre

1 Decision Sought

1.1 Members to recommend to Council the adoption of alcohol by laws prohibiting the drinking of alcohol on the streets within a defined area of Rhyl.

2 Reason For Seeking Decision

2.1 An identifiable area of Rhyl has suffered for many years from problems relating to the drinking of alcohol by a minority of persons on the streets.

2.2 The problem arising from drinking on the streets has been a matter which has concerned the local County Council Members and the Town Council alike. It is also been the subject of a continuing agenda item on the Town Centre Crime and Disorder Group of which the Head of Public Protection and Regulatory Services is now the Chair.

2.3 Members will of course be aware of the problems associated with persons consuming alcohol, particularly in respect of the square immediately behind the Town Hall and the area surrounding the refurbished Railway Station Complex.

2.4 The Town Centre Crime and Disorder Group have been very proactive in fostering the idea of adopting an alcohol by law, however the progress has been seriously frustrated by the lack of staff available to deal with the basic preparation work required in order to bring about the implementation of the order.

2.5 There are a number of important issues relating to the proposed adoption of an alcohol by-law in respect of a given area of the County and I list the main points below:-

- The area chosen must be one which can be substantiated by statistical evidence from the Police or others, where it has been shown that the drinking of alcohol on the streets has created a problem.
- The area concerned must be clearly defined.
- The owners/occupiers of all properties which have frontages or rear areas which are open and which abut the highways must be consulted individually with the request that they sign to agree to the inclusion of these areas within the by-laws.

2.6 Statistical evidence together with anecdotal evidence has been assembled which provides a basis upon which the by law is now proposed and I would refer Members to the map to be circulated at the meeting, which sets out in detail the area proposed to be covered by the by-law. In principle it will be noted that the area runs from the

West Parade to the Railway Station (both sides of the track) and from Church Street to John Street.

- 2.7 Officers have visited all premises within the area with open access, with the majority having signed up to the required agreement, which has taken considerable staff time in order to complete. Not surprisingly officers have received excellent co-operation from those concerned.
- 2.8 Should the Council agree to adopt the by law, it will be necessary for it to be forwarded to the National Assembly for Wales seeking adoption and also, for it to be advertised in the Press for a minimum of 21 days before the date of implementation.
- 2.9 Following on from the placing of the advertisement, provided there are no material objections received to the proposal, the by-law will be effective from the date of implementation and it will have built into it, a 28 day transitional period.
- 2.10 Members will agree that the implementation of a by-law will assist in the control of the problems experienced currently within the identified area of Rhyl, giving the Police the power required to be able to require people to stop the consumption of alcohol by people on the streets, thus serving to improve the quality of life for the citizens within the area.

3 Cost Implications

- 3.1 Costs will be incurred in the placing of the advertisement and the erection of suitable signage advising people that they are entering an area covered by the by-law. It is however hoped that some sponsorship could be raised from members of the Business Community towards alleviating this cost.

4 Financial Controller Statement

- 4.1 There is no existing budget for this initiative in the current financial year.

5 Consultation Carried Out

- 5.1 Consultations have been carried out through the Town Centre Crime and Disorder Group, whose membership includes County Council Members, County Council Officers, Town Council Members, Members of the Business Community and the Rhyl Business Forum, The Police, First North Western Trains and the Railway Police.
- 5.2 It should also be noted that in contacting the owners of premises where signatures were required, this also has constituted part of a formal consultation process.

6 Implications On Other Policy Areas Including Corporate

- 6.1 The Health Plan Promotion for Wales
Better Living Environment for Residents and Visitors
Rhyl Improvement Strategy

7 Recommendation

- 7.1 Cabinet 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 attached at Appendix One to this Report.

CABINET MEMBER: Councillor D M Morris

DATE: 19 April 2001

SUBJECT: Petition - Rhyl Road, Denbigh

1 DECISION SOUGHT

To note the receipt of a petition regarding pedestrian safety on Rhyl Road, Denbigh and possible action, subject to financial provision.

2 REASON FOR SEEKING DECISION

The Council has received a petition containing approximately 300 signatures stating "We, the undersigned, are shocked at the numerous accidents on the northern part of Rhyl Road, Denbigh; we are anxious that all measures should be taken to improve the safety of pedestrians on this road (especially children on their way to and from school); and are concerned that no preventative measures have yet been taken by Denbighshire County Council in this regard, considering the number and nature of the accidents which have already happened. We demand the immediate implementation of a light controlled pedestrian crossing by the Colomendy housing estate, together with the addition of a footpath on the eastern side of the road, where no pathway currently exists."

Seven slight injury accidents were recorded on the length of Rhyl Road between the Vale Road junction and the Colomendy roundabout during the three year period 1997 - 1999, of which only one involved a pedestrian. The accident rate of 7.6 accidents per km is above the average for the County's Strategic Highways Network (3.75 accidents per km) but considerably less than the highest concentrations on roads such as Russell Road, high Street and Wellington Road in Rhyl where values in excess of 18.0 accidents per km have been recorded.

The Council provides a school crossing patrol at the entrance to Ysgol Frongoch and Ysgol Twm o'r Nant to assist children crossing Rhyl Road.

The Denbigh Transportation Study includes recommendations that would meet the petitioners concerns. The Study recommends the provision of a footway along the eastern side of Rhyl Road. This would require acquisition of land from frontagers and would be estimated to cost in the region of £90,000. The Study also recommends the provision of safer routes to Ysgol Frongoch and Ysgol Twm o'r Nant. The provision of additional crossing facilities could be considered as part of a closer examination of safer routes.

3 COST IMPLICATIONS

The provision of a footway along the eastern side of Rhyl Road would cost approximately £90,000. Further study would be required to establish the cost of further crossing facilities on Rhyl Road should they prove to be justified. The WDA contributed 80% of the cost of commissioning the Denbigh Transportation Study though currently they do not have any financial commitment to implement the Study's recommendations. However, it is likely that the Agency will financially support the Study programme from the next financial year. It would also be possible to make a bid for funding from the Council's own capital programme in due course.

4 FINANCIAL CONTROLLER STATEMENT

The prioritisation of schemes for capital funding will begin once the Task and Finish group due to meet over the next 4 to 6 weeks has completed its deliberation on how capital schemes should be prioritised for funding and monitored once agreed. All potential schemes can then be built into the programme which will cover a number of years.

5 CONSULTATION CARRIED OUT

This report is being made in response to a petition.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

None

7 RECOMMENDATION

7.1 To note the petition and the current situation with accident statistics.

7.2 The petitioners be informed that appropriate improvements and sources of funding will be investigated as part of the general improvement programme of Denbigh.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR D M MORRIS

DATE: 19 April 2001

SUBJECT: Claimed Public Bridleway along Bodawen Lane, Gellifor

1 DECISION SOUGHT

That the County Clerk be authorised to make a Definitive Map Modification Order adding the above route, 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.

2 REASON FOR SEEKING DECISION

The County Council is subject to a direction by the National Assembly for Wales to make a Definitive Map Modification Order to add the above route as a Public Bridleway.

The direction arises from an application by Mr A Kelly of Ffordd Las, Llanbedr, Ruthin pursuant to Section 53 of the Wildlife and Countryside Act 1981 to the former Clwyd County Council, to add the route as a Public Bridleway. Clwyd County Council after considering all the evidence and information submitted concluded that there was insufficient evidence to support the claim and refused the application. The applicant appealed to the Secretary of State for Wales who determined the appeal and directed that Denbighshire County Council make a Definitive Map Modification Order to add the route as a Public Bridleway.

The necessary Definitive Map Modification Order has been made and objections have been received. These objections together with information arising from the appeal is more indicative that the route is in fact a Byway Open to All Traffic (which carries vehicular rights). The route, which is located within the village of Gellifor, is open and unenclosed along its whole length and although unsurfaced appears to form part of the local highway network. There is adequate evidence of local vehicular use including use by farmers to gain access to their fields and to do so not by reliance on private rights of access but in the belief that the lane carries public vehicular rights.

It is suggested that, rather than proceed with the current Order, a new Definitive Map Modification Order be made to add this route as a Byway Open to All Traffic (i.e. to supersede the current order) which will enable the National Assembly for Wales to fully consider and deal with the question of whether the route carries vehicular rights.

If the County Council proceeds with the current Order it will come before the National Assembly for determination who appoint an Inspector to decide whether the Order should be confirmed and a public inquiry is held. The National Assembly cannot modify the current Order by upgrading the route to a Byway Open to all Traffic although it can direct that a further Order be made in those terms.

In view of the number of objections received to the current Order it is felt that the interests of all those concerned would be best covered by the making of a new Order to add the route as a Byway Open to All Traffic. This will enable all those with representations to make to be heard at Inquiry and provide an appropriate basis for a decision to be reached on the evidence with options available to the Inspector which will avoid a further direction to the County Council to look at the issue a third time.

If a direction is made to add the route as a Byway Open to All Traffic this invokes the order making procedure once again and the possibility of a further public inquiry. The County Council

has to bear the costs of dealing with applications for Definitive Map Modification Orders including the cost of any public inquiries which may be required by the National Assembly.

If an order is made to add the route as a Byway Open to All Traffic it will avoid the question of any further direction by the National Assembly and further expenditure on the above issue which is not recoverable by this authority.

3 COST IMPLICATIONS

If an Order is made to add the route as a Byway Open to All Traffic this will reduce the costs for the reasons referred to above.

4 FINANCIAL CONTROLLER STATEMENT

Acceptance of the recommendation will ensure the Council's costs are kept to a minimum.

5 CONSULTATION CARRIED OUT

Head of Highways and Transportation

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

None

7 RECOMMENDATION

That the County Clerk be authorised to make a Definitive Map Modification Order to add the above route as a Byway Open to All Traffic and seek confirmation of that Order if necessary by reference to the National Assembly for Wales

Field No. 1200

2974
3-85

4770
5-03

Gellifor Farm

3567
2-32

5766
3-99

2363
3-18

Gellifor

3348
25-52

5752
1-68

6645
5-06

5241
3-67

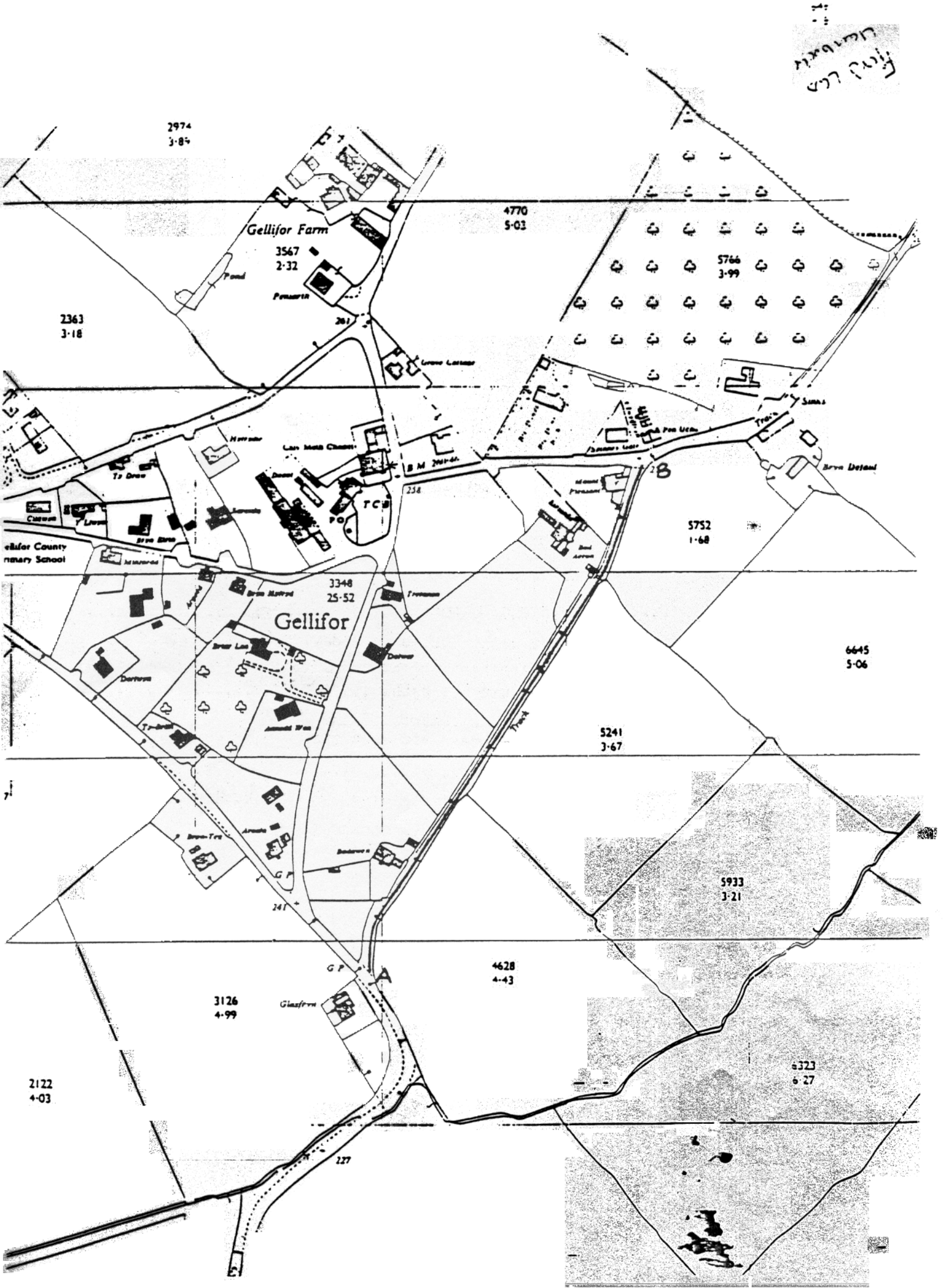
5933
3-21

4628
4-43

3126
4-99

2122
4-03

6323
6-27



REPORT TO CABINET

CABINET MEMBER: COUNCILLOR ALBY ROBERTS

DATE: 19 April 2001

SUBJECT: A Strategy for Carers in Denbighshire

1 DECISION SOUGHT

A joint Agency Carers Strategy Group consisting of all of the agencies listed in section 5 below has been meeting to develop a Strategy for Carers in Denbighshire. The Strategy document is based directly on the views of carers as expressed at the Carers Conference organised by Denbighshire and Conwy Social Services, North Wales Health Authority and the Carers Project in 1999. The Strategy covers the following key areas: Information for Carers, Consultation and Involvement, Professional Practice, Joint Working, Health of Carers and Breaks for Carers.

This report is to recommend that the Council formally agrees the Strategy.

2 REASON FOR SEEKING DECISION

The Strategy is an ideal opportunity to:

- secure a joint approach from key agencies to the main issues identified by carers; and
- respond to the National Assembly for Wales, Carers Strategy for Wales Implementation Plan.

The Strategy is also consistent with the local authority's new responsibilities to carers arising from the Carers and Disabled Children Act 2000.

3 COST IMPLICATIONS

The Strategy provides a focus for using existing resources for carers effectively. The Strategy will also inform the use of the Carers Special Grant in Denbighshire. Denbighshire successfully applied for £110,919 in 2000 / 01 and will apply for a further £137,382 in 2001 / 02.

4 FINANCIAL CONTROLLER STATEMENT

No additional financial implications and the costs will be contained within the existing budget for Personal Services.

5 CONSULTATION CARRIED OUT

The following have participated in developing the Strategy: Carers, Social Services, Local Health Group, Rhuddlan District Crossroads, South Denbighshire Crossroads, Age Concern, Carers Project, National Schizophrenia Fellowship, County Forum for People with a Learning Disability, Conwy and Denbighshire NHS Trust, NCH, Vale of Clwyd MIND, Alzheimer's Society. The work on the Strategy is an example of a high degree of joint working and co-operation.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

Corporate policy impacts include:

- Social Inclusion - the Strategy recognises the role of carers and promotes social inclusion, e.g., by the provision of breaks services.
- Health Promotion - the health of carers is specifically addressed in the Strategy.

7 RECOMMENDATION

The recommendation is that Council formally agrees the Strategy.

**A Strategy for Carers
in
Denbighshire**

March 2001

CONTENTS

Introduction	1
Background	1
Who Is A Carer?	2
Who is A Young Carer?	3
Denbighshire Carers Strategy:	4
Information	4
Consultation & Involvement - Planning Services...	5
Consulation & Involvement - Individual Planning ..	5
Professional Practice	6
Joint Working	6
Health of Carers	6
Breaks for Carers	7
Acknowledgements	8

A STRATEGY FOR CARERS IN DENBIGHSHIRE

INTRODUCTION

The document, “Caring about Carers - A National Strategy for Carers”, gives considerable impetus to developing a local joint strategy. Therefore, this local document has been agreed by Denbighshire Social Services, Conwy & Denbighshire NHS Trust, Denbighshire Local Health Group and carer related voluntary organisations. This document has also been produced in consultation with carers.

It is acknowledged that carers provide the vast majority of Care in the Community. The Denbighshire Carers Strategy aims to:

- ◆ bring about a better understanding of the role and needs of Carers; and
- ◆ provide a framework for action for all relevant agencies.

BACKGROUND

The Carers (Recognition & Services) Act 1995 was a step forward in acknowledging both the role that Carers play in supporting people with disabilities and the needs which Carers themselves have. The Act has given Carers the right to have their own needs assessed. It gives social services departments a statutory duty to take the Carer’s needs into account when deciding what support to provide to the person who is being cared for. The Carers and Disabled Children Act 2000 further extends the duties towards carers including the duty to provide services directly to carers.

In February 1999 the Government launched “Caring about Carers - a National Strategy for Carers”. In January 2000 the National Assembly for Wales produced “Caring about Carers, A Strategy for Carers in Wales Implementation Plan”. The National Assembly is also making £3 million per year for 3 years available to provide additional short term breaks for Carers. The amount of this grant allocated to Denbighshire in 2000 - 2001 was £110,919.

In Denbighshire, a multidisciplinary group had been meeting for some time to look at Carers issues. The multidisciplinary group continued to meet whilst awaiting the Carers Strategy in Wales. In March 1999, this multidisciplinary group arranged a conference (joint with Conwy) to consult on the National Strategy and look at the way forward in the two Counties.

A conference report was produced and this has been used to inform the content of this strategy.

WHO IS A CARER?

In Denbighshire, there are an estimated 9,070 adult Carers. These carers are family members, partners or friends providing unpaid support to people because of illness, disability (physical, mental, sensory or learning) or frailty.

The Carers (Recognition & Services) Act 1995 covers all Carers: adults who care for other adults, parent carers, those who care for ill or disabled children under the age of 18, and young Carers aged under 18 who care for a relative. The Carers and Disabled Children Act 2000 covers carers aged 16 or over.

The term Carer does not include volunteers who provide care as part of their work for a voluntary organisation, nor anyone who is paid for what they do, except for Invalid Care Allowance.

Some Carers live in the same house as the person they care for. Others live nearby and visit regularly. Some live a distance away and visit, for example, weekly or monthly. Some provide care for limited periods of time or as part of an informal family support network. Some provide care for more than one person. Caring often impacts on the whole family and not just one person.

Some Carers do not see themselves as Carers, and see themselves more as a parent, husband, wife, child, partner, friend or neighbour.

The type of support that Carers give varies. For example, a Carer who supports someone with fluctuating mental health problems may provide emotional support, supervision and a range of practical tasks. Someone caring for a person who is sick, disabled or frail may provide a great deal of personal care and help with moving around.

Whilst caring can be a positive experience, caring for someone can be both physically and emotionally exhausting. Carers often feel isolated, unsupported and alone. Some Carers themselves may have health problems or stress related illness brought on by the caring role. Carers often experience a lack of financial security because of the cost of caring. They often have difficulties in accessing the support needed to allow them to balance the caring role with paid employment. Carers who live in rural areas may have added difficulties in accessing help and advice.

WHO IS A YOUNG CARER?

In Denbighshire there are an estimated 2000 young carers. The Carers National Association defines young carers as children and young people under 18 years old whose lives are in some way restricted because of the need to take responsibility for a person who is ill, has a disability, is elderly, is experiencing mental distress, is affected by substance use or has HIV or AIDS. Young carers could be in any family. They may be taking responsibility for a parent, grand parent, sibling or some other family member. Some may be the only person providing care whilst others may take on responsibilities alongside other members of the family.

The effects of caring on Young Carers can include: adverse effects on their own mental health, social isolation, difficulties in participating in activities and pursuing friendships, loss of education and career opportunities and poverty. All these can lead to children and young people having to grow up fast, missing their childhood and adolescent years.

DENBIGHSHIRE CARERS STRATEGY

This strategy is based on the following principles:

- Carer's circumstances vary enormously. Carers must be considered as individuals in their own right and their choices and life styles must be respected.
- Carers should be able to make informed choices about their situation with support and alternatives.
- Carers must have a voice in planning services in order to ensure that resources are used effectively.
- Carers wish to be treated with understanding and compassion.
- Carers should be provided with a service in their preferred language, where possible.

This strategy highlights seven areas for action identified by carers at the Carers Conference as being the most important things that need to happen now to make the strategy real in Denbighshire.

Information

Providing relevant, quality information at the right time remains a key challenge and many Carers reported that they did not know where to go for such information.

Action points

All agencies to:

- ◆ identify the information needs of users or potential users of their service;
- ◆ implement a range of methods and disseminate information to Carers;
- ◆ develop and implement quality standards for carer information, in consultation with carers; and
- ◆ work together to ensure a co-ordinated approach to information provision, including information on statutory rights.

Consultation & Involvement – Planning Services

Consultation should be of a high quality including allowing enough time for effective consultation, using a range of methods and recognising the diverse needs of carers.

Action points

All agencies to:

- ◆ ensure involvement of carers from relevant client groups;
- ◆ meetings should be arranged at a time and place to suit Carers;
- ◆ reimburse carers any reasonable expenses incurred including travel and alternative care costs; and
- ◆ give feedback to carers on the outcome of any consultation, in particular on the result of their involvement, within an agreed time scale.

Consultation & Involvement – Individual Planning

Carers say they are frequently “ignored and invisible” in their dealings with services whose focus is on the patient or user/s of services (Henwood, 1998).

Action points

All agencies to:

- ◆ recognise and value carers as part of the ‘care team’ and keep them involved and informed;
- ◆ enable carers to participate fully in the assessment, care planning and review processes, in their preferred language, allowing time to talk and taking account of any requirements arising from disability and / or sensory impairment; and
- ◆ fully involve carers in discussions about what services and support is to be provided to the person they care for as well as to themselves as the Carer.

Professional Practice

Professionals need to acknowledge the differing characteristics and needs of Carers as individuals, in accordance with their organisation’s Equal Opportunities Policy.

Action points

All agencies to:

- ♦ provide training on the needs of carers;
- ♦ ensure that carers needs are recognised within the policies, procedures and practices of the agency; and
- ♦ recognise the needs of working carers within their own organisations and adopt family friendly policies.

Joint Working

Joint working across agencies must be real at all levels. The National Carers Strategy gives strong direction towards development of local Carers Strategy with key players agreeing to work together. It is essential to have Carer involvement in developing the Strategy and the monitoring of it.

Action points

All agencies to:

- ♦ ensure that Carers are enabled to take part in joint working;
- ♦ contribute the resources and staff commitment necessary for joint working; and
- ♦ commit to, implement and further develop this joint strategy.

Health of Carers

All agencies need to promote the health and well being of carers and assist with the recognition of and identification of carers.

Action points

Relevant agencies to:

- ♦ develop mechanisms to screen carers health;
- ♦ provide information and training for carers relating to their own health and well being, including in relation to their caring role, e.g., training on moving and positioning the person they care for safely; and
- ♦ ensure the carer is treated and looked after as a person in their own right.

Breaks for Carers

All agencies need to recognise the importance of carers having a break and be aware of how carers may access such services.

Action points

Relevant agencies to:

- ♦ seek to ensure that a well resourced, flexible, needs led, equitable, high quality range of options for 'having a break' is available;
- ♦ ensure that the planning for breaks services is bottom up i.e. by local service users and their Carers; and
- ♦ ensure quality, accessible information about what is available including good networks between organisations.

WAY FORWARD

Each agency will identify the specific actions required to make this strategy real. The Denbighshire Carers Strategy Group will identify areas for joint working and will monitor progress on the strategy overall.

This strategy has been developed by:

Carers in Denbighshire
Denbighshire Social Services
Denbighshire Local Health Group
Rhuddlan District Crossroads
South Denbighshire Crossroads
Age Concern, North Wales Central
The Carers Project
National Schizophrenia Fellowship
Denbighshire County Forum for People with Learning Disabilities
(Mental Handicap)
Conwy & Denbighshire NHS Trust
North Wales Health Authority
NCH
Vale of Clwyd MIND
Alzheimer's Society

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR ALBY ROBERTS

DATE: 19 April 2001

SUBJECT: Direct Payments

1 DECISION SOUGHT

Since 1997, the local authority has had the Power to offer some people direct payments (i.e. cash) instead of arranging community care services for them. In 1999, the Social Services Committee approved consultation and research into the viability of a Direct Payments Scheme in Denbighshire and requested a further report in due course.

Having conducted this consultation and research, this report recommends establishing a Direct Payments scheme in Denbighshire.

2 REASON FOR SEEKING DECISION

The reasons for seeking the decision are:

- to give disabled people greater control over their services and to promote independent living;
- to respond to the views of local disabled people (in a survey, 76% of respondents wanted the choice to receive direct payments);
- to respond to the Government's increasing emphasis on direct payments (direct payments legislation has recently been extended to include older people, carers, those with parental responsibility for a disabled child and 16 & 17 year old disabled young people).

3 COST IMPLICATIONS

The direct payments legislation requires the provision of a Support Scheme for direct payments recipients. This is likely to cost in the region of £50,000 p.a. Discussions are underway with Conwy to explore the possibility of sharing this cost.

N.B. A clear audit trail is included as part of the procedure.

4 FINANCIAL CONTROLLER STATEMENT

No additional financial implications and the costs will be contained within the existing budget for Personal Services".

5 CONSULTATION CARRIED OUT

A consultation document and questionnaire were widely circulated in Conwy and Denbighshire and four open meetings were held, two in Conwy and two in Denbighshire. In total, 55 questionnaires were returned and 42 people attended the consultation meetings. Disabled people have also participated fully in determining an appropriate model for delivering direct payments in Denbighshire and have formed a Direct Payments Management Group, which meets regularly and continues to raise awareness of direct payments in the County. The development of a direct payments scheme is a high priority for many disabled people and the commitment given to this by the Council is greatly appreciated.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

Corporate policy impacts include:

- Social Inclusion - direct payments promote choice and control and independent living.
- Community Involvement - direct payments must be developed and delivered in partnership with disabled people and disability related organisations.

7 RECOMMENDATION

The recommendation is that Council supports the development of a Direct Payments scheme in Denbighshire.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR ALBY ROBERTS

DATE: 19 April 2001

SUBJECT: Charging Policy for Social Services

1 DECISION SOUGHT

The Charging Policy for Social Services has developed over time and has been the subject of a range of reports to elected members resulting in policy decisions. Some aspects of the charging policy have also developed as a result of "custom and practice" or legal advice. The Charging Policy Group has developed a set of Guidelines for staff which seeks to "pull together" these policy decisions and practices into one document. This document will be available to members of staff and also to members of the public who request detailed information about charging policy.

This report recommends that Council adopts 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.

2 REASON FOR SEEKING DECISION

The reason for seeking the decision is to ensure there is an agreed statement of current local policy. Also, the National Assembly will shortly issue guidance on *Fairer Charging Policies for Home Care and other Non Residential Home Care Services*. The local document will provide the basis for a thorough review of the charging policy in the light of the new guidance.

3 COST IMPLICATIONS

Legal advice is that it is unlawful to take account of the means of the spouse or a partner when assessing for charges. The guidance document, therefore, makes it clear that only the means of the service user is taken into account for charging purposes. This has resulted in some loss of income to the Department since the change was introduced in October 2000. However, it is a necessary change to comply with the law.

4 FINANCIAL CONTROLLER STATEMENT

No additional financial implications and the costs will be contained within the existing budget for Personal Services.

N.B. The area of charging and concesssions was included as a District Audit recommendatin last year for the development of a corporate approach. All existing policies will need to be considered in the light of this once a review of charges and concessions has been carried out.

5 CONSULTATION CARRIED OUT

A Charging Policy Consultation Group which consists of representatives of service users, carers and relevant voluntary organisations is consulted on all aspects of charging policy. This group has been fully involved in feeding into the issues in the document and has commented positively on the consultation process. Broader consultation exercises are carried out as required.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

Corporate policy impacts include:

- Anti Poverty - the charging policy is based on clear anti poverty principles which have been agreed by Elected Members (see page 3, Principles of Charging).

7 RECOMMENDATION

The recommendation is that Council agrees 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.

DENBIGHSHIRE COUNTY COUNCIL

SOCIAL SERVICES DEPARTMENT

**CHARGING FOR SERVICES RECEIVED IN
THE HOME AND IN THE COMMUNITY**

GUIDELINES FOR STAFF

**DRAFT 4
8 March 2001**

Contents

1. Introduction
2. Why charges are being made for some services
3. Principles of charging
4. Who may be charged for services
5. What services are charged for
6. How charges to the client are calculated
 - 6.1 Basic rules
 - 6.2 Capital
 - 6.3 Financial assessment
 - 6.4 Weekly income
 - 6.4.1 Tariff income
 - 6.5 Disregards
 - 6.6 Charges for couples
7. The charges
8. Procedures for Social Workers and other staff undertaking needs assessments
9. Procedures for Financial Assessment Officers
10. Complaints and disagreements
 - 10.1 Waiver of charges
 - 10.1.1 Role of staff
 - 10.2 Complaints procedure
11. Unpaid bills
12. Charges for equipment and minor adaptations
13. Role of the Welfare Rights Unit

APPENDICES

1. Charges for non-residential services - Clients with less than £16,000 in capital
2. Charges for non-residential services - Clients with more than £16,000 in capital
3. Examples of financial assessments
4. A Guide to Social Services Charges (public information leaflet)
5. Denbighshire Agreement Letter
6. Bank Authorisation Form
7. Financial Assistance Claim Form
8. Additional Information Form
9. Assessment Letter
10. Financial Assessment Procedures Flowchart
11. Waiver Application Form
12. Information for Advisory Panel Form
13. Debt Recovery Recommendation Form

1. Introduction

These guidelines deal with those services that people receive in their own homes and in the community. Residential Care and Nursing Home Services (including respite care) are not covered here.

These guidelines are intended to assist staff in understanding the Department's Charging Policy. They should help staff to explain the policy to the public and to other agencies. They also set out the expectations and procedures required of staff. They include some information about the procedures carried out by Financial Assessment Officers, however more detailed information is available within the Financial Assessment Officer's Procedures document.

2. Why charges are being made for some services

Local Authorities, under the Health and Social Services and Social Security Adjudications (HASSASSA) Act 1983, have a discretionary power to charge for services.

Denbighshire County Council is committed to providing a high standard of service. Demands increase yearly and government funding has not kept pace with these increases. We do not want to cut vital services and the only way to maintain standards is to make a charge for some of the services we arrange.

Successive governments have made clear their expectations that councils should be using their discretionary powers to operate charging regimes 'that maximise revenue while not providing distortions or disincentives that would affect the outcomes of care for individuals'. the Government's funding formula assumes that a proportion of costs can be recovered through charges. (Audit Commission Charging with Care, May 2000)

3. Principles of charging

The development of an equitable and reasonable charging policy is a key objective for the Social Services Department and also supports the County Council's antipoverty strategy.

A reasonable charging policy should:

- *be fair to all client groups*
- *not result in large numbers of people stopping services*
- *be based on the ability to pay*
- *ensure that forms of redress are available*

The Department's Charging Policy Group works to these principles

(Social Services Committee Report, 3 February 1998)

The Charging Policy Group consults regularly with the Charging Policy Consultation Group which includes people who use services and their representatives. This consultation is invaluable in shaping the charging policy and ensuring that the above principles are adhered to.

4. Who may be charged for services

At this time the following client groups may be subject to the Charging Policy:

- older people
- older people with a mental health problem (unless they are receiving services under Section 117 of the Mental Health Act)
- people with a physical disability or sensory impairment
- people with a chronic illness

- people with a learning disability (mental handicap)

Currently the following client groups are not charged:

- people with a serious functional mental illness (where the services provided are related to needs arising from the serious functional mental illness)
- children (under the age of 18)
- any client in receipt of an Independent Living Fund (ILF) award
- any client receiving services from the Denbighshire Rehabilitation Scheme
- any new client receiving Home Care services during the first two weeks following discharge from hospital on the Hospital Discharge Scheme
- people with early onset of dementia receiving services from the Cornerstone Project (currently under review)
- people who misuse drugs or alcohol undergoing Community Rehabilitation.

It is local policy not to charge the above client groups, however legislation prevents charges being introduced for

- any client receiving services under Section 117 of the Mental Health Act

5. What services are charged for

Denbighshire County Council Social Services Department charges for the following services whether they are provided in-house or by the independent sector:

Service	Description of Service	Units Charged for
home care	providing personal care and other services in the home	one hour (may be divided into ¼ hours)
day services	including work opportunities and day centres	½ day (four hours or part thereof)
project work	assisting and encouraging the client to carry out specific tasks and activities. Only provided to clients aged 18 to 64	one hour (may be divided into ¼ hours)
night time care	overnight stays after the client has gone to bed	per night
Careline linked callouts	A system whereby a client can summon assistance when required	per hour

Although not part of the Charging Policy clients are also expected to pay for any frozen meals or meals on wheels they receive together with any meals they receive during the course of attendance at a day centre. This is because the Applicable Amount set by DSS is assumed to be sufficient to provide all meals. The amount charged will be the actual cost of the meal (See Appendices 1 and 2). Payments for the meals will be made direct to the day centre or the person delivering the meal.

Community Living Schemes for people with a learning disability are currently subject to a different charging scheme, though this is now being reviewed.

Currently there is no charge for disability equipment or minor adaptations. However this is also under review.

6. How charges to the client are calculated

This section explains the method used to calculate the maximum weekly contribution expected from a client. However, they will only pay for the actual amount of services they receive, for example hours of home care, ½ days of day care, etc. and will therefore often pay less than the maximum weekly contribution calculated.

Where clients cancel their service at short notice, they may be still be charged.

6.1 Basic Rules

In all cases only the client's own finances will be taken into account. Therefore income and capital is disregarded if it is held, for example, by a spouse (but see section 6.6 if they both receive a service).

If the client has more than £16,000 in capital, he/she will be expected to pay the full cost of the services received, until such time as the capital falls below the £16,000 threshold.

If the client has between £8,000 and £16,000 in capital he/she will be expected to pay up to a maximum charge, the amount of which is set by the authority annually. See Appendix 1

If the client has less than £8,000 in capital, their charges will be individually assessed but will not exceed the maximum charge set by the authority. See Appendix 1

6.2 Capital

The following policy with regard to capital is derived from the Charging Regulations and Guidelines (CRAG), government regulations relating to charging for residential and nursing home accommodation.

Capital can be:

- buildings
- land
- Savings Certificates
- Premium Bonds
- stocks and shares
- capital held by the Court of Protection or a Receiver appointed by that Court
- savings held in building society accounts, bank accounts, SAYE schemes, Unit Trusts, Co-operative share accounts, cash, trust funds, etc.

This may not be a comprehensive list, more detailed guidance about all capital issues is available in the CRAG document.

In calculating the client's capital we do not take into account the value of the house in which the client lives. We do, however, include any other property he/she may own, such as holiday homes, land, etc.

Where capital is owned jointly, the client's share will usually be assumed to be half. However where land is involved the client's share will be determined on the basis of the joint ownership.

6.3 Financial assessment

The assessment is calculated as follows:

weekly income
less DSS Applicable Amount
less Denbighshire Disregard
less benefits disregards
less other additional expenses

equals weekly contribution (which will not exceed the maximum charge the amount of which is set by the authority annually. See Appendix 1)

For examples of financial assessments, please see Appendices 3

6.4 Weekly income

The term 'income' will include

- Pension
- Occupation/Supplementary Pension
- Income Support
- Disability Living Allowance Care Component
- Attendance Allowance
- Other income - trusts, rent, earnings, any other income in cash or in kinds, etc.
- Tariff income from capital, see 6.4.1 below

Any income or benefits which the client receives for other members of the household will not be included in the calculation. For example Income Support may be paid to the client for the whole household. Similarly, we will include any income or benefits intended for the client but which is received by another person.

6.4.1 Tariff income

This is an assumed income based on the value of capital, either savings or property (other than the client's own residence) The amount assumed is based on the amount set by the Government for residential and nursing home charges. It is currently £1 for every £250 of capital held over and above £3,000

Where capital is owned jointly, the client's share will usually be assumed to be half. However, where land is involved, the client's share will be determined on the basis of the joint ownership.

6.5 Disregards

The following disregards will apply:

- Income Support Applicable Amount - single person's Applicable Amount or $\frac{1}{2}$ of a couple's Applicable Amount. The Applicable amount does not include the Severe Disability Premium. The DSS changes the Applicable Amount annually.
- Disability Living Allowance Mobility Component
- Denbighshire Disregard. This is an automatic disregard towards basic living expenses over and above basic Income Support Applicable Amounts, which are felt to be inadequate.
- The client's contribution to rent/mortgage. This could vary between nil and the full amount depending on what the client actually pays towards this cost.
- The client's contribution towards Council Tax. This could vary between nil and the full amount depending on what the client actually pays towards this cost.
- Installation and rental of Care Line
- Private Care - only on the basis that if the care was not paid for privately then we as an authority would have to arrange that care i.e. the care meets an assessed need.
- Any essential contributions paid by the client to other members of the household i.e. any income or benefits which the client receives for other members of the household.

6.6 Charges for couples

The above rules apply equally to couples where one of the couple is receiving the services. However, there are some instances, when they are both receiving services. In these instances, we will collect financial information for each partner separately. We will financially assess the couple both as individuals and as a couple. We will base any charge on whichever assessment is most financially beneficial to the couple, unless they specify how they wish to be assessed.

Where they are assessed as a couple the following rules will apply:

- If their combined capital is over £32,000 the couple will be expected to meet the full cost of their services
- If their combined capital is between £16,000 and £32,000, the couple will be expected to pay up to the maximum charge for couples (See Appendix 1)
- If their combined capital is less than £16,000 their charges will be assessed as follows:

Weekly joint income
less DSS Applicable Amount for Couple
less Denbighshire Disregard for Couple
less Benefits Disregards for both
less other additional expenses
equals weekly contribution (which will not exceed the maximum charge for a couple, see Appendix 1)

For examples of financial assessments, please see Appendix 3.

7. The charges

Where the individual client has more than £16,000 in capital, or where a couple who are being assessed jointly, have more than £32,000 in capital, they will be expected to pay the full cost of the services they receive. This will be the actual cost to the local authority charged by the independent sector, or the amount determined by the local authority for in-house services. (See Appendix 2)

Where the client has less than £16,000 in capital, the charges set out in Appendix ? will be applied. These charges are set annually by the authority.

8. Procedures for Social Workers and other staff undertaking needs assessments

Where it appears to the local authority that a person may be in need of community care services, there is a duty to assess that person's needs. On the basis of that assessment, if it is determined that services should be provided for which we may charge, the client must be advised that there may be a charge. Where possible they should also be given an estimate of those charges. However, it should be emphasised that this is an estimate and that the detailed financial assessment will be carried out by the appropriate Financial Assessment Officer and the client will be notified in due course. All people assessed as needing chargeable services should be offered a benefits check and referred to Welfare Rights Unit (See section 13).

The following leaflets and documentation are available which will assist with giving this information:

- A Guide to Social Services Charges - a basic guide to be left with the client which explains the principles of the Charging Policy (Appendix 4)
- Denbighshire Agreement Letter - to be used particularly where the client does not wish to undergo a financial assessment but agrees to pay the full cost of his/her service (Appendix 5)
- Financial Assistance Claim Form (Appendix 7) - where possible this should be completed with the social worker or other staff member undertaking the assessment. As all information provided on the form needs to be verified, the staff member must see all relevant documents and sign the each item as 'verified'. If the staff member does not sign the entries as 'verified', the client will have to provide verification in the form of bank statements, authorisations, etc. (Appendix 6)

The Financial Assistance Claim Form and/or the Denbighshire Agreement Letter is passed to the appropriate Financial Assessment Officer. The Social Worker will also need to provide the FAO with an Additional Information Form (Appendix 8) which provides details of the service to be provided and other essential information, and a copy of the Care Plan.

The Financial Assessment Officer will carry out the financial assessment and notify the client.

9. Procedures for Financial Assessment Officers

Financial Assessment Officers (FAOs), on receipt of all documentation, including the Financial Assistance Claim Form, will:

- Assess the charges
- Write to the client advising them of their assessed charge - provide information about Waiver of Charges and Complaints Procedures and Welfare Rights Unit. (For a copy of this letter see Appendix 9)
- Provide leaflet giving Service Charges (Appendices 1 and 2)
- Forward information to Welfare Rights Unit if the client has a 'nil' assessment or if the FAO feels that they would be entitled to more benefits
- Produce monthly invoices
- Liaise with Debtor's Department with regard to unpaid bills
- Re-assess the client's financial circumstances annually

For a flow chart giving further details on these procedures see Appendix 10.

10. Complaints and disagreements

Any disagreements with the financial assessment should, in the first instance, be given to the FAO. The FAO will consult with his/her colleagues and line manager and will then reply to the client.

If the client is unhappy with the response they can:

- make a complaint under the Department's Representation and Complaints Procedure e.g. that their assessment has not been carried out properly, or
- ask for their charge to be waived on the grounds of financial hardship. To do this the client must have provided the FAO with full information about their financial position.

10.1 Waiver of charges

Where the client feels that they cannot afford their assessed charge, they may apply for a waiver. Applications for a waiver of charges are considered by an Advisory Panel. A client will be expected to have provided any relevant information about their finances and circumstances to the FAO team prior to the case being considered by an Advisory Panel.

The role of the Advisory Panel is to consider the request and make a recommendation to the Head of Client Services. An Advisory Panel can only recommend that charges are waived in exceptional circumstances i.e.

- The client's circumstances must be exceptional compared to others using the same service.
- They would suffer financial hardship if they have to pay the charge

10.1.1 Role of staff

If the client expresses disagreement to the charges to a member of staff, they should inform the Case Holder or FAO who will seek to clarify the nature of the disagreement and whether there is any information that the client believes has not been taken into account when assessing their charge. If all information appears to have been provided the member of staff should:

- advise the client that he/she can apply for a Waiver of Charges and the criteria used by the panel for making a decision
- provide information and the necessary application form (Appendix 11)
- advise that he/she can get independent help to complete their application from their local CAB or Age Concern Advocate or other client specific advocacy groups.
- advise that the client should continue to pay their bills if at all possible whilst awaiting the outcome. This is important to ensure that the client is not left with an unmanageable debt should their request for waiver be turned down
- send application for waiver to Quality Assurance Section (QA), if client has not done so

Application Forms advise clients to forward the application to QA. If the application is received by another office, it should be forwarded to QA within 1 day of receipt.

Within 2 days of receipt QA will forward a copy of the application and any supporting information to the FAO and the Team Manager responsible for the service provided. QA will also write to the client to acknowledge receipt of the application.

The Social Worker completes an 'Information for Advisory Panel' form (Appendix 12) in consultation with the Team Manager. It is important when completing the form that the Social Worker makes clear recommendations which are clearly linked to the waiver criteria and explains their rationale. Clients would normally have the right to see these recommendations should they apply for access to their files. The Form should be returned to QA within 5 days.

The FAO checks all calculations within 5 days of receiving the information. They will send copies of the Financial Assistance Claim form and the assessment calculation to QA. They should put a suspense on any outstanding bills on the Debtors' system to prevent reminders being sent out. Following the outcome of the application, they should adjust invoices as necessary.

QA Section checks the information received with the lead manager for FAOs (Anne Hughes-Jones) within 5 days, as some matters may be resolved without involving the Advisory Panel. A re-assessment may be sufficient.

The Advisory Panel meets to consider the application within 28 days of its receipt. It makes recommendations to the Head of Client Services who will then make a formal response to the client.

If the client wishes to appeal against this decision, they may ask for it to be reviewed by a Review Panel at the 3rd stage of the Representation and Complaints Procedure.

10.2 Complaints procedure

Where the client is dissatisfied with any of the services they have received from the Department, including the financial assessment service, they may use the Representation and Complaints Procedure.

11. Unpaid bills

Debtors' Department send a list of invoices which have not yet been paid 6 weeks after the date of the invoice. This list is checked by FAOs who can stop the automatic reminders if necessary. A second list is sent out, 6 weeks later, prior to the second reminder which is dealt with similarly. If the bills remain unpaid after two reminders, a further 'legal' list is sent to the lead manager for FAOs. Enquiries are then made with the case responsibility holder and the relevant FAO before the debt is pursued any further using the Debt Recovery Recommendation Form (Appendix 13).

Services are not withdrawn if charges are not paid, however, we will seek payment, ultimately considering court action if necessary.

12. Charges for equipment and minor adaptations

To be added when agreed by Council

13. Role of the Welfare Rights Unit

Welfare Rights is about getting information, advice and practical help with:

- Social Security benefits and rights
- housing and employment rights
- personal debts

Social Services provides this service either directly or through organisations it works with.

The Welfare Rights Team within Social Services provides:

- an advice line every week day on 01824 706625 (9 to 12am)
- a home visiting benefits check service for some clients
- a welfare benefits service for mental health clients
- a representation service for clients who want to appeal
- referrals for people who are not long term Social Services clients to the Citizens Advice Bureau and Rhyl Benefits Advice Shop for benefits checks
- referrals for help with personal debts to the Citizens Advice Bureau
- a welfare rights support and training service to staff
- a training programme open to a range of organisations
- publicity and information campaigns.

All people charged or about to be charged for services provided by the Department should be offered a benefits check from Welfare Rights. Referrals should be made through the advice line when a person has been assessed as needing a chargeable service. When Welfare Rights has confirmed additional benefits gains for clients, this information will be passed onto FAOs on the Welfare Rights database sheet.

If FAOs identify people who do not have to pay for a chargeable service, or if they think that benefits are being under claimed, then they should forward the client's details to Welfare Rights. Welfare Rights will then ensure that clients obtain their full entitlement to benefits and will verify new Financial Assistance Claim Forms. The Financial Assistance Claim Forms and confirmation of new benefit gains on Welfare Rights database sheets will be forwarded to FAOs for re-assessments.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR ALBY ROBERTS

DATE: 19th April 2001

SUBJECT: Contract Renewal and Fee Increases for Providers of Residential and Nursing Home Care under the existing Agreement

1 DECISION SOUGHT

Contract Renewal

The contract has been extended annually for further periods of 12 months from its inception on 1st April 1997. The current contract expires on the 31st March 2001 and Members are consequently asked to approve an extension of those contracts for a further period of twelve months in line with Paragraph 9(b) of the County Council's Contract Standing Orders. If Members agree to an extension of the contracts, they will then terminate on 31st March 2002. Appendix 1 contains a list of all residential and nursing homes whose contracts the County Council propose to extend.

Fee Increases

That Members agree an increase in fee levels for Providers for the following year from 9th April 2001 as follows:-

3% until 1st October 2001 plus a further 6% thereafter.

Except the fee for Residential Care - Elderly which it is proposed that the increase will be 5% from 9th April 2001 with no further increase.

The current rates and the proposed rates are attached at Appendix 2.

2 REASON FOR SEEKING DECISION

- * The current agreement requires an annual review of fees to take place in April.
- * It is known that Residential and Nursing Homes in both Wales and England have encountered financial problems and that homes in neighbouring counties have closed despite having a high occupancy level. Generally fee levels have not kept pace with the running costs of the sector, especially in relation to employee costs.
- * The review has been complicated by the 10.8% increase in the National Minimum Wage. On average 60 - 70% of a Home's costs are affected by the minimum wage increase. Following detailed consultation with representatives of the North Wales Nursing and Residential Homeowners Association, Officers concluded that an increase in October to compensate Home Owners for the minimum wage increase was necessary if home closures were to be avoided.
- * Officers are of the opinion that the two stage increase for 2001/2002 is the most cost effective way of attempting to safeguard the well-being of the independent sector, and the Authority.
- * There are other factors which influence the fee for Residential Care - Elderly. Many Older People are able to fund their residential care out of their income, including income from the benefit system. If the fee increases by more than 5% they would not be assessed by the Authority as being in receipt of enough income from their benefits to meet that fee. Consequently, they would be eligible for financial support from the Authority. This could cost the Authority £300,000 for a full year. The 5% increase in April for basic residential care is greater than that given to other

types of care, but no increase is proposed for October. This larger increase in April compensates for the lack of an increase from October.

3 COST IMPLICATIONS

* The likely cost of the two stage approach is £70,000, which is affordable within the 2001/2002 settlement.

* A further likely cost is that the increase in October will commit the Authority to an additional £170,000 in spend for 2002/2003, before any further increase can be considered.

4 FINANCIAL CONTROLLER STATEMENT

No financial implications and the costs will be contained within the existing budget for Personal Services.

5 CONSULTATION CARRIED OUT

There have been lengthy discussions with the North Wales Nursing and Residential Homeowners Association about this proposal. They recognise it as a substantial contribution towards the problems which they face in offering continuity in the care they provide for vulnerable people who are supported by the Authority.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

The Minimum Wage legislation is part of Government strategy to relieve poverty amongst the low paid, some of whom will work in Denbighshire's Residential and Nursing Homes. This proposal, therefore, supports the economic well-being of the people of Denbighshire.

7 RECOMMENDATION

That Council approve the extension of the contract to the Providers listed in Appendix 1 until 31st March 2002.

That Council approve the new fee levels set out in Appendix2.

APPENDICES NOT AVAILABLE IN ELECTRONIC FORM

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR ALBY ROBERTS

DATE: 19 April 2001

SUBJECT: Services to People with a Mental Illness - Mental Health Act 1983 - Approved Social Workers

1 DECISION SOUGHT

To seek Cabinet approval for the Appointment of Approved Social Workers.

2 REASON FOR SEEKING DECISION

Under the provision of Section 114 of the Mental Health Act 1983, the Authority is required to appoint a sufficient number of Approved Social Workers to discharge the statutory functions conferred upon it by the Act. Approved Social Workers may be appointed for a period of up to five years.

The following Social Workers have been employed by this Authority. Both were appointed by their previous employers to act as Approved Social Workers. Your Officers are satisfied that they have completed the necessary training and have the experience, skills and ability to undertake the duties of an Approved Social Worker.

Ms Julie Allen
Mr Mark Andrew Birkill

3 COST IMPLICATIONS

N/A

4 FINANCIAL CONTROLLER STATEMENT

There are no financial implications.

5 CONSULTATION CARRIED OUT

Not required.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

N/A

7 RECOMMENDATION

1. That Members receive this report
2. That Members formally approve the Appointments of the Social Workers named
3. That these Appointments should take place with immediate effect and remain valid until 31st December 2005

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR ALBY ROBERTS

DATE: 19th April 2001

SUBJECT: Increases in the amounts paid under the Contract for Domiciliary Care Services

1 DECISION SOUGHT

* To increase the amounts paid under this contract by 4% from 1st April 2001;

* To increase the amounts paid by a further 7% from 1st October 2001.

2 REASON FOR SEEKING DECISION

*The Contract for the purchase of domiciliary care allows for a review of fees paid for the care provided. The change in fees has usually been operative from 1st of April each year.

*A Directorate survey of users of domiciliary services has shown that the continuity of staff is an important aspect of service quality, and that national Surveys have also shown that recruitment problems are beginning to emerge across all sectors. The position in Denbighshire does not suggest that crises point has been reached, but adequate wage levels are clearly significant in retaining staff.

*The Council has already approved a limited programme of externalisation of Home Care, which is part of the Council's Best Value Review of Services. This initiative is dependent upon the Independent Sector Providers being able to increase the number of staff they employ and hence the number of hours of care they can supply. In order to assist the Independent Sector in retaining its staffing base and meet any increases in costs due to inflation, such as the requirement to give permanent staff a 4th weeks holiday per year, an increase of at least 4% is required from 1st April 2001.

* This year the review has been complicated by the 10.8% increase in the minimum wage. On average 70 to 80% of a Providers costs are affected by the minimum wage increase. After consultation with domiciliary Care Providers, Officers concluded that an increase in October 2001 to cover the minimum wage increase was necessary if Independent Sector provision was not to reduce, and essential if the 200 hours initiative is to succeed.

*Officers believe that a two stage increase in fee levels for 2001/2002 is the most cost effective way of attempting to ensure that the Independent Sector is assisted in retaining and recruiting staff and also of providing a cost effective service for the Authority.

3 COST IMPLICATIONS

The cost implication of the proposal is an increase in the Council's spend of £49,000 in 2001/2002 and a further £71,000 in 2002/2003.

It should be noted that proposed fee increases do not significantly close the cost difference between Independent Sector and County Council services as shown in the table below:

4 FINANCIAL CONTROLLER STATEMENT

No additional financial implications and the costs will be contained within the existing budget for Personal Services.

5 CONSULTATION CARRIED OUT

There have been lengthy and detailed discussions with Independent Sector Providers of domiciliary care about the financial pressures that they face in retaining their staff base and increasing the quality of service provision. They recognise the proposal as a substantial contribution towards the problems which they face.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

The minimum wage legislation is part of Government strategy to relieve poverty amongst the low paid, some of whom will work for Independent Sector Providers of domiciliary care. This proposal, therefore supports the Corporate Objective of improving the economic well-being of the people of Denbighshire.

7 RECOMMENDATION

That Members approve the increase in the amounts paid to Independent Sector Providers of domiciliary care under the Contract for domiciliary Care Contract as set out in 1 above.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR ALBY ROBERTS

DATE: 19th April 2001

SUBJECT: Learning Disability Services - Policy on Community Living arrangements

1 DECISION SOUGHT

For Cabinet to recommend to Council the following decision recommendations:

- * That the Council reaffirms its commitment to the principles of the All Wales Strategy, especially that People with a Learning Disability have a right to an ordinary pattern of life in their communities, and that, given the current funding mechanisms, Community Living will usually be the preferred method by which the Council will meet the needs of People with a Learning Disability, who need 24 hour care;
- * That the Council may ask a Person with a Learning Disability to move to another Community Living home, only if that request is unlikely to have an adverse effect on the person, and that person's refusal must be respected;
- * That the Council acts to fill vacancies in Community Living homes as quickly as possible, and does so in line with an agreed Protocol, especially ensuring that independent advocacy should be offered to all who need it, and that any proposal to fill a vacancy is made after a comprehensive, needs-led assessment of the effects of the move on all the people involved;
- * That the Council will commission Community Living homes of various sizes (i.e. houses for 2, 3 and 4 people) to meet a variety of needs up to a maximum of 5 people living in the same house.

2 REASON FOR SEEKING DECISION

- * These four decisions cover four areas of contention in Council policy and practice regarding Community Living homes.
- * Community Living homes are homes where the people living in them are tenants, usually, of a Housing association. The tenancies are assured tenancies.
- * The first decision commits the Council to the values of the All Wales Strategy for People with a Learning Disability. The thrust of the strategy is to insist that People with a Learning Disability must be treated with respect and dignity, that their rights should be respected and that they should have the opportunity to live ordinary lives in their communities. Experience has shown that a Community Living home is the best model for doing this. The decision also makes clear that the preference for Community Living homes is driven not only by principle but is also a cost effective model.
- * The second decision is a consequence of the principles of the Strategy. The decision is viewed as a means of ensuring that People with a Learning Disability in Community Living homes are not moved inappropriately.
- * The third decision while accepting that the Council is right to fill vacancies in Community Living homes builds in safeguards such as independent advocacy and the comprehensive assessment, which again help ensure that People with a Learning Disability do not have their home arrangements disturbed inappropriately.

* The last decision increases the number of people who may live in a Community Living home from the current 3 (exceptionally 4) to a maximum of 5. The decision also makes it clear that the vision for the future of services is to have a variety of sized accommodation to meet a variety of needs. For instance, there may be people whose level of disability is such that it would be difficult to meet needs in a house for more than 2. There may also be instances where a group of 5 would welcome the opportunity of sharing a house, and where the level of need was not great so that a group of 5 could be supported cost effectively.

3 COST IMPLICATIONS

The main cost implication is that the third decision commits the Council to providing independent advocacy to those who need it. The cost of this is difficult to estimate, and should be seen as part of a broader based independent advocacy service. The cost of the service is likely to be between £20,000 and £25,000.

4 FINANCIAL CONTROLLER STATEMENT

No additional financial implications and the costs will be contained within the existing budget for Personal Services.

5 CONSULTATION CARRIED OUT

Policy Review and Scrutiny Committee asked the Directorate to undertake a review of the future of Community Living. A Group to carry out this task was set up and Councillor Butterfield chaired. The group produced a consultation document. There was a three stage consultation. Firstly, all those (People with a Learning Disability, Parents, Relatives and Carers, Voluntary Organisations, Health and Social Service professionals) were sent a document setting out proposals. They were asked to complete a questionnaire about those proposals. The second stage were open meetings in Ruthin and Rhyl. The final stage was that any further comments should be sent to the Director. The Group has considered the responses to the consultation, and reported back to Policy Review and Scrutiny Committee. The decisions sought by this report have been recommended by that Committee.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

A Corporate Objective of the Council is to develop services which meet the needs of the people of Denbighshire. The consultation evidenced that Community Living homes met this Objective.

7 RECOMMENDATION

That Cabinet agree the four decisions sought, which will guide policy for the future of Community Living.

REPORT TO CABINET

AGENDA ITEM: 22

CABINET MEMBER: Cllr Rhys Webb - Corporate Property Portfolio Member

DATE: 19 April 2001

SUBJECT: Barnardo's - Henllan Training Centre

1 DECISION SOUGHT

1.1 Approval to charge a rental at 'less than best consideration'.

2 REASON FOR SEEKING DECISION

2.1 Barnardo's, a Charitable Child Care Organisation, are seeking to take a 3 year lease with Denbighshire County Council for three rooms (approx 140 sq.ft), at Henllan Training Centre, as outlined black on the attached plan (Appendix 1).

2.2 Barnardo's are currently in the process of establishing a working group partnership with Denbighshire County Council's Social Service and Early Learning Departments, in particular the 'Children with Disabilities Team of Children's Services'. The Organisation will be committing £100,000 towards the project over the three year period. A report was submitted to Cabinet on the 23rd January 2001, seeking approval to the proposed partnership (copy attached - Appendix 2).

2.2 The office accommodation is currently vacant and in a poor state of repair. The Social Services Department have re-located staff to facilitate the occupation of Barnardo's at Henllan Training Centre. The afore-mentioned report (Appendix 2, please refer to the Office accommodation - document 3), does discuss the reasons for granting the Organisation, Council accommodation, in light of the current problems being experienced by the Council in re-locating Local Authority Staff from Flintshire to Denbighshire.

2.3 The Open Market Rental is set at £350.00 plus VAT per annum. The tenant will also be responsible to refurbish the said office accommodation (specification to be approved by the Head of Consultancy Services) and the payment of non-domestic rates, if applicable. The Client Department will cover all other outgoings.

2.4 The Organisation have requested that they be considered as a 'specific exceptional circumstance' (please refer to 2.5.1), due to their charitable status/working partnership with Denbighshire County Council and financial contribution towards the re-furbishment of the said office accommodation. They are therefore seeking a 'nominal rent' rather than a 'discounted rent'. Organisation's who have previously contributed financially towards a working partnership with the Council have been granted 'specific exceptional circumstance' status.

2.5 I refer members to the Council's Policy on 'Leasing/Renting Council Property to Non-Commercial Organisation's, approved by the Policy, Finance and Resources Committee on the 24th November 1998 (Appendix 2). In particular, please note conditions 1.7.4 and 1.7.5:-

2.5.1 Condition 1.7.4 - 'Discount not to exceed 75% of market rent except in 'specific exceptional circumstances'.

2.5.2 Condition 1.7.5 - 'The difference between the rent charged and market rent to be shown as financial contribution to the Body/Organisation concerned by the budget holding Directorate/Division'.

2.6 The Social Services Department have confirmed that the difference between the 'rent charged and the market rent' will shown as a financial contribution by their Directorate.

3 COST IMPLICATIONS

Please refer to 2. (as above).

4 FINANCIAL CONTROLLER STATEMENT

The granting of a rent discount to a charitable body is in accordance with Council Policy

5 CONSULTATION CARRIED OUT

5.1 Valuation

The Senior Valuer refers Members to 'The General Disposals (Wales) Consent 1998', which states the Local Authorities can grant leasehold interests at 'less than best consideration', for an Organisation with charitable status, without Welsh Assembly approval.

5.2 Legal

The County Clerk has been consulted and awaits instruction.

5.3 Social Services

The Head of Social Services supports the request in line with Council Policy.
Please refer to 2.5.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 Provision of a child care service with the establishment of a working group partnership with Denbighshire County Council..

7 RECOMMENDATION

7.1 *That Members;-*

7.1.1 Approve 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 £1 per annum 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 will be recorded by way of a side letter.

7.1.2 Other terms and conditions to be agreed by the Head of Consultancy Services, consultation with the County Clerk.

APPENDICES NOT AVAILABLE IN ELECTRONIC FORM