

## CABINET

Minutes of the Cabinet meeting held in Conference Room 1, County Hall, Ruthin on Tuesday 24 May 2005 at 10.00 a.m.

### PRESENT

Councillors S A Davies, Lead Member for Business & Communications; P A Dobb, Lead Member for Health & Wellbeing; E C Edwards, Lead Member for Communities; R W Hughes, Leader and Lead Member for Regeneration; M A German, Lead Member for Children and Young People; P J Marfleet, Lead Member for Finance and Personnel; D Owens, Lead Member for Lifelong Learning; S Roberts, Lead Member for Promoting Denbighshire; J Thompson Hill, Lead Member for Property and Asset Management and E W Williams, Lead Member for Environment.

Observers: Councillors R E Barton; J Chamberlain Jones; M LI Davies and G C Evans.

### ALSO PRESENT

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

### APOLOGIES

None.

#### 14 URGENT MATTERS

There were no Urgent Matters.

#### 15 MINUTES OF THE CABINET

The Minutes of the Cabinet meeting held on 26 April 2005 were submitted.

Item 3 Denbighshire Commissioning Strategy for Older People: Councillor P A Dobb asked that paragraph 3 be amended to read: Reablement and rehabilitative Services were in need of further development. She also pointed out that Denbighshire was working with Conwy County Borough Council and not three neighbouring Authorities.

Item 5 Cabinet Forward Work Programme: Councillor R W Hughes took the opportunity to thank all officers for their work on the Managing School Places Seminars held recently. At Councillor E W Williams request, a list would be kept of those Councillors who had attended the Seminars. Councillor Hughes said a follow-up Seminar would be held to ensure Members were kept fully informed.

Item 8 Community Capital Projects: Councillor R W Hughes said the Corwen Scheme deferred at the last meeting would be considered at the June 2005 meeting of Cabinet as match funding for the project had been made available.

***RESOLVED** that, subject to the above, the Minutes of the Cabinet meeting held on 26 April 2005 be approved as a correct record and signed by the Leader.*

#### 16 APPROVAL OF IMPROVEMENT PLAN 2005-2006

Councillor R W Hughes presented the report seeking Cabinet recommendation of the draft Improvement Plan 2005-2006 to Council in June 2005 for approval and to delegate authority to the Chief Executive, in consultation with the Leader, to make necessary amendments to the Plan if required.

Councillor Hughes said suggestions would be required to highlight community strategy aims and also the Council's objectives. Efficiency savings, not cuts, would lead to better ways of working. The Visioning Exercise for the authority would be included.

Councillor E W Williams referred to the time consuming but necessary tendering processes in the County and whether any savings in either time or money had been achieved as a result. It would be useful to have a report showing exactly what savings had been achieved. He said many staff saw efficiency savings as staff cuts but this was not always the case.

The Deputy Chief Executive / Corporate Director: Resources said he and the County Clerk were working on simplifying the Financial Regulations but some issues would remain compulsory as they were legislative, for example European issues. Financial probity had to be demonstrated in procurement.

Councillor P J Marfleet agreed with the Deputy Chief Executive and said it was important to demonstrate what had already been achieved. The Welsh Assembly Government were likely to be looking for 1% efficiency savings again next year and probably for the following years. Service delivery and efficiency savings above this were required and he would be working closely with the Financial Controller on the 3 year budget to achieve the savings.

**RESOLVED** that Cabinet recommend the draft Improvement Plan 2005-2006 to Council in June 2005 for approval and to delegate authority to the Chief Executive, in consultation with the Leader, to make necessary amendments to the Plan if required.

#### **17 UPDATE ON CORPORATE IMPROVEMENT ASSESSMENT [CIA]**

Councillor P J Marfleet presented the report for Cabinet to note the progress made to date and agree the work still ongoing. He said each item categorised as an issue had been addressed and dealt with or was subject to ongoing work by officers.

Councillor R W Hughes said the Member Development Programme should be evaluated and the training reviewed to ensure that Members are receiving the training they require. Councillor P A Dobb said the Standards Committee had highlighted training needs in certain areas for Members.

**RESOLVED** that Cabinet note the progress made to date and agree the work still ongoing.

#### **18 CORPORATE QUARTERLY PERFORMANCE REPORT AGAINST IMPROVEMENT PLAN 2004/05**

Councillor P J Marfleet presented the report seeking Members' consideration of the Corporate Quarterly Performance Report against the Work Programme in the Improvement Plan for 2004 / 2005 and urged Members to monitor closely the progress being made against corporate and service risks with reference to local performance indicators and progress towards target of statutory performance indicators, with a view to considering any issue in greater depth as deemed necessary.

Councillor Marfleet highlighted the Financial Controller's Statement at paragraph 5 and expressed his concern that such a high level of projects were behind target and the special funding provided by the Welsh Assembly Government of £1m a year over a 3 year period to help deliver the targets, was dependent on achievement of the targets. Any significant failure to deliver the targets could lead to clawback of some of the grant paid and the Authority was at risk of clawback of a significant element of the overall £3m funding.

With regard to Finance, some progress had been made with the percentage of undisputed invoices paid within 30 days but more work was required. The progress made by the Benefits Team was good but many people who were entitled to benefits were not claiming. The Personnel Department were concentrating on the new personnel system. There were some Personnel targets which the Authority could do little to alter and had to be examined realistically.

Councillor S Roberts said Culture and Leisure had achieved their national targets and over achieved with the local indicators. Good progress had been made within the Arts. However, the Library and Information Service had a large demand for further ICT services and £40k had been secured to attract new customers to the Libraries. The Acting Director: Lifelong Learning said target setting was important and challenging for the staff to deliver services.

Councillor S A Davies said the Bilingual Group were currently updating the Welsh Language Scheme. However, some PI figures should be considered in a more realistic manner, for example the numbers of people who vote in elections, which was outside the control of the Authority.

Councillor E C Edwards said the Council's Improvement Plan gave Members and the public a better indication of the Authority's performance than some of the figures in the indicators. Violent crime figures were rising nationally. The Authority worked closely with the Steering Groups, one of which was chaired by the Chief Executive. The Safer Communities Group was performing well in Denbighshire. Once the indicators are changed by the Welsh Assembly Government only indicator 1.17 would remain in Community Safety. The Chief Executive said there was some discrepancy between the PI report and the Improvement Plan and agreed that the figures in the Improvement Plan were the correct figures. He assured Members that the correct figures would be included in the published Improvement Plan.

Councillor D Owens said performance of young pupils at Key Stage 1 has remained at a consistently high level since 2000 and in the upper quartile nationally. In other Key Stages, although targets have not been met in a number of Statutory Performance Indicators related to pupils' performance, the trend in performance in Key Stages 2 and 3 since 2000 has shown an improvement. Performance at GCSE level, however, remained consistent with no significant increase.

With regard to the Welsh Assembly Government attendance at secondary schools figure target not being met, low attendance figures in two Secondary and one Special School had a negative impact on the County's performance. Strategies are being coordinated by the Educational Social Workers in collaboration with schools to address this. ESTYN judged schools with less than 90% attendance as unsatisfactory.

There was still considerable pressure in some coastal area schools to meet Welsh Assembly Government recommendations of restricting classes size to 30 pupils. The transient population in Rhyl and a severe shortage of places in certain year groups in both Rhyl and Prestatyn schools had a negative impact.

In response to a query by Councillor R E Barton, the Head of Education Services said some targets were set 2 years in advance by the Welsh Assembly Government. It was important to remember that each school had individual profiles of each pupil and work was ongoing with all schools to improve performance. However, the indicators did not measure the performance of the Education Department. The Head of Education Services agreed with Councillor E W Williams that mixed year groups could alleviate some problems where classes had over 30 pupils but most schools did not have enough space to allow this to take place.

Councillor J Thompson Hill said progress had been made with the percentage of the Authority's buildings open to the public which had suitable access for disabled people. However, substantial improvements were required and officers were working on these improvements.

Councillor P A Dobb said managers were trying to achieve their targets and were doing better than the Welsh average in some instances. Not achieving the domiciliary care target could be the result of the target being set too low to be achieved. With regard to helping the number of adults to live at home, the target not being met was as a result of staffing resource problems. The Housing rent arrears of former tenants will be a 3 year rolling programme whilst the repairs to houses is being reconsidered by the Department and Contract Services to ensure the calls are allotted and recorded accurately. The homeless households in temporary accommodation target was 5 whilst the actual number of families had been 14 and was not in the control of the Authority. The Corporate Director: Personal Services said the Authority's performance on homelessness was encouraging and the number in B & B accommodation was being reduced. Denbighshire had the best performance in Wales on rate of delayed transfers of care for social reasons per 1,000 population aged 75 and over and had exceeded its target.

Councillor M A German said a positive report was expected from the Care Standards Inspectorate in Wales. Staff resources were still stretched but the staff were committed to providing a good service.

Councillor E W Williams said the Authority was not achieving its affordable housing targets. Tonnage of waste and landfill sites continued to be a major problem but the Authority had just achieved the threshold. The Corporate Director: Environment said municipal waste statistics did not always show the full picture.

Good work continued in the Transport department. Planning had not achieved targets in the last 3 quarters and needed to improve but there was a significant increase in the number of applications being received.

The Food Safety inspections target had been achieved as a result of an enormous effort by the staff. The Environmental Health department continued to face difficulties in recruitment and retention of staff. It was agreed that LPA14 should be in the name of Councillor Hughes.

Councillor R W Hughes said the PIs did not monitor European matters and the funding being sourced by the Authority was not being measured. It was hoped the new system would include this.

Councillor P J Marfleet said the reports from Lead Members had mostly concentrated on the successes and it was good to celebrate that success but stressed the need for the Financial Controller's comment in paragraph 5 of the cover report to be remembered and appropriate firm action to be taken regarding these issues in the future.

As the Welsh Assembly Government had changed indicator reporting, the Chief Executive said about 20-30 meaningful targets should be set for 2005-2006 which would be reported quarterly. More vigorous monitoring of targets was required and comments included. Further discussion would be required.

The Deputy Chief Executive / Corporate Director: Resources said it was vital that Lead Members were mindful of the joint agreement signed by the Welsh Assembly Government and the Authority when moving the issues on.

**RESOLVED** that Members note the progress on the Corporate Quarterly Performance report against the Work Programme in the Improvement Plan 2004-2005.

## 19 RHYL: FORYD HARBOUR

Councillor J Thompson Hill presented the report for Cabinet to receive the feasibility study produced by Mouchel Parkman Ltd and to approve expenditure on the improvement and development of the Foryd Harbour to be funded from the compensation received from the operator of the offshore wind farm. There would be no cost to the Authority at present to fund this development.

Members agreed with Councillor E W Williams that the paragraph commencing "Each year ...." of paragraph 7.1 be deleted from the report.

Councillors S Roberts and J Chamberlain Jones said they supported the development and agreed with the Corporate Director: Environment's comments that the study gave a phased approach to a catalyst development to improvements in Rhyl. The Corporate Director: Environment said an Objective 1 bid had been made in May 2004 and a response was still awaited from WEFO. Councillor E C Edwards said an announcement was expected later in the week.

Councillor E C Edwards stressed the need to work closely with Conwy County Borough Council. The Development Officer confirmed that representatives from Conwy and Kinmel Bay Town Council were members of the Rhyl Harbour Users Forum and that Conwy County Borough Council had granted planning permission.

Councillor E C Edwards took the opportunity to thank Kevin Edwards, the Principal European Officer and all his team for all their hard work in obtaining grants for the Authority.

**RESOLVED** that Cabinet receive the feasibility study produced by Mouchel Parkman Ltd and authorise expenditure on the improvement and development of the Foryd Harbour to be funded from the compensation received from the operator of the offshore wind farm.

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

## 20 WEST RHYL REGENERATION STUDY

Councillor J Thompson Hill presented the report for Members to receive the West Rhyl Regeneration Strategy Development Brief attached at Appendix 1, and consider the implications of the key strategy document. Cabinet were also asked to authorise officers to enter into negotiations with the Welsh Development Agency over a joint venture approach to implementing the Strategy and to commence compulsory purchase proceedings against specific properties highlighted in the report, as shown on the plan attached to the report, using either the County Council's compulsory purchase powers, or those of the Welsh Development Agency. Councillor Thompson Hill emphasised that the compulsory purchase powers were an 'in principle' decision only, and specific sites which could be the subject of compulsory purchase orders would be referred to the relevant committee for decision.

Councillor P J Marfleet, whilst supporting Councillor S Roberts' views on the improvement this would bring to the Promenade area, said he wanted to ensure that the WDA were not at variance with the Authority over any of the areas covered in the study. The Corporate Director: Environment agreed to note Councillor Marfleet's concerns regarding a particular area of the site and said the matter would be brought back to Members for consideration.

In response to a query from Councillor P A Dobb, the Corporate Director: Environment confirmed that the Financial Controller Statement in the report was not relevant to the current report and should have been updated. He explained the need for CPOs and said the Authority wished to improve the public realm of the area.

Councillor E C Edwards said the Economic Development Department should be involved with the developments and an economic vision was required as well as improved housing.

**RESOLVED** that Cabinet:

- [a] *receive the West Rhyl Regeneration Strategy attached at Appendix 1 to the report and support the implementation of the master plan contained in the Strategy, subject to further work as the proposals evolve;*
- [b] *authorise officers to enter into negotiations with the Welsh Development Agency in respect of joint venture arrangements to pursue the implementation of the master plan and Strategy;*
- [c] *support the use of Denbighshire County Council's compulsory purchase powers in respect of specific properties identified within the West Rhyl Regeneration Strategy as shown in the plan attached to the report. Members note the specific issues about the Ocean Beach site, contained in the report, and*
- [ch] *agree that prior to the issue of compulsory purchase orders or voluntary purchases of individual properties, further reports will be brought to Asset Management Committee or Cabinet for their consideration.*

## 21 EQUALITY SCHEME INCORPORATING REVISED RACE EQUALITY SCHEME 2005-2008

Councillor S A Davies presented the report seeking Cabinet approval of the Council's Corporate Equality Scheme incorporating the Revised Race Equality Scheme 2005-2008. He stressed that the scheme should be implemented in a reasonable manner.

The Equalities Officer reported that SD11 would have a revised target and that currently the Personnel Department were working on piloting a staff support group for EDR6. It had not been able to receive full comments from the Disability Access Group.

**RESOLVED** that Cabinet approve the Council's Equality Scheme incorporating the Revised Race Equality Scheme 2005-2008.

## 22 CAPITAL PLAN 2004-2005

Councillor P J Marfleet presented the report for Members to note the provisional final outturn of capital expenditure in respect of 2004-2005.

Councillor Marfleet said slippage on generally funded schemes had risen from £3.9m to £4.89m, partly attributable to the reinstatement of the block allocations and the slow rate of drawdown of community project grants. He said the total position including specially funded schemes resulted in slippage of £13m on a programme estimated at nearly £33m. It was essential that realistic forecasting was carried out and any likely slippage identified much earlier in the year. An early indication of slippage would allow consideration of using the capital on other schemes within the approved plan in later years. He stressed the need for Lead Members to discuss with Heads of Service.

Councillor P A Dobb said some of the slippage was due to the staffing resource problems encountered by Design Services. She hoped the housing refurbishment programme would be kept on track.

Councillor R W Hughes suggested a small Task and Finish Group, including the Chair of Resources Scrutiny, be formed to consider the reasons for slippage of the Capital Plan.

Councillor E C Edwards said he supported keeping any design work in-house if at all possible but the Department could not be run over a long period with mainly temporary staff. If the Design Services team were overloaded with work, some outside design services would have to be purchased. The Corporate Director: Environment said the new Property Manager was due to commence work in 3-4 months, which should help to ease the problems.

**RESOLVED** that Cabinet note the provisional final figures in respect of the Capital Plan for 2004-2005. Members agree to establish a small Task and Finish Group, to include the Chair of Resources Scrutiny Committee.

## 23 REVENUE BUDGET PROVISIONAL OUTTURN 2004-2005

Councillor P J Marfleet presented the report for Members to note the provisional final Revenue Budget figures for 2004-2005 as detailed in the appendices to the report.

The provisional figures indicated a net underspend position resulting in a contribution of £70k to balances but it was hoped that this figure would be improved upon when the final figures would be reported in July 2005.

Councillor Marfleet congratulated the Lifelong Learning Department on the improvements made in the overspend. He said the costs for the Chief Executive's Department were only for that year and would not be carried forward. Treasury Management in the Authority was good and improved cash flow had resulted in increased investment income.

Although he had grave concerns earlier in the year, he was pleased to report a better than forecast result and it was hoped to commence the new year with a clean sheet. Although efficiency savings had already been achieved, he hoped departments would build on these and congratulated officers and all staff for their work.

**RESOLVED** that Members note the figures in the appendices to the report.

## 24 HOUSING REVENUE ACCOUNT BUDGET 2004/2005

Councillor P A Dobb presented the report for Members to note the latest financial forecast outturn position of the Housing Revenue Account (HRA) for 2004-2005 and to approve earmarking of £326,216 of HRA balances in order to make a revenue contribution to the Housing Capital Programme in 2005-2006.

Councillor Dobb said the capital programme had fallen behind schedule, as a result of having to re-tender for work. The backlog of capital programme work was expected to commence in June 2005 and £8.5m worth of work would be carried out over the next 2 years.

It was agreed that homelessness and other Non HRA figures would not be included in future Housing Revenue Account Budget reports, full allocation of support costs would offset these changes.

**RESOLVED** that Cabinet note the latest financial forecast position of the Housing Revenue Account for 2004-2005 and approve earmarking of £326,216 of HRA balances in order to make a revenue contribution to the Housing Capital Programme in 2005-2006.

## **25 COMMUNITY PROJECTS: CLOCAENOG CHURCH HALL**

Councillor P J Marfleet presented the report seeking approval to reallocate the Clocaenog Church Hall grant approved by Cabinet on 26.11.2002.

Councillor E W Williams said the Church Hall Group had received more funding than originally anticipated for the project. The new project was being put forward to use the unallocated funding.

**RESOLVED** that Cabinet supports the recommendation to reallocate the unspent portion of the original grant to Clocaenog Church Hall for use in completing the project.

## **26 EVENTS COMMISSION**

Councillor S Roberts presented the report seeking Cabinet agreement to the signing of the co-operation agreement attached at Appendix 1 to the report and to participate fully in the partnership of the Events Commission. Members were also asked to agree to nominate the Lead Member for Promoting Denbighshire and the Assistant Director: Culture and Leisure to join the management board of the Events Commission.

Members discussed the events in general and the Assistant Director: Culture and Leisure said it was not possible to alter the events as they were part of an Objective 1 development. It was hoped to expand on the events held at the Rhyl Events Arena as part of the regional categories. Each organisation would nominate their own event but these were subject to an audience number criteria. However, all the events would promote each other.

Councillor E W Williams suggested the Urdd or National Eisteddfod or the local Denbighshire Food Festival could form part of the events. The Assistant Director: Culture and Leisure said Objective 1 rules on match funding would have to be considered, as would the calendar of events.

Councillor D Owens said he was delighted to see co-operation between the different organisations in North Wales, particularly with the Ryder Cup Seniors and Challenge Cup.

In response to a query, Councillor E C Edwards said the Ryder Cup Seniors tournament was always held at Harlech.

**RESOLVED** that Cabinet agree to the signing of the co-operation agreement attached at Appendix 1 to the report and to participate fully in the partnership of the Events Commission. Cabinet also agree to nominate the Lead Member for Promoting Denbighshire and the Assistant Director: Culture and Leisure to join the management board of the Events Commission.

## **27 CABINET FORWARD WORK PROGRAMME**

Councillor S A Davies presented the report for Members to note the Cabinet Forward Work Programme. The Deputy Chief Executive / Corporate Director: Resources asked Members to note the Programme had been produced in a different format. The lead officer would usually be the relevant Head of Service. It was important that Lead Members and officers planned work effectively and it was critical that Lead Members were involved at an early stage.

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

## 28 URGENT ITEMS

There were no Urgent Items.

## EXCLUSION OF PRESS AND PUBLIC

**RESOLVED** under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 7, 8 and 9 of Part 1 of Schedule 12A of the Local Government Act 1972.

## PART II

### 29 CONSIDERATION OF FUNDING OPTIONS FOR EXTRA CARE DEVELOPMENT IN PRESTATYN

Councillor P A Dobb presented the report seeking Cabinet consideration of how to proceed with the development of Extra Care Development in Prestatyn from the available funding options.

Members discussed the options outlined in the report and agreed to enter into negotiations with the not for profit organisation, HICA Life Developments. Support would be required from both the Local Health Board and local residents.

Councillor E C Edwards said he was delighted to second the proposal, which would lead to the development of an extra care scheme for the Authority for local people. In particular, he hoped this would lead to an extra care scheme for Awelon, Ruthin and Cysgod y Gaer, Corwen. He congratulated the Lead Member and the Corporate Director: Personal Services on the report.

Councillor P J Marfleet said he had been impressed with the presentation made at an earlier meeting by the company and hoped the company would be interested in developing peripheral units.

Councillor J Thompson Hill said he also welcomed the proposal but stressed the need that the Authority inputted into the design of any structures to ensure they complemented the surrounding locality. He also stressed the need to involve the community at an early stage of any possible development. Councillor M A German agreed that both Members and the local community should be involved with what he saw was a worthwhile project.

In response to queries from Members, the Corporate Director: Personal Services said legal covenants would be incorporated into any agreements to ensure that only the over 55 age group would be able to buy or rent units, probably in the form of a sheltered housing scheme agreement. After further discussion, Members agreed to revise recommendation 8.2 as follows:

**RESOLVED** that Cabinet agree:

[a] to proceed with the development of Extra Care Development in Prestatyn, and

[b] to enter into negotiations with HICA Life Developments and consults further with health services, with the aim of developing a retirement community, including an extra care scheme in Prestatyn.

The meeting concluded at 1.10 p.m.

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