

CABINET

Minutes of the meeting of the Cabinet held in the Monsanto Suite, Royal International Pavilion, Llangollen on Thursday, 11th October, 2001 at 10.00 a.m.

PRESENT

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

Observers: Councillor R.J.R. Jones.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillor D.M. Morris.

ALSO PRESENT

Acting Chief Executive, Corporate Director of Resources, Financial Controller and the County Clerk.

ANNOUNCEMENT

The Acting Chief Executive informed Members of the death in service of Mrs. B.J. Galbraith, a Day Care Assistant at Prestatyn. Members were asked to stand in silent tribute.

674. URGENT MATTERS

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

- (i) Item 12 Proposed A494 Ffynnon y Berth Improvement Scheme - map circulated. Members have received a number of representations in respect of this matter;
- (ii) Item 13 Best Value: Education - Specialist Support Services - sent under separate cover;
- (iii) Item 17 Grahams Site, Westbourne Avenue, Rhyl - item withdrawn;
- (iv) Item 21 Part II Prestatyn Ffrith Beach Festival Gardens - additional item, and
- (v) Verbal update on Llangollen

675. MINUTES OF THE CABINET

The Minutes of the Cabinet held on 25 September 2001 (previously circulated) were submitted.

Item 6 Policy Agreements - The Director of Resources informed Members that the funding had not yet been released.

Page 3, third paragraph the figure should read £327k.

Page 3, fourth paragraph, Councillor G.M. Kensler asked that the word "bureaucratic" be inserted before the word "burden".

Item 11 Foot and Mouth Special Grant - Councillor E.W. Williams enquired when the next tranche would be considered by Cabinet. The Head of Economic Generation said a report would be presented to Cabinet on 23.10.2001.

Item 16 - Second paragraph, penultimate line, Councillor G.M. Kensler requested that the word "would" should be replaced by the word "should".

Item 23 Capital Programme Group Report - Councillor R.W. Hughes enquired whether approval had been received from the National Assembly for Wales in view of the urgency appertaining to

Loggerheads Country Park. It was agreed Officers would make enquiries and report back later in the meeting.

RESOLVED that subject to the above the Minutes of the Cabinet meeting held on 25 September 2001 be approved as a correct record and signed by the Leader.

676. RECRUITMENT

The Leader, Councillor E C Edwards submitted the following applications for approval:-

- (i) Sc 3 Clerk/Typist - Personal Services Admin: Children with Disabilities;
- (ii) Social Worker SW 1-3 - Personal Services: Purchasing, Rhyl;
- (iii) SO 1 Conveyancing Assistant - Personal Services: Housing Services;
- (iv) SO 2 Residential Homes Manager - Personal Services: Cysgod y Gaer;
- (v) SW 1-3 Social Worker - Personal Services: Mental Health, and
- (vi) SW 1-3 Social Worker - Personal Services: Hospital Social Work.

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

677. WLGA ANNUAL CONFERENCE

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' retrospective approval to the attendance of Councillor E.A. Owens at the WLGA Annual Conference 2001 and the payment of expenses incurred.

At Cabinet on 31.07.2001 Members agreed the Leader should attend the Conference but in the event he had been unable to attend and Councillor E.A. Owens attended as his replacement.

RESOLVED that Members agreed in retrospect to Councillor E.A. Owens' attendance at the WLGA Conference on 6/7 September 2001 and the payment of expenses incurred by Councillor Owens.

678. WALES EUROPEAN CENTRE ANNUAL SUBSCRIPTION

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' approval to use the County Council's corporate subscriptions budget to meet the cost of its annual subscription to the Wales European Centre Limited.

This report regarding the subscription had been requested by Cabinet at their meeting held on 30.08.2001. Until 1998/1999 the subscription had been included within the Council's subscription to the Welsh Local Government Association (WLGA) and from that date the Wales European Centre (WEC) had presented invoices direct to the Council in respect of subscription for 1999/2000 and 2000/2001.

RESOLVED that Members approved the use of the County Council's corporate budget to meet the cost of its annual subscription to the Wales European Centre Limited.

679. LEADER PLUS

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' nomination of a Council representative to be a member of the Leader Plus company and of the Board of Directors. Cabinet had previously agreed the Council become a member of the CRAI (Clwydian Range Action Initiative). It was suggested that the nominee should have a Cabinet portfolio and have a detailed knowledge of countryside and tourism matters.

Councillor E.W. Williams suggested that an appointment of this nature could usefully be made by Full Council albeit that they should be informed as to the Cabinet's suggested nominee Councillor R.W. Hughes. Members discussed the matter and considered whether the decision should be made by Cabinet as recommended or in the manner suggested by Councillor E.W. Williams.

RESOLVED that Members agreed Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism be the Council's representative on the Board of CRAI Leader Plus.

680. CLWYDFRO CYFYNGEDIG

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' nomination of eight directors to serve on the board of Clwydfro (trading as Denbighshire Enterprise Agency). The nomination of the four existing directors of Clwydfro together with the three previous directors of Coastal Enterprise and the Leader as the Cabinet Member with the Economic Regeneration portfolio were the recommendations.

Councillor E.W. Williams and Councillor G.M. Kensler drew Members' attention to the former distribution of Members as between Clwydfro and Coastal Enterprise Limited, these Boards having previously been politically balanced. Members considered a number of variations to the proposals recommended but concluded that the recommendation contained in the report provided the most satisfactory solution.

RESOLVED that Members agreed eight directors serve on the board of Clwydfro Cyfyngedig, 4 directors being appointed from Cabinet and 4 appointed from amongst Scrutiny Members.

681. ANNUAL GENERAL MEETING - PTI CYMRU LTD

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' nomination of a representative to attend the Annual General Meeting of PTI Cymru Ltd on 06.11.2001 at Llandudno Junction.

PTI Cymru was formed and funded by the National Assembly for Wales to introduce an all-Wales phone-based transport enquiry system and consists of stakeholders/service owners, the three major bus companies in Wales and the 22 Unitary Authorities in Wales.

After discussion Members agreed to circulate the request for nomination to the Groups and if more than one nomination be received the County Clerk in consultation with the Leader determine the nomination.

RESOLVED that Members agreed Council be represented at the Annual General Meeting of PTI Cymru Ltd to be held on 06.11.2001 at Llandudno Junction and that Groups be requested to make a nomination, with the County Clerk in consultation with the Leader determining the nomination if more than one was received.

682. NFLA ANNUAL CONFERENCE: DEVELOPING A LOCAL AGENDA FOR PEACE

The Leader, Councillor E.C. Edwards, presented the report (previously circulated) seeking Members' agreement to nominate either Councillor M.A. German or Councillor G. Jones, two of the Authority's representatives on the Wales Nuclear Free Forum to attend the Nuclear Free Local Authorities Annual Conference on 25.10.2001 in Glasgow.

Councillor I.M. German nominated Councillor G. Jones to attend the NFLA Annual Conference and that either Councillor M.A. German or Councillor T.M. Parry be nominated substitute.

RESOLVED that Members' nominated Councillor G. Jones to attend the NFLA Annual Conference to be held in Glasgow on 25.10.2001 and that either Councillor M.A. German or T.M. Parry be nominated substitute.

683. APPLICATION TO REGISTER LLANGOLLEN YOUTH CLUB PLAYING FIELD KNOWN AS "WILLOW HILL FIELD" AS A TOWN/VILLAGE GREEN

The Leader, Councillor E.C. Edwards, presented the report (previously circulated) seeking Members' authorisation of a procedure to deal with an application to register a new town/village green pursuant to Section 13 of the Commons Registration Act 1965. The application has been made by a local group "Save Our Green Fields" and covers land owned partly by the County Council and partly by Taymove Limited, a development company. The County Council has a dual role in respect of the application as both the Commons Registration Authority and landowner. It was therefore recommended that the County Council hold a non statutory hearing assessed by an impartial Inspector as detailed in the report.

RESOLVED that Members agreed the County Clerk be authorised to continue to deal with the application on behalf of the County Council as Commons Registration Authority and to appoint Counsel :-

- (a) to act as an Inspector to hold an informal "inquiry" where oral evidence will be heard, and
- (b) to write a report to the Authority with a recommendation of how the application should be determined.

684. STAFF PROTECTION REGISTER

Councillor I.M. German, Lead Cabinet Member for Human Resources presented the report (previously circulated) seeking Cabinet approval to the establishment of a Staff Protection Register and to include as a budget pressure the annual support costs for the system at approximately £3,000 per annum with the initial system purchase cost of £15,000, being the subject of a bid on the Risk Management Fund. The aim of the at risk register was to provide information to staff prior to making visits to premises where there was a likely risk of assault, abuse etc from the householder/client in view of incidents that have already taken place within Denbighshire.

RESOLVED that Members approved the establishment of a Staff Protection Register and to include as a budget pressure annual support costs for the system at approximately £3,000.

685. PROPOSED A494 FFYNNON-Y-BERTH IMPROVEMENT SCHEME - INCLUSION OF BRIDLEWAY BRIDGE

The Leader, Councillor E.C. Edwards presented the report (previously circulated) seeking Council support for the inclusion of a bridleway bridge over the A494 Trunk Road, within the National Assembly for Wales' proposed A494 Ffynnon-y-Berth improvement scheme and to support / defend that view at a Public Inquiry. The Leader confirmed receipt of representations from local residents.

The National Assembly for Wales intended to improve a section of the A494 Trunk Road near to the Clwyd Gate Inn with an overbridge being provided to carry the Offa's Dyke public footpath and bridleway over the carriageway.

Councillor E.W. Williams suggested that by agreeing the recommendation Cabinet would be pre-empting a decision as the Planning Committee had not been consulted. The County Clerk reminded Members that Cabinet could support the recommendation in principle.

The Head of Highways and Transportation explained to Members that the National Assembly for Wales had requested support from the Authority for the inclusion of a bridleway bridge in a proposed scheme of improvements. Members agreed that safety was of the utmost priority on the A494 but could not support the recommendation until detailed proposals were made available.

RESOLVED that the report be noted and that the National Assembly for Wales be informed that subject to consideration of the detail the Council supported the inclusion within the scheme of safety improvements.

686. BEST VALUE: EDUCATION - SPECIALIST SUPPORT SERVICES (SEN)

Councillor K.E. Wells, Lead Member for Education and ICT presented the report (previously circulated) seeking Members' approval to the Education Service Best Value Review of the Specialist Support Services (SEN) 'Options for Further Research' appended to the report.

Councillor G.M. Kensler congratulated the SEN Department on the clarity of the report.

Councillor E.W. Williams said that this type of report was part of the Best Value Toolkit approach and would help Departments when reviews were carried out.

Councillor E.A. Owens expressed concerns that the processes should be explained clearly to staff and that staff should be kept informed.

RESOLVED that Cabinet approved the further research options identified in the report and that staff be kept informed.

687. LLANGOLLEN UPDATE

The Assistant Chief Executive: Strategy gave Members a verbal update on the Draft Local Government Boundary Commission report on Llangollen.

Members discussed various issues regarding Llangollen.

The Leader asked Councillor R.J.R. Jones, one of the Local Members for his comments. Councillor R.J.R. Jones detailed local concerns and said further consideration of the matters was required. Councillor Jones thanked Members and officers for their continued support.

RESOLVED that Members noted the report and approved the commissioning of further work by Deloitte Touche. Members welcomed the draft proposal but agreed that it was necessary to respond fully to the Commission's report. Authority was given to pursue further work with Deloitte Touche should it prove necessary.

688. LOGGERHEADS COUNTRY PARK

In response to a query on the minutes of the Cabinet meeting held on 25.09.2001 by Councillor R.W. Hughes, the Financial Controller informed Members that verbal approval for severe weather grant for work on the bridges at Loggerheads Country Park had been received but no approval had been received for the Visitor Centre. It was expected to receive a letter of approval for work on the bridges in a week or so.

RESOLVED that Members noted the report.

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

689. 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 7, 8, 9 and 13 of Part 1 of Schedule 12A of the Local Government Act 1972.

690. NON DOMESTIC RATE HARDSHIP RELIEF

(Councillor E.A. Owens and the Acting Chief Executive declared an interest in Application 6).

Councillor E.C. Edwards, the Leader presented the report (previously circulated) seeking Members' approval of the recommendations made on the applications received for Non Domestic Rate Hardship Relief.

The Financial Controller said each case had been considered on its own merits and after further consideration of application 5, he recommended Members grant that application. Therefore, 2 of the 6 applications were recommended for consideration for hardship relief. Members discussed the 6 applications.

RESOLVED that Members agreed Applications 1, 3 and 4 as detailed in the report be refused. Members further agreed that Applications 2 (subject to provision of further information); 5 and 6 be approved for 100% domestic rate hardship relief.

691. APPLICATION TO REGISTER LLANGOLLEN YOUTH CLUB PLAYING FIELD AS A TOWN GREEN

Councillor W.R. Webb, Lead Cabinet Member for Property presented the report (previously circulated) seeking Members' authority to take action as the freehold owner of part of land comprising Llangollen Youth Club Playing Field in relation to an application received under Section 13 of the Commons Registration Act 1965 to register the land as a town green.

RESOLVED that Members agreed:-

- (a) the application for registration of the land owned by the Council and forming part of the Llangollen Youth Club Playing Field as a town green should be opposed for the reasons set out in paragraph 5 of this report;
- (b) the Officers be authorised to take whatever action is necessary by way of research of the historical use of the relevant land or otherwise to effectively formulate the Council's grounds of opposition to the registration application;
- (c) (subject to paragraph 7.4 below) that Counsel should be instructed to present the Council's case at any public inquiry into the application for registration, and
- (ch) that (if considered appropriate) consideration should be given to the appointment of Counsel to jointly represent both the Council and Taymove on such terms as may be agreed between the parties.

692. GRAHAMS SITE, WESTBOURNE AVENUE, RHYL

Item withdrawn.

693. DISABLED FACILITIES GRANT - LLANGOLLEN

Councillor E.C. Edwards, The Leader presented the report (previously circulated) seeking Members' approval of a 'top up' grant of £15,000 in respect of a Disabled Facilities Grant towards the cost of carrying out essential adaptation works at the home of a disabled person.

The Head of Public Protection and Regulatory Services informed Members that all Local Authority are required to provide disabled facilities grants.

RESOLVED that Members agreed the Head of Public Protection and Regulatory Services be given the authority to approve an additional discretionary top up grant of up to £15,000 making a total of £20,000 discretionary top up.

694. DIRECT PAYMENTS

Councillor A.E. Roberts, Lead Cabinet Member for Personal Services presented the report (previously circulated) seeking Members' agreement to funding for a Direct Payments Support Organisation as agreed by Cabinet on 19.04.2001. Members were asked to recommend the approval of the Service Specification and its use as the basis for a tendering process to appoint an organisation to support the Direct Payments scheme in Denbighshire.

The Head of Strategic Planning and Support Services informed Members that Disability Groups had been fully consulted.

RESOLVED that Cabinet accepted the proposed Service Specification for a Support Organisation for the Direct Payments Scheme in Denbighshire and agreed that the Specification be used as the basis for a tender to appoint the Support Organisation.

695. REPLACEMENT INFORMATION SYSTEM FOR SOCIAL SERVICES (CARE.COMM)

Councillor A.E. Roberts, Lead Cabinet Member for Personal Services presented the report (previously circulated) seeking Members' authority to purchase a new AS/400 Central Computer to host the Care.Comm system, the primary information source for operational and strategic planning for the Social Services Client Information System.

Councillor E.A. Owens expressed concern over the increased funds required. The Head of Strategic Planning and Support Services detailed the original cost but Council at that time had approved only partial funding. The Head of Strategic Planning and Support Services said this was part of a partnership with Social Services Departments in Conwy and Flintshire Councils.

Members discussed the provision of the system in detail.

The Corporate Director of Resources emphasised that insufficient funding had been approved in the capital plan and that this would have to be agreed by Full Council. Members agreed to amend the recommendation at 7.2 to enable Council to consider a capital allocation.

RESOLVED that:-

- (a) Cabinet approved the single tender agreement to use Tec Trade for the procurement of the AS/400 server, and
- (b) A report be presented to Council seeking capital funding to permit the full and complete installation of the system.

696. PRESTATYN FFRITH BEACH FESTIVAL GARDENS

Councillor W.R. Webb, Lead Cabinet Member for Property presented the report (circulated at the meeting) seeking Members approval to enter into a lock out agreement with McDonald's as detailed within the report.

RESOLVED that Members authorised officers to enter into a lock out agreement for a maximum period of six months, with System Capital Golden Property Ltd to permit ground surveys and estimated costs to be prepared in respect of the proposed drive thru restaurant.

The meeting concluded at 12.30 p.m.
