

CABINET

Minutes of the Cabinet meeting held in the Monsanto Suite, Royal International Pavilion, Llangollen on Tuesday 7 May at 10.00 a.m.

PRESENT

Councillors W.R. Webb (Deputy Leader), D.M. Holder, R.W. Hughes, G.M. Kensler, D.M. Morris, E.A. Owens, and A.E. Roberts.

Observers: Councillors S. Drew, R.J.R. Jones and A.J. Tobin.

ALSO PRESENT

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

APOLOGIES

Councillor E.C. Edwards (Leader), I.M. German and K.E. Wells.

In the absence of the Leader, the Deputy Leader took the Chair. The Deputy Leader welcomed Professor D. Jones to the meeting.

ANNOUNCEMENT

Councillor W.R. Webb, Deputy Leader of the Council informed Members of the death in service of Mrs. Helga J Rowlands, the Contract Services Building Cleaning Manager based at Kinmel Park Bodelwyddan who died on Friday 3 May 2002. Members were asked to stand in silent tribute.

In the absence of the Lead Member, the Corporate Director: Lifelong Learning announced that IIP status had been awarded to the Strategy and Resources section of the Lifelong Learning Directorate. The section was to be congratulated as IIP had been achieved at a time when the section was working hard to implement the financial recovery plan.

Councillor R.W. Hughes, Lead Member for Culture, Leisure and Tourism said over 2,000 people had visited Yr Hen Garchar on 04.05.2002 when the building was opened to the public. Councillor Hughes thanked and paid tribute to members of staff for their hard work on the project. The Chief Executive also thanked staff for their work on the project.

1702 URGENT MATTERS

The Deputy Leader of the Council gave notice of the following item which in his opinion should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972:-

- (i) Item 5 Arrangements for Handling Internal Restructuring - Item withdrawn.
- (ii) Item 13 Disposal of Land at Maes Derwen, St Asaph - Item withdrawn.

1703 MINUTES OF THE CABINET (CABINET 2002 - 58)

The Minutes of the Cabinet meeting held on 23 April 2002 (previously circulated) were submitted.

Item 10 Local Members Nominations for LA Governors: delete "net" and replace with "Cabinet".

Item 12 Premature Redemption of Public Works Loan Board Loan 485054 With Principal of £4,000,000: Third line delete "and Council".

***RESOLVED** that subject to the above, the Minutes of the Cabinet meeting held on 23 April 2002 be approved as a correct record and signed by the Leader.*

1704 BEST VALUE REVIEW OF RESIDENTIAL HOMES (CABINET 2002 - 76)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' consideration and decision on the range of options, detailed at Appendix 1, for further analysis. Councillor Roberts emphasised that the demand for places nearly overtook supply in this service area, which justified the case for retaining all 4 homes in Denbighshire.

The Corporate Director: Personal Services reported that further information about possible interest in purchasing the homes had recently become available and thus the purchasing homes option required further consideration. As a result the Corporate Director: Personal Services recommended Members change the recommendation on Option 3 to Yes.

Councillor R.W. Hughes, Lead Member for Culture, Leisure and Tourism said Local Authorities acted as a safety net to ensure that all the community was protected and looked after and suggested that the transfer of management arrangements at Option 4 should not be considered further.

Councillor E.A. Owens, Lead Member for Finance commented on various aspects of the report and said acceptability to residents was important. Councillor Owens said supply and usage costs were the same in the private and public sector. The homes were well managed from a finance and care point of view. Not all residents qualified for payment of the residential allowance and Denbighshire had no influence over its payment. Councillor Owens said the National Assembly for Wales and Best Value recommended Authorities should continue to have a controlling interest in their residential homes. She said she could not at this time support Option 4 until further research into transfer of management arrangements had been undertaken.

Councillor G.M. Kensler, Lead Member for the Welsh Language agreed with the Members and queried whether the Authority could be challenged over its decision regarding possible private sector interest in the County purchasing a residential home in Denbighshire if option 3 was rejected for further research.. The County Clerk said it was possible the private sector could challenge Denbighshire. The Chief Executive reminded Members that the Audit Commission would criticise the Authority if any option was discounted without sufficient reasons.

Councillor W.R. Webb, Deputy Leader of the Council said Members and officers had been working on this for 12 months. To relinquish complete control of any of the residential homes was not to the best advantage of the Authority.

The Corporate Director: Resources reminded Members that the Authority should not potentially limit options to comply with the Best Value requirement.

Councillor D.M. Holder, Lead Member for Training suggested further discussions on the options were required. Councillor E A Owens, Lead Member for Finance suggested deferring decision on some of the options until further information was forthcoming. The Corporate Director: Personal Services said further information could be included in a report which would take on board the comments expressed by Members.

Members agreed with the Chief Executive's suggestion of deferring a decision on option 3. Councillor R.W. Hughes, Lead Member for Culture, Leisure and Tourism suggested deferring a decision on options 3 and 4. Members agreed.

***RESOLVED** that Cabinet agree the options recommended for further consideration, with recommendations on options 3 and 4 deferred until further information became available, and instruct officers to enter into negotiations with the Trade Unions over Terms and Conditions and to review specific practices within the Homes.*

1705 FREEDOM AND RESPONSIBILITY (CABINET 2002 - 77)

The Deputy Leader of the Council, Councillor W R Webb, presented the report (previously circulated) seeking Members' approval of the draft attached to the report as the basis for a formal response to the National Assembly for Wales' policy statement 'Freedom and Responsibility'.

The Assistant Chief Executive: Strategy referred to a typographical error in paragraph 5.6 4th line - delete 'paper' and input 'taper'. He then detailed the draft response to Members and in particular mentioned the Community Strategy and said the National Assembly for Wales were to set up a strategic group to consider this. He said it might be difficult to achieve partner participation in the community strategy. With regard to the democratic issues, comments made on proportional representation in Council had been taken on board as had the desire to retain electoral wards. In reply to a query from Councillor G.M. Kensler, Lead Member for the Welsh Language, he explained that the Police Authorities present Councils with the precept for the funding they required and the suggestion in the response was that Local Government might secure its funding in a similar way by "precepting" on the National Assembly.

Councillor E.A. Owens, Lead Member for Finance commented on various aspects of the Draft Response and in particular highlighted the importance of Prudential Borrowing at 5.1 of the Financial Issues.

RESOLVED that Cabinet approve the draft as the basis for the formal response to the National Assembly for Wales' policy statement 'Freedom and Responsibility' and forward it to Council for endorsement.

1706 ARRANGEMENTS FOR HANDLING INTERNAL RESTRUCTURING (CABINET 2002 - 78)

Item withdrawn.

1707 PROVISIONAL REVENUE OUTTURN 2001/2002 (CABINET 2002 - 79)

Councillor E.A. Owens, Lead Member for Finance presented the report (previously circulated) for Cabinet to note the provisional revenue outturn for the last financial year as detailed in the appendix attached to the report and to note the anticipated successful achievement of the target set under the Financial Recovery Plan. Cabinet were asked to recommend to Full Council that Financial Standing Orders in relation to carry forward of under / overspends be reinstated.

Councillor Owens paid tribute to the Directorates for their work on the budgets and in particular thanked the Financial Controller for his invaluable support. Councillor Owens detailed the Non Service Items to Members. Members took the opportunity to discuss the provision of pensions from the Clwyd Pension Fund and queried whether there was any Member involvement with the Fund. The Financial Controller said the Head of Exchequer Services was involved with the Fund but currently no Denbighshire Members were involved. Councillor W.R. Webb suggested that Denbighshire Members become involved with the Clwyd Pension Fund.

RESOLVED that Cabinet note the figures in the appendices to the report and recommend to Full Council that Financial Standing Orders in relation to carry forward of under / overspends be reinstated.

1708 DIRECT PAYMENTS - CALCULATION OF THE AMOUNT OF A DIRECT PAYMENT (CABINET 2002 - 80)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' approval for the rates used to calculate the amount of a Direct Payment.

RESOLVED that Cabinet approves the amounts in section 2 of the report to calculate Direct Payments.

1709 DOMICILIARY CARE - FEE INCREASES (CABINET 2002 - 81)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' approval to a 3% increase in payments made under the 'Contract for Domiciliary Care Services' from 1 April 2002.

***RESOLVED** that Cabinet approve a 3% increase for fee payments made under the Contract for Domiciliary Care Services from 1 April 2002.*

1710 QUEEN'S JUBILEE CELEBRATIONS (CABINET 2002 - 82)

The Deputy Leader of the Council, Councillor W.R. Webb presented the report (previously circulated) seeking Members' approval of the involvement with the Queen's Jubilee celebrations as indicated in the Appendix attached to the report and to agree the provision of no more than £20k funding to support the event on 11 June 2002 at Eirias Park.

***RESOLVED** that Cabinet approve the funding provision as indicated in the report.*

1711 TIMETABLE FOR COUNCIL / CABINET / COMMITTEES (CABINET 2002 - 83)

The Deputy Leader of the Council, Councillor W R Webb presented the report (previously circulated) seeking Members' recommendation to Council the proposed timetable of meetings of County Council, Cabinet, Scrutiny Committees and statutory Committees / Panels for the forthcoming municipal year.

The County Clerk informed Members that the Lifelong Learning Scrutiny Committee of 15.05.2002 was cancelled and Resources Scrutiny Committee would be held on 23.05.2002

***RESOLVED** that Cabinet recommend to County Council that the timetable of meetings (as amended above) attached to the report, for the forthcoming Municipal Year be approved.*

1712 PRESERVED COUNTIES CABINET 2002 - 84)

The Deputy Leader of the Council, Councillor W.R. Webb presented the report (previously circulated) seeking Members' agreement of the recommended response to the National Assembly's review of Preserved Counties.

The Assistant Chief Executive: Strategy informed Members that Gareth Thomas MP and Ann Jones AM had written in support of the status quo.

***RESOLVED** that Members supported a status quo response to the Local Government Boundary Commission for Wales.*

1713 URGENT ITEMS (CABINET 2002 - 85)

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 5 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972.*

1714 DISPOSAL OF LAND AT MAES DERWEN, ST ASAPH CABINET 2002 - 86)

Item withdrawn.

1715 INSPECTION OF THE AUTHORITY'S CHILD PROTECTION SERVICES BY THE SOCIAL SERVICES INSPECTORATE FOR WALES (CABINET 2002 - 87)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' approval of the Draft Action Plan attached at Appendix 1 to the report.

Councillor Roberts said he was dismayed to see the Part II report accurately quoted in the press the previous week and asked the Chief Executive to undertake an enquiry into the leak. Councillor W.R. Webb, Deputy Leader of the Council also expressed his disappointment that information had been leaked to the press. The Chief Executive undertook to carry out an investigation and reminded Members and officers that no information from Part II papers was to be given to the media.

Councillor E.A. Owens, Lead Member for Finance commented on aspects of the report and also on the staff shortages within the Department. She was pleased to see the Draft Action Plan responding to the comments made on the Child Protection Inspection and said the Service needed to ensure the timescales specified in the Action Plan were adhered to with updates on improvements presented to Cabinet.

Councillor G.M. Kensler, Lead Member for the Welsh Language expressed her concern at the length of time taken to produce the Action Plan and that the Cost Implications and Financial Controller Statement in the report do not correspond. She also queried paragraph 8b in the Action Plan and asked that training be made available if no Welsh speaker was appointed in the Ruthin office. The Corporate Director: Personal Services said the Inspectors' draft report had not been received until the end of November 2001. The Director emphasised the problems of recruitment into the Social Worker grade and said a workforce strategy was being developed which would help to develop bilingual staff recruitment.

RESOLVED that Members approve the Action Plan attached at Appendix 1 to the report.

1716 PROPOSED RESTRUCTURING- SOCIAL SERVICES DEPARTMENT. (CABINET 2002 - 88)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' approval in principle of the proposed restructuring of the Social Services Department to enable full consultation, and to support the case for additional costs to be met by contingency budget allocation, given the recommendations of the Social Services Inspectorate Child Protection Inspection.

The Corporate Director: Personal Services said staff would be given time to comment on any potential changes as would the Personal Services Scrutiny Committee. Councillor E.A. Owens, Lead Member for Finance said consultation would be required on the financial arrangements.

Councillor W.R. Webb, Deputy Leader of the Council suggested that Cabinet should further consider the case for costs being met from contingency budget allocation. Members agreed.

RESOLVED that Cabinet:-

- (a) approves in principle the proposed restructuring to enable full consultation, and
- (b) further consider supporting the case for costs to be met from contingency budget allocation given the findings of the SSI(w) Child Protection Inspection.

Councillor W.R. Webb, Deputy Leader of the Council thanked Members on behalf of Councillor E.C. Edwards, the Leader of the Council for their work on Cabinet during the lead up to formal implementation of the executive arrangements under the modernisation agenda.

The meeting concluded at 11.40 a.m.
