

CABINET

Minutes of the Cabinet meeting held in the Town Hall, Denbigh on Thursday 14 February 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 and K. Wells.

Observers: Councillors M. Ll. Davies, S. Drew, D. Jones, M. M. Jones, R. E. Jones, R. J. R. Jones and E. W. Williams [item 14 onwards].

ALSO PRESENT

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

ANNOUNCEMENT

The Leader, Councillor E C Edwards welcomed members of the public to the meeting and also the Chairman of the Council, Councillor D Jones. The Leader referred to the ill health of both Councillor E W Williams' mother and also to the serious illness of the Corporate Director of Personal Services's mother and would send notes on behalf of the Cabinet.

Councillor R W Hughes informed Members that there was an indication that the £0.75m bid made to the Sports Council for Wales for Rhyl Leisure Centre was successful and that the Sports Council were currently asking for additional information.

1253 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) Item 11 Review of Car Parks and Charges in Denbighshire - Circulation of letters

1254. MINUTES OF THE CABINET

The Minutes of the Cabinet held on 5 February 2002 [previously circulated] were submitted.

1 Urgent Matters (i) the Cabinet date should read 29.01.2002 and (ii) the Llangollen meeting date should read 30.01.2002.

The County Clerk sought retrospective approval for payment of travel expenses for attendance of Councillors E C Edwards, R W Hughes, E A Owens, W R Webb, K E Wells and E W Williams at the Boundary Commission meeting held on 30.01.2002.

Councillor E A Owens - Item 3 Budget:

Page 2, 6th paragraph - the second sentence should read "If threshold and leadership payments were made good by the National Assembly for Wales any reallocation ..."

Page 3, 3rd paragraph - delete "help with the" and replace with "enable schools to purchase .."

Councillor G M Kensler - Item 3 Budget:

Page 3, 3rd paragraph - with regard to the sale of assets to raise funds, "and the well-being of communities" to be added after "any impact on services".

RESOLVED that subject to the above, the Minutes of the Cabinet meeting held on 5 February 2002 be approved as a correct record and signed by the Leader.

1255. REPRESENTATION ON THE COURT OF THE UNIVERSITY OF WALES

Councillor E C Edwards, Leader of the Council presented the report [previously circulated] seeking Members' re-nomination of the current Members representing the County Council on the Court of the University of Wales from 1 April 2002 to 31 March 2005.

RESOLVED that Cabinet re-nominated Councillors M Ll Davies, N Hugh Jones and W G Thomas as Denbighshire County Council's representatives on the Court of the University of Wales for the next three year term of office from 1 April 2002 to 31 March 2005.

1256. SMALL TOWNS AND VILLAGES ENTERPRISE INITIATIVE

Councillor E C Edwards, Leader of the Council presented the report [previously circulated] seeking Members' confirmation of Ruthin as the Council's next Small Towns and Villages Enterprise Initiative priority and Denbigh as the subsequent STVEI priority.

RESOLVED that Cabinet approved the establishment of a Ruthin Town STVEI and the nomination of the three Ruthin County Councillors onto the STVEI Business Action Group, and the designation of Denbigh to enable access to the STVEI for the town.

1257. WALES / IRELAND INTERREG IIIA PROGRAMME

Councillor E C Edwards, Leader of the Council presented the report [previously circulated] seeking Members' approval to proceed with the development of the Interreg project proposals listed at Annex A and consent to continue to develop Denbighshire's relationship with Counties Kildare and Carlow in Ireland in particular. Members were also asked to agree that further project approval be obtained through the Council's Objective One Committee. The Leader informed Members that the Programme would benefit Wales by approximately £18.5m. The Leader asked Members to note that Annex A was a Draft version.

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism welcomed the report and the funding available and asked that the opportunity be taken to see whether Yr Hen Garchar, Ruthin could be included within this type of programme. Councillor G M Kensler, Lead Cabinet Member for the Welsh Language endorsed Councillor Hughes' comments and reminded Members of the ruined abbey in Denbigh.

RESOLVED that Cabinet agreed officials of Denbighshire County Council continue to develop the relationship with Counties Kildare and Carlow with regard to partnership building. Cabinet also consented to the continued development of the project proposals listed in Annex A to the report.

1258. BUSINESS CONNECT DENBIGHSHIRE STEERING GROUP

Councillor E C Edwards, Leader of the Council presented the report [previously circulated] seeking Members' approval to the establishment of a Business Connect Steering Group and to nominate 3 Members to represent the Council on the Group.

RESOLVED that Cabinet approved the establishment of the Business Connect Steering Group and further resolved that the Independent, Labour and Plaid Groups each forward their Member nomination to represent the County Council thereon.

1259. COLOMENDY INDUSTRIAL ESTATE, ENVIRONMENTAL AND LANDSCAPE APPRAISAL AND ACTION PLAN

Councillor E C Edwards, Leader of the Council presented the report [previously circulated] seeking Members' approval to accept a fee proposal which was not the lowest fee proposal submitted to undertake the above work as detailed in the report.

RESOLVED that Cabinet accepted the second lowest fee proposal in the sum of £13,750.

1260. DISTRICT AUDIT MANAGEMENT LETTER - ACTION PLAN

Councillor E C Edwards, Leader of the Council presented the report [previously circulated] seeking Members' approval of the Action Plan attached to the report as a response to the District Audit Management Letter dated 15.01.2002. Councillor Edwards thanked the Corporate Director: Resources and the Assistant Chief Executive: Strategy for their work on the Action Plan.

The Corporate Director of Resources clarified the reference to "qualify the Council's accounts" contained in the Financial Controller Statement was a financial technical term.

In response to a query from Councillor I M German, Lead Cabinet Member for Human Resources, Councillor W R Webb, Lead Cabinet Member for Property and Chair of the Modernising Panel said the next Panel meeting was scheduled for 22 March 2002. Councillor Webb asked the County Clerk to rearrange the Modernising Panel at an earlier date if at all possible.

Members discussed the number of priorities rated as High Priority in the Action Plan and whether they would all be deliverable. The Chief Executive agreed many were rated as High Priority but were essential items. The Corporate Director reported that there was no requirement to record priority level within the Plan, so the column would be removed.

RESOLVED that Members approved the Action Plan attached to the report.

1261. LOCAL MEMBERS NOMINATIONS FOR LEA GOVERNORS

Councillor K E Wells, Lead Cabinet Member for Education and ICT presented the report [previously circulated] detailing nominations for LEA Governor vacancies submitted by the Local Members for the areas in which the schools are located.

RESOLVED that the LEA Governor appointment be approved as listed below:

Meliden C P School *Councillor R W Hughes*

1262. LEASE SURRENDER - WRVS, KING'S AVENUE, PRESTATYN

Councillor W R Webb, Lead Cabinet Member for Property submitted the report [previously circulated] seeking Members' approval to a surrender by the WRVS of their existing lease on King's Avenue, Prestatyn [as outlined on the plan attached to the report]. Councillor Webb reminded Members that King's Avenue, Prestatyn would be considered by the Property Review Group.

Councillor E A Owens, Lead Cabinet Member for Finance indicated that unless the building was totally unused there would still be cost implications arising from usage.

RESOLVED that Members:

[i] approve the WRVS request to surrender their ground lease on King's Avenue, Prestatyn, effective from 31 March 2002 on terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk.

[ii] note the informal interest expressed by Neuadd y Brenin - King's Avenue.

1263. REVIEW OF CAR PARKS AND CHARGES IN DENBIGHSHIRE

[Councillor G M Kensler declared an interest as a member of Denbigh Town Council.]

Councillor D M Morris, Lead Cabinet Member for the Environment submitted the report [previously circulated] seeking Members' approval in principle of the Environment Scrutiny Committee's review and recommendations for the County's car parks. Councillor Morris said further consultation with the community would be carried out. Councillor Morris also drew Members' attention to the letter [circulated at the meeting] received from the Town Clerk of Denbigh and the Corporate Director of the Environment's reply.

The Leader of the Council, Councillor E C Edwards said further consideration should be given to Crispin Yard, Ruthin, the Mount Pleasant Car Park, Denbigh and the Children's Village, Rhyl.

The Chief Executive advised of the need for a corporate policy on fees and charges in general. Officers would bring forward a draft policy in due course.

Councillor G M Kensler, Lead Cabinet Member for the Welsh Language agreed consultation was required but it would also be necessary to assess how raising charges would affect the economic regeneration of the areas involved.

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism welcomed and agreed with the report in principle and congratulated the Environment Scrutiny Committee on their detailed report.

RESOLVED that Cabinet approved in principle the Environment Scrutiny Committee's review and recommendations for the County's car parks as summarised in Section 2 of the report.

1264. RIVERSIDE PARK, LLANGOLLEN

Councillor R W Hughes, Lead Cabinet Member for the Culture, Leisure and Tourism and Councillor D M Morris, Lead Cabinet Member for the Environment presented the report [previously circulated] seeking Cabinet support to develop proposals to upgrade and improve Riverside Park, Llangollen in partnership with the local community.

RESOLVED that Cabinet endorsed the setting up of a project team to evaluate and take forward proposals to improve and upgrade Riverside Park, Llangollen and supported the need for extensive public consultation in relation to the project.

1265. PREMATURE REDEMPTION OF PUBLIC WORKS LOAN BOARD LOAN 482008 WITH PRINCIPAL OF £2,480,269

Councillor E A Owens, Lead Cabinet Member for Finance presented the report [previously circulated] seeking Members' endorsement of the action taken, in accordance with the Council's Treasury Management Strategy for 2001/2002 that all rescheduling would be reported to Cabinet and Council at the meeting following its action.

RESOLVED that Cabinet noted and endorsed the report.

At this juncture (10.40 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

1266. 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.

1267. PRESTATYN/ DYSERTH WALKWAY AND OLD STATION YARD, DYSERTH

Item deferred.

1268. GLASDIR FRONTAGE LAND, LIVESTOCK MARKET, RUTHIN

Councillor W R Webb, Lead Cabinet Member for Property submitted the report [previously circulated] seeking Members' approval of the sale of the Glasdir Frontage land to the WDA, as detailed on the plan attached to the report and extending the Joint Venture Agreement as detailed in the report.

RESOLVED that Members declared surplus to requirements 2.7 acres of land at Glasdir, Ruthin and dispose to the Welsh Development Agency at open market value and extend the Joint Venture Agreement, provided that the route of the Flood Alleviation Scheme is protected and otherwise on terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk.

1269. GLASDIR, RUTHIN - JOINT VENTURE

Councillor W R Webb, Lead Cabinet Member for Property submitted the report [previously circulated] seeking Members' approval to the disposal of 615 square metres to facilitate the acquisition of the land for the Northern Link Road to be constructed by the WDA.

RESOLVED that Members declared 615 square metres of land surplus to requirements to be disposed of as detailed in the report in exchange for other land. The market value for the land shall be reflected in the Joint Venture and otherwise on terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk.

1270. HOUSING STOCK TITLE DEEDS

Councillor A E Roberts, Lead Cabinet Member for Personal Services submitted the report [previously circulated] seeking Members' authorisation of the appointment of external solicitors to undertake a review of all of the title deeds relating to the Council's housing stock, currently about 4,100 dwellings with the National Assembly for Wales paying 50% of the total cost.

Councillor E A Owens, Lead Cabinet Member for Finance asked whether the new systems would be compatible with the new search and computerisation procedures to be brought in. The Head of Housing Services confirmed the compatibility of the systems.

RESOLVED that the Head of Housing Services and the County Clerk be authorised to instruct Messrs Gamlins to proceed with an initial assessment of the works required at a fixed fee of £5,000 and then, provided their assessment compares favourably to the cost data received from other firms and agencies, to instruct Gamlins to carry out the required review and all associated work.

1271. AWARDING A CONTRACT FOR TWO PEOPLE BEING RESETTLED FROM BRYN Y NEUADD HOSPITAL INTO DENBIGHSHIRE

Councillor A E Roberts, Lead Cabinet Member for Personal Services submitted the report [previously circulated] seeking Members' agreement to award a contract for support of two people who would be resettled from Bryn y Neuadd Hospital to Cartref Ni.

Councillor E A Owens, Lead Cabinet Member for Finance queried the tendering process and said there was still an outstanding query in that connection. The Head of Client Services said the process had been reviewed but no further information had been received to date. Councillor Owens said the previous contract had only been approved with the insertion of a caveat. The Head of Client Services said the award of the present contract had been via the external tendering process.

RESOLVED that the Council enters into a contractual arrangement with Cartref Ni based on the amounts in column two of the summary attached to the report, using the contract previously agreed by Cabinet for a period of 3 years initially.

1272. NON DOMESTIC RATE HARDSHIP RELIEF [SECTION 49 LOCAL GOVERNMENT FINANCE ACT 1988]

Councillor E A Owens, Lead Cabinet Member for Finance submitted the report [previously circulated] seeking Members' approval of the recommendations made on the applications received for Non Domestic Rate Hardship Relief as listed in Appendix 2 to the report.

In response to a query, the Chief Executive said each case was to be considered on its own merits.

Councillor Owens detailed the eight applications to Members and recommended refusal in each case apart from the last application, marked (a) which was recommended for 100% hardship relief.

At this juncture Councillor E W Williams attempted to address the Cabinet. At the invitation of the Leader, the Chief Executive said that he and other officers had advised the Leader about the legal position following Councillor Williams' announcement in Cabinet and letter on 29 January that he was resigning his portfolio.

The Chief Executive explained that the Council's constitution was clear that members of the Cabinet must have "specific portfolios, although their number and designation will be a matter for the Leader to propose to the Council". It was not possible for someone to remain a member of the Cabinet without having specific responsibility for some subject area or other.

The Leader had therefore written to Councillor Williams on 8 February to say that he interpreted the letter of 29 January as a resignation from the Cabinet, which he accepted with immediate effect. This had created a temporary vacancy on the Cabinet which would need to be filled in due course by a Member from Plaid Cymru, in line with the requirement of the constitution for political balance. The Chief Executive indicated that he hoped discussions would take place with the Leader of the Plaid Cymru Group and that, in accordance with the constitution, it would be possible to obtain the full Council's agreement to an appointment at its meeting on 26 February.

Councillor Williams then made further attempts to speak, whereupon Councillor W R Webb proposed a motion under the standing order in respect of "disorderly conduct - members" that Councillor E W Williams be not further heard. On being seconded and put to a vote, the motion was **CARRIED**.

In the light of continued attempts by Councillor Williams to speak, the Leader adjourned the meeting for 5 minutes to allow for discussions. The meeting resumed after the adjournment.

RESOLVED that Members agreed Applications 1 to 7 as detailed in the report be refused. Members further agreed that Application 8 be approved for 100% domestic rate hardship relief at a cost of £2270.51 to the Authority.

1273. FORMER STRATEGIC DEVELOPMENT SCHEME REVENUE GRANTS

[Councillor A E Roberts declared an interest in the Aberwheeler Community Council application and Councillor R W Hughes and Councillor K E Wells declared an interest in the Prestatyn Youth Arts Festival application.]

Councillor E A Owens, Lead Member for Finance presented the report [previously circulated] seeking Members' approval to the disbursement of £55,550 to community projects as listed in Annex A to the report. Councillor Owens said many of the smaller community project applications in particular were of high quality. Councillor Owens detailed the projects to Members.

RESOLVED that £55,550 be disbursed to community projects as set out in Annex A to the report.

1274. CAPITAL PROGRAMME GROUP REPORT

[Councillor W R Webb declared an interest in the item and left the meeting.]

The Corporate Director of Resources presented the report [previously circulated] advising Members of applications for new capital schemes which had been considered the Capital Programme Group and seeking Cabinet's approval of the Group's recommendations.

RESOLVED that Cabinet agreed the recommendations of the Capital Programme Group in relation to individual projects as detailed in Appendices 1a to 1c to the report.

The meeting concluded at 11.50 a.m.
