

**CABINET**

Minutes of the meeting of the Cabinet held in the Assembly Rooms, Town Hall, Ruthin on Tuesday, 25th September 2001 at 10.00 a.m.

**PRESENT**

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

Observers: Councillors M.LI. Davies, S. Drew, K.N. Hawkins, M.M. Jones, R.E. Jones and W.G. Thomas.

**APOLOGIES**

Councillor K.E. Wells.

**ALSO PRESENT**

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

**1. 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) Conference: Is Scrutiny Working in Wales? - 25 September 2001 Scrutiny Chairs to Attend;
- (ii) Wales Council for Blind Annual General Meeting 2001- 10 October 2001 at Newtown, Powys;
- (iii) Wales Council for Blind Conference: Sports & Physical Recreation - 11 October 2001, Cardiff, and
- (iv) Items 3 and 14 were withdrawn.

**2. MINUTES OF THE CABINET**

The Minutes of the Cabinet held on 13 September 2001 (previously circulated) were submitted.

***RESOLVED*** that the Minutes of the Cabinet meeting held on 13 September 2001 be approved as a correct record and signed by the Leader.

**3. RECRUITMENT**

Items 3i and 3ii were withdrawn.

**4. APPOINTMENT OF STAFF**

Councillor E.C. Edwards, Leader of the Council presented the report by the Chair of Resources Policy Review and Scrutiny Committee (previously circulated) seeking Members' agreement to more strictly adhere to the two stage approach to the filling of vacant posts in the Council's Directorates in that attempts be made in the first instance to fill vacancies internally.

The two stage approach to filling the County's vacant posts was an integral part of the Authority's Recruitment and Selection Policy agreed by both the Unions and Authority.

Councillor I.M. German reminded Members that the two stage approach was being adhered to by Cabinet whenever possible.

Councillor E.W. Williams said that staff had to give notice when they left the Authority or were to take maternity leave and therefore adequate notice was given in such instances to enable internal recruitment to take place, followed by external recruitment if necessary.

The Acting Chief Executive said as internal recruitment for specialist staff was not always feasible, for example, where there had been a recent unsuccessful attempt to recruit internally, in such circumstances it may be prudent to go to external advert subject to Cabinet approval and in consultation with the Trade Unions.

**RESOLVED** that Members agreed to seek to adhere to the two stage approach to the filling of vacant posts in the Council's Directorates and attempts to fill the vacancies internally should be made in the first instance. If suitable candidates are not identified through the process then Cabinet approval should be sought for external advertisement, whilst acknowledging that there may be exceptional reasons for seeking to go directly to external advertisement.

## 5. **FINANCIAL STANDING: AUDIT 2000/2001**

(Delyth Morris and John Parry, District Audit attended for this item).

Councillor E.A. Owens, Lead Cabinet Member for Finance presented the report (previously circulated) seeking Members' approval to the Financial Standing Audit Report following the presentation by District Audit.

Ms Morris detailed the recommendations contained within the Action Plan and said the Section 11 recommendations were still relevant. Significant progress had been made to reduce the deficit to below £2m but District Audit was disappointed to see that Service Departments had not done so well. Although a number of recommendations were still outstanding it was now time for the recovery plan to be revised.

The Corporate Director of Resources commented on progress on each of the Recommendations listed on the Action Plan.

Councillor Owens said she welcomed the report and it served as a useful reminder to Members. It was also good to see the extent to which Scrutiny Committees had been involved and Scrutiny Members attendance at budget meetings.

Councillor E.W. Williams asked Ms Morris how the Authority should tackle the Elderly Persons' Home Management BVR. Ms Morris suggested that the process of Best Value should be rigorously followed. Councillor W.R. Webb said this was an important item and for decision by Council. Councillor G.M. Kensler said this was a difficult situation as guidelines had to be followed and money spent effectively whilst at the same time notice had to be taken of what the electorate wished. Councillor Kensler questioned whether enough staff were employed and whether those staff had sufficient training on budget matters. Councillor Owens said training of staff was always at a cost to another part of the budget whilst the Corporate Director of Resources acknowledged the need for training in some areas.

**RESOLVED** that Members approved the Financial Standing 2000/20001 report as presented at the meeting.

## 6. **POLICY AGREEMENTS**

The Corporate Director of Resources presented the report (circulated previously) seeking Members' approval of the Policy Agreement document and their agreement to the distribution of the £327k funding receivable when the Policy Agreement document had been signed by the Authority and the National Assembly for Wales. The Corporate Director of Resources said the Fundamental Themes issues had been agreed at the last Cabinet meeting and approval was required for targets for the indicators as detailed in Appendix 1.

The second part of the paper was for the proposed allocation of the Policy Agreements Funding of £327k once received over a period of 2 years. In the third year it was expected that the Authority would receive an end payment, subject to performance in achieving targets. From 2004/2005 money may still be available to progress these issues.

Councillor E.A. Owens said there are instances where improved performance can be achieved with relatively little expenditure. If the approach to Policy Agreements was successful, it was hoped that more initiatives would become available.

Councillor E.W. Williams asked whether the expenditure was being monitored. The Corporate Director of Resources said the £327 was for the Authority to spend and would be held in a separate account. Monitoring of the services was part of the performance management structure.

Councillor G.M. Kensler said the burden on voluntary organisations working with Denbighshire should be acknowledged. Councillor E.A. Owens agreed that community partnerships needed to be further developed.

**RESOLVED** that Members:-

- (a) *approved the Policy Agreements (with delegated authority to the Corporate Director of Resources to approve the wording for the outstanding targets on Personal Services indicators, and*
- (b) *agreed the allocation of funding as detailed in Appendix 1 to the report.*

## **7. BUDGET MONITORING 2001/2002**

Councillor A.E. Owens, Lead Cabinet Member for Finance presented the report (previously circulated) seeking Members' consideration to the validation of elements of the current budget pressures from the contingency budget as discussed at the last Cabinet meeting and that consideration be given to further actions to reduce the balance of overspend on services. At this stage the Authority is facing a slight projected overspend but the cost of borrowing was down slightly. Some reserves have been set aside e.g. 1% for Bellwin payment and winter reserves. Changes would happen over the next 6 months and Corporate Directors needed an indication of current budget levels.

Councillor E.W. Williams congratulated the Lead Cabinet Member on the way the paper had been produced and said it was important for everyone to see the papers. Councillor Owens and the Finance team had worked hard to reach this stage of the process. Councillor Williams suggested that every Directorate should see what the complete process involved.

Councillor Owens said the papers for the following year were incorporated in a later item but if Scrutiny Chairs or Members required further information it would be available on request.

**RESOLVED** that Members noted the figures in the Appendices attached to the report and approved the recommended validation of pressures from the contingency budget.

## **8. FINAL ACCOUNTS 2000/2001**

### **A REVENUE**

Councillor E.A. Owens, Lead Cabinet Member for Finance submitted the report (previously circulated) seeking Members' approval to the Council's Statement of Accounts document for 2000/2001 as detailed in Appendix 3 to the report. The statutory Statement of Accounts required approval by Members by the end of September each year. Councillor Owens said a full statement of outturn was included at page 4 of the Appendix.

Councillor G.M. Kensler queried the presentation of the financial position for Design Services and Contract Services. The Lead Member for Finance replied that the way Design Services was accounted for was being reviewed as part of the current budget process. The reserves built by Contract Services were included in the Denbighshire County Council balance sheet.

Councillor E.W. Williams questioned the money allocated to schools. The Corporate Director of Lifelong Learning indicated that although there had been an underspend, this was carried forward into the current year. In addition as part of the current budget discussions, it was hoped to appoint a member of staff to examine school budgets over a 3 year period to allow better financial planning.

Councillor W.R. Webb thanked the Lead Cabinet Member for Finance and the Finance team for the clarity of the report.

**RESOLVED** that Members:-

- (a) noted the figures in Appendices 1 and 2 attached to the report, including the level of general balances at the year end, and
- (b) approved the annual Statement of Accounts in accordance with statutory requirements.

## **B CAPITAL**

Councillor E.A. Owens, Lead Cabinet Member for Finance submitted the report (previously circulated) updating Members on the capital outturn for 2000/2001 and seeking their approval of the statutory determinations. The statutory Treasury Policy Statement required approval by Members by the end of September each year.

**RESOLVED** that Members:-

- (a) approved the annual report and determinations, and
- (b) make the following determinations under Part IV of the Local Government and Housing Act 1989:-
  - i under s.42(2)(g) the amount of capital expenditure financed by grants and contributions totalled £6,957,827;
  - ii under s.56(1) expenditure capitalised under credit approvals amounted to £8,389,792. No credit arrangements were entered into or varied during the year;
  - iii under s.56(2) no credit approvals were transferred during the year;
  - iv under s.60(2) capital receipts of £38,357 were applied to finance capital expenditure in the year, and
  - v under s.63(1) the minimum revenue provision consists of two elements:-

	£
Housing Revenue Account	343,266
County Fund	3,315,187

## **9. TREASURY MANAGEMENT ACTIVITIES - ANNUAL REPORT 2000/2001**

Councillor E.A. Owens, Lead Cabinet Member for Finance presented the report (previously circulated) seeking Members' approval to the Treasury activities undertaken in 2000/2001 as detailed in the annual report attached as an Appendix. The Policy Statement required an annual report to be produced before 30 September 2001.

The Corporate Director of Resources said the average cost of the debt last year was 7.3% and comparison with other Local Authorities would become available. The cost of debt would hopefully be reduced this year.

Councillor Owens suggested the deferred purchase of the Pavilion Theatre should be examined to identify any possible financial advantage in paying it off quickly.

The Senior Management Accountant explained that Council loans had been created over a number of years, some had been inherited from predecessor Authorities. The main loan debt for capital items had a range of interest rates and rescheduling of debts is usually done at a cost.

**RESOLVED** that Members approved the Annual Report 2000/2001.

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

#### **10. PRIORITIES FOR PREPARING BUDGETS IN 2002-2003**

The Leader, Councillor E.C. Edwards, presented the report (previously circulated) seeking Members' agreement to the information contained in the report to be provided to Scrutiny Committees to allow budget proposals to be reviewed during October 2001 and to agree the format of the reporting mechanism back from the Scrutiny Committees. In particular, the Leader drew Members' attention to paragraphs 2.5, 2.6 and 2.8 and his Core Vision at Appendix 1.

Councillor E.A. Owens said the papers had been replicated from the informal meeting held after the last Cabinet meeting. Paragraph 2.14 suggested the information which should be provided for Scrutiny Committees to enable them to comment upon the budget bids and offer their views on priorities. All strategic policies and corporate objectives would be examined. Appendix 2 showed bids which far exceeded any monies available but the Appendix contained Cabinet recommendations. Some of the bids produced by the Directorates were no more than wish lists or an element of expansion and Scrutiny Committees would be required to prioritise on these during October 2001.

Councillor E.W. Williams said it was essential that every Directorate discussed budget issues with the Scrutiny Committees.

Councillor Owens said many of the arrangements were complex and of particular concern to her were the silos and costings. By having an end October 2001 deadline it would allow the Finance Department to re-cost items.

Councillor G.M. Kensler asked whether the ELWa finance was in place. The Corporate Director of Lifelong Learning said this was under current discussion on an all-Wales basis.

**RESOLVED** that Members' accepted the recommendations contained in the paper as the basis for providing guidance to Scrutiny Committees and for ensuring that Scrutiny Committees report back in a consistent manner.

#### **11. FOOT AND MOUTH SPECIAL GRANT: APPEAL PROCESS**

The Leader, Councillor E.C. Edwards, presented the report (previously circulated) seeking Members' agreement to the establishment of an appeal process to consider appeals received against the Council's decisions in respect of allocations to businesses of Foot and Mouth Financial Assistance. Cabinet had already agreed to establish an appeals process with the cost of any successful appeals falling on the new tranche of Foot and Mouth financial assistance given to the Authority by the National Assembly for Wales.

Councillor E.W. Williams asked whether any total figures of appeals submitted were available. The Head of Economic Regeneration said it was not possible at the current time to give a global figure as some applicants were reserving their right to appeal. The first task of the appeal panel would be to develop the process. Councillor Williams said Denbighshire was to be commended on the way the money allocated by the National Assembly for Wales had been distributed and all praise should be given to the staff for the manner in which this had been carried out.

On a question from Councillor Williams, the Leader said the next tranche had to be spent by the end of December 2001. At the next Cabinet meeting discussions would begin on how the £540k would be best spent.

**RESOLVED** that Members agreed:-

- (a) an appeals panel be established composed of Members and officers of the County Council not previously involved in the Foot and Mouth allocations;
- (b) the panel consist of Councillor Glynne Thomas, Chair of Resources Scrutiny and Councillor Andrew Thomas, chair of Environment Scrutiny together with the Director of the Environment and the Financial Controller, and
- (c) that the Council's case to appeal panel be presented by the Director of Resources and Head of Economic Regeneration.

## **12. GRANTS TO VOLUNTARY ORGANISATIONS**

Councillor E.A. Owens, Lead Cabinet Member for Finance presented the report (previously circulated) seeking Cabinet approval to the recommendations made in the attached District Auditor's report into Grants to Not for Profit Organisations.

The District Auditor has investigated grants made by the Authority to Not for Profit Organisations and has found that a common approach to applications was required. Councillor Owens said discussions with Voluntary Organisations had taken place and they wished to play a more constructive part in the budget setting process. It was hoped to apply the recommendations contained within S6 of the report. Further discussions will be held with the Denbighshire Voluntary Services Council and a report back on the findings would follow in due course.

Councillor G.M. Kensler stressed the need to apply the District Audit recommendations and the principles followed with the voluntary sector should be followed by others, for example the community agencies.

The Acting Chief Executive said this was one of a series of audits carried out by District Audit throughout North Wales and he suggested a North Wales Seminar be held with District Audit this autumn where officers can attend to promote better practice. This suggestion is being progressed.

The Head of Economic Generation endorsed Councillor Owens remarks and stressed that where an organisation was applying for small, non-recurring grants, a simplified application procedure was required. The Assistant Chief Executive: Strategy agreed and said in discussions with District Audit they were sympathetic to this point.

**RESOLVED** that Members accepted the recommendations contained in the District Auditor's report and required a further report outlining proposals to deliver on the recommendations.

## **13. HOUSING RENTS AUTHORISATIONS**

Councillor A.E. Roberts, Lead Cabinet Member for Personal Services presented the report (previously circulated) seeking Cabinet approval to authorise officers to issue appropriate letters and notices and to represent the Authority in court on housing rent arrears matters.

The Authorisations procedures need reviewing as a result of the transfer of the Housing Rents Section to the Housing Services Department. The Housing Rents Officers would deal with all cases in their areas, thus enabling the tenants to identify with them.

**RESOLVED** that Members approve the authorisation of the named officers to sign letters to tenants, issue Notices of Intention to Seek Possession in accordance with Ground 1 of Schedule 2 of the Housing Act 1985 and to represent the Council in County Court on matters relating to rents for Council properties.

## **14. REDUNDANT TEACHERS - EARLY RELEASE OF PENSION**

The report was withdrawn.

**15. LLAIS IFANC / YOUNG VOICE (MOVING FORWARD LISTENING TO YOUNG PEOPLE)**

Councillors A.E. Roberts, Lead Cabinet Member for Personal Services presented the report (previously circulated) seeking Members' agreement to the draft response attached to the report to the National Assembly for Wales' consultation paper "Moving Forward - Listening to Young People". The National Assembly for Wales wished to create a new institution Llais Ifanc / Young Voice which would be a children and young persons' consultative council to aid its policy development. Representation at the all Wales level would be achieved through a general council made up of representatives of local children and young people's forums, national and local groups.

**RESOLVED** that Members approved the draft response to the National Assembly for Wales on the Moving Forward - Listening to Young People consultation paper.

**16. WELSH LANGUAGE BOARD (WLB) INTERIM REPORT (BVW1)**

Councillor G.M. Kensler, Lead Cabinet Member for the Welsh Language presented the report (previously circulated) seeking Members' consideration of the interim report and agreement in principle of the short term Action Plan (September-December 2001) and to link the implementation of the Corporate Welsh Language Scheme (WLS) with the new Performance Management arrangements. Councillor Kensler said the policy had been considered before the National Assembly for Wales Culture Committee in July 2001.

Councillor E.A. Owens said the draft budget would be presented to Council in January 2002 and extra resources may not be available after that. Councillor Kensler said the report covered the period to the end of 2001 and the National Assembly would be asked for more resources if the report was to be implemented.

**RESOLVED** that Members:-

- (a) considered the findings of the report and agreed in principle the short-term Action Plan programme, and
- (b) agreed the link between corporate responsibility for implementing, monitoring, reviewing the WLS with the new Performance Management arrangements for all Council services.

**17. REVIEW OF COUNTY PUBLIC CONVENIENCES**

Councillor D.M. Morris, Lead Cabinet Member for the Environment presented the report (previously circulated) seeking Members' consideration of the report submitted to the Environment Scrutiny Committee by the Head of Public Protection and Regulatory Services regarding the operation of the County's public conveniences on 19 July 2001, together with the recommendations of that Committee. Councillor Morris thanked the Scrutiny Committee for their work and co-operation.

Members discussed some of the County's public conveniences and agreed many were in need of repair and Councillor E.A. Owens said £28k had been set aside for this as a short term measure and that bids were required as these were capital items.

Councillor G.M. Kensler said the conveniences located in the Factory Ward Car Park, Denbigh closed before 8.00 p.m. but vandalism was a continuing problem.

Councillor E.W. Williams suggested consideration should be given to temporary toilets as a short term solution.

**RESOLVED** that Cabinet supported the report and the recommendations of the Environment Scrutiny Committee dated 19 July 2001.

**18. WALES COUNCIL FOR THE BLIND**

The County Clerk presented the report (circulated at the meeting) seeking Members' approval for a nomination to attend both the Wales Council for the Blind Annual General Meeting 2001 to be held on 10.10.2001 at Newtown, Powys and the National Conference 2001 to be held at Cardiff on 11.10.2001. The Leader nominated Councillor J.A. Smith attend both the AGM and Conference.

**RESOLVED** that Members agreed the nomination of Councillor J.A. Smith to attend the Wales Council for the Blind Annual General Meeting 2001 and the National Conference 2001.

**19. IS SCRUTINY WORKING FOR WALES? CONFERENCE**

The County Clerk presented the report (circulated at the meeting) seeking Members' endorsement of a decision taken with the support of the Leader that Scrutiny Chairs and the Administration Services Manager attend the conference held on 25.09.2001. Councillor J. Butterfield, Chair of Personal Services Scrutiny Committee was attending as a speaker at the Conference. Councillor J Butterfield, Councillor A.E. Fletcher Williams and the Administration Services Manager attended.

**RESOLVED** that Cabinet endorse the decision that Councillor J. Butterfield, Councillor A.E. Fletcher Williams and the Administration Services Manager attend the Conference on 25.09.2001.

**20. 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.

**21. UNIT F, THE VILLAGE, RHYL**

Councillor W.R. Webb, Lead Cabinet Member for Property presented the report (previously circulated) seeking Members' approval to the grant of a two year lease for Unit F at The Village, Rhyl.

**RESOLVED** that Members agreed a two year lease on Unit F, The Village, Rhyl, excluding sections 24 to 28 of the Landlord and Tenant Act 1954, be granted for a working amusement museum, subject to no cash or prizes being given, on terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk.

**22. TERMINATION OF OCCUPATION RIGHTS IN RESPECT OF LAND AT FORYD HARBOUR, RHYL**

Councillor W.R. Webb, Lead Cabinet Member for Property presented the report (previously circulated) seeking Members' authority to terminate the occupation rights in respect of that part of the land in the County Council's ownership at Foryd Harbour, Rhyl as shown hatched in black on the plan attached to the report.

**RESOLVED** that Members agreed authority be granted for the Council, acting through the County Clerk, to take such action as necessary to terminate occupation rights.

**23. CAPITAL PROGRAMME GROUP REPORT**

(The Leader declared an interest in the item and left the room and in his absence Councillor W.R. Webb took the Chair).

The Corporate Director of Resources presented the report (previously circulated) advising Members of applications received for new capital schemes which had been considered by the Capital Programme Group (CPG). The Corporate Director of Resources discussed the applications with Members.

Councillor E.A. Owens said this was the next stage in the Council's capital process.



Councillor G.M. Kensler asked who were the members of the CPG. The Corporate Director of Resources said the membership consisted of the Corporate Directors, and hopefully meeting on a monthly basis.

Councillor G.M. Kensler asked why the provision of a cash office in Denbigh had not been considered. Councillor E.A. Owens said a project for the provision of a cash office had not been submitted.

Regarding the Loggerheads flood damage, Members agreed to approve the project subject to approval from the National Assembly for Wales. If approval was not received from the National Assembly, the CPG were asked to report back to Cabinet.

**RESOLVED** that Members endorsed the recommendations of the Capital Programme Group subject to the above.

#### **24. ACQUISITION OF REPLACEMENT VEHICLE: CEFNDY ENTERPRISES**

The Acting Chief Executive presented the report and Appendix (previously circulated) seeking Members' consideration of the order for a replacement vehicle for the General Manager at Cefndy Enterprises and whether to confirm or rescind the order. The Acting Chief Executive said the procurement of replacement vehicles fell within the delegated authority of officers but this matter had caused disquiet amongst some Members. The Acting Chief Executive gave Members background details of the role of the General Manager of Cefndy Enterprises.

The Corporate Director of Resources said issues for further procurement would need to be addressed, as detailed within the report. The County Clerk detailed various contractual employment aspects.

Members agreed that it could be difficult to justify the Council's expenditure on this particular replacement vehicle to the public. Members agreed to rescind the order with the Acting Chief Executive to seek to negotiate a reduction of any cancellation costs if payable.

**RESOLVED** that Members agreed to rescind the order for the acquisition of a replacement vehicle for Cefndy Enterprises and the Acting Chief Executive to negotiate a reduction any cancellation costs.

#### **25. SHORTLISTING FOR POST OF CORPORATE DIRECTOR OF PERSONAL SERVICES**

The Acting Chief Executive introduced Ian Jeffcott, Rileys Consulting.

Mr. Jeffcott apologised to Members on the late delivery of the applications. Nine applications had been received and had been assessed against the personal specification. Four of the applications did not meet the criteria, leaving five to be considered at this stage. Mr. Jeffcott detailed the five applications and recommended to Members that only four of the five be invited to assessment and possible interview.

The Acting Chief Executive reminded Members that the person appointed would be the designated holder of the statutory post of Director of Social Services, be credible in that post and would also need to demonstrate the ability to become part of the Corporate Management Team.

Members discussed all the applications and agreed the four recommended by Mr. Jeffcott be invited to attend for assessment and possible interview.

**RESOLVED** that Members agreed four applicants be invited to attend for assessment as detailed by Mr. Jeffcott of Rileys Consulting.

#### **26. ARRANGEMENTS FOR 9 AND 10 OCTOBER 2001**

The Head of Personnel said the assessments of candidates for the post of Corporate Director of Personal Services would be held on the 9 October 2001 at Ruthin Library. This would be followed by an evening buffet for Cabinet Members to meet the candidates followed by a Cabinet meeting to decide on which candidates would progress to the following day's interviews at 10.00 a.m. at Ruthin Town Hall by Full Council.

After discussion Members agreed that candidates would have a 45 minute interview, which would include a 10 minute presentation on a known topic with questions given to candidates on the day of interview. The Head of Personnel in conjunction with the Acting Chief Executive would set the presentation topic and questions.

**RESOLVED** accordingly.

**27. JOB RE-EVALUATION: HEAD OF STRATEGY AND RESOURCES, DIRECTORATE OF LIFELONG LEARNING**

The Head of Personnel presented the report by Alan Broomhead, Alansco (circulated at the meeting) seeking Members' approval for the re-evaluation of the post of Head of Strategy and Resources, Directorate of Lifelong Learning. The Acting Chief Executive reminded Members that this was the last of the re-evaluation of posts following last year's re-structuring. If further re-structuring was carried out within the Directorate of Lifelong Learning the post could then be re-evaluated should any change of duties so indicate.

**RESOLVED** that Members approved the increase from HS1 to HS2 in line with Alan Broomhead's report for the post of Head of Strategy and Resources, Directorate of Lifelong Learning.

The meeting concluded at 1.40 p.m.

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CABINET 11.10.2001

AGENDA ITEM NO 31

VACANCY CONTROL  
APPROVAL FOR THE FILLING OF VACANT POSTS  
BY EXTERNAL ADVERTISEMENT

Directorate: Personal Services Service: Admin

Post Title: Clerk/Typist - Children with Disabilities Salary Grade: Scale 3

JUSTIFICATION FOR EXTERNAL RECRUITMENT  
(This part must be completed for all posts)

This is a newly created post which has been advertised internally and received no response. The Children with Disabilities Team Manager and Social Workers, unlike other teams, have no dedicated admin support. To have to 'compete' for support from admin staff, who are already over stretched, is demoralising and ineffective. In the absence of this post, the budget has not been monitored closely which is a key issue.

**Cost Implication**

- 1 The additional spend for this post (full year effect) can be contained within the Service budget.
- 2 The appointment will lead to a budget overspend of £ k.

\* Delete as appropriate

**Financial Controller Statement**

Following the validation of budget pressures on Children's Services the remaining pressures on Social Services should be containable within the overall Departmental budget.

Signed: [Signature] (Corporate Director) Date: 02.10.01

Signed: [Signature] (Cabinet Lead Member) Date: 02.10.01

TO: CABINET

Signed: \_\_\_\_\_ (on behalf of the Cabinet) Date: \_\_\_\_\_

Approved  Refused

Comments/Reasons

\_\_\_\_\_

\_\_\_\_\_ Please  
return this form to the Director of the Employing Directorate.

VACANCY CONTROL  
APPROVAL FOR THE FILLING OF VACANT POSTS  
BY EXTERNAL ADVERTISEMENT

Directorate: Social Services

Service: Purchasing

Post Title: Social Worker

Salary Grade: SW 1-3

JUSTIFICATION FOR EXTERNAL RECRUITMENT

(This part must be completed for all posts)

This Social Worker post within the Older People Care Management Team, Rhyl has become vacant and as there is a shortage of Social Workers it would be impossible to fill this post internally at this moment in time. It is therefore important to advertise externally as soon as possible in order to keep the team and its' work from becoming backlogged and causing problems for the clients and their carers.

Cost Implication \*

- 1 The additional spend for this post (full year effect) can be contained within the Service budget.
  - 2 The appointment will lead to a budget overspend of £        k.
- \* Delete as appropriate

Financial Controller Statement

Financial Controller statement

Following the validation of the projected overspending on Children's Services, the remaining small overspend will still need to be contained within the overall budget for the Directorate.

Signed: [Signature] (Corporate Director) Date: 02.10.01

Signed: [Signature] (Cabinet Lead Member) Date: 07.10.01

TO: CABINET

Signed: \_\_\_\_\_ (on behalf of the Cabinet) Date: \_\_\_\_\_

Approved      Refused  
                     

Comments/Reasons

CABINET 11 10.200

AGENDA ITEM NO 311

VACANCY CONTROL  
APPROVAL FOR THE FILLING OF VACANT POSTS  
BY EXTERNAL ADVERTISEMENT

Directorate: Personal Services

Service: Housing Services

Post Title: Conveyancing Assistant

Salary Grade: SO1

JUSTIFICATION FOR EXTERNAL RECRUITMENT  
(This part must be completed for all posts)

This is a temporary post (6 months) to assist with the preparation of a data base and legal documents and deeds of all Council Housing Stock required for the possible Stock Transfer. The National Assembly for Wales is covering 50% of the cost. The post has already been advertised at Scale 5 without response and authority has been requested to increase this to SO1 which is more realistic in recruiting the necessary skills and qualifications.

Cost Implication \*

1 The additional spend for this post (full year effect) can be contained within the Service budget.

\* Delete as appropriate

Financial Controller Statement

The net costs of this post, after special NAW funding, are allowed for within the Housing Revenue Account budget.

Signed: Margaret Roberts (Corporate Director) Date: 19/09/01

Signed: A.R. Roberts (Cabinet Lead Member) Date: 25/09/01

TO: CABINET

Signed: \_\_\_\_\_ (on behalf of the Cabinet) Date:

Approved  Refused

Comments/Reasons

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to the Director of the Employing Directorate.

VACANCY CONTROL  
APPROVAL FOR THE FILLING OF VACANT POSTS  
BY EXTERNAL ADVERTISEMENT

Directorate: Personal Services

Service: Cysgod-y-Gaer

Post Title: Residential Homes Manager

Salary Grade: SO2

JUSTIFICATION FOR EXTERNAL RECRUITMENT  
(This part must be completed for all posts)

This is an established post which has been advertised internally with no response. If this post was not filled the Department would fail to comply with Registration and Inspection requirements and there would be a reduction in the quality of care offered to residents.

Cost Implication \*

- 1 ~~The additional spend for this post (full year effect) can be contained within the Service budget.~~
  - 2 The appointment will lead to a budget overspend of £ 317 k.
- \* Delete as appropriate

Financial Controller Statement

If Cabinet approve the validation of the pressure of the Children's Services Budget from the Contingency Budget, the budgets for the remaining services should be able to contain current pressures.

Signed: John Gwynne (Corporate Director) Date: 19/09/01

Signed: HR Roberts (Cabinet Lead Member) Date: 25/09/01

TO: CABINET

Signed: \_\_\_\_\_ (on behalf of the Cabinet) Date:

Approved  Refused

Comments/Reasons

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VACANCY CONTROL  
APPROVAL FOR THE FILLING OF VACANT POSTS  
BY EXTERNAL ADVERTISEMENT

Directorate: Personal Services Service: Mental Health

Post Title: Social Worker Salary Grade: SW 1-3

JUSTIFICATION FOR EXTERNAL RECRUITMENT  
(This part must be completed for all posts)

This post is an established post which has been advertised internally with no response. If the post was not filled this would lead to an unallocated caseload which in turn would lead to an unsafe service and impact on staff morale.

Cost Implication \*

- 1 ~~The additional spend for this post (full year effect) can be contained within the Service budget.~~
  - 2 The appointment will lead to a budget overspend of £317k.
- \* Delete as appropriate

Financial Controller Statement

If Cabinet approve the validation of the pressure of the Children's Services Budget from the Contingency Budget, the budgets for the remaining services should be able to contain current pressures.

Signed: [Signature] (Corporate Director) Date: 19/09/01

Signed: [Signature] (Cabinet Lead Member) Date: 25/09/01

TO: CABINET

Signed: \_\_\_\_\_ (on behalf of the Cabinet) Date: \_\_\_\_\_

Approved  Refused

Comments/Reasons

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to the Director of the Employing Directorate.

VACANCY CONTROL  
APPROVAL FOR THE FILLING OF VACANT POSTS  
BY EXTERNAL ADVERTISEMENT

Directorate: Social Services

Service: Hospital Social Work

Post Title: Social Worker

Salary Grade: SW 1 - 3

JUSTIFICATION FOR EXTERNAL RECRUITMENT

(This part must be completed for all posts)

The previous postholder has agreed to secondment to an externally funded post because funding was about to be withdrawn. If this post is not filled the postholder on secondment would have to be relocated back into the team thereby causing the funds from the British Kidney Patient Association and the Conwy & Denbighshire NHS Trust to be lost. This would result in a loss of an opportunity to improve services to patients at the Renal Unit and seriously damage the excellent joint working relationship and developing partnership.

Cost Implication \*

- 1 ~~The additional spend for this post (full year effect) can be contained within the Service budget.~~
- 2 The appointment will lead to a budget overspend of £ 317 k.  
Delete as appropriate

Financial Controller Statement

If Cabinet approve the validation of the pressure of the Children's Services Budget from the Contingency Budget, the budgets for the remaining services should be able to contain current pressures.

Signed: [Signature] (Corporate Director) Date: 19/09/01

Signed: [Signature] (Cabinet Lead Member) Date: 25/09/01

TO: CABINET

Signed: \_\_\_\_\_ (on behalf of the Cabinet) Date:

Approved  Refused

Comments/Reasons

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to the Director of the Employing Directorate.



**REPORT BY: THE LEADER, COUNCILLOR E C EDWARDS**

**DATE: 11 OCTOBER 2001**

**SUBJECT: WLGA ANNUAL CONFERENCE 2001**

**1. DECISION SOUGHT**

To approve, retrospectively, the attendance of Councillor E.A. Owens at the WLGA Annual Conference 2001 and the payment of expenses incurred by such attendance.

**2. REASON FOR SEEKING DECISION**

At a meeting of the Cabinet held on 31st July 2001 nominations were sought to attend the WLGA Annual Conference to be held at Brangwyn Hall, Swansea on 6/7 September 2001. Members agreed to nominate the Leader to attend this Conference. In the event, the Leader was unable to attend and Councillor E.A. Owens attended as his replacement.

Currently there is no formal approval to Councillor Owens' attendance at the WLGA Conference and I would respectfully ask Members to further consider this matter and to retrospectively approve (i) her attendance at the WLGA Conference on the 6/7 September 2001; and (ii) the payment of expenses incurred by Councillor Owens.

**3. COST IMPLICATIONS**

Travelling, hotel and subsistence expenses have been incurred by Councillor Owens.

**4. FINANCIAL CONTROLLER STATEMENT**

The costs associated with attendance at this Conference will be met from within the Members' Expenses budget.

**5. CONSULTATIONS CARRIED OUT**

N/A

**6. POLICY IMPLICATIONS INCLUDING CORPORATE**

N/A

**7. RECOMMENDATION**

That Cabinet retrospectively approve -

- (a) Councillor E.A. Owens' attendance at the WLGA Annual Conference on 6/7 September 2001; and
- (b) the payment of expenses incurred by Councillor Owens.

**REPORT TO CABINET**

**CABINET MEMBER: LEADER OF THE COUNCIL, COUNCILLOR E C EDWARDS**

**DATE: 11 October 2001**

**SUBJECT: WALES EUROPEAN CENTRE ANNUAL SUBSCRIPTION**

**1 DECISION SOUGHT**

To approve the use of the County Council's corporate subscriptions budget to meet the cost of its annual subscription to Wales European Centre Limited.

**2 REASON FOR SEEKING DECISION**

A report was submitted to Cabinet on 30 August 2001 regarding the County Council's annual subscription to the Wales European Centre in Brussels and Members requested that a further report be submitted to a future meeting.

The County Council along with all the other unitary authorities in Wales and several public sector organisations is a member of the Wales European Centre (WEC) in Brussels. The membership fee was included within the Council's subscription to the Welsh Local Government Association (WLGA), until 1998 / 1999 and the total cost of £45,493 plus VAT for both aspects in that year was met from its corporate subscriptions budget. However, the company has presented invoices directly to the Council in respect of its membership fees of £7,035 per annum for the financial years 1999/00 and 2000/01. This is consistent with a reduction in the payments made to the WLGA to £38,216 in 1999 / 00 and £40,081 in 2000 / 01. The Council did receive the service provided by WEC during this period and has not already paid for the service through its subscription to WLGA during this period. There was a delay in WEC presenting invoices to the Council and the Council was not advised of the change in invoicing arrangements.

**3 COST IMPLICATIONS**

None except for adjustments for inflation because there is already provision in the Council's corporate subscriptions budget for this sum

**4 FINANCIAL CONTROLLER STATEMENT**

The above costs can be funded from within the Council's corporate budget for subscriptions.

**5 CONSULTATION CARRIED OUT**

Financial Controller and Head of Economic Regeneration

**6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

Membership of this organisation assists the Council to deliver its economic development and Objective One strategies.

**7 RECOMMENDATION**

To approve the use of the County Council's corporate budget to meet the cost of its annual subscription to Wales European Centre Limited

**REPORT TO CABINET**

**CABINET MEMBER: LEADER OF THE COUNCIL, COUNCILLOR E C EDWARDS**

**DATE: 11 OCTOBER 2001**

**SUBJECT: LEADER PLUS**

**1 DECISION SOUGHT**

To nominate a Council representative to be a member of the Leader Plus company and of the Board of Directors.

**2 REASON FOR SEEKING DECISION**

The Cabinet has agreed a report resolving that the Council become a member of the CRAI [Clwydian Range Action Initiative] Leader Plus Group but deferred nominating a member. It is essential that the Council is represented by a member who has detailed knowledge of Countryside matters, the small business sector, and tourism matters and is familiar with the Clwydian Range Area of Outstanding Natural Beauty. The nominee should have a Cabinet portfolio given that Flintshire County Council is likely to be represented by a member with this level of authority. It is essential that the EU requirement for gender balance on the board of the company is observed.

**3 COST IMPLICATIONS**

None

**4 FINANCIAL CONTROLLER STATEMENT**

A member becoming a director will need to be advised of the duties of a director of a Limited Company, as a 'failure of duty' under the various Companies Acts can render an individual director liable to penalty even in a company limited by guarantee.

**5 CONSULTATION CARRIED OUT**

The nomination is one for the Cabinet.

**6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

Nil

**7 RECOMMENDATION**

I recommend that Councillor Rhiannon Hughes the Cabinet member for Culture, Tourism and Leisure be the Council's representative on the Board of CRAI Leader Plus.

**REPORT TO CABINET**

**CABINET MEMBER:** LEADER OF THE COUNCIL, COUNCILLOR E C EDWARDS

**DATE:** 11 OCTOBER 2001

**SUBJECT:** CLWYDFRO CYFYNGEDIG

**1 DECISION SOUGHT**

To determine the number of directors which the Council wishes to nominate to serve on the board of Clwydfro (trading as Denbighshire Enterprise Agency) and to make nominations accordingly

**2 REASON FOR SEEKING DECISION**

It was agreed at Cabinet on 14th November 2000 that Clwydfro Cyfyngedig would become the local enterprise agency serving Denbighshire with effect from 1 April 2001 but that no decision would be taken about the number and identity of the directors nominated by the Council to serve on the board of the company pending the outcome of further discussions. The company's articles of association were subsequently amended and these amendments made provision for up to 8 directors to be nominated by the County Council and up to 5 to be appointed from the private sector. Both Conwy and Denbighshire Unitary Authorities previously each nominated four directors to serve on the board of the company. The four directors nominated by Conwy County Borough Council resigned with effect from 1 April 2001 and it is therefore necessary to clarify the number of directors which the County Council now wishes to serve on the board of the company and to approve nominations accordingly. The Council also nominated three directors of Coastal Enterprise Limited which was the local enterprise agency which served north Denbighshire until 31 March 2001. The nomination of the four existing directors of Clwydfro, together with the three previous directors of Coastal Enterprise, and also myself as the cabinet member with the portfolio for economic regeneration to serve on the board of Clwydfro will provide continuity both with previous arrangements and current policy and will also ensure that the County Council retains control over the development and operation of the company.

**3 COST IMPLICATIONS**

None

**4 FINANCIAL CONTROLLER STATEMENT**

Clwydfro Cyfyngedig is a local authority controlled company as defined in the Local Government & Housing Act 1989 and therefore falls within the regulations relating to local authority capital finance which apply to the County Council. The proposals to nominate Directors do not impact on the level of capital payments of the organisation.

**5 CONSULTATION CARRIED OUT**

This report completes the implementation of a review which was based on consultation with the clients, directors and staff of the enterprise agency, with members of the former Planning & Economic Development scrutiny panel and with other relevant public bodies. The determination of the number and identity of directors nominated by the Council is a matter for Cabinet.

**6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

Assists with the delivery of the Council's Economic Development and Objective One strategies.

**7 RECOMMENDATION**

That the Council informs Clwydfro Cyfyngedig that it wishes to nominate eight directors to serve on its board and to approve the nomination of 4 Executive and 4 Non-executive Councillors as directors.

**REPORT BY: LEADER, COUNCILLOR E C EDWARDS**

**DATE: 11 OCTOBER 2001**

**SUBJECT: ANNUAL GENERAL MEETING - PTI CYMRU LTD.**

**1. DECISION SOUGHT**

To nominate a representative to attend the above Annual General Meeting to be held on 6 November 2001 at the Arriva Offices, Llandudno Junction, commencing at 11.15a.m.

**2. REASON FOR SEEKING DECISION**

PTI Cymru is the company formed and funded by the Welsh Assembly to introduce an All-Wales phone-based transport enquiry system. The company is made up of the stakeholders/service owners, the three major bus companies in Wales - Stagecoach, Arriva and First Group and the 22 unitary authorities in Wales.

The Chairman of the County Council has received a letter from Mr. Neil Evans, Company Secretary of PTI Cymru in which Mr. Evans says that he has been asked by Mr. Sandy Blair of the WLGA to invite Denbighshire C.C. to send a representative to the Company's AGM.

For Members' information, Mr. Blair is the nominee share holder representing the Local Authorities in Wales.

Local Authority representation of the Board PTI is made up of three members:

Councillor M.E.J. Knott - Bridgend  
Councillor E.C. Galsworthy - Merthyr Tydfil  
Councillor W.J. Williams - Anglesey

Cabinet are advised that a Member should attend this meeting in order to ensure that, if general transport policies are discussed, Denbighshire's needs and requirements are built into the national transport policies of Wales.

**3. COST IMPLICATIONS**

If attendance at the AGM is approved, travel expenses will be incurred by the representative nominated to attend.

**4. FINANCIAL CONTROLLER STATEMENT**

There are no significant costs resulting from this proposal.

**5. CONSULTATIONS CARRIED OUT**

Both the Corporate Director Environment and the Cabinet Lead Member for Environment have been consulted. Mr. Iwan Prys Jones sees no reason why a Member should not attend on Denbighshire's behalf and suggests that perhaps a Member with interest in sustainable transport issues would be the most appropriate. For Members' information, should you wish to nominate Councillor D.M. Morris to attend this AGM, he has already informed me that he is not available to attend on the 6 November.

**6. POLICY IMPLICATIONS INCLUDING CORPORATE**

This will be in furtherance of integrated transport initiatives.

**7. RECOMMENDATION**

That Cabinet nominate a representative to attend the Annual General Meeting of PTI Cymru Ltd. to be held on Tuesday, 6 November 2001 at Llandudno Junction.

## **REPORT TO CABINET**

**AGENDA ITEM NO: 9**

**REPORT BY: LEADER, COUNCILLOR E C EDWARDS**

**DATE: 11 OCTOBER 2001**

**SUBJECT: NFLA ANNUAL CONFERENCE: DEVELOPING A LOCAL AGENDA FOR PEACE**

### **1. DECISION SOUGHT**

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 October at the City Chambers, Glasgow.

### **2. REASON FOR SEEKING DECISION**

Denbighshire C.C. are members of the Wales Nuclear Free Forum and our representatives are Councillors M.A. German, G. Jones and T.M. Parry. Representatives of the Authority have regularly attended the NFLA Annual Conference.

The Secretary of the Nuclear Free Local Authorities Steering Committee has written to all Local Authorities in England, Scotland, Wales and Northern Ireland to invite them to send a representative to their Annual Conference to be held in Glasgow on 25 October 2001 (copy letter and enclosure attached).

You will see from the programme for the Conference that major concerns relevant and related to the terrible acts witnessed in New York and Washington on 11 September are under discussion.

### **3. COST IMPLICATIONS**

A Conference fee of £155 together with travel, hotel and subsistence expenses will be incurred by the Member attending.

### **4. FINANCIAL CONTROLLER STATEMENT**

The costs concerned will need to be contained within the Members' budget for conferences, devolved to Groups.

### **5. CONSULTATIONS CARRIED OUT**

Both Councillors M.A. German and G. Jones have been consulted and are concerned that one or other of them is approved to attend this important Annual Conference.

### **6. POLICY IMPLICATIONS INCLUDING CORPORATE**

The Council's policy commitment goes back to the beginning of the Authority and relates to its Agenda 21 (Sustainable Communities) policy.

### **7. RECOMMENDATION**

That Cabinet approve either Councillor M.A. German or Councillor G. Jones to attend the NFLA Annual Conference to be held in Glasgow on 25 October 2001.

**REPORT TO CABINET**

**CABINET MEMBER: THE LEADER OF THE COUNCIL, COUNCILLOR E C EDWARDS**

**DATE: 11 OCTOBER 2001**

**SUBJECT: APPLICATION TO REGISTER LLANGOLLEN YOUTH CLUB PLAYING FIELD KNOWN AS "WILLOW HILL FIELD" AS A TOWN/VILLAGE GREEN**

**1. DECISION SOUGHT**

To authorise a procedure for dealing with an application which has been received by the County Council to register a new Town/Village Green pursuant to Section 13 of the Commons Registration Act 1965.

**2. REASON FOR SEEKING DECISION**

On 27th April 2000 the County Council, in its capacity as Commons Registration Authority, received an application to register the area of land shown edged in black on Plan "A" attached ("the application site"). The application has been submitted by a local group "Save Our Green Fields" on the basis that inhabitants of the locality have indulged in lawful sports and pastimes on the application site as of right for a period of not less than 20 years.

The application site is owned in part by the Council and in part by a development company Taymove Limited who are the successors in title to Parry Homes Limited who acquired that land from the former Clwyd County Council on 3rd May 1995. The extent of the land ownerships of the County Council and Taymove Limited are shown respectively hatched and cross hatched in black on Plan "B" attached.

The County Council therefore has a dual role in respect of this application as both the Commons Registration Authority and as a landowner affected by the application.

The procedure for dealing with an application for a Town/Village Green under the "20 year rule" is dealt with by the Commons Registration (New Land) Regulations 1969. Once an application has been duly made the County Council must publicise the application and allow time for objections. The only specific procedural requirements are that any "statement in objection" must be in writing and signed by or on behalf of the person making it and that a copy must be given to the applicant who must be given a reasonable opportunity to deal with the matters raised.

Thereafter the Commons Registration Authority must proceed to determine the application for registration and has to consider all the facts of the case and decide on the balance of probabilities whether the application is well founded in law.

As regards this final stage of determination how this is done is left to the Commons Registration Authority itself. It must be borne in mind that the County Council is acting purely as registration authority and that matters of planning or policy are irrelevant. The only issue that the Council has to decide is whether as a matter of law the application site has become a Town or Village Green within the terms of Section 13 of the Commons Registration Act 1965.

There is no express provision for an oral hearing nor for the compulsion of witnesses or evidence on oath. Many registration authorities have however adopted the practice of instructing Counsel to act as an Inspector and hold a “non statutory hearing” which is essentially an informal inquiry where oral evidence is heard and after which counsel writes a report to the authority with a recommendation of how the application should be determined. Whilst there is no statutory basis for such a hearing it is the view of the courts that some form of oral procedure is essential if a fair view is to be reached where conflicting recollections need to be reconciled.

The inquiry is in effect a quasi judicial process. The inquiry must be conducted in accordance with the rules of natural justice and there must be appropriate procedures within that hearing to enable all parties to be heard and for the Inspector to be able to weigh up and make clear findings of fact and allow the law to be applied to the facts found proved.

It is recommended that the County Council hold a non statutory hearing as detailed above given that the County Council is both Commons Registration Authority and a landowner affected by the application. The County Council must act impartially and be seen to do so. The option of an informal hearing offers both an opportunity for oral evidence to be heard and for all the evidence, both written and oral, to be assessed by an impartial Inspector who can make a recommendation back to the Commons Registration Authority.

### **3. COSTS IMPLICATIONS**

There is clearly a cost implication here in that if this matter proceeds to an inquiry there will be a cost associated with the instruction of Counsel to act as an Inspector on behalf of the County Council.

### **4. FINANCIAL CONTROLLER’S STATEMENT**

There is no specific budget provision for the costs of an inquiry. When costs are identified a further report should be produced.

### **5. CONSULTATIONS CARRIED OUT**

Statutory consultations referred to above.

### **6. POLICY IMPLICATIONS INCLUDING CORPORATE**

None - this is a statutory function

### **7. RECOMMENDATIONS**

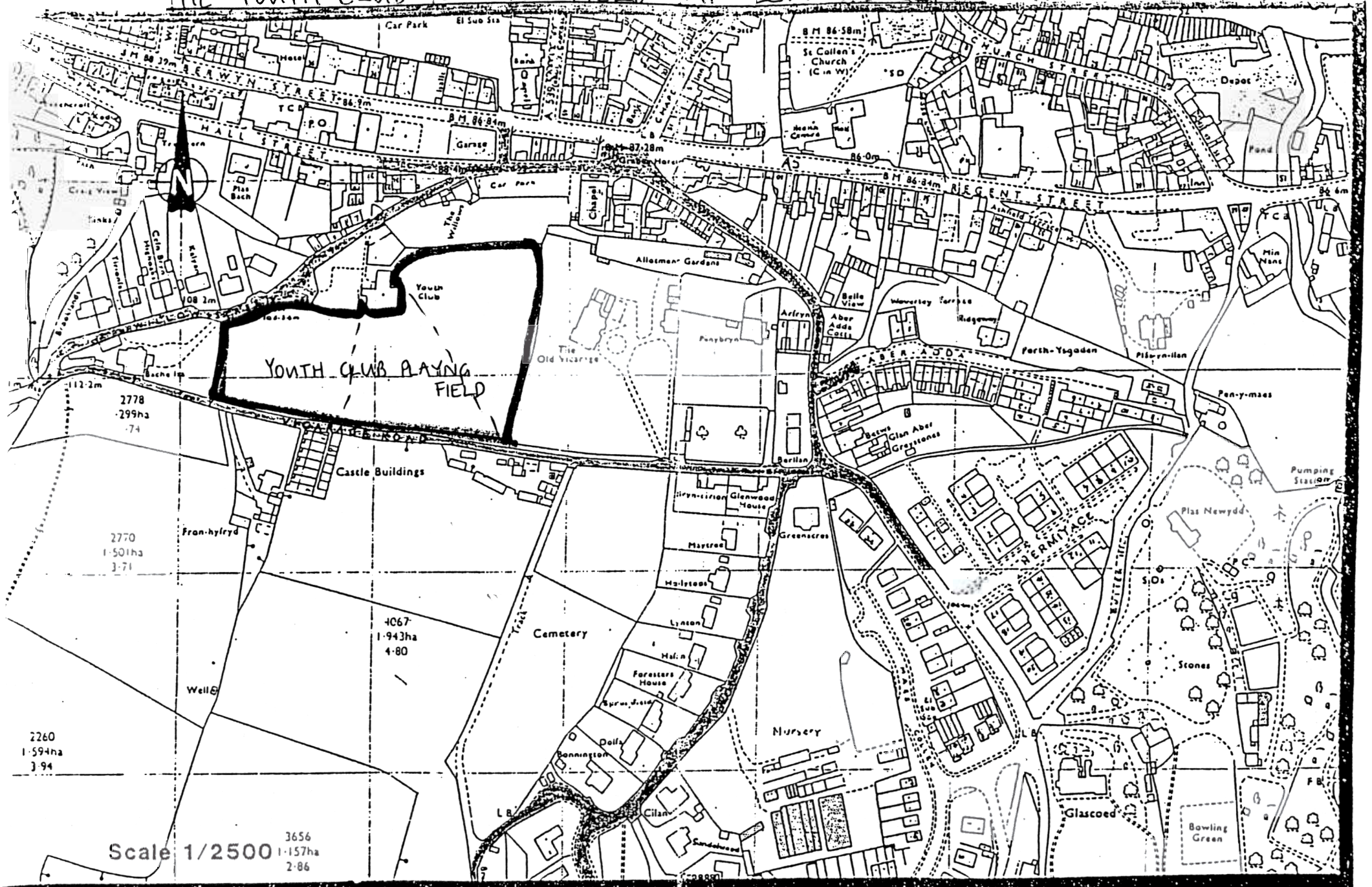
That this report be received and the County Clerk be authorised to continue to deal with this application on behalf of the County Council as Commons Registration Authority and appoint Counsel

- a) to act as a Inspector to hold an informal “inquiry” where oral evidence will be heard
- b) to write a report to the authority with a recommendation of how the application should be determined.



# THE YOUTH CLUB PLAYING FIELD AT LANGOLLEN

A

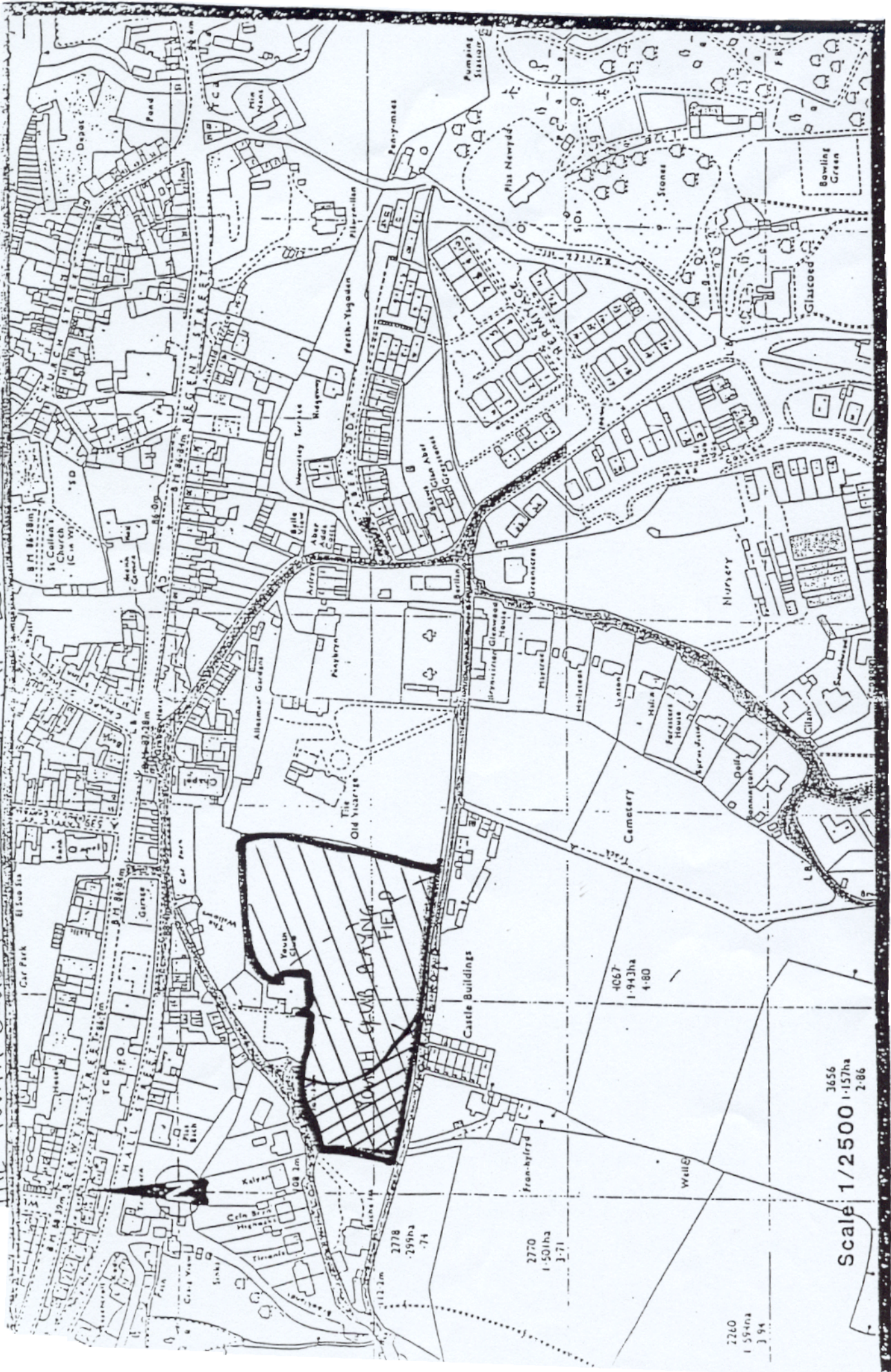


MAP SHOWING THE BOUNDRY LAND CLAIMED



B

THE YOUTH CLUB PLAYING FIELD AT LLANGULLEN



BO OR LAND CLAIMED PLEASE SGN REVERSE TO

Scale 1/2500  
3656  
1.157ha  
2.86

2260  
1.554ha  
3.94

2770  
1.501ha  
3.71

4067  
1.943ha  
4.80

2778  
299ha  
.74



**REPORT TO CABINET**

**REPORT OF: LEAD CABINET MEMBER FOR HUMAN RESOURCES**

**DATE: 11 OCTOBER 2001**

**SUBJECT: STAFF PROTECTION REGISTER**

**1. DECISION SOUGHT**

To seek 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.

**2. REASON FOR SEEKING DECISION**

**2.1** At a meeting of the Corporate Health Safety and Welfare Panel held on 17 April 2001 Members received a presentation from Mr Paul Taylor of Intech on a computerised Staff Protection Register system known as Incheck. 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 in Denbighshire.

**2.2** The Head of Internal Audit subsequently submitted a further report to a Panel meeting held on 17 July 2001 on the implementation elsewhere of a Staff Protection Register, the market competition and the likely resource and financial implications for the Council of implementing such a Register (copy report enclosed).

**2.3** Members will note the comments from the Head of Internal Audit Services (paragraph 5.1) that the requirement for a corporate database for the protection of staff is clearly essential and in his opinion, not in doubt. The initiative represents the minimum necessary to safeguard the health and well being of staff visiting potentially dangerous clients.

Discussions with the office of the Information Commissioner (formally Data Protection Register) confirms that a system can be devised that on the one hand provides the requisite information for Health & Safety purposes and on the other meets the requirements of the Data Protection Act 1998. To achieve this balance requires however extreme care in the gathering, processing, accessing and monitoring of data. Such a system will be devised following agreement of this report by Members.

**2.4** Members will also note that the ICT Department has confirmed that the Incheck package would be compatible with the Authority's systems and the County's Risk Management Group had been supportive of the scheme in principle.

**2.5** The question of funding the package and staffing arose and you will note from paragraph 3 of the report the costs provided by Intech. These costs obviously do not take into account any staffing resource required to administer the scheme. However following discussions with the Head of Personnel she has confirmed that the system could be administered within the Corporate Health and Safety Unit with no additional staffing costs other than the need to employ temporary staff to input the data onto the system

**2.6** Following further discussions with the Lead Cabinet Member for Finance the Head of Internal Audit is to prepare a bid to the Risk Management Group to purchase the system at a cost of £15,000.

**3. COST IMPLICATIONS**

**3.1** Annual licence and support costs of approximately £3,000.

#### **4. FINANCIAL CONTROLLER STATEMENT**

- 4.1 The Risk Management Group have provisionally considered the matter and feel that it is a suitable item to bid for funding for the initial costs. Funding cannot, however, be provided for the on going costs from the fund.

#### **5. CONSULTATIONS CARRIED OUT**

- 5.1 The Corporate Health Safety and Welfare Panel (comprising both employer and staff members) fully support the implementation of a Staff Protection Register. (The Head of I.C.T. and the Data Protection Officer have been consulted on the proposed system and are satisfied that a compliant system can be devised. Corporate Directors support an initiative that helps protect staff and that meets Data protection requirements).

#### **6. POLICY IMPLICATIONS INCLUDING CORPORATE**

- 6.1 The development of a Staff Protection Register will link in with the Corporate Health and Safety policies adopted by the Council.

#### **7. RECOMMENDATIONS**

That Cabinet approves the establishment of a Staff Protection Register and to include as a budget pressure annual support costs for the system at approximately £3,000.

**COMMITTEE** Corporate Health, Safety and Welfare Panel

**DATE OF MEETING** 17 July 2001

**REPORT OF** Head of Internal Audit Services

**SUBJECT** Staff Protection Register

**1. Background**

1.1 At it's last meeting the Panel received a presentation of a software package providing a register of violent people and dangerous addresses. The presentation was made by a representative of Intec for Business Limited and was well received as a good idea for the Council in the protection of it's staff.

1.2 The Panel requested a more detailed report for this meeting, together with any additional information that could be gathered on its implementation elsewhere, the market competition and the likely resource and finance implications for the Council.

**2. Intec Incheck system**

2.1 The system will enable Departments to share information promptly to assist in the fulfilment of it's responsibilities as an employer and is fully Data Protection compliant.

2.2 To remind members of the Panel, some of the main features of the system are as follows:

- People can be linked to any number of addresses in the register
- Hazard ratings can be applied in whatever categories the Council wishes
- Cases can be reviewed at time periods set by the Council
- Dangerous animals or structures can be identified
- Map references and directions to properties can be included
- Vehicle details can be recorded
- Case history notes can be retained
- Full system security controlled by passwords
- 

2.3 Technical details have been sent to the Council's ICT Department. The Department has stated that developing an in-house system would be time consuming and would have to ensure that Data Protection requirements are met. This has already been addressed in the Incheck system.

**3. Costs**

3.1 Costs have been provided by Intec as follows, although these are subject to change:

- System purchase £10,000
- 3 training days £2,100
- Installation £700
- Licence/support fee £2600 (10 users)
- Additional licence per user £200

3.2 The number of likely system users is unknown at present, but if we assume the minimum of 10 for now, the total first year cost is estimated to be £15,400, followed by annual licence and support costs of £2,600.

- 3.3 Each Directorate will need a central contact point to obtain details of potentially dangerous addresses when visits are planned. These people will have read-only access and will not update the register. This could hopefully be covered with existing resources.
- 3.4 However, there needs to be a system administrator to operate the system and enter new cases, visit details, review details etc. It seems sensible that this task should fall within the remit of the Health & Safety Section as they already monitor incidents and accidents. There is, though, no staffing resource to carry out this function in Health & Safety and the resource also does not exist in Internal Audit Services. This resource is essential if the register is to be implemented and probably equates to a half-person rather than a full time post.

#### **4. Experience of the system**

- 4.1 Through my contacts in the Welsh Chief Auditors group I was put in touch with Pembrokeshire County Council which has recently implemented the Incheck system.
- 4.2 They are happy with the implementation and training provided by Intec and have successfully run the system for the last two months with contact points in each Department for staff to access details of dangerous properties. The main problem they have encountered is getting the information out to remote sites and out of hours workers. They have therefore developed an e-mail reporting form to deal with this.
- 4.3 No Data Protection issues have been encountered and their Health & Safety and Trade Unions were consulted and are happy with the system in place.
- 4.4 The administrative resource implications were higher to start with as a history of information had to be entered, but the workload has now reduced to a manageable level.
- 4.5 I enquired about other system providers as I had been unable to find any competitors in the market. They were also unable to find any other software providers in this field.

#### **5. Conclusions**

- 5.1 The requirement for a corporate database for the protection of staff is clearly essential and, I believe, not in doubt. There appear to be only two options - either develop an in-house system or purchase a software package. To ensure that Data Protection requirements are fully met and to avoid the resource implications of system development in the ICT Department, I am of the opinion that the software package option is the way forward.
- 5.2 The estimated costs have been outlined above and resources will need to be made available for:
- System purchase at a minimum of £15k
  - Annual support at approximately £3k
  - Systems administration staffing

**Report Author Ivan Butler      Head of Internal Audit Services**

**REPORT TO CABINET**

**CABINET MEMBER: COUNCILLOR D M MORRIS**

**DATE: 11 OCTOBER 2001**

**SUBJECT: PROPOSED A494 FFYNNON-Y-BERTH IMPROVEMENT SCHEME  
- INCLUSION OF BRIDLEWAY BRIDGE**

**1 DECISION SOUGHT**

1.1 Confirmation of support by the County Council 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

1.2 Confirmation that the County Council, if supportive of the inclusion of such a bridge in the proposals, would be prepared to support / defend their views at a Public Inquiry.

**2 REASON FOR SEEKING DECISION**

- National Assembly for Wales intend to improve a section of the A494 Trunk Road near to the Clwyd Gate Inn, between Llanferres and Llanbedr DC (see attached plan).
- As part of the scheme, it is proposed to provide an overbridge, specifically intended to carry the Offa's Dyke public footpath and bridleway over the Trunk Road carriageway.
- Currently, users of the footpath and bridleway have to cross the A494 Trunk Road at this location at carriageway level.
- Levels of useage of the footpath network are significant, with 6,000 users per annum of the long distance footpath and an estimated 30,000 users of the local path network around the Loggerheads Park complex. Every single crossing of the A494 constitutes an element of risk that is disproportionate to the safety level on the rest of the route / network
- Equestrian use of the route is limited, on the basis of visual evidence. This is contrary to the general level of activity on the rest of the bridleway network, and is perhaps evidence in itself of the deterrent effect the existing crossing of the A494 is having upon prospective users of the network.
- During recent consultation between Assembly representatives and local residents, opposition to the provision of such a bridge was voiced by the residents, on the grounds that the bridleway is little used and a bridge would be visually intrusive.
- National Assembly, via their letter dated 3 August, 2001, seek the County Council's formal view with regard to the provision of a bridge at this location and, if such a provision is to be supported, confirmation that the Authority would be prepared to support/defend that view at a Public Inquiry.

**3 COST IMPLICATIONS**

None - scheme is promoted and funded entirely by the National Assembly for Wales

**4 FINANCIAL CONTROLLER STATEMENT**

No cost implications

**5 CONSULTATION CARRIED OUT**

Local Members :

Cllr Pauline Dobb (Llanbedr DC) - fully supports the inclusion of a bridge in the scheme

Cllr Donald Holder (Llanarmon yn Ial) - fully supports the inclusion of a bridge in the scheme

Rights of Way section DCC - considers the inclusion of the bridge to be of strategic importance with respect to the bridleway network in the County, removing as it does a dangerous crossing

of the busy A494 trunk road, thus allowing better satisfaction of the high demand for equestrian use of this route.

Joint Advisory Committee of the Clwydian Range AONB - supports the provision of a bridge on the grounds of user safety.

Offa's Dyke Path Management Service - supports the provision of a bridge on safety & policy grounds

## **6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

Community safety and access

## **7 RECOMMENDATION**

7.1 Members confirm the County Council's support for the inclusion of a bridleway bridge within the National Assembly's proposed A494 Ffynnon-y-Berth highway improvement scheme

7.2 Members confirm that the County Council would be willing to support / defend this view at a Public Inquiry

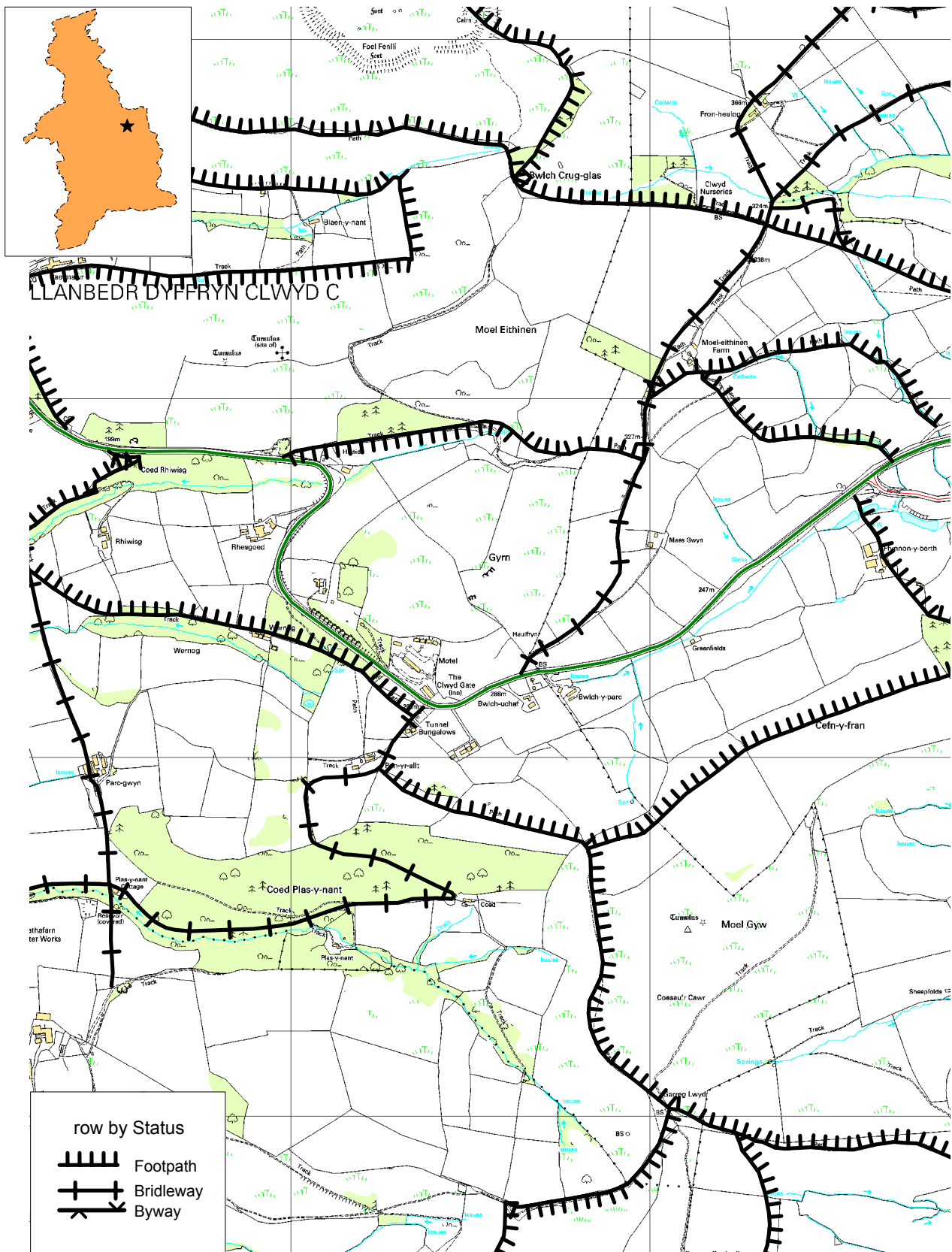


# A494 Fynnon y Berth to Clwyd Gate Improvement

## location plan

Compiled by A Walls on 27/09/2001

no scale



**REPORT TO CABINET**

**CABINET MEMBER:** COUNCILLOR KEN WELLS

**DATE:** 11 October 2001

**SUBJECT:** BEST VALUE: EDUCATION - SPECIALIST SUPPORT SERVICES (SEN)

**1 DECISION SOUGHT**

- To approve the Education Service Best Value Review of the Specialist Support Services (SEN) 'Options For Further Research' (Appendix 1)

**2 REASON FOR SEEKING DECISION**

- The Project Team has considered **options** on the individual services within the Specialist Support Services under review.
- These include the Educational Psychology Service, the Statementing Department, the Learning Development Team, Pupil Support - LSAs, the Behaviour Support Service, the Educational Social Work Service and the Informal Education Team.
- The Project Team have '**Challenged**' service delivery options and wish to conduct further research into the 'Options for Further Research' identified in Appendix 1.
- Agreement is sought from Cabinet to conduct this further research.

**3 COST IMPLICATIONS**

Cost implications are in terms of staff time.

**4 FINANCIAL CONTROLLER STATEMENT**

Any cost implications will need to be contained within the base budget for the services concerned

**5 CONSULTATION CARRIED OUT**

The Project Team as part of the **Challenge** process has discussed various possibilities for improving services.

The process of consulting with head teachers, parents, children, young people and colleagues from Health and Social Services is underway.

Consultation is taking the form of meetings, questionnaires and a telephone survey. Information received to date supports further research into the 'Options' identified.

The Project Team is in agreement that the '**Options**' specified in Appendix 1 are appropriate.

The Project Team has broad representation including LEA officers, elected members, parents, head teachers, and colleagues from other agencies, Citizens Advice Bureau and the Disability Rights Commission.

**6      IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE**

Approving further research will complement the work to be undertaken to formulate the new Education Strategic Plan, 2002 – 05 to be lodged with the National Assembly early next year.

**7      RECOMMENDATION**

That Cabinet approves the further research options identified

## BEST VALUE REVIEW OF EDUCATIONAL SPECIALIST SUPPORT SERVICES –SEN

### IDENTIFYING SERVICE DELIVERY OPTIONS FOR FURTHER RESEARCH

OPTION	COMMENTS	ADVANTAGES	DISADVANTAGES	OPTIONS FOR FURTHER RESEARCH
<p>Externalise the Services to a third party e.g. Educational Trust, Charitable Organisation, Private agency</p>	<p>ABA Autism team externalised operationally to Barnardo's</p> <p>SLA can include training, bi-lingual issues etc</p> <p>Much of the work is of a statutory nature</p> <p>National policy and research emphasises preventative work</p> <p>Preventative work important to schools, may not be to another agency</p> <p>Predicting transient children into Denbighshire and setting budget is complex</p>	<p>Rationalisation of staff</p> <p>Structure for staff</p> <p>Barnardo's project already operational</p> <p>Social Services already experienced</p> <p>Contract must be met</p> <p>SEN Officers able to concentrate on monitoring Services</p>	<p>Monitoring external provider</p> <p>Statutory provision</p> <p>Confidentiality</p> <p>Budget inadequate to meet statutory needs</p> <p>Central flexibility lost</p> <p>Funding for preventative work</p> <p>Contingency funds needed</p> <p>Need for Contract Manager</p>	<p>Compare with other Local Authorities to check their experiences</p>
<p>Internal re-Organisation eg</p> <p>Devolve LSA budget to schools.</p>	<p>'Banding' of additional resources presently researched by Principal Educational Psychologist</p> <p>Statement PIs below national average</p>	<p>Schools to decide upon priorities for LSAs etc</p> <p>Schools manage their own priorities</p> <p>Reduction in central staff</p> <p>Finite funds agreed with schools</p> <p>SEN Officers concentrate on monitoring</p>	<p>Central flexibility lost</p> <p>Contingency fund needed for new cases</p> <p>Budget inadequate to meet needs. Cannot devolve a negative budget</p> <p>Impractical to devolve all aspects</p> <p>Managing allocation process requires time and staff</p>	<p>PEP to co-ordinate draft pilot scheme with possibility of full or partial devolvement</p> <p>Further discussion with Swansea of their model</p> <p>Define which services could be devolved</p>

<p>Consortium with other Education Department/s</p>	<p>Presently providing some joint services</p> <p>Recently approached to share further roles</p> <p>Some Welsh Authorities deliver in this way</p> <p>Our service approach may be attractive to others</p> <p>Regional Co-ordinator SEN researching sharing some services. Could the brief be extended?</p> <p>We are able to provide Bi-lingual services</p> <p>Some services shared on LGR, but insufficient staff to be effective</p>	<p>Opportunities to specialise</p> <p>IT helps to streamline</p> <p>Regional Co-ordinator research favours some joint provision of 'low incidence' SEN</p> <p>More staff to share work</p> <p>Adoption of good practice across Authorities</p> <p>INSET opportunities</p> <p>Provision sharing</p>	<p>Loss of Denbighshire identity</p> <p>Parents and schools know our system and our staff</p> <p>Experience of other Authorities not always favourable</p> <p>Budget inadequate for demand, therefore who would want to partner with us?</p> <p>Methodology not always agreed between Authorities</p> <p>'Control' over local demands</p> <p>Confidentiality</p>	<p>Discuss partnership with other Local Authority</p> <p>Partner some services, not all</p>
<p>Strategic focus- eg</p> <p>Education and Social Services merge to create Denbighshire Children's Services</p>	<p>Education and Social Services with Health as partners already co-operate on some services eg ABA</p> <p>Childrens First Programme on LACs encourages collaboration</p> <p>Some other Authorities deliver this way</p> <p>Joint working supports our 'clients'</p> <p>Research supports model</p> <p>'Flexibilities' money from Welsh Assembly to research and plan</p>	<p>Joint planning, funding and delivery strengthens corporate perspective ('corporate parent')</p> <p>Staff working together</p> <p>'Clients' have one service</p> <p>Lack of duplication</p> <p>Strategic planning improvements</p> <p>Transparency of provision and budget</p>	<p>None</p>	<p>Consider experiences of other Local Authorities</p> <p>Development of specific initiatives as joint services eg LACs</p>

<p>Cessation</p>	<p>Statutory responsibilities of some services</p> <p>Mitigates against research advice, Welsh Assembly, National government and international advice to promote early assessment and intervention</p> <p>Consultation with schools has proved that intervention is highly valued. Schools now pay towards the cost of service</p>	<p>Concentrates resources, including staff, to statutory work</p>	<p>Intervention work ceases, resulting with increase in formal assessment, statementing and Tribunals.</p> <p>Schools and pupils not provided with essential supports</p> <p>INSET is a crucial way of improving skills of teachers and keeping them informed of methodology and legislation. Loss of INSET would impair their ability to provide for children</p> <p>Cessation of preventative work would disadvantage pupils who have emotional and behavioural difficulties, who do not have a statement of SEN</p>	<p>Non recommended</p>
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