

## **CABINET**

Minutes of the Cabinet meeting held in the Town Hall, Llangollen on Tuesday 20 May 2003 at 11.00 a.m.

### **PRESENT**

Councillors P A Dobb, Lead Member for Health and Wellbeing; E C Edwards, Lead Member for Safeguarding our Communities; M A German, Lead Member for Sustainable Development and Environment; G M Kensler, Lead Member for Promoting Denbighshire; D M Morris, Lead Member for Communications; E A Owens, Lead Member for Finance; J A Smith, Lead Member for Social Inclusion; W R Webb, Lead Member for Property and Asset Management and E W Williams, Leader and Lead Member for Economic Wellbeing.

Observers: Councillors M L Davies, R J R Jones, A J Tobin and G Jones.

### **ALSO PRESENT**

Chief Executive; Deputy Chief Executive / Corporate Director: Resources; Financial Controller and the County Clerk.

### **APOLOGIES**

Councillor R W Hughes, Lead Member for Lifelong Learning

### **30. URGENT MATTERS**

[i] Ysgol Tir Morfa Update

[ii] Part II ~ Civic Amenity Sites and Kerbside Recycling Contract(s) - Suspension of Standing Orders

### **PRESENTATION: WELSH LOCAL GOVERNMENT PROCUREMENT SUPPORT UNIT**

Mr John Davies and Mr Chris Chapman presented an overview of procurement generally and the Unit's work including the support the Unit could offer Denbighshire.

Mr Chapman outlined the core purpose of the Unit, to give advice, guidance and support to their Local Authority customers to improve their procurement performance via best practice processes and techniques throughout Wales. The Best Practice was a way of managing, drawing on all available sources of knowledge and experience to deliver a fundamental and sustainable advantage to achieve the organisation's goals. Procurement was a process of acquisition from third parties using the total cost of ownership models, providing a 'cradle to grave cost'.

The Welsh Public Sector estimated expenditure was £1.321bn for Local Government, Higher Education at £207m, Welsh Assembly Government at £262m and the Health Service at £841m. Procurement accounts for 50-70% of the annual budget spend on goods, services and works.

The Welsh Local Government support Unit will review the 42 recommendations from Better Value Wales and use our priorities to identify the vital recommendations.

Mr Chapman outlined specific examples of current activity, including their Best Practice Guidance to be published in June which would include Contract Standing Orders, the development of a procurement strategy and the use of e-procurement to change from manual purchase orders to e-systems.

In his summary, Mr Chapman said the Procurement Support Unit was a Welsh Local Government Organisation focused on serving the 22 Local Authorities and associated organisations such as the Fire Authorities in partnership with the National Assembly for Wales with the aim of improving procurement across the public sector in Wales.

Members were given the opportunity to ask questions on the work of the Unit. Mr Chapman confirmed that energy, for example, was under review and they would look to Local Authorities to lead on such matters although the Unit

would not be able to fund such work. He also confirmed that health and social care services would be under consideration.

The Chief Executive said the Contract Standing Orders guidance in particular would be valuable.

Councillor D M Morris thanked Mr Chapman and Mr Davies for their presentation.

For information, the slides from the presentation are attached to the minutes.

### 31. MINUTES OF THE CABINET [CABINET 2003 - ]

The Minutes of the Cabinet meeting held on 29 April 2003 were submitted.

Item 4 School Organisation Plan - Councillor E A Owens clarified her concerns regarding school capacity and said the sentence should read "Councillor E A Owens expressed her concerns regarding over-crowding in some schools in her Ward". The last sentence of the paragraph to be amended to read "... support Lifelong Learning on school places".

Item 5 Refurbishment of Rhyl West Promenade - Councillor G M Kensler reiterated that costings should be identified before implementation of any work. The Chief Executive confirmed that Cabinet had taken no decision on the possible refurbishment works and that officers were to pursue further detailed design work.

Item 8 Ysgol Tir Morfa Development - Latest Situation - Councillor E W Williams circulated an update for Members on the latest situation and asked for Members' agreement to the suspension of Standing Orders to enable consideration of a revised resolution taking into account the latest information. Members resolved accordingly.

Councillor Williams said a good partnership had been established with the developer and asked for agreement to defer implementation of the decision taken at Cabinet on 29 April 2003 in relation to the provision of mobile classrooms as a temporary measure to house pupils from the Rhuddlan site. He asked that the total capital receipt from the sale of the Rhuddlan site be allocated to the first phase of the new build at the Rhyl site and that a move to a planning application be made as a matter of urgency. He asked that the Member Task and Finish Group, Chaired by the Lead Member for Lifelong Learning, provide a report on the option appraisal of the location and proposed methods of funding all phases of the development.

Councillor E A Owens commented on the financial implications and said the total funding could be insufficient.

Councillor E W Williams suggested that "at the June meeting and before expenditure is incurred" be added to the last sentence recommendation.  
the way forward.

The Chief Executive reminded Members that although no expenditure was to be incurred, staff time would still be required.

**RESOLVED** that Members agree:

[a] to defer implementation of the Cabinet decision of 29.04.2003 in relation to provision of mobile classrooms as a temporary measure to house pupils from the Rhuddlan site

[b] the total capital receipt from the sale of the Rhuddlan site be allocated to the first phase of the new build at the Rhyl site

[c] to move to a planning application as a matter of urgency

[ch] the Member Task and Finish Group, chaired by the Lead Member for Lifelong Learning to provide a report on the option appraisal of the location and proposed methods of funding all phases of the development at the June 2003 meeting and before expenditure is incurred.

Item 13 Review of Decision by Cabinet - Transport [Fleet Management / Maintenance] Best Value Review - Councillor D M Morris asked for the report to be provided at the next Cabinet meeting.

Item 15 Brondyffryn Trust, Denbigh - Councillor G M Kensler asked that Resolution (d) be corrected to read "...and relevant Members and senior staff from the Education Department".

**RESOLVED** that subject to the above, the Minutes of the Cabinet meeting held on 29 April 2003 be approved as a correct record and signed by the Deputy Leader .

**32. APPROVAL OF IMPROVEMENT PLAN 2003-2004 AND BEST VALUE REVIEW PROGRAMME [CABINET 2003 - 68]**

Councillor E W Williams presented the report seeking Cabinet's:

- [i] recommendation of the draft Improvement Plan 2003-2004 to Council [Appendix I]
- [ii] agreement to monitor the progress of the corporate Action Plan via quarterly reports produced by the Performance Management Unit
- [iii] approval of the proposed Best Value Review Programme for 2003-2004 [Appendix II]
- [iv] agreement to the removal of the Home Care and Fostering Services from the Best Value Review Programme.

Councillor Williams thanked the staff for all their work. He also said Denbighshire was ahead of most other Authorities in that Denbighshire used actual figures in the Plan.

Councillor E A Owens expressed her concerns with regard to the corporate objectives and the nature of some of the terms used in the Plan.

Councillor E C Edwards asked who was the author of the Crime and Disorder Survey paragraph on page 7 of the Plan and asked that the attention of the Principal Policy Officer Social Inclusion be drawn to the matter. The Performance Management Manager said the information had been discussed at the Citizen's Panel meetings.

**RESOLVED** that Members:

- [a] recommend the draft Improvement Plan 2003-2004 to Council [Appendix I]
- [b] agree to monitor the progress of the corporate Action Plan via quarterly reports produced by the Performance Management Unit
- [c] approve the proposed Best Value Review Programme for 2003-2004 [Appendix II]
- [ch] agree to the removal of the Home Care and Fostering Services from the Best Value Review Programme.

**33. DENBIGHSHIRE RETAIL & LEISURE STUDY [CABINET 2003 - 69]**

Councillor M A German presented the report seeking approval to undertake wide consultation on the Denbighshire Retail & Leisure Study (The Study) before reporting back on how the Study can inform the review of retail planning policies; be treated as a material planning consideration in determining planning applications and help develop town centre strategies and regeneration.

In response to Councillor G M Kensler's query regarding 4.7 of the report and whether shopping is considered as a leisure activity, the Chief Executive replied that report was not the final document and wider consultation would be undertaken.

Councillor E C Edwards referred to the numerous feasibility studies being undertaken and said delivery and development of services was essential or the studies were worthless.

Councillor E A Owens suggested that farmers' or Christmas markets should be developed and were a valuable retail outlet and should be included in the study.

Councillor E W Williams agreed that there were many such studies around but were essential to access funding from the Wales Tourist Board or the Welsh Development Agency for example.

Councillor W R Webb agreed with Councillor Edwards and emphasised the need to deliver and develop services, particularly in the south of the County.

The Chief Executive said action was required after completion of feasibility studies and that studies such as this one needed updating after about 5 years.

**RESOLVED** that the Denbighshire Retail and Leisure Study be:

[a] the subject of wide consultation including a presentation or workshop to be arranged with Members and senior management and consultation via the Area Partnerships.

[b] brought back to Cabinet with the results of the consultation and for further consideration as to the way forward.

**34. APPROVAL OF SUPPLEMENTARY PLANNING GUIDANCE [CABINET 2003 - 70]**

Councillor M A German presented the report seeking approval of Supplementary Planning Guidance Notes No 8 Access for All and No 18 Nature Conservation and Species Protection attached to the report.

**RESOLVED** that Cabinet approve Supplementary Planning Guidance Notes No 8 Access for All and No 18 Nature Conservation and Species Protection attached to the report and recommend for adoption by Council.

**35. ONE STOP SHOPS / CASH OFFICES FOR ST ASAPH AND RHUDDLAN [CABINET 2003 - 71]**

Councillors D M Morris presented the report seeking Cabinet agreement to support the expansion of One Stop Shops to Rhuddlan and St Asaph [including the relocation of the St Asaph Cash Office] and for these to be located in the Libraries, in line with the Delivering Quality Services policy and the IEG Statement. Cabinet was asked to approve the capital and revenue implications [capital for St Asaph Library included in the Capital Plan report of 20.04.2003] and that the St Asaph scheme capital implications be forwarded to Council for approval.

Councillor J A Smith welcomed the move of the St Asaph Cash Office and said it would be of great benefit. He urged Members to support Option 2 of the report which would increase Library opening hours in St Asaph.

Councillor E A Owens suggested Option 1 was more appropriate at this time and a move to Option 2 for St Asaph could take place when more resources were available.

Councillor P A Dobb said Libraries should be encouraged wherever possible to have longer opening hours and supported Option 2.

Councillor M A German welcomed the report and suggested the locating of Tourist Information Centres in Libraries should be considered if sufficient accommodation was available.

The Principal Librarian detailed the costs of both Options 1 and 2 and said the Local Members supported Option 1 for Rhuddlan and Option 2 for St Asaph.

Councillor G M Kensler emphasised the important role of libraries and their opening hours in the community and suggested a review should be carried out.

**RESOLVED** that:

[a] Cabinet agrees to support the expansion of One Stop Shops to Rhuddlan [Option 1] and St Asaph [Option 2] and for these to be located in the Libraries [including the relocation of St Asaph Cash Office].

[b] Cabinet approve the capital and revenue implications.

[c] the capital implications for the St Asaph scheme be forwarded to Council for approval.

**36. CAPITAL PLAN 2003/04 [CABINET 2003 - 72]**

Councillor E A Owens presented the report seeking Cabinet's recommendation to Council of the proposed revisions for the 2003/04 Capital Plan.

Councillor Owens detailed the change required to the report resulting from approval of Option 2 of the One Stop Shop / Cash Office for St Asaph [previous item].

**RESOLVED** that Cabinet recommend the revisions to the 2003/04 Capital Plan, as detailed in the report and amended above, for approval by Council.

**37. PROJECTED REVENUE POSITION 2002/03 AND 2003/04 [CABINET 2003 - 73]**

Councillor E A Owens presented the report for Members to note the latest estimated outturn figures for 2002/03 for both services and corporate budgets. Members were asked to consider the implications of the improved Council Tax yield for 2002/03 and 2003/04 and agree the revised spending proposals contained in the report.

Councillor Owens detailed the considerable improvement on the Council Tax income which had resulted in a significant increase in the level of collection and a reduction in the levels of arrears.

Councillor Owens indicated that the Lifelong Learning Directorate overspend could now be funded in full, with no clawback. It was likely that some Departments would be in a position to carry forward underspends.

The overall impact was that reserves would be in the region of £1.9m, compared to a target of £1m. In addition, the Council would benefit in 2003-04 from the improved Council Tax yield. However, this benefit would reduce in 2004-05 and, since there were no indications as yet that the Welsh Assembly Government Settlement would improve, it would be a more difficult year financially.

Details of the proposals were listed in paragraph 2.7 of the report. Councillor W R Webb suggested the events figure in 2.7(d) would require amendment when the Denbighshire Events 2003-04 report was discussed. With regard to 2.7(f), Councillor Owens emphasised the need for Scrutiny Committees to prioritise the £400k additional expenditure as soon as possible with a further £400k to be released in the autumn.

Members agreed the recommendations in paragraphs 2.7(a) and 2.7(b) of the report.

Councillor P A Dobb suggested that monies be spend on the 'image' of the Central Area of the County, i.e. grass cutting and enhancement of some of Denbighshire's buildings, enhancing the area for tourists. Members agreed the recommendation in paragraph 2.7(c) of the report.

In response to a query from Councillor W R Webb, the Chief Executive said the Schools Delegated Budgets had been set and it was not possible to reallocate the budgets once set.

Councillor P A Dobb asked when the School Transport review would be carried out. The Corporate Director: Lifelong Learning said Lifelong Learning Scrutiny Committee had considered the matter and a report would be provided for the next Cabinet meeting which would also include Personal Services transport issues.

Paragraph 2.7(d) was to be considered as part of the Denbighshire Events 2003-04 report.

Paragraph 2.7(e) had been considered and agreed earlier, including the relocation of the St Asaph cash office to St Asaph Library.

With regard to paragraph 2.7(f), Councillor E C Edwards said it was essential that enough time was available for Lead Members to make submissions with regard to the £800k additional expenditure. Councillor Edwards also urged officers to proceed with caution with regard to expenditure generally, as the Authority was still on a recovery plan and had one of the highest Council Tax bills in Wales. Councillor Owens welcomed Councillor Edwards' comments with regard to the recovery plan.

Councillor W R Webb said he was delighted with the extra £1.2m that had become available but expressed his surprise that the information had not been made available sooner.

The Corporate Director: Resources took the opportunity to praise the work of the Council Tax staff and said that weekly and monthly monitoring was carried out, enabling more accurate and up to date information to be made available.

At the suggestion of the Chief Executive, it was agreed to defer any decisions with regard to school transport.

**RESOLVED** that:

[a] *Members note the projected revenue outturn position for 2002/3*

[b] *Cabinet agrees to revise the financial strategy as outlined in paragraphs 2.4 and 2.6 and to prepare recommendations to Council on the Budget for 2004/5 accordingly.*

[c] *Cabinet agreed the following on paragraph 2.7 for additional expenditure in 2003/4:*

2.7(a) *Agree*

2.7(b) *Agree*

2.7(c) *Agree*

2.7(d) *Decision to be taken as part of the Denbighshire Events 2003-04 report [20.05.2003]*

2.7(e) *Decision as agreed for One Stop Shops / Cash Offices at St Asaph and Rhuddlan report [20.05.2003]*

2.7(f) *Agree.*

[ch] *Defer any decision with regard to School and College Transport until the next Cabinet meeting.*

### **38. DENBIGHSHIRE EVENTS 2003/04 [CABINET 2003 - 74]**

Councillor G M Kensler presented the report seeking support for a pilot programme of events and attendant costs for 2003/2004 for the purpose of attracting new visitors to Denbighshire.

Discussion on a range of events took place and emphasis was placed on the promotion of good health whenever possible when organising events.

Members having discussed in particular the allocation in respect of additional activities at the Llangollen International Eisteddfod, agreed the allocation be increased to £15,000 for 2003/04. It was further agreed to make an additional £10k available for other non-specific events, with authority for the expenditure delegated to the Lead Member for Promoting Denbighshire.

**RESOLVED** that *Members, subject to the above, support the programme of events for 2003/2004 and make additional monies available to stage the events.*

At this juncture (1.15 p.m.) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

**39. REPLACEMENT OF WINTER MAINTENANCE VEHICLES [CABINET 2003 - 75]**

Councillor M A German presented the report seeking approval for capital funding for the purchase of 3 dual use [winter maintenance/general highways] vehicles to replace 3 dedicated gritters, to be included in the Capital Plan for 2003-04.

***RESOLVED** that Cabinet agree capital funding to purchase 3 dual use [winter maintenance/general highways] vehicles to replace 3 dedicated gritters be included in the Capital Plan for 2003-04.*

**40. PRESENTATION OF CABINET REPORTS [CABINET 2003 - 76]**

Councillor D M Morris presented the report seeking confirmation of the use of Arial 14 point font for all reports to Cabinet and Asset Management Committee.

After a full discussion it was agreed that although more resources would be required per print run, the reports for both Cabinet and Asset Management Committee would use Arial 14 point font.

***RESOLVED** that Cabinet confirms the use of 14 point font for all reports to it and the Asset Management Committee.*

**QUESTION AND ANSWER SESSION**

No questions had been received.

**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 7 of Part 1 of Schedule 12A of the Local Government Act 1972.*

**PART II**

**41. URGENT ITEMS [CABINET 2003 - 77]**

**CIVIC AMENITY SITES AND KERBSIDE RECYCLING CONTRACT(S) - SUSPENSION OF STANDING ORDERS [CABINET 2003 - 77A]**

Councillor M A German presented the report, circulated at the meeting, seeking to suspend Council Standing Order 13 - Alterations to allow clarification to be sought from each of the tendering contractors in relation to their tender submitted on 28.04.2003, before recommending one [or more] of the tenders received for acceptance by Cabinet.

The County Clerk confirmed the Lead Member for Sustainable Development and Environment had delegated authority to accept such tenders if the lowest.

***RESOLVED** that Cabinet suspend Contract Standing Order 13 to allow discussions to take place with the contractors who have submitted tenders for this/these contract(s).*

**42. RETAINER PAYMENTS TO COOKS IN CHARGE [CABINET 2003 - 78]**

Councillor D M Morris presented the report seeking Cabinet approval to resist pressures to reinstate retainer payments to Cooks in Charge.

***RESOLVED** that having considered all available advice, Cabinet recommend to Council to resist pressures to reinstate retainer payments to Cooks in Charge.*

The meeting concluded at 2.10 p.m.