

## CABINET

Minutes of the Cabinet meeting held in the Town Hall, Rhyl on Tuesday, 30th July, 2002 at 10.00 a.m.

## PRESENT

Councillors P.A. Dobb, Lead Member for Health and Wellbeing; E.C. Edwards, Lead Member for Safeguarding our Communities; M.A. German, Lead Member for Sustainable Development and Environment; R.W. Hughes, Lead Member for Lifelong Learning; G.M. Kensler, Lead Member for Promoting Denbighshire, D.M. Morris, Lead Member for Communications; J.A. Smith, Lead Member for Social Inclusion; W.R. Webb, Lead Member for Property and Asset Management, and E.W. Williams, Leader and Member for Economic Wellbeing.

Observers: Councillors M.LI. Davies, S. Drew, G. Jones and R.J.R. Jones.

## ALSO PRESENT

Chief Executive, Deputy Chief Executive / Corporate Director of Resources, Financial Controller and the Legal Services Manager.

## APOLOGIES

Councillor E.A. Owens Lead Member for Finance.

### **309. URGENT MATTERS**

The Leader of the Council gave notice of the following items 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) Minutes: 5 June 2002- Minute 71: Draft Bus Strategy - Correction
- (ii) WLGA Conference Llandudno, 5/6 September, 2002 - representation

### **310. MINUTES OF THE CABINET [CABINET 2002 - 141]**

The Minutes of the Cabinet meeting held on 16 July 2002 were submitted.

***RESOLVED*** that the Minutes of the Cabinet meeting held on 16 July 2002 be approved as a correct record and signed by the Leader.

### **311. SCALA FEASIBILITY STUDY [CABINET 2002 - 142]**

Councillor G.M. Kensler presented the report seeking Cabinet's consideration of its contents and that of the attached appendices. She sought Members' approval for the recommendations contained in the report.

The Leader commended the report for its clarity and for its forward planning. Councillor M.A. German, who had previously served as Chair of the Scala Advisory Group, said that there was a determination in the community to safeguard the Scala's future. Councillor D.M. Morris concurred by stating that it was essential to maintain a cinema / arts complex and community facility on the site for the future. Councillor R.W. Hughes thanked the County Council for deciding 18 months previously to take action and to involve the wider public at every stage. The Chief Executive referred Members in particular to the recommendation calling for a detailed development study which could possibly lead to the creation of a new 'not for profit' organisation aimed at driving the proposed project forward. Councillor G.M. Kensler proposed the recommendations for approval en bloc and upon being put to the vote her proposal was carried unanimously.

**RESOLVED that Cabinet:-**

- (a) *supports the need for an arts cinema and community facility in Prestatyn;*
- (b) *evaluates in detail the recommendation by the independent consultants that the facility should be developed on the existing Scala site and also to consider and consult upon options that have come to light since the independent consultant's report was prepared;*
- (c) *supports the need for a more detailed development study, including establishing a new 'not for profit' organisation within the next year to drive the project forward and to subsequently manage the facility;*
- (ch) *provides the necessary officer support to assist the new organisation;*
- (d) *clearly identifies through the development study the level of revenue grant which would be required to sustain the facility having regard to the need to limit the Council's long-term financial contribution, and*
- (dd) *aims to complete the project within 3 years with regular reports on progress to be submitted to the Lifelong Learning Scrutiny Committee.*

**312. HOUSES IN MULTIPLE OCCUPATION [HMO] REGISTRATION SCHEME [CABINET 2002 - 143]**

Councillor P.A. Dobb presented the report seeking Cabinet approval of the proposed consultation with local landlords, Landlord Associations and other interested parties on the proposals put forward in this report with a report back to Cabinet in September 2002 on the comments received.

Councillor Dobb detailed the form in which the consultation would take place according to a strict timetable and sought approval in principle to implementation of Phase II within West Rhyl as defined in Appendix I to the report including a registration fee of £60 per habitable room (holiday accommodation benefiting from a reduced rate) and the recruitment of additional dedicated Housing Enforcement Officers.

**RESOLVED that Cabinet:-**

- (a) *approves consultation with local landlords, Landlord Associations and other interested parties in accordance with paragraphs 1.1 and 1.2 in the report with a report back in September 2002;*
- (b) *approves in principle subject to paragraph 1.1 in the report to implement Phase II of the registration scheme with control provisions on a programmed basis within the West Rhyl area as defined in the map set out in Appendix I to the report;*
- (c) *authorises additional staffing to be recruited in accordance with para 3.1 and 4.1 subject to sufficient finances being identified through the bidding process, and*
- (ch) *seeks approval to register holiday accommodation at a reduced cost as part of the registration scheme with control provisions.*

**313. REVENUE BUDGET 2002/03 [CABINET 2002 - 144]**

The Corporate Director: Resources presented the report for Members' consideration of the proposed actions necessary to contain service expenditure within the overall budget for the year in the light of the latest budget performance figures as detailed in the appendices attached to the report.

The Director emphasized the continued need for caution and emphasized the importance of adhering to the discipline called for in the Council's Recovery Plan to achieve targets e.g. the accumulation in the current financial year of balances of £1m. The Financial Controller referred to details in the report and appendices thereto and said that it was important to examine likely pressures with particular attention being paid to factors such as numbers of posts being submitted for external recruitment.

Members agreed that it was important to maintain the progress achieved within the requirements of the agreed Recovery Plan and supported the recommendations contained in the report. However, Councillor W.R. Webb, with reference to the Recovery Plan, sought additional information on structures and total staff numbers. He expressed concern that current systems were not in place to provide the information necessary for Members to obtain the full picture. He therefore proposed that discussion on certain aspects of the report in this regard be held with the Press and Public excluded. This was agreed.

**Exclusion of Press and Public:-**

**RESOLVED:** under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for discussion on the remainder of this item.

*Subject to the foregoing discussion:-*

**RESOLVED** that Cabinet:-

- (a) notes the figures in the appendices and considers necessary remedial actions to ensure that balances of £1.0m are achieved by the end of the current financial year;
- (b) notes that all external appointments, with the exception of statutory or business critical posts as agreed by the Chief Executive, are deferred for a three month period, at which time the financial position of the Council will be further reviewed. Externally funded posts are excluded;
- (c) requests all services to develop proposals for a 0.5% budget saving (inclusive of (b)) above by mid-August 2002, for consideration at the Cabinet meeting in September, and
- (ch) requests report back in September 2002.

(At this stage of the meeting Cabinet resumed in public session with Press and Public in attendance)

**314. CAPITAL PLAN 2002/03 [CABINET 2002 - 145]**

The Corporate Director: Resources presented the report to advise Members of progress with the Capital Plan, taking account of the 2001/02 Out-turn position and suggested measures required to ensure that proposed spending be contained within the level of resources available.

The Corporate Director said that it was appropriate to re-consider the approved Capital Plan in the light of the 2001/2002 Out-turn which had recently been finalised. In particular, he highlighted slippage in schemes commenced but not sufficiently progressed in 2001/2002, payments for which would now fall into 2002/2003. He also referred to additional pressures directly resulting from the cost of fees relating to the Ruthin Offices PFI project (£200k greater than anticipated in 2001/2002 and an extra £200k on top of the estimated £200k in 2002/2003). It was also recommended that £200k should be diverted to undertake priority Health and Safety Capital Schemes. The generation of capital receipts remained the only real means available to accommodate spending in excess of the NAFW's General Capital Funding for the year.

Councillor P.A. Dobb's disappointment about the PFI fees were echoed by the Leader and Councillor R.W. Hughes. The Corporate Director said that the protracted negotiations had over the last few months been caught up in detail and had not been helped by other factors beyond the control of the Council e.g. amendments to legislation which at the end of the day were likely to be of little benefit to the Council in the context of the entire scheme.

In reply to a question asked by Councillor E.C. Edwards, the Corporate Director agreed with the suggestion to a proposal to examine capital expenditure in relation to Area Partnerships. Such analysis could be built in from this financial year onwards. It would be more difficult to examine revenue expenditure, although it was felt that this should also be investigated.

**RESOLVED** that Cabinet:-

- (a) maintains the drive to generate capital receipts, and
- (b) approves deferment of new schemes from within existing Block Allocations until sufficient capital receipts have been generated in order to accommodate the £600k pressure arising from the PFI Scheme and Health and Safety requirements; the amounts involved are to be re-instated when sufficient capital receipts have been generated; The Block Allocations being amended as follows:-

Allocation	Existing Block Allocation	Proposed	Block
	£000s	£000s	
School Buildings	1,100	900	
Highways Structural Maint.	1,000	800	
Housing Improv. Grants	2,000	1,900	
Community Projects	430	330	

At this juncture (11.30 a.m) the meeting adjourned for 15 minutes to allow Members to participate in refreshments.

**315. STRATEGIC PARTNERSHIP FOR HEALTH, SOCIAL CARE AND WELLBEING [CABINET 2002 - 146]**

Councillor P.A. Dobb presented the report seeking Cabinet approval of Stage 1 of proposals to develop a Strategic Partnership for Health, Social Care and Well-being through the establishment of a Strategic Partnership Board, as detailed in the Appendices to the report.

In proposing approval for the recommendations in the report, Councillor Dobb highlighted the structural changes which were taking place in Wales leading to the establishment and funding of Local Health Boards, greater emphasis being placed on strategic partnerships between local authorities and a range of partners in health and well-being and on a whole range of community governance issues reflected in recent statutory guidance (Community Strategy-Local Government Act 2000, the Learning and Skills Act, Children and Young Person's Framework Guidance etc.). In a move which is consistent with all these parallel developments is a proposed structure for a Strategic Partnership Board for Health, Social Care and Well-Being (with a linked Lead Officer Group) as outlined in the report.

The proposal reflects opinion voiced in consultation that such a strategic partnership body would assist in dealing with potential tensions and differences which might result during the process of delivery between those primarily focused on the health/social care agenda and those focusing more on the "broader determinants of health" such as environmental, social and economic issues. With NHS structural changes likely to be fully in place by 2003 and shadow Local Health Boards in place by Autumn 2002 it seems rational to move towards a shadow structure for health social care and well-being partnerships to a similar time-scale. The first 5-year Health, Social Care and Well-being Strategies will be required in draft for public consultation by 1 October 2003 and finalized by 31 March 2004, hence the need for implementation. The report sought approval for Stage 1 as set out in Appendix 1 to the report. The appendix set out proposals for membership, organization of meetings and the basis for setting up the Lead Officer Group. Stage 1 in the process would involve the establishment of the Strategic Partnership Board who would itself determine at a later stage the detail of which planning groups would then report to it. Three County Council executive member nominations were proposed for membership to the Strategic Board for Health and Well-being in Stage 1 namely Councillors P.A. Dobb, J.A. Smith and E.C. Edwards. Subject to the foregoing discussion, it was:-

**RESOLVED** that Cabinet approves:-

- (a) Stage 1 of proposals to develop a Strategic Partnership for Health and Well-being i.e. the development of a Strategic Partnership Board with the initial membership as set out in Appendix 1 to the report, and

- (b) *the nomination of Councillors P.A. Dobb, J.A. Smith and E.C. Edwards to serve on the Strategic Partnership Board.*

**316. IMPLEMENTING ELECTRONIC GOVERNMENT UPDATE [CABINET 2002 - 147]**

Councillor D.M. Morris presented the report and Appendices to update Members on Implementing Electronic Government, as previously requested by Cabinet.

Councillor Morris said that the Council had already approved IEG and requested that owing to its importance, progress reports be submitted on a quarterly basis in order for it to take decisions should there be any slippages. The IEG report, as detailed in Appendix 1 to the report, was on target with no slippages.

***RESOLVED** that Cabinet continues to fully recognise and support the importance of Implementing Electronic Government*

**317. REQUESTS FOR EXEMPTION FROM REQUIREMENT TO REPAY GRANT AID PAID IN RESPECT OF BREACHES OF CONDITIONS [CABINET 2002 - 148]**

Councillor P A Dobb presented the report seeking Cabinet approval of a system of delegation to the Lead Member for Health and Wellbeing for processing requests for the waiver of the payment conditions by those who have received grant aid towards improvement of their privately owned properties. The report set out in detail the reasons for seeking the decision and the criteria which the Lead Member would apply to each case before deciding on a possible exemption. The conditions thus applied would assist in safeguarding the Council's interests.

***RESOLVED** that Cabinet approves a system of delegation to the Lead Member for Health and Wellbeing for processing requests for the waive of the payment conditions by those who have received grant aid towards improvement of their privately owned properties.*

**318. URGENT ITEMS [CABINET 2002 - 149]**

- (i) **Minute 71 Cabinet 5 June 2002 – Draft Bus Strategy** – correction to an error in the foregoing minute. It should have stated Head of Highways and Transportation and not Head of Public Protection and Regulatory Services in the context of preparation of the draft strategy.

***RESOLVED** that Cabinet approves the correction to the Minutes.*

- (ii) **WLGA Conference - Wales, “Priorities for Change” Llandudno 5/6 September 2002** – Cabinet were asked to decide whether or not to send a delegation to this year's conference to be held at Llandudno. In view of the nature and range of subject areas covered, it was agreed that a delegation be sent and it was:-

***RESOLVED** that Cabinet appoints the Leader together with Councillors P.A. Dobb, E.C. Edwards, G.M. Kensler with the Chief Executive to attend the WLGA Conference – Wales and that Councillor R.W. Hughes be appointed substitute.*

**QUESTION AND ANSWER SESSION** No questions had been received by the closing date.

**319. 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 7 and 8 of Part 1 of Schedule 12A of the Local Government Act 1972.*

**320. CAPITAL PROGRAMME GROUP REPORT - CONTRACT SERVICES CAPITAL EXPENDITURE 2002/03 [CABINET 2002 - 150]**

The Chief Executive presented the report and Appendices advising Members of applications for new capital schemes submitted by Contract Services.

The Chief Executive referred to the recommendations and said that it was a matter for Members whether to accept the recommendations for capital expenditure outlined en bloc or opt for some of them. The proposed expenditure would be made if approved out of surpluses generated by Contract Services. It was explained that, in the past, the former Contract Services Board would have granted the approval now sought and the total anticipated surplus would be generated by 31 March 2003. The Assistant Chief Executive (Contract Services) explained that, traditionally, surpluses were re-invested in developing and improving the service and the proposals before Members reflected this emphasis on re-investment in the business to maintain growth. A number of capital projects had therefore been identified with this in mind and were set out in detail in Appendix 1 to the report with priority classification given in Appendix 2.

During discussion, Members were reminded that the full block allocation of £431,500 to Contract Services was still subject to approval by full Council later that day. Several detailed questions were asked on the report and comments made on the recommendations and list of priorities. In particular, Councillor W.R. Webb, Lead Member for Property and Asset Management asked that his concern be recorded about a proposal to spend £35k on Rhyl Botanical Gardens Depot Improvements and the need for further detailed discussions on the priority list outlined in para 7.1.2 of the report. Subject to the foregoing, and subject to approval by full Council of the block allocation of £431, 500 within the Capital Plan to Contract Services.

**RESOLVED** that Cabinet:-

- (a) confirms approval of schemes already undertaken as outlined in 7.1.1 of the report;
- (b) approves the schemes in para 7.1.2 of the report which are considered essential for the continuation of service delivery and impact on health and safety requirements, and
- (c) approves those schemes which are considered desirable for the continuation of service delivery as outlined in para 7.1.3 of the recommendation.

**321. COMMUNITY CARE SERVICES - DOMICILIARY CARE [CABINET 2002 - 151]**

Councillor P.A. Dobb presented the report seeking Cabinet determination of a framework for the future direction of Domiciliary Services that develops matters previously discussed by Members.

Councillor Dobb outlined the background and acknowledged the major issues involved and highlighted during pilot externalization of in-house services to the Independent Sector and concerns about comparative costs, quality of care to customers, terms and conditions of service of staff etc. She outlined the proposals for change and elaborated on the likely consequences both in terms of savings to the Council and likely impact on the Independent Sector. Before any decision was taken, re-assurances were given that all the proposals outlined would be the subject of detailed consultation.

**RESOLVED** that Cabinet gives approval to officers to proceed on the basis of the information detailed in the report to begin the process of consultation with service users, carers and staff groups. At the same time the Independent Sector should be approached in relation to the Council's expectations that they be available to respond to the increased demand on their sector as a result of the implementation of this new model of service.

**322. DOMICILIARY CARE - BLOCK CONTRACTS [CABINET 2002 - 152]**

Councillor P.A. Dobb presented the report seeking Members' agreement to tender for provision of domiciliary care in particular localities and for specific purposes by means of a block contract as detailed in the Appendix to the report.

This report followed previous reports to Cabinet and to the Personal Services Scrutiny Committee. The report provided details of two pilot schemes undertaken involving block contracts for providers in the Bodelwyddan and Llangollen areas and outlined the advantages to the providers and the customer of such contractual arrangements. The proposals if adopted county-wide would greatly assist the Council in meeting its statutory obligations to arrange domiciliary care for example when people are discharged from hospital under the Six Weeks Support for People at Home scheme and encourages the independent care sector to provide this service due to greater continuity and security for staff should fluctuation in demand occur periodically. All the proposals in the report and the detail in the appendices should be considered in the context of proposals generally for re-shaping domiciliary care aimed at improving services to the customer and involving more partnership with the independent sector. With all the necessary safeguards in place, block contracts via tendering in accordance with financial regulations, should lead to greater transparency and control. Also it should be clearer as to who those service providers are in the County and how the service to the customer is maintained and improved in all areas of the County.

**RESOLVED** that Cabinet approves tendering for domiciliary care provision as specified in the Appendix to the report.

The meeting concluded at 12.45 p.m.

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