

CABINET

Minutes of the meeting of the Cabinet held in the Monsanto Suite, Royal International Pavilion, Llangollen on Tuesday, 4th December, 2001 a 10.00 a.m.

PRESENT

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

Observers: Councillor R.J.R. Jones

ALSO PRESENT

Acting Chief Executive, Corporate Director of Resources, County Clerk and Administration Services Manager.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors E.C. Edwards (Leader), R.W. Hughes and E.W. Williams.

967. 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) recruitment - Records Assistant, Lifelong Learning - item 3 (vii), and
- (ii) Capital Programme Group Report - Part II - item 14

968. MINUTES OF THE CABINET

***RESOLVED** that the Minutes of the Cabinet meeting held on 22 November 2001 be approved as a correct record.*

969. RECRUITMENT

The Deputy-Leader submitted the following applications for approval:-

- (i) Sc4-6, Trainee Economic Development Officer (Europe) - Environment - Economic Regeneration;
- (ii) Two posts Manual Grade IV DCA/Manual Grade 1 Domestic: Day Care Assistant and Domestic Assistant - Personal Services - Dolwen;
- (iii) Manual Grade IV Day Care Assistant - Personal Services - Llys Nant;
- (iv) Sc 4 Access Development Officer - Lifelong Learning - Countryside;
- (v) Sc 2 Clerical Officer - Lifelong Learning - Education Services;
- (vi) Point 24-32 - Education Social Worker - Lifelong Learning - Education, and
- (vii) Sc 2 Records Assistant - Lifelong Learning - Archives (this item was considered as a matter of urgency, notice having been given by the Deputy Leader at the commencement of the meeting).

With respect to (iii) above the Lead Cabinet Member for Finance referred to the current under capacity at Llys Nant due to accommodation works and sought an update thereon. The Corporate Director, Personal Services agreed to provide that information.

With respect to (vii) above the Lead Cabinet Member for Finance indicated that this additional post had been identified as part of the zero based budget exercise and would be essential for the commencement of the P.F.I. Scheme. The Acting Chief Executive reported that it was the intention to defer the post until April 2002 but it was now critical to advertise the post in readiness for the P.F.I. Scheme.

The Deputy Leader requested that a comparison be made of the number of staff employed by the County as at 1st April 2001 and the 1st April 2002. The Head of Personnel agreed to provide that information at the end of the financial year.

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

970. SPORTLOT: CAPITAL GRANTS: INVITATION FOR NOMINATIONS FOR THE REGIONAL AND NATIONAL DECISION-MAKING PANELS

The Deputy Leader submitted a report (previously circulated) inviting political groups to submit nominations for membership of the Regional and National Decision-Making Panels which were responsible for the SPORTLOT Capital awards and for overseeing the SPORTLOT Community Chest Scheme. An invitation had been received from the Sports Council for Wales for the County Council to submit nominations for membership of the National and Regional SPORTLOT Panels, the closing date for nominations being the 31st December 2001.

RESOLVED that the political groups be requested to submit their nominations for membership of the National and Regional SPORTLOT Panels and for those nominations to be considered by Cabinet for submission to the Sports Council for Wales by the 31st December 2001.

971. SALE OF ALCOHOL TO UNDER 18'S

The Lead Cabinet Member for the Environment submitted a report (previously circulated) informing Members of a new duty imposed on Local Authorities under the 1964 Licensing Act by virtue of amendment brought under Section 30 and 31 of the Criminal Justice Police Act 2000 concerning the sale of alcohol to the under 18's and to approve actions to be taken by Officers in order to enforce the provisions of the Act. Sections 30 and 31 of the Act amended the powers under the Licensing Act 1964 relating to issues concerning the test purchasing of alcohol by a person under 18 and it also created a duty on Local Authorities to enforce provisions concerning the sale of alcohol to under 18's.

Councillor D.M. Morris envisaged that it would be appropriate that the function of enforcement relating to Off-Licences would be compatible with the County's current duties in connection with under-age sales (cigarettes). The provision in relation to "On-Licences" would be a different matter and would be best dealt with by the Police.

RESOLVED that:-

- (a) *Officers of the Public Protection and Regulatory Services Department be authorised to enforce the legislation within Denbighshire County Council area and to take such actions as were necessary including Court Actions (in consultation with the County Clerk in order to secure compliance with the legislation), and*
- (b) *Officers be authorised to liaise with the North Wales Police together with the North Wales Trading Standards Authorities, in order to agree a consistent enforcement protocol and approach across the North Wales area in the enforcement of legislation.*

972. PLAY PROJECT 2000 - OPEN ACCESS PLAY FACILITIES

A joint report by the Lead Cabinet Member for the Environment and the Lead Cabinet Member for Education and I.C.T. (previously circulated) was submitted seeking approval to consult on a report prepared on behalf of Denbighshire by Play Safe and Safe Consultancy and to refer the matter for full discussion following the receipt of consultations to both the Environment Scrutiny Committee and the Lifelong Learning Scrutiny Committee prior to recommendations being made to Cabinet and Council to implement new policies or amend existing policies as outlined in the report.

The Lead Cabinet Member for the Environment reported that the National Assembly for Wales had approved funding to carry out research to undertake a qualitative and quantitative research study on open access to play equipment, open access play opportunity and open access play within Denbighshire. The task required had been very extensive extending to the inspection of approximately 62 playground sites and one adventure playground. Community Councils, voluntary organisations and Housing Associations had also been contacted in order to seek their views and aspirations for the future provisions of play facilities.

The Lead Cabinet Member for Finance, as a Member of the Play 2000 Group hoped that the public consultation exercise would be extensive and highlighted the role for the Lifelong Learning Scrutiny Committee to oversee that consultation process. She felt that Denbighshire had a very poor record in the provision of open access play facilities and hoped that this report would act as a catalyst to access funding for the costs in promoting play.

Councillor I.M. German referred to the need to have appropriate signage in play areas regarding the exercising of dogs, dogs on leads etc.

In response to a question from Councillor G.M. Kensler, the Lead Cabinet Member for Education, referred to the ongoing discussions with schools on the use of school buildings, playing fields etc. outside school hours and a report on that matter would be submitted to the Lifelong Learning Scrutiny Committee in the New Year.

In conclusion the Lead Cabinet Member for Finance thanked the Officers for the excellent work done in commissioning this report.

RESOLVED that:-

- (a) *the report be received and noted, and*
- (b) *the Officers be authorised to launch the report and enter into a public consultation exercise on the contents of the report and refer the matter for full discussion following the receipt of consultations as to both the Environment Scrutiny and Lifelong Learning Scrutiny Committees prior to recommendations being made to Cabinet and Council on the findings.*

973. BEST VALUE: HOUSING RENTS

The Lead Cabinet Member for Personal Services submitted a report (previously circulated) seeking approval of the Housing Rents Best Value Review "options for further research". A new Project Team had been established to carry out a second Best Value Review of Housing Rents as required following the Audit Commission's inspection of the First Review. The Project Team had completed the Baseline Information Gathering and produced a Performance and Improvement Summary in accordance with the Best Value Tool Kit. The Team had then challenged the Service to Delivery Options and produced the Options for further research subject to approval by Cabinet. (Options attached to the report).

RESOLVED that the further research options as identified in the appendix to the report be approved.

974. HOUSING MAINTENANCE CONTRACTS

The Lead Cabinet Member for Personal Services submitted a report (previously circulated) seeking Members approval to extend contracts for repair and maintenance of housing stock and for servicing and maintenance of gas appliances for one year. The two major contracts for responsive housing repairs had been awarded in 1998 with an option to extend once only for twelve months by mutual consent. The current discussions on the possible transfer of the Council's housing stock and deferment of the Best Value Review of Housing Maintenance until 2002/2003 had deemed it logical to consider an extension of the contracts until October 2003 to allow the position to be clarified.

RESOLVED that:-

- (a) *in accordance with Schedule 1, Document 4, item 1.8 of the Agreement for the Repair and Maintenance of Housing Stock, the contract period be extended for a further 12 months from the 1st October 2002, and*
- (b) *in accordance with Contract conditions item 32.1 of the Agreement for Annual Servicing and Maintenance of Gas Fired Heating and Hot Water Installations the contract period be extended for a further 12 months from 5th October 2002.*

975. DENBIGHSHIRE LOCAL BIODIVERSITY ACTION PLAN - FRAMEWORK DOCUMENT

The Lead Cabinet Member for Culture, Leisure and Tourism's report (previously circulated) was submitted seeking agreement of the Denbighshire Local Biodiversity Action Plan Framework Document and to recommend to Council that it be adopted as a Council policy. All Local Authorities were required to prepare a Local Biodiversity Action Plan to meet commitments made by the UK Government and the International Convention on Biological Diversity which emerged from the 1992 Rio Convention.

The Acting Head of Countryside and Leisure Services referred to the consultation process and indicated that the Denbighshire Local Agenda 21 Steering Group had been advised of the Plan but had not yet endorsed the final document.

RESOLVED *that subject to its endorsement by the Denbighshire Local Agenda 21 Steering Group the Denbighshire Local Biodiversity Action Plan and Framework Document be approved and recommended to full Council that it be adopted as County Council Policy.*

976. SPORTLOT COMMUNITY INVESTMENT PROGRAMME - ROUND 2

The Lead Cabinet Member for Culture Leisure and Tourism's report (previously circulated) was submitted seeking Cabinet approval to submit a bid for SPORTLOT Capital Grant to refurbish Rhyl Leisure Centre.

The Acting Head of Countryside and Leisure Services referred to the previous five projects submitted for SPORTLOT Grant which were unsuccessful. The current bid would be a modified version of the original top priority scheme to refurbish Rhyl Leisure Centre and to link this with supporting measures to enhance access particularly for two target groups; women and girls and the socially excluded. The estimated capital cost of the scheme would be £948K and the proposed funding arrangements would be for £728K to be provided by SPORTLOT with a £220K contribution from the Council's Capital Fund which could be spread over 2002-03 and 2003-04. He also referred to the extensive consultation exercise carried out within the community and all organisations were fully supportive of the project.

The Lead Cabinet Member for Finance referred to the Capital Plan submitted to Council on the 27th November, 2001 which included details of indicative Capital Resources and Payments in 2002-2003 and 2003-2004. The level of known resources for 2002-2003 was expected to be sufficient to meet existing capital commitments together with block allocations of a similar level to those approved by Council for 2001-2002. Councillor E.A. Owens also reported that a formal application had been submitted to the Capital Programme Group in order to comply with procedures agreed by Council at its meeting of the 15th May, 2001.

RESOLVED *that the principle of a bid for SPORTLOT Community Investment Programme Funding for refurbishment and improvement of Rhyl Leisure Centre be approved.*

977. EXCLUSION OF PRESS AND PUBLIC

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

978. PURCHASE OF LAND : PLAS NEWYDD, LLANGOLLEN

The Lead Cabinet Member for Culture, Leisure and Tourism's confidential report (previously circulated) was submitted seeking approval to acquire land adjoining Plas Newydd, Llangollen. The acquisition of the land would enhance the heritage assets of the County and add to the attraction of Plas Newydd for future visitors. The Heritage Lottery Fund had allocated funding in their grant offer to the County which would finance 65% of the cost and sufficient Council financial resources to meet the remaining expenditure had been included in the 2001/2002 Capital Programme.

RESOLVED that the purchase of land at Plas Newydd, Llangollen be approved on terms to be agreed by the County Clerk and Valuation and Estates Manager as soon as permission to draw down Lottery Funding had been obtained.

979. CAPITAL PROGRAMME GROUP REPORT

(This item was considered as a matter of urgency, notice having been given by the Deputy Leader at the commencement of the meeting).

The Director of Resources presented the report of the Capital Programme Group following its meeting of the 3rd December, 2001.

The report detailed the bids considered and the recommendations thereon together with an updated table of applications, outcomes and estimated net capital payments.

The Capital Programme Group had recommended approval of the applications in respect of:-

- (i) the refurbishment and remodelling of Rhyl Leisure Centre;
- (ii) the refurbishment of the Visitor Centre at Loggerheads Country Park, and
- (iii) improvement of facilities at the Pavilion Theatre Bar and the Servedy - Community Bid Phase One.

The Corporate Director - Resources highlighted the possibility that the Authority's partial exemption status could be affected by the Rhyl Leisure Centre proposal due to the level of expenditure to be allocated against exempt income. It was difficult to predict the exact position at this time since it was also dependent on other actions that the Council may agree such as Housing Stock Transfer. The Lead Member for Finance agreed and emphasised that there were other steps that could be taken to minimise the risk.

Members considered the report and appendices and it was:-

RESOLVED that Cabinet recommend to Council acceptance of the applications for Capital Funding in respect of the Rhyl Leisure Centre; Loggerheads Country Park Visitor Centre and the Pavilion Theatre Bar and Servedy.

The meeting concluded at 10.40 a.m.
