

CABINET

Minutes of the Cabinet meeting held in the Council Chamber, Municipal Offices, Prestatyn on Thursday, 28th March, 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, A.E. Roberts, W.R. Webb and K.E. Wells.

Observers: Councillors J. Butterfield, M.LI. Davies and C.H. Williams.

ALSO PRESENT

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

APOLOGIES

Councillor E.A. Owens.

The Leader referred to the hospitalisation of Councillor E.A. Owens and indicated that he would send her a card wishing her a speedy recovery.

BEREAVEMENT

The Leader referred to the recent death of Mrs. J.F. Mytton, Housing Contact Officer, Llangollen and Members and Officers stood in silence as a mark of respect.

1518. MINUTES OF THE CABINET [CABINET 2002 - 24]

The Minutes of the Cabinet meeting held on 12th March, 2002 (previously circulated) were submitted.

Matters arising:-

- (i) Item 6 (Culture and Leisure Charges 2002-2003) - Councillor R.W. Hughes clarified that the discussions with the Management Committee about Llangollen Town Hall had not been pursued by the Committee. Councillor Hughes also drew Members attention to the list of charges for the Royal International Pavilion circulated at the meeting.

RESOLVED that the Minutes of the Cabinet meeting held on 12th March, 2002 be approved as a correct record.

1519. HOUSING STOCK TRANSFER [CABINET 2002 - 26]

The Corporate Director - Resources presented a report (previously circulated) advising Members of the financial impact of the housing stock transfer on the Council and to consider referring the matter to Council for a decision on whether to make an application to the National Assembly for Wales for Provisional Approval for Stock Transfer which would allow the process to progress. The Director introduced Mr. Mike Russell, Senior Management Accountant, who had recently joined the employment of the Authority.

The Senior Management Accountant took Members through the report and referred to the National Housing Strategy published by the National Assembly "Better Homes for People in Wales" which required local authorities to produce plans to bring their housing stock up to quality standards in 10 years. It was acknowledged that the resources available were insufficient to raise local authority housing to the quality standards required and a Working Party on Housing Options had been set up to examine the alternatives available to the Council. The preferred option of the Working Party was to

pursue stock transfer and a Shadow Board for the proposed Dyffryn Community Housing had been formed to take forward the initiative.

The Senior Management Accountant indicated that a draft Business Plan had been presented to the Working Party and Cabinet which had set out the proposals for Dyffryn and also referred to proposed legislative changes to the Housing Revenue Account and Capital Finances which would include the introduction of prudential borrowing and the removal of rent rebates from the Housing Revenue Account. The view of the Lead Consultants was that the Council would be unlikely to borrow enough through prudential borrowing and do it quickly enough to meet the 10 year improvement time scale required by the Assembly.

The Senior Management Accountant referred to the cost implications of stock transfer and particularly the impact on revenue and capital budgets. In conclusion he referred to the positive support given by Assembly Officers on the stock transfer but highlighted a number of uncertainties which had not been clarified by the Assembly.

At the invitation of the Leader the Chair of the Personal Services Scrutiny Committee addressed Cabinet and referred to the "Better Homes for People in Wales" Strategy document and highlighted the major repairs required to the Council's housing stock. She felt that if housing stock transfer was achieved the Council would be able to meet the 10 year time scale set by the Assembly. Councillor Butterfield praised the active participation of the tenants and fully supported that an application be made to the Assembly for provisional approval for Stock Transfer.

The Chief Executive urged Members to have regard to the balance of benefits for tenants and Denbighshire against the cost implications within the report which were the "worst case" scenario. He highlighted the many positive benefits of stock transfer but felt that the Assembly should clarify a number of important issues as outlined in the report.

The Lead Cabinet Member for Personal Services referred to the financial impact on the Council of a housing stock transfer but felt that the transfer would unlock significant monies to carry out the required improvements. He referred to the close working arrangements with the tenants and supported the proposed application to the Assembly.

Members took the opportunity to raise various questions with the Officers regarding stock transfer particularly referring to the:- lack of Member representation on the Shadow Board from the Dee Valley; preserved rights to buy for existing tenants; lack of information from the Assembly; social housing needs, and sheltered accommodation.

The Chief Executive reiterated that pressure needed to be exerted on the Assembly indicating that if the policy on stock transfer was to succeed the Assembly would need to mitigate the negative effects of stock transfer.

RESOLVED that:-

- (a) *the question of stock transfer be referred to Council in order for it to decide whether to make an application to the National Assembly for Wales for Provisional Approval for Stock Transfer, and*
- (b) *appropriate representations be made to the National Assembly for Wales requesting it to clarify a number of uncertainties as detailed in the report which would mitigate the negative effects of stock transfer.*

1520. SCHOOL BUILDINGS IMPROVEMENT GRANT - 2002/03, 2003/04 [CABINET 2002 - 27]

The Lead Cabinet Member for Education and ICT presented a report (previously circulated) seeking Members' approval to the submission by Denbighshire for the Schools Buildings Improvement Grant for 2002/2003 and 2003/2004.

Councillor K.E. Wells took Members through the report and referred to projects currently being costed and evaluated. He also indicated that the major schemes proposed for inclusion in the submission were in accordance with those included in the Authority's draft Asset Management Plan.

***RESOLVED** that submissions for the School Buildings Improvement Grant in respect of the 2002/2003 and 2003/2004 financial years be approved.*

1521. TRANSPORT BEST VALUE CROSS CUTTING REVIEW: PHASE 1 REPORT [CABINET 2002 - 28]

The Leader presented a report (previously circulated) requesting Members to consider the first phase report from the Transport Best Value Cross Cutting Review Group, review the findings to date and consider the options identified for further review.

The Corporate Director - Environment took Members through the report and referred to the complexities in undertaking such a cross cutting review and the range of options identified for further review. He indicated that two key areas had been excluded from the review, namely the provision of internal transport and staff terms and conditions.

***RESOLVED** that the appointment of external consultants to support the Transport Best Value Cross Cutting Review Group be approved in order to facilitate the identification of best practice for transport operations and to consider the options identified for further review.*

1522. CHARGING FOR RESIDENTIAL SERVICES [CABINET 2002 - 29]

The Lead Cabinet Member for Personal Services presented a report (previously circulated) seeking approval for the Maximum Charge for Local Authority Residential Accommodation for 2002/2003 and for an inflation factor increase of 2.5%.

***RESOLVED** that the 2.5% increase in charges as detailed in the report be approved with effect from April 2002.*

1523. CHARGING FOR NON-RESIDENTIAL SERVICES 2002/03 [CABINET 2002 - 30]

The Lead Cabinet Member for Personal Services presented a report (previously circulated) seeking approval to increase charges for Non-Residential Services for 2002/2003.

***RESOLVED** that the 2.5% increase in charges for Non-Residential Services as detailed in Appendix 1 to the report be approved with effect from April 2002.*

1524. VERIFICATION FRAMEWORK BENEFITS [CABINET 2002 - 31]

The Financial Controller presented a report (previously circulated) seeking approval to implement two modules of the Verification Framework (VF) with the option to introduce the third module at a later date. He indicated that the Government was committed to reducing poverty and develop an active benefit system which supported work, savings and honesty. To achieve those aims it was vital that administration of the Housing Benefit and Council Tax system was secure and fair and the VF had set out the information which must be verified before benefit was paid.

The Financial Controller reported that the introduction of VF would increase administration and funding had been requested from the Department for Work and Pensions for two additional members of staff. A Project Board would oversee the development of the project and regular reports would be submitted to the Resources Scrutiny Committee.

In response to a question from Councillor G.M. Kensler it was reported that the two new posts would be located at Russell House, Rhyl but benefit checks would be carried out at One Stop Shops/Libraries and additional training would be provided to those staff.

RESOLVED that the proposal to progress with two of the three Verification Framework modules be approved and funding be sought from the Department for Work and Pensions.

1525. REVISION OF ANNUAL LEAVE [CABINET 2002 - 32]

(The Officers declared their interest in this matter).

The Lead Cabinet Member for Human Resources presented a report (previously circulated) seeking approval to increase the extra statutory days from 2 to 3 with effect from 1st April, 2002. Councillor I.M German indicated that the revision would improve the holiday entitlement for a large number of employees and would be consistent with neighbouring authorities. She also reported that the additional day would not apply to those employees who were currently afforded protection and it was the intention to phase out that protection by 2004.

RESOLVED that approval be given to increase the number of extra statutory days from 2 to 3 with effect from 1st April 2002 thereby increasing the minimum entitlement to 23 days and a maximum entitlement of 31 days after 20 years of service.

1526. FUTURE OF VARIOUS COMMITTEES UNDER THE NEW CONSTITUTION [CABINET 2002 - 33]

The Chief Executive presented a report (previously circulated) seeking confirmation that the Cabinet support the case for it to assume responsibility for various areas currently dealt with by other Committees. He indicated that a full discussion on the matter had taken place at the Council meeting earlier that week and the paper had also been considered by the Modernising Panel on 22nd March 2002.

RESOLVED that Cabinet support the case for it to assume responsibility for various executive functions as identified in the Appendix to the report.

1527. REVENUE BUDGET 2001/02 [CABINET 2002 - 34]

The Financial Controller presented a report (previously circulated) seeking Members' consideration of any further actions required to reduce the balance of overspending on services. He was pleased to report that the Council was on course to achieve a zero balance at the end of this financial year which would be in accordance with the Council's agreed Recovery Action Plan.

The Financial Controller did, however, indicate that there might be potential clawbacks on Housing Subsidies and the need to include a prudent sum for that possibility. Any unused Bellwin monies and winter maintenance contingencies would be put into the reserve account.

RESOLVED that the report be received and noted.

At this juncture (11.35 a.m.) the meeting adjourned for 10 minutes to allow members to partake in refreshments.

1528. RHYL GOING FORWARD [CABINET 2002 - 25]

The Leader welcomed to the meeting Professor Peter Lloyd who had been jointly commissioned by the Council and the Welsh Development Agency to identify a common approach to a renewal strategy for Rhyl. He also welcomed to the meeting Mr. Oscar Morris, Town Clerk, Rhyl Town Council.

Professor Lloyd outlined the brief given to himself and Insight (Shared Renewal) Ltd. which was to:-

- engage with local players and identify a strategic direction for Rhyl;
- attempt to create a basis for constructive dialogue, and
- attempt to form a common vision for the town and a mechanism for delivering the vision.

Professor Lloyd took members through the "Rhyl Going Forward" final report (circulated at the meeting) and summarised the main findings within the report. The report recommended an approach to future activities which was intended to deliver a step change in the way the town perceived itself and to create a basis for future development.

Professor Lloyd emphasised the partnership approach required and the need for common policies among all agencies and groups working in Rhyl. He particularly referred to the role to be played by the County Council and the need to link its own budget priorities with that of Objective 1, W.D.A., W.T.B., etc for the future development of Rhyl.

With reference to the 'Way Forward' Professor Lloyd outlined the need to develop a Strategic Framework based on the following themes:-

- (i) public service quality enhancement;
- (ii) image, amenities, skills and regeneration, and
- (iii) community strength and social capital.

Following the presentation Members took the opportunity to raise questions/comments with Professor Lloyd regarding the report and its findings.

The Corporate Director, Environment referred to the suggested Action Plan (circulated at the meeting) which detailed a programme of connected activity in support of the three themes referred to above. He sought authority from Cabinet to progress that Plan.

The Chief Executive thanked Professor Lloyd for a most stimulating and powerful presentation and felt that the key message was for the County Council to take a strong lead to take forward the Action Plan in close partnership with all other agencies.

RESOLVED that:-

- (a) *the contents of the report be received and noted, and*
- (b) *the draft action plan and the steps envisaged to act on the findings of the report be approved, with further reports to Cabinet in due course.*

1529. PROGRAMME OF BEST VALUE REVIEWS FOR 2002-2003 [CABINET 2002 - 35]

The Leader presented a report (previously circulated) seeking approval of Denbighshire County Council's programme of reviews for 2002-2003. He indicated that the authority's Performance Plan 2001-2002 contained a five year service review programme which identified eleven services for review during 2002-2003. The Wales Programme for Improvement commenced on 1st April, 2002 and by March 2003 the authority was required to produce a thorough 'whole authority analysis' and risk assessment. In order to ensure that sufficient resources were available to effectively carry out the analysis it had been necessary to revisit the Programme and rationalise the number of reviews the authority was to undertake during that period. The following five areas had been identified for review during 2002-2003:-

- procurement;
- debt recovery;
- leisure services;
- sheltered housing property maintenance, and
- property maintenance.

RESOLVED that the authority's revised programme of reviews for 2002-2003 be approved.

1530. YSGOL BRYN COLLEN, LLANGOLLEN : CAPITAL RECEIPT [CABINET 2002 - 36]

The Lead Cabinet Member for Education and ICT presented a report (previously circulated) requesting Members to earmark the capital receipt received in respect of the release of part of the Ysgol Bryn Collen land to fund improvements to the school/site building. Cabinet had previously agreed to the release of part of the Ysgol Bryn Collen land for highways adoption thereby enabling housing development to gain access to a site adjoining the school. During the consultation process assurances had been given to the Governing Body that the capital receipt would be transferred to the school.

RESOLVED that the Capital Receipt of £10,000 be earmarked to fund improvements carried out/to be carried out to the school buildings/site at Ysgol Bryn Collen, Llangollen.

1531. DENBIGHSHIRE COUNTY COUNCIL - VARIOUS ROADS, CYNWYD (PROHIBITION AND RESTRICTION OF WAITING ORDER) [CABINET 2002 - 37]

The Lead Cabinet Member for the Environment presented a report (previously circulated) informing Members of an objection received regarding the above proposed traffic regulation order and seeking approval to it being overruled. Councillor D.M. Morris indicated that the prohibitions and restrictions on waiting contained in the proposed order were required to remove instances of obstruction of indiscriminate parking and to ease congestion. In response to a public notice a letter of objection had been received from Ivor Williams Trailers Limited (copy of letter of objection attached at Appendix B to the report).

Following receipt of the letter of objection a meeting had been called to consider and discuss the details of the objection and agree a way forward on the issue. After lengthy discussions at that meeting it was finally agreed that in light of the overriding traffic management, road safety and environmental considerations, Member approval should be sought to overrule the objection. It was also considered, however, that Ivor Williams Trailers should be afforded adequate opportunity to make alternative parking/servicing arrangements and accepted that this could involve land purchase, seeking of planning approval and construction work.

The local Member Councillor C.H. Williams had been consulted and gave his written agreement to the objection being overruled. He also requested, however, that in light of the time which had already elapsed since the end of the original objection period the order be introduced 12 months from that date, i.e. on the 5th October, 2002.

Councillor W.R. Webb proposed that in the overriding interest of traffic management, road safety and the environment, the objection to the proposal be overruled and the order be introduced with effect from the 5th October, 2002. He also proposed that the order be restricted to 8 a.m. to 5 p.m. each day and the original order be amended accordingly. The County Clerk indicated that he would need to check to see if the original order could be amended at this late stage.

RESOLVED that:-

- (a) *the objection received to the above proposed traffic regulation order be overruled and the order be introduced from the 5th October, 2002, and*
- (b) *subject to the advice given by the County Clerk the order be restricted from 8 a.m. to 5 p.m. each day.*

1532. LEASE - RHYL ADVENTURE PLAYGROUND ASSOCIATION [CABINET 2002 - 38]

The Lead Cabinet Member for Property presented a report (previously circulated) requesting Members to approve the grant of a 25 year lease to Rhyl Adventure Playground Association at a discounted rental. Councillor W.R. Webb indicated that the Association had a previous 7 year lease on Council owned land and also required an extra area of land currently forming part of the recreation field to be incorporated in the new lease in order to accommodate an all weather pitch and provide adequate access. Those facilities would be funded by the Sports Council, hence the requirement for the 25 year term.

RESOLVED that:-

- (a) *the grant of a 25 year full repairing lease to Rhyl Adventure Playground Association be approved;*
- (b) *the open market rental be £650 per annum, subject to review every five years;*
- (c) *a 75% grant towards the rent be granted by the Lifelong Learning Directorate for the first five years and the level of grant reviewed thereafter. This shall be a personal arrangement between the Council and RAPA and the rental income shall be "ring fenced" to fund the grant, and*
- (ch) *other terms and conditions as requested by the Head of Consultancy Services in consultation with the County Clerk.*

1533. ACQUISITION OF A REPLACEMENT VEHICLE, CEFNDY ENTERPRISES, [CABINET 2002 - 39]

The Lead Cabinet Member for Human Resources presented a report (previously circulated) seeking Members approval for the acquisition of a replacement vehicle for Cefndy Enterprises. Councillor I.M German reminded Members that Cabinet had previously rescinded an order for the acquisition of a Mercedes vehicle for the General Manager. A benchmark exercise had subsequently been undertaken to determine the typical value of a company car provided for the general manager of a small company. The cost of the vehicle would be funded within the Cefndy Enterprises Revenue Budget and the benchmark car allowance was set at £21,000 including VAT.

RESOLVED that:-

- (a) *approval be given to acquire a vehicle under Contract Hire for use by the General Manager of Cefndy Enterprises based on a vehicle value of £21,000, and*
- (b) *the value of future replacements be linked to RPI.*

1534. REPRESENTATION ON WLGA COUNCIL, [CABINET 2002 - 40]

The Leader presented a report (previously circulated) detailing a request from the Welsh Local Government Association to appoint two Members to represent the authority on the WLGA Council.

RESOLVED that:-

- (a) *the re-appointment of Councillors W.R. Webb and G. Williams, the authority's current representatives on the WLGA Council be approved, and*
- (b) *the authority's voting allocation at this year's annual meeting be 1 vote per delegate.*

1535. RECRUITMENT, [CABINET 2002 - 41]

The Leader submitted the following applications for approval:-

- (i) JNC 2 Youth Forum Worker x 2 (Coastal and Rural) - Lifelong Learning: Culture and Leisure;
- (ii) Scale 1 Heritage Trail Attendant x 3 - Lifelong Learning: Heritage Services;
- (iii) SO 1 Manager / Curator - Lifelong Learning: Heritage Services;
- (iv) Scale 5 Head Gardener, Plas Newydd, Llangollen - Lifelong Learning: Heritage Services;
- (v) SO 1 Prestatyn Leisure Centre Manager - Lifelong Learning: Leisure Services;

- (vi) Scale 1 Seasonal Visitor Services Assistant - Lifelong Learning: Countryside Services;
- (vii) Scale 2 Cabinet Support Clerk/Typist - Chief Executive's Department: Cabinet Office, and
- (viii) Scale 1/2 Clerk/Typist - Chief Executive's: County Clerk's - Administration.

In respect of (vii) and (viii) above, the Leader felt that these posts might be suitable for 'modern apprentices'.

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

1536. 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 7, 8, 9 and 12 of Part 1 of Schedule 12A of the Local Government Act 1972.

1537. 76 - 82 WEST PARADE, RHYL [CABINET 2002 - 43]

The Lead Cabinet Member for Property presented a confidential report (previously circulated) seeking Members approval to the purchase of 76 - 82 West Parade, Rhyl in partnership with the Welsh Development Agency and to approve the signing of a Joint Venture Agreement with the WDA.

Councillor W.R. Webb indicated that as part of the emerging regeneration strategy for Rhyl, provisional agreement had been reached between the County Council and the WDA to purchase empty or derelict property in key parts of Rhyl, to facilitate environmental regeneration. The parade of properties at 76 - 82 West Parade had been identified as a site in need of environmental improvement. The Welsh Development Agency had indicated their support in principle for this scheme, subject to entering into a Joint Venture Agreement with the County Council.

RESOLVED that:-

- (a) *the entering into a Joint Venture Agreement with the Welsh Development Agency to undertake environmental improvements and redevelopment of 76 -82 West Parade, Rhyl be approved;*
- (b) *the acquisition of 76 - 82 West Parade, Rhyl on terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk be approved, and*
- (c) *it be noted that this project forms part of a programme of property acquisitions in support of environmental improvements in Rhyl, as part of the 'Rhyl Going Forward' process.*

1538. LLYS MARCHAN, RUTHIN [CABINET 2002 - 45]

The Lead Cabinet Member for Personal Services presented a confidential report (previously circulated) seeking approval to enter into partnership with the Conwy and Denbighshire NHS Trust and Clwyd Alyn Housing Association, subject to a planning application being approved by the Council and final financial and legal conditions being met.

Councillor A.E. Roberts advised that a previous report to Cabinet on the 31st July, 2001 had set out the background to this potential partnership and reported on the positive outcome of the public consultation exercise. However, it had been made clear that final approval was subject to planning approval by the Council; agreement of the Financial Controller on the financial model and legal contracts satisfying the County Clerk. Councillor Roberts indicated that those conditions had now been met and proposed that the recommendations be accepted.

The County Clerk confirmed that legal opinions had now been received and the Council were ready to sign the agreement that afternoon. He sought Cabinet approval for the agreement to be signed by Aaron & Partner, Solicitors on behalf of the Council.

RESOLVED that:-

- (a) *the Council enters into a formal partnership arrangement with the Conwy and Denbighshire NHS Trust and Clwyd Alyn Housing Association, and*
- (b) *the County Clerk be authorised to instruct Aaron & Partner Solicitors to sign the agreement on behalf of the Council.*

1539. WRITE OFF OF IRRECOVERABLE HOUSING RENTS DEBTS OVER £1000 [CABINET 2002 - 46]

The Lead Cabinet Member for Personal Services presented a confidential report (previously circulated) seeking approval for the write off of former tenants arrears debts that the authority had been unable to collect. Councillor A.E. Roberts indicated that following a best value review of the Housing Rents Service it had been identified that there were a number debts for which there was no prospect of recovery and all cases identified for write off within the report related to former Council tenants debts.

RESOLVED that the write off of former tenants arrears debts as detailed in Appendix 1 to the report be approved.

1540. APPLICATION FOR CHILDMINDING [CABINET 2002 - 44]

(Councillor K.E. Wells declared his interest in the following item and left the Chamber during discussion and voting thereon).

The Corporate Director, Personal Services presented a confidential report (previously circulated) seeking approval of a childminding application in respect of the above applicants (copy of application attached to the report). She indicated that the decision for approval had been erroneously deferred by the Children's and Residential Care Homes Panel on the 7th March, 2002 on the basis that it involved an elected Member.

RESOLVED that the application be approved.

(Councillor I.M. German wished it to be recorded that she abstained from voting on the above application).

The meeting concluded at 1.05 p.m.
