

## CABINET

Minutes of the meeting of the Cabinet held in the John Ambrose Theatre, Ysgol Brynhyfryd, Ruthin on Tuesday 6th November, 2001 at 10.00 a.m.

## PRESENT

Councillors W.R. Webb (Deputy Leader), D.M. Holder, R.W. Hughes, G.M. Kensler, D.M. Morris, E.A. Owens, A.E. Roberts, K.E. Wells and E.W. Williams.

## APOLOGIES

Councillor E.C. Edwards (Leader) and Councillor I.M. German.

Observers: Councillor S. Drew, K. Hawkins and R.J.R. Jones.

## ALSO PRESENT

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

## ANNOUNCEMENT

The Deputy Leader informed Members of the sudden death of Mr. Dilwyn Lloyd Williams, a former Denbighshire County Councillor. Members were asked to stand in silent tribute.

## **780. URGENT MATTERS**

The Deputy 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 3ii Recruitment of PO5 Principal Local Taxation Manager - Additional Item;
- (ii) Representation on Enlargement Working Group - Supplementary information to Item 4;
- (iii) Item 8 deferred, and
- (iv) Item 11A - Verbal Update on Modernisation Consultation by Assistant Chief Executive: Strategy

## **781. MINUTES OF THE CABINET**

- (i) The Minutes of the Special Meeting of the Cabinet held on 9 October 2001 (previously circulated) were submitted.

**RESOLVED** that the Minutes of the Special Meeting of Cabinet held on 9 October 2001 be approved as a correct record and signed by the Deputy Leader.

- (ii) The Minutes of the Cabinet held on 23 October 2001 (previously circulated) were submitted.

Item 5 Foot and Mouth Financial Assistance: Councillor E.W. Williams, Lead Cabinet Member for Best Value requested that the question he raised as to the extent of the County to benefit from the Appendix D Small Grant Scheme be noted. The Director of Resources confirmed the intention was for grants to be available for businesses throughout the County i.e. both the urban and the rural areas.

Item 8 Project 11, Gordon Avenue, Rhyl: Councillor G.M. Kensler, Lead Cabinet Member for the Welsh Language enquired when the costs would be known. The Deputy Leader said this item was only a request to go for planning approval for a change of use.

Item 12 Melyd Avenue, Prestatyn: The County Clerk updated Members on the position with regard to Melyd Avenue, Prestatyn. Members had been informed of arrangements made by Chris Ruane MP for a public meeting to be held on the evening of 9 November 2001. Members considered the position in the light of their previous decision but concluded that their own previous proposals should stand. The Acting Chief Executive reminded Members of the reasoning which led to their previous decision. Members reaffirmed their previous decision.

Item 15 Capital Programme Group Report: Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism updated Members on the Old Chapel, Llangollen and said a full report would be presented to Cabinet on 22.11.2001. Councillor Hughes gave brief details of the five options within the appraisal, some of which would have revenue implications. Costs had been estimated at £279k with £110k available in grants from various bodies which left a balance of £169k. The timescale for opening to the public would be early summer. Councillor E.A. Owens, Lead Cabinet Member for Finance reminded Members that this item was not part of the Authority's Capital Programme and following discussion at Cabinet on 22.11.2001, should be included on the County Council Agenda for 27.11.2001. Members agreed to the inclusion of the item as above.

**RESOLVED** that subject to the above, the Minutes of the Cabinet meeting held on 23 October 2001 be approved as a correct record and signed by the Deputy Leader.

## **782. RECRUITMENT**

The Deputy Leader, Councillor W R Webb submitted the following applications for approval:-

- (i) Sc 3 Gallery Assistant - Lifelong Learning: Cultural Services, and
- (ii) PO5 Principal Local Taxation Manager - Resources: Local Taxation.

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

At this juncture, the Deputy Leader Councillor W.R. Webb welcomed the Head teacher and members of Ysgol Brynhyfryd 6th form to the meeting. Councillor Webb asked that both Members and officers introduce themselves to those present as each Agenda item arose.

## **783. WALES EUROPEAN CENTRE (WEC) SEMINAR: EUROPEAN ENLARGEMENT, EXTENDING HORIZONS**

Councillor W.R. Webb, Deputy Leader of the Council presented the report (previously circulated) seeking Members' agreement to attendance at the half day Seminar on European Enlargement, Extending Horizons on 23 November 2001 in St Asaph. After discussion it was agreed to ascertain whether there was a restriction on attendance numbers. Depending on the outcome of these enquiries it was agreed that if no attendance restriction was in force then any Member was free to attend.

**RESOLVED** accordingly.

## **784. EUROPEAN ENLARGEMENT WORKING GROUP**

Councillor W.R. Webb, Deputy Leader of the Council presented the report (circulated at the meeting) seeking nominations by the WLGA for the National Assembly's Enlargement Working Group from the Independent, Plaid Cymru or Conservative Members of the Authority.

**RESOLVED** that Members agreed the Independent, Plaid Cymru and Conservative Groups nominate a Member for the WLGA to further nominate for the National Assembly's Enlargement Working Group.

**785. COMMISSION ON LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS IN WALES - TERMS OF REFERENCE**

Councillor W.R. Webb, Deputy Leader of the Council presented the report (previously circulated) seeking Members' consideration of arrangements for the meetings with the Commission on Local Government Electoral Arrangements in Wales on 21 November 2001 and to consider what submissions, if any, to make regarding the Commission's Terms of Reference attached to the report.

The Commission had been asked to review Local Government Electoral arrangements in Wales, and the Terms of Reference referred to making recommendations on electoral terms, procedures and number of Elected Members on Local Authorities by June 2002. Local Authorities and individual Groups / Members have been invited to submit written evidence on the issues raised.

Councillor W.R. Webb suggested an open meeting should be held to discuss the submissions. Members also agreed with Councillor E.A. Owens, Lead Cabinet Member for Finance to ascertain whether any Groups had already made submissions.

**RESOLVED** that Members:-

- (a) *agreed the arrangements for the meeting with the Commission on Local Government Electoral Arrangements in Wales, and*
- (b) *agreed each political group prepare submissions regarding the Commission's Terms of Reference.*

**786. CORPORATE INLAND FLOOD RESPONSE PLAN**

Councillor W.R. Webb, Deputy Leader of the Council presented the report (previously circulated) seeking Members' approval of the Corporate Inland Flood Response Plan (October 2001) as the Authority's strategic co-ordination guide for dealing with major flooding within Denbighshire.

The Corporate Director: Environment, in response to a query from Councillor G.M. Kensler, Lead Cabinet Member for the Welsh Language, said the report was an internal document. The County Clerk reminded Members that whilst public documents have to be bilingual this was not required for internal operational documents. Councillor Kensler also asked the Corporate Director: Environment to ensure the emergency services staff were reminded that Ysgol Plas Brondyffryn was a residential school.

Councillor Kensler said 3.6.3 Main Emergency Responsibilities on page 16 should read 3.8.3

**RESOLVED** that subject to the above amendment Members approved the Corporate Inland Flood Response Plan (Issue 1 - September 2001) as the Council's strategic guide to coping with major flooding within Denbighshire.

**787. DENBIGHSHIRE COUNTY COUNCIL'S POLICY AND FINANCIAL PLANNING FRAMEWORK**

Councillor E.W. Williams, Lead Cabinet Member for Best Value presented the report (previously circulated) seeking Members' approval of the Authority's Performance Management Handbook attached to the report, which detailed the policy and financial planning framework. Members were also asked to attend a half day training session on the Authority's Performance Management Systems on 3 and 4 December 2001.

Councillor E.A. Owens, Lead Cabinet Member for Finance stressed the need for all Cabinet and Scrutiny Members to read the report and asked Councillor Williams to consider making specific announcements with reference to the report and training days to ensure Members attend the training sessions. Councillor Williams reassured Councillor Owens that each Member would be made aware of Performance Management and that the Best Value Scrutiny Committee would discuss performance indicators with Scrutiny and Lead Cabinet Members.

Councillor G.M. Kensler, Lead Cabinet Member for Welsh Language asked that the Welsh Language be included amongst the Corporate Policies within the Cross Cutting Issues.

***RESOLVED** that Members approved the Authority's draft Performance Management Handbook and programme of Member and officer training.*

**788. LOCAL PLANNING PARTNERSHIPS AND THE PARTICIPATION OF CHILDREN AND YOUNG PEOPLE**

Item withdrawn.

**789. LOCAL MEMBERS NOMINATIONS FOR LEA GOVERNOR VACANCIES**

Councillor K.E. Wells, Lead Cabinet Member for Education and ICT presented the report (previously circulated) for LEA Governor vacancies from the Local Member(s) for the area in which the school(s) are located.

***RESOLVED** that the LEA Governor appointment(s) be approved as listed.*

**790. SUPPORT FOR TWO PEOPLE TO BE RESETTLED FROM YSBYTY BRYN Y NEUADD**

Councillor A.E. Roberts, Lead Cabinet Member for Personal Services presented the report (previously circulated) seeking approval to go out to tender for the support of two people being resettled from Ysbyty Bryn y Neuadd into a Community Living Scheme in Denbighshire using the tender documents approved by Cabinet on 12 June 2001. Funding of £104,473 per annum had been approved by the National Assembly for Wales for two people to be resettled into a Denbighshire Community Living Scheme.

Councillor E.A. Owens, Lead Cabinet Member for Finance drew Members' attention to the funding only being available for 2 years and in the financial year 2003/04 there was no guarantee that funding would be available. Councillor Owens reminded Members that this funding could not be automatically included as pressures in 2003/04. The Head of Strategic Planning and Support Services informed Members that the funding available from the National Assembly for Wales goes with the people being resettled and the Assembly have given a commitment to fund 2 people from Bryn y Neuadd and this was a continuation of that programme. The Head of Strategic Planning and Support Services was not aware that the funding would disappear in 2 years' time, but gave an undertaking to enquire further.

***RESOLVED** that Members agreed the support package of the two people to be resettled from Ysbyty Bryn y Neuadd be put out to tender.*

**791. TOURISM RELATED PROPERTIES IN RHYL AND PRESTATYN**

Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism and Councillor D.M. Morris, Lead Cabinet Member for the Environment presented the report (previously circulated) seeking agreement to further consultation regarding the coastal tourism related properties and to consider them in the context of the visioning exercise and wider plans for Rhyl. Clwyd Leisure Limited had requested the Council consider further transfer of tourism related properties as Part of Phase II with effect from 1 April 2002 detailed in the report. Both Councillors Hughes and Morris stressed the need for further consultation.

***RESOLVED** that further consultation regarding the coastal tourism related properties be undertaken in the context of the visioning exercise and wider plans for Rhyl.*

**792. MODERNISATION CONSULTATION**

The Assistant Chief Executive: Strategy said a formal response had been received from Edwina Hart AM, Minister for Finance, Local Government and Communities providing further advice as to the consultation requirements necessary for deciding upon the Authority's new constitution. The requirement was that further consultation should take place prior to the Council making its choice of

future constitutional arrangements and submitting its proposals to the National Assembly for Wales in January 2002.

**RESOLVED** that Members agreed with the need to comply with the Minister's directions.

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

**793. 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 paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

**794. PLOUGH HOTEL, ST ASAPH - ACCESS/EGRESS OVER COUNCIL/NORTH WALES FIRE SERVICE LAND**

The Deputy Leader, Councillor W.R. Webb, Lead Cabinet Member for Property presented the report (previously circulated) seeking Members' approval in granting the owners of the Plough Hotel, St. Asaph a perpetual right of way over Council / North Wales Fire Service owned land.

**RESOLVED** that Members approve the grant of a perpetual right of way over the land part owned by Denbighshire County Council and North Wales Fire Service (as hatched on the plan attached to the report at Appendix One), in favour of the Plough Hotel, St Asaph, subject to the following:-

*The Plough Hotel:-*

- To pay a commuted sum to be shared 50/50 between Denbighshire County Council and North Wales Fire Service.
- To be responsible for all costs, including the Council's legal and surveyor fees.
- 50% maintenance contribution on the said service road.
- 50% maintenance contribution on associated boundaries.
- To pay a reasonable contribution in establishing the service road as adoptable, if required.

*Otherwise on terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk.*

**795. DENBIGHSHIRE WELSH CHURCH ACTS SCHEME GRANT APPLICATIONS**

(Councillor R.W. Hughes and Councillor E.W. Williams declared an interest in this item).

The Deputy Leader, Councillor W.R. Webb submitted the report seeking Members' approval for a number of applications for grant aid from the Denbighshire Welsh Church Acts Fund.

**RESOLVED** that Members approve the list of grants as detailed in paragraph 6.1 of the report.

**796. BUSINESS RATE RELIEF**

Councillor E.A. Owens, Lead Cabinet Member for Finance submitted the report (previously circulated) seeking Members approval for Business Rate Relief for the Ponderosa Cafe, Horseshoe Pass, Llangollen.

**RESOLVED** that Cabinet approve the "write off" sum as detailed in the report in order to allow a reduction in Business Rates for the Ponderosa Cafe.

The meeting concluded at 11.50 a.m.

\*\*\*\*\*