

## **CABINET**

Minutes of the Cabinet meeting held in Conference Room 1, County Hall, Ruthin on Tuesday 13 September 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 and J Thompson Hill, Lead Member for Property and Asset Management. Observers: Councillors R E Barton, G C Evans and G O Rowlands.

### **ALSO PRESENT**

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

### **APOLOGIES**

Councillor E W Williams, Lead Member for Environment.

### **ANNOUNCEMENT**

- 1 Councillor R W Hughes referred to an article in the Surveyors' Journal regarding winter maintenance carried out by Denbighshire County Council. The Corporate Director: Environment said Denbighshire was the only Authority in Wales which used fully demountable bodies on its fleet of gritters, thereby maximising the use of the lorries for tipping and other purposes. The Highways Maintenance team were seen as innovative across the UK and had been nominated for the Public Sector Innovation of the Year Award in the Energy Saving Trust's Green Fleet Awards. Councillor Hughes asked that the Corporate Director pass on congratulations to the officers involved.
- 2 Councillor R W Hughes referred to the Childline Charity, who recently reported they were receiving less donations since the Tsunami and Hurricane Katrina disasters for example. She had been in contact with the Charity and received sponsorship forms. She had agreed with the relevant Cabinet Members that sponsorship forms could be used by those participating in Denbighshire's Walking Festival as well as for general sponsorship. Councillor Hughes urged everyone to participate and sponsor Childline.

### **338 URGENT MATTERS**

There were no Urgent Matters.

### **339 MINUTES OF THE CABINET**

The Minutes of the Cabinet meeting held on 19 July 2005 were submitted.

Item 3 A Vision for Denbighshire - A Vision for the County: Councillor R W Hughes said the Vision would be launched at 2.00 p.m. on 26.09.2005.

Item 5 Modernising Education in Denbighshire: Councillor R W Hughes said consultation for the proposed new school in Prestatyn had commenced.

**RESOLVED** that, subject to the above, the Minutes of the Cabinet meeting held on 19 July 2005 be approved as a correct record and signed by the Leader.

## 340 YOUTH SERVICE ESTYN REPORT

Councillor M A German presented the report seeking Members' approval to implement the 3 year improvement plan produced to address weaknesses and risk areas, as a result of the Youth Service review and self assessment using the ESTYN Guidance on the Inspection of Youth Support Services 2004. He took the opportunity to thank the County Youth and Community Officer and team for all their hard work.

Councillor P A Dobb supported the recommendation and said she was delighted to see an Improvement Plan in place. The plans would ultimately help reduce costs in adult and health services and also homelessness. The report also addressed the need to ensure disabled children had the same quality of service. Councillor R W Hughes said she also agreed with the report but expressed her concern that 50% of the budget for the service was drawn from outside sources and approximately 60% of the staff employed were on a temporary contract.

Councillor R E Barton referred to be deprivation indicator of access to services in the South of the County and said it was impossible for young people in many instances to get to the nearest town to use the facilities. He suggested more full time Youth Leaders be employed and given a "roving role" which would address the lack of youth clubs in some rural areas.

Councillor G O Rowlands said he was also pleased to see the report and said his own ward had 567 young people without any provision at the current time. He hoped that the "relevant funding" referred to in the Recommendation would always be found.

**RESOLVED** that Members agree the Youth Service implement the improvement plan, subject to the relevant funding being identified.

## 341 REVENUE BUDGET 2005-2006

Councillor P J Marfleet presented the report for Members to note the budget performance figures for the current financial year as detailed in the appendices to the report and consider any actions necessary to bring the Directorates' projected spending in line with available budgets.

The current potential overspends totalled £333k which was an improvement on the previous report. However, it was likely that additional pressures in SEN were liable to increase the current overspends. He hoped to clarify the overspend by the next Cabinet meeting. With regard to Personal Services, the larger than anticipated level of Supporting People grant had helped and staff in the Directorate were to be commended for addressing issues as a worst case scenario on this matter. Although they had commenced the year with a carry forward figure, the Directorate were operating on a deficit of £450k. Councillor P A Dobb said the Directorate were addressing problems.

The main shortfall was within the Lifelong Learning Directorate and work was in progress to address some of the issues. School and College Transport continued to be overspent each year. Current increases in fuel prices would also affect this budget. Councillor Marfleet said it was important to ensure the Authority were aware of its liabilities in regard to College Transport and suggested that as some Authorities made nominal charges for College Transport, Denbighshire should also give consideration to the matter. It was likely that SEN pressures would continue and possible that pressures on the Ysgol Plas Brondyffryn budget would occur.

Councillor E C Edwards asked for an explanation of the increase in vandalism and other costs at the Ffrith Beach and also the reduction in Countryside Council for Wales grant. The Acting Head of Culture and Leisure said the Ffrith Beach complex had been transferred back to Culture and Leisure and the costs were due to a lack of general maintenance and vandalism which would have to be addressed, resulting in pressures of £40k. He said the CCW had been good partners in the past, this was the first year where less grants had been received as they were changing their priorities, resulting in a loss of £12k to the Authority.

It was important for officers to report all issues to Members, and for officers to ensure external funding was applied for. Councillor Marfleet mentioned the overspend on Land Charges and said the County Clerk's Department and the Environment Directorate should resolve the issue. He reminded officers

that all Directorates should be aware of the high energy prices which would have an impact on all services and suggested measures should be taken if possible to reduce the costs of the Authority's energy bills.

The Chief Executive reminded Members that the staff mileage rate was fixed and there was little further officers could do with regard to the fleet vehicles although they checked for best fuel consumption when purchasing new vehicles. With regard to Land Charges, he agreed an overambitious income target had been set at an earlier date and this was unachievable. The Corporate Director: Environment was considering the matter with a view to absorbing the pressures in his Directorate's budget.

Councillor E C Edwards said consideration perhaps be given to lease cars for senior officers, which could prove to cost less to the Authority than paying mileage rates. He stressed that Members would be extremely reluctant to cut services and that would be considered intolerable, however, any savings made through efficiencies which did not lessen service provision should be supported.

**RESOLVED** that Cabinet note the figures in the Appendices and that Lead Members consider remedial actions to align projected spending levels with approved budgets.

#### **342 HOUSING REVENUE ACCOUNT BUDGET 2005 / 2006**

Councillor P A Dobb presented the report for Members to note the latest financial forecast position of the Housing Revenue Account (HRA) for 2005-2006, which showed a potential net underspend of £321k at the year end.

Councillor Dobb said work was on schedule with the capital schemes and work on window installation in houses was going well and as planned.

**RESOLVED** that Cabinet note the latest financial forecast position of the Housing Revenue Account for 2005-2006.

#### **343 TRANSFORMATION OF RUTHIN CRAFT CENTRE**

Councillor S Roberts presented the report seeking endorsement of the Ruthin Craft Centre Development Study and agreement to proceed to the implementation phase of the project, subject to funding availability. Agreement was also sought to recommend to Council that the Capital Plan make provision for a £480k contribution to the capital cost of the project. She congratulated the Craft Development Officer and Craft Development Assistant on their work on the project.

Councillor P J Marfleet said he had met with the consultants and agreed a great deal of preparation had been given to the report and the project. He stressed the need for checking whether there was asbestos in the current building, which if found would have an adverse financial affect on the scheme. He said once completed, the visitor numbers to the Craft Centre could increase by 130,000 and this could have a positive effect on the new Tesco store once built. He suggested that every opportunity be taken to work with Tesco for sponsorship.

Councillor E C Edwards seconded the report and agreed with Councillor Marfleet and said the town would be making various demands on Tesco. He said their support in respect of the roads around the sites should be sought.

The Acting Head of Culture and Leisure said a type 2 asbestos survey had been commissioned and it was not possible for a full survey to be carried out until all personnel had left the premises. He said the department were working with Tesco in regard to provision of roads, landscaping and so on. With regard to funding, the ACW was the largest contributor but it was possible Tesco would wish to contribute to the Craft Centre in some way. Revenue funding possibilities would be explored wherever possible.

Councillor R W Hughes said the Ruthin Craft Centre had both a national and international reputation. The Craft Development Officer thanked Members and officers of various departments for their continued support.

**RESOLVED** that Cabinet:

- [i] endorse the Ruthin Craft Centre Development Study and agree to proceed to the implementation phase of the project, subject to the availability of funding.
- [ii] recommend to Council that the Capital Plan makes provision for a £480k contribution to the capital cost of the project, and notes the case for increasing the annual revenue allocation to the Craft Centre by £16k in the financial year 2006/07 and by a further £4k annually from 2007/08.

#### **344 DENBIGHSHIRE LOCAL DEVELOPMENT PLAN [LDP]: PROCESS AND PROGRESS REPORT**

The Head of Planning and Public Protection presented the report [in the lead Member's absence] to advise Members on the emerging reforms to the Local Development Plan [LDP] system and the constraints created and to approve the approach currently adopted in producing the Denbighshire Local Development Plan. He said the Unitary Development Plan [UDP] would remain relevant until an LDP was adopted and the two Plans would work in tandem for a few years. Work had started on the LDP and it was hoped to reduce the number of statutory plans to 4 or 5 and incorporate the Visioning exercise and Spatial Plan into the work.

The Senior Planning Officer referred Members to Appendix 1 of the report which detailed the fundamental changes in the new LDP system, and the key stages for producing the plan detailed in paragraph 2.5 of the report.

Councillor P A Dobb said she was part of the LDP working group felt it was a good base for cross-Directorate working and it was important for the County to move together as one.

Councillor R W Hughes asked Members to contact Councillor S A Davies if further training was required.

**RESOLVED** that Members:

- [i] Confirm any areas where they may require further training from officers on the Local Development Plan system / process with Councillor S A Davies;
- [ii] Recognise current constraints of working within the new system; and
- [iii] Approve the approach currently taken by officers in producing the Denbighshire Local Development Plan (LDP).

#### **345 EMERGENCY DUTY TEAM SOCIAL WORK SERVICES IN DENBIGHSHIRE**

Councillor P A Dobb presented the report seeking Members' agreement in principle that Out of Hours Social Work Services are provided within a specialist team across Denbighshire, Flintshire and Wrexham from April 2006 and that the team would be based in Wrexham and line managed by Wrexham County Borough Council, subject to satisfactory negotiation of service/management agreements as a more workable system was required. The report highlighted the need for more funding within the Children's Service as some costs were borne by the Adult Service budget.

Councillor M A German seconded the report and thanked officers for their work.

The Chief Executive took the opportunity to thank all officers for their out of office work. He said the agreement sought in the report was a good example of cooperating with other Authorities. The Leader was in discussion with other Leaders in North Wales and it was hoped to work together on providing other services, more efficiently.

**RESOLVED** that Cabinet agree in principle that Out of Hours Social Work Services are provided within a specialist team across Denbighshire, Flintshire and Wrexham from April 2006 and agree the

*team would be based in Wrexham and line managed by Wrexham County Borough Council, subject to satisfactory negotiation of service/management agreements.*

#### **346 CORPORATE COMMUNICATIONS STRATEGY: ACTION PLAN**

Councillor S A Davies presented the report seeking Cabinet approval of the recommendations in the Corporate Communication Strategy Action Plan. He thanked the Public Relations Manager for her work on the Action Plan.

**RESOLVED** that Cabinet agree the recommendations of the Corporate Communications Strategy Action Plan.

#### **347 EXEMPTION OF CONTRACT PROCEDURE RULE 23.4**

Councillor P J Marfleet presented the report for Members to approve the exemption of Contract Procedure Rule 23.4 as set out in the Financial Regulations 31, CPR 23.4 for a period of 6 months specifically for construction contracts as tendered in the main by Development Services. Members were also asked to approve the method of examining tenders for construction contracts during the period of the exemption, as laid out within the Construction Industry Board's Code of Practice for the selection of main contractors (1997). He thanked the solicitor for her work on the report.

**RESOLVED** that Members:

[a] *approve the exemption of Contract Procedure Rule 23.4 as set out in the Financial Regulations 31, CPR 23.4 for a period of 6 months specifically for construction contracts as tendered in the main by Development Services.*

[b] *approve the method of examining tenders for construction contracts during the period of the exemption, will be as laid out within the Construction Industry Board's Code of Practice for the selection of main contractors (1997).*

#### **348 CABINET FORWARD WORK PROGRAMME**

Councillor S A Davies presented the Cabinet Forward Work Programme.

Councillor R W Hughes said the Denbighshire International Strategy report would be considered by Cabinet in October 2005. The Chief Executive said the Corporate Improvement Assessment report would be considered either at the end of September or October 2005.

Councillor E C Edwards informed Members that a team from Ysgol Brynhyfryd would be working closely with the Authority regarding the Urdd Eisteddfod to be held in the school in 2006.

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

#### **349 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 8, 9 and 11 of Part 1 of Schedule 12A of the Local Government Act 1972.

#### **PART II**

### 350 DRIFT PARK, RHYL

Councillor R W Hughes presented the report seeking Cabinet authorisation for the Head of Development Services to enter into a contract for the artistic works within the West Promenade, Rhyl Drift Park project. She said she was pleased with the local involvement of schools in the project for provision of the artistic works. The Corporate Director: Environment said schools involvement was an integral part of the project and many Rhyl schools would be involved in designing interpretative sculptures or plaques.

Councillor J Thompson Hill reminded officers that care must be taken when awarding any contracts.

Councillor S Roberts seconded the report and congratulated the Development Officer on his work.

In response to a query from Councillor P J Marfleet, the Corporate Director: Environment said the Authority's costs were contained in the Capital Plan as part of the Rhyl Going Forward provision and there would be no overspend on the budget allocated. Grants had also been received from outside organisations.

The Chief Executive raised concerns about the frequency of such exemptions and asked that the Corporate Director: Resources, the Head of Development Services and the Legal and Procurement Teams consider the tender process in future for whole projects, which would enable future schemes to be tendered just once and the need for exemptions to the Contract Procedure Rules would cease in such cases.

Councillor E C Edwards supported the scheme and reminded Members of the importance to have Project Managers involved as early as possible in such schemes.

**RESOLVED** that Cabinet authorise the Head of Development Services to enter into a contract for the artworks, with the contractor named in the report, as part of the main construction contract of the West Promenade, Rhyl Drift Park project.

### 351 SINGLE STATUS

Mr A Rutherford, Unison Branch Secretary attended for this item.

Councillor P J Marfleet presented the report for Members to note the progress to date with Single Status and to gain Members' agreement to recommendations for negotiation with Unions, for subsequent approval by Council.

Agreement has already been reached with the Unions to use the Greater London Provincial Council pay/grading scheme for ex-manual worker posts and completion of evaluation is planned for 31.12.2005. Both the Council and Unions are keen to ensure that a reasonable solution and a not unreasonable financial burden was reached. Councillor Marfleet congratulated both the Unions and Personnel Department for working together and said Denbighshire was ahead of other Authorities in Single Status negotiations.

The Head of Personnel indicated that both Central Personnel and Directorate staff were currently heavily involved in agreeing and evaluating job descriptions with the Unions, and negotiations on implementation would start this week. The Unison Branch Secretary, who attended this Part II item, indicated his support for the process and shared the view that there was a need for a quick resolution.

The Chief Executive said Single Status was a major business risk for the Authority and it was essential to progress the matter quickly.

**RESOLVED** that Cabinet note the progress to date and agree the remit for negotiations with the Unions as outlined in the report.

The meeting concluded at 11.25 a.m.

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