

## **CABINET**

Minutes of the Cabinet meeting held in Conference Room 1, County Hall, Ruthin at 10.00 a.m. on Tuesday 27 March 2007.

### **PRESENT**

Councillors S A Davies, Lead Member for Policy, Communications and Improvement; P A Dobb, Lead Member for Health, Social Care & Wellbeing; E C Edwards, Lead Member for Customer Care and Citizen Engagement, R W Hughes, Leader and Lead Member for Economic Prosperity & European Programmes; D Owens, Lead Member for Schools and Lifelong Learning; G O Rowlands, Lead Member for Finance and Procurement; S Roberts, Lead Member for Tourism, Culture and Heritage and J Thompson Hill, Lead Member for Property and Sustainable Development.

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

### **ALSO PRESENT**

Chief Executive; Deputy Chief Executive / Corporate Director: Resources and the Senior Solicitor.

### **APOLOGIES**

Councillor M A German, Lead Member for Children, Young People and Families, E W Williams, Lead Member for Environment; County Clerk and the Financial Controller.

### **ANNOUNCEMENT**

Cabinet Members sent their best wishes for a speedy recovery to Councillor M A German, following his recent illness.

Councillor P A Dobb welcomed Neil Ayling, Head of Adult Services and Sian Bennett, Health Policy Officer to Cabinet, in recognition of their being awarded the Excellence Wales status and commended for their work on behalf of the Authority for its health improvement strategy. She presented them with the Award for their team. Councillor Dobb said schools had been visited, community events attended and corporate improvements made regarding health promotion, along with the introduction of the Health Challenge Denbighshire website. The Head of Adult Services thanked Councillor Dobb and said the team was delighted to receive the award following the hard work on health promotion which had been led by herself, Cabinet and colleagues.

Councillor Dobb updated Members regarding the Houseproud Scheme, a Welsh Assembly Government initiative, which allocated loans to older people who would otherwise not be able to pay for housing improvements such as double glazing or heating. The scheme continued to be a success in Denbighshire.

Councillor G O Rowlands and Cabinet Members congratulated the Benefits Department in achieving their Charter Mark (the UK Government's national standard for excellence in customer service), with the assessors declaring the service so good that there were no recommendations for improvement.

Councillor R W Hughes welcomed S Cordiner, Senior Solicitor to Cabinet and went on to welcome 4 pupils from Ysgol Brynhyfryd, Ruthin who were members of the School Council and would be asking two questions to Cabinet.

### **1120 URGENT MATTERS**

There were no Urgent matters.

### **1121 MINUTES OF THE CABINET**

The Minutes of the Cabinet meeting held on 20 February 2007 were submitted.

**RESOLVED** that the Minutes of the Cabinet meeting held on 20 February 2007 be approved as a correct record and signed by the Leader.

## 1122 WORKING TOGETHER AS THE WELSH PUBLIC SERVICE

Councillor R W Hughes presented the report for Members to consider the progress the Authority was making to meet the collaboration strand of the 'Making the Connections' agenda and request further information and/or action where required. Members were asked to note the minutes of the third Regional Partnership Board meeting held on the 6 October 2006 (Appendix 1 refers) and the fourth Regional Partnership Board meeting held on the 21 December 2006 (Appendix 2 refers). Members were also asked to note the current position of the Year 1 projects and consider how Members might best engage in discussions in relation to the potential projects for Year 2 which had been identified by the Board.

Progress made with other North Wales Authorities was outlined by Councillor Hughes, including the initial funding provided by the Welsh Assembly Government for the Potential Year 2 Projects. She emphasised the importance of progressing projects in a regional context and then relating them back within Denbighshire. It was important to ensure that both officers and Members were engaged in the process.

The Chief Executive informed Members that the parking penalty process was due to start the following week and it had been arranged with Post Offices that payment penalties could be made at Post Offices as part of partnership working. The Deputy Chief Executive / Corporate Director: Resources would be attending Regional Partnership Board meetings to represent the views of the Finance Directors in North Wales.

Councillor P A Dobb was pleased to see the Potential Year 2 Projects included review of learning disability services and a joint project with the NHS North Wales Planning Forum.

Councillor G O Rowlands highlighted the Financial Controller Statement and emphasised the need to ensure that collaboration would only happen as long as the Authority was efficient.

The Corporate Director: Social Services and Housing stressed the importance of ensuring senior staff commitment and energy in the selection of projects to be developed. The Head of Strategic Policy Unit informed Members that each Scrutiny Committee would be visited and each Cabinet Member consulted.

**RESOLVED** that Members note the progress the Authority is making to meet the collaboration strand of the 'Making the Connections' agenda and note the minutes of the Regional Partnership Board meetings on 06.10.2006 and 21.12.2006. Members considered how they might best engage in discussions in relation to potential Year 2 projects.

## 1123 RHYL TOWN CENTRE REDEVELOPMENT

Councillor R W Hughes presented the report for Members to receive the 'Rhyl Town Centre Retail Redevelopment Scheme' study undertaken by King Sturge, commissioned by the Welsh Development Agency (now Welsh Assembly Government, Department of Enterprise, Innovation & Networks (DEIN)) and supported by Denbighshire County Council. Members were also asked to approve the principles outlined in the King Sturge masterplan in order to progress the town centre retail redevelopment as outlined in the report and note that should the eventual preferred developer not be able to acquire the necessary properties through negotiation, the use of a Compulsory Purchase Order may be required.

Councillor S Roberts congratulated the Corporate Director: Environment and staff on their hard work in producing the report. She informed Members that the Corporate Director had had a vision for Rhyl since he had become the Director responsible for the Rhyl geographical area and much of the progress in the town had stemmed from this.

Jack Crompton, Head Boy who was currently studying Rhyl as part of his Geography Course asked what was the Council doing to ensure the quality of shops in the town improve particularly as the number of charity / pound shops appeared to be increasing? The Corporate Director: Environment said the quality of shops in any town was due to the retailers themselves. It was important to have

space for large units made available. The Welsh Assembly Government DEIN wanted to bring the development of the Queen's Market area forward. There was a growing sense of confidence and optimism in the town and it was hoped this would continue to be developed over the next 2-3 years. The Authority surveyed all town centres each Autumn and the number of empty shops in Rhyl had decreased whilst the number of charity shops had not increased. He emphasised that crime levels were virtually the same as some other large towns in North Wales and were certainly no worse.

Ffion Lloyd, Head Girl said Ysgol Brynhyfryd had concerns in respect of many children crossing the road at TESCO, Ruthin and a letter had been sent to the Highways Department asking for the situation to be monitored. Was this taking place and would a crossing alleviate the situation? The Corporate Director: Environment said the nature of traffic had changed in Ruthin since the new supermarket had opened and vehicle movement in all directions at the Bric roundabout was being undertaken which would help assess the need for a crossing. However, the Council was responsible for some roads whilst the Welsh Assembly were responsible for others. He felt that similar pedestrian crossing systems should be used if required. However, should a crossing be required this would need to be funded jointly.

Councillor R W Hughes thanked the pupils for their questions and attendance.

**RESOLVED** that Members receive and support the Rhyl Town Centre Retail Redevelopment Study proposals and note the scheme will then progress to the appointment of a preferred private sector development partner working closely with WAG DEIN and further note that the use of a CPO may be required to fully assemble the necessary site and that further reports will be brought before Cabinet prior to any formal CPO instigation.

## 1124 DELEGATIONS

The Chief Executive presented the report seeking Members' agreement to add to the existing list of delegations to the Chief Executive at Section 3, Part 9.1 of the Constitution as follows:-

- 3.35 To authorise persons who are not officers of the authority to act in matters in respect of which such authorisation is an executive function.
- 3.36 To exercise the authority's functions under Chapter 1 Violent Crime Reduction Act 2006 (Drinking Banning Orders) and Section 15 (Power to impose charges on licence holders etc in zones).

And to amend the existing delegations to the Lead Member for Customer Care and Citizen Engagement by inserting "(a)" before the existing delegation and to add the following:-

"(b) To designate localities as alcohol disorder zones under Chapter 2 Violent Crime Reduction Act 2006"

The Chief Executive thanked the County Clerk for his work in drafting the report.

**RESOLVED** that Cabinet agree to add to the existing list of delegation to the Chief Executive at Section 3, Part 9.1 of the Constitution as follows:-

- 3.35 To authorise persons who are not officers of the authority to act in matters in respect of which such authorisation is an executive function.
- 3.36 To exercise the authority's functions under Chapter 1 Violent Crime Reduction Act 2006 (Drinking Banning Orders) and Section 15 (Power to impose charges on licence holders etc in zones).

To amend the existing delegations to the Lead Member for Customer Care and Citizen Engagement by inserting "(a)" before the existing delegation and to add the following:-

"(b) To designate localities as alcohol disorder zones under Chapter 2 Violent Crime Reduction Act 2006"

## **1125 HOUSING REVENUE ACCOUNT BUDGET & CAPITAL PLAN REPORT 2006-2007**

Councillor P A Dobb explained the role of HRA in relation to the Council's housing stock to the pupils. She 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 February 2007. The outturn projection at the end of February 2007 showed a net surplus at the year end of £759k against a budgeted surplus of £333k. This was a reduction of £12k in the projected surplus at the end of January.

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. This year had seen 18 Right to Buy sales and the housing stock was at 3485. The forecast 20 sales should be achieved by month end. The updated Business Plan remained financially viable and had improved from the previous year. The Welsh Quality Standard had to be completed by 2012.

In response to a query from Councillor S A Davies regarding some of the Authority's garages being rented to people not living in Denbighshire who were running businesses from the garages, Councillor Dobb confirmed that this would be part of the consideration of the garage review. The Corporate Director: Social Services and Housing agreed to pass on Members' concerns regarding use of some garages.

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

## **1126 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.

The Corporate Director: Lifelong Learning confirmed there were no implications on the schools' delegated budget on Post 16 funding at the current time.

***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.*

## **1127 ROUTINE REPORTING ON PERSONNEL**

Councillor S A Davies presented the latest report on staff headcount. He said the average number of days lost through illness was decreasing.

The Deputy Chief Executive / Corporate Director: Resources confirmed that the figures did not include agency staff costs. It was hoped that a more manageable report be provided in future, following further discussions on staffing figures. He went on to clarify the difference between Full Time Equivalent and staff numbers and in response to a question said if theatre casual staff salaries were paid by the Authority, these personnel would be included in the figures. The Chief Executive reminded Members that some employees - for example cleaners or school crossing patrols - had more than one job with the Authority. It was confirmed that Members were not employees and would therefore not be included in the report.

***RESOLVED** that Cabinet note the information in the report.*

## **1128 CABINET FORWARD WORK PROGRAMME**

Councillor S A Davies presented the Cabinet Forward Work Programme.

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

## 1129 URGENT ITEMS:

There were no 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 paragraphs 20, 21 and 22 of Part 4 of Schedule 12A of the Local Government Act 1972.

## PART II

### 1130 AGRICULTURAL ESTATE

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

Councillor J Thompson Hill presented the report seeking Members' agreement to

- 1.1 the preferred option for the Agricultural policies and operations to continue with the Agricultural Estate but make changes to policies and operations.
- 1.2 that the farm configurations contained in Appendix B form the future Denbighshire Agricultural Estate.
- 1.3 that the capital receipts generated by the Estate be used firstly for the essential maintenance of the Estate and for the next four financial years or until the essential maintenance work was completed, a maximum sum of 1/3 of the capital receipts annually generated by the Estate be provided for that purpose. Thereafter the maximum capital retention should drop to 10% with a report in all years going to the Capital Prioritisation Group. A table showing the likely impact of capital receipts over the next 10 years and capital expenditure programme was attached as Appendix A.
- 1.4 That the Estate be kept at roughly its present level and that its role in generating future capital receipts be taken forward through the development of a purchase reserve and acquisition policy.
- 1.5 That as a policy, subject to availability, starter farm tenants should have priority consideration for larger farms.
- 1.6 That a Members' Group be established
  - (a) to ensure the strategy is implemented
  - (b) to ensure the revenue requirements of the Estate

Councillor Thompson Hill outlined the Review Working Group's ideas and their work and detailed the information in the appendices to the report.

He sought Members' agreement to amend recommendation 9.3 so that the maximum capital retention should be reviewed after 4 (four) years.

The Chief Executive reminded Members that some health and safety issues had to be addressed and the work brought in as part of the Capital Prioritisation process. He suggested Members consider establishing a block for annual expenditure on the agricultural estate rather than a percentage of any estate sales.

Councillor S Roberts congratulated the Head of Development Services and the Valuation and Property Manager on their work in producing an excellent report with the Group. Councillor S A Davies agreed and supported the amendment by Councillor Thompson Hill. Councillor R W Hughes said the Members' Review Working Group had been successful and they had brought knowledge and experience to the Group. Councillor R E Barton (Observer) also congratulated officers and the consultants saying the work carried out was exceptional, he endorsed the report and agreed with the Leader's sentiments.

The Head of Development Services agreed to contact Councillor C H Williams (Observer) regarding a query on the Corwen Estate.

The Chief Executive reminded Cabinet that, apart from the Housing and Tenants' Group and the Cefndy Board, Members' Working Groups were Task and Finish Groups and should not lead to a permanent Members' Group making decisions. The cost of supporting such groups was high and the Authority had an Executive which was the decision making body. He suggested Members could form a Task and Finish Group to consider the revenue implications if required. The Head of Development Services agreed a further report on the revenue implications could be required. Councillor R W Hughes felt the Members' Working Group had assisted the Lead Member and Cabinet on the way forward for the Agricultural Estate and had operated as an advisory group for a very specialised area.

Following further discussion, Members agreed that a Members' Group be established to provide the Lead Member for Property and Sustainable Development with guidance as required.

**RESOLVED** that Members agree:

- 1 **Preferred Option** - That the preferred option for the Agricultural policies and operations was to continue with the Agricultural Estate but make changes to policies and operations.
- 2 That the farm configurations contained in Appendix B to the report form the future Denbighshire Agricultural Estate.
- 3 That the capital receipts generated by the Estate be used firstly for the essential maintenance of the Estate and for the next four financial years or until the essential maintenance work is completed, a maximum sum of 1/3 of the capital receipts annually generated by the Estate be provided for that purpose. After 4 (four) years the maximum capital retention should be reviewed with a report in all years going to the Capital Prioritisation Group. A table showing the likely impact of capital receipts over the next 10 years and capital expenditure programme is attached as Appendix A to the report.
- 4 That the Estate be kept at roughly its present level and that its role in generating future capital receipts be taken forward through the development of a purchase reserve and acquisition policy.
- 5 That as a policy, subject to availability, starter farm tenants should have priority consideration for larger farms.
- 6 That a Members' Group be established to provide the Lead Member for Property and Sustainable Development with guidance as required.

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

## **1131 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.

Councillor Rowlands informed Members that the Ruthin Craft Centre had received the necessary planning permissions and that the land for the new Prestatyn primary school had been purchased.

Councillor E C Edwards advised Members that all building and associated works at the CCTV Control Room had been completed. Councillor Edwards emphasised the strong partnership between the North Wales Police and Denbighshire and said both he and the Chief Executive and Chief Constable had put in a lot of time to bring in the scheme on budget and on time. He emphasised the need for Members' support to a Vale of Clwyd scheme which would complete the operation. Councillor G O Rowlands said this would be considered as part of the Capital Plan and further details on the revenue implications had been requested and congratulated Councillor Edwards on his hard work.

Councillor J Thompson Hill referred to Bryn Tyner, Corwen and said further funding was likely to be required. The Head of Development Services confirmed that an engineer's report would be prepared at the start of the new financial year.

Councillor G O Rowlands referred to the storm damage at the Botanical Gardens, Rhyl and the Riverside Park, Llangollen which was not covered by insurance. The necessary health and safety works would be funded via the capital contingency budget.

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

**1132 CAPITAL PLAN 2007-2008 AND THE RECOMMENDATIONS OF THE CAPITAL STRATEGY GROUP**

Councillor G O Rowlands and Councillor J Thompson Hill presented the report for Members to note the recommendations of the Capital Strategy Group for projects to be included in the 2007/08 Capital Plan, details of the 2007/08 Capital Plan and outlined new procedures for how Members may progress capital projects. Cabinet Members were asked to recommend all three aspects for Council approval.

Councillor Rowlands thanked the team for their work in evaluating 50 bids amounting to over £17m. He emphasised the need to ensure that any monies allocated in the next financial year was used during that year.

Councillor S Roberts discussed the funding requirements for the refurbishment of the Riverside Park, Llangollen and it was agreed that further clarity was needed. The need for a feasibility study for a separate access at Rhyl Pavilion was discussed. The Clwyd Leisure Ltd study would not be providing detailed architectural design, only feasibility work. However, Members agreed to await the outcome of the consultant's report for Clwyd Leisure Ltd.

Councillor P A Dobb outlined a case for the purchase of a building to replace the current building used to provide mental health day care facilities. The business case for the purchase was, however, still incomplete.

The Corporate Director: Lifelong Learning reminded Members and CET that a capital prioritisation process was in place and the projects in the plan had been scored. He said some projects within his Directorate had achieved high scores and by asking for a new project to take precedence, this could displace some Lifelong Learning projects. He appreciated the importance of the request, but emphasised the need to use the project management methodology and put the highly scored projects first.

Councillor R W Hughes, whilst supporting the prioritisation process said there would be occasions where mitigating circumstances would mean the process could not be adhered to, although the scoring system was a strong guide.

The Corporate Director: Lifelong Learning reiterated the principle of the capital prioritisation methodology and said a new project should not override other agreed projects. Capital receipts being used for specific projects must apply to all projects, if used.

The Chief Executive informed Members that if the proposal was workable, a decision would need to be taken by Council at their April meeting.

Councillor S A Davies said Members were being asked to make a decision without enough information about the proposed building purchase being available. He agreed that if the building purchase took place this would impact on the capital plan and another scheme could fail as a result.

Councillor P A Dobb appreciated Members' sentiments regarding the projects currently on the prioritisation list but said the purchase would eventually lead to another property becoming available for disposal.

Councillor G O Rowlands agreed with Councillor R W Hughes' statement about the integrity of the process whilst at the same time ensuring that new projects could be considered. The Chief Executive confirmed that if there was a financial implication to the project this would affect other projects in the Plan and Members would then need to decide which other project(s) would not proceed.

Councillor E C Edwards, whilst reiterating the need to keep the Members' Community Fund in place, said he was not against Councillor Dobb's proposal but at the same time referred to the much needed Vale of Clwyd CCTV and the funding required for the Cae Ddol Lake as it was possible these projects

could be demoted lower on the list of projects if this building purchase was pursued. Referring to the Rhyl Pavilion Theatre separate entrance, he queried why it was necessary to employ external consultants to carry out any study.

Following discussion, Members agreed a further meeting of the Capital Strategy Group be convened to discuss and score the project which would then be followed by a Cabinet meeting to make a decision on whether the project should go ahead. The Deputy Chief Executive / Corporate Director: Resources said the issue of funding for Bryn Tyner, Corwen would also be included.

Councillor R W Hughes stressed the importance of the Capital Strategy Group scoring projects and following the methodology and that Members be given as much detailed information as possible before being asked to make decisions. She suggested the Community Capital Fund financial position be considered in 6 months' time to review resources available.

**RESOLVED** that Cabinet note the report and defer the recommendations until further information becomes available, with a further Cabinet meeting to be convened in April.

### 1133 BLESSED EDWARD JONES HIGH SCHOOL, RHYL

The Corporate Director: Lifelong Learning provided Members with a verbal update regarding Blessed Edward Jones Catholic High School, Rhyl. Estyn had recently completed an inspection and would arrange for one inspection to be carried out for the next three terms. The action plan had been scrutinised and many positive issues and the use of best practice would be focused on. A further report would be provided to the April 2007 Cabinet meeting.

**RESOLVED** that Members note the report.

### ANNOUNCEMENT

Councillor R W Hughes announced the Councillors who had been appointed as champions and said she had discussed the formation of champions with both the Wales Audit Office and the Welsh Local Government Association (WLGA). The WLGA had expressed their support for the experiment which had been trialled by other Authorities. She said all Members had been able to apply and those who had either genuine interest or specialist experience in a topic had been selected for the role of Champion. The Champions are:

Cllr Raymond Bartley	Disabilities
Cllr James Davies	Business
Cllr Stuart Davies	Communications and Equal Opportunities
Cllr Pauline A Dobb	Older People and Health
Cllr Hugh Evans	Rural Affairs
Cllr Mike German	Young People
Cllr Diana Hannam	Homelessness
Cllr Colin Hughes	E-Government
Cllr Morfudd Jones	Education
Cllr Sue Roberts	Biodiversity
Cllr John Smith	Safer Communities and Community Fire Safety
Cllr Cefyn Williams	Welsh Language

The meeting concluded at 1.15 p.m.

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