

CABINET

Minutes of the Cabinet meeting held in the Monsanto Suite, Royal International Pavilion, Llangollen on Tuesday 18th June, 2002 at 10.00 a.m.

PRESENT

Councillors P.A. Dobb, E.C. Edwards, M.A. German, R.W. Hughes, G.M. Kensler, D.M. Morris, E.A. Owens, J.A. Smith, W.R. Webb and E.W. Williams (Leader).

Observers: Councillors M.Ll. Davies, I.M. German, D.M. Holder, G. Jones, R.J.R. Jones and A.J. Tobin.

ALSO PRESENT

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

129. URGENT MATTERS

The Leader of the Council gave notice of the following item 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 10 Llangollen Boundary Review
- (ii) Part II Item 11 Community Development - Management Structure and Funding Issues - item withdrawn

130. MINUTES OF THE CABINET (CABINET 2002 - 113)

The Minutes of the Cabinet meeting held on 5 June 2002 (previously circulated) were submitted.

Cabinet Minutes 07.05.2002 - Item 14 Inspection of the Authority's Child Protection Services by the Social Services Inspectorate for Wales: Councillor E.C. Edwards, Lead Member for Safeguarding our Communities asked whether the Chief Executive was in a position to provide his written report. The Chief Executive said that he had written to Councillor Edwards confirming that he was pursuing the matter and agreed to circulate a report as soon as possible.

Item 5 Joint Arrangements: With regard to legislation on committee membership of joint committees, the Chief Executive said currently only Cabinet Members were eligible. Councillor W R Webb, Lead Member for Property and Asset Management said that the Minister for Finance, Local Government and Communities has stated that this will soon change.

Councillor G.M. Kensler, Lead Member for Promoting Denbighshire enquired whether Group consultation had been carried out with regard to the AONB membership. Councillor E.W. Williams, Leader said Groups could forward their nominations but to date the only one nomination had been received. The County Clerk confirmed that nominations from Groups were still awaited and that the membership would be based on the area of the AONB. In reply to a query from Councillor R.W. Hughes, Lead Member for Lifelong Learning on whether Non-Aligned Members would be eligible, the Leader said any Member could nominate themselves, but membership was limited to 6.

Councillor G.M. Kensler asked whether Flintshire County Council had been contacted. The County Clerk said he had been in contact with Flintshire and they had been given the information in Denbighshire's Joint Arrangement report.

With regard to the Joint Agricultural Board, Councillor E.C. Edwards, Lead Member for Safeguarding our Communities said only one of the Members had real agricultural experience and suggested that the membership should be revisited. The Leader said the selection had been based on the Cabinet Portfolios.

Item 10 Area Partnership Managers: Councillor G.M. Kensler, Lead Member for Promoting Denbighshire referred to the last sentence of the fourth paragraph and said it should read "Councillor G.M. Kensler, Lead Member for Promoting Denbighshire agreed there should be 4 Area Partnership Managers".

Item 12 North Wales Fire Authority - Membership of the Fire Authority and of its Committees: Councillor D.M. Morris, Lead Member for Communications said the Independent Group had discussed membership of the Fire Authority. Councillor E.C. Edwards, Lead Member for Safeguarding our Communities said he was the named substitute for Councillor D.M. Morris. The Chief Executive said the Resolution would read: "The four County Council representatives to serve on the North Wales Fire Authority for the year 2002/2003 be as set out in paragraph 2.3 of the report, with Councillor E.C. Edwards, Lead Member for Safeguarding our Communities the named substitute for Councillor D.M. Morris.

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

131. HOUSING STOCK TRANSFER (CABINET 2002 - 114)

Councillor E.A. Owens, Lead Member for Finance presented the report seeking Cabinet's support for her recommendation to Council.

Councillor Owens emphasised that written clarification on prudential borrowing should be supplied by the National Assembly for Wales before Denbighshire could make any financial decisions with regard to stock transfer. In the meantime it would be prudent to make a provisional application to progress to a formal ballot.

Councillor P.A. Dobb, Lead Member for Health and Wellbeing, said the Freedom and Responsibility report indicated that poorer Counties would be considered first for prudential borrowing. The National Assembly Minister for Finance, Local Government and Communities was still in discussion with HM Treasury regarding agreement to prudential borrowing. Councillor Dobb said the tenants were keen to progress housing stock transfer and read a letter she had received from the Residents' Consultant - Tenants' Adviser that stock transfer was the preferred option for capital investment.

Councillor E.W. Williams, Leader said the issue was important and that while Cabinet make their recommendation, it would be Full Council to resolve. Councillor Williams also said staff were enthusiastic about the proposals and wanted to improve the housing stock.

Councillor D.M. Morris, Lead Member for Communications, agreed with Councillor Owens that written clarification had to be received from the National Assembly for Wales. Councillor R.W. Hughes, Lead Member for Lifelong Learning, agreed with Councillor Morris and stressed the impacts which the options could have on the schools building programme, for example, could be far-reaching.

In reply to a query from Councillor W.R. Webb, Lead Member for Property and Asset Management, Councillor E.A. Owens said the position would be reviewed at the latest after 9 months if written clarification had not been received from the National Assembly. Denbighshire was one of the pilot Authorities for stock transfer which should help to make an early decision.

The Chief Executive agreed that it was appropriate to wait for further clarification of prudential borrowing and reminded Members that whichever option was finally approved, the tenants are the intended beneficiaries. The Chief Executive then detailed the figures given in the Appendix to the report, in particular the negative impact on revenues with the potential extra costs for support services. It would be possible, however, to come to an arrangement with the Housing Association for an agreement of up to

3 years for support services to be provided from the Council. The positive side to the transfer would be more capital resources available, at least initially.

The Corporate Director: Resources in reply to a query from Councillor G.M. Kensler, Lead Member for Promoting Denbighshire, on the employment of consultants, said it was likely that the National Assembly for Wales would agree to cover the costs of this.

RESOLVED that Cabinet recommend to Council that:-

- (a) *housing stock transfer is the only known viable current option, but in the light of the proposed prudential borrowing regime, clarification is sought as a matter of urgency from the National Assembly on the scope for using the value of the housing stock or rental income for borrowing purposes;*
- (b) *Council awaits the advice of the National Assembly before a final decision is taken on whether to proceed with housing stock transfer with the position being reviewed after 9 months if clarification is not received, and in the meantime the Council commissions Consultants to model the funding potential under Prudential Borrowing;*
- (c) *in the interim, in order not to lose the momentum on current plans for housing stock transfer, the Authority submit an application to the National Assembly for the Provisional Approval of Stock Transfer, with the decision to proceed to ballot stage depending on the advice from the National Assembly (under (a)) and Council having given approval to proceed (under (b)), and*
- (ch) *as a matter of urgency, meetings are held with the tenants to explain the Council's current position and to provide assurances to them regarding the Council's intentions.*

132. DELEGATION (CABINET 2002 - 115)

The Chief Executive presented the report (previously circulated) seeking Cabinet approval of the establishment, membership and terms of reference of an Asset Management Committee of the Cabinet; and the delegation of certain functions to the Leader, Deputy Leader, the Cabinet Member for Information and Communication Technology and the Chief Executive. The Chief Executive said this would be the first of many papers on delegation.

Councillor E.C. Edwards, Lead Member for Safeguarding our Communities said he had been unable to respond to the consultation as his e-mail had not been working for over a week and reminded the Chief Executive that he was contactable by fax.

Councillor W.R. Webb, Lead Member for Property and Asset Management said he had been unable to respond to the consultation as he was away at that time. Councillor Webb then asked Members to consider increasing the maximum disposal by sale figure from £250,000 to £500,000 (paragraph 3.3(2)(a)). Councillor Webb asked whether the Asset Management Committee could consider building maintenance items as this was part of his Asset Management portfolio, and if so, whether the capital receipts could be 'ring fenced' for building maintenance. The Leader said 'ring fencing' was a policy issue.

Councillor E.A. Owens, Lead Member for Finance agreed with the increase of disposal by sale maximum to £500,000. Councillor Owens also said the Asset Management Committee would work in conjunction with the capital plan adopted by the Council.

Councillor G.M. Kensler, Lead Member for Promoting Denbighshire sought clarification regarding the purchasing of land and buildings within the context of the capital programme (paragraph 3.3). The Chief Executive explained that the Committee could undertake any purchase in the capital programme for which funding was in place or the purchase of land to enable a disposal to take place on more favourable terms as had been the case in a recent Cabinet report.

The Chief Executive also agreed that delegation on building maintenance would be subject to further consideration.

At this point the Leader took the opportunity to inform Members of the rotation system for the Deputy Leader (listed below) and said that the Deputy Leader would be expected to attend the Operations Management Board whenever possible during their three month term.

June, July August 2002	Councillor E.C. Edwards
September, October, November 2002	Councillor G.M. Kensler
December 2002, January 2003, February 2003	Councillor R.W. Hughes
March ,April, May 2003	Councillor D.M. Morris

RESOLVED that Cabinet:-

- (a) *establishes an Asset Management Committee consisting of the Cabinet Member for Property and Asset Management (Chair), the Cabinet Member for Finance and the Leader; and that the terms of reference for the Committee are as set out in paragraph 3.3 of the report subject to the consideration ceiling in item 2(a) being raised from £250,000 to £500,000 , and*
- (b) *resolves to delegate the functions as set out in paragraphs 3.5, 3.7 and 3.8 of the report.*

133. DRAFT SOCIAL SERVICES BUSINESS PLAN/SOCIAL CARE PLAN 2002-05(CABINET 2002 - 116)

Councillor P.A. Dobb, Lead Member for Health and Wellbeing and Councillor J.A. Smith, Lead Member for Social Inclusion presented the report (previously circulated) for Cabinet to recommend approval of the Business Plan / Social Care Plan for 2002 - 2005 to Council.

Councillor E.C. Edwards, Lead Member for Safeguarding our Communities asked whether consultation had been carried out in the light of the new executive arrangements. The Corporate Director: Personal Services said the report had been written in the light of the new arrangements. The Corporate Director also said the Service was required to have a statutory Social Care Plan.

Councillor E.A. Owens, Lead Member for Finance asked that Members be given a copy of the 'user friendly' summary version of the plan when available.

RESOLVED that Cabinet recommend approval of the Social Services Business Plan / Social Care Plan 2002 - 2005 to Council and that the summary version of the plan be distributed to all Members when available.

134. CARE AND CONTROL OF CHILDREN AND YOUNG PEOPLE: A GUIDANCE STATEMENT FOR DENBIGHSHIRE (CABINET 2002 - 117)

Councillor J.A. Smith, Lead Member for Social Inclusion presented the report (previously circulated) seeking Cabinet approval of the Care and Control of Children and Young People as a Personal Services Guidance Statement for Denbighshire.

Councillor G.M. Kensler, Lead Member for Promoting Denbighshire asked why the Police Authority had not been among the consultees. The Corporate Director: Personal Services said that although the Police Authority were involved with the Area Child Protection Committee, it would not have been relevant for them to be consulted at this stage.

Councillor E.A. Owens, Lead Member for Finance congratulated staff on the clear and helpful report and asked whether there was any guidance available on the role of Councillors in this context. The Corporate Director: Personal Services said no guidance was currently available but this could be considered in the future.

RESOLVED that Cabinet approve the Care and Control of Children and Young People document as a Personal Services Guidance Statement for Denbighshire.

135. HOMELESS STRATEGIES (CABINET 2002 - 118)

Councillor P.A. Dobb, Lead Member for Health and Wellbeing presented the report (previously circulated) seeking Cabinet adoption of the Single Homeless Strategy, in accordance with the Council's adopted Housing Strategy and Operational Plan. Members were also asked to consider the development of a General Homeless Strategy.

RESOLVED that Cabinet:-

- (a) approve and adopt the single Homeless Strategy, and
- (b) note the development of the Homeless Strategy and welcome the grant from the National Assembly for Wales.

The Leader took the opportunity to thank the new Cabinet Members for their reports.

136. PROPOSED WELSH LOCAL GOVERNMENT PROCUREMENT UNIT (CABINET 2002 - 119)

Councillor E.W. Williams, Leader presented the report (previously circulated) seeking Members' agreement to support the proposed Welsh Local government Procurement Unit, initially for a 2 year period.

Councillor G.M. Kensler, Lead Member for Promoting Denbighshire asked whether the Business Plan had been made available to the WLGA. The Chief Executive said the Business Plan had now been drawn up.

RESOLVED that:-

- (a) Cabinet agrees to support the proposed Welsh Local Government Procurement Unit for an initial period of 2 years, subject to regular monitoring of the benefits and that at least 14 Local Authorities subscribe, and
- (b) Contingency Fund money is used to cover the subscription cost for the financial year 2002/2003.

137. COMMUNITIES FIRST (CABINET 2002 - 120)

Councillor E.W. Williams, Leader presented the report (previously circulated) to advise Members of progress towards a strategy for Communities First, and to seek nominations for a Member to sit on the Communities First Interim Steering Group. The Leader proposed Councillor P Douglas.

Councillor G.M. Kensler, Lead Member for Promoting Denbighshire asked whether Upper Denbigh would be included in the Communities First programme. The Corporate Director: Environment said the Communities First programme only covered Rhyl West and Rhyl South West.

Councillor E.C. Edwards, Lead Member for Safeguarding our Communities said all Members should support the Communities First programme.

RESOLVED that Cabinet note the progress made in implementing the Communities First Programme and appoint Councillor P. Douglas, as Local Member to sit on the Interim Steering Group.

138. **URGENT ITEMS (CABINET 2002 - 121)**

139. **LLANGOLLEN BOUNDARY REVIEW**

The Leader announced that the National Assembly for Wales had confirmed the Local Government Boundary Commission's findings on the Llangollen Boundary Review and he was pleased that Llangollen and Llantysilio would remain part of Denbighshire. He took the opportunity to thank the Assistant Chief Executive: Strategy, past Chief Executives, the Past Leader and Members, and the Corporate Directors for all their work.

At this juncture (11.10 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

140. **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 1 and 9 of Part 1 of Schedule 12A of the Local Government Act 1972.

141. **COMMUNITY DEVELOPMENT - MANAGEMENT STRUCTURE AND FUNDING ISSUES (CABINET 2002 - 122)**

Item withdrawn.

142. **PROPOSED RESTRUCTURING OF SOCIAL SERVICES DEPARTMENT (CABINET 2002 - 123)**

Councillor J.A. Smith, Lead Member for Social Inclusion and Councillor P.A. Dobb, Lead Member for Health and Wellbeing presented the report (previously circulated) seeking Cabinet support for the case for the costs of restructuring to be met from Contingency Budget allocation given the findings of the SSI(W) Child Protection Inspection and to enable the proposed restructuring of the Social Services Department to proceed.

RESOLVED that Cabinet supports the case for the costs of restructuring to be met from Contingency Budget allocation, up to a maximum of £165k in Year 1, in order to enable the proposed restructuring of the Social Services Department to proceed. Support for costs arising in Years 2 and 3 to be submitted as part of the budget process for the relevant years.

143. **DISPOSAL OF INDUSTRIAL PLOTS - COLOMENDY INDUSTRIAL ESTATE, DENBIGH (CABINET 2002 - 124)**

Councillor W.R. Webb, Lead Member for Property and Asset Management presented the report (previously circulated) seeking Members' approval to the sale of four (4) industrial plots at Colomendy Industrial Estate, Denbigh as outlined hatched black on the plan attached to the report.

RESOLVED that Cabinet declare the four plots surplus to Council requirements and approve their disposal to generate a capital receipt on terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk.

The meeting concluded at 11.35 a.m.
