

CABINET

Minutes of the Cabinet meeting held in the Conference Room 1, The Dean's Library, St Asaph on Tuesday 27 September 2005 at 11.00 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 and Councillor E W Williams, Lead Member for Environment.

Observers: Councillors R E Barton and M LI Davies.

ALSO PRESENT

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

APOLOGIES

Chief Executive.

ANNOUNCEMENT

- 1 The Corporate Director: Environment informed Members that Denbighshire had been successful and gained the Public Sector Innovation of the Year Award in the Energy Saving Trust's Green Fleet Awards. Councillor E W Williams echoed the Corporate Director's sentiments and said he had been pleased to accept the award with both Graham Taylor, Transport Manager and Chris Brown, Assistant Fleet Manager who had both worked hard on the project.

The Corporate Director also informed Members that a complimentary article on mountain biking in the Clwydian Range and Llandegla had appeared in the Single Track magazine. He took the opportunity to thank Adrian Walls, the Highways Information Manager and a member of the North Wales Mountain Bike Association for all his work in organising the Merida 100km Mountain Bike Marathon for the third year in the Ruthin area, which had been a wonderful tourism opportunity as 1100 people from all over the UK were involved in the event. Councillor M A German also congratulated the officer, on both his work and enthusiasm.

- 2 Councillor R W Hughes said that Councillors P A Dobb, S Roberts and herself has raised approximately £300 for the Childline Charity by participating in Denbighshire's Walking Festival.
- 3 A Vision for Denbighshire - A Vision for the County: Councillor R W Hughes said the Vision had been launched on 26.09.2005 and the first seminar with some of the Authority's partners was to be held on 30.09.2005.

411 URGENT MATTERS

There were no Urgent Matters.

412 MINUTES OF THE CABINET

The Minutes of the Cabinet meeting held on 13 September 2005 were submitted.

RESOLVED that the Minutes of the Cabinet meeting held on 13 September 2005 be approved as a correct record and signed by the Leader.

413 IMPROVING THE COUNCIL HOUSING STOCK

Councillor P A Dobb presented the report for Cabinet to note progress on consultations with Members and tenants, and with Welsh Assembly Government (WAG) and sought approval to consult with all tenants on the basis that the Improvement Programme could be delivered through the Housing Stock Business Plan whilst giving fair information about the alternative option of Stock Transfer. Following the consultation process, a further report would be presented to Cabinet to lead to a final recommendation to Council.

Members agreed a seminar for all Members be held, probably in November 2005 to appraise all Councillors of the very latest situation and implications.

Councillor Dobb said the revised Housing Stock Business Plan allowed borrowing to be repaid over 30 years with the right to buy set at 60 in year 1 and reducing by 1 each year to 31 in the 30th year. This amendment was at the request of the Assembly. The financial due diligence work would be carried out on the financial model whilst consultation took place.

Councillor P J Marfleet asked what would be the effect of the loss of up to £172m over the years by not taking the stock transfer option. He also queried the right to buy. The Head of Housing said the previous year the Authority had 250 right to buy properties, whilst 125 were sold last year. It was likely to be 60 right to buy in the current financial year, mainly because prices have risen and this would lead to a reduction to perhaps 20 or so right to buy in 6 years time. The fewer properties owned by the Authority meant that the maintenance cost was lower.

Councillor M LI Davies stated that the Government appeared to be steering Authorities towards stock transfer whilst many tenants were opposed to such transfers and asked what effect stock transfer would have on the Council Tax in the Authority. The Head of Housing said there would be an impact in year 4 on the Council Tax Capital Fund programme but this was not as significant as 18 months earlier with the possibility of stock transfer rather than prudential borrowing. However, there would be an impact from year 4 on the Council Tax Capital Fund programme. It was not possible to categorise the people who purchased Council owned properties as some people receiving full benefits purchased properties.

RESOLVED that:

- [i] *Cabinet note progress on consultations with Members and tenants, and with Welsh Assembly Government (WAG)*
- [ii] *Cabinet approves consultation with all tenants on the basis that the Improvement Programme can be delivered through the Housing Stock Business Plan whilst giving fair information about the alternative option of Stock Transfer.*
- [iii] *following the consultation process, a further report be presented to Cabinet to lead to a final recommendation to Council.*

414 SUPPORTING PEOPLE OPERATIONAL PLAN

Councillor P A Dobb presented the report for Members to agree the Supporting People Operational Plan for 2006/07.

Councillor R W Hughes and Councillor S A Davies took the opportunity to thank officers for the excellent and well prepared seminar on learning disabilities held recently. Councillor E W Williams spoke of the idea from a Social Worker where vulnerable people could leave canisters in their fridges containing information on medical condition and medication which was being implemented through local village shop deliveries.

RESOLVED that Cabinet agree the Supporting People Operational Plan for 2006/07 and support the projects identified to meet the needs of vulnerable people.

415 "SOCIAL WORK IN WALES: A PROFESSION TO VALUE" ~ THE GARTHWAITE REPORT

Councillor P A Dobb presented the report for Members to:

- 1 give a commitment to work immediately towards increasing Social Worker/Senior Practitioner and linked pay on an interim basis in Denbighshire to a level commensurate with the higher levels currently being paid by Welsh local authorities
- 2 do this in a way which provides incentives to assist the recruitment of newly qualified staff, and the retention of experienced staff and those making additional specialist contributions
- 3 to work with other local authorities across North Wales to enable this to be achieved in a synchronized way
- 4 to pursue job evaluation for these jobs as a matter of urgency in Denbighshire, using the statements of Roles, Responsibilities, Tasks and Functions contained in the Garthwaite Report as key baselines
- 5 to agree, in principle, the use of market supplements for these jobs, if required
- 6 to consider how the funding of 1 can be reflected in the 2006/07 budget process
- 7 to agree collaborative recruitment and retention arrangements with other North Wales authorities
- 8 to reiterate support for a broad based approach to social work recruitment and retention issues in Denbighshire incorporating attention to staff accommodation, workload, career, training and development opportunities, absence management and management development, as well as pay
- 9 to support, in principle, longer-term national work to develop pay structures for social workers which address "pay drift" and aim to deliver permanent pay scales comparable with other parts of the public sector.

Councillor Dobb said there was an increasing need for Social Workers across Wales and an incentive was required to retain those in post as well as a requirement to address any training needs. Many people did not think of Social Workers until times of need.

Councillor M A German echoed Councillor Dobb's sentiments and said it was important to balance the cost of increased pay against the enormous cost of not having the required number of staff.

Councillor P J Marfleet supported the report and said Social Workers in many instances were paid so much less than teachers for example. He asked whether the £120k per year proposed interim salary scales in Denbighshire would have an effect on pay in the private sector. The Corporate Director: Personal Services said in terms of private supply workers, the Authority was already paying higher salaries. It was hoped this would lead to less use of agency staff and cross-Authority working in North Wales should also help.

Councillor R W Hughes said the WLGA recently agreed to ask the Welsh Assembly Government for extra funding across Wales and the matter has also been raised at a meeting with Sue Essex AM, Minister for Finance, Local Government and Public Services.

Councillor E W Williams said the Health Sector also offered better conditions and he welcomed the County initiative but a more widespread initiative was required. The Corporate Director: Personal Services said the Health Sector employed Occupational Health Workers but did not employ Social Workers.

RESOLVED that Cabinet agree:

- 1 *to give a commitment to work immediately towards increasing Social Worker/Senior Practitioner and linked pay on an interim basis in Denbighshire to a level commensurate with the higher levels currently being paid by Welsh local authorities*
- 2 *to do this in a way which provides incentives to assist the recruitment of newly qualified staff, and the retention of experienced staff and those making additional specialist contributions*
- 3 *to work with other local authorities across North Wales to enable this to be achieved in a synchronized way*

- 4 *to pursue job evaluation for these jobs as a matter of urgency in Denbighshire, using the statements of Roles, Responsibilities, Tasks and Functions contained in the Garthwaite Report as key baselines*
- 5 *to agree, in principle, the use of market supplements for these jobs, if required*
- 6 *to consider how the funding of para 1 above can be reflected in the 2006/07 budget process*
- 7 *to agree collaborative recruitment and retention arrangements with other North Wales authorities as set out in para 2.7 of the report*
- 8 *to reiterate support for a broad based approach to social work recruitment and retention issues in Denbighshire incorporating attention to staff accommodation, workload, career, training and development opportunities, absence management and management development, as well as pay*
- 9 *to support, in principle, longer-term national work to develop pay structures for social workers which address "pay drift" and aim to deliver permanent pay scales comparable with other parts of the public sector.*

416 COMMUNITIES FIRST

Councillor M A German presented the report for Members to note the changes to the Communities First programme set out in the report and agree participation in the temporary governance arrangements for West Rhyl Communities First as set out in paragraph 2.6 of the report. Cabinet were also asked to receive a further report when the "projects" to be taken forward in West Rhyl are negotiated, and the governance arrangements for South West Rhyl have been clarified.

The Corporate Director: Personal Services said this was the beginning of a new stage for Communities First and links in the programme between West and South West Rhyl were unclear and it was important that Communities First became more productive. Some Local Councillors in South West Rhyl had concerns with their involvement in the process.

Councillor E C Edwards supported the changes to the Communities First programme and he hoped the North Wales Police would move the programme forward.

Members expressed their concern that vulnerable people had suffered as the funding given had not been spent in the area.

RESOLVED *that Cabinet note the changes to the Communities First programme set out in the report and agree participation in the temporary governance arrangements for West Rhyl Communities First as set out in paragraph 2.6 of the report. Cabinet also agree to receive a further report when the "projects" to be taken forward in West Rhyl are negotiated, and the governance arrangements for South West Rhyl have been clarified.*

417 CHILDRENS' SERVICES IMPROVEMENT PRIORITIES

Councillor M A German presented the report seeking Cabinet agreement to the Children's Services Improvement Priorities for 2005-6:

improving Placement Choice and Quality for Children Looked After by increasing the number of Denbighshire Foster Carers and their range of skills; improving the timeliness, quality and quantity of initial and core assessments to Children in Need;

delivering an effective well used preventative service which reduces the risk of harm to vulnerable children and reduces the number of children who need to be looked after by the Council;

continue to improve the quality of care planning and improve the life chances of Children Looked After;

introduce a commissioned approach to the development and delivery of services underpinned by improved contracting arrangements;

improve Staff Retention and Recruitment and make Denbighshire Children's Services a rewarding place to work.

Members discussed the provision of foster care, particularly the shortages in rural areas and asked whether the stringent CSIW risk assessments was a factor in the shortages. The Head of Children and Family Services said the CSIW risk assessments had an effect and some foster carers had left due to either deregulation or retirement but there were many reasons why people were not attracted into foster care work. The estimated length of time for being foster carers was now 4 years rather than the 20-30 years previously. For every 10 enquiries received, perhaps only 1 would be approved as a foster carer. There was intense competition from the independent sector in some instances due to higher allowances. The recent increase in salary rates has helped to retain the carers and also helped with recruitment. The Welsh Assembly Government was considering national minimum pay scales for foster carers and if implemented, would have cost implications for the Authority.

RESOLVED that:

Cabinet agree Children's Services Improvement Priorities for 2005/2006 as being:

1. *Improving Placement Choice and Quality for Children Looked After by increasing the number of Denbighshire Foster Carers and their range of skills.*
2. *Improve the timeliness, quality and quantity of initial and core assessments to Children in Need.*
3. *Deliver an effective well used preventative service which reduces the risk of harm to vulnerable children and reduces the number of children who need to be looked after by the Council.*
4. *Continue to improve the quality of care planning and improve the life chances of Children Looked After.*
5. *Introduce a commissioned approach to the development and delivery of services underpinned by improved contracting arrangements.*
6. *Improve Staff Retention and Recruitment and make Denbighshire Children's Services a rewarding place to work.*

418 IMPLEMENTATION OF DCC'S WASTE MANAGEMENT STRATEGY

Councillor E W Williams presented the report seeking approval to the course of action, as outlined in Appendix 1 of the report, in relation to the County's Waste Management Strategy and in particular to the proposed changes to the Council's waste collection arrangements. All Members had discussed the Strategy in detail in the recent County Council meeting. He confirmed that smaller sized bins would be the standard issue but the larger sized would be available if requested.

RESOLVED that Cabinet:

- [i] approve the proposed course of action (outlined in Appendix One of the report) in relation to Denbighshire's Waste Management Strategy, in particular the intention to introduce alternate weekly collections of green waste and residual waste for the majority of households within Denbighshire, on a phased basis.*
- [ii] note the mandatory legal requirements placed upon the Council, to reduce the tonnages of waste that it sends to landfill, and recognise the need to address the financial consequences of these requirements in forthcoming budget rounds.*

- [iii] *note that service delivery methods will be determined largely by operational considerations, and that different approaches will be therefore be appropriate for different areas of the County.*
- [iv] *agree the need for further information/educational visits for Members, i.e. to enable them to examine best practice elsewhere, and to plan the detailed implementation within Denbighshire.*

419 DRAFT PROTOCOL FOR CABINET MEETINGS

Councillor R W Hughes presented the report seeking Cabinet's recommendation to Council an amendment to the Cabinet procedural rules at Part 4.4 of the Constitution to incorporate under paragraph 2.3 a protocol on the attendance at Cabinet and Cabinet committee meetings by Councillors who are not Cabinet Members. She said a similar protocol would be available for Scrutiny Committees and the protocol would give the Chair of any meeting discretion as to whether a non Committee member would be able to speak at the meeting.

Councillor E W Williams supported the protocol but said it was important that a Ward Member be given the opportunity to speak on a relevant item if they had been unable to give prior notice.

Councillor J Thompson Hill welcomed the report and its flexibility.

RESOLVED *that Cabinet recommend to Council an amendment to the Cabinet procedural rules at Part 4.4 of the Constitution to incorporate under paragraph 2.3 a protocol on the attendance at Cabinet and Cabinet committee meetings by Councillors who are not Cabinet Members.*

420 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 potential overspends had risen to £351k from £333k in the last report.

Councillor Marfleet said the projected situation had worsened since the last report, particularly in Lifelong Learning due to overspends on SEN and an increased demand on the Speech Therapy service. The recent fires in the schools had cost implications for the Authority as the insurance excesses had to be paid out of unbudgeted funds.

The Land Charges element in the Environment Directorate would be funded corporately.

Personal Services had started the year with a substantial carry forward and were currently operating £350k outside their budgeted figure.

In response to a query from Councillor E W Williams regarding top slicing because of inaccurate Census information, the Financial Controller said some Census information in Cardiff had been excluded from the population figures. He said it was possible to consider 2003/04 and 2004/05 as the accuracy of population figures was still under discussion. However, if significant amounts were involved the Authority would receive back payments. It had not been possible to reconsider the residential allowances as the case had not been strong enough.

The Deputy Chief Executive / Corporate Director: Resources said Sue Essex AM, Minister for Local Government, Finance and Public Services had been presented with information about the impact of transient population on the Authority. It was important that the Authority pressed for further consideration on this issue. Councillor Marfleet agreed and said the Minister was surprised about the high number of static caravans in Denbighshire which could be housing people for up to 10 months of the year which would have an enormous impact on services. It was essential that up to date and accurate information was provided at all times.

The Corporate Director: Lifelong Learning agreed to investigate the cost of providing sprinklers in schools but said it was likely to be prohibitive. Also the cost of water damage from sprinklers would need to be considered.

In response to a query from Councillor R E Barton, the Corporate Director: Environment said income generation from car parking would not be considered as efficiency savings but the income was being used to help with cutbacks from other departments. He said there would be no extra funding in the next financial year to support the Authority's priorities from the Assembly.

The Corporate Director: Personal Services said the Directorate had made savings of £600k in addition to the corporate savings.

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

421 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 £332k 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. Some apprentices had been hired by the firms carrying out the work.

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

422 ANNUAL TREASURY REPORT

The Deputy Chief Executive / Corporate Director: Resources presented the annual report on the performance of the treasury management function in accordance with the Authority's Treasury Policy Statement. The report detailed previous expectations of the economic climate, the resultant strategy agreed, the actual interest rate performance and the actions undertaken by Council in response. Members were asked to approve the treasury activities undertaken in 2004-2005 as detailed in the appendix to the report. A revised Appendix 2 Prudential Indicators was circulated at the meeting.

The Authority had increased its borrowing in the current year as interest rates were low and had been able to invest at a higher rate than the borrowing repayment rate.

RESOLVED that Cabinet approve the Annual Treasury Report for 2004-2005.

At this juncture (12.45 p.m.) the meeting adjourned for 10 minutes to allow Members to participate in refreshments.

423 PROPOSALS FOR STAFF AND ORGANISATIONAL DEVELOPMENT

The Deputy Chief Executive / Corporate Director: Resources presented the report seeking agreement to proposals of how to continue the development work taken place over the last nine months.

The report outlined work undertaken during the last 6 months, the main outcomes of which were the need for a new performance appraisal system and leadership/management training. The message from staff who were consulted as part of the Focus Groups was that good performance was not being recognised and managers were not addressing poor performance. The Personal Development Review would be developed into a performance appraisal system which would have key competencies built in of what was required at each grade. The Deputy Chief Executive / Corporate Director: Resources said it was important that staff were confident with the new process and that it was dealt with in a confidential and sensitive manner when implemented.

Members' 'job descriptions' would be developed and the Chief Executive was in the process of developing a statement of values. The role of the Monthly Management Conference was also important and an effective way of delivering the organisational development was required. Although the Resources Directorate was currently financing the development and had carried forward some

monies from last year, it was evident that Personnel would be struggling to deliver the organisational development programme alongside Single Status and the HR System and it was therefore envisaged that a strengthening of the team was required.

Councillor P J Marfleet said he supported the outcomes in the report and had been pleased with the constructive input from the Unions. The new appraisal system was an opportunity for staff to express their views and aspirations for career development whilst the employer had an opportunity to address performance. It was evident that widescale management training would have an impact on costs.

Councillor E C Edwards strongly supported the report and stressed the importance of giving staff confidence in the appraisal system. He agreed that good performance was not always recognised and poor performance was not being addressed in many cases. Members agreed with his suggestion that further discussions on organisational development should be held.

Councillor D Owens Hill welcomed the report and saw it as a way of development for the Authority. Councillor J Thompson Hill agreed with Councillor Owens and said the Authority had an excellent resource in its staff.

Councillor R W Hughes also supported the report. She said issues such as some Members commenting to the press inappropriately had a huge impact on staff. Comments had also been made by staff on Members' behaviour.

Members agreed that 'job descriptions' for Members should not tie them down with too much red tape. It was important for Members to know their roles and the Leader and Chair of the Authority roles be clarified.

RESOLVED that Members note the main outcomes of the work undertaken to date and agree in principle the need to develop an Authority-wide performance appraisal system and supporting leadership and management development training as outlined in paragraphs 2.6 and 2.7 of the report. It was further agreed to support the ongoing work as outlined in paragraph 2.8 of the report.

424 CIVIL CONTINGENCIES ACT 2004 - FORMATION OF JOINT EMERGENCY PLANNING TEAM

Councillor E C Edwards presented the report seeking Members' agreement to develop a joint Emergency Planning Team with Flintshire County Council on the basis of a collaborative approach that would enable the Council to better meet the new duties placed on it by the Civil Contingencies Act 2004. He reminded Members that Denbighshire had previously had an excellent service provided before the 2 staff members had left to take up posts in other Authorities.

Councillor Edwards expressed his disappointed that no financial savings would be gained in the early years of the project.

The Corporate Director: Environment thanked the Lead Member for his support all the way along with the new collaborative approach and said it was hoped that one emergency planning team across two Authorities would provide an excellent service.

RESOLVED that:

- [i] *Cabinet receive and agree to the collaborative proposals, contained within the report, for a Joint Emergency Planning Function between Denbighshire County Council and Flintshire County Council*
- [ii] *delegated authority is given to the Corporate Director: Environment to appoint Flintshire's County Emergency Planning Officer to take forward the collaborative arrangements*
- [iii] *delegated authority is given to the Corporate Director: Environment to determine the most appropriate location for this function*
- [iv] *delegated authority is given to the Corporate Director: Environment to review the joint arrangements at 3 year intervals.*

425 CABINET FORWARD WORK PROGRAMME

Councillor S A Davies presented the Cabinet Forward Work Programme.

Members suggested that the Cabinet and Scrutiny Forward Work programmes be linked.

RESOLVED that Cabinet note the Cabinet Forward Work Programme.

426 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

427 CAPITAL PLAN 2005-2006

Councillor P J Marfleet presented the report for Members to note the latest projected position in the 2005/06 element of the capital plan.

Councillor Marfleet reported that a further £50k had been included for the works at Rhyl Leisure Centre, which now totalled £309k. However, a positive outcome from the Ruthin Craft Centre redevelopment was that for every £1 invested by the Authority, it received £8 from outside financing but the Authority would have to pay for any overspending. Once received, the sale proceeds from the former temporary car park in Ruthin would be allocated to schools maintenance work. £1m would be required to fund the Tir Morfa project which would leave £750k in the capital fund. It was essential that further capital receipts were received.

Councillor J Thompson Hill said a special Asset Management Committee was to be convened to discuss the capital disposal programme for the next 3 years.

The Financial Controller informed Members that the estimated capital requirement for the Prestatyn Mini Pitch project was £35k and not £25k as stated in the report.

In response to a query from Councillor E C Edwards, the Financial Controller said funding for both the 3 year CCTV programme and Rhyl Police Station would need to be considered by Cabinet before inclusion in the Capital Plan. Councillor Edwards suggested the 3 year CCTV programme be funded from the Ruthin car park receipts.

RESOLVED that Cabinet note the position of the 2005/06 element of the Council's agreed 3 Year Capital Plan and agree to allocate £35k from the match funding block allocation to support the provision of the Scansis Mini Pitch at Prestatyn.

428 DENBIGHSHIRE COUNTY COUNCIL [HIGH STREET AND CHURCH LANE] COMPULSORY PURCHASE ORDER

[Mr I K Hearle, County Clerk declared an interest in the item and left the room during its discussion.]

Councillor E W Williams presented the report seeking Members' agreement to extend the indemnity agreement currently in place until 31.10.2006, following its expiration on 31.01.2006.

Councillor R W Hughes said Prestatyn Members were eager to use this opportunity to have further discussions with Tesco's to seek assurances of a commitment to the time programme. The Corporate Director: Environment informed Members that the request was for an extension of the period as the Compulsory Purchase Orders process would take some time, and extend beyond the current

agreement. Members discussed the reasons for the time taken to progress the compulsory purchase order and sought information about likely future timescales.

Members discussed the matter in detail and agreed to defer the report until further discussions had been held with Tesco.

RESOLVED that Cabinet defer the report to allow further discussions with Tesco and following an agreement on timescales, the report be re-presented at a future Cabinet meeting.

The meeting concluded at 1.45 p.m.
