

CABINET

Minutes of the Cabinet meeting held in the Sports Pavilion, Corwen on Tuesday 23 March 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 M LI Davies, S Drew and C H Williams.

ALSO PRESENT

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

1104 URGENT MATTERS

There were no Urgent Matters.

1105 MINUTES OF THE CABINET

The Minutes of the Cabinet meeting held on 23 March 2004 were submitted.

Item 21 The Development of Regional Facilities (Of Excellence) for Children with Autism - Councillor G M Kensler said the formation of a Trust had originally been put forward by the Shirley Foundation who would be investing in the centre.

The Corporate Director: Resources reported that the Trust had raised concerns regarding part of the resolution in that no paid members of staff of the Council or the Trust could be directors of the Joint Venture Company. Members agreed the resolution of 24.02.2004 should stand and supported the proposal from officers that there should be a standing invitation extended to the Trust's Director and the Corporate Director: Lifelong Learning to attend Board meetings. In addition, there would be an Operational Working Group, of which the Trust Director would be a member.

***RESOLVED** that subject to the above, the Minutes of the Cabinet meeting held on 24 February 2004 be approved as a correct record and signed by the Deputy Leader.*

1106 IMPROVING THE SUPPLY OF AFFORDABLE HOUSING

Councillor P A Dobb presented the report seeking endorsement of a consultation process on measures aimed at improving the supply of affordable housing in Denbighshire. Councillor Dobb said the scheme would have a wide ranging impact for Denbighshire.

Councillor E W Williams suggested that some criteria be included for local people to have some help in the housing allocation, particularly single people, and this should be included in the Resolution.

Councillor E A Owens raised concerns regarding the Fordham report and said Cabinet could not recommend adoption of the Fordham report until further information had been provided and a meeting held to discuss its implications.

Councillor E C Edwards suggested the scheme of housing allocation should be re-considered as Councillors were now not part of the allocation process and therefore the local knowledge on individual applications was unavailable. He supported the need for single people to be given local housing. Councillor W R Webb agreed that local points should be for the local area and not the whole County.

The Head of Housing Services said the priority had been to build family housing and single people had been encouraged to move from family accommodation to smaller accommodation where possible. He confirmed that local points were in place when applications were considered but these were for the whole of Denbighshire and not a particular area of the County. A range of different housing provision was required.

Councillor P A Dobb said she supported the comments made by Members but said the Authority also had to consider the homeless who were housed in bed and breakfast accommodation. Councillor E A Owens agreed with Councillor Dobb but in Rhyl the homeless were always at the top of the list and housing was therefore unavailable to anyone else. The transient population of Rhyl exacerbated the problem. She said it was incumbent on the Authority to ensure that the Welsh Assembly Government was made aware of the problem.

After discussion, Members agreed that local people should have a positive opportunity to enter the scheme.

RESOLVED that:-

- (a) *Cabinet formally consults all Scrutiny Committees, organisations with a particular interest in housing provision including Town and Community Councils, and Area Partnerships as to the costs/benefits of the measures set out in Appendix A to the report;*
- (b) *the Denbighshire Strategic Housing Forum is asked to organise a summit, following the consultation recommended in 8.1, to develop a detailed costed Affordable Housing Action Plan, as part of the implementation of Denbighshire's Local Housing Strategy;*
- (c) *the Plan is submitted for further consideration by Cabinet in the Autumn, and*
- (ch) *Cabinet agree, following the discussion referred to above, to safeguard the possibility of local people having a positive opportunity to enter the scheme and maintain local residency within their present environment.*

1107 SOCIAL CARE AND HOUSING FOR OLDER PEOPLE

Councillor P A Dobb presented the report seeking Members' agreement to adopt the Terms of Reference of the Social Care and Housing for Older People / Officer Working Group.

RESOLVED that the Terms of Reference of the Social Care and Housing for Older People / Officer Working Group (attached to the report at Appendix 1) be adopted.

1108 EUROPEAN POLICY AND REGIONAL ISSUES

Councillor E W Williams presented the report seeking Members' approval to the Council's continued representations on the future of the European Structural Funds and the current programme of European Regional activity as well as to support the resolution received from Clare County Council. He reported briefly on visits to Italy and Brussels and said a delegation from Poland was currently visiting the County.

Councillor R W Hughes said the Polish delegation had been to ECTARC and had made useful contact with civil servants from Spain who were at ECTARC. She suggested that a meeting of all those involved in the international field, such as ECTARC, Economic Development, Denbighshire's International Committee, schools and the international eisteddfod should have a meeting to share information and aims as soon as possible.

Councillor E A Owens said the Rhyl Athy project had made a positive impact on Rhyl and was to be extended to Gwasg Gee, Denbigh. She wished, on behalf of Rhyl residents, to thank officers for their work on the project and agreed with Councillor Hughes' suggestion.

RESOLVED that Council continues to make representations on the future of the European Structural Funds and that the current programme of European Regional activity outlined in the attachment to the report be supported; as well as to support the resolution received from Clare County Council. Members

also agree to a meeting between the relevant parties as detailed above to share information and aims and objectives as soon as possible.

1109 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. She said no update was currently available from Lifelong Learning due to the officer's illhealth. She stressed that no provision was available if the service came in over £503k reported at the end of January 2004.

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

1110 CABINET FORWARD WORK PROGRAMME

The Chief Executive said a report on CCTV would be incorporated into the programme for April 2004. He said the Heads of Service would be reminded at the Monthly Management Conference later in the week of the need to ensure their work was included in the programme.

***RESOLVED** that Cabinet note the contents of the Forward Work Programme.*

1111 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 1, 8, 9 and 10 of Part 1 of Schedule 12A of the Local Government Act 1972.*

PART II

1112 HOUSING REVENUE - AMENDED CAPITAL AND REVENUE BUDGETS 2003-2004 AND 2004-2005

Councillor E A Owens presented the report for Members to note the latest estimate of costs to be incurred in undertaking stock transfer and the financing of these costs and seeking amendments to the HRA Budgets for revenue and capital.

Councillor Owens said the report set out the various stages of the complex work involved in undertaking stock transfer. She said the Welsh Assembly Government had not informed how much funding would be given towards the costs of stock transfer. Residents would be consulted and unambiguous answers must be provided for them. If the consultation resulted in a yes vote, Dyffryn would submit a bid to the Welsh Assembly Government and would then pay Denbighshire the costs. If a no vote was achieved it was possible that perhaps only half the costs would be borne. Joint arrangements would be required with Dyffryn and the Task Force would ensure operating within Council parameters.

The Senior Management Accountant confirmed that Appendix 1 of the report was based on information provided by the Welsh Assembly Government as an estimate of costs. When complete, it was likely that the Audit Commission would determine whether the costs were reasonable. Councillor G M Kensler expressed her concern with regard to costs and suggested the Government should consider a fourth option. The Corporate Director: Resources reminded Members that the resolution previously agreed had to be adhered to.

Members agreed it would be helpful to know the costs incurred by Wrexham County Borough Council. The Head of Housing Services confirmed the costs incurred by Wrexham would be made known as soon as they were available. The Welsh Assembly Government had offered no further funding or change of policy as a result of the no vote on stock transfer in Wrexham.

Councillor E A Owens said the Task Group would now have a representative from Personnel. Officers who could be considered for transfer to Dyffryn would need to be excluded from discussions.

The Corporate Director: Resources suggested an additional recommendation be included at 8.5, that all expenditure within the categories outlined at Appendix 1 of the report be authorised by the Corporate Director: Resources and the Corporate Director: Personal Services, whilst any expenditure outside of the categories listed at Appendix 1 of the report be authorised by the Lead Member for Health and Wellbeing and the Lead Member for Finance.

RESOLVED that:-

- (a) *Members note the latest estimate of costs to be incurred in undertaking stock transfer and the funding of these costs;*
- (b) *the amended Housing Revenue Accounts: Capital and Revenue be adopted;*
- (c) *a further report detailing updated estimates of costs to be incurred in undertaking stock transfer and the financing of these costs be brought to a future Cabinet meeting;*
- (ch) *a further report outlining amendments to HRA estimates, capital and revenue, be brought to Cabinet if required, and*
- (d) *that all expenditure within the categories outlined at Appendix 1 of the report be authorised by the Corporate Director: Resources and the Corporate Director: Personal Services, whilst any expenditure outside of the categories listed at Appendix 1 of the report be authorised by the Lead Member for Health and Wellbeing and the Lead Member for Finance*

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

1113 COMMUNITIES FIRST

The County Clerk referred to the recommendation at paragraph 8 of the report and said it should read "That Cabinet approves the measures set out in 2.14 above to improve ..."

Councillor J A Smith presented the report for Cabinet to note the current progress of the Communities First initiative and approve a number of measures designed to improve the effectiveness of County Council input to the programme.

The Corporate Director: Personal Services detailed the current difficulties in progressing the programme. However, approval had been given for a second preparatory bid for staff and building costs to be submitted. She suggested that agreement to the bid could only be made if an action plan was formulated. She explained that the staff were hosted by Denbighshire on behalf of Communities First but they saw their role as supporting the partnership.

Councillor E A Owens highlighted some of the problems within Communities First but said the staff respond well to the tasks allocated to them. It was essential that specific targets were set. Some groups were now not attending and participating in the partnership.

In response to a query from Councillor G M Kensler, the Corporate Director: Personal Services said there was no formal complaints procedure in place but the issue has been put forward as a partnership issue.

Councillor D M Morris asked whether the Welsh Assembly Government had responded to the correspondence referred to in paragraphs 2.7 and 2.8 and suggested a formal meeting was required to discuss issues.

Councillor E A Owens agreed that issues may not be resolved locally and that an Assembly remit should be discussed.

Councillor E C Edwards said all the issues should be promptly resolved and said funding opportunities had been missed since inception of the Communities First programme. The Corporate Director: Personal Services agreed and said a bid for funding for 2 years had now been prepared. She said difficulties would be experienced in taking the programme forward and the Welsh Assembly Government needed to be aware of the problems and confirmed that the Assembly Member was supportive of the Authority's concerns.

Councillor E W Williams said the County had done everything possible to move the programme forward and said schemes had to be costed properly with due diligence. He said he would raise the matter informally with the Minister as soon as possible.

Councillor E A Owens said many lessons should be learnt from the new way of working. She thanked the Corporate Director: Personal Services and officers for their understanding and empathy with the new ways of working.

After further discussion, it was agreed to amend the recommendation to ensure specific targets were agreed with the Partnership.

***RESOLVED** that Cabinet approves the measures set out in 2.14 of the report to improve the effectiveness of County Council input to the Communities First programme and that specific targets be agreed with the Partnership on the second preparatory bid before accepting grants.*

1114 EXEMPTION FROM CONTRACT STANDING ORDERS - PURCHASE OF SIGN MAKING MACHINE

Councillor M A German presented the report seeking Members' approval to an exception to the Tendering / Quotation Procedure for the purchase of a specialist sign making machine.

***RESOLVED** that Members agree to an exemption from the Tendering / Quotation Procedure, as required by Contract Standing Orders, to allow the purchase of the specialist machinery detailed in the report.*

1115 RETROSPECTIVE APPROVAL OF AN EXCEPTION TO THE TENDERING PROCEDURE FOR THE SUPPLY OF FACILITIES FOR THE WEST PARADE SKATE PARK, RHYL

Councillor M A German presented the report seeking Members' retrospective approval of an exception to the tendering procedure for the award of a contract for the supply and installation of wheeled sports facilities for the West Parade Skate Park, Rhyl.

In response to a query from Councillor E C Edwards, the Corporate Director: Environment said projects at Prestatyn, Ruthin, Corwen and Denbigh were under consideration. Site identification and match funding could be a problem in some areas. The Corporate Director: Environment also took the opportunity to apologise to Members for the breach of the Financial Regulations.

***RESOLVED** that Cabinet agree retrospectively an exception to the tendering procedure for the award of a contract to construct a wheeled play facility on West Parade, Rhyl as detailed in the report.*

1116 YELLOW BUS INITIATIVE AND EDUCATION TRANSPORT

Councillor M A German presented the report seeking Members' approval to continue the Denbighshire County Council "Yellow Bus" beyond the period of the scope of the current pilot initiative and to consider the procurement of an additional vehicle to expand the initiative in north Denbighshire. He asked that the recommendation be amended to read "to agree continuation of the "Yellow Bus" initiative ...".

Councillor R W Hughes said the initiative had been a great success and was the way forward and had been cited as good practice by the Authority. Councillor E W Williams asked whether the scheme saved the County money and if so, would be possible to extend the scheme throughout the County with the use of prudential borrowing.

Councillor E A Owens suggested using the buses during the day would make the scheme viable. She also said a 3 point safety belt system was required for every journey on school buses.

The Chief Executive pointed out that currently the yellow bus scheme was funded by the Environment Directorate but in the future the funding may come from Lifelong Learning.

In response to a query from Councillor P A Dobb, the Public Transportation Manager said a number of options would be considered in the future including the Strategy for Older People so that vehicles would not be promoted solely for use by school children. The yellow colour had been selected for safety reasons. It was hoped that smaller vehicles would also be fitted with the same facilities.

RESOLVED that Cabinet:-

- (a) agree continuation of the "Yellow Bus" initiative beyond the scope of the current pilot initiative;
- (b) agree to purchase on 31 March 2004 the "Yellow Bus" currently leased at a cost of £95,450. This sum is forecast to be available from the underspend of the unhypothecated concessionary fare budget, and
- (c) endorse exploratory work for future expansion of the "Yellow Bus" initiative.

1117 SAFETY AND SECURITY ON SCHOOL TRANSPORT

Councillor R W Hughes presented the report seeking Members' approval for the use of surveillance equipment and marshals on home to school transport services and to introduce such deployment on prioritised routes within the constraints of available financial resources. Agreement was also sought for a further report regarding future expansion of these initiatives and marshals.

Members agreed with Councillor R W Hughes' suggestion that recommendation 8.2 be amended to read "... surveillance equipment on 22 double decker buses and marshals ..."

Councillor E A Owens said Members had been informed of the dangers to children travelling on the school buses and were therefore all vicariously liable. The County Clerk agreed there was a corporate responsibility to ensure children travelled safely to and from school. He also referred to the legislation on human rights and the requirement for surveillance details to be kept on file.

The Corporate Director: Resourced referred to the funding sources for the extra surveillance equipment being funded from the Risk Management Fund and the Capital budget.

RESOLVED that Members:-

- (a) approve in principle the use of surveillance equipment and marshals on school buses;
- (b) agree to implement the introduction of digital passenger surveillance equipment on 22 double decker buses and marshals on initially prioritised routes, within the constraints of financial resources made available, as referred to in paragraph 4, and
- (c) agree to receive a further report at a later date regards scope of expansion of these measures, which will be dependent upon availability of financial resources.

The meeting concluded at 4.30 p.m.
