

CABINET

Minutes of the Cabinet meeting held in the Town Hall, Denbigh on Tuesday 24 February 2004 at 10.00 a.m.

PRESENT

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

Observers: Councillors S Drew, K N Hawkins, N J Hughes, N Hugh Jones, D Jones, G Jones, M M Jones, R E Jones, F Shaw, K P Stevens and C H Williams.

ALSO PRESENT

Chief Executive; Deputy Chief Executive / Corporate Director: Resources; Financial Controller and the County Clerk.

ANNOUNCEMENT

The Deputy Leader welcomed Steve Parker, the new Head of Environmental Services to the meeting.

995 URGENT MATTERS

- (i) Item 10 Revised Financial Regulations and Contract Standing Orders - Addendum to the report circulated.
- (ii) Part II Item 13 The Development of Regional Facilities (of excellence) for Children with Autism - further information circulated.

996 MINUTES OF THE CABINET

The Minutes of the Cabinet meeting held on 17 February 2004 were submitted.

Item 4 Residential Homes - Councillor E A Owens asked that the last paragraph be amended to read "... similar fact finding visits should continue for those involved with residential homes / sheltered housing".

Councillor E C Edwards asked whether the working group for older people had yet been formed. The Chief Executive confirmed that the group would be established in March and the Lead Member for Health and Wellbeing would take political balance into consideration when making nominations to the group. He also confirmed, in response to a query from Councillor W R Webb, that the working group would provide a report to Cabinet in March or April 2004.

Item 5 CCTV - Capital Requirements - Councillor E C Edwards said a positive meeting had been held with Mr Don Touhig MP, Parliamentary Under-Secretary of State, Wales Office, members of the North Wales Police and the CCTV consultant. Councillor Edwards said much further work was required on CCTV provision in Denbighshire.

Item 6 Revenue Budget 2004-2005 - Guidance on the use of the care grant (now called Capacity Grant) had now been received from the Welsh Assembly Government. The Authority had allocated the grant in accord with the terms and conditions. An Action Plan needed to be drawn up in agreement with the Authority's partners and submitted by 30 April 2004. However, the grant is currently only available for one year and if the Welsh Assembly Government did not fund a similar grant in following years it would have an impact on the 2006-2007 budget.

Councillor W R Webb said the £720k should have been extra to the Personal Services' budget.

***RESOLVED** that subject to the above, the Minutes of the Cabinet meeting held on 17 February 2004 be approved as a correct record and signed by the Deputy Leader.*

PRESENTATION: THE TOWNSEND FORMULA: IMPLICATIONS FOR DENBIGHSHIRE

Members received a presentation on the Townsend Formula: Implications for Denbighshire by Alan Lawrie, Chief Executive, Denbighshire Local Health Board.

For information, the slides from the presentation are attached to the minutes.

Mr Lawrie detailed the background, proposals for 2004/05 and beyond, the Standing Committee's role, the direct needs formula and the current results. He explained the impact of the outcomes for Denbighshire for 2003-2004 and explained that according to the direct needs formula, Denbighshire was now £14.606m overfunded. The overall impact of the Townsend formula was a significant shift of funding to South Wales and the Valleys in particular. Issues and concerns were outlined as were the proposals for 2004-2005 and beyond, with particular emphasis on the impact for Denbighshire. Mr Lawrie detailed the views of the Local Health Board in regard to the way forward and said the outcome of a Welsh Assembly Government debate on the pace of change was expected in early March. He stressed a review on data collection regarding the baseline was required. The need to ensure the right statistical research was carried out was essential.

Councillor R W Hughes said relevant current information and statistics were critical to the funding levels and agreed further research was required. Mr Lawrie agreed there were flaws to the Townsend formula.

Mr Lawrie clarified the pace of change in response to a query from Councillor G M Kensler.

Councillor E W Williams said Denbighshire appeared predominantly wealthy compared to some of the valleys in South Wales. He reported that Jane Hutt AM, Minister for Health and Social Care had recently assured Welsh Authority leaders and the WLGA that the Wanless money would be prescribed by all partners i.e. the Local Health Board, the Welsh Assembly Government and Local Authorities. He suggested the authority write to the Minister, with a copy to the WLGA, to ensure Denbighshire's views were known.

In response to a comment from Councillor E A Owens on the transient population in Denbighshire which reflected both on the Health Board and Education SEN budget, Mr Lawrie confirmed that the Welsh Health Survey would be repeated in the hope that more responses would be received.

The Chief Executive said the Authority would not be able to object to a needs based formula for funding but because of the high number of elderly residents in Denbighshire it had become counter intuitive. He agreed Cabinet should write to the Minister on the impact of the formula and its apparent inconsistencies. A reduction of 15% and increases in other areas could not be justified.

Councillor P A Dobb thanked Mr Lawrie for the presentation and said it was important for the Board and the Authority to work closely together.

***RESOLVED** that Cabinet note the presentation and a letter be sent by the Lead Member for Health and Wellbeing to Jane Hutt AM, Minister for Health and Social Care.*

997 HOUSING STOCK TRANSFER: ACTION REQUIRED

Councillor P A Dobb presented the report seeking to establish the process and governance arrangements for housing services after stock transfer. Councillor Dobb confirmed that the working group membership would consist of the Lead Members for Health and Wellbeing and Finance, **one** member from each relevant Scrutiny Committee (not two as stated in the report) with 2 officer groups supporting the working group.

Councillor E A Owens asked for clarification on paragraph 2.3.8 on the two officers groups. Members agreed the unit would be set up to operate both from Members and officers interests and separation would be demonstrated.

Councillor R W Hughes reminded Members that this was a democratic process and it was essential to safeguard impartiality in the detailed information being presented to residents. The Chief Executive said Council in agreeing the information to be given to residents on possible housing stock transfer would ensure impartiality was adhered to.

RESOLVED that Cabinet:-

- (a) *approves the governance arrangements outlined in 2.3.6 to 2.3.9 of the report as amended above, with powers for the Lead Member for Health and Well-being to settle the membership of the Housing Working Group in consultation with Chairs of Scrutiny Committees;*
- (b) *notes the decision of 17 February to allocate £50k as part of the budget 2004/05 to resource "Housing After Transfer" work, with flexibility to explore internal secondment as a short-term measure or the establishment of a basic Housing Strategy Unit, if internal secondment does not prove feasible;*
- (c) *receives a further report in March 2004 relating to the other financial implications set out in 5.1 and 5.2 of the report, and*
- (ch) *agrees the proposed timescale for Stock Transfer as set out in paragraph 2.4.1 of the report.*

998 COMMUNITY STRATEGY AND AREA PARTNERSHIPS

Councillor E W Williams presented the report seeking Members' approval of the progress report on developing the Community Strategy and Area Partnerships and to provide comments on the draft Community Strategy. Members were also asked to agree the Council's representation on the Denbighshire Community Strategy Partnership.

Councillor P A Dobb referred to the appendix and said that although the Authority's Partners were listed, the group did not include the private sector. Councillor Williams confirmed that the wider community would be able to contribute via the Area Partnerships. The Assistant Chief Executive: Strategy confirmed that the private sector had been invited to join the Partnership as had the Federation of Small Businesses. The Constitution also allowed the Chair of the Steering Group to invite the private sector to address particular themes.

Councillor R W Hughes said the Authority had a long way to go to ensure delivery of the document and it was important that Denbighshire was not raising the community's hopes unnecessarily. Councillor G M Kensler agreed with Councillor Hughes' comments.

In response to a query on paragraph 2.4 of Appendix 1 from Councillor G M Kensler, the Assistant Chief Executive: Strategy confirmed that the officers network initiative to develop key strategies was new.

Councillor E W Williams said open meetings had been held to ensure the needs of the community had been included as the Authority was the facilitator of the Strategy.

RESOLVED that:-

- (a) *Cabinet note and approve progress so far in the development of the Denbighshire Community Strategy and the Area Partnerships (Appendix 1 attached to the report);*
- (b) *Cabinet support on the draft Community Strategy (Appendix II attached to the report), and*
- (c) *Cabinet recommends to the partnership that the following representation be agreed for the Council on the Denbighshire Community Strategy Partnership: The Leader (sub: Deputy*

Leader); Chief Executive (sub: Corporate Director of Resources); Corporate Director: Lifelong Learning (sub: Director of Personal Services)

999 CORPORATE ACTION PLAN

Councillor E W Williams presented the report seeking Members' approval to the steps taken to deliver the Corporate Action Plan attached to the report and to provide comment as necessary.

Members discussed the wording of the priorities, in particular the use of 'Urgent, Medium, High or Low'. The Chief Executive confirmed that a glossary of such terms be included in future reports and that the Corporate Action Plan for the following year would use more relevant terminology.

RESOLVED that Members note the progress report on the corporate Action Plan and recommend further action.

At this juncture (11.30 a.m.) the meeting adjourned for 10 minutes to allow Members to participate in refreshments.

1000 ACCOUNTABILITY ARRANGEMENTS FOR VULNERABLE CHILDREN

Councillor J A Smith presented the report seeking Cabinet approval to the Corporate Accountability Framework attached to the report.

RESOLVED that Cabinet adopt the Child Protection Accountability Framework attached to the report at Appendix 1.

1001 DENBIGHSHIRE RETAIL AND LEISURE STUDY (MARCH 2003)

Councillor M A German presented the report seeking Cabinet's endorsement of the Denbighshire Retail and Leisure Study (the Study) to be used for information; for use as a material consideration to inform both policy and in determining proposals, including planning applications and inform Members of the potential for regenerating the eight town centres within the County. The document is to be used to inform policy and not to adopt as policy.

Councillor E C Edwards emphasised the need for the regeneration of market towns in the County and the need for service delivery. He stressed the need for the development of the Glasdir site, Ruthin for light industry. He suggested the Ruthin Business Action Plan should be considered alongside any economic developments.

Councillor P A Dobb asked the Development Plan and Policy Manager whether the 'wish list' for Prestatyn was consumer led. He informed Members that retailers had identified the information contained in the Study. With regard to the 'tougher policy stance' the Development Plan and Policy Manager said this would be achieved through the planning regime.

In response to a query from Councillor G M Kensler, the Development Plan and Policy Manager confirmed that a more proactive approach was required and agreed that regeneration of the centre of Prestatyn should be one of the priorities. She also suggested that CCTV should be introduced throughout all the County's market towns.

Members discussed provision of CCTV facilities and it was agreed Cabinet could include CCTV provision in the town centre strategies.

Councillor J A Smith reported that the St Asaph feasibility study had already been undertaken.

Councillor W R Webb said the refurbishment of the Pavilion in Corwen and the car park provision in Llangollen were achievable.

Councillor E A Owens said the promotion of farmers' markets was essential as was the need to accelerate the link between towns and the agricultural communities. She welcomed the relaunch of the High Street block.

Councillor R W Hughes said she agreed with Councillor E C Edwards' comments and that development in Prestatyn had been put on hold whilst waiting for the supermarket development to be finalised. She stressed the need for the next Council to address this.

Councillor E W Williams suggested that economic development considerations should be included in reports where relevant. He also was not able to support the inclusion of "material consideration" to inform both policy and in determining proposals including planning applications in paragraph 1.1 of the report. The Chief Executive agreed the economic development comments would be of use where relevant but emphasised the importance of planning considerations. The County Clerk said that "material" was a matter of law and as such it would then become a material consideration. It was possible that this could go against the Authority in some instances of decisions going to appeal.

Members agreed to delete the word "material" from both the decision sought and the recommendation of the report.

RESOLVED that:-

- (a) *the Study be used as a planning consideration to inform both policy formulation and the determination of planning applications, where appropriate, and*
- (b) *justification to adopt a more positive and pro-active approach to town centre management including strategic long term (vision, attracting investment, site assembly) as well as short term operational matters (street cleaning, events).*

1002 DENBIGHSHIRE LOCAL HOUSING NEEDS ASSESSMENT (FORDHAM RESEARCH REPORT - FEBRUARY 2004)

After a brief discussion Members agreed a meeting, with all Members invited to attend, be held to discuss the needs assessment with independent statistical advice being provided if required.

RESOLVED that Cabinet defer the report.

1003 PUBLIC REALM REVIEW UPDATE

Councillor M A German presented the report advising Members that the development of the Public Realm Contract was continuing, with a proposed start date of April 2005. Members were asked to agree to the continuation of existing contracts, including grounds maintenance and street cleansing, pending the letting of the new public realm contract.

RESOLVED that Members support the continued development of the Public Realm Contract and note the proposed start date of April 2005. Members agree to the continuation of existing public service contracts, including grounds maintenance and street cleansing, pending a final approval of the public realm approach following the consultation process outlined in the report.

1004 REVISED FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES

Councillor E A Owens presented the revised report seeking approval of the final amendments to the Financial Regulations and Contract Procedure rules for submission to County Council and inclusion in the Council's Constitution.

The Audit Manager said the Financial Regulations and the contract Procedure Rules have been amended to take account of the new political and managerial structure to which the Authority works and the environment in which the Authority now operates. The documents are based on models suggested by

CIPFA and the WLGA models. The Contract Procedure Rules, if recommended by Cabinet and adopted by Council, would become part of the Financial Regulations of the Authority.

An Addendum was tabled at the meeting covering two areas: The treatment of the reserves and the weekly threshold limits for Children and Family Service placement. The amendments regarding reserves were accepted. The weekly thresholds were debated and it was agreed that the proposed threshold where Cabinet Member authorisation is required should be reduced to £2,000. This is to be reviewed after three months.

The Chief Executive also highlighted that, in view of the previous decision, there was a need to amend CPR 37.5 (i) (b) to read "rates are between £750 and £1000 per week" and CPR 37.5 (ii) (b) to read "rates are between £1000 and £2000 per week."

As the Corporate Governance Committee had met again, the amendments of that Committee and those made by the Chief Executive would be incorporated into the document which would be considered by Full Council.

The Chief Executive expressed his thanks to the Audit Manager and Solicitor for all their hard work on revising the regulations.

The Corporate Director: Resources also commended the Audit Manager and Solicitor for their hard work. He said all relevant staff would be made aware of the new regulations and procedures after agreement by Council. The Financial Regulations would be implemented and enforced.

Councillor E W Williams suggested staff training should be included for delegated powers.

RESOLVED that the Addendum be accepted subject to the above changes and incorporated into the Financial Regulations attached to the report. The Financial Regulations and Addendum attached to the report, incorporating the Contract Procedure Rules, are recommended to County Council to be included in the Council's Constitution with effect from 1 April 2004.

1005 REVENUE BUDGET 2003-2004

Councillor E A Owens presented the report which advised Members that all the pressures identified before 31 December 2003 would be financed from Corporate savings occurring mainly on borrowing costs and investment income. Any further pressures identified would have to be met from within Directorate budgets.

RESOLVED that Cabinet note the figures in the appendices and note that all pressures identified after 31 December 2003 for the current financial year must be absorbed by services to ensure achievement of the 2003/2004 revenue budget strategy.

1006 URGENT ITEMS

There were no Urgent Items

QUESTION AND ANSWER SESSION

There were no outstanding questions.

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, 7, 8, 9 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

PART II

1007 RUTHIN FLOOD ALLEVIATION SCHEME

Councillor M A German presented the report seeking Members' approval to return to general balances the special reserve funding initially set aside to cover increased scheme costs, consequent upon confirmation from the Assembly in respect of increased grant funding for the scheme.

Councillor E C Edwards thanked staff for their work on the project and said that with the heavy rain recently experienced the scheme had worked well.

RESOLVED that Cabinet recommend to Council that:-

- (a) the £641k of general balances previously earmarked as special reserve to cover the envisaged shortfall in funding for the project, should be returned to general balances subsequent to receipt of confirmation from the Assembly that additional grant has been approved, which is sufficient to cover additional scheme costs;
- (b) further to the report in September 2003, the allocation to Mwrog Street from within the 2003/2004 general funding (flood defence) allocation be increased from £400k to £450k, and
- (c) within the £750k allocated to flood defence for 2004/2005, a figure of £500k be set aside to cover any shortfall between the Mwrog Street total scheme cost and Assembly approved grant.

1008 CYNWYD CEMETERY

Councillor W R Webb presented the report requesting Cabinet approval to transfer Cynwyd Cemetery at less than best consideration to the party named in the report.

Councillor C H Williams said the Community Council were concerned about the legal costs and the relocation of the water pipes costs, amounting to approximately £1,400, and that they had been unaware these works would be required.

The Chief Executive said he had received a letter from the Clerk to the Community Council. He said that the element of legal costs was £400 whilst the relocation of water pipes work amounted to approximately £1,000. He reminded Members that if the transfer had been completed before any of the works had been found to be necessary, the Community Council would have been liable for the costs. He suggested various sources of funding could be available to the Community Council to assist with the costs.

Councillor W R Webb suggested that the Authority should shoulder say 50% of the financial burden for these works. Councillor E W Williams agreed with Councillor Webb's suggestion.

Members agreed with Councillor E A Owens suggestion that £1,000 towards costs be transferred along with the Cemetery.

RESOLVED that Cabinet approve the transfer of Cynwyd Cemetery to the party named in the report and £1,000 towards costs with each party paying their own costs and otherwise on terms to be agreed by the Head of Development Services in consultation with the County Clerk.

1009 ST ASAPH: GARAGE SITE - PEN RHEWL

Councillor P A Dobb presented the report seeking Members' approval to declare the land at Pen Rhewl, St Asaph surplus to Council requirements and to facilitate its disposal to a named party as detailed in the report.

RESOLVED that Members approve the sale of land at Pen Rhewl, St Asaph to a named party on terms to be agreed by the Head of Development Services in consultation with the County Clerk.

1010 PURCHASE OF ELECTRONIC HIGHWAY ADOPTION RECORD MANAGEMENT SYSTEM

Councillor M A German presented the report seeking Members' authorisation for the Head of Transport and Infrastructure to purchase the software detailed in the report for the management of digital highways records and the adoption of new highways as an exception to Contract Standing Orders Section 9.1a(i).

***RESOLVED** that Cabinet authorises the Head of Transport and Infrastructure to purchase the software detailed in the report for the management of digital highways records and the adoption of new highways in accordance with the single tender action procedures within Contract Standing Orders.*

1011 PURCHASE OF HISTORIC ORDNANCE SURVEY MAPS OF THE COUNTY

Councillor M A German presented the report seeking Members' approval to purchase digital historic Ordnance Survey maps of the County along with historical land use data for potentially contaminated land as an exception to the Contract Standing Orders Tendering / Quotation procedure.

***RESOLVED** that Cabinet endorse the work detailed in the report and agrees the exception to the quotations procedure in Contract Standing Orders.*

1012 APPROVAL OF SINGLE TENDER AUTHORITY FOR THE PURCHASE OF ILOCAL PORTAL FOR PLANNING

Councillor M A German presented the report seeking Members' approval to purchase iLocal Portal from the existing software supplier as an exception to the tendering procedure.

***RESOLVED** that Members authorise a single tender authority be given to the Head of Planning and Public Protection to purchase iLocal Portal from the existing software supplier.*

1013 SUPPORTING PEOPLE PROGRAMME: APPROVAL OF SINGLE TENDER ACTION UNDER CONTRACT STANDING ORDERS

Councillor P A Dobb presented the report seeking Members' approval to extend an existing Supporting People Contract for support services for a period of 6 months.

***RESOLVED** that Cabinet approves the action to extend an existing Supporting People Contract for support services with CAIS Ltd for a period of 6 months.*

1014 PRESTATYN: LAND AT BARKBY AVENUE

Councillor W R Webb presented the report seeking Members' approval to grant a 999 year ground lease in respect of the land at Barkby Avenue, Prestatyn to a named party. Councillor Webb thanked the officers for all their work. He reminded Members that consultation with Local Members had taken place on more than one occasion.

The Chief Executive reported that Councillor S Drew, whilst not objecting to the proposal, had raised queries regarding consultation with residents and Local Members. Councillor N Hugh Jones also queried the consultation with residents and suggested that the decision to grant the lease be deferred until residents had been consulted.

The Chief Executive informed Members that consultation with the residents on the granting of a lease was inappropriate and if at a later date a request for a change of use was made that would be the appropriate time to consult. He reminded Members that a substantial receipt would be received initially and a request for change of use of the site would not be received for at least 10 years.

The County Clerk outlined the reasoning and legal implications for granting a 999 year lease and said the Authority's Valuers believed the capital sum figures quoted in the report were fair. A rent review would be due in 2012 if the existing lease continued.

Councillor R W Hughes suggested that some of the capital receipt received should be reinvested in Prestatyn, for example in the Scala complex.

RESOLVED that Members agree the grant of a 999 year ground lease to the party named in the report on the aforementioned basis, otherwise on terms to be agreed by the Corporate Director: Environment in consultation with the County Clerk.

At this juncture (1.30 p.m.) the meeting adjourned for 30 minutes to allow Members to participate in refreshments.

1015 THE DEVELOPMENT OF REGIONAL FACILITIES (OF EXCELLENCE) FOR CHILDREN WITH AUTISM

The County Clerk reported that Councillor G M Kensler had resigned as a director of Brondyffryn Trust.

Mr Peter Neumark and Ms Trish Holland of Brondyffryn Trust addressed the meeting and advised Members of the Trust's position. They said that Jane Davidson AM, Minister for Education and Lifelong Learning had suggested the formation of a Trust. Mr Neumark said both Denbighshire officers and the Trust had worked hard on all aspects of establishing a regional centre of excellence and to pull back now would be unthinkable. The Trust was committed to helping pupils with autism beyond the statutory education age. Mr Neumark asked Members to ensure that a clear decision was taken at the end of their deliberations.

Members took the opportunity to ask questions on the financial implications for Denbighshire, in particular with regard to the Service Level Agreements (SLAs) from other Local Authorities. Mr Neumark said the Trust did not have the remit to agree SLAs with other Local Authorities but he believed they were 5 year commitments. The Corporate Director: Resources indicated it had been understood for some time that SLAs were agreed for one year but in effect were for 2 years as they were usually agreed significantly in advance.

Members stressed the need for other Local Authorities to be equally responsible for their placements and Denbighshire should not be potentially liable for placements not taken by another Local Authority.

The Chief Executive said the Trust was unanimously in support of the JVCo and had no objections to the statutory notices.

Councillor M A German thanked Mr Neumark and Ms Holland for attending and answering the queries raised by Members.

Councillor R W Hughes presented the report seeking Members' agreement to finalising the preferred approach to the provision of regional facilities for children with Autism. She said a long time had elapsed since Councillor E C Edwards had invited Members to a presentation by the school which had started the current process and the Minister had made her decision. Councillor Hughes thanked the Corporate Director: Resources for his work in drawing all the information together and the Corporate Director: Lifelong Learning for her work on the project.

The Corporate Director: Lifelong Learning said a viable way forward was essential in terms of education, legal and finance matters.

The Inclusive Learning Officer reported in detail on the meeting held on the morning of the 23.02.2004 with a Director of the Trust and the Authority's officers and also on the meeting held between the School Governors and the Authority's officers. He said the Unions accepted in principle the transfer of care staff (apart from the Headteacher) from the Authority to the JVCo although the Headteacher would have overall responsibility for the staff after transfer. The School Governors supported the idea of a 52 week residential unit.

Dr M Toman, Headteacher addressed the meeting and explained the need for a decision on whether to pursue the JVCo. He detailed the complex needs of the children and said there was nowhere else in Wales currently providing similar facilities. This was a ground-breaking regional facility. Dr Toman stressed that if a 52 week residential unit was opened, all the North Wales Authorities would make full use

of the facility. He explained that there are currently 3 year old children at the school who would still be attending at the age of 19.

Dr Toman said in educational terms there would be no difference whether the Authority or the JVCo were in control of the school as long as specified guarantees were in place. This was confirmed by the Corporate Director: Lifelong Learning.

The Solicitor confirmed the day to day operation of the School would be the responsibility of the Headteacher and this would form part of the contract between the JVCo and the Authority whilst the other staff transfer to the JVCo would be completed by TUPE. The School Governors would still be responsible for the school. She confirmed the Trust had already agreed the Headteacher would have overall control of all operational matters for the education and residential provision for statemented pupils.

The Corporate Director: Personal Services suggested further discussion was required on the discretionary elements, some of which were statutory for the Social Services Department.

Members discussed in detail the various financial implications and the development of further residential facilities including the staffing levels. Members agreed that the charge on the delegated schools budget would need to be addressed.

After further discussion it was:-

RESOLVED that Cabinet agreed to pursue the agreement with the Brondyffryn Trust to create a Joint Venture Company, subject to:-

- the safeguards set out in the minutes of the meeting with the Trust on the morning of 23 February 2004, in particular that no paid members of staff of the Council or Trust could be directors of the Joint Venture Company and that the Headteacher of the school would remain an employee of the Council;

- an agreed approach on the development of the residential facilities in terms of the building works and staffing in addition to existing levels;

- service level agreements being signed with other councils by 5 March 2004, and

The Cabinet also noted the potential financial implications for the Council arising from the development, in respect of future pressures on education and social services budgets.

The meeting concluded at 4.30 p.m.
