

## CABINET

Minutes of the meeting of the Cabinet held in the Assembly Rooms, Town Hall, Ruthin on Thursday, 20th December 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 (Deputy Leader), K.E. Wells and E.W. Williams.

Observers: Councillors M.L.I. Davies, M.M. Jones, R.J.R. Jones and P. Williams.

## ALSO PRESENT

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

(The Deputy Leader opened the meeting, the Leader being engaged elsewhere on County business).

### **1044. 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) Regional Flood Defence Committee for Wales - for information - Item 19, and
- (ii) WLGA Review of Appointments to Outside Bodies - Item 20.

### **1045. MINUTES OF THE CABINET**

The Minutes of the Cabinet held on 4 December 2001 (previously circulated) were submitted.

The County Clerk informed Members of nominations received:-

- (i) Item 4 of the Minutes of 4 December 2001 - Sportlot - Councillor N. Hugh Jones nominated
- (ii) Item 4 of the Minutes of 22 November 2001 North Wales Valuation Tribunal - Councillor C.H. Williams nominated.

The County Clerk detailed representation received from Councillor N. Hugh Jones suggesting that item 8 - Housing Maintenance Contracts be discussed by Resources Scrutiny Committee. Members were in agreement with the County Clerk that this was an operational matter and should be raised by Councillor Hugh Jones with the Chair of Personal Services Scrutiny.

***RESOLVED*** that subject to the above, the Minutes of the Cabinet meeting held on 4 December 2001 be approved as a correct record and signed by the Leader.

### **1046. URDD NATIONAL EISTEDDFOD 2006**

The Deputy Leader welcomed Sian Eirian and Deian Creunant, Urdd Gobaith Cymru to the Cabinet.

Sian Eirian thanked Members for the opportunity to give a presentation on the Urdd which was Wales' foremost youth movement, with opportunities for youth of all ages. The Urdd had over 50,000 members with a £4m turnover and employed over 170 members of staff, with two residential centres at Llangrannog and Glanllyn. The annual Eisteddfod attracted 14,000 competitors during the week and 100,000 visit the festival. Market research undertaken showed that 41% of visitors to the Eisteddfod stay in the area whilst 55% used local services. This could contribute up to £1.5m to the local economy. The site costs were at least £.5m for each eisteddfod and the Urdd hoped to use the site at the Royal International Pavilion for the Eisteddfod in 2006.

Councillor W.R. Webb, Deputy Leader, said he was pleased the Urdd were considering Llangollen for the 2006 Eisteddfod. Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism said Denbighshire was the Cultural County of Wales and the eisteddfod should be welcomed.

The Acting Chief Executive thanked the Urdd for their presentation and suggested Council should give serious consideration to inviting the Eisteddfod to Llangollen in 2006 once Cabinet had been made aware of the financial obligations.

Councillor E.W. Williams, Lead Cabinet Member for Best Value asked whether the Urdd had made any decisions on location and asked whether, if located in Llangollen, the eisteddfod would be known as the Denbighshire Eisteddfod, the Denbighshire and Wrexham Eisteddfod or the Llangollen Eisteddfod.

Sian Eirian said no decisions on location had been made but as the costs of staging the event were so high, purpose built venues would be under consideration. The festival would be known as the Denbighshire Eisteddfod.

The Deputy Leader thanked both Sian Eirian and Deian Creunant for their informative presentation.

**RESOLVED** that the presentation be received and that a report on the financial implications be prepared for consideration by a future Cabinet.

#### **1047. RECRUITMENT**

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

- (i) SO 1 Conveyancing Assistant - Chief Executive's Department: County Clerks
- (ii) Sc 4 Temp. Administration Asst. Denbighshire Key Fund - Environment: Economic Regen.
- (iii) PO 4 Project Manager - Resources: ICT
- (iv) Sc 2 Job Share Receptionists 2 Posts - Environment: Support Services
- (v) SO 1 Access Officer - Environment: Planning Services
- (vi) Sc 4 - SO 1 Planning Officer - Environment: Planning Services
- (vii) Sc 2 Support Officer 18.5 hours - Personal Services: Admin Section
- (viii) Sc 4 Temporary Welfare Rights Assistant - Personal Services: Strategic Planning
- (ix) Manual Grade 4 Day Care Assistant 23 hours 2 Year Contract - Personal Services: Dolwen
- (x) Modern Apprentices x 3 - Environment: Planning Services

**RESOLVED** that the external advertisement of the above mentioned posts be approved, with proviso that 4iv Sc 2 Job Share 2 Receptionists to be essential Welsh speakers.

#### **1048. DENBIGHSHIRE VOLUNTARY SERVICES COUNCIL (NEWVOL) APPLICATION FOR CORE FUNDING 2002/2003**

Councillor W.R. Webb, Deputy Leader of the Council presented the report (previously circulated) seeking approval of core funding for Denbighshire Voluntary Services Council (Newvol) for 2002/2003.

The Acting Chief Executive suggested that consideration should be given to a rolling contract for future years.

**RESOLVED** that Members agreed that core funding costs of the Denbighshire Voluntary Services Council in 2002/2003 be included in this year's budget round and that the precise figure be determined at a later date once the inflationary figure has been finalised.

#### **1049. REPRESENTATION ON THE COURT OF THE UNIVERSITY OF WALES**

Councillor W.R. Webb, Deputy Leader of the Council presented the report (previously circulated) seeking Members' consideration of a recommendation from County Council of 27.11.2001 that Cabinet reconsidered the nominations for 3 Members to represent DCC on the Court of the University of Wales.

**RESOLVED** that Members agreed the nomination of three Members, politically balanced, represent Denbighshire on the Court of the University of Wales.

**1050. FOOT AND MOUTH FINANCIAL ASSISTANCE**

Councillor W.R. Webb, Deputy Leader of the Council presented the report (circulated at the meeting) seeking Members' confirmation of the previous Council decision to allocate funding to regeneration projects and approve new grant allocations to the second tranche of financial assistance to individual applicants.

The Head of Economic Regeneration undertook to supply Councillor E.W. Williams, Lead Cabinet Member for Best Value with the numbers of businesses involved in the Corwen Tourist group application.

The Head of Economic Regeneration also asked Members to consider the allocation of any unused monies from the £30k set aside for appeal costs. He suggested that if unused monies were available at the end of February 2002, the monies could be allocated to the retail and farm environmental grant projects.

**RESOLVED** that Members agreed:-

- (a) *the original group allocations be confirmed and that the Chamber of Trade application detailed in the report be refused;*
- (b) *the treatment of individual applications as outlined including the separate treatment of priority and non priority businesses be approved and delegated to the Corporate Director of Resources for implementation, and*
- (c) *any unused monies from the appeal costs be allocated to the retail and farm environmental grant projects.*

(The Leader chaired subsequent items.)

**1051. REVENUE BUDGET 2001/02**

Councillor E.A. Owens, Lead Member for Finance presented the report (previously circulated) seeking Members' consideration of further actions to reduce the balance of overspendings on services.

**RESOLVED** that Members noted the figures in the appendices to the report.

**1052. MODERNISATION OF FINANCIAL INFORMATION SYSTEM**

Councillor E.A. Owens, Lead Member for Finance presented the report (previously circulated) seeking Members' approval of the purchase, as a single tender, of the software Seagull Jwalk which would enable the Finance Department to upgrade its Financial Information System for Denbighshire (FISDEN).

**RESOLVED** that Cabinet approved the purchase, as a single tender, the software package Seagull JWalk and that Finance Department develop and deploy.

**1053. 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 appointments be approved as listed.

**1054. EARLY YEARS DEVELOPMENT PLAN**

Councillor K.E. Wells, Lead Cabinet Member for Education and ICT presented the report (previously circulated) seeking Members' approval to the Early Years Development Plan 2001/2002 for submission to Full Council and the National Assembly for Wales. Approval of the Plan by Council was a statutory requirement. Councillor Wells suggested the document be read in conjunction with the Education Strategic Plan.

Councillor E.A. Owens urged Members to endorse the report and thanked the staff who had worked on the Plan, in particular Morfydd Roberts, Sandra Welsby, Steve Hatton and Margaret Burton.

Councillor G.M. Kensler asked how nursery schools were financed. The Corporate Director for Lifelong Learning said early years funding was not a statutory requirement and was dependent on voluntary funding and it was hoped early years funding would increase the following year. The Corporate Director was pleased to see the document reflected good practice of inclusion dependent on pupil need.

Members agreed with Councillor Kensler's suggestion that "where practicable and desirable" be added on page 12, paragraph 3.4 after 'moving towards inclusive education'.

***RESOLVED** that Members, subject to the above addition, approved the Early Years Development Plan 2001/2002 for forwarding to Council for approval.*

**1055. YSGOL BRO CINMEIRCH CP - TRANSFER OF CONTROL AGREEMENT**

Councillor K.E. Wells, Lead Cabinet Member for Education and ICT presented the report (previously circulated) seeking Members' approval to the Transfer of Control Agreement in respect of the community facilities at the school (attached to the report) between the County Council / Governing Body of Ysgol Bro Cinmeirch and Llanrhaeadr Yng Nghinmeirch Community Council. The Agreement would enable the Management Committee to submit bids to the appropriate grant aided bodies for any improved facilities required at some future date and also identify the cost and management of the facilities. The County Clerk informed Members that the agreement would run from 1990.

***RESOLVED** that Members agreed to adopt the draft Transfer of Control Agreement in respect of Ysgol Bro Cinmeirch and for the Agreement to run for 21 years retrospectively from 1990.*

**1056. ON-STREET PARKING CHARGING - RHYL**

Councillor D.M. Morris, Lead Cabinet Member for the Environment presented the report (previously circulated) seeking Members' agreement to include Rhyl Town Centre in the area to be considered for the charging of on-street parking. The Rhyl Transportation Study had recommended a parking strategy for the town.

Councillor E.A. Owens, Lead Cabinet Member for Finance said on-street parking charging would have an impact on capital planning and would need to be considered in the short and long term as part of the capital planning process.

***RESOLVED** that Members approved the report and noted that following a Rhyl Members meeting proposals to introduce on-street charging be amended to include Rhyl town centre.*

**1057. CLAIMED PUBLIC FOOTPATH, BERWYN RIDGE PATH (MAINLY IN DENBIGHSHIRE BUT PARTLY IN POWYS - COMMUNITIES OF LLANDRILLO AND LLANRHAEDR Y M (NORTH))**

Councillor D.M. Morris, Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' approval to authorise the County Clerk to make a joint Definitive Map Modification Order with Powys County Council to add the route shown on the attached plan as a public footpath to the County Council's Definitive Map and Statement of Public Rights of Way subject to clarification being obtained as to certain issues.

**RESOLVED** the County Clerk be authorised to make a joint Definitive Map Modification Order with Powys County Council to add the above route as a Public Footpath subject to further discussions with the applicant and the Countryside Council for Wales to ensure that it can reasonably be argued that the right of way has been brought into question and that the route claimed follows a defined line on the ground.

**1058. ESTABLISHMENT OF A WLGA TASK AND FINISH GROUP ON TRADING STANDARDS**

Councillor D.M. Morris, Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' nomination of one Elected Member and one officer to serve on a Task and Finish Working Group to be established by the Welsh Local Government Association (WLGA) on Trading Standards.

Councillor E.W. Williams, Lead Cabinet Member for Best Value nominated the Lead Cabinet Member for Trading Standards serve on the Task and Finish Group.

**RESOLVED** that Cabinet agreed to participate in the WLGA Task and Finish Group on Trading Standards and the Elected Member for Trading Standards be nominated to serve on the Group together with the Public Protection Manager.

**1059. FFORDD DERWEN, RHYL - RESURFACING WORKS**

Councillor D.M. Morris, Lead Cabinet Member for the Environment submitted the report (previously circulated) seeking Members' approval of actions taken by the Head of Highways and Transportation in respect of works procurement for the reconstruction / resurfacing of Ffordd Derwen, Rhyl and approval of the single tender action.

Councillor E.W. Williams, Lead Cabinet Member for Best Value queried the quality of tarmac used on housing estate and main roads. The Acting Chief Executive suggested Councillor Williams could gain clarification of the quality of tarmac etc from a technical officer which should allay any of his concerns that the best technical procedures were adopted at best cost.

Members discussed in detail the road near Plas Tir Morfa and the need for a safe traffic system to be adopted outside this special school. The Head of Highways undertook to take on board the issues raised by Members. In reply to a query from Councillor E A Owens, Lead Cabinet Member for Finance, the Head of Highways said Local Authorities were not legally allowed to paint the speed limit on the tarmac in urban areas, this was only allowed for example near boundaries or derestricted areas. It was agreed that this issue be further examined as provision elsewhere in Wales and England suggested that the regulations could be interpreted differently. Additionally, Councillor E.W. Williams, Lead Cabinet Member for Best Value suggested the Head of Highways seek to have suitable locations in Denbighshire used as a pilot scheme for painted speed limits in urban areas.

The Acting Chief Executive said the issue was two separate items - one being the introduction of traffic calming measures and the second was to reconstruct the road to allow the traffic calming measures to be undertaken.

Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism reminded Members of the importance of the concerns Tir Morfa School had.

**RESOLVED** that Members noted and approved the actions taken by the Head of Highways and Transportation including the single tender to ensure essential works take place in respect of procurement for the reconstruction and resurfacing of Ffordd Derwen, Rhyl as a necessary addition to the existing Transport Grant-funded traffic calming scheme. Additionally, Members agreed that the issue of painted speed limits in urban areas be further examined with suitable locations for pilot schemes in specific areas.

**1060. CONSULTATION POLICY - SOCIAL SERVICES DEPARTMENT**

Councillor A.E. Roberts, Lead Cabinet Member for Personal Services presented the report (previously circulated) seeking Members' approval for recommendation to Council the Consultation Policy for Social Services designed for managers and staff who are arranging consultations with service users, carers, the wider public, voluntary organisations, health services, the private sector as well as other external groups and organisations.

**RESOLVED** that Members approved for recommendation to Council the Consultation Policy for Social Services.

**1061. PROPERTY REVIEW**

The Leader of the Council, Councillor E.C. Edwards presented the report (previously circulated) and asked Members to note clarification on the way in which operational property assets are managed within Denbighshire, and to agree the allocation of additional resources to improve the operational management of the property portfolio. The Leader stressed the importance of the Review to Members.

Councillor W.R. Webb, Lead Cabinet Member for Property said a division was required between the operational and corporate side of the Authority's property section. Councillor E.W. Williams, Lead Cabinet Member for Best Value asked whether the Property Review Group was to be dissolved and Councillor Webb said the Property Review Group would remain in situ. Councillor Williams expressed concern that details of the Authority's property sales had not been presented to Cabinet for some time. The Corporate Director of the Environment agreed to provide the necessary details and to provide details of the operational and strategic officers to Councillor G.M. Kensler.

The Acting Chief Executive reminded Members that the officer members of the Property Review Group had been unable to work to capacity on this owing to PFI commitments.

The County Clerk informed Members of representations received from Councillor N. Hugh Jones regarding costs.

**RESOLVED** that Cabinet note the changes to the operational management of the Council's property as set out in the report and approve the additional resources suggested, subject to the additional costs being met by additional revenue receipts being generated by the effective management of the portfolio. Members additionally agreed an update on property sales be presented to a future meeting of Cabinet.

**1062. REGIONAL FLOOD DEFENCE COMMITTEE FOR WALES**

(This item was raised as an urgent item, notice having been given by the Deputy Leader at the commencement of the meeting).

Councillor E.C. Edwards, Leader of the Council informed Members of correspondence received by the WLGA Director of a letter forwarded by the Public Appointments Unit at the National Assembly for Wales containing an advertisement for a member to the Regional Flood Defence Committee for Wales.

**RESOLVED** that Members noted the information.

**1063. REVIEW OF APPOINTMENTS TO OUTSIDE BODIES**

(This item was raised as an urgent item, notice having been given by the Deputy Leader at the commencement of the meeting).

Councillor E.C. Edwards, Leader of the Council presented the report from the WLGA seeking any further amendments concerning Members and officers who represented the WLGA on outside bodies and seeking nominations for vacancies which emerged from the review of appointments.

The County Clerk reminded Members that Cabinet had agreed to nominate Ian Miller as a replacement for Huw V Thomas on the Consultative Forum on Finance.

**RESOLVED** that Members noted the report.

**1064. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 7, 8, 9 and 13 of Part 1 of Schedule 12A of the Local Government Act 1972.

**1065. BUSINESS DEVELOPMENT GRANT**

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' approval to the Business Development Grant applications detailed in Appendices 1 and 2 to the report. Both applications are for amounts in excess of the grant application figure for which the Head of Economic Regeneration in consultation with the Leader had delegated powers.

Members discussed the report and appendices in detail.

Councillor E.A. Owens, Lead Cabinet Member for Finance suggested a monitoring and scrutiny process be established to consider such grant applications. The Head of Economic Regeneration reminded Members that delegated powers existed to approve grant applications to a maximum of £15,000 and he was reluctant to ask that this sum be increased.

Councillor E.W. Williams, Lead Cabinet Member for Best Value suggested local Members could have an opportunity to comment on pertinent applications. This would also be a safeguard.

Councillor D.M. Holder, Lead Cabinet Member for Training suggested the Corporate Director of Resources and the Lead Cabinet Member for Finance should agree the applications before consideration by Cabinet.

The Corporate Director of the Environment suggested financial vetting of the business plan would enable Members make a decision whilst the issues of delegated authorities could be reconsidered in the future. The Head of Economic Regeneration agreed with the above suggestions made by the Corporate Director of the Environment.

**RESOLVED** that Members agreed the Business Development Grant applications detailed in the Appendices to the report be further considered by the Corporate Director of Resources, the Corporate Director of the Environment in consultation with the Lead Cabinet Member for Finance and the Leader and a further report on process be presented to a future Cabinet.

**1066. WAIVER OF GRANT CONDITIONS - WEST RHYL GROUP REPAIR SCHEME PHASE 5/2**

Councillor D.M. Morris, Lead Cabinet Member for the Environment presented the report (previously circulated) seeking Members' agreement to a request from the owners of a property in the West Rhyl Group Repair Scheme, to waive the Council's right to reclaim the grant aid paid to the owners in respect of works carried out.

Councillor E.A. Owens, Lead Cabinet Member for Finance queried the decision sought. Members discussed the issue and agreed further information was required.

**RESOLVED** that Members agreed to defer the report.

**1067. LOCAL AUTHORITY HOME CARE - LIMITED EXTERNALISATION**

Councillor A.E. Roberts, Lead Member for Personal Services submitted the report (previously circulated) seeking Members' agreement to a further limited externalisation Home Care to be achieved through voluntary redundancy. Eleven members of staff have expressed an interest in leaving the service, equating to approximately 165 hours per week.

The County Clerk informed Members of representations received from Councillor N. Hugh Jones on the consultation process. The County Clerk said the consultation process had been covered within the report.

The Financial Controller said if the externalisation programme proceeded, a saving of £90k would be made over a three year period.

Councillor D.M. Morris said he had received calls from staff regarding the care of the clients in particular. The Corporate Director of Personal Services said both staff and trade unions had been consulted at every opportunity on the possibility of externalisation. The Acting Chief Executive informed Members that staff had regularly been consulted over the past two years.

**RESOLVED** that Cabinet agree to a further programme of externalisation subject to:-

- (a) consultation with clients;
- (b) capacity of the independent sector to take on the work, and
- (c) key issues raised in the recent survey being resolved.

**1068. APPROVAL OF DIRECT PAYMENTS SUPPORT ORGANISATION**

Councillor A.E. Roberts, Lead Cabinet Member for Personal Services presented the report (circulated at the meeting) seeking Members' approval of the appointment of an organisation to provide a Direct Payments Support Service in Denbighshire. The Direct Payments scheme would enable Social Services to make cash payments to certain categories of disabled service users and carers instead of providing the service directly which would enable the disabled service users to use the payments to meet their own care needs.

**RESOLVED** that Members recommended that subject to satisfactory financial health checks and approval of financial procedures, the contract be offered to the Penderels Trust, who will be asked to provide a service including an office base. The recommendation was supported by the Direct Payments Management Committee following presentations from the three tendering organisations.

The meeting concluded at 12.00 noon.

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