

## **CABINET**

Minutes of the Cabinet meeting held in Conference Room 1, County Hall, Ruthin at 10.00 a.m. on Tuesday 20 February 2007.

## **PRESENT**

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

Observers: Councillors R E Barton, M LI Davies; G C Evans and C L Hughes.

## **ALSO PRESENT**

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

## **APOLOGIES**

Councillors E C Edwards, Lead Member for Communities, S Roberts, Lead Member for Promoting Denbighshire and E W Williams, Lead Member for Environment.

## **ANNOUNCEMENT**

Councillor G O Rowlands and Cabinet Members congratulated the Revenues Department for being the first in Wales to achieve the Charter Mark (the UK Government's national standard for excellence in customer service), and the first County Council in North Wales to gain the prestigious award following assessment of the Department's processes, and discussions with customers and partner organisations involved with the Revenues Team. It was firmly expected that the Benefits Department would very shortly also achieve their Charter Mark.

### **914 URGENT MATTERS**

Item 11 Car Parking Charges.

### **915 MINUTES OF THE CABINET**

The Minutes of the Cabinet meeting held on 30 January 2007 were submitted.

Item 4 Commissioning Strategy for Adults with Learning Disabilities – correction 3<sup>rd</sup> paragraph should read C-SAW Trust.

***RESOLVED** that, subject to the above, the Minutes of the Cabinet meeting held on 30 January 2007 be approved as a correct record and signed by the Leader.*

### **916 ASSET MANAGEMENT COMMITTEE MINUTES**

The Minutes of the Asset Management Committee held on 24 October 2006 were submitted.

Councillor P A Dobb, referring to Item 8 Henllan Day Centre, stressed the importance of informing and consulting with the relevant portfolio holders when feasibility studies and any relevant areas of work on were undertaken.

***RESOLVED** that, subject to the above, the Minutes of the Asset Management Committee meeting held on 24 October 2006 be approved as a correct record and signed by the Leader.*

## 917 DELEGATIONS: ASSET MANAGEMENT COMMITTEE

Councillor R W Hughes presented the report for Members to review the existing delegations to Asset Management Committee (Appendix 1) and to the Lead Members for Property and Asset Management and Finance (Appendix 2). Members were also asked to consider revised delegations to the Lead Member which incorporates most of the matters presently delegated to Asset Management Committee and the consequential revisions to the delegations to the Lead Member for Finance (Appendix 3).

Councillor R W Hughes, on behalf of another Member, said Area Elected Member Groups must be consulted regarding relevant issues and it was important that Local Members be informed of issues in their area.

Councillor J Thompson Hill, the Lead Member for Property and Asset Management said he had been consulted regarding the report which he supported and said there would be little difference in the increase in delegations to what is there currently.

In response to a query from Councillor M LI Davies [Observer], Councillor Hughes said most Members were not supportive of only 5 Councillors making decisions on the County's assets. She reminded Councillor Davies that all Members were entitled to all Committee papers and whenever possible Local Members were able to speak on relevant issues and consultation would have taken place with the Area Elected Members Groups. In regard to Delegated Decisions, the Chief Executive reminded Councillor Davies that following an operational difficulty, these were again being provided for Members and in regard to increased powers to Cabinet, the Lead Member would not necessarily be making any more decisions than at present. The Executive way of working was the result of a decision by Central Government.

### **RESOLVED** that Cabinet

- 4.1 reviewed the existing delegations to Asset Management Committee (Appendix 1) and to the Lead Member for Property and Asset Management and Finance (Appendix 2)
- 4.2 agree revised delegations to the Lead Member for Property and Asset Management and the Lead Member for Finance (Appendix 3).

## 918 MONITORING THE AUTHORITY'S KEY PERFORMANCE INDICATORS AND PROGRESS AGAINST THE KEY ACTIONS IN THE IMPROVEMENT PLAN

Councillor S A Davies presented the report for Members to consider the Corporate Quarterly Performance report:

Performance against the Authority's key performance indicators for the period October, November, December 2006 (Appendix 1)

Progress against the Authority's Corporate Objectives and key actions identified in the Improvement Plan (Appendix 2)

and that Cabinet consider any issue in greater depth as deemed necessary.

Members commented on some of the indicators:

Councillor M A German said improvements to targets were being and would continue to be made.

Councillor P A Dobb said Adult Services were generally performing well, and the percentage of clients receiving a service in the community receiving Direct Payments was back on track and the Authority was working with other Authorities regarding potential collaboration. Regarding the HLS/X/007a the reported figure was an estimate and was only very slightly over target which should cause no real concern whilst the total amount of rent arrears owed for temporary accommodation had moved to the same collection

system as other housing rent collections and should improve. She discussed the Houses in Multiple Occupation [HMO] and said some HMOs did not fit the criteria and would need to be reassessed. The Corporate Director: Environment agreed with Councillor Dobb that 54 not meeting criteria out of a possible 200 HMOs meant that the original target had been unrealistic.

The Corporate Director: Environment, on behalf of Councillor E W Williams, referring to recycling, said targets were being met. The percentage of highways and relevant land inspected for an acceptable standard of cleanliness had variable results, dependent on which streets had been selected for inspection. Further work was required on the indicator.

On behalf of Councillor E C Edwards, the Corporate Director: Environment said a 50% reduction in crime had been achieved over 3 years and was 15% ahead of targets. The Police had seen more recorded crime which was different from the amount of crime taking place. Although the figures were outside target, overall the performance would be at or above the requirement by 2008. Test purchases in licensed premises would continue to be monitored and the failures remained a concern to the Authority.

On behalf of Councillor S Roberts, the Corporate Director: Lifelong Learning said he was pleased with the returns for indoor sports whilst disappointed with the outdoor sports returns and suggested that the data collection was sometimes inaccurately captured. He said there was a need to know precisely what information was being measured.

Councillor D Owens said capital expenditure continued to be spent on school to bring the school building portfolio towards the 'fit for purpose' by 2010. Other targets were reported annually.

Councillor G O Rowlands said Council Tax collection and non domestic rates collection continued on target.

Councillor R W Hughes reported that the three year target had been met for the number of jobs created through the financial support programme.

Councillor S A Davies said the Authority continued to fail in meeting the targets for responding to letters, e-mails and phone calls within 10 days.

The Policy Unit would be meeting with Corporate Directors to discuss and progress the key actions. The Chief Executive said there was an opportunity for the key actions to become more outcome focussed and appropriate. He emphasised that targets should be realistic and carefully balanced with what was achievable.

**RESOLVED** that Cabinet agree to the proposed change to the Quarterly Performance Report (the inclusion of last year's performance against key performance indicators) and agree to pay particular attention to issues requiring further discussion and/or remedial action, particularly those indicators which are not on target.

## **919 JOINT PROCUREMENT ARRANGEMENTS FOR CATERING SUPPLIES**

The Corporate Director: Environment presented the report seeking Cabinet approval to enter into joint procurement arrangements, via the Scottish and Northern Universities Purchasing Initiative (SNUPI). He emphasised that Denbighshire would join as associate members, thereby ensuring limited liability for the Authority. It was important to capture purchase benefits and reduce overall costs for catering supplies.

In response to a query from Councillor S A Davies, the Corporate Director: Environment said the arrangements were for the supply of tinned or frozen produce and Welsh produce would continue to be sourced whenever possible.

Councillor P A Dobb queried the income streams and whether the organisation would become a limited company. The Corporate Director: Environment said the income stream was the increase in school

meals take-up, and confirmed that to participate Denbighshire had to become a member of the consortium but the Authority's liability was limited to £1.00. He agreed to provide Councillor Dobb with information on volumes.

The Financial Controller confirmed that the Authority would be able to participate with the consortium on a contract by contract basis as the Council was not tied to the consortium.

**RESOLVED** that approval is given to seek Associate Membership of, and for the use of SNUPI for the procurement of foodstuffs. Decisions relating to when specific SNUPI contracts are to be utilised should be delegated to the Chief Executive who may delegate further to other officers including (both) the Head of Environmental Services and the Strategic Procurement Manager. Available contracts should be entered onto the corporate list of contracts, i.e. for use by other departments of the Council.

## **920 HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL PLAN REPORT 2006-2007**

Councillor P A Dobb presented the report for Members to note the financial forecast position (revenue and capital) of the Housing Revenue Account for the current financial year, as at the end of December 2006. The outturn projection at the end of January 2007 showed a net surplus at the year end of £772k against a budgeted surplus of £333k. This was a reduction of £72k in the projected surplus at the end of December.

Right to Buy sales were still slow which meant more stock attracting negative subsidy but offset by more rent income than planned, hence the £224k positive variance on rent income. The Business Plan remained viable and had been updated for 2007-2008 and would be reviewed by an external specialist to ensure the forecasts made about its long term affordability were reasonable and then would be sent for a due diligence report.

Councillor R W Hughes confirmed a letter had been sent to the First Minister regarding clarification of the Right to Buy Scheme. She agreed to contact the PR Department regarding the mis-information in the previous Sunday's Politics Show to inform them that Denbighshire had retained the Council housing stock.

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

## **921 REVENUE BUDGET AND SUMMARY CAPITAL PLAN 2006-2007**

Councillor G O Rowlands presented the report for Members to note the latest revenue budget performance figures for 2006-2007 and the summary capital plan performance for 2006-2007, all as detailed in the appendices to the report. He stressed the importance of Single Status on budgets.

**RESOLVED** that Members note the revenue budget performance figures for 2006-2007 and the summary capital plan performance figures for 2006-2007, all as detailed in the appendices to the report.

## **922 ROUTINE REPORTING ON PERSONNEL**

Councillor S A Davies presented the latest report on staff headcount. Reports for the data included in the report could not be run until payroll had been closed and cross checks undertaken to ensure all the data had been captured. The reports were normally ready by approximately the 16<sup>th</sup> of every month and therefore there were difficulties in getting the reports to Cabinet within the timescale stated. Members agreed to submit the report a month in arrears.

Councillor J Thompson Hill asked when the agency figures would be included as part of the report. The Deputy Chief Executive / Corporate Director: Resources said work on agency figures was being reported to Resources Scrutiny and the HR Department would provide the information to Cabinet as soon as possible, bearing in mind their heavy workload with Single Status.

Referring to the 6 staff who had left the Authority's employ without giving reasons, Councillor M A German said the notice period should usually give enough time for a manager to find out the reasons for a resignation.

Councillor P A Dobb discussed Adult Social Services and Cefndy sickness levels, and said although high, the County's level was lower than the national average.

**RESOLVED** that Cabinet note the information in the report and agree future reports be submitted a month in arrears.

## 923 CABINET FORWARD WORK PROGRAMME

Councillor S A Davies presented the Cabinet Forward Work Programme.

Members agreed to discuss provision and circulation of reports for information only at the Informal Cabinet meeting.

**RESOLVED** that Cabinet note the Cabinet Forward Work Programme.

## 924 URGENT ITEMS:

### CAR PARKING CHARGES

The Chief Executive presented the report seeking Members' final decision on car parking charges in 2007-08, in line with the Cabinet's decision of 19 December 2006. He referred Members to para 2.2, the information to hand on charges in other Authorities and to para 2.4, the way forward for different towns having different charges levelled.

Councillor J Thompson Hill supported the report, apart from paragraphs 2.1(b) and 2.1(d) and said he could not support different rates in different towns.

Councillor P A Dobb said the public in the east of the County often looked towards Flintshire when making comparisons and said it was important to encourage all the small market towns to flourish.

Following discussion, Members agreed to amend para 2.1(ff) to read "officers consider ways of publicising parking permits for long stay car parks" and amend the last item of para 2.4 to read "our market towns and villages will look and 'feel' different to other areas".

In response to a request from Councillor C L Hughes [Observer] regarding the poor state of some of the car park signage, the Corporate Director: Environment confirmed there was a programme of replacement signage provision, subject to budget levels. It was not possible to replace all signage at any one time.

**RESOLVED** that Cabinet, incorporating the above amendments, confirms its decisions on car parking charges for 2007-08 as set out in paragraph 2.1; and that it confirms the reasons for setting lower charges in Rhuddlan, St Asaph, Denbigh, Ruthin and Corwen as set out in paragraph 2.4.

[Councillor J Thompson Hill voted against paragraphs 2.1 (b) and 2.1 (d)].

## 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 20, 21 and 22 of Part 4 of Schedule 12A of the Local Government Act 1972.

## PART II

## 925 CAPITAL PLAN

Councillor G O Rowlands presented the report for Members to note the latest position on the 2006-2007 element of the Capital Plan.

The Corporate Director: Lifelong Learning, referring to Project Alpha, said he was unhappy with the current timescale and hoped the land purchase would be completed as soon as possible otherwise it could lead to the WAG finance having to be re-profiled. The Valuation and Property Manager said external solicitors were in the process of dealing with the land purchase and it was hoped to complete before the financial year end.

Councillor S A Davies expressed his unhappiness at the length of time being taken to purchase the land. The Chief Executive said the matter had been extremely complex which had necessarily led to some time being taken to resolve issues, and there was no criticism of officers. Councillor J Thompson Hill agreed with the Chief Executive and said a phenomenal amount of work had been carried out, the vendor was continuing to work with the County and he also could not support any criticism of officers.

With regard to the Community Learning Centres, the Corporate Director: Lifelong Learning referred to a video conference taking place with the Lead Member, Leader and Minister to discuss the revenue element of the original bid. Until this agreement was secured the project remained a high risk. He confirmed that WEFO would provide match funding.

Councillor M A German asked that the PR department be asked to provide a press release, with Prestatyn Town Council, regarding the Scala. Councillor R W Hughes agreed to follow this up.

Work was progressing on the CCTV Control Room, Rhyl and the project was due for completion at the end of February 2007.

Office Accommodation at Brighton Road – it was agreed to replace “fully occupied” on the last line with “partially occupied”.

The Corporate Strategy Group had met twice and discussed 48 bids. The Deputy Chief Executive / Corporate Director: Resources, in response to a query on how Members get projects included in the Capital Plan, said a project mandate form was available for completion. He confirmed the Capital Strategy Group would ensure Member participation at the relevant stages. He also agreed to provide a further simple form which Members could use as a start to the process. The Chief Executive agreed that every Member could complete a form in support of a project but reminded Members that when scored and costed, the project would not necessarily be workable. Members agreed it was important not to have a long wish list of unrealistic projects.

Councillor R W Hughes raised the issue of the possible provision of a golf course in Rhyl and asked whether this would be fully funded by the Ryder Cup Legacy Fund and what the revenue implications would be for the Authority. The Head of Countryside and Leisure said this was part of the bid made to the Ryder Cup Legacy Fund some time ago. It had provisionally been approved by the Ryder Cup Committee with a £400k offer of grant towards the capital cost of the scheme. Further work was currently underway to examine any implications arising from the location being a former landfill site. The full cost of the scheme cannot be quantified until this work was completed, and it is at that stage that it was proposed to submit the project to the newly formed Capital Strategy Group. An outline business plan had been drawn up which was currently being updated, but this would be available for consideration by the Capital Strategy Group when they reviewed the project.

The Chief Executive reminded Members that any project would have to be considered and agreed by the Capital Strategy Group prior to its inclusion in the Capital Plan. The Deputy Chief Executive / Corporate Director: Resources agreed and said as this would have revenue implications, it would need to be included in the Capital Plan.

**RESOLVED** that Members note the latest position on the 2006-2007 element of the Capital Plan.

At this juncture (11.40 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

#### **926 QUAY STREET CAR PARK DISPOSAL**

Councillor J Thompson Hill presented the report seeking consent for the sale of the Council's freehold interest in land known as Quay Street Car Park, Rhyl by way of an Option exercisable by the purchaser, within a 2 year period from the date of signing the Option agreement. He detailed the potential element of clawback rights and the purchase options.

Councillor D A J Thomas had been consulted and was in support of the sale, as the figure negotiated included the clawback payment.

**RESOLVED** that Cabinet approve the sale of the Quay Street Car Park, Rhyl to the purchaser named in the report, by way of an Option and on the basis of the terms and conditions outlined in the report.

#### **927 ABER FARM: TO DECLARE SURPLUS FOR DISPOSAL**

[Councillor G O Rowlands declared an interest in this item and left the room.]

Councillor J Thompson Hill presented the report for Members to

- (1) declare Aber Farmhouse, buildings and land amounting to 0.639 Hectares (1.58 Acres) as being surplus to the requirements of the Agricultural Estate as shown edged Black and marked 'A' on the plan at Appendix 2 to the report
- (2) agree to 0.58 Hectares (1.45 Acres) being added to the tenancy of Bryn Gwyn Farm as shown at Appendix 3 to the report in order to provide for bio diversity on the unit
- (3) agree to 0.073 ha (0.18 acres) marked 'B' on Appendix 2 to the report from Bryn Gwyn being declared surplus and sold as part of Aber Farm
- (4) agree to an amount of the gross Capital receipt being reinvested back into the Agricultural Estate.

Members agreed with Councillor Thompson Hill's request to remove the retention of the capital receipt at (4) from the report but to include paragraph 1.1.3 as part of the Resolution at paragraph 9.1. A detailed report on the Agricultural Estate Review would be presented to Cabinet in the near future.

**RESOLVED** that Members agree to the disposal of Aber Farmhouse, buildings and land amounting to 0.73 Hectares (1.80 Acres) as being surplus to the requirements of the Agricultural Estate as shown edged black on the plan attached to the report (appendix 2); agree to 0.58 Hectares (1.45 Acres) being added to the tenancy of Bryn Gwyn Farm (appendix 3 attached to the report) along with 0.073 ha (0.18 acres) marked 'B' on Appendix 2 to the report from Bryn Gwyn being declared surplus and sold as part of Aber Farm.

#### **928 FFRITH BEACH, PRESTATYN – PROPOSED GRANT OF A LEASE**

Councillor J Thompson Hill presented the report seeking Members' approval to granting a lease on the Ffrith Beach, Victoria Road West, Prestatyn to the preferred bidder as identified by the Asset Management Committee on 24.10.2006 and as identified in the report.

The Chief Executive asked that the bye law implementation and car park order issues be resolved and agreed as soon as possible.

In response to Councillor P A Dobb's queries, Councillor Thompson Hill said although the preferred bidder company was newly formed, the owners had worked together on other projects and the Authority had taken all reasonable precautions to ensure the success of the project.

Members discussed the issue of car parking and access to the dunes in detail, along with possible sub-leasing / franchising and dilapidations. It was confirmed that maintenance vehicles which needed to access the dunes would still be able to do so whilst some community areas and right to roam areas had been identified.

Councillor Thompson Hill thanked the Valuation and Property Manager and his team for all their hard work, not only with the Ffrith but also on all matters concerning property and asset management within the County.

***RESOLVED*** that Cabinet approve the grant of a lease on the Ffrith Beach, Victoria Road West, Prestatyn to the preferred bidder as identified by the Asset Management Committee on 24.10.2006 and as identified in the report.

The meeting concluded at 12.40 p.m.

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