

CABINET

Minutes of the Cabinet meeting held in the Town Hall, Ruthin on Tuesday 24 June 2003 at 10.00 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; R W Hughes, Lead Member for Lifelong Learning; D M Morris, Lead Member for Communications; E A Owens, Lead Member for Finance, and W R Webb, Lead Member for Property and Asset Management.

Observers: Councillors M Li Davies, S Drew, D M Holder, M M Jones, R J R Jones, K N Hawkins and K E Wells.

ALSO PRESENT

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

APOLOGIES

Councillors, J A Smith, Lead Member for Social Inclusion and E W Williams, Lead Member for Economic Wellbeing.

162 URGENT MATTERS

- [i] Part II - to receive a statement from the Corporate Director: Environment on the restructuring of the Environment Directorate.

163 MINUTES OF THE CABINET [CABINET 2003 - 79]

The Minutes of the Cabinet meeting held on 20 May 2003 were submitted.

Minutes - Item 5 Refurbishment of Rhyl West Promenade -
Councillor G M Kensler indicated that the costings that she had requested to be identified before implementation of any work were for revenue costs.

Item 8 Projected Revenue Position 2002/03 and 2003/04
Resolution (ch) - In response to a query raised by Councillor R W Hughes regarding the School and College Transport and Special Educational Needs items, the Corporate Director: Lifelong Learning indicated that there was no clear decision recorded in the Minutes with regard to the Special Educational Needs. It was understood that Councillor P A Dobb queried School and College Transport only.

The Chief Executive referred Members to the minutes of the last meeting in which it was agreed that any decision with regard to School and College Transport be deferred. The Chief Executive pointed out that it was not possible to record something in the Minutes which had not been agreed by Cabinet.

RESOLVED that subject to the above, the Minutes of the Cabinet meeting held on 20 May 2003 be approved as a correct record and signed by the Deputy Leader .

164 IMPROVING THE COUNCIL HOUSING STOCK

Councillor E A Owens presented the report to update Cabinet on progress and next steps in securing investment to improve the Council housing stock.

RESOLVED that:-

- (a) *following the receipt of the final report from Deloitte & Touche, a report be brought to Cabinet detailing the options available to the Council to improve its housing stock, to include a recommendation as to which option should be adopted;*
- (b) *an interim Housing Stock Business Plan be submitted to the Assembly based on the Deloitte & Touche draft report, noting that further information is still required on the option of stock retention and funding of improvements to quality standards via Prudential Borrowing, and the alternative of Stock Transfer to Dyffryn Community Housing, and*
- (c) *continue to lobby the Assembly to enable use of the Major Repairs Allowance (MRA) to support borrowing.*

165 BEST VALUE REVIEW OF RESIDENTIAL HOMES

The Corporate Director of Personal Services presented the report seeking Cabinet to reaffirm its decision taken on 25 March 2003 (Cabinet 2003-31) following the resolution of Council on the 3rd June, 2003.

In presenting the report the Corporate Director: Personal Services laid particular stress on the need for the Authority to secure management to the homes, the changing expectations and demands for improved service and the absence of Council funding to enable these demands to be met. She also indicated that the NHS were unlikely to be able to fund the capital requirements and that therefore it was necessary to have as wide a choice as possible in determining a partner. The Council had to comply with best value legislation.

Councillor W R Webb paid tribute to the Corporate Director: Personal Services in preparing a report which asked the Cabinet to disregard the resolution of the Council on 3rd June. He also felt that there was no new information contained in the report and that it was time for the Cabinet to accept the resolution made by Council and resolve the matter urgently. He moved accordingly and was seconded by Councillor G M Kensler to accept the decision by Council as in 2.1.2 of the report.

Both Councillors G M Kensler and R W Hughes reiterated Councillor W R Webb's comments and felt that, although Cabinet was the executive decision body of the Council, it would be arrogant of Cabinet to ignore the views of Council made at the 3rd June meeting.

Councillor P A Dobb acknowledged the views raised but highlighted that the Authority needed to look at the growth in the population of the elderly over the next 15 years and the services expected by those people over the next 15 years.

Councillor P A Dobb drew Members' attention to the Welsh Assembly Government Housing research summary and to the section on the over 65 population. She pointed out that the Authority had to plan for the future by incorporating what is important for our public. There was a need to look at this issue in more depth before a decision was made.

Councillor E C Edwards expressed his disappointment that the homes were referred to as museum pieces in 2.2.1 of the report.

The Deputy Chief Executive/Corporate Director of Resources pointed out to Members that if all options were not allowed to be considered, there was a great risk that the Authority would be breaching Best Value Legislation. He indicated that the County Clerk and he would have to consider issuing a report under their statutory powers if the Cabinet decided to follow the Council's resolution.

The County Clerk indicated that to take out potential classes of partners from the recommendation would be to pre-empt the decision as to their viability as partners. There was not presently enough evidence to delete a potential partner.

Councillor W R Webb expressed concern at the comments made by the Deputy Chief Executive/Corporate Director of Resources and asked him why he had not attended any of the Residential Homes meetings over the last 3 years to raise the issue.

The Chief Executive explained that the Deputy Chief Executive/Corporate Director of Resources and the County Clerk were carrying out the duties of their role and protecting the interests of the Council by making Members aware of the situation. Neither had indicated that they would definitely use their statutory powers and prepare a special report. If a special report were to be prepared, then this would be to a special meeting of Cabinet. The meeting would be held within 21 days of the issue of the report, and this might happen only if Cabinet decided to change its previous decision and support the Council recommendation.

Councillor G M Kensler said that what was important for the residents of Denbighshire was good quality of care received from the Council's staff even if the buildings were not ideal, and that her previous experiences with Housing Associations had been very negative.

The Chief Executive disagreed and stated that the entire package was important, the quality of care and accommodation, and that it is about how we secure quality provision for the future.

Councillor P A Dobb suggested that by deferring the decision this would allow the Council to look at partnership arrangements that had been entered elsewhere before making a decision.

Councillor R W Hughes said that Members were not here as individuals, but to represent thousands of people within Denbighshire. Members needed to listen to the views of the people and to do the best for the people of Denbighshire.

Councillor E A Owens expressed her concern that, at this stage, as comments had been received by the Deputy Chief Executive/Corporate Director Resources and County Clerk on the process, it may be worthwhile to defer the decision for a limited period to ascertain that the Cabinet would not be in breach of any provisions and to ensure that its decision-making process was correct.

Councillor P A Dobb seconded by Councillor M A German proposed that Cabinet defer the decision on this matter pending consideration of partnership arrangements entered into by other Authorities. Upon being put to the vote this proposition was lost.

The proposal by Councillor W R Webb was then put to the vote and it was

RESOLVED that:-

- (a) *the Council should further investigate securing the level of investment to safeguard the future of the homes (Option 2); and*
- (b) *in the event of the level of investment not being secured the Council seeks partnership arrangements with the NHS (Option 5) (excluding Public Sector Housing).*

Councillor E A Owens expressed her personal disappointment, given that two Cabinet Members were not present at the meeting, that Members could not have deferred the decision.

166 ACCOUNTABILITY ARRANGEMENTS FOR REPRESENTATIVES ON THE LOCAL HEALTH BOARD AND THE HEALTH, SOCIAL CARE AND WELLBEING STRATEGIC PARTNERSHIP BOARD

The Corporate Director of Personal Services presented the report seeking a decision by Cabinet on how the Member/Officer representatives of both the Local Health Board and the Health, Social Care and Wellbeing Strategic Partnership Board should, in future, exercise their accountability to the County Council.

The Assembly will issue accountability arrangements for local authority representatives. The report dealt with the potential for officer/member representatives to experience conflict between their corporate

responsibility to the two Boards and to Denbighshire County Council. The report recommended how the situation should be handled and provided an accountability framework for representatives on both Boards.

The Corporate Director also highlighted the need to review delegations to Members/Officers to ensure that those serving on partnership bodies were appropriately equipped to commit the Council within clear limits.

As a Member of the Local Health Board and the Health, Social Care and Wellbeing Strategic Partnership Board, Councillor P A Dobb welcomed the report which will now enable her to report back to Cabinet.

Councillor E A Owens commended the report and the suggested framework which was useful to apply to other Boards/Partnerships on which the Council is represented.

RESOLVED that:

- (a) *Cabinet adopts the proposals contained in 2.9.1 to 2.9.7 of the report to provide the accountability framework for local authority representatives on the Local Health Board and the Health, Social Care and Wellbeing Partnership Board;*
- (b) *Cabinet considers how this framework may be developed to apply to other Boards/Partnerships on which the Council is represented, and*
- (c) *delegations to individual Members and officers to be reviewed to enable them to enter into appropriate commitments on behalf of the Council.*

167 IMPROVING SERVICE TO CUSTOMERS

Councillor D M Morris presented the report. He explained that the Council had decided that it was a priority to improve Customer Contact and that there were 3 options, but that it had not been possible to fund this priority as part of the budget for 2003/04.

Councillor G M Kensler referred to improving the Council's customer complaints system and asked as to whether a group had been established to look at this further, and as to whether a report would be presented to Cabinet.

Councillor R W Hughes said that she would like a more detailed paper looking at the broader issues of the interaction between libraries, one stop shops and other services and the impact of these services on the Head of Service post.

In response to the comments made by Councillors G M Kensler and R W Hughes, Councillor D M Morris explained that further information would be provided to the July Cabinet on how we are moving forward in terms of complaints and that information in relation to the impact of the Head of Service post would also be available.

Councillor G M Kensler referred to the Head of Service post and to the importance of this person looking at the type of complaints service provided by other Directorates.

The Chief Executive reported that additional work was required on the detail and as to where the Head of Service post would be best placed.

Councillor E A Owens said that on the basis of the discussion a further report was required to provide more detail on the issues raised by Members.

RESOLVED that Cabinet:-

- (a) *confirm commitment to the Council priority to improve customer care;*
- (b) *agree that a central Contact Centre, supported by a series of One Stop-Shops is the preferred method of achieving this, and*

- (c) *receive a further detailed report at the July Cabinet looking at the issues surrounding the Head of Service post and the progress in developing a complaints system.*

168 REVENUE BUDGET 2003/04

Councillor E A Owens presented the report seeking Cabinet agreement that, with the exception of School and College transport and Special Educational Needs, all pressures identified in the current financial year as detailed in the appendices should be absorbed by adjusting spending priorities within service base budgets.

Councillor E A Owens explained that the report recorded spend in April and May 2003. Reference was made to a new way of reporting pressures that she will be asking Directors/Heads of Service to undertake. Directors and Heads of Service will be asked to continue to report pressures and remedial action, taken and proposed, to absorb additional costs within Service Budget. Details of both pressures and savings will be indicated in the notes section of the report.

Councillor E A Owens referred to the appendix and indicated that within the Lifelong Learning budget the breakdown of £388k was based around Special Educational Needs and School Transport.

The Corporate Director of Lifelong Learning appreciated the support of Councillors E A Owens and R W Hughes in scrutinising the two areas in question. Reports were being prepared for the July Cabinet on School and College Transport and Special Educational Needs.

RESOLVED *that Members note the figures in the appendices and agree that:-*

- (a) *separate reports are brought to the July Cabinet meeting to detail the latest projected costs for delivering the current Council policy on School and College Transport and Special Educational Needs. The reports to include a review of the policies involved, and*
- (b) *action is to be taken to contain the remainder of the pressures detailed in this report within the service budgets concerned.*

169 MINOR DISPOSALS - DELEGATION

Councillor W R Webb presented the report seeking agreement from Cabinet to grant the Chief Executive delegated powers to sell land/property at an open market value of less than £10,000 although he expressed concern that the Asset Management Committee resolved that the delegation should be subject to any objections by local members. The Chief Executive pointed out that this was contained in the recommendation in paragraph 8.1 of the report.

RESOLVED *that Cabinet approves the granting of delegated powers to the Chief Executive to dispose of land/property, at a market value of less than £10,000. Any terms would be agreed in consultation with the County Clerk. This delegation does not include disposals to which the Local member(s) have objections.*

170 PUBLIC WORKS LOAN BOARD - RESCHEDULING OF LOANS

Councillor E A Owens presented the report asking Cabinet to note and endorse the action taken in line with the Council's Treasury Management Strategy for 2003/04 which states that all rescheduling of loans will be reported to Cabinet on a timely basis.

Councillor E A Owens hoped that in future that reports on Rescheduling of loans would become a Delegated function.

RESOLVED *that Cabinet note and endorse the content of the report.*

171 URGENT ITEMS

No urgent items.

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

PART II

172 YSGOL TIR MORFA DEVELOPMENT

Councillor R W Hughes presented the report seeking Cabinet to approve the new site for the school, and agreeing to the proposal in Appendix 2 as the most appropriate solution, within the financial constraints.

Councillor R W Hughes reported that a Task and Finish Group had been established to look at a number of proposals and that they were in favour of the existing site. Councillor Hughes advised Members that there was a very tight timescale, and therefore, it was important to progress Phase 1 of the project so that the pupils could be relocated.

Councillor E A Owens advised Members that Design Services cannot charge fees on contingency, and therefore, £5k needed to be removed from the costings. She also referred Members to 5.4 of the report and explained that the Authority is recommending Phase 2 of the Tir Morfa scheme as a candidate for funding through the prudential borrowing arrangements due to be introduced.

Members thanked all Officers involved in the Task and Finish Group for all their effort and good work.

Councillor R W Hughes referred to an email she had received highlighting various issues which might require Cabinet approval.

At this juncture it was agreed to adjourn the meeting for 5 minutes to enable Officers to have sight of the email concerned.

The Chief Executive referred to the points raised in the email and advised Members that details of the decision taken to allocate the whole receipt from the Rhuddlan site was included on Page 4 of the minutes of the last meeting.

Councillor R W Hughes advised Members that the Task and Finish Group had been enormously helpful and that they would continue to monitor progress on the development.

Councillor P A Dobb asked if money had been set aside for furnishings as part of the building project. In response to Cllr P A Dobb's query, Councillor R W Hughes indicated that the estimates and expenditure were included in Appendix 2 of the report.

RESOLVED that Cabinet agreed:-

- (a) that the existing Ysgol Tir Morfa site in Rhyl is the preferred site for the new school;
- (b) the proposal in appendix 2 is the most appropriate solution, within the financial constraints, as the first stage of the redevelopment of the school allowing pupils to be relocated from the Rhuddlan site to Rhyl, and

- (c) *that officers are instructed to submit any necessary planning applications, publish statutory notices and take any other actions that are needed to implement these decisions.*

173 MWROG STREET FLOOD ALLEVIATION SCHEME - COST ESCALATION

Councillor M A German presented the report seeking Cabinet approval to recommend to Council the allocation from general capital funding of additional financial provision to ensure delivery of the Mwrog Street Flood Alleviation Scheme.

Councillor M A German explained that, during the period since the grant application was submitted to the Assembly, there had been a considerable number of developments, in both the construction contract and negotiations with landowners, which had made it clear that the overall scheme cost would be considerably increased from the cost originally envisaged and for which grant approval had been given by the Assembly.

Councillor E C Edwards was pleased to see the work being carried out but was disappointed at the escalating costs of the scheme.

Members felt that some of the escalating costs could be passed on to other bodies that were responsible for them.

The Chief Executive responded to Councillor E C Edwards' comments and suggested that an addition is made to the recommendation that, before the Welsh Assembly Government is approached, the Council seeks to pass on some of the costs to the bodies responsible. All options need to be explored with the bodies responsible before the Welsh Assembly Government is approached.

RESOLVED that Cabinet:-

- (a) *recommend to Council the allocation from general capital funding, of additional financial provision of up to £600k to ensure delivery of the Mwrog Street Flood Alleviation Scheme;*
- (b) *before approaching the Welsh Assembly Government, where possible and where the increases have been caused by others, those responsible are approached for a contribution towards the costs, and*
- (c) *support the applications to the Welsh Assembly Government, as provided for in the grant support procedures, in respect of 85% grant contribution towards the additional scheme costs identified in the report.*

174 COMPULSORY PURCHASE ORDER

Councillor M A German, the Chief Executive and the County Clerk declared an interest in this item and left the room during discussion and voting thereon.

The Deputy Chief Executive/Corporate Director: Resources presented the report in which he sought Cabinet approval to uphold its original decision to exercise its compulsory purchase powers in respect of land to the rear of the High Street, Prestatyn.

The Deputy Chief Executive/Corporate Director: Resources advised Members that the report was very complex and that there were many factors that needed to be taken into account. Cabinet had previously agreed to authorise the County Clerk to make the appropriate Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990.

Councillor D M Morris conveyed his views in favour of Option 1 and the importance that a decision was reached today. He also expressed his concerns that some Companies would need to be relocated if Members opted for Option 2.

The Senior Solicitor reported to Members that the Authority had sought Counsel's opinion on the balance of the options in the report. Counsel had advised caution if Members opted for Option 2 as there was a strong risk of Judicial Review. It was suggested that the suggested form of indemnity agreement be amended to take account of this possibility so that the Council does not make the Compulsory Purchase Order until the time period for judicial review has passed.

Councillor R W Hughes expressed her concerns over the High Street in Prestatyn and how businesses were closing. Cllr. Hughes expressed her views in favour of Option 2 and highlighted the importance that a decision was made today as prospects for the town were uncertain, and the whole situation was very unfair on the residents of Prestatyn.

The Deputy Leader sought views from Local Members who were present at the meeting.

Councillor S Drew felt equally as strongly as Councillor R W Hughes that a decision had to be made, but preferred to understand both Tesco and Somerfield's plans before a decision was taken by Cabinet.

Councillor K E Wells reiterated the comments made by Councillor R W Hughes and expressed his views in favour of Option 2 and highlighted the importance of moving this forward so that a decision was reached today.

The Assistant Chief Executive (Strategy) informed Members that he had made contact with all Prestatyn Members to seek their views on the report. He indicated that the comments he had received had been on the contents of the report and were prior to Counsel advice being available.

A copy of a letter received from Councillor N Hugh-Jones was circulated to Members. Councillor N Hugh-Jones expressed his views in respect of the two options and strongly urged that Members choose Option 1. He asked that a thorough consultation be carried out with the residents of Prestatyn in order to allow them to express their views.

The Assistant Chief Executive (Strategy) also referred to a letter which had been received from Councillor G A Clague. In his letter, Councillor Clague indicated that he was not in favour of the recommendation to Cabinet to support Option 2, and felt that it was appropriate to delay the decision for six months rather than run the risk of entering a complex legal process.

Councillor P A Dobb agreed that it was important that legal advice is followed, but felt there was also a need to look at the situation in economic terms. Councillor Dobb favoured Option 2 and referred to another town which had benefited positively from such a retail development.

Councillor W R Webb indicated that the site in Prestatyn was a prime location, and that a decision needed to be made today, as the site could be redeveloped for something else.

Councillor E A Owens expressed concern about the possibility of the need for a Section 151 Officer's report. She suggested that Option 2 be amended to ensure that suitable provision is made within the indemnity agreement to defer the making of the Order to avoid the risk of any judicial review.

Councillor G M Kensler favoured Option 1 and indicated that it was important that a decision was reached as soon as possible.

Following a lengthy debate, the two options were put to the vote.

Option 1 (deferring for 6 months) - Upon being put to the vote this Option was lost.

Option 2 was put to the vote, and it was

RESOLVED that subject to suitable provision being made within the indemnity agreement to cover the risk of any judicial review:-

- 1 *The County Clerk be authorised to make and submit to the National Assembly for Wales, a compulsory purchase order made pursuant to Section 226(1)(a) and 226(3)(a) of the Town and Country Planning Act 1990; and the Acquisition of Land Act 1981 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 entitled The Denbighshire County Council (High Street) Prestatyn Compulsory Purchase Order 2003 for the purpose of acquiring the land which is shown on the map(s) attached hereto, or lesser areas of land should this in his opinion be appropriate to do so, the said being land within its area which is suitable for and required in order to secure the carrying out of development, redevelopment of improvement and executing works or facilitating the development of land and acquiring new rights within the Town of Prestatyn and that the Common Seal be affixed to such order and its accompanying map(s)*
- 2 *The County Clerk be authorised to advertise the making of the order referred to in recommendation 8.2 above and take all relevant action thereon to promote the confirmation of the order.*
- 3 *The County Clerk be authorised to finalise and publish the draft Statement of Reasons.*
- 4 *As soon as the orders have been confirmed by the National Assembly for Wales and become operative, the County Clerk be authorised to serve Notices to Treat under Section 5 of the Compulsory Purchase Act 1965, and where necessary, to serve Notices of Entry under Section 11 of the same Act in respect of the land included in the order, or, at his discretion, to execute general vesting declaration(s) and to subsequently transfer the land which is the subject of the said general vesting declaration(s) (or any part of it) to the Tesco*
- 5 *The Head of Consultancy Services and/or the County Landlord be authorised to:*
 - (i) *negotiate with interested parties with a view to agreeing terms for the purchase by agreement or payment of compensation of any of the interests or rights over land included in the orders referred to in recommendation 8.2 above and, where appropriate, to agree terms for relocation.*
 - (ii) *where necessary, authorisation be given to appoint external consultants to advise on and approve appropriate terms for compensation and/or relocation.*
- 6 *The County Clerk be authorised to complete terms for relocation, acquisition of such property interests and rights and their subsequent transfer (referred to in recommendation 8.6 above) to Tesco in accordance with terms to be agreed.*
- 7 *If the question of compensation be referred to the Lands Tribunal, the County Clerk be authorised to take all necessary steps in relation thereto including advising on the appropriate uses and compensation payable and issuing the appropriate certificates.*
- 8 *The County Clerk shall only exercise his authority to make the compulsory purchase orders referred to in recommendation 8.2 above on the strict understanding that efforts will continue to be made by Tesco to seek to acquire all land and interests included within the orders by way of private treaty.*
- 9 *The Head of Highways and Transportation be authorised to make and promote any necessary traffic regulation orders and to take all necessary action to secure the implementation of such orders.*
- 10 *The Head of Planning Services and the Head of Consultancy Services in consultation with the County Clerk be authorised to prepare and submit such evidence as is necessary to any Inquiry which is convened to consider objections to either the compulsory purchase order and/or any necessary traffic regulation orders, including enlisting the assistance of outside consultants and external lawyers and Counsel to assist in the preparation and presentation of evidence to the Inquiry.*

- 11 *The County Clerk be authorised to affix the Common Seal to a form of indemnity agreement with Tesco whereby it agrees to endeavour to acquire the land which is to be the subject of the compulsory purchase order by private treaty and, in any event, to bear the compensation and acquisition costs together associated expenses of the acquisition of such land and the costs and expenses associated with the Compulsory Purchase Order.*

Councillors G M Kensler and D M Morris requested that it be recorded that they voted in favour of Option 1 and against Option 2.

175 STREET LIGHTING WORKS SERVICE - PROCUREMENT

Councillor M A German presented the report seeking Cabinet's approval to extend the current service delivery contract for street lighting works services (maintenance and minor works) upon expiry of the existing contract on 30th June, 2003, for a further period of up to 9 months, i.e. to 31st March, 2004, whilst a new service contract was put in place.

Councillor D M Morris supported bringing the work in house.

Councillor G M Kensler asked Officers to comment on a letter to all Cabinet Members from Councillor Andrew Thomas, Chair of the Environment Scrutiny in which he refers to a previous decision of the Environment Scrutiny Committee to agree to support the proposal that, upon expiry of the existing contractual arrangements on the 30th June, 2003, street lighting maintenance be procured via in-house arrangement with the Contract Services Department, utilising the skilled workforce currently employed on the contract.

The Chief Executive advised Members that there was a risk of the Authority being in breach of the requirements of Best Value Legislation if Cabinet agreed the report which had been previously agreed by the Environment Scrutiny.

Councillor P A Dobb as champion for older people indicated that every day we put ourselves at risk with delays in rectifying lighting faults, and therefore, the longer we prolong things the greater the risk.

RESOLVED that:-

- 8.1 *Members approve a 9 month (maximum) extension of the existing street lighting maintenance contract (Option S1). In the event of failure by the current service provider during this period, service continuity should be ensured through a temporary in-house arrangement (Option S2), and*
- 8.2 *Members approve the long term provision of street lighting and allied traffic sign maintenance by means of a competitively procured procedure (Option L1), consistent with the requirements of Best Value.*

176 SPORT AND RECREATION BEST VALUE REVIEW: SINGLE TENDER ACTION

Councillor G M Kensler presented the report asking Members to endorse a single tender action made under the Financial Standing Orders in respect of the appointment of consultants.

RESOLVED *that Cabinet endorse the single tender action made under Regulation 9.1(c) of the financial Standing Orders in respect of the appointment of APSE Consultants to assist with the Best Value Review of Sport and Recreation Services.*

177 DEVELOPMENT OF A MUNICIPAL WASTE MANAGEMENT STRATEGY FOR DENBIGHSHIRE

Councillor M A German presented the report seeking Cabinet approval to grant an exemption from Contract Standing Order 5 to allow the appointment of SLR Consulting as the consultants to develop a Municipal Waste Management Strategy for Denbighshire for consideration by the Council.

RESOLVED that Cabinet grants an exemption from Contract Standing Order 5 to allow the appointment of SLR Consulting as the consultants to develop a Municipal Waste Management Strategy for Denbighshire for consideration by the Council.

**178 URGENT ITEM
RESTRUCTURING OF THE ENVIRONMENT DIRECTORATE**

At this point, the Deputy Leader asked all Members of the Environment Directorate staff to leave the room during discussion of the item.

Councillor W R Webb referred to the current restructuring of the Environment Directorate and to the fact that no report detailing costings had been presented to Cabinet prior to the process moving forward.

The Corporate Director: Environment in response to the comments made by Councillor W R Webb apologised to any Members who felt that they had not been kept fully informed of the process.

The Director advised Members that the process was clearly identified in the Constitution and based upon feedback received following the restructuring of the Personal Services Directorate. Discussions had been held with the Chief Executive and Central Personnel, and as stated in the Constitution, the approval of any structure within the Council falls to the Chief Executive as Head of Paid Service.

The Director said that it was his intention to ensure that information was brought back to Cabinet in July detailing the costings.

Councillor M A German advised Members that he had been fully informed of the process and briefed by the Corporate Director: Environment.

Councillor E A Owens also indicated that she had received the financial structure information from the Corporate Director.

The Chief Executive apologised to any Member who felt that they had been excluded from the process, but explained that the matter had been discussed at the April Cabinet and May Informal Cabinet meetings. He went on to explain that the final report was not dramatically different to the first draft and that a report on costings would be submitted to Cabinet in July.

Following a discussion, it was:-

RESOLVED that a report detailing costings of the Environment Restructuring is brought to Cabinet in July.

The meeting concluded at 12.35 p.m.
