

CABINET

Minutes of the Cabinet meeting held in Conference Room 1, County Hall, Ruthin on Tuesday 23 May 2006 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 and J Thompson Hill, Lead Member for Property and Asset Management and E W Williams, Lead Member for Environment.

Observers: Councillors J R Bartley; R E Barton; M LI Davies; G C Evans; C L Hughes; M M Jones and G M Kensler.

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

Councillor D Owens said he had attended the Young Enterprise North Wales Finals and Prestatyn High School had been one of the winners and would be representing Denbighshire in the Finals in Cardiff. The team had won best display and best individual achiever. He asked that Cabinet write to the schools to congratulate them on their achievements.

Councillor S Roberts said that as a result of the Wales Library Standards Conference at Newport which she had attended with R Arwyn Jones, Principal Librarian, he had been asked to write an article for Cymal, the official magazine of the Welsh Museums, Archives and Libraries on Nothing Like a Challenge: Library Standards and the View from Denbighshire. It was agreed that Cabinet write to congratulate the Principal Librarian.

Councillor E W Williams presented a video entitled "Everything Flows: AZN Obtains Sustainable Energy From Waste". He also gave a brief account of his visit to Holland to see waste management facilities, where high recycling levels have been achieved with minimal reliance on landfill through the use of treatment facilities. He suggested a similar day visit could be arranged as one of the plants was near to Schiphol Airport. A copy of the briefing would be despatched to all Members.

The Chief Executive introduced David Maskell, an IT Specialist from Oracle, Reading - who was spending the day in Denbighshire with the Chief Executive, learning about various aspects of local government.

Councillor R W Hughes introduced Gavin and George from Ysgol Dinas Bran, Llangollen along with their teacher, John Gambles, who had brought a petition from the school's waste task group. The group met to make facilities better at the school and had collected 850 signatures. On a recent exercise the group had collected 31 kilos of litter in the Llangollen area and had recycled nearly 18% of the litter. Councillor P J Marfleet said recycling was a very important issue and explained that financial penalties could be incurred by the Authority if government targets were not met. It was good for the Authority to know that young people were echoing the Council's message. Councillor Hughes thanked the pupils for the petition.

1 URGENT MATTERS

There were no Urgent Matters.

2 MINUTES OF THE CABINET

The Minutes of the Cabinet meeting held on 25 April 2006 were submitted.

Accuracy: Agreed.

Matters Arising:

Working Together as the Welsh Public Service: The Chief Executive said a potential SNEN All Wales bid was being formulated and asked that Members agree to its support in principle, with the proviso that a North Wales call handling centre was included, as they had previously supported the Single Non Emergency Number initiative subject to receiving further information relating to the practical and financial implications to the Council. Should the All Wales bid be unsuccessful, the Authority would continue with the joint North Wales Authorities and North Wales Police to the Home Office, as an alternative in the bidding round, in establishing a joint Single Non Emergency Number Call Centre.

RESOLVED that, subject to the above, the Minutes of the Cabinet meeting held on 25 April 2006 be approved as a correct record and signed by the Leader.

3 JOINT WORKING ON ADMINISTRATION OF PENALTY CHARGE NOTICES [DECriminalISED PARKING]

Councillor R W Hughes, although the Lead Member for joint working, had asked Councillor E W Williams to present the report as it was a matter for the Environment Portfolio. Members were asked to agree in principle to enter into joint arrangements for the function of the administration of penalty charge notices; that the functions of the joint service be discharged through the existing TAITH Committee and that any decisions on behalf of the Council

relating to amendments to the constitution of TAITH, or any other decision in accordance with the policy and budget framework which arise from the collaboration and would otherwise fall to Cabinet to decide, be delegated to the Lead Member for Environment.

Members were asked to note an amended version of the report would be presented to all six authorities in parallel to build a collective approval for the project.

Councillor Williams said it was important to look to the future and Denbighshire was already ahead of some Authorities in this field. Councillor R W Hughes suggested Cabinet Members from North Wales Authorities should meet to discuss such issues as both North Wales Council Leaders and Chief Executives met on a regular basis.

In response to a query from Councillor G M Kensler regarding predicted numbers of parking tickets to be issued, the Corporate Director: Environment said there was no suggestion of imposing targets regarding the number of tickets to be issued as this would be counter-productive.

James Richards, Secretary of Denbigh High School Council asked why the Council was introducing car parking charges in rural towns. Councillor E W Williams said car parking charges were necessary to ensure traffic flow and that in many places free, time-limited, street parking was available. It was essential that the street parking spaces were not used for all-day parking as had previously happened. Although he felt that a fairer Council tax rate and lower car parking charges could be a better option, the Authority had agreed to consider this in the next financial year. The larger towns wanted equality throughout. He also detailed the annual charge available which allowed parking in long stay car parks.

RESOLVED that Cabinet agree

- [i] in principle to enter into joint arrangements for the function of the administration of penalty charge notices*
- [ii] the functions of the joint service be discharged through the existing TAITH Committee*
- [iii] that any decisions on behalf of the Council relating to amendments to the constitution of TAITH, or any other decision in accordance with the policy and budget framework which arise from this collaboration and would otherwise fall to Cabinet to decide, be delegated to the Lead Member for Environment.*

4 HOMELESSNESS SERVICES

Councillor P A Dobb presented the report for Members to note the pressures on the Homelessness Service and the revised service provisions and proposals in the report and sought Cabinet support for the appointment of a

Homelessness Champion for Denbighshire and the Role Description attached to the report and agree a nomination.

Councillor Dobb emphasised the need to move away from using bed and breakfast accommodation and the Authority was hoping to lease up to 84 private sector properties to provide temporary accommodation and then it was hoped to move them to permanent accommodation. Reductions in bed and breakfast accommodation costs would have a positive effect for the Authority.

The Social Services and Housing Scrutiny Committee had nominated Councillor D Hannam as the Homelessness Champion.

RESOLVED that Members note the pressures on the Homelessness Service and the revised service provisions and proposals in the report and support the appointment of a Homelessness Champion for Denbighshire and the Role Description attached to the report, and agree Councillor D Hannam be appointed Homelessness Champion for Denbighshire.

5 EDUCATION APPEAL PANEL APPOINTMENTS

Councillor D Owens presented the report, with revised Appendices circulated at the meeting, seeking Members' agreement to existing members of the Education Appeal Panel continuing to serve; approve the appointment of those persons named in Appendix 2 to the report as additional members to the Education Appeal Panel, providing that all members have received training and approve the delegation of appointing future Panel Members for Education Panels to the Lead Member for Lifelong Learning.

Councillor E W Williams, apologised for the lack of notice of his question, asked how many appeals had been received and of those, how many had been refused. The Chief executive said the Panel had received 2 appeals the previous year and over 99% of pupils get first choice of school. The Corporate Director: Lifelong Learning agreed to provide appeal numbers and results available.

RESOLVED that Members confirm their agreement to existing members of the Appeal Panel continuing to serve; approve the appointment of those persons named in Appendix 2 of the report as additional members to the Education Appeal Panel, providing that all members receive training and approve the delegation of appointing future Panel Members for Education Panels to the Lead Member for Lifelong Learning.

6 DENBIGHSHIRE COUNTY COUNCIL'S PERFORMANCE AGAINST KEY INDICATORS 2005-2006

Councillor P J Marfleet presented the report for Members to consider the performance of the Authority during the financial year 2005–2006 against key performance indicator targets (Appendix I to the report) and policy agreements targets (Appendix II to the report). He expressed his concern that 39% of key indicators were below target over the year.

Councillor Marfleet said it was important the correct indicators were identified and that they were achievable. Targets should be realistic and if it became apparent during the course of the year that they would not be achieved, they should be revisited.

Members commented on various indicators:

Councillor M A German said the Services were performing well but the need to find appropriate placements for children with complex needs continued to be a challenge. Although it was unlikely that an improvement in performance would be achieved, it should be noted that efforts to reduced the Looked After population remained static but the actual number of children experiencing 3 or more placements during 2005-06 reduced.

Councillor P A Dobb said the target for the percentage of clients supported in the community had been narrowly missed and she would welcome comparative performance figures from other Authorities.

Councillor E W Williams said the service had worked hard to carry out the Environmental Health Food Hygiene premises inspections and improvements were shortly scheduled. The total tonnage of biodegradable municipal waste was a new indicator and although ahead of target in tonnage terms, the percentage target for 2005-2006 was unrealistic and would be reviewed.

Councillor D Owens said the attendance at secondary school figures were slightly below target. Due to an increase in pupil numbers in some schools, an additional 5 mobile classrooms were provided although a 5% reduction in mobile classroom use had been achieved overall.

The Corporate Director: Environment said changes were in hand to the structure of the Community Safety Department. Overall levels of crime were down but the targets imposed by the Home Office needed to be reviewed. Violent crime and antisocial behaviour would be targeted for the forthcoming year. The Enforcement and Regulatory Officer said crime figures were down 9% in the County whilst disorder was up by about 2%. The Police gather figures in a different way from Local Authorities and the anti social behaviour objective was solely based on Police performance, this would need an element of Council contribution in the future. The Public Service Agreement targets were down 23% so far, and had been achieved two years early.

Councillor R W Hughes said the number of jobs created through the financial support programme target had been exceeded.

Councillor P J Marfleet said LABGI target had not been met. Sickness absence continued to be of real concern everywhere, both locally and nationally. This would be considered by each department.

Councillor J Thompson Hill said the corporate target of £3m would not be met as agreed sales were being transferred to the 2006-2007 disposal schedule

due to completion being unattainable for various reasons. The forthcoming year target would need to be relooked at as no substantial capital receipt was expected in the coming 12 months.

Councillor S A Davies said a satisfaction survey would be conducted during 2006 and indicators collected.

Councillor S Roberts was pleased to report that the healthy living initiative had achieved more than double the target.

The Chief Executive said a significant improvement in the number of homeless families had been achieved and that a zero target was unrealistic. It was important that the Authority did not take the blame for unrealistic targets such as those set for Community Safety by the Home Office.

Councillor E W Williams said it was essential that more work on collecting data was not created and asked whether the WLGA had a process for gathering comparative data. The Policy Unit Manager said comparative figures would not be available until the second quarter.

Councillor C L Hughes asked whether the Authority had a long term plan for the lower tier of management positions to be filled by women. The Chief Executive said succession planning was in place although the competitive recruitment process could not guarantee any posts solely for women. However, the internal recruitment process lead to many women achieving junior and senior management positions.

Heather Morris, Chair of Denbigh High School Council asked about the sum earmarked for the School from the School Buildings Improvement Grant and what plans were in place for improving classroom sizes at the school. Councillor D Owens said all building improvements were prioritized. The current year's priorities were a new primary school in Prestatyn, the Tir Morfa project and science laboratories in Ysgol Glan Clwyd. However £140k had been spent in upgrading pupil toilets at Denbigh High School in the last financial year. The Corporate Director: Lifelong Learning said there was a backlog of improvements to be carried out. However, there was some funding available for post 16 learning centres and this centre would be located at the school. He suggested schools write to MPs and AMs asking the Government for more funding. He went on to congratulate the school for their joint working with Ysgol Plas Brondyffryn.

RESOLVED *Members note the Authority's performance against its key performance indicator and policy agreement targets*

7 HOUSING REVENUE ACCOUNT BUDGET 2006 / 2007

Councillor P A Dobb presented the report for Members to note the latest financial forecast position of the Housing Revenue Account (HRA) (revenue and capital) for the current financial year, which showed a potential net surplus at the year end of £458k against a budgeted surplus of £383k.

However, balances from 2005-2006 have not yet been finalised and therefore figures quoted for 2005-2006 are estimates and may change before the final accounts are closed.

The 2006-2007 HRA budget was to be revised to take account of the new HRA Leasing Subsidy recently introduced. The subsidy payable to the Welsh Assembly Government was likely to increase as there had been fewer Right to Buy sales than planned which meant more stock attracting negative subsidy. However, more rent income than planned would be received, leading to the £40k positive variance on rents.

In response to a query, Councillor Dobb confirmed that some grounds work is scheduled, and a review of the garages will be coming to Cabinet in the autumn of 2006.

RESOLVED that Cabinet note the latest financial forecast position [revenue and capital] of the Housing Revenue Account for the current financial year.

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

8 REVENUE BUDGET 2006-2007

Councillor P J Marfleet presented the report asking Members to note the budget performance figures for the 2006/07 financial year as detailed in the appendices attached to the report.

Councillor Marfleet said planned efficiency savings appeared to be potentially deliverable. There were several items that needed to be adjusted for within the budget such as the unexpected increase of £60k in the employer's contributions to teachers' pensions costs. Savings in insurance premiums, capital finance charges and investment income would help to balance out these pressures and would be included in the following month's report.

The Lead Member said the current year pressure of £30k identified for the Education service, excluding schools delegated budgets, would potentially be covered by the improved anticipated outturn for the service in 2005/6. In response to the Lead Member's concern at the late identification of this improved position the Director said the department had scrutinised closely all the spending in year and achieved savings where ever possible. His main concern currently was to ensure that management mechanisms were in place to draw to Members' attention any issues in the current year at an early date.

RESOLVED that Members note the budget performance figures for the current financial year as detailed in the appendices to the report.

9 WORK CONNECT

Councillor R W Hughes presented the report seeking Members' agreement to join with former partners in the sub-regional Objective One project, Work

Connect, in allocating the surplus funds derived from the first phase of Work Connect as match funding for the existing second stage.

RESOLVED that Cabinet agree the full amount of the Council's share of surplus resources derived from the Work Connect – Joint Venture Agreement be paid to the Wales Council for Voluntary Action to be used as match funding for the second stage of the Work Connect project and that ELWa be instructed accordingly.

10 EXTENSION TO CONTRACT PROCEDURE RULE 23.4 EXEMPTION

Councillor P J Marfleet presented the report seeking Members' approval to an extension to the exemption of Contract Procedure Rule 23.4 (as set out in the Financial Regulations 31, CPR 23.4) as granted on 14 September 2005 specifically for construction contracts as tendered in the main by Development Services and that Members further 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).

RESOLVED that Members approve an extension, to 30.09.2006, to the exemption of Contract Procedure Rule 23.4 (as set out in the Financial Regulations 31, CPR 23.4) as granted on 14.09.2005 specifically for construction contracts as tendered in the main by Development Services. Members further approve that 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).

11 CABINET FORWARD WORK PROGRAMME

Councillor S A Davies presented the Cabinet Forward Work Programme.

RESOLVED that Cabinet note the Cabinet Forward Work Programme.

12 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 paragraph 20 of Part 4 of Schedule 12A of the Local Government Act 1972.

PART II

13 CAPITAL PLAN

Councillor P J Marfleet presented the report for Members to note the latest projected position on the 2005/06 and 2006/07 element of the Capital Plan. Members were also asked to consider the recommendations in Appendix 3 to the report, namely:

- a that the Tir Morfa project proceeds as a £2m scheme unless match funding was confirmed from WAG in sufficient time to ensure a larger scheme can be delivered
- b that the Prestatyn new Primary School goes ahead subject to WAG approval to the redistribution of SBIG funding
- c that the Scala scheme proceeds to tender but contract start is dependant upon tender costs being within the overall confirmed funding available
- d that Ruthin Craft Centre proceeds to tender but contract start is dependant upon tender costs being within the overall confirmed funding available.

Members discussed whether the four projects could be accommodated within the plan, subject to certain criteria. Councillor Marfleet said both the Ruthin Craft Centre and Prestatyn Scala schemes should proceed to tender stage only. Also other potential schemes such as Extra Care Housing, the CCTV extension, and the Llangollen Eisteddfod project had not been provided for in the current capital programme.

The Corporate Director: Lifelong Learning said a full confidential report on the new primary school in Prestatyn would be presented to the next Full Council meeting. He detailed the negotiations regarding the site and said its potential purchase was dependent upon successful planning permissions. The project was also dependent on Ministerial approval.

Councillor R W Hughes reported on a recent meeting with officers and the Minister for Education and Lifelong Learning and said an element of collaboration with partners was key to securing WAG funding for the Tir Morfa project. The Minister had agreed to write to the Minister for Health and Social Services regarding integration of services at the site which would make for a more innovative regional project.

The Corporate Director: Lifelong Learning discussed the SBIG monies available for schools in general and said some schemes would have to be postponed to ensure other education projects continued.

Councillor P A Dobb expressed strong concern and said it was unfair that some long awaited projects would again be jeopardised whilst the new school was built. Councillor D Owens replied there was tremendous pressure on schools in Prestatyn and a new build was the best solution.

The Chief Executive thanked the Principal Management Accountant and his team for their hard work in producing the report. New projects could not be added to the Capital programme until additional resources could be identified. He discussed the proposed Helicon project, Denbighshire's role as joint

sponsor and said the Corporate Executive Team would consider funding for the feasibility exercise needed. He sought agreement to allocate funding to enable early action on the lottery bid.

Councillor Dobb expressed disquiet with regard to the possible funding for the Helicon project and although she agreed the project itself was worthwhile, felt that the Authority should not enter into such schemes in the current year when other priorities would not be met. Councillor R W Hughes suggested that the WDA and WTB be contacted with regard to the project and potential funding which would enable the second phase of feasibility work to be commenced if the first bid round was successful.

Councillor S Roberts, supported the Helicon project and said it was an opportunity not to be missed. The current tentage facility was coming to the end of its life and needed to be replaced.

Councillor P J Marfleet suggested the project should be considered as an opportunity to create a regional centre which could be used all year round. He said it was important to continue with the Tir Morfa project and that the ramifications would be enormous if the new Prestatyn Primary School was not built. The Ruthin Craft Centre and Prestatyn Scala projects would only proceed to tender stage at this time.

The Chief Executive informed Members that a decision on which specific projects, initially proposed to be funded from SBIG, may be delayed, would not be taken until more detailed information was available and included in a report to the next Cabinet meeting.

Councillor S Roberts expressed her support for the Helicon project and said that it would be of benefit to the whole of Wales.

Councillor E W Williams outlined his support for the Tir Morfa and new primary school projects but said that as the other 2 projects were not for statutory services he would be unable to support them at the expense of statutory service projects. Although the Ruthin Craft Centre was not statutory it was a regional centre whilst the Scala, in the main, would only be of benefit to the Prestatyn area and as such he could not support it.

The Principal Management Accountant outlined the updated costs and said inflation had been built into the costs for the Ruthin Craft Centre and the Prestatyn Scala.

Councillor J Thompson Hill said further detail regarding the projects that could be delayed to allow the Prestatyn primary school to proceed was required and prioritisation should follow the Service Asset Management Plans. He supported allocation of the feasibility study money to the proposed Helicon project but suggested that the project should be in the name of the Authority.

The Corporate Director: Resources suggested that the Chief Executive of the Eisteddfod be asked to attend the next Cabinet meeting to give a presentation

on the project. He also made it clear that any feasibility study spend at this stage did not commit the Council to further expenditure.

In response to a query from Councillor P A Dobb regarding possible financial overruns, the Chief Executive said the potential Council funding required by the proposed Helicon project would need to be agreed at Full Council.

The Head of Development Services agreed to provide information on eligibility for the new Convergence Programme as some projects with a tourist element should qualify for funding. He also advised that projects would probably need to not commence before late autumn to ensure they could qualify for this funding.

Following further discussion, it was agreed that the detailed redistribution of the SBIG fund be discussed and approved at the next Cabinet meeting.

RESOLVED that Members:

- [i] *note the position of the 2005/06 and 2006/07 element of the Council's agreed Capital Plan*
- [ii] *agree the Tir Morfa project proceeds as a £2m scheme unless match funding is confirmed from WAG in sufficient time to ensure a larger scheme can be delivered*
- [iii] *agree the Prestatyn new Primary School goes ahead subject to WAG approval to the redistribution of SBIG funding*
- [iv] *receive a report detailing the proposed redistribution of SBIG funding at its June 2005 meeting*
- [v] *agree the Scala scheme proceeds to tender but contract start is dependant upon tender costs being within the overall confirmed funding available*
- [vi] *agree Ruthin Craft Centre proceeds to tender but contract start is dependant upon tender costs being within the overall confirmed funding available.*

14 CONTRACT FOR THE DESIGN, PUBLICATION AND DISTRIBUTION OF LLAIS Y SIR / COUNTY VOICE AND THE PROVISION OF EXTERNAL ADVERTISING SERVICE FOR TWO YEARS FROM JULY 2006

Councillor S A Davies presented the report for Members to authorise the Public Relations Manager to award the contract, as detailed in the report, to North Wales Newspapers, Mold.

RESOLVED that Cabinet authorise the Public Relations Manager to award the contract to North Wales Newspapers to ensure the continuation of Llais y

Sir/County Voice and the provision of an advertising service which ensures best value.

15 INSURANCE TENDER AWARD

Councillor P J Marfleet presented the report for Members to award the contract for provision of Corporate Insurance Services to the Council's existing insurance provider, Zurich Municipal, on the basis of price and quality.

RESOLVED that Cabinet approve the award of the Contract for Provision of Insurance Services to Zurich Municipal on a five year Long Term Agreement with an option for the Authority to extend that Agreement for up to another two years (as per the tender specification).

The meeting concluded at 1.10 p.m.