

## **CABINET**

Minutes of the Cabinet meeting held in the Parish Church Hall, Prestatyn on Friday 21 July 2006 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; S Roberts, Lead Member for Promoting Denbighshire; J Thompson Hill, Lead Member for Property and Asset Management and E W Williams, Lead Member for Environment.

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

### **ALSO PRESENT**

Chief Executive, County Clerk and the Financial Controller.

### **APOLOGIES**

Councillors P J Marfleet, Lead Member for Finance and Personnel, D Owens, Lead Member for Lifelong Learning and the Deputy Chief Executive / Corporate Director: Resources and the Corporate Director: Environment.

### **ANNOUNCEMENT**

Councillor E W Williams referred to the Association of Public Service Excellence: Service Awards and said that Denbighshire had been selected as one of the top four finalists in the Cleaning Service Category. The Awards had received over 500 submissions from 200 organisations and Denbighshire were to be congratulated on the turnaround of the position that Cleaning, Building and Public Toilets Services had achieved. Representatives from the Authority would attend the Awards Dinner would take place on 07.09.2006 in London. Members agreed a letter of congratulations be sent.

#### **1 URGENT MATTERS**

Investigation into Matters Relating to a Supply Teacher.

#### **2A MINUTES OF THE CABINET**

The Minutes of the Cabinet meeting held on 27 June 2006 were submitted.

Accuracy:

Item 3 Green Lane, Pavilion and Station Car Parks, Corwen and Denbigh Multi Storey Car Park - Councillor M LI Davies said he had also mentioned car park charges of 20p for 3 hours which would help local shoppers. The County

Clerk said it was difficult on occasions to draw comparative figures into minutes. Councillor R W Hughes said Council had Resolved to carry out an overall review of car park charges across the County.

Item 12 Capital Plan: Councillor J Thompson Hill said the Asset Management Committee had discussed the issue on 09.06.2006.  
Resolution [iv] to read "... Until the Council meeting on 29.06.2006."

Matters Arising:

Item 11 School Building Improvement Grant: Councillor P A Dobb asked when full details of the health and safety issues were being provided. The Corporate Director: Lifelong Learning said £750k had been allocated for Health and Safety and DDA works in schools and a Health and Safety Survey was currently being carried out. He hoped to have a detailed report available for Members in September 2006.

**RESOLVED** that, subject to the above, the Minutes of the Cabinet meeting held on 27 June 2006 be approved as a correct record and signed by the Leader.

## **2B MINUTES OF THE CABINET**

The Minutes of the Cabinet meeting held on 29 June 2006 were submitted.

**RESOLVED** that the Minutes of the Cabinet meeting held on 29 June 2006 be approved as a correct record and signed by the Leader.

## **3 SINGLE EDUCATION PLAN 2006 - 2008**

Councillor J Thompson Hill and the Corporate Director: Lifelong Learning presented Councillor D Owens' report seeking Cabinet approval of the draft Single Education Plan 2006-2008 and to recommend it to County Council for adoption. Cabinet were also asked to agree to the publication of the final version of the Plan by 01.09.2006 and to ensure that copies would be made available to all interested parties, including via the Authority's website.

The Corporate Director: Lifelong Learning emphasised that this was not an operational plan but a strategic plan, detailing the direction of the Education Service. The Head of Education Services discussed guidelines received from the Welsh Assembly Government, in particular plans for the education of travelling children and partnership working with, for example, colleagues in Social Services and the voluntary sector. It was important that pupil places were sufficient to enable children to attend schools and the data would be double checked before the final version of the plan was published.

Councillor J Thompson Hill, on behalf of Councillor D Owens, the Lead Member for Lifelong Learning, drew Members' attention to surplus places and the fact that pupil numbers in mobile classrooms were not included. Councillor Thompson Hill also drew attention to the disparity between projected falling rolls at Prestatyn High School as against the expansions at

primary level which appeared to be in direct opposition to each other. The Corporate Director: Lifelong Learning agreed to investigate. Councillor S A Davies questioned the accuracy of the figures as there was a discrepancy of 200 between actual and projected pupil numbers in Ysgol Dinas Bran. The Head of Education Services agreed to check and confirm the pupil numbers. In response to a query from Councillor P A Dobb regarding children, young people and adult learners having a safe home and support for physical and emotional wellbeing, he confirmed that students were given information on housing options and handling money for example, based on the Convention on Human Rights.

The Corporate Director: Lifelong Learning, in response to questions from Councillor P A Dobb, said the Authority had a duty of care to employees as well as pupils. With regard to healthy eating, he reminded Members that this was very important but meant there was a premium on the costs of providing meals. Healthy eating also included educating pupils in healthy foods.

Councillor E W Williams also referred to capacity in schools and said some of the smaller primary schools did not have a hall, a room which could be used for music lessons or visits by the school nurse for example and this should be taken into account when considering capacity. The Corporate Director: Lifelong Learning said the figures would be checked and that the School Buildings Priority and Modernising Education Group were considering plans on the future of education in the County and would take these matters into account. Councillor Williams said he felt the way the Welsh Assembly Government analysed figures was inaccurate and unfair and they were not heeding representations made regarding this. The Corporate Director: Lifelong Learning said it was important to explain how the Authority followed the guidelines given by the Welsh Assembly Government and assured Members that all the figures would be checked before publication and representations made to the Assembly if required.

Councillor E C Edwards, referring to the consultation, asked how many Members had been consulted on the document and said it should have been discussed in detail by the Area Members' Groups. He supported the need to address and the importance of providing pupil places for gypsies and travellers' children.

Councillor E W Williams suggested a checklist of Members' responses should be kept for consultations on strategies for example. Councillor R W Hughes said this could be taken forward by the Group Leaders.

Councillor R E Barton said Play Wales was not included in the play, leisure, sporting and cultural activities in paragraph 3.4 of the appendix. He also discussed the pupil numbers and refurbishment at Ysgolion Bro Fammau, Dyffryn Ial and Llandegla.

Councillor G M Kensler expressed her concerns regarding partnerships, for example Social Services and Education, that were clear, identified easily, transparent, able to exchange information and clear on responsibility for each

part. She referred to the promotion of learners with additional needs being included into mainstream settings and said in some instances such provisions were not always in the best interests of the child.

The Corporate Director: Lifelong Learning said schools admissions and capacity issues would be addressed by the Cambridge Consultants in their work on modernising education. He said partnership working was one of the biggest challenges faced and close working was required by, for example, the Children's, Young People's and Frameworks Partnerships.

**RESOLVED** that Cabinet approve the draft Single Education Plan 2006-2008 and recommend it to County Council for adoption. Cabinet also agree to the publication of the final version of the Plan by 01.09.2006 and to ensure that copies would be made available to all interested parties, including via the Authority's website.

#### **4 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 £470k against a budgeted surplus of £333k, a minor decrease since the last report. There were projected underspends in Rents and Supervision & Management with an overspend projected in Repairs and Maintenance, leaving a projected underspend in Management & Maintenance of £26k.

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

#### **5 REVENUE BUDGET 2006-2007**

The Financial Controller presented the report asking Members to note the budget performance figures for the 2006/2007 financial year as detailed in the appendices attached to the report. He informed Members that a modest underspend was currently forecast.

He referred to the Single Status Pay Review pressures and the equal pay claim which could be backdated for staff not employed on a bonus-type scheme. Ongoing payments in connection with the Single Status grading should be allowed for within the contingency sum bult into the base budget. However, H M Treasury was unhappy for the back dated equal pay payments to be capitalised with a resulting increase in borrowing on an all UK basis and would limit capitalisation. Provision would need to be made at the end of the current financial year for a provision to cover the likely costs involved. This would potentially lead to a reduction in general balances and reserves. These would then need to be rebuilt in future years, impacting on the Council's potential for developing services for the future. There is also a current WAG proposal to ring fence the Education element of the SSA.

The Chief Executive said Council would debate single status in detail at its meeting on 26.07.2006 and it was important that the Authority lobbied the Welsh Assembly Government on the issue of capitalising back-dated payments.

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

## **6 CABINET FORWARD WORK PROGRAMME**

Councillor S A Davies presented the Cabinet Forward Work Programme.

In response to a query from Councillor E W Williams, the Chief Executive said a decision on car park charges following the across County review of charges, would be made by Cabinet.

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

## **7 URGENT ITEMS:**

### **INVESTIGATION INTO MATTERS RELATING TO A SUPPLY TEACHER**

The Chief Executive presented the report for Cabinet to approve the Action Plan responding to the recommendations of the "Investigation into matters relating to a supply teacher" (June 2006) report.

He said it was important to recognise the shortcomings referred to and informed Members that as far as could be ascertained, no harm had been caused to any child. Various Departments would have to work closely together and share information where relevant.

The Corporate Director: Social Services and Housing said it was of great importance that lessons were learnt and that the Action Plan was implemented.

Councillor E C Edwards said Cabinet Members had noted the contents of the report, the executive summary and action plan and proposed the report be accepted.

**RESOLVED** that Cabinet approves the Action Plan (Appendix 2 to the report) responding to the recommendations of the "Investigation into matters relating to a supply teacher" (June 2006) attached at Appendix 1 to the report.

At this juncture (12.15 a.m.) the meeting adjourned for 10 minutes to allow Members to participate in refreshments.

### **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**

### **8 CEFNDY HEALTHCARE**

Councillor P A Dobb presented the report for Members to consider and comment on the option for the future development of Cefndy Healthcare arising from a review in February 2006 by external consultants concerning the future of the business.

She detailed the growth of the business to date and said although sales had grown the gross profit margins had reduced. A 5 year plan and succession planning was required. Resulting from its success, the Authority spent little on Cefndy Healthcare and more investment and research and development was required. A Supervisory Board would be established with some delegated powers given to the Cefndy Manager to respond quickly when the necessity arose.

Councillor S Roberts seconded the proposal and said the business had gone from strength to strength.

The Chief Executive, whilst supporting the enterprise, reminded Members that the figures were projections and guarantees on future sales could not be made as a result of research and development or projected figures. He said a detailed resolution was required on the delegation to the Cefndy Manager and Members agreed a further report be provided to Cabinet in September. He also clarified the membership of the Board for Councillor M LI Davies.

The Corporate Director: Lifelong Learning said he would welcome discussions regarding the possible refurbishment or manufacturing of furniture for schools.

**RESOLVED** that Members note the proposals for the future development of Cefndy Healthcare and agree the way forward for Cefndy Healthcare:

*[1] That an additional product development / investment resource of £150,000 per annum is identified for Cefndy, to be considered as part of the budget setting exercise for 2007-2008; with £75,000 being committed on the 2006 / 2007 budget as an initial step, funded from within the Directorate's base budget*

*[2] The Cefndy Board is established as set out in paragraph 6.3 of the report including 3 Member representatives [the Chair of Social Services and Housing Scrutiny Committee, the Lead Member for Health and Wellbeing and the Lead Member for Finance and Personnel]*

*[3] Appropriate delegated powers are given to the Cefndy Manager to allow him / her to respond quickly to fast moving commercial changes, to be detailed and approved in a report to Cabinet in September 2006*

*[4] Further externalisation of Cefndy Healthcare is not currently approved, but that this matter is reconsidered by the Cefndy Board.*

## **9 EXTRA CARE HOUSING , PRESTATYN**

Councillor P A Dobb presented the report seeking Members' agreement on how to proceed with the development of Extra Care in Prestatyn. She outlined the development of the 60 unit scheme at Llys Nant and said if any additional land was required during the build from the adjoining playing field, the land would be returned to full use by the school on completion of the scheme. The meeting to be held with the Bodnant Infants School Headteacher had been postponed until September 2006.

Councillor J Thompson Hill, as Ward Member, said he was pleased the scheme could be accommodated on the existing footprint and welcomed the build. Although he felt the initial plans seemed a little modernistic for the area, such issues could be dealt with at the planning stage. He referred to the future of Prestatyn Chatsworth House Community Hospital and said it was imperative that the facility was available at least until completion of the extra care scheme.

The Corporate Director: Social Services and Housing said she had contacted the Local Health Board with regard to their visiting a similar scheme at Much Wenlock. Agreement had been reached with the Local Health Board that the community hospital would remain open until the new facility was in place and this would again be reinforced.

**RESOLVED** that:

*[1] Cabinet confirms the selection of the design option for the development of an extra care scheme on the existing Llys Nant site (Option 1) subject to a detailed financial appraisal*

*[2] Discussions about exploring the potential to develop this scheme in partnership continue with health service colleagues*

## **10 COMMUNITY CAPITAL PROJECTS**

Declarations of interest were received from Councillors:

R E Barton - Llanferres Community Council

S A Davies - Abbeyfield Llangollen Society and Ysgol Bryn Collen PTA

G C Evans - Aberwheeler to Geinas Footpath

M A German - Prestatyn Town Council Waymarking, Ffrith Beach Mini Pitch and Play Area, Central Beach Public Realm

K N Hawkins - Vale Sub Aqua Club

C L Hughes - Bumble Bees Playgroup, Busy Bodies Breakfast & After School Club, Vale Sub Aqua, Clwb Pel Droed Henllan and Denbigh Ramps and Rails  
R W Hughes - Meliden Residents Action Group, Friends of Ysgol Melyd and Prestatyn Youth Arts Festival

G M Kensler - Dr Evan Pierce Memorial Gardens, Glyndwr Womens' Aid, Denbigh Ramps and Rails, Eirianfa Association

J Thompso Hill - Town Council Offa's Dyke Footpath, Making Waves and the Hillside Gardens Project

The Principal Regeneration Manager presented the report seeking Members' approval of applications for financial support from the allocation for Community Capital Projects.

Responding to a question from Councillor E C Edwards, the Principal Regeneration Manager confirmed that 4 projects, totalling over £100k, from the 2002-2003 and the 2003-2004 applications had not made any claims. Although no timescale for project completion had been included as part of the grant conditions for the original projects, Members felt a review was required and agreed with Councillor E W Williams suggestion that the applicants be informed of a 6 month time limit for submission of claims, after which time the grant funding would be withdrawn.

**RESOLVED**

*that*

*Cabinet:*

*(a) agree the scoring methodology in annex A*

*(b) approve the applications for Community Capital Projects listed in annex B*

*(c) approve the applications for Community Capital Projects listed in annex C to the report, subject to the outstanding issues which are currently preventing their implementation being resolved and subject to sufficient finance being made available by the County Council*

*(d) where no grant claims had been received from previous years, the applicants be contacted and informed that a 6 month time limit would apply for submission of claims, after which time the grant funding would be withdrawn.*

## **11 CAPITAL PLAN**

The Chief Executive and Financial Controller presented the report for Members, outlining the current position of the capital plan and for them to note the purchase of schools' IT equipment shown in paragraph 2.7 of the report and agree its inclusion in the Capital Plan. Members were also asked to re-profile the funding for community projects to more accurately follow the likely expenditure profile to ensure the Capital Plan remained balanced.

The Chief Executive referred to representations received from Councillor S Roberts with regard to the £20k per annum funding for joint working with Cadw on Castell Dinas Bran, which because of a low score had not been recommended for inclusion in the Capital Plan. Councillor Roberts reminded Members that the project had been ongoing since 1996 and urged Members to depart from the methodology used for scoring projects for this item. Culture, Leisure and Heritage projects would, by their nature, be low on any list of priorities and she said a fairer mechanism was required when deciding



priorities. She asked that the item be approved the following year as the Partnership funding for the current year had now been withdrawn. Councillor S A Davies supported the reinstatement of Castell Dinas Bran in the Capital Plan and said this was an important tourist attraction.

Councillor E C Edwards reminded Members that the Capital Plan Task Group were considering the Capital Plan in detail and it was wrong to agree the Castell Dinas Bran project be included in the Capital Plan until the work of the Task Group was complete and their report discussed by Members.

Councillor P A Dobb asked for clarification of any possible shortfall which would have to be met by schools regarding the purchase of laptops. The Corporate Director: Lifelong Learning confirmed that the sums involved would not be large and would be met from Schools budgets.

On being put to the vote, it was agreed that £20k per annum for 3 years starting in 2007-2008 for Castell Dinas Bran be included in the Capital Plan. [Councillor E C Edwards voted against the proposal and Councillor P A Dobb abstained.]

**RESOLVED** that Members:

- [i] note the latest position on the 2006/07 element of the Capital Plan*
- [ii] note the purchase of schools' IT equipment shown in paragraph 2.7 of the report*
- [iii] agree to re-profile the funding for community projects to more accurately follow the likely expenditure profile to ensure the capital plan remains balanced*
- [iv] agree to include £20k per annum for 3 years starting in 2007-2008 for Castell Dinas Bran*

The meeting concluded at 1.20 p.m.