

CABINET

Minutes of the Cabinet meeting held in the Town Hall, Rhyl on Tuesday 27 June 2006 at 10.00 a.m.

PRESENT

Councillors S A Davies, Lead Member for Business & Communications; P A Dobb, Lead Member for Health & Wellbeing; E C Edwards, Lead Member for Communities; R W Hughes, Leader and Lead Member for Regeneration; M A German, Lead Member for Children and Young People; P J Marfleet, Lead Member for Finance and Personnel; D Owens, Lead Member for Lifelong Learning; J Thompson Hill, Lead Member for Property and Asset Management and E W Williams, Lead Member for Environment.

Observers: Councillors J R Bartley; R E Barton; M LI Davies; G C Evans; K N Hawkins; M M Jones, N P Roberts and C H Williams.

ALSO PRESENT

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

APOLOGIES

Councillor S Roberts, Lead Member for Promoting Denbighshire

ANNOUNCEMENT

Councillor D Owens said the Authority was continuing with the Young Enterprise in Cardiff. He had been appointed to the Board of Young Enterprise.

Councillor R W Hughes welcomed pupils from Blessed Edward Jones and Rhyl High Schools to the meeting.

1 URGENT MATTERS

There were no Urgent Matters.

2 MINUTES OF THE CABINET

The Minutes of the Cabinet meeting held on 23 May 2006 were submitted.

Accuracy: Presentation by Ysgol Dinas Bran Students: percentage of recycled material to be 80%, not 18%.

Working Together as the Welsh Public Service: Amendment 8th line to read "the joint North Wales Authorities and North Wales Police bid to the Home Office ...".

Matters Arising:

Item 13 Capital Plan: Councillor P J Marfleet informed Members that he would be referring to the four projects discussed at the last Cabinet meeting as part of the Capital Plan report, when presenting the current report.

***RESOLVED** that, subject to the above, the Minutes of the Cabinet meeting held on 23 May 2006 be approved as a correct record and signed by the Leader.*

3 GREEN LANE, PAVILION AND STATION CAR PARKS, CORWEN AND DENBIGH MULTI STOREY CAR PARK

Councillor E W Williams presented the report seeking Members' consideration of the report along with the reports to Environment Scrutiny on 26.01 and 15.06.2006 with a view to reaching agreement on which options to proceed with.

The Head of Transport and Infrastructure informed Members that the Option / Recommendation at 2d Denbigh should be numbered 3 and applied to both the Corwen and Denbigh options.

Councillor Williams detailed his attendance at the public meeting held by Corwen Community Council and said it was important that whenever possible, Members heeded what the public had to say. He said Corwen was different from other towns as it was not possible to have onstreet parking on the A5 and he suggested this made it a special case for free parking.

Councillor M A German referred to car parking charges and asked whether charges were imposed to manage traffic flow, generate income or help businesses. On a personal level, he felt neither Corwen or Denbigh should be treated as separate cases to other areas in the Authority.

Councillor S A Davies said he had attended the public meeting in Corwen on behalf of the Leader. The current report should have been considered by Cabinet first and not Scrutiny Committee, who had made several recommendations. He suggested Cabinet should convene a special meeting to discuss the issue in more depth and further information be provided. Councillor E C Edwards seconded the proposal.

Councillor E W Williams reminded Members that Council had recommended Cabinet consider parking generally and the Environment Directorate would face budget pressures. The Denbigh parking scenario was different from Corwen. He said the Authority had opted for a low Council Tax rather than a higher charge on the community and car parking charges were not hidden charges.

Councillor P J Marfleet said car parking charges was an emotive subject and local Members in both Corwen and Denbigh had extensive dialogue with their communities. The Authority should make decisions on all known facts and explain to residents the basis on which those decisions were made. He suggested that income generated from car parks in the south of the County

should be provided on a separate basis. Councillor Marfleet said also stressed that the final recommendation by Scrutiny Committee regarding the Denbigh car park charges was inappropriate, as it is not for any individual service to recommend passing on budget pressures to other services.

Councillor J Thompson Hill said although he had sympathy with both Corwen and Denbigh, the same case could be said for anywhere in the County. He felt it inappropriate at the current stage of the financial year to rescind the decision already taken. He proposed, seconded by Councillor P A Dobb that the charges be introduced as per the original proposal. He said very detailed information had been supplied to Members and a decision should be taken on that basis.

Councillor E C Edwards said it was important to make the right decision, one which was fair throughout the County. He said some Members had other diary commitments and would not be available to discuss the issue after the Full Council meeting on 29.06.2006. He suggested all political groups should have an opportunity to consider the issue again.

Councillor E W Williams, referring to Councillor S A Davies' suggestion that further information be provided, said Members had been given all available information and a decision should be taken.

Councillor N P Roberts, Local Member said he had discussed the issue in detail with businesses, residents and partnerships in Corwen and in their opinion, Corwen should be treated as a separate case.

Councillor C H Williams reminded Members that all the other major towns in the County had free parking for up to 45 minutes and pleaded with Members that Corwen be treated as a separate case, as many shops had closed, some because of car parking charges.

With regard to annual parking tickets, Councillor M LI Davies said these were issued for long stay car parks and not shoppers car parks where the new charges, in his opinion, were quite unreasonable.

Councillor P J Marfleet said he agreed with some of the sentiments expressed but Members should not assume that one shop in Corwen had closed because of the proposed car parking charges as there were many reasons why businesses ceased trading. Overall motoring costs increased on a regular basis and a small percentage of such costs were car parking charges.

Councillor N P Roberts said no mention had been made to Scrutiny Committee regarding the results of the parking consultation in the Dee Valley which stated it was imperative that Corwen had free car parking.

The Corporate Director: Environment reminded Members that much officer time had been invested in producing the information and he believed that all information had been made available. In response to Councillor D Owens' opposition to charging solely for fundraising for the Council, he said charging

was necessary to ensure a turnover of vehicle spaces as costs for car park provision was high. Scrutiny Committee had discussed the issue on two separate occasions and had dealt with charging inconsistencies across the County.

Turning to car parking charges in the multistorey car park in Denbigh, Councillor E W Williams commended Councillor G M Kensler for the detailed information she had provided to Members and suggested this should be taken on board when the car parking charges review took place. The future of Denbigh College could not be put in jeopardy because of car parking charges and he advocated a 6 months' trial of a ticket system for students.

Councillor J R Bartley emphasised the seriousness of charges on Denbigh, which could not be compared with coastal towns. He asked Members not to impose the charges until the review had been carried out as charges had risen by 123%. He also suggested charges be waived on Sundays in car parks near to churches and chapels. Councillor R W Hughes said if such a scheme were implemented on Sundays, this would need to be throughout the County.

The Head of Transport and Infrastructure said waiving charges on Sundays would have a serious impact on income for the Authority. He said it was possible to provide free spaces for users of the Health Centre in Corwen but such provision in the multistorey in Denbigh would be more difficult.

Officers were thanked for the enormous amount of work undertaken by Councillor R W Hughes on such complex issues. She said the review should be carried out as soon as possible to ensure officers received guidance.

On being put to the vote, proposals for the Corwen b option and to defer the matter were lost.

(Councillors P A Dobb, M A German, D Owens and J Thompson Hill requested that it be noted that they voted against this proposal.)

A further amendment to the Corwen a option was proposed, that no charges be introduced, pending the outcome of an overall review into car parking charges throughout the Authority to be completed later in the year. On being put to the vote, this was carried.

Councillor E W Williams, whilst saying it was not necessarily the best solution, proposed the Denbigh b option. Members supported the option.

RESOLVED that Cabinet agree

(1) For Corwen:

No charges be introduced, pending the outcome of an overall review into car parking charges throughout the Authority to be completed later in the year.

(2) For Denbigh:

Charges to be introduced for the multistorey car park; but that free parking only be introduced for students to the multistorey car park on a 6 months trial basis. The detail of how this is to be managed to be agreed between the College and the Council.

At this juncture (11.25 a.m.) the meeting adjourned for 10 minutes to allow Members to participate in refreshments.

4 JOINT PROCUREMENT OF WASTE DISPOSAL SERVICES IN CONJUNCTION WITH CONWY CBC AND FLINTSHIRE CC

Councillor E W Williams presented the report seeking Members agreement to enter into joint contractual arrangements, alongside Conwy and Flintshire Councils, for the treatment and disposal of the Council's residual waste from April 2010 onwards.

In expressing his support for the arrangements, Councillor P J Marfleet reminded Members that any Welsh Assembly Government financial support could not be taken for granted.

The Head of Environmental Services said Flintshire County Council would be the Lead Authority for the joint procurement as they had a suitable site for the service but all three Authorities would be equal status partners and pay the same gate fee.

Sophia Feliciello, Maxine Wareing and Thomas Stanway from Blessed Edward Jones High School referred to the perceived inefficiency of the blue box recycling schemes where large families fill boxes very quickly and any additional recyclable materials were not collected. Councillor E W Williams said contractors would collect recyclable waste left with the boxes. He urged anyone to contact the Authority if this was not happening and if larger boxes were required. The Authority was currently meeting its recycling targets but constantly looked at ways of improving the collection of waste. However, not all recycling was profit-making. The Head of Environmental Services confirmed that larger bins were available and urged everyone to consider not purchasing items in plastic packaging. The pupils were reminded that the Authority's County Voice, delivered to each household in Denbighshire, reinforced the recycling theme on a monthly basis. Councillor Williams said further blue boxes would be introduced in Rhyl and across the County over the next 18 months but different arrangements would be required for rural areas. In response to a query regarding sanctions for non use of blue boxes, the Head of Environmental Services said legal powers could only be taken when stability of service collection had been achieved

RESOLVED that Members agree to enter into a formal partnership with Conwy and Flintshire Councils in order to jointly procure waste treatment and/or waste disposal facilities from April 2010 onwards. Members further note the mandatory legal requirements that have been placed upon the Council in relation to the tonnages of waste that it can send to landfill, and to

recognise the need to address the financial consequences of these requirements in forthcoming budget rounds.

5 IMPROVEMENT PLAN STAGE ONE: THE WORK PROGRAMME

Councillor R Hughes presented the report seeking Members' agreement to the Denbighshire County Council Work Programme 2006-2009, which is the first stage of the Improvement Plan [attached at Appendix 1 to the report].

Anna Pennington, Joe Grice and Nathan Williams from Rhyl High School expressed their views on street furniture in towns. Councillor E W Williams said there were too many signs in some places and the Authority was also looking into the use of A Boards by businesses on high streets.

RESOLVED *that Members agree the Denbighshire County Council Work Programme 2006-2009, which is the first stage of the Improvement Plan [attached at Appendix 1 to the report].*

6 HOUSING REVENUE ACCOUNT BUDGET 2006 / 2007

Councillor P A Dobb presented the report for Members to note the latest financial forecast position of the Housing Revenue Account (HRA) (revenue and capital) for the current financial year, which showed a potential net surplus at the year end of £476k against a budgeted surplus of £336k. The £18k increase was due largely to revised assumptions based on a review of the budget completed in May. Balances from 2005-2006 had been finalised and the balance brought forward, subject to final approval, was £1,855k.

Councillor Dobb also informed Members that tenders were currently being evaluated for the next stage of improvements.

RESOLVED *that Cabinet note the latest financial forecast position [revenue and capital] of the Housing Revenue Account for the current financial year.*

7 FINAL REVENUE ACCOUNTS 2005-2006

Councillor P J Marfleet presented the report for Members to note the final revenue outturn position for 2005-2-06 for both service and corporate budgets and seek Members' recommendation to Council the treatment of reserves as detailed in the report.

Finance Officers in all Directorates and all staff were congratulated by Members on their hardwork on achieving an underspend against the budget.

Councillor Maarfleet mentioned the addition to general balances and reminded Members of the need to ensure balances were maintained at a reasonable level.

Councillor Marfleet referred to certain assumptions the Authority had to make regarding the yield from Council Tax as householders had a right to appeal

against the recent revaluation exercise and the deadline for appeals was not until October 2006. An assumption of successful appeals had been built into the Council Tax base used at budget setting time and also into the yield for the year. This led to a requirement to set aside a provision to fund future successful backdated appeals.

RESOLVED that Members note the final revenue outturn position for the year ended 21.03.2005 and recommend to Council the establishment of reserves and carrying forward of earmarked balances as detailed in paragraphs 4.2 and 4.7 of the report.

8 REVENUE BUDGET 2006-2007

Councillor P J Marfleet presented the report asking Members to note the budget performance figures for the 2006/2007 financial year as detailed in the appendices attached to the report and agree the budget adjustments shown in Appendix 2 to the report which had taken place since the budget was agreed.

Councillor Marfleet said the Authority was currently in a better financial position than at the same time the previous year. He then referred to the cross directorate budget adjustments which had not been included but balanced each other out.

The Deputy Chief Executive / Corporate Director: Resources said the Authority would receive a grant of £26k for the enforcement of smoking ban.

RESOLVED that Members note the budget performance figures for the current financial year as detailed in the appendix to the report and agree the budget adjustments shown in Appendix 2 to the report which had taken place since the budget was agreed.

9 CABINET FORWARD WORK PROGRAMME

Councillor S A Davies presented the Cabinet Forward Work Programme. Councillor R W Hughes said the Community Capital Project report would be presented by an officer, rather than the Leader's name.

RESOLVED that Cabinet note the Cabinet Forward Work Programme.

10 URGENT ITEMS

There were no Part I Urgent Items.

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 paragraph 20 of Part 4 of Schedule 12A of the Local Government Act 1972.

PART II

11 SCHOOL BUILDING IMPROVEMENT GRANT 2006/06 - 2009/10

Councillor D Owens presented the report to inform Members of the proposed redistribution of SBIG monies over the period 2006-07 to 2009-10.

Members discussed the issue in detail, including any possible risks associated with overspends should they occur.

Councillor P A Dobb again voiced her concerns regarding the possibility of putting works in other schools in jeopardy should the new build at Prestatyn go ahead and was particularly concerned regarding health and safety issues. She asked that full details of health and safety issues be provided for Members.

The Corporate Director: Lifelong Learning confirmed that the projects had been taken from the Schools' Asset Management Plans and that those listed were of the highest priority, in order. He shared Members' concerns regarding putting works in other schools in jeopardy.

Councillor E W Williams voiced concerns regarding the possibility of statutory items not being provided as a result of capital spending on non statutory items.

RESOLVED that Members note the proposed redistribution of School Building Improvement Grant funding for the period 2006-07 and 2009-10

13 REMEDIAL WORKS AT BRYN TYNER, CORWEN

(This item taken first)

Councillor J Thompson Hill presented the report seeking Members' agreement to an exemption to Contract Procedure Rules 10.1 as time limits required for tendering could not be met where the delay attributable to the tendering process would create or increase the threat of life or property. As part of the remedial action, access over adjoining property and acquisition as appropriate was required. He outlined the current situation in detail.

The Corporate Director: Environment said it was hoped that as much work as possible would be carried out during the summer.

Councillor N P Roberts suggested that the Welsh Assembly Government be asked to fund some of the remedial works. The Head of Development Services confirmed an initial enquiry had been made and the matter would be pursued.

RESOLVED that Cabinet agree an exemption from tendering in accordance with Contract Procedure Rules 10.1(b) and to acquire such property as is required to allow the work to proceed on terms to be agreed by the Head of Development Services and the County Clerk.

12 CAPITAL PLAN

Councillor P Marfleet presented the report for Members, outlining the current capital plan. In his introduction he made reference to additional expenditure which had to be incurred in the last month, which had caused him to reconsider whether the capital programme was totally deliverable in its current shape and form. He expressed concern that the Council's flexibility was limited and he therefore sought a re-examination of some of the major projects.

Councillor J Thompson Hill informed the non Asset Management Committee Members that the office accommodation proposal had been discussed at length by the Committee on 09.09.2006 and said a decision had to be taken.

Councillor P A Dobb expressed her concern regarding the analysis of office accommodation. Turning to the Summary at Appendix 4 to the report, she thought agreement had been reached to make a conscious effort to realise some capital receipts. If the Authority proceeded on current lines, a capital project would be jeopardised.

Councillor E W Williams said the Scala, Prestatyn was non statutory and would take a great deal of funding.

Councillor D Owens referred to Rhyl College and the extra funding sought for the development of a construction skills training facility. The Corporate Director: Lifelong Learning said a meeting was to be held with ELWa - DELLS on 28.06.2006 regarding the Learning Centres. In response to a query from Councillor Edwards, he confirmed that the projects have to be completed by the end of the summer 2008.

After further discussion, Members agreed:

RESOLVED that Members:

- [i] note the outturn position of the 2005/06 plan and approve the relevant statutory determinations as shown in Appendix 3 to the report
- [ii] note the position of the 2006/07 element of the Council's agreed Capital Plan
- [iii] recommend the inclusion of the Health and Safety works at Bryn Tyner as shown in paragraph 2.10 of the report
- [iv] defer the consideration of inclusion of the office accommodation move shown in paragraph 2.17 of the report until the Cabinet meeting on 29.06.2006
- [v] note the further request from Coleg Llandrillo in Appendix 5 for capital funding for the Construction Skills Centre at Rhyl College, but agree that, whilst supporting the project in principle, consider that financial support should be available from other sources.

The meeting concluded at 1.40 p.m.