

CABINET

Minutes of the Cabinet meeting held in Conference Room 1, County Hall, Ruthin on Tuesday 25 October 2005 at 10.00 a.m.

PRESENT

Councillors S A Davies, Lead Member for Business & Communications; P A Dobb, Lead Member for Health & Wellbeing; 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 M LI Davies; G C Evans; M M Jones, N Hugh Jones and G J Pickering.

ALSO PRESENT

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

APOLOGIES

Councillor E C Edwards, Lead Member for Communities.

ANNOUNCEMENT

The Deputy Chief Executive / Corporate Director: Resources informed Members that congratulations were in order for the Council Tax Team who have won the National BACS Direct Debit Challenge for the second year running for increasing the number of people who pay by direct debit. The Team were presented with their award at a ceremony in Manchester and were the only Welsh Authority to receive an award. He praised and thanked the whole team for their hard work. Councillor R W Hughes said she would write to the team on behalf of the Cabinet echoing the sentiments expressed.

502 URGENT MATTERS

Part II Item 11 Drift Park Regeneration, West Parade, Rhyl - Main Contractor Appointment.

503 MINUTES OF THE CABINET

The Minutes of the Cabinet meeting held on 27 September 2005 were submitted.

Item 3 Improving the Council Housing Stock: Councillor P A Dobb reported that the seminar for all members would be held in December 2005.

Item 12 Annual Treasury Report: Councillor P J Marfleet said the last paragraph should read "The Authority has increased its borrowing in the current year in line with the approved Treasury Management Statement. As interest rates were low the Council has been able to invest short term at a higher rate than the borrowing repayment rate".

Item 13 Proposals for Staff and Organisational Development: The Chief Executive asked that the second paragraph on page 11 be amended to read "Councillor D Owens welcomed the report ..."

Item 17 Capital Plan: Councillor P J Marfleet said the penultimate sentence in the second paragraph should read "Once received, an element of 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, if approved by Council, which would leave £750k in the capital fund".

RESOLVED that, subject to the above, the Minutes of the Cabinet meeting held on 27 September 2005 be approved as a correct record and signed by the Leader.

504 SCHOOL ADMISSIONS

Councillor D Owens presented the report seeking Cabinet approval to carry out a review of school admissions criteria and to approve the proposed criteria and their prioritised ranking when considering admissions to all Denbighshire schools. Approval was also sought to approve the proposal to consult widely on the proposed revised criteria in accordance with the indicated time scales.

In response to a query from Councillor P A Dobb regarding 2.6.8, the Corporate Director: Lifelong Learning explained that this was linked to boundaries and would be used when a school was oversubscribed.

In response to a query from Councillor M A German, it was also confirmed that the shortest walking distance to school would be the shortest safest route.

Councillor E W Williams said it was unlikely that any school would refuse to admit a child as it affected the school's funding provision. A stronger policy was required to stop the more popular schools increasing pupil numbers at the expense of leaving the other schools with fewer pupils. This trend was also having an effect on rural schools.

The Chief Executive, in response to a query from Councillor N Hugh Jones, confirmed the new rules would allow the three categories listed at 2.6.1 to 2.6.3 to be prioritised before siblings were considered for admission to schools.

The Corporate Director: Lifelong Learning referred to current reviewing of legislation in England and said it was possible further reviews would be carried out in Wales. The revised document was at the consultation stage. Lifelong Learning Scrutiny Committee had suggested a centralised admissions framework and Members agreed this should be considered as part of the Schools Admissions policy.

RESOLVED that Members agree to:-

- 1 approve a review of school admissions criteria
- 2 approve the proposed criteria and their prioritised ranking when considering admissions to all Denbighshire schools
- 3 approve the proposal to consult widely on the proposed revised criteria in accordance with the indicated time scales.

505 REVISED WELSH LANGUAGE SCHEME

Councillor S A Davies presented the report for Members to recommend the revised Welsh Language Scheme for approval by full Council. Members were asked to consider whether any of the changes recommended by Scrutiny at paragraphs 6.1 to 6.4 should be incorporated. The Welsh Language Board had been consulted and their comments had been incorporated.

Councillor Davies provided Members with information on costs of printing and translating. He said he was working with the Deputy Chief Executive / Corporate Director: Resources on providing more detail in costings in reports. He said one school needed to fund a teacher able to teach Physics through the medium of Welsh and asked Cabinet to consider this type of expenditure alongside the costs for translating appendices to reports.

Councillor E W Williams said he agreed with both recommendations in the report and felt that the Authority had promoted the use of the Welsh language which led to strengthening of the culture of the region. He said the Scheme should be funded in the same way as any other requirements. Councillor S Roberts supported Councillor Williams' comments.

Councillor R W Hughes said costs should not be hidden and the Welsh Language should not be treated in a different way to any other issue. Councillor P J Marfleet agreed a cost should not be put on the provision of Welsh Language but common sense should prevail in certain circumstances. He agreed with Councillor Davies that printing costs should be considered and Members asked whether they wished to have both Welsh and English copies of reports, particularly large documents.

Councillor M M Jones said she had chaired the Bilingual Forum during Councillor D Jones' absence and wished to acknowledge the work carried out by Councillors G C Evans and M LI Davies. She said work would continue and monitoring take place and the Forum could be asked to consider which items are contracted out. Councillor R W Hughes said each political group should be reminded a member from that group should form part of the Forum. Councillor P A Dobb whilst supporting the report, agreed printing and translation costs should be considered in detail and streamlined where possible.

The Chief Executive, referring to paragraphs 6.3 and 6.4, said the suggestions had been made by Scrutiny Committee and were in addition to what was currently provided. The Welsh Language Board did not expect these to be provided and it would be an extra cost on the Authority. He referred in particular to documents received from other organisations which would be appended to Denbighshire reports as required and said it was not possible to pay for the translation of such documents. He said paragraph 6.3 should refer to Denbighshire papers. With regard to paragraph 6.4, he said there would be extra costs if internal reports were also translated.

Councillor M LI Davies said paragraph 6.4 referred to Welsh documents being translated to English. If documents in English only were received from the Welsh Assembly Government, they should be asked to provide the Welsh translation. He said paragraph 6.2 in the Welsh version should read para 13.3 and not para 16.4.

RESOLVED that Cabinet recommend the revised scheme for approval by full Council prior to final approval by the Welsh Language Board, including the changes recommended at paragraphs 6.1 to 6.4 of the report.

506 "CHILDREN DON'T COMPLAIN ..." - THE CHILDREN'S COMMISSIONER FOR WALES' REVIEW OF THE OPERATION OF COMPLAINTS AND REPRESENTATIONS AND WHISTLEBLOWING PROCEDURES, AND ARRANGEMENTS FOR THE PROVISION OF CHILDREN'S ADVOCACY SERVICES IN LOCAL EDUCATION AUTHORITIES IN WALES

Councillor M A German presented the report for Members to agree the proposed response to the Children's Commissioner for Wales report.

RESOLVED that Cabinet agree the proposed response to the Children's Commissioner for Wales report.

507 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 improved slightly at £301k, being £351k in the last report.

Councillor Marfleet said the biggest concern was the SEN and School and College Transport overspend and the increased demand in adult services had led to the Social Services and Housing Directorate projecting an overspend by £20k. He also referred to the corporate position due to the Land Charges deficit of £100k being funded from the Corporate Budget. He stressed the need for the Corporate Executive Team to consider how Directorates should absorb the £301k by the year end.

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

508 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 £239k at the year end, a lower figure than in the previous month as outstanding plastering contract payments had been made.

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

509 CABINET FORWARD WORK PROGRAMME

Councillor S A Davies presented the Cabinet Forward Work Programme. He said the Lifelong Learning report should be entitled "Modernising Education".

Both Councillor Davies and the Deputy Chief Executive / Corporate Director: Resources were considering ways of ensuring improvements to costs and accountability were included in Cabinet reports and a reminder would be despatched to Members.

RESOLVED that Cabinet note the Cabinet Forward Work Programme.

510 URGENT ITEMS

There were no Part I 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

511 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 the sale proceeds from the former temporary car park in Ruthin were still awaited and should be received as soon as a site issue had been resolved. He said the usable capital receipts included in the 2006-2007 column in Appendix 1 should be excluded. There was no reference to projects such as the Scala development, CCTV provision, the development of Rhyl Police Station or possible extra care housing in Prestatyn as these schemes would be reported separately to a future meeting.

Councillor D Owens referred to the £450k which needed to be reinstated to Lifelong Learning as soon as possible, otherwise slippage on capital expenditure would ensue. Councillor Owens said the reinstatement was required before the end of November 2005. Councillor E W Williams agreed with Councillor Owens and said schools should not lose the opportunity to carry out work on school buildings. Councillor Marfleet said reinstatement could not take place until the capital receipt had been received. The Financial Controller reminded Members that it would not be necessary for Cabinet to agree the reinstatement of the £450k once the capital receipt had been received as it had been previously agreed and deferred until such time as the receipt was available.

With regard to the awaited capital receipt, the Chief Executive said the Financial Controller would report to Council at the end of November 2005. He drew Members' attention to the new style of report at Appendix 2.1 where estimated spend and spend to the end of the previous month had been included.

The Deputy Chief Executive / Corporate Director: Resources said limited slippage was forecast which would limit the potential to direct funds to other schemes. He agreed this would be considered to see whether there was scope to enable the required works in schools to be commenced.

The Corporate Director: Lifelong Learning confirmed that everything was in place so that once the capital receipt was received, works on school buildings could commence.

RESOLVED that Cabinet note the position of the 2005/06 element of the Council's agreed 3 Year Capital Plan.

512 DRIFT PARK REGENERATION, WEST PARADE, RHYL: MAIN CONTRACTOR APPOINTMENT

Councillor R W Hughes presented the report, circulated at the meeting, seeking agreement to grant delegated power to herself to appoint the main contractor to carry out regeneration works at the Drift Park, West Parade, Rhyl.

The Corporate Director: Environment apologised for the lateness of the report. He said tenders based on cost and quality had been received and the tender which was the most economically advantageous for the Authority was not necessarily the lowest tender but was within the budget.

Members agreed it was important for the regeneration works to be carried out and the works when completed could be a catalyst for provision of other green areas in Rhyl.

RESOLVED that Members delegate power to the Leader to appoint the main contractor to carry out regeneration works at the Drift Park, West Parade, Rhyl.

The meeting concluded at 11.20 a.m.
