

CABINET

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 20th March 2012 at 10.00 am.

PRESENT

Councillors Pauline Dobb, Hugh Evans (Chair), Morfudd Jones, Paul Marfleet, David Thomas, Julian Thompson-Hill and Eryl Williams

Observers: Councillors W.L. Cowie, M.L. Davies, G.C. Evans, R.L. Feeley and H.L. Jones

ALSO PRESENT

Chief Executive Officer (MM), Corporate Director: Business Transformation and Regeneration (BJ), Corporate Director: Demographics, Well-being and Planning (SE), Corporate Director: Communities and Learning (HW), Head of Legal and Democratic Services (GW), Head of Finance and Assets (PM), Head of Highways and Infrastructure (SD), Head of Environmental Services (SP), Strategic Regeneration Manager (MD), Principal Regeneration and Investment Strategy Officer (EW), Corporate Improvement Manager (TW), Property Manager (DC), Democratic Services Officer (RH) and Committee Administrator (SW).

1 APOLOGIES

Councillor S. Frobisher

2 DECLARATION OF INTERESTS

No declaration of personal or prejudicial interest had been raised.

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 21st February 2012 were submitted.

Item 9 - St Asaph Town Plan

Page 5 - The Strategic Regeneration Manager noted that Councillor Richard Jones had asked that the reference to the discussion of the OpTIC Technium be amended to read

- reference would be made to the fact that the OpTIC Technium was located in the Bodelwyddan ward and that the Business Park also included parts of both the Bodelwyddan and Trefnant wards

Page 7 – Councillor P.A. Dobb also noted that the account of the discussion of the Scala Cinema should reflect that the Lead Member had said that the extra money discussed would put the project in jeopardy.

Matters Arising

Page 7 - Councillor Dobb referred to the report on the Scala Cinema that had been anticipated to be available for the Cabinet to consider at this meeting but advised the Cabinet that the information requested had not been forthcoming and so it had not been possible to submit a report. The Leader said that the Scala Cinema management were aware that a report had been requested and that the Cabinet would expect the report to be submitted in the following 7-10 days.

RESOLVED that, subject to the above, the minutes of the meeting held on 21st February 2012 be approved as a correct record and signed by the Leader.

5 CORWEN TOWN PLAN

Councillor D.A.J. Thomas presented the report which asked for the Cabinet to support the proposed town plan for Corwen. The consultation process was detailed for the three town plans to be considered at the meeting, which was told to consist of a workshop event for members on 14th March 2011 where the purpose and structure of the town plans were discussed as well as consideration at the meetings of:

- Cabinet Briefing – 5th April 2011
- Senior Leadership Team – 19th May 2011
- Communities Scrutiny Committee – 27th October 2011

Heads of Service had been invited to participate at each stage of the plans' development and the town plan for Corwen was considered by the local member for the Corwen ward and members of Corwen Community Council, and had been discussed with representatives of the South Denbighshire Community Partnership and Corwen & District Business Association. A public consultation had also been undertaken on the Council's website and in the town's one stop shop. The consultation had given a platform for ideas to be raised and had led to amendments being made to the plan including greater emphasis being given to the town's 17th Century character.

The Leader of the Council asked for an update on progress with Commerce House and the Strategic Regeneration Manager (SRM) said that notice had been served on the owner but that the challenge of in finding a long-term solution was recognised as a priority. Councillor Dobb asked if there were any potential opportunities for Corwen relating to the Area of Outstanding Natural Beauty (AONB) and the SRM said that most of Corwen fell within the AONB, and that the opportunities this brought were recognised and would be further explored.

Councillor H.L. Jones, the local Member for Corwen, noted the positive reception for the plan in the town and stated that the town plan represented to the local

community that Denbighshire County Council had an active interest in the town's prosperity.

RESOLVED that, subject to members' comments, the Cabinet approve the Corwen Town Plan.

6 LLANGOLLEN TOWN PLAN

Councillor D.A.J. Thomas presented the report which asked for the Cabinet to support the proposed town plan for Llangollen. The Strategic Regeneration Manager explained that Llangollen Town Council had developed their own plans for the town and that he had met with a Sub-Committee of the Town Council to amalgamate the two documents in to a single plan. The consultation had generated a number of interesting and ambitious ideas for Llangollen including proposals for the introduction of fibre optic broadband, a gardening scheme and a shared space arrangement on Castle Street.

The consultation undertaken through the Council's website highlighted issues such as high domestic rates; negativity towards plans for a supermarket in the town; objection to transferring the Town Hall to the Town Council; and disapproval in some quarters of Llangollen's focus on its night-time economy.

Councillor P.A. Dobb commented that the town plan lacked a Denbighshire Council perspective and said that the town plan represented an opportunity to develop ideas for maximising the use of Council facilities in Llangollen such as the Pavilion and Plas Newydd. Councillor P.J. Marfleet added that Llangollen was in a good location on the way to North-West Wales and that this should be exploited through the town plan placing greater emphasis on the choice of accommodation available, such as ungraded hotels and campsites. Councillor M.M. Jones noted that the Eisteddfod was an excellent opportunity to attract visitors to Llangollen and that the organisers were due a lot of credit. Councillor Jones also observed that relatively few of the local Members for the relevant towns were in attendance at the Cabinet meeting to hear the debate on the town plans, and that this was an opportunity missed.

The Leader added that Llangollen Town Council were a very forward-looking group and that he felt positive in handing ownership of the town plans to the respective town councils.

RESOLVED that, subject to members' comments, the Cabinet approve the Llangollen Town Plan.

7 PRESTATYN TOWN PLAN

Councillor D.A.J. Thomas presented the report which asked for the Cabinet to support the proposed town plan for Prestatyn. The public consultation undertaken through the Council's website saw the suggestion for the transfer of Council assets to the community rather than private sale; and a recommendation to give a fuller picture of Prestatyn from an equalities perspective.

Councillor J. Thompson-Hill asked that the plan be amended to reflect that higher than County average crime rates in the Prestatyn East ward were attributable to an annual rave event held at the Pontins site. Councillor Thompson-Hill also asked that the reference to Prestatyn as “not an easy place to get to by road” be re-worded as such phrasing could potentially deter investment.

The Leader thanked the Regeneration team for their good work and stated that the reports were positive for their communities and should encourage private sector business confidence. The Leader added that he was hopeful that the town plans would be taken forward by the new Council.

Councillor Thomas thanked the Cabinet for their comments on the respective town plans. He explained that the development of the town plans had been a long process and that he was satisfied with the outcome, but that the plans would need to be taken forward by the local Area Member Groups and reported on regularly to ensure that the town plans are driven forward.

RESOLVED that, subject to members' comments, the Cabinet approve the Prestatyn Town Plan.

8 MONITORING PERFORMANCE AGAINST THE CORPORATE PLAN

The Leader of the Council presented the report which gave an update of the Council's performance against the Corporate Plan. It was explained that it had been a challenging process to identify areas for improvement and in recognising priorities but that the Corporate Plan had made monitoring performance much easier. The Leader said that he was pleased with the improvement achieved in Highways and particularly in Education and noted the positive work done relating to demographics and regeneration, but recognised the difficulty in improving these areas given the national economic context. It was emphasised that it would be easy for the improvements achieved to drop off so the focus on performance would have to be kept up in order to maintain high standards.

The Corporate Improvement Manager informed the Cabinet that new elements had been added to the report following a number of requests including the addition of an outcome relating to Safeguarding and Child Protection at the behest of the Wales Audit Office; and the addition of an Outcome Agreement requested by the Welsh Government (WG).

Councillor P.A. Dobb drew the Cabinet's attention to the indicator measuring “the % of adult protection referrals completed where the risk has been managed” to note that the 95% target had been set as a corporate aspiration, and that the 87.2% achieved was actually well above the service's own target of 80% and so the ‘Red’ status was not an accurate reflection of the standards being achieved. Councillor Dobb said that this highlighted the problem of relating achievable targets to the corporate targets that had been set, and that the performance targets set by other authorities should be considered when setting corporate targets. The Corporate Director: Demographics, Wellbeing and Planning mentioned the difficulty in measuring performance in quantitative form, particularly in relation to the protection of vulnerable adults where the figures do not tell the full story. Councillor M.M.

Jones added that the targets were difficult to meet but the fact that improvements were being made was important.

Councillor P.J. Marfleet stated that the negative 'RAG' status in respect to Outcome 9: Properties having a reduced risk of flooding was attributable to the WG opting against providing financial support for the Corwen Flood Defence Scheme, and that the attainment of targets under this Outcome were outside of the Council's control. Councillor Marfleet also warned that Denbighshire being broadly declared as a high risk area for flooding could lead to difficulties for residents to obtain household insurance. The Head of Highways and Infrastructure said that the review would provide further information in this respect, and the Corporate Improvement Manager noted that indicators giving a 'Red' RAG status would need to be placed in context in the report in recognition that a negative status does not always equate to poor performance. Councillor D.A.J. Thomas added that the Foryd Harbour Bridge faced similar circumstances and would continue to register a negative performance against its indicators despite the project being secure in practice.

Councillor J. Thompson-Hill also noted that the indicator relating to the number of people accessing information via electronic means had little practical relation to reducing flood risk and that its Red 'RAG' status did not show anything of value. Councillor Thompson-Hill asked that in consideration of some of the indicators not being directly relevant, if there was scope to review the indicators and was told that the indicators would be reviewed annually and that the need for the document to be sensible and achievable would mean that it may be necessary to amend some Outcomes significantly.

The Leader agreed that the indicators would need to be more practical in order to be effective. The Leader added that Member input in to developing the indicators would be beneficial and expressed his support for the setting up of a working group by the Performance Scrutiny Committee to monitor this body of work.

The Corporate Improvement Manager observed that the use of annual indicators meant that some problems were being identified relatively late and that the process would be more effective if indicators were measured on a quarterly basis.

RESOLVED that the Cabinet notes the progress towards achieving the outcomes detailed in the Corporate Plan, and approves the proposed Action Plan to address the issues identified within the report, subject to the members' comments.

9 APPROVAL FOR NMWTRA PARTNERSHIP AGREEMENT

The Head of Highways and Infrastructure (HoHI) presented the report seeking Cabinet's support to continue its participation in the North and Mid-Wales Trunk Road Agency and approval to enter in to the new Partnership Agreement in principle. The draft copy of the new Partnership Agreement was introduced which would now incorporate Ceredigion and Powys County Councils and tighten procedures for dealing with risks between the partner authorities, but was otherwise the same as the previous agreement. The Head of Finance and Assets added that there would be no significant financial impact from continuing the partnership.

Councillor E.W. Williams stated that the officers that were working on the project may be up to date with developments but that Members were unaware of how well the partnership had been performing due to there not having been a formal meeting for two years. It was suggested that the partnership should submit reports to participating Councils on a regular basis to ensure effective monitoring, and the HoHI agreed that this could be facilitated. Councillor P.A. Dobb requested that Councils were provided with the partnership's forward work programme to help keep track of the work being undertaken, which was also agreed by the HoHI.

The Leader commented that there seemed to be proportionately more investment in South Wales than the rest of Wales and asked how funding was allocated. The HoHI explained that decisions relating to funding were taken at a level above the NMWTRA board and that the board were only able to manage the work following funding allocation, although North Wales was said to have received significant investment.

RESOLVED that –

a) the Cabinet supports the recommendation to enter in to the new Partnership Agreement; and

b) the NMWTRA is to provide reports and forward work programmes to the Cabinet on a 6 monthly basis to allow for effective monitoring.

10 CABINET FORWARD WORK PROGRAMME

Councillor H.H. Evans presented the Cabinet Forward Work Programme for consideration which was supported by the Cabinet without any amendments.

RESOLVED that *Cabinet's Forward Work Programme be noted.*

11 SUPPORTING PEOPLE STRATEGY UPDATE AND OPERATIONAL PLAN 2012 – 13

Councillor P.A. Dobb presented the report asking for the Cabinet's approval of changes made to the Supporting People Strategy for 2012 to 2014 and the Supporting People Operational Plan 2012/13 prior to the plans being submitted to the Welsh Government.

It was explained that the Supporting People Strategy for 2011-14 set out the strategic priorities for the Supporting People programme in Denbighshire as a framework for revenue resource allocation, and outlined the Supporting People Operational Plan for 2012/13 which was an annual requirement of the Welsh Government. Following consultation a number of amendments had been made to the 'planned actions' for 2012-14 (detailed in Appendix 1 of the report) which required the Cabinet's approval.

RESOLVED that *the Cabinet agree to the changes to the Supporting People Strategy for 2012 to 2014 and the Supporting People Operational Plan 2012/13.*

12 TENDER EXEMPTION FOR SUPPORTING PEOPLE SERVICE CONTRACT TRANSFERS FROM THE WELSH GOVERNMENT TO DENBIGHSHIRE COUNTY COUNCIL

Councillor P.A.Dobb presented the report seeking the Cabinet's approval to exempt new contracts for services funded by the Welsh Government through Supporting People Revenue Grant (SPRG) from the requirement to tender at the point of transfer to the Council's Supporting People Team through Supporting People Programme Grant. The contracts for Supporting People were explained to be presently funded directly by the Welsh Government but would transfer to Denbighshire County Council during 2012-13.

***RESOLVED** that Cabinet approve the exemption from the tendering process for the transfer of Supporting People Service contracts from the Welsh Government to the Council's Supporting People Team.*

PART II

13 TENDER EXEMPTION FOR SEASHELLS SUPPORTED HOUSING CONTRACT

Councillor P.A. Dobb presented the confidential report seeking the Cabinet's approval to exempt the Seashells supported housing contract from the requirement to tender.

***RESOLVED** that the Cabinet approved the exemption from the tendering process for the Seashells supported housing contract.*

14 FINANCE REPORT 2011 - 2012

Councillor J. Thompson-Hill presented the report providing an update of the latest financial position and the progress made against the agreed budget strategy. Given that the Finance Report compromised both Part 1 and Part 2 elements, in the interest of practicality, the order for the reports to be considered was adjusted and so this item was discussed prior to Item 13. The first part of the report was delivered in open session.

Councillor Thompson-Hill noted that the latest revenue budget forecast had anticipated a net under spend of £846k on Council services and an anticipated overspend of £505k for schools. An update of the Major Capital Projects was also given to the Cabinet.

PART II

Appendix 5 to the Finance Report was a confidential report which asked for the Cabinet to approve the Strategic Investment Group's recommendation of the purchase of a site. The meeting moved in to Part 2 to consider this aspect of the report. Councillor Thompson-Hill provided details of the site, how the purchase of the site would benefit the Council and submitted a proposal for the site's purchase.

The Leader agreed that the reasoning for the purchase of the site was logical and would save the Council money that could be used more effectively. Councillor E.W. Williams asked how the money saved from renting the building would be used and whether it would be re-invested in services and Councillor Thompson-Hill indicated that savings were likely to count towards efficiencies targets rather than being specifically re-invested.

RESOLVED that the Cabinet –

a) noted the present financial position; and

b) approved the Strategic Investment Group's recommendation to purchase the site.

15 THE HONEY CLUB SITE, RHYL - DEVELOPER INTEREST AND COMPULSORY PURCHASE ORDER ON ADJACENT PROPERTY

Councillor P.J. Marfleet presented the confidential report which provided an update of developer interest in the Honey Club, Rhyl, and asked for the Cabinet to approve the creation of a recommendation panel to determine the preferred development partner. Councillor Marfleet gave details of the propositions that had been submitted for the development of the site and explained the concerns due to the building's conservation status.

The Cabinet discussed the options relating to the conservation of the building and the need for urgency in the decision making process was stressed. Following a discussion of the process for giving final approval of the preferred development partner, the Cabinet agreed that a recommendation panel would be set up to identify a preferred development partner as specified in the report, with the local Member mentioned under the panel's proposed composition to be determined by the local Area Member Group, and the Lead Member for Regeneration to also sit on the panel. The panel's recommendation would be brought to the next meeting of the Cabinet on 24th April. At this meeting the Cabinet would decide how to proceed and whether the decision to approve the preferred development partner should be delegated to the Chief Executive Officer.

RESOLVED that –

a) the Cabinet approved the proposal to set up a recommendation panel to consider the bids made by the developers;

b) the composition of the recommendation panel would be as specified in the report;

c) the local member sitting on the panel would be determined by the Local Area Member Group;

d) the recommendation panel would also include the Lead Member for Regeneration; and

e) an update would be presented at the next meeting of the Cabinet, where a decision will be made about how to proceed.

16 REGIONAL FOOD WASTE PROJECT - CHANGE OF PREFERRED BIDDER

Councillor J. Thompson-Hill presented a confidential report seeking the Cabinet's approval to revert to the reserve bidder for the North East Wales Regional Food Waste Project should the initial preferred bidder fail to secure funding by the deadline date of 30th March 2012. It was explained that the reserve contract would be more expensive than the contract with the initial preferred bidder but that the reserve bidder had already secured funding, and that the cost would still be less than for using landfill sites.

RESOLVED that the Cabinet approved the removal of the preferred bidder should they fail to secure funding by the deadline date, to be replaced by the reserve bidder.

The meeting concluded at 12:10pm.