

CABINET

Minutes of the Cabinet meeting held in the Town Hall, Denbigh on Tuesday 23 April 2002 at 10.00 a.m.

PRESENT

Councillors E.C. Edwards (Leader), I.M. German, D.M. Holder, R.W. Hughes, G.M. Kensler, D.M. Morris, E.A. Owens, A.E. Roberts, W.R. Webb and K.E. Wells.

Observers: Councillors M.L.I. Davies, S. Drew, D. Jones, M.M. Jones, R.E. Jones and R.J.R. Jones.

ALSO PRESENT

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

APOLOGIES

Chief Executive.

ANNOUNCEMENT

The Leader, Councillor E C Edwards informed Members that Alan Evans, the Corporate Director: Resources had been appointed Deputy Chief Executive and wished him well in his additional role.

(The Leader welcomed Miss Sophie Hearle, a Work Experience student to the Cabinet meeting).

Councillor R.W. Hughes, Lead Member for Culture, Leisure and Tourism informed Members that they would be welcome to attend the open day on 4 May 2002 at Yr Hen Garchar, Ruthin.

1 URGENT MATTERS

The 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) WLGA Co-ordinating Committee - it was confirmed that Councillor W R Webb was the Denbighshire nomination, and
- (ii) Nomination to attend the Sportsight on Sport Seminar.

2 MINUTES OF THE CABINET (CABINET 2002 - 58)

The Minutes of the Cabinet meeting held on 9 April 2002 (previously circulated) were submitted.

3 Best Value Review of the Agricultural Estates in the Ownership of the County Council - Phase One (Cabinet 2002 - 48): Councillor W R Webb said his comment should read: "Councillor W.R. Webb, Lead Member for Property supported changes to the agricultural estates and reminded Members that capital receipts could be provided if consideration were given to farms being sold as they became vacant."

5 Minimum Standards for Welsh Public Libraries (Cabinet 2002 - 50): Councillor G.M. Kensler, Lead Member for the Welsh Language said her comment should read "Councillor G.M. Kensler also congratulated the Department on the report and reminded Members that the Service had the lowest spend on books in Wales."

RESOLVED that subject to the above, the Minutes of the Cabinet meeting held on 9 April 2002 be approved as a correct record and signed by the Leader.

3 LLANGOLLEN STRATEGIC DEVELOPMENT PLAN (CABINET 2002 - 59)

The Leader of the Council, Councillor E.C. Edwards presented the report (previously circulated) seeking Members' support for the development of a Llangollen Strategy Plan consultation exercise.

The Leader asked Members to note a typographical error in 3.2: "undertaken" to be replaced by "supported".

Councillor E.A. Owens, Lead Member for Finance suggested that an officer from Finance attend meetings of the multi-departmental team. Members agreed.

RESOLVED that Cabinet endorse setting up a project team to prepare a co-ordinated strategy for the development of Llangollen and support the need for extensive public consultation in the preparation of the strategy.

4 SMALL TOWNS AND VILLAGES INITIATIVE CABINET 2002 - 60)

The Leader of the Council, Councillor E.C. Edwards presented the report (previously circulated) seeking Members' agreement to the inclusion of Denbigh within the Denbighshire's Small Towns and Villages' Initiative and to make a minor amendment to the boundary of the Ruthin STVEI to include Rhewl.

Councillor R.W. Hughes, Lead Member for Culture, Leisure and Tourism informed Members that Jeremy Knibbs, Dee Valley STVEI Coordinator had been provided with an office within the Old School, ECTARC.

RESOLVED that Cabinet agreed Denbigh be included in the Denbighshire STVEI and that the boundary of the Ruthin STVEI be expanded to include Rhewl.

5 TRANSPORT GRANT 2002 - 2003 - ACCEPTED EXPENDITURE (CABINET 2002 - 61)

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking Members' approval of the work detailed in paragraphs 2.2 and 2.6 of the report using National Assembly funding.

Councillor I.M. German, Lead Member for Human Resources asked the Head of Highways and Transportation what the safer routes entailed. The Head of Highways and Transportation said the transport grant would be used to fund improvements to dangerous routes to school where crossing facilities or footpaths could be improved. The level of funding was small, to be used for minor highway improvements.

Councillor D.M. Holder, Lead Member for Training queried whether any of the grants would be available for the south of the County. The Leader said Ruthin and Denbigh were included.

RESOLVED that Members endorse the programme of work and approve a bid be made for National Assembly Safer Routes to School funding for Ysgol y Llys in Prestatyn.

6 CARERS' SPECIAL GRANT 2002 - 2003 (CABINET 2002 - 62)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' approval of the Carers' Special Grant Plan for Denbighshire 2002 - 2003, as summarised in the Appendices to the report.

Councillor E A Owens, Lead Member for Finance asked that officers include Denbighshire Voluntary Services Council who were currently in discussion with the Authority wherever possible to ensure co-ordination of grant aid applications.

RESOLVED that Cabinet approve the Carers' Special Grant Plan for Denbighshire 2002 - 2003.

7 HOUSING CAPITAL PROGRAMME 2002 - 2003 (CABINET 2002 - 63)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' approval to extend contracts for the 2001/2002 Housing Refurbishment Programme into the 2002/2003 Programme.

Councillor W.R. Webb, Lead Member for Property said he had concerns regarding extending the current contracts, whether the contracts covered the same areas and asked for a list of tenderers be made available. The Head of Housing Services informed Members that the contractors had been selected by competition the previous year and had been included on the Design Services Constructionline list of tenderers. The Head of Housing Services confirmed the extension was a continuation of work in hand.

Councillor I.M. German, Lead Member for Human Resources agreed with Councillor Webb and reminded Members that contractors have to pay to be included on the Constructionline list.

The Leader of the Council, Councillor E.C. Edwards said he would prefer the Authority to issue 'one-off' contracts for work rather than use schedules of rates.

RESOLVED that Cabinet agreed the following two Capital Programme Contracts 2001/2002 be extended under County Council Standing Order 9b on a schedule of rates:-

Contract C/P701701/2 - to include 10 houses in Rhyl and 14 houses in Denbigh
Contract C/P701701/5 - to include 8 houses in Ruthin and 14 bungalows in Corwen

8 LOCAL ROAD SAFETY GRANT (CABINET 2002 - 64)

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking Members' agreement that the proposed programme of work as detailed in the report, form the basis of the Local Road Safety Grant funded works for 2002/2003.

Councillor K.E. Wells, Lead Member for Education and ICT suggested that work in Prestatyn be carried out at the end of the tourist season.

RESOLVED that Cabinet received the report and endorsed the proposed programme of work as detailed in the report.

9 REPRESENTATION ON "REACHING OUT" (CABINET 2002 - 65)

The Leader of the Council, Councillor E.C. Edwards presented the report (previously circulated) seeking Members' agreement to a request from the Charity Group "Reaching Out" for a Member representative to serve on their Executive Committee. "Reaching Out" was launched on 26.02.2002 and aimed to provide educational, leisure and other facilities for people with special needs and learning difficulties in Prestatyn and the surrounding area. The Leader suggested Councillor A.E. Roberts represent the Authority. Members agreed.

RESOLVED that Cabinet nominated Councillor A.E. Roberts, Lead Member for Personal Services to represent the Authority on the Executive Committee of the Charity Group "Reaching Out".

10 LOCAL MEMBERS NOMINATIONS FOR LA GOVERNORS (CABINET 2002 - 66)

Councillor K.E. Wells, Lead net Member for Education and ICT presented the report (previously circulated) detailing nominations for LA Governor vacancies submitted by the Local Members for the areas in which the schools are located.

RESOLVED that the LA Governor appointments be approved as listed below:

Ysgol Maeshyryd, Cynwyd CP

Mr. Edward Davies

11 CHILDREN FIRST CORPORATE PARENTING CONFERENCE (CABINET 2002 - 67)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' nomination of representatives to attend the National Children First Corporate Parenting Conference on 22.05.2002.

Members discussed the suggestion that the Lead Member for Personal Services, the Chair of Personal Services Policy Review and Scrutiny Committee and the Chair of Lifelong Learning Scrutiny Committee attend the conference. Members agreed.

RESOLVED that 3 Elected Members i.e. the Lead Member for Personal Services, the Chair of the Personal Services Policy Review and Scrutiny Committee and the Chair of Lifelong Learning Scrutiny Committee be nominated to attend the conference on 22.05.2002 and report back to the Cabinet and appropriate Scrutiny Committees with possible Action Points for Denbighshire.

12 PREMATURE REDEMPTION OF PUBLIC WORKS LOAN BOARD LOAN 485054 WITH PRINCIPAL OF £4,000,000 (CABINET 2002 - 68)

Councillor E.A. Owens, Lead Member for Finance presented the report (previously circulated) seeking Members' endorsement of the action taken, in accordance with the Council's Treasury Management Strategy for 2002/2003 that all rescheduling would be reported to Cabinet and Council at the meeting following its action.

RESOLVED that Cabinet noted and endorsed the report.

13 PROCEDURE FOR REMOVAL OF GOVERNORS (CABINET 2002 - 69)

Councillor K.E. Wells, Lead Member for Education and ICT presented the report (previously circulated) seeking Members' agreement to the procedure for adjudicating on an application of a Governing Body for the removal of a County Council appointed Governor on a Board of Governors. It was recommended that an advisory panel be established for the purpose of conducting a hearing between the governing body and the governors. The advisory panel would comprise 4 Members representing the 4 main groups represented on the Lifelong Learning Scrutiny Committee and would report back to Cabinet.

RESOLVED that Cabinet appoints an advisory panel, comprising 4 Members of the 4 main groups represented on the Lifelong Learning Scrutiny Committee, with a report back to Cabinet following its consideration of the issues.

14 FEE INCREASES FOR PROVIDERS OF RESIDENTIAL AND NURSING HOME CARE (CABINET 2002 - 70)

Councillor A.E. Roberts, Lead Member for Personal Services presented the report (previously circulated) seeking Members' agreement to the proposed fee structure for providers for the following year from 5 April 2002. The current rates and proposed rates were attached in Appendix 1 to the report.

Councillor E.A. Owens, Lead Member for Finance thanked the officers for the sensitive way in which the report had been produced and said it was essential that residential and nursing home places were available within the independent sector. Councillor W.R. Webb, Lead Member for Property agreed with Councillor E.A. Owens' sentiments.

RESOLVED that Members approved:-

- (a) the rates in Appendix 1 to the report;
- (b) an increase of 3% over last year's Income Support rate for Preserved Rights cases, and

(c) a review of fee levels in June/July 2002.

15 SPORTLIGHT ON SPORTS SEMINAR (CABINET 2002 - 71)

The County Clerk presented the report seeking Members' nomination of a representative to attend the two day seminar to be held on 21 / 22 May 2002 in Cardiff.

RESOLVED that Members nominated Councillor R.W. Hughes to be the Denbighshire representative to attend the Sportlight on Sports Seminar in Cardiff on 21 / 22 May 2002.

16 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.

17 PRESTATYN DEPOT (CABINET 2002 - 72)

(Councillor I.M. German and the County Clerk declared an interest in the item and left the meeting).

Councillor D.M. Morris, Lead Member for the Environment presented the report (previously circulated) seeking Members' approval to vacate the Prestatyn Depot site and relocate to the old Kwik Save workshop facilities on the Somerfield site, Prestatyn. Members' approval was also sought to use £48k of Contract Services revenue reserves to fund the estimated cost of relocation. Councillor E.A. Owens, Lead Member for Finance agreed with the recommendations contained within the report.

Councillor G.M. Kensler, Lead Member for the Welsh Language queried the 'dilapidation clause' in 2.5.5 of the report. The Corporate Director: Environment said this was a technical term for a building which had dilapidated during the course of its lease.

RESOLVED that Members approve:-

- (a) the vacating of the Prestatyn maintenance depot as soon as possible, and
- (b) the use of Contract Services revenue reserves to fund the relocation and infrastructure costs of £48k.

18 PRESTATYN / DYSERTH WALKWAY AND OLD STATION YARD, DYSERTH (CABINET 2002 - 73)

Councillor Webb, Lead Member for Property presented the report (previously circulated) seeking Members' approval to declare the Old Station Yard, Newmarket Road, Dyserth surplus to requirements (approximately 0.51 acres hatched on the plan annexed to the report). Members' approval was also sought to acquire approximately 1.52 acres of land, situated on Newmarket Road, Dyserth (cross hatched on the plan attached to the report).

Councillor I.M. German, Lead Member for Human Resources said the land adjacent to Newmarket Road, Dyserth was starting to be used as an overflow car park and asked that officers ensure that the land was used only for users of the walkway.

RESOLVED that Members:-

- (a) declare the Old Station Yard, Dyserth surplus to requirements and allow disposal to the Contractors detailed in the report;
- (b) approve the acquisition of approximately 1.52 acres of land adjacent to Newmarket Road, Dyserth necessary to provide a car park for the Prestatyn Dyserth Way, subject to the vehicular access / egress meeting necessary planning consents / safety standards;

- (c) *refuse a request from the Community Council for a lease of the goods shed,*
- (ch) *authorise terms to be agreed by the Head of Consultancy Services in consultation with the County Clerk.*

19 WRITE OFF OF IRRECOVERABLE DEBTS (CABINET 2002 - 74)

Councillor E.A. Owens, Lead Member for Finance presented the report (previously circulated) seeking Members' approval to the writing off of irrecoverable debts as detailed in the Appendices attached to the report. The debts extended as far back as 1992.

Members discussed the Appendices to the report.

Councillor Owens said Resources Scrutiny Committee had already discussed the report and had provided helpful comments and recommendations that the sums be duly written off.

Members emphasised the need for the new systems to be in place to ensure debt collection was more effective in the future.

RESOLVED that Cabinet agrees to the write off of irrecoverable debts as listed in Appendices 1, 2 and 3.

The meeting concluded at 11.15 a.m.

REPORT TO CABINET

CABINET MEMBER: Councillor A E Roberts, Lead Member for Personal Services

DATE: 7 May 2002

SUBJECT: BEST VALUE REVIEW OF RESIDENTIAL HOMES

1 DECISION SOUGHT

A Best Value Review of Local Authorities Residential Homes for Older People is underway. Cabinet needs to consider and decide upon the range of options for further analysis.

2 REASON FOR SEEKING DECISION

2.1 The Council runs 4 Residential Homes for Older People:-

Awelon, Ruthin
 Cysgod y Gaer, Corwen
 Dolwen, Denbigh
 Llys Nant, Prestatyn

These homes provide a total of 127 beds.

2.2 Local Authorities have statutory duties towards Older People and these are set out in Part III of the National Assistance Act 1948 which means that a Local Authority 'shall make arrangements' for the provision of residential accommodation, but does not have to carry out these duties itself.

2.3 There is a significant cost difference between places provided by the Local Authority and those provided by the Independent Sector:

	Awelon	Cysgod y Gaer	Dolwen	Llys Nant	Total Local Authority Homes 2001/02 (average)	Independent Sector		
						Elderly Residential Fee Paid 2001/02	Very Dependent Elderly Fee Paid 2001/02	Elderly People with Mental Infirmity Fee Paid 2001/02
Gross Cost of Direct Care (excludes Directorate and Central Support Costs)	375	343	351	459	382	234	280 (shown because some of the clients in Local Authority homes do fall into this category)	313 (shown because Clients in the EMI Unit at Llys Nant fall into this category)
Current Average Contribution on per Permanent Client	145	121	104	151	130	139	139	139
Average net cost per client per week	230	222	247	308	252	95	141	174

Historically, the cost difference has arisen for 3 reasons:-

- a) differences in terms and conditions,
- b) Central / Directorate Support Costs,
- c) the Residential Care Allowance which was only available to those people entering Independent Sector residential homes.

The transfer of Residential Care Allowance to Local Authorities as from April 2002, for new residents only, will level the playing field on this aspect of cost over a period of 7-8 years. Fee increases to the Independent Sector (granted in acknowledgment to the National Minimum Wage and the implications of the Care Standards Act) are also reducing cost differences. The Independent Sector continues to campaign on fee levels, and this may result in further narrowing of cost differentials - though they remain significant.

2.4 The homes require routine upgrading (electrical systems, windows etc.) and over a five year period costs are :

Residential Homes	£
Awelon	150,000
Cysgod y Gaer	228,000
Dolwen	254,000
Llys Nant	290,000
	922,000

The impact of the Care Standards Act 2000 (affecting minimum room sizes across all 4 homes) in 2002 / 2003, is approximately £10,000. It now appears unlikely that the National Assembly for Wales will require a standard of 12sqm to be adopted in 2007. This means that, if required, significant changes to the homes will not be required.

2.5 Awelon, Cysgod y Gaer and Dolwen are all located in rural areas where there are few, and in the case of Cysgod y Gaer, no alternative local providers.

Area	No of Local Authority Beds	No of Independent Sector Residential Beds
Ruthin	30	12
Corwen	30	0
Denbigh	30	27
Prestatyn	37	155

2.6 Demand for residential places, both in the Independent Sector and the Local Authority homes exceeds supply, although there are currently 7 vacancies at Llys Nant. This is because there is a greater number of Independent Sector homes in the north of the County. However, it is unlikely that an additional 37 places will be available in the Prestatyn area, as there are currently 149 of the available 155 beds occupied. This represents 96% occupancy and shows the demand on residential places.

2.7 The population profile for Denbighshire shows that Denbighshire has a greater number of people aged 65 to 80+ than the Welsh Average, and that these figures remain constant through to 2010. This means that the demand for residential places is likely to be maintained. The Government have also indicated that Local Authorities may face penalties when discharge to residential homes is delayed for avoidable social care reasons - including the absence of sufficient beds.

2.8 A Voluntary Sector organisation has conducted an extensive consultation with staff, residents and families and this showed a high level of satisfaction with the Local Authority homes. A comparison of Inspection reports showed positive results for the Local Authority homes and also for comparably sized Independent Sector homes.

2.9 Given the outcome of the consultation, the state of the market and projected demand, the whole range of options has been revisited and these are set out at Appendix 1. Recommendations are made as to which options require further investigation. Different options may apply to different homes.

- 2.10 For most of the options the impact of current terms and conditions results in significant costs to the Council, and these should be reviewed as a matter of urgency. In addition, some practices within the Homes, including that of retaining beds whilst residents are in hospital, should be reviewed.
- 2.11 With options 4-6, quality would be secured through contractual / SLA arrangements and be monitored via the Care Standards Inspectorate for Wales.

3 COST IMPLICATIONS

The costs of the next stage of the Review will be accommodated within existing budgets.

4 FINANCIAL CONTROLLER STATEMENT

There is no adverse impact on the Council's budgetary position as a result of undertaking the next stage of the Review process.

5 CONSULTATION CARRIED OUT

Consultation with residents, staff and families has been undertaken (see para 2.8 above), and Members of the Personal Services Policy Review and Scrutiny Committee are on the Project Team.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

The different options have a wide range of potential impacts, including economic development implications, personnel impacts and opportunities for developing health / social care working.

7 RECOMMENDATION

That Cabinet:

- a) agree the options recommended for further consideration, and
- b) instruct Officers to enter into negotiations with the Trade Union over Terms and Conditions and to review specific practices within the Homes.

	OPTIONS	STRATEGIC IMPLICATIONS	ESTIMATED FINANCIAL IMPLICATIONS	IMPLICATIONS FOR RESIDENTS	IMPLICATIONS FOR STAFF	OPTION FOR FURTHER ANALYSIS
1	Retain homes, do not undertake capital investment, leave terms and conditions and practices unchanged	The 'do nothing' option. Maintains total number of beds to meet demand	None, except that unit cost will continue to be higher than independent sector. Does not represent Best Value.	Deteriorating physical conditions	Deteriorating physical conditions	No
2	Retain the homes and invest where necessary	Maintains total number of beds to meet demand	Capital investment of £922,000 required over 5 years Tackling terms and conditions may result in savings on unit cost	Improved physical conditions	Improved physical conditions. Renegotiation of conditions of service and other practices.	Yes
3	To put the homes on the open market	Maintains total number of beds to meet demand, but no future influence on bed numbers or policy. Possibility of increased cost to Social Services purchasing without mixed market. Buildings not likely to be attractive to prospective buyers in current market. - substantial investment required and uncertain market.	Capital receipts uncertain due to current market. Staff likely to transfer on TUPE, and therefore would not produce cost savings.	Significant uncertainty Unlikely that respite beds, or short term emergency admissions will be a priority for alternative supplier.	Uncertainty. Staff likely to have terms and conditions protected under TUPE. Renegotiation likely in longer term.	No
4	To transfer the management arrangements to another body, e.g. Housing Associations,	Maintains total number of beds to meet demand. May result in long term and expensive contractual obligations.	Capital investment of £922,000 required over 5 years. Capital investment may be met by partner or by D.C.C.	Initial uncertainty	Similar to Option 3	Yes

	OPTIONS	STRATEGIC IMPLICATIONS	ESTIMATED FINANCIAL IMPLICATIONS	IMPLICATIONS FOR RESIDENTS	IMPLICATIONS FOR STAFF	OPTION FOR FURTHER ANALYSIS
	Independent Health Provider		<p>Costs unlikely to reduce down fully to those of the Independent Sector.</p> <p>If provider passes cost of capital upgrades through in increased fees, Denbighshire pays for them in any event.</p> <p>Does not necessarily tackle issues about terms and conditions or other practices.</p>			
5	Seek partnership arrangements (e.g. with Health and/or Public Sector Housing) to remodel the services	<p>Consistent with National Assembly for Wales requirements for partnerships - and with the need to develop new services e.g. rehabilitation.</p> <p>More flexible provision of care.</p>	<p>Capital investment in existing homes of £922,000 required over 5 years.</p> <p>Likely to require additional capital investment from either the Council or Health (e.g. for extension to building).</p> <p>May also include relocating them to new sites, where joint services could be provided.</p> <p>Terms and conditions and other practices would still need to be tackled.</p>	Relocation would involve disruption	Renegotiation of conditions of service	Yes
6	To create a body to manage the homes, e.g. a charitable trust	<p>Maintains beds to meet demand</p> <p>More community involvement and more flexible provision of care.</p>	<p>Capital investment of £922,000 required over 5 years.</p> <p>Financial implications in relation to Central and Directorate management costs need to be established.</p>	Negligible	Some renegotiation of conditions of service	Yes

	OPTIONS	STRATEGIC IMPLICATIONS	ESTIMATED FINANCIAL IMPLICATIONS	IMPLICATIONS FOR RESIDENTS	IMPLICATIONS FOR STAFF	OPTION FOR FURTHER ANALYSIS
7	Close the homes	<p>Reduces capacity to meet demand.</p> <p>Effectively no alternative suppliers in 3 of the 4 neighbourhoods (and insufficient spare capacity in the fourth).</p> <p>The homes are significant local employers, especially in rural localities.</p>	<p>Initial redundancy costs - savings through purchasing in independent sector (assumes availability of beds) - savings on capital requirements and possible capital receipt.</p> <p>Probable bed blocking penalty.</p>	Significant - High level of distress	Redundancy / redeployment	No

REPORT TO: CABINET
CABINET MEMBER: LEADER FO THE COUNCIL, COUNCILLOR E C EDWARDS
SUBJECT: FREEDOM AND RESPONSIBILITY
DATE: 7 MAY 2002

1 Decision sought

- 1.1 To approve the attached draft as the basis for a formal response to the National Assembly for Wales' policy statement 'Freedom and Responsibility' (attached is the list of issues presented to Council).

2 Reason for seeking Decision

- 2.1 County Council considered the policy statement 'Freedom and Responsibility' at its meeting on 26 March 2002.
- 2.2 Members agreed that a draft response should be prepared for Cabinet and for it subsequently to be forwarded to Council.
- 2.3 Members are therefore asked to consider the draft add comments as necessary and approve for forwarding to Council. Responses are requested by the 17 May,2002

3 Cost

- 3.1 There are no cost implications arising from this report.

4 Financial Controller Statement

The potential financial impact of the final Assembly proposals will need to be monitored and catered for within the budget setting process for future years.

On the specific point of the transfer of control of Business Rates the Council currently receives between £2m & £3m per annum more from the Business Rate than is actually collected within Denbighshire. Any change in the current system of paying over to the Assembly the Business Rate collected in the County while receiving a share of the overall sum collected in Wales based on a formula, would need to ensure that this potential shortfall would be funded from elsewhere within the Revenue Support Grant system. Failure to maintain the current levels of funding would lead to a situation where some Councils would gain funding at the expense of others including Denbighshire.

5 Consultation Carried Out

- 5.1 This report is for consultation with Members. Corporate Directors have been consulted and inputted into the draft

6 Impacts on other policy areas

- 6.1. None arising from this report, but the policy statement will impact on all aspects of the work of the Authority

7 Recommendation

- 7.1 That Members approve the draft

CE ~ SH

Draft Response to National Assembly

The Authority welcomes the opportunity provided by the National Assembly to respond to its important policy statement for Local Government. It gives a broad welcome to the paper and the main policy thrusts detailed within the document. The Authority however has some specific points which it would ask the National Assembly to reflect in legislation or other action.

General Points

The Assembly is to be congratulated on achieving two important results by this statement. One is the stability provided to the policy framework which has been evolving in Wales over the past 5 years. The paper seeks a continuance of the modernising agenda thereby enabling the work of authorities in progressing this framework to be consolidated. The second, as the WLGA response indicates, is the clear pursuance of a distinctively Welsh approach within that framework.

The significance of the latter point can easily be understated. The future of the policy agenda in Wales depends upon there being substantial outcomes from the partnership approach between local and national government. The Wales Programme for Improvement offers a clear demonstration that partnership working in Wales is a reality and not merely an aspiration. The Wales Programme for Improvement has saved Welsh local government from a regime dominated by external inspection and central government diktat such as is the case in England. In contrast the Wales Programme for Improvement creates a useful balance between universal requirements and local autonomy, thereby rescuing Best Value from its drift towards a bureaucratic approach to service improvement.

A further measure of the local/national government partnership however, is the extent to which the policy statement is seen in some respects as a draft to be amended by the Assembly following the consultation with its major partner; and in the spirit of this, the Authority would wish to register some points which it feels would improve the policy.

1. Community Strategy.

- 1.1 Community Strategies cannot be made to work without the full co-operation of Assembly agencies. It is pointless creating a legislative duty for authorities to prepare a community plan without creating a complementary requirement on Assembly agencies to fully participate. The partnership approach in Wales requires therefore that both the Assembly's agencies and local government are governed by the same legal framework. A reticence to pursue the necessary legislative changes will be interpreted by local government as a lack of commitment by the Assembly to fully engage itself in the community planning process. Given that participation by Scottish Parliamentary agencies is a duty in Scotland, there can be no in principle argument against this change.
- 1.2 It is illogical to have joined up working without joined up accountability. To complement the duty on Assembly agencies to participate, authorities must have the power to compel agencies to appear before scrutiny committees to explain their contribution to the community plan and to be held account for their performance and contribution.
- 1.3 The monitoring of the local/national relationship for the purposes of community planning at a regional level could become one of the main functions to the Assembly's Regional Committees. These would become more vital bodies if they became regional committees of the Partnership Council whose principal purpose would be to promote joint working.

2 Reduction in plans

- 2.1 The Authority welcomes the sentiment to reduce the number of statutory plans, to have a clearer idea of which plans are really required and to ensure that they are coherently related. The Assembly needs to assess, however, whether it really is moving towards that goal.
- 2.2 Firstly, the Assembly needs to reflect on the underlying assumption of the requirement for plans instead of focusing on its priorities and emphasis. While the need for strategic national planning and for a degree of uniformity cannot be doubted, it must be questioned whether local government's role is simply to carry out the Assembly's requirements. The monitoring of local

government by the Assembly through the production of plans serves to reinforce local government's subordinate relationship. If authorities are well managed they will produce their own strategic or operational plans for their functions. If the Assembly wishes to influence these strategies at local level, then it could do so through its dialogue with local government, through the policy agreement mechanism and through mutually agreed performance indicators.

- 2.3 Secondly, the policy statement provides no real assurance that the total number of plans will be reduced. Though there is a welcome introduction of the concept of an "exit strategy" for plans (4.19), there is no real evidence of a change of heart by the Assembly to deliver its strategic goals without recourse to the mechanism of statutory plans.
- 2.4 Thirdly, we welcome the intention to make the planning mechanism more coherent, to avoid duplication wherever possible, but the Assembly needs to ensure that the structures it evolves for the delivery of its strategic goals do not lead to more duplication. Rationalisation is often necessary because the Assembly has not had a well thought out structure, but has evolved policy on a piecemeal basis often without any joined up thinking within the Assembly as to how its strategic goals might be co-ordinated.

3 Democratic and Accountable Government / Deregulation

- 3.1 Proposals to make it easier for people to vote and by different methods are welcomed, but we would concur with the WLGA view that turnout (unless compulsory voting is introduced) is unlikely to be substantially affected by these changes.
- 3.2 As was made clear by Members when the Electoral Commission visited the Authority, the critical issue is the engagement with the people in local politics. There are no easy solutions to reversing low turnout. The culture which inspired political involvement and large electoral turnouts has probably passed into history. This may not be a satisfactory situation for a democracy, but it isn't necessarily an issue which can be dealt with by policy initiatives.
- 3.3 Proposals to consider proportional representation or dispensing with the ward system should be rejected. The relationship of a member to a constituency or ward is fundamental to local government. Any proposals to reduce the number of councillors will be contentious. The Assembly however needs to have clear principles before it considers introducing any such changes. Considerations of cost should not be the main determinant. Democratic ones should however be uppermost - it would be illogical to try and increase participation in local democracy and at the same time reduce the number of opportunities to represent the people.
- 3.4 As the WLGA has pointed out, the revitalisation of local democracy cannot be considered at one tier of government only. The relationship between national and local government is a factor in the problem of lack of participation. As the Assembly is currently examining the case for a greater transfer of powers from Westminster, it should understand only too well the importance of accountability and power and their effect on participation.
- 3.5 The intention to deregulate local government is welcome but the Assembly lacks the key powers that have recently been created such as section 16 of the Local Government Act 1999, section 5 of the Local Government Act 2000 and section 2 of the Regulatory Reform Act 2001 to give effect to this.
- 3.6 The Assembly is responsible for the vast majority of local government functions (education, housing, social services, planning etc.). As a matter of principle, it should be responsible for deciding to what extent local authorities in Wales are to be deregulated: deregulation alters the nature of control that it exerts over local government and the relationship between the two spheres of government. If those Acts had been drafted before devolution had become a reality, there is no doubt that the powers with respect to local government in Wales would have been vested in the Secretary of State for Wales. Even though they involve wide powers to amend primary legislation, they remain powers of secondary legislation and can be used only in tightly defined circumstances. It is difficult to envisage that, if the timing of devolution had been different, convincing arguments against transferring powers to the Assembly could have been mounted. The pace and nature of deregulation of local government should not be in the hands of DTLR (which is the perverse outcome that has been reached) simply as a result of timing of

devolution compared to the timing of the 1999, 2000 and 2001 Acts. The Authority seeks action by the Assembly Government to lobby for the transfer of these powers to the Assembly.

4 Council Tax

- 4.1 The Authority supports the intention to revalue and reband properties. However it feels that the vital issue on council tax is the gearing effect which is given insufficient coverage in the statement. This has two aspects: the first is the proportion of income raised in local taxes as against the proportion of Assembly financial support. The second is the inequality between areas arising from differences in the tax base of authorities.
- 4.2 With regard to the first point the Assembly has to consider whether the proportion of tax raised is harmful to the aim of revitalising democracy and whether there are alternatives to the current position. Possible options are listed below:
- Shift the proportion back to pre 90s levels?
 - The Assembly to state explicitly that it regards income tax as one it shares with local government, rather than regarding it as the means through it which it makes funding available to local authorities.
 - A third option is for local authorities like police authorities to precept the Assembly for its funding requirement.
- 4.3 The paper refers to revenue distribution and SSAs. However, if it is acknowledged that a process of distribution by means of statistical analysis, will not be perfect, then it is acceptable to develop other distribution methods to complement the SSA process. The paper should but currently does not address this issue which could be used to achieve greater equalisation of levels of Council Tax.
- 4.4 The Authority would also question the wisdom of consulting widely on budget strategies. The Assembly needs to ask what purpose would be served by the consultation, how would the evidence be assessed and how would the outcome be interpreted by the consultees? The proposal as it stands lacks clarity and if implemented could possibly further cynicism rather than increased participation in local democracy.

5. Financial Issues

- 5.1 Prudential Borrowing The Authority Welcomes the introduction of the prudential borrowing system, but would seek its early implementation (2004), with any powers in Wales being exercised by the Assembly and not the UK Treasury. We would recommend that the Assembly should keep things simple: any specific capital funding should be 100% grant under the new system i.e. not via revenue support grant.
- 5.2 Return of control of Business Rates The Authority supports the return of full control over business rates to local government (option A page 44). This should be subject to a control that business rates locally should not go up faster in percentage terms than council tax: this would stop councils placing an unfair burden on businesses. This change would shift the balance of funding between local and central sources, strengthen links with businesses, improve gearing etc.
- 5.3 Housing Finance Some aspects of the proposals on housing finance are welcome (removing rent rebates from the HRA). But the statement that the major repairs allowance, if introduced, should not be allowed to be used to support borrowing (para 8.1) should be rejected as any borrowing would be used to carry out maintenance/improvement works. The Authority is actively exploring stock transfer but the outcome of the process is not yet known. The Authority's comments on housing finance apply whether or not the stock transfer proceeds.
- 5.4 MRA The Authority support the MRA despite then additional level of hypothecation that it would create as it would enable the use of the HRA subsidy in PFI deals and to support additional borrowing.

- 5.5 Pooling Arrangement for capital receipts The proposal to pool capital receipts for housing should be rejected. Not only would this reduce the incentive to generate receipts, but it would mean a transfer of funds out of authorities who have been responsible for the investment that has created the possibility of those receipts.
- 5.6 Limiting variation in the average change in SSA (para 9.4). This is the “floors and ceilings” approach used in England, under which councils do not enjoy the full benefit of grant increases to which they are “entitled” if the ceiling bites. It is unnecessary in Wales where we have 22 authorities with the same responsibilities. We instead support the principle of the paper, which was recommended by the independent study of the grant distribution mechanism a few years back and which is the subject of a separate consultation.

Appendix

Sections	Main Features/ proposals
<p>Chpt 1 Vision</p>	<p>Local Government to: Provide clear leadership for their communities, deliver and secure high quality services, are open and accountable. The Assembly expects local Government to:</p> <ul style="list-style-type: none"> ▪ Work in partnership with others ▪ Work with WLGA and Syniad ▪ Work with all parts of the community ▪ Take a long term view of initiatives ▪ Be learning organisations developing both Members and staff ▪ Be representative of the community ▪ Make best use of new information and communication technologies ▪ Operate robust Performance Management systems ▪ Committed to sound and responsible financial management. <p>The Assembly for its part will:</p> <ul style="list-style-type: none"> ▪ Continue to set overall strategic directions and will make national priorities clear ▪ Continue to work in partnership with local government ▪ Work toward a simpler consistent framework work for setting objectives and targets ▪ Cutback on red tape ▪ Support Wales Programme for Improvement ▪ Simplify some aspects of the Local Government finance system ▪ Give LA's as much freedom as possible to manage their own resources ▪ Sees a valuable role for the Town and Community Councils. ▪ Wants a strong joint evaluation framework on policies.
<p>Chpt 2 Community Leadership</p>	<ul style="list-style-type: none"> ▪ Sees wide role for local government. <p>“The role of local government is growing into much more that providing local services. Using their Scrutiny committees and other structures such as area committees and forums, local authorities can both seek and express the views of their electorate on all public services.”</p> <ul style="list-style-type: none"> ▪ Emphasis on partnership working for community strategy and particularly with the Voluntary Sector. Paper indicates pooling of budgets as a way forward in partnership arrangements. ▪ Emphasis on the role of Assembly agencies in supporting community strategy, but no legislative change to place statutory duty on Assembly agencies to participate.

<p>Chpt 3 working together for Better Services</p>	<ul style="list-style-type: none"> ▪ Reform to Best Value and the Wales Programme for Improvement. (see paper on Agenda) ▪ Emphasis on strategic collaboration between authorities e.g. regional transport consortia and removal of obstacles to achieving continuous improvement. ▪ Indemnities for members who sit on partnerships or trust. Assembly intends to consult on which authority should it should grant indemnities to under the Local government 2000 Act. ▪ Support for equalities. Assembly funding posts in the WLGA. ▪ Emphasis on procurement through setting up Welsh procurement initiative and the Local government procurement support unit. ▪ Joint working with TCC's ▪ Clarification on whether LA's can take into Account equality issues etc. when tendering for work. ▪ Better Services through e Gov. Promise of additional capital of £9.7m
<p>Chpt 4 Cutting red tape</p>	<ul style="list-style-type: none"> ▪ Need to reduce the number of plans. Core focus will be on strategic and cross sectoral plans. Community Strategies, Local Improvement Plans and policy agreements. Additionally, local development plans, children and youth partnerships strategies and ageing population and service specific strategies. ▪ The Assembly will continue to take an interest in operational plans, but will want to see a more limited shelf life for these plans so that the total number of plans either reduces or is contained.
<p>Chpt 5 Democratic and Accountable Local Government</p>	<ul style="list-style-type: none"> ▪ Consultation on alternatives to first past the post system of voting. ▪ E-government and e-voting ▪ Llais Ifanc - and local forums ▪ Need to change the age and other aspects of the profile of Members ▪ Look at how to support employers to enable them to release staff who wish to represent their communities. ▪ Training for Members in executive and scrutiny functions. ▪ Development of Audit Committees.
<p>Chpt 6 Resourcing of Local Government</p>	<ul style="list-style-type: none"> ▪ Aim to provide adequate funding for all LAs within a more stable and predictable framework. ▪ Fairness to those who use services and greater accountable ▪ Balance funding for national priorities with real financial freedom ▪ Emphasis of ensuring local C/tax payers understand the system and are consulted on LG decisions.
<p>Chpt 7 Council Tax</p>	<ul style="list-style-type: none"> ▪ New Council tax bands 2003 followed by new valuation lists in 2004, put in force in 2005. ▪ Local Tax players should be involved in budgetary decisions through community strategy .

<p>Chpt 8 Business rates</p>	<ul style="list-style-type: none"> ▪ Consultation on 3 options ▪ Handing full control back to LAs (option might include land value taxation as an alternative to NNDR) ▪ Scheme based on Business Improvement Districts (Businesses within specified area would agree (via voting) to improve their areas, e.g. for additional policing or whatever) ▪ Promoting greater use of Voluntary partnerships arrangements ▪ Review of revaluation every 5 years. ▪ Decriminalisation of non return of statutory information requested by valuation officer. ▪ Business rate retention, consultation on framework
<p>Chpt 9</p>	<ul style="list-style-type: none"> ▪ Limiting the variation around average change in SSA in any one year. ▪ Earlier settlement. ▪ Consultation on making approval of Council Tax base an executive function. ▪ Use of small ward data in Social Services. ▪ Merging of RSG and NNDR into single funding stream. ▪ Consultation on Funding of Police. ▪ No change to funding fire services unless consensus in favour. ▪ Consultation on whether responsibility for capital funding for fire services should lie with the Assembly
<p>Chpt 10 Capital Funding</p>	<ul style="list-style-type: none"> ▪ Introduction of prudential borrowing regime following UK govt lead. ▪ Working with authorities to clarify eligibility for funding assistance in emergencies. ▪ Support for existing PFI schemes ▪ Change to definition of controlled companies to enable them to borrow.
<p>Chpt 11 Funding and accounting for Local Services</p>	<ul style="list-style-type: none"> ▪ Support UK proposals to apply prudential borrowing regime to HRA. ▪ Removal of rent rebates from HRA ▪ Requirement of set aside to be abolished. Creation of pool to fund new capital investment in housing wherever there is the greatest need. ▪ Reconsideration of introduction on MRA (major repairs allowance). ▪ Allow local authorities to charge of all discretionary services. ▪ Review of charges and fees. ▪ Duty of Chief Finance officer to report on reserves and budgetary calculations - Assembly to consult. ▪ Duty to contain overspends via regular monitoring - Assembly to consult. ▪ Support for UK govt proposal to exempt expenditure which reduces overspending from the existing prohibition to spend in extreme financial conditions

REPORT TO: CABINET

REPORT BY: CHIEF EXECUTIVE

DATE: 7 MAY 2002

SUBJECT: ARRANGEMENTS FOR HANDLING INTERNAL RESTRUCTURING

1 Decision Sought

Confirmation that internal structure of the Council's staff is a matter for the Head of Paid Service.

2 Reason for Seeking Decision

- 2.1 There are a number of proposals for internal restructuring at various stages of preparation. One such proposal appears in Part II of today's Agenda. It would be helpful to be clear about handling, so that there can be no misunderstanding.
- 2.2 The modernising legislation means that, once the new constitution has been adopted, the Cabinet cannot deal with appointment of staff or their terms and conditions. The Council has already agreed in June 2000 that it would deal only with appointments of the Chief Executive and Directors and the Cabinet subsequently agreed in July 2000 that it would deal with appointments at Head of Service level - this has to come to an end. I shall recommend to Council separately that appointments of Head of Service should, in future, be decided by panels drawn from the Corporate Executive Team although there would be the scope for (non-voting) involvement of Elected Members: the number of such appointments are potentially too numerous to be handled by full Council.
- 2.3 The Council has clear policies governing recruitment arrangements, job evaluation and redeployment/redundancy. Thus the framework that would govern any restructuring, in terms of assessing the grades for jobs and how they are filled, is already in place. These policies would continue to be approved by full Council.
- 2.4 This leaves only the question of who is responsible for deciding how the organisation should be structured, in terms of which tasks should be allocated to which Director or Head of Service and so on. In my view this should be an operational matter for me, as Head of Paid Service, and other senior managers to deal with. I propose that final authority therefore for such decisions should rest with me, except where the cost of restructuring cannot be contained within existing budgets. If the costs of a restructuring, whether one-off or on-going, cannot be contained within existing budgets for the directorate(s) concerned, then the Cabinet's approval will be sought to virement of resources within the overall budget with the implication that, if additional resources are not provided, the restructuring will either be revised or not be implemented.
- 2.5 Naturally, because of Cabinet's executive responsibilities and the interest of the Council in these matters there would be consultation with Cabinet and/or Scrutiny Committees in respect of significant restructuring even where the costs can be contained within existing budgets. There will also be consultation with Unions and staff and, if relevant, external partners. [This is the position for the restructuring which is the subject of a Part II report today.] And the Council, Scrutiny Committees and the Cabinet are always free to express views about whether performance is being affected by the Council's internal structures - although Members need to be careful not to make such comments in terms of personalities but based on principles and evidence. One such issue was raised in the Cabinet on 9 April and I shall report back with my views on that question in due course.

3 Cost Implications

3.1 Nil in this report.

4 Financial Controller's Statement

4.1 It is highly likely that any significant restructuring could lead to potential redundancy / retirement costs which had not been budgeted - thereby needing Cabinet / Council approval.

5 Consultation Carried Out

5.1 Corporate Directors have been consulted.

6 Implications on Other Policy Areas

6.1 N/A

7 Recommendation

7.1 That, subject to the consultation and other mechanisms mentioned in paragraph 2.5, the Cabinet confirms that internal structure of the Council's staff is a matter for the Head of Paid Service.

REPORT TO CABINET

CABINET MEMBER: Councillor E A Owens - Lead Member for Finance

DATE: 7 May 2002

SUBJECT: Provisional Revenue Outturn 2001/2002

1 DECISION SOUGHT

1.1 That Members note the provisional revenue outturn for the last financial year as detailed in the attached appendix and note the anticipated successful achievement of the target set under the Financial Recovery Plan.

1.2 That Cabinet recommend to Full Council that Financial Standing Orders in relation to carry forward of under/overspends be reinstated.

2 REASON FOR SEEKING DECISION

The need to deliver the Council's agreed Recovery Action Plan and budget strategy which calls for positive balances by the end of the year.

Current forecasts indicate that the Authority has achieved its target of eliminating negative balances by the year end. The process of finalisation of the accounts has commenced and will be completed over the coming months. Further adjustments may be required to the figures presented as a result of this work.

3 COST IMPLICATIONS

The latest projections show an overall underspend at year end of £ 80k. The estimated final position is shown at Appendix 1.

4 FINANCIAL CONTROLLER STATEMENT

Failure to remove negative balances by the year end would have reduced resources available for services in future years and endanger the Recovery Plan.

Whilst remaining hopeful that this phase of the Financial Recovery Plan has been achieved, the need for sound financial discipline remains in place as the Council proceeds to build the appropriate level of balances. This follows the recommendations regarding the financial standing of the Council made by the District Auditor which were issued under Section 11 of the Audit Commission Act (1998).

The Council's Financial Standing Orders make provision for service underspends and overspends to be carried forward from one financial year to the next, subject to a review of performance. These arrangements were suspended in view of the serious budgetary situation faced by the Council. In view of the improvement in the budgetary situation it is now considered appropriate to reinstate these arrangements. This would result in service budget overspends from 2001/02 being carried forward as a first charge against budgets in 2002/03. In the case of underspends, the amount carried forward would be limited to 5% of the net service budget of the financial year in which the underspend occurs.

Savings of a nonrecurring nature in capital financing charges have been applied to offset costs arising from the second round of redundancies.

5 CONSULTATION CARRIED OUT

Lead Cabinet members have consulted on an ongoing basis with Heads of Service to agree the necessary remedial action to deliver the outturn in line with service budgets.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

The level of funding available to services together with budgetary performance impacts upon all services of the Council.

7 RECOMMENDATION

7.1 That Cabinet note the figures in the appendices

7.2 That Cabinet recommend to Full Council that Financial Standing Orders in relation to carry forward of under / overspends be reinstated.

MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2001/2002
LIFELONG LEARNING
PERIOD ENDING MARCH 2002

	- Year to Date -			- 2001/02 Totals -			Projected Variance (Previous Report)
	Budget Profile	Actual to end Mar 2002 Plus Commitments	Variance	Budget As at Mar 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	
Individual Schools Budget	35,714	35,485	-229	36,054	35,804	-250	-250
School Funds Held Centrally	7,774	7,180	-594	8,636	8,619	-17	20
Non school Funding	558	472	-86	624	604	-20	-20
Leisure Services	2,801	2,677	-124	2,616	2,674	58	43
Culture	1,766	1,809	43	2,057	2,044	-13	-13
Countryside	387	334	-53	376	375	-1	-1
	13,286	12,472	-814	14,309	14,316	7	29
Total Lifelong Learning	49,000	47,957	-1,043	50,363	50,120	-243	-221

Lifelong Learning

Education

Individual Schools Budgets

This is based on the latest outturn projections for each of the schools (-£250k)

School Funds Held Centrally

Three pressures reported in previous months are as follows:

- a) Invoice received from Conwy in respect of teaching and LSA support for pupils in Emrys ap Iwan for 1999/00 and 2000/01 (£28.6k)
- b) Cost of a place at Ysgol Gogarth, Conwy has been increased by 30% for 2001/02 without prior notice (£65k)
- c) Recoupment undercharges from Flintshire for 1997/98; 1998/99 & 1999/00 (£40k)

These three items are still being vigorously challenged and as such are not included in the projected outturn above.

Potential cost of Soulbury pay restructuring (£18.3k)

Reinstatement of Clothing grants (£23k)

Education Transport - variations to contracts (£7.6k)

Joint use sport facilities overspend -40% contribution (£8k)

School furniture (£5k) and store (£2.4k) have been offset by capitalisation approved by Council 27 November.

Delay in appointment of staff (-£27.2k)

Testing of electrical equipment (-£7.1k)

Additional income from NW Health Authority (-£64k)

Culture and Leisure

Total Culture & Leisure overspend £24k due to underspend by Youth Service (£20k) reported under "Non school Funding" line.

Leisure services variance due to pressures at leisure centres created by long-term sickness (£14k), essential replacement of air conditioning (£6k) and unexpected fees payable in respect of the Sun centre and Nova backdated 4 years (£17k).

Unexpected pressures at Resorts & Amenities include NNDR for Splash Point Hotel and 82% reduced profit share from Apollo Cinema.

Remedial actions to reduce pressure on budgets included delayed appointments, review of casual staffing, etc. Regular meetings held with budget holders to control expenditure and maximising income.

Culture variance due to savings made by Library Service (£6k) and Archives & Heritage (£7k).

Countryside variance due to additional grant being secured.

MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2001/2002
ENVIRONMENT
PERIOD ENDING MARCH 2002

	- Year to Date -			- 2001/02 Totals -			Projected Variance (Previous Report)
	Budget Profile	Actual to end Mar 2002 Plus Commitments	Variance	Budget As at Mar 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	
Highways and Transportation	5,195	4,571	-624	5,195	5,195	0	0
Public Protection & Community Services	6,998	6,128	-870	6,998	6,988	-10	0
Economic Regeneration	769	967	198	769	759	-10	-10
Planning Services	823	773	-50	823	823	0	0
Design and Construction	915	1,634	719	915	915	0	0
Support Services	505	523	18	505	505	0	0
Total Environment	15,205	14,596	-609	15,205	15,185	-20	-10

Highways Winter Maintenance - any underspend against budget will be carried forward as a provision for future years.

MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2001/2002
PERSONAL SERVICES
PERIOD ENDING MARCH 2002

	- Year to Date -			- 2001/02 Totals -			Projected Variance (Previous Report)
	Budget Profile	Actual to end Mar 2002 Plus Commitments	Variance	Budget As at Mar 2002	Projected Outturn	Variance (Increase/ - Saving)	
	£000s	£000s	£000s	£000s	£000s	£000s	
Children and Families	3,674	3,804	130	3,704	3,861	157	116
Intake A & C M (North)	4,626	4,499	-127	4,747	4,686	-61	-175
Intake A & C M (South)	2,916	2,827	-89	2,975	2,812	-163	-14
Provider	4,804	4,870	66	5,204	5,276	72	87
Strategic Planning	2,722	2,745	23	2,949	2,953	4	1
Total Personal Services	18,742	18,745	3	19,579	19,588	9	15

Comments**Children and Families:**

Fostering remains the main area of concern (forecast overspend £235k).

Intake A & C M (North & South)

Combined Underspend of £189k

Adult Services - Provider:

Elderly Residential Services - estimated overspend £192k

Adult Services - General

Transitional Housing Benefit income totalling £320k is providing some compensation for overspends in other areas.

MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2001/2002
CHIEF EXECUTIVE, RESOURCES, CORPORATE & MISCELLANEOUS
PERIOD ENDING MARCH 2002

	- Year to Date -			- 2001/02 Totals -				
	Budget Profile	Actual to end Mar 2002 Plus Commitments	Variance	Budget As at Mar 2002	Projected Outturn	Variance (Increase/ - Saving)		Projected Variance (Previous Report)
	£000s	£000s	£000s	£000s	£000s	£000s		£000s
Chief Executive's Dept	2,269	2,090	-179	2,028	2,028	0	0	
Resources Directorate:								
Corporate Property Unit	258	278	20	238	243	5	5	
Finance	3,177	3,144	-33	1,868	1,851	-17	-17	
Audit	282	163	-119	272	289	17	17	
I.T	1,302	1,289	-13	1,324	1,324	0	0	
Personnel	530	497	-33	531	526	-5	-5	
Total	5,549	5,371	-178	4,233	4,233	0	0	
Corporate & Miscellaneous Benefits	855	1,733	878	1,928	1,928	0	32	
	10,490	11,123	633	773	773	0	0	
Total	11,345	12,856	1,511	2,701	2,701	0	32	
Total Chief Executive's, Resources, Corporate & Misc. and Benefits	19,163	20,317	1,154	8,962	8,962	0	32	

**MONTHLY BUDGET MONITORING REPORT - FINANCIAL YEAR 2001/2002
NON-SERVICE ITEMS
PERIOD ENDING MARCH 2002**

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- 2001/02 Totals -		
Budget As at Mar 2002	Projected Outturn	Variance (Increase/ - Saving)
£000s	£000s	£000s
3,835	3,835	0
11,114	9,696	-1,418
0	50	50
0	500	500
0	304	304
0	688	688
14,949	15,073	124

Levies

Capital Financing:

Savings consisting of :

- Premature Loan Repayments
- Slippage in Capital Payments Financed from Borrowing
- Cash Flow Management

£000s
-500
-500
-450

-1,450

Provisions:

- Predecessor Authorities' Liabilities
- Potential Clawback of Housing Benefit Subsidy

Employee Retirement Costs:

- Redundancy and Lump Sum Payments
- Pension Fund Strain

See Note

Total Expenditure

Note: Costs in respect of 21 retirements in 2001/02.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR A E ROBERTS LEAD MEMBER FOR PERSONAL SERVICES

DATE: 7 May 2002

SUBJECT: Direct Payments - Calculation of the amount of a Direct Payment

1 DECISION SOUGHT

Approval for the rates used to calculate the amount of a Direct Payment.

2 REASON FOR SEEKING DECISION

* In decisions made on 19 April and 11 October 2001, Cabinet agreed to set up a Direct Payment scheme in Denbighshire.

* In implementing the scheme, Officers will need to calculate the amount of a Direct Payment which will replace the service arranged by the County.

* It is proposed that the Direct Payment will comprise a start up payment of £150 which cover the cost to the Direct Payment Recipient of setting up records, any insurance or advertising costs, if he or she is to employ his or her own support workers. *

The proposed hourly rate is £8.09. This amount should enable the Direct Payment Recipient to employ their own staff at rates comparable to those paid to Home Carers, and also to pay leave to the worker and other on-costs. For sleep-ins the proposal is for a £26.42 rate which allows for payment at Home Care rates.

* These amounts should enable the Direct Payment Recipient to either employ their own support workers or purchase care from an independent sector Provider of care. The records that the Direct Payment Recipient must keep will evidence that the Direct Payment has been spent upon care. In particular cases, where there are exceptional circumstances, these amounts can be varied.

3 COST IMPLICATIONS

The amounts to be used to calculate the Direct Payment are similar to those that the Directorate would need to purchase care from the independent sector, and less than if it were to provide the care through its own services.

4 FINANCIAL CONTROLLER STATEMENT

The introduction of direct payments will be met from within existing budgets and accordingly will not have an adverse impact on the financial position of the Council.

5 CONSULTATION CARRIED OUT

The Direct Payments Steering Group which included Users of services and representatives from all client groups recommend that Cabinet agree the above rates.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

Social Inclusion - Direct Payments promote choice and control and independent living.

Community Involvement - Direct Payments must be developed and delivered in partnership with disabled people and disability related organisations

7 RECOMMENDATION

That Cabinet approves the amounts in section 2 above to calculate Direct Payments.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR A E ROBERTS LEAD MEMBER FOR PERSONAL SERVICES

DATE: 7 May 2002

SUBJECT: DOMICILIARY CARE - FEE INCREASES

1 DECISION SOUGHT

To approve a 3% increase in payments made under the 'Contract for Domiciliary Care Services'.

2 REASON FOR SEEKING DECISION

*In line with the Best Value Review of Home Care services, the Directorate is attempting to encourage independent sector provision of domiciliary care as an effective alternative to its own service provision. This report is in furtherance of that strategy.

*The recruitment and retention of Social Care workers has been a continuing difficulty for independent sector providers. This has led to the County having problems in meeting its statutory duties to arrange care. Previously the Council has attempted to contribute to the solution of the problem by, when possible, increasing fees by amounts that exceed the inflation rate. For 2002/03, it is proposed to increase fees paid under the contract by 3%.

* The Contract for Domiciliary Care Services contains provision for periodic increases in fees (para 19).

3 COST IMPLICATIONS

The 3% increase in domiciliary fees will be met from within Directorate budgets.

4 FINANCIAL CONTROLLER STATEMENT

Budgetary provision exists for Domiciliary Care Services. The increased costs are to be met from within this budget.

5 CONSULTATION CARRIED OUT

There has been consultation with the independent sector Approved Providers of Domiciliary Care about the level of fee increase.

6 IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

The minimum wage legislation is part of Government strategy to relieve poverty amongst the low paid, some of whom will work for Independent Sector Providers of domiciliary care. This proposal, therefore supports the Corporate Objective of maintaining the economic well-being of the people of Denbighshire.

7 RECOMMENDATION

That Cabinet approves a 3% increase for fee payments made under the Contract for Domiciliary Care Services from 1 April 2002.

PS - SE

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR E C EDWARDS, LEADER OF THE COUNCIL

DATE: 7 MAY 2002

SUBJECT: QUEEN'S JUBILEE CELEBRATIONS

1. DECISION SOUGHT

1.1 For Cabinet to approve the involvement with the Queen's Jubilee celebrations as indicated on the attached and to agree the provision of funding of no more than £20k to support the event on 11 June at Eirias Park

2. REASONS FOR SEEKING DECISION

2.1 The year of the Queen's Jubilee and Her Majesty's visit to Wales necessitates an appropriate response by the Council.

2.2 The Authority has been preparing for the event with the details on the attached document to this report. Cabinet is asked to endorse the preparations that have been made.

2.3 There will be costs to the Authority associated with the event at Eirias Park (see 1 on appendix), relating to:

- a. travel costs for inter school competitions, kit, artists fees, materials and travel for pageant;
- b. on site facilities: changing marquees, protaloos, barriers and bunting

Conwy County Borough Council has also submitted a request to the former Clwyd Authorities for £10k contribution per Authority towards the event. In the circumstances it is prudent to make available provision of no more than £20k to cover all contingencies.

2.4 As these costs have not been budgeted for, application will need to be made to the contingency fund for these items.

3. COST IMPLICATION

3.1 £20k

4. Financial Controller Statement

No specific service budget provision exists for this contribution. Members will need to consider whether a cash limited sum should be set aside from the contingency budget.

5. CONSULTATIONS CARRIED OUT

5.1 The Operations Management Board considered the matter on 18 April and favoured making funding available and making an authority contribution to the event on 11 June.

6. POLICY IMPLICATIONS INCLUDING CORPORATE

6.1 The main implications are for the Authority's corporate governance agenda. Enabling people to participate in a major event involving the Monarch in the life of the country encourages the development of people's sense of identity with the values and traditions of the United Kingdom

7. RECOMMENDATION

7.1. That Cabinet approve the funding provision as indicated and for reporting on this to Council
CE ~ SH

There are three areas in which Denbighshire is supporting Queen's Jubilee.

1 Sports Event at Colwyn Bay on 11th June

Denbighshire Sports Team are organising a series of inter-school competitions with the individuals/winners going to compete at the Jubilee Sports Events. It is anticipated that one coach (53 seats) with competitors and staff will be attending the event.

Arts education workers are involving school pupils in a dance programme incorporated into the Event Pageant. Approximately 100 pupils from 4 schools will represent Denbighshire wearing costumes linked to the five decades of the Queen's reign.

There have been 450 seats allocated for parents, teachers and friends etc. of participants for Denbighshire to allocate. The Arts Education co-ordinator suggests that the Director of Lifelong Learning writes to the participating schools. A further 200 grandstand seats have been allocated for dignitaries to be allocated by the Chief Executive Officer.

2 Support for Local Events

A cross department group has been established, chaired by David Davies to provide a co-ordinated response. The approach that has been adopted includes:

a. the production of an information pack consisting of various highway closure/bunting application forms, entertainment/environmental health forms and an advisory event tool kit with contact numbers of appropriate officers, who will advise on street closures, signage, food hygiene, publicity and public entertainment.

b. Culture and Leisure will create a 'What's On' database to publicise events and disseminate information to the Queen's Jubilee Committee and the Assembly.

c. A panel has been formed consisting of Highways, Licensing Police and Fire Brigade to consider all applications for street parties. Charges have been waived for street closures and Public Entertainments Licence. Although groups need to meet their own insurance requirements. Groups wishing to hire Culture and Leisure facilities (Town Halls, Leisure Centres etc) will only be charged the charitable rate.

There are no funds available to distribute to groups although Denbighshire's approach represents considerable support in kind.

A letter has been circulated to Town and Community Councils of this approach and PR are involved in creating press releases.

The main contact is Sian Davies, Leisure Events Officer who will be a central point for all public enquiries.

3 Activities organised by Culture and Leisure

Heritage services are organising an exhibition of the Fabulous 50's to be held in Rhyl Museum in June.

Libraries are organising exhibitions of books written in or about the 50's at all Libraries.

A series of events organised by Countryside Services that also link with Environment Week.

REPORT TO CABINET

CABINET MEMBER: COUNCILLOR E C EDWARDS, LEADER OF THE COUNCIL

DATE: 7 MAY 2002

SUBJECT: TIMETABLE FOR COUNCIL/CABINET/COMMITTEES

1. DECISION SOUGHT

1.1 To recommend to Council a proposed timetable for meetings of County Council, Cabinet, Scrutiny Committees and statutory Committees/Panels for the forthcoming municipal year.

2. REASON FOR SEEKING DECISION

2.1 The Council needs to set a formal timetable for meetings in order to carry out its democratic processes.

2.2 I attach for Members' consideration a list of the dates for meetings of County Council/Cabinet, etc (Appendix 1) together with a list of the dates for meetings of the Scrutiny Committees (Appendix 2).

2.3 The Modernising Panel is currently reviewing the existing committee structure and recommendations thereon will be submitted to Annual Council on 14 May 2002. The enclosed timetables reflect the proposed structure which will be incorporated into the new constitution and will be subject to approval by Annual Council.

2.4 I have scheduled meetings of the Cabinet and County Council on the existing timetable of fortnightly and bi-monthly meetings respectively. With the delegation of some executive functions to individual Cabinet Members or Sub-Committees of Cabinet, Members will be invited to consider further whether there will be a need for Cabinet to meet on such a regular basis.

2.5 The venues of the various meetings are not prescriptive (other than Council and Planning) and can be altered to accommodate individual requirements.

3. COST IMPLICATIONS

3.1 Funding is allocated from within the "costs of democracy" budget.

4. FINANCIAL CONTROLLER STATEMENT

4.1 No financial implications.

5. CONSULTATION CARRIED OUT

5.1 Consultations on the proposed timetable have been undertaken with relevant Heads of Service and Chairs of Scrutiny Committees.

6. IMPLICATIONS ON OTHER POLICY AREAS INCLUDING CORPORATE

6.1 Covers all policy areas.

7. RECOMMENDATION

7.1 Cabinet recommend to County Council that the attached timetable of meetings for the forthcoming Municipal Year be approved.

2002/2003

NAME OF COMMITTEE	SCHEDULE OF DATES AND VENUES
Adoption and Fostering Panel 9.30 am	27/5, 24/6, 22/7, 23/9, 28/10, 25/11, 16/12, 27/1, 24/2, 24/3, 28/4 all meetings held at Children's Resource Centre, Cefndy Road, Rhyl
Local Joint Consultative Committee 2.30 pm	4/7 (P), 3/10 (R), 16/1 (D), 3/4 (Ru)
Corporate Health, Safety and Welfare 10.00 am	11/7 (P), 24/10 (R), 9/1 (P), 10/4 (R)
S.A.C.R.E. 10.00 am	5/7 (R), 17/10 (P), 27/2 (Ru)
Clwydian Range A.O.N.B. Joint Advisory Committee 2.00 pm	dates to be determined all meetings held at Loggerheads
Planning Committee 10.00 am	22/5 (R), 26/6 (Ru), 24/7 (R), 4/9 (Ru), 2/10 (R), 30/10 (Ru), 27/11 (R), 18/12 (Ru), 29/1 (R), 26/2 (Ru), 26/3 (R), 23/4 (Ru)
Corporate Governance 10.00 am	11/6 (R), 9/7 (Ru), 3/9 (P), 8/10 (D), 12/11 (R), 10/12 (Ru), 14/1 (P), 11/2 (D), 11/3 (R), 8/4 (Ru)
Licensing 10.00 am	6/6(P), 31/7 (Ru), 10/9 (R), 5/11(P), 3/12 (Ru), 13/2(R), 15/4 (P)
Cabinet 10.00 am - venues to be determined	21/5 (R), 5/6, 18/6 future dates to be determined
County Council 10.00 am Ruthin	28/5, 23/7, 24/9, 19/11, 21/1, 4/2 (Special Budget), 4/3 (Special Budget), 18/3, 13/5 (Annual Council)

Key: R - Rhyl, Ru - Ruthin, P - Prestatyn, D - Denbigh.

SCRUTINY COMMITTEES2002/2003

LIFELONG LEARNING	RESOURCES	ENVIRONMENT	PERSONAL SERVICES
<u>MAY</u> 15 (am) (Ru)	22 (pm) (R)	29 (am) (D)	5 (June) (pm) (P)
<u>JUNE</u> 12 (pm) (R)	19 (am) (P)	26 (pm) (Ru)	3 (July) (pm) (D)
<u>JULY</u> 10 (am) (P)	17 (am) (D)	24 (pm) (R)	31 (pm) (Ru)
<u>SEPTEMBER</u> 4 (pm) (Ru)	11 (am) (R)	18 (am) (D)	25 (pm) (P)
<u>OCTOBER</u> 2 (pm) (R)	9 (pm) (Ru)	16 (am) (P)	23 (pm) (D)
<u>NOVEMBER</u> 30 (Oct) (pm) (Ru)	6 (am) (D)	13 (am) (R)	20 (pm) (P)
<u>DECEMBER</u> 27 (Nov) (pm) (R)	4 (am) (P)	11 (am) (D)	18 (pm) (Ru)
<u>JANUARY</u> 8 (am) (D)	15 (am) (Ru)	22 (am) (P)	29 (pm) (R)
<u>FEBRUARY</u> 5 (am) (Ru)	12 (am) (P)	19 (am) (R)	26 (pm) (D)
<u>MARCH</u> 5 (am) (R)	12 (am) (D)	19 (am) (Ru)	26 (pm) (P)
<u>APRIL</u> 2 (pm) (P)	9 (am) (R)	16 (am) (D)	23 (pm) (Ru)

REPORT TO: CABINET
CABINET MEMBER: COUNCILLOR E C EDWARDS, LEADER OF THE COUNCIL
SUBJECT: PRESERVED COUNTIES
DATE: 7 MAY 2002

1 Decision Sought

1.1 To agree the recommended response to the National Assembly's review of Preserved Counties.

2 Reason for Decision

2.1 The Local Government Boundary Commission for Wales has been directed by the National Assembly to carry out a review of the preserved counties.

2.2 The preserved counties are those under the 1994 Act which were preserved for certain purposes, The Counties are the former Clwyd and Gwynedd. The functions which are performed on a preserved County basis are as per the attached list:

2.3 There are few real issues involved here as the functions are either performed on a North Wales basis (magistrates courts) or there are satisfactory existing arrangements.

2.4 The argument for change would be that currently the unitary authority of Conwy County Borough is split between two preserved counties and is therefore served by two Lord Lieutenants and two High Sheriffs. However, making the change on this basis could affect Parliamentary Constituencies, which is to no one's advantage.

2.5 Similarly, there is no case for the preserved county functions being carried out on a unitary basis as this would lead to an increase in Lord Lieutenants and High Sheriffs.

2.6 In the absence of any strong argument therefore for change, Members are recommended to respond along the same lines.

3 Cost

3.1 N/A

4 Financial Controller Statement

There are no apparent financial considerations resulting from the recommendation.

5 Consultation carried out

5.1 The views of MP's and AM have been sought, but with no response. However they may have been consulted directly by the Commission and responded to that Body.

5.2 Early indications are that Conwy County Borough Council's will be supporting the status quo.

5.3 Emrys Williams of Denbighshire Association of Local Councils supplied an historical note.

6 Impact on other Policy Areas

6.1 N/A

7 Recommendation

7.1 That Members support a status quo response to the Local Government Boundary Commission for Wales