

CABINET

Minutes of the meeting of the Cabinet held in the Town Hall, Rhyl on Thursday, 17th January, 2002 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, K.E. Wells and E.W. Williams.

Observers: Councillors M.Ll. Davies, S. Drew, M.M. Jones, R.J.R. Jones, J.A. Smith and W.G. Thomas.

ALSO PRESENT

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

ANNOUNCEMENT

Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism informed Members that Denbighshire's Countryside Service had been awarded Investors in People (IIP) Status. Members congratulated the Head of Countryside Services and his staff on this achievement.

1119. URGENT MATTERS

The Leader of the Council 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) Wirral and North Wales Purchasing Organisation - Part II Verbal Report
- (ii) Budget Settlement 2002/03 and Position for 2001/02
- (iii) Llangollen Boundary Review - Verbal Update

1120. MINUTES OF THE CABINET

The Minutes of the Cabinet held on 20 December 2001 (previously circulated) were submitted.

Item 3 Urdd National Eisteddfod 2006 - The Acting Chief Executive informed Members that Eryl Davies, Principal Policy Officer is to meet with officials of Urdd Gobaith Cymru to discuss details of proposals to hold the Eisteddfod in Denbighshire, the favoured position being to host the Eisteddfod on the Royal International Pavilion site at Llangollen and a report would be provided for a Cabinet meeting in February 2002. The cost of using a purpose built venue should be reflected in the level of financial support given by Denbighshire County Council to the Urdd.

Item 4 Recruitment - Councillor E.W. Williams had asked for the total number of apprentices employed by the Authority.

Item 11 Early Years Development Plan - Councillor G.M. Kensler query on nursery school finance should have referred to pre-school playgroups.

RESOLVED that subject to the above, the Minutes of the Cabinet meeting held on 20 December 2001 be approved as a correct record and signed by the Leader.

1121. RECRUITMENT

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

- (i) Sc 6 Football Development Officer - Lifelong Learning: Culture and Leisure - Retrospective Approval

- (ii) Sc 2 Administration Assistant - Lifelong Learning: Culture and Leisure Loggerheads Park

Councillor I M German, Lead Cabinet Member for Human Resources queried the Financial Controller statements for items 3i and 3ii.

- (iii) PO 1 Senior Finance Officer Objective 1 - Environment: Support Services

- (iv) SO 1 Small Towns & Villages Co-ordinator - Environment: Economic Regeneration

Councillor E.W. Williams, Lead Cabinet Member for Best Value said it was essential the post was filled as soon as possible but queried whether high calibre applicants would apply as this was a fixed term post. Councillor W.R. Webb, Lead Cabinet Member for Property agreed it was essential the post was filled as soon as possible but that a higher salary would not be an option as this was a funded post. The Head of Economic Regeneration agreed that difficulties were sometimes experienced in recruiting to fixed term posts but that any re-evaluation of the post would delay the employment of a Co-ordinator.

- (v) PO 1 Environmental Health Officer Food Safety - Environment: Public Protection & Regulatory Services

Councillor G.M. Kensler, Lead Cabinet Member for the Welsh Language asked whether it was essential or desirable to have Welsh included for the above posts. The Acting Chief Executive responded that it would be dependent upon whether the service in question had the capacity to deliver a bilingual service.

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

1122. REGIONAL TOURISM PARTNERSHIPS

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' nomination of a Council representative to be a member of the North Wales Regional Tourism Panel established by the Wales Tourist Board.

RESOLVED that Members nominated Councillor R.W. Hughes, the Cabinet Member for Culture, Tourism and Leisure as the Council's representative on the North Wales Regional Tourism Partnership.

1123. VASTERNORRLAND

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' approval of a letter of agreement covering future relations and project development between Vasternorrland and Denbighshire County Council resulting from a visit to Vasternoorland by a delegation from Denbighshire County Council in October 2001 as detailed in the appendices to the report.

Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism highlighted different aspects of the visit, both business and leisure. Culture was valued and invested in and seen as preventative health care whilst young people had a positive image.

Councillor D.M. Holder, Lead Cabinet Member for Training endorsed Councillor Hughes' comments and said how effective the area was as the resources had been directed particularly at the library and university.

Members took the opportunity to discuss the report.

The Leader, Councillor Holder and Councillor Hughes thanked the Head of Economic Regeneration for arranging an excellent visit and also for the comprehensive report. The Leader informed Members that Vasternorrland County Council were to visit Denbighshire later in the year, as shown in the Draft Letter of Agreement attached to the report. There were many similarities in the structure of government in

Vasternorrland, in particular with culture and tourism, lifelong learning, environment, rural and business development and the stimulation of new SMEs.

RESOLVED that:-

- (a) *the Cabinet approve the signing of a letter of agreement with Vasternorrland County Council;*
- (b) *the Cabinet agree for a small allocation of funds, £20,000 in the 2002 budget year to take such co-operation forward;*
- (c) *the Cabinet agree a visit by Vasternorrland to Denbighshire early in 2002;*
- (ch) *strategic areas for further work include lifelong learning particularly:-*
 - Enterprise;*
 - Education;*
 - Culture and tourism;*
 - Small and Medium Size Enterprise development, and*
- (d) *building on the success of Pleiades, the Tourism Manager be asked to contact the Tourism Manager of Vasternorrland to develop a new inter-regional submission for a European tourism project.*

1124. CABINET SUB GROUP FOR SERVICES TO CHILDREN

Councillor E.C. Edwards, Leader of the Council presented the report (previously circulated) seeking Members' agreement to the setting up of a Cabinet Sub Group to develop and co-ordinate the strategic and planning framework for children's services in the context of the community strategy and the Assembly's previously reported changes to partnership funding.

Councillor E.A. Owens reminded Members that the Childhood Partnership was not included as part of these services as it was funded independently.

In answer to queries from Members, the Assistant Chief Executive: Strategy said the development of a County Council agreed policy involved many of the Cabinet Lead Members in co-ordination with the Scrutiny Panel. However, if as a result of development a new policy was required, the new policy would have to be approved by County Council.

RESOLVED that Members:-

- (a) *approved the setting up of the Cabinet Sub Group, and*
- (b) *agreed the membership of the Sub Group: The Cabinet Lead Members for Personal Services; Culture, Leisure and Tourism; Education and ICT and The Environment.*

1125. OFF STREET PARKING PLACES ORDER - MORRISONS SUPERMARKET, RHYL

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking Members' agreement to seal the Off Street Parking Places Order (OPPO) for Morrisons Supermarket, Rhyl.

RESOLVED that Members approve the sealing of the Off Street Parking Places Order for Morrisons Supermarket, Rhyl.

1126. RHYL ROAD DENBIGH - PROPOSED FOOTWAY IMPROVEMENT - COMPULSORY PURCHASE POWERS

(Councillor G.M. Kensler declared an interest and left the meeting).

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking Members' approval to utilise, as necessary, powers of compulsory purchase under the Highways Act 1980 in respect of land needed to enable construction of a proposed footway improvement scheme in Rhyl Road, Denbigh.

RESOLVED that Members authorised the Head of Highways to utilise the compulsory purchase powers contained within the Highways Act 1980 to enable the safety scheme in Rhyl Road, Denbigh to progress.

1127. RUTHIN FLOOD ALLEVIATION SCHEME

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking Members' agreement to the recommendation that route Option 2 (stream diversion via north-west route) be adopted as the County Council's single preferred solution in respect of the flooding problems associated with the Llanfwrog watercourse in Ruthin. Members were also asked to authorise the Head of Highways to proceed with detailed design of the scheme, statutory procedures / authorisations and grant funding procurement in order to enable the scheme to be constructed in summer / autumn 2002.

Councillor Morris detailed the report to Members and thanked all the officers for their hard work.

Councillor E.W. Williams, Lead Cabinet Member for Best Value said Option 2 was the most sensible option and asked the Senior Engineer for clarification on the route. Councillor Williams also asked Members to consider whether provision for compulsory purchase of any necessary land could be included as part of the Resolution.

Councillor I.M. German, Lead Cabinet Member for Human Resources asked Members and officers to bear in mind the safety aspect of the banks and to ensure that fences are erected along the banks, as highlighted in the letter from Cymdeithas Tai Clwyd. The Senior Engineer said fencing of the banks would form part of the final considerations.

The Leader reminded Members of the undertakings made by Denbigshire Members and officers that consultation would take place after the floods. Consultation on the plans had been completed, despite the restrictions of Foot and Mouth. The Leader was pleased to report that 50% of the work had been completed.

The Corporate Director: Environment and his staff were thanked for their efforts by the Leader and for producing an excellent report and he wished to thank Steve Kent and Keith Edwards in particular.

Councillor W.R. Webb, Lead Cabinet Member for Property asked for assurance that prioritisation of any proposed schemes had not taken place. The Leader confirmed prioritisation for a future programme of improvements had not taken place but successful bids for funding for the Ruthin scheme would assist other urgently needed schemes to be considered.

RESOLVED that:-

- (a) *Members, noting the economic and technical appraisal details in relation to the 2 options detailed in the report, and taking into account the outcomes from the considerable consultations carried out in respect of the scheme, confirm that route Option 2 (stream diversion via north-west route) be adopted as the County Council's single preferred option for the Ruthin Flood Alleviation Scheme, and*

- (b) *Members authorise the Head of Highways and Transportation to proceed with detailed design, statutory / authorisation procedures and grant procurement in such a way as to enable construction of the scheme to be carried out in Summer / Autumn of 2002.*

1128. CHARGES FOR TRAFFIC MANAGEMENT SERVICES

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking Members' agreement to changes and additions to charges for traffic and transportation services with effect from 1 April 2002.

RESOLVED that Members approve the introduction of charges for traffic and transportation services as listed in the appendix to the report with effect from 1 April 2002.

1129. ENVIRONMENTAL IMPROVEMENTS TO MARINE LAKE, RHYL

The report had been previously submitted and approved by County Council on 15.01.2002.

RESOLVED that Members noted the approved report as submitted to County Council on 15.01.2002.

1130. PRESTATYN TENNIS CENTRE

Councillor R.W. Hughes, Lead Cabinet Member for Culture, Leisure and Tourism presented the report (previously circulated) advising Members of the latest position in respect of the Prestatyn Tennis Centre project and to express disappointment at the withdrawal of support for the project by Tennis Wales and Sportlot. However, there was still a demand for the centre in Prestatyn and it was hoped a review of the provision of a tennis centre in the area would be carried out in due course.

RESOLVED that Members expressed disappointment that the partnership developed to take forward the current Prestatyn Tennis Centre project had been dissolved following the withdrawal of support from Tennis Wales and Sportlot but agreed to continue to explore opportunities to meet local demand for such a facility.

1131. HOUSING RENTS AUTHORISATIONS

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

Councillor E.W. Williams, Lead Cabinet Member for Best Value suggested consideration be given to setting a higher threshold for arrears before a letter was sent, to ensure tenants did not receive letters for arrears of low amounts.

RESOLVED that Members agreed the following officers be authorised 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 represent the Council in County Court on matters relating to rents for Council properties:-

1. Glyn Roberts, Senior Housing Rents Officer
2. Mark Atkinson, Housing Rents Officer
3. Beverley Morris, Housing Rents Assistant
4. Patricia Jones, Housing Rents Assistant

1132. EIRIANFA DAY CENTRE, DENBIGH

(Councillor G.M. Kensler declared an interest and left the meeting).

Councillor W.R. Webb, Lead Cabinet Member for Property presented the report (previously circulated) seeking Members' approval to the granting of a 30 year full repairing lease to the Eirianfa Association and consideration of a request for a rent at less than best consideration. The Eirianfa Association have

been granted temporary Charitable Status subject to the Association securing a lease. The Association wish to secure a long lease to enable them to access different grants.

Councillor E.W. Williams, Lead Cabinet Member for Best Value asked whether it would be possible in future to speed up the process of lease arrangements.

RESOLVED that Members approved:-

- (a) *the grant of a 30 year full repairing lease to the Eirianfa Association, to permit the Association to access funding;*
- (b) *the market rent shall be £14,500 per annum, subject to review every six years;*
- (c) *the level of grant shall be subject to review every six years, coinciding with the market rent review;*
- (ch) *a 90% grant towards the rent, shall be granted by the Personal Services Directorate for the first six years. This shall be a personal arrangement between the Council and the Eirianfa Association, to enable the Eirianfa Association to proceed with registration with the Charity Commission. The rental income shall be ring fenced to fund the grant;*
- (d) *the undertaking of the repairs to the building by the Association should enable the Council to look favourably on the level of grant awarded when reviewed after the sixth year, and*
- (dd) *other terms and conditions as recommended by the Head of Consultancy Service in conjunction with the County Clerk.*

1133. MANAGING SCHOOL BUDGETS - INTERVENTION STRATEGY - BALANCES AND DEFICITS

Councillor K.E. Wells, Lead Cabinet Member for the Education and ICT submitted the report (previously circulated) seeking Members' approval of the Intervention Strategy attached to the report. The Authority need to provide formal guidance to schools on the standards to be achieved in financial management and the support to achieve those standards. This incorporated a handbook of written guidance, a database for electronic access and a programme of governor training. Within the guidance there would be a need for the formal Intervention Strategy enclosed with the report.

RESOLVED that Cabinet approves the Intervention Strategy for the managing of school budgets - balances and deficits.

1134. 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 and 9 of Part 1 of Schedule 12A of the Local Government Act 1972.

1135. DOG WARDEN AND PEST CONTROL SERVICES

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking revision of the Pest Control and Dog Warden Services and Members' approval of the service margins with the consequence of not retendering for the Dog Warden Service for the next financial year.

Councillor E.W. Williams, Lead Cabinet Member for Best Value reminded Members and officers of the requirement to provide evidence of best value within their reports.

Councillor G.M. Kensler, Lead Cabinet Member for the Welsh Language asked whether Denbighshire owned the transport used by the dog warden. Councillor E.A. Owens, Lead Cabinet Member for

Finance suggested that savings would be expected in transportation and that the job re-evaluation should not produce a large increase in the level of salary.

RESOLVED that Members agreed that:-

- (a) *the present Dog Warden Contractor be given notice that the Authority no longer require their services from the termination of the existing contract;*
- (b) *the Head of Public Protection & Regulatory Services Department be authorised to appoint one further Pest Control/Dog Warden Officer, and*
- (c) *the Job Descriptions of the officers concerned to be amended and submitted for re evaluation taking into account the new duties of the posts effective from 1 April 2002 .*

1136. GRAHAM'S SITE, WESTBOURNE AVENUE, RHYL

Councillor W.R. Webb, Lead Cabinet Member for Property presented the report (previously circulated) seeking Members' approval for the sale of a strip of land from Graham's Site, Westbourne Avenue, Rhyl to a local garage business so as to improve the access to the garage and allow the continuation of the business and to approve the submission of an application for outline planning permission so as to reflect the objectives and layout as originally agreed in a Joint Venture Agreement between the Council and the Welsh Development Agency.

RESOLVED that:-

- (a) *Members approve the sale of a strip of land which forms part of the Graham's Site, Westbourne Avenue, Rhyl to the Marine Lake Autos at a valuation to be agreed by the Head of Consultancy Services in consultation with the County Clerk, the garage owner, and Welsh Development Agency, subject to the above conditions, and*
- (b) *the Council seek a revised outline planning permission incorporating the above conditions, and taking into account the original, agreed layout in the Joint Venture Agreement.*

1137. CONTINUING HEALTH CARE ELIGIBILITY CRITERIA

Councillor A.E. Roberts, Lead Member for Personal Services submitted the report (previously circulated) seeking Members' support to continue to decline to fund nursing home placements where nursing needs are not "incidental and/or ancillary to accommodation", whilst efforts continued to establish routine alternative funding arrangements.

The Corporate Director of Personal Services explained there could be substantial potential savings but this would be in the long term future.

RESOLVED that Cabinet supports current action in Denbighshire to implement amended continuing health care eligibility criteria and avoid making unlawful placements and that a further report is received following the meeting of the local authorities with the Health Authority on 31 January 2002.

1138. WIRRAL AND NORTH WALES PURCHASING ORGANISATION

Councillor E.A. Owens, Lead Cabinet Member for Finance gave a verbal report on her attendance at the Wirral and North Wales Purchasing Organisation (WNWPO) meeting held earlier in the week. Councillor Owens said she had expressed concerns over the current and following years budget. District Audit had previously suggested that the WNWPO fund a surplus for each of the next 7 years but it was not evident that this figure would be met unless Denbighshire paid an increase in their provision the following year. Notice of withdrawal from the WNWPO would be required at its next meeting. However, should an all-Wales consortium be formed, this would not necessarily prove to be better.

Councillor W.R. Webb, Lead Cabinet Member for Property agreed with Councillor Owens resumé of the company and how it was run as a business. It was hoped that in future two Members would be able to attend the WNWPO meetings.

RESOLVED that Members:-

- (a) noted the report;
- (b) authorised the withdrawal of the existing notice which would have taken effect on 31 March 2002, and
- (c) authorised the giving of a new notice of intention to withdraw with effect from 31 March 2003.

1139. BUDGET SETTLEMENT 2002/03 AND POSITION FOR 2001/02

Councillor E.A. Owens, Lead Cabinet Member for Finance presented the report (previously circulated) seeking Members' consideration of the final settlement details for the next financial year, to decide actions accordingly and approve the proposals to assist containing costs in the current year within the budget.

The Financial Controller explained the circumstances causing the budget pressure for the current year and suggested a number of ways of containing the pressure including the delaying of filling posts externally until April.

The Financial Controller also gave details of the final budget settlement for 2002/03 and explained that little had changed from the provisional figures received at the end of November.

Members considered the details of the updated budget requirement for next financial year and debated the impact of a number of issues.

RESOLVED that Members noted the report.

1140. LLANGOLLEN BOUNDARY REVIEW

The Acting Chief Executive updated Members on the Llangollen Boundary Review and said the Local Government Boundary Commission for Wales were convening a public meeting at Llangollen on 30 January 2002 to receive final representations.

RESOLVED that Members noted the report, agreed that representation be made and endorsed the action recommended by the Acting Chief Executive.

The meeting concluded at 12.35 p.m.
