

## **CABINET**

Minutes of the Cabinet meeting held in the Dean's Library, St Asaph at 11.00 a.m. on Tuesday 28 November 2006.

## **PRESENT**

Councillors S A Davies, Lead Member for Business, Communications and Personnel; 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; D Owens, Lead Member for Lifelong Learning; S Roberts, Lead Member for Promoting Denbighshire; G O Rowlands, Lead Member for Finance and J Thompson Hill, Lead Member for Property and Asset Management.

Observers: Councillors R E Barton, G C Evans, K N Hawkins, C L Hughes and J A Smith.

## **ALSO PRESENT**

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

## **APOLOGIES**

Councillor E W Williams, Lead Member for Environment.

## **ANNOUNCEMENT**

Councillor R W Hughes welcomed members of the Schools' Councils to the meeting.

### **637 URGENT MATTERS**

There were no Urgent Matters.

### **638 MINUTES OF THE CABINET**

The Minutes of the Cabinet meeting held on 31 October 2006 were submitted.

Item 9 Revenue Budget 2006-2007 – Councillor R E Barton (Observer) emphasised that school governors were not adequately made aware of budget reductions.

Item 6 West Cheshire / North East Wales Sub-Regional Spatial Strategy – Councillor R W Hughes thanked the Principal Regeneration Manager for the bullet-style briefing note sent to all Members.

***RESOLVED** that, subject to the above, the Minutes of the Cabinet meeting held on 31 October 2006 be approved as a correct record and signed by the Leader.*

### **639 MONITORING THE AUTHORITY'S KEY PERFORMANCE INDICATORS AND PROGRESS AGAINST THE KEY ACTIONS IN THE IMPROVEMENT PLAN**

Councillor S A Davies presented the report for Members to consider the Corporate Quarterly Performance report:

Performance against the Authority's key performance indicators for the period July, August, September 2006 (Appendix 1)

## Performance against National Strategic Indicators for Education (Appendix 2)

Progress against the Authority's Corporate Objectives and key actions identified in the Improvement Plan (Appendix 3) and that Cabinet consider any issue in greater depth as deemed necessary.

Members commented on various indicators:

Councillor M A German reported significant improvements on the percentage of children looked after with three or more placements during the year and this was a key priority. Some slippage was reported but the Inspection of Children's Services had made good progress.

Councillor P A Dobb congratulated Housing Services on their work as no homeless families with children had had to be housed in bed and breakfast accommodation for the last two quarters. Work was in progress to deal with the number of rent arrears owed by current and former tenants as a percentage of the total rent collectable for the financial year for temporary accommodation.

Councillor Dobb asked the Strategic Policy Unit to note that the new indicators for PLA/C/006 affordable housing units and the LPI for houses in multiple occupation were part of her portfolio and therefore Councillor E W Williams was not the responsible Lead Member.

Councillor S Roberts reported that the targets for visits to sports facilities should increase as the season progressed and also hoped that by the end of the next quarter the target for participation in healthy living initiatives would have been achieved.

Councillor D Owens reported that schools' maintenance schemes were progressing well whilst attendance at schools was improving. The percentage of pupils eligible for assessment at the end of Key Stage 2 would be addressed over the coming weeks.

Referring to the two recycling figures, the Corporate Director: Environment said targets were met when both targets were combined. He reported on variations across the County in regard to street cleanliness.

Councillor E C Edwards informed Members that recent changes in crime recording had been made by the North Wales Police. All crime was now recorded with violent crime now including domestic violence figures which had led to an apparent increase in the violent crime figures and first time crime recorded. He also reported on the disappointing test purchases at off licences where 6 out of 8 had failed. However, the test failures had been to discuss the reasons with Licensing. He said the performance indicators would be revisited and discussed with the Crime and Disorder Team and Policy Unit. The Corporate Director: Environment and Community Safety Policy Officer said some Home Office targets were 5 year targets and the way in which crime statistics were collected by the North Wales Police, who adopted a rigorous approach to data collection, were an issue. They suggested single year targets should be set by the Denbighshire.

Councillor R W Hughes said as her target had been achieved and the programme had ceased to operate, she would be looking to incorporate a few new targets.

Councillor G O Rowlands reported his concerns regarding benefit claims processing as the DWP had reduced the performance standard for new claims and this would bring pressures on the department.

Councillor S A Davies referring to the sick absence figures of 11.2 days on the Welsh comparative data, said it was hoped to bring this down to 10 days lost per employee over the coming year. He informed Members that Denbighshire was one of the first Authorities in Wales aiming at giving all staff an annual performance appraisal.

Councillor J Thompson Hill reminded Members that the total capital receipts was an annual target and it was hoped to achieve the target of £3m by 2009.

Members agreed as there was no system in place to centrally record response times to letters, this Corporate Objective should be considered by the Corporate Executive Team.

**RESOLVED** that Members agree to receive updates against the key actions identified in the Improvement Plan on a quarterly basis as part of the Corporate Quarterly Performance Report and agree to pay particular attention to issues requiring further discussion and/or remedial action, particularly those indicators which are not on target.

Representatives of the Schools' Councils in attendance posed questions to Members:

Guto Rhys, Ysgol Glan Clwyd asked about 6<sup>th</sup> form facilities at the school. The Corporate Director: Lifelong Learning informed the meeting that the Authority had invested large amounts into the new science block at the school. He said discussions would be held with architects, the head teacher and school governors regarding future use of the old laboratories which could possibly be a way forward for 6<sup>th</sup> form accommodation.

Lee Thompson, Prestatyn High School thanked Members and officers for the opportunity of addressing the Lead Members and officers direct. His group had spoken in detail with Councillor D Owens regarding school toilets. Councillor D Owens informed the meeting of the ongoing work in Denbighshire's schools and said 33 toilets had been improved to date. He highlighted the important management role to be played by pupils following refurbishment. Councillor J Thompson Hill explained as a result of a budget shortfall, all works had to be prioritised. As many of the issues regarding school toilets were not structural, they were for management by the school and users.

Sophie Felicello, Blessed Edward Jones High School asked about recycling provision for schools. The Corporate Director: Environment explained that under current legislation, the Authority only had to comply with household recycling provision and a trade waste collection service was also operated in the County. However, for schools which had waste collected by contractor, there was no reason why the schools could not approach the contractors to discuss the possibility of recycling facilities being provided. If the schools' councils contacted him, he would ask the Recycling Officer to visit the schools. He said household waste accounted for less than 15% of all waste generated. However, the amount of litter generated around schools caused the Authority a problem and the service would be delighted to form partnerships with schools where possible to stop litter generation which could lead to cost savings and waste minimisation.

The Corporate Director: Lifelong Learning thanked the schools representatives for the discussions. Councillor R W Hughes agreed with the Corporate Director: Lifelong Learning and said she hoped dialogue would continue with schools.

#### **640 SSIW INSPECTION 2005-2006 ACTION PLAN**

Councillor MA German presented the report for Members to approve the SSIW Inspection Action Plan following the outcome of the inspection of Children and Family Services.

Councillor German informed Members that the SSIW had acknowledged good support for both the service and its staff and that the Authority had made good progress and had an effective range of services. It was important to sustain and built on that success.

Councillor P A Dobb said children needed continuity and it was important to work alongside the whole family unit at all times.

The Corporate Director: Social Services and Housing praised the service but said there were a few inconsistencies for which an intensive work programme was planned. The difficulties of staff recruitment and retention had eased. The Head of Children's Services said staff were pleased with the report and optimistic for the areas which required improvement. She informed Members that as a result of changes to standards in the fostering service, there were now not enough foster carers. It was still planned to keep the 15 children cared for in the independent sector as they had been in the placements for a number of years.

In response to a query from Councillor C L Hughes (Observer), the Corporate Director: Social Services and Housing said both adult and children's services staff had received training, but it was still important to have experienced practitioners and new systems. It was also accepted that good file records were essential.

Councillor German praised the dedication and commitment of staff and said the SSIW acknowledged the cross-party support for both the service and its staff by all Councillors.

**RESOLVED** that Members accept the report and approve the SSIW Action Plan.

#### **641 TENANT INVOLVEMENT IN HOUSING**

Councillor P A Dobb presented the report seeking Members' agreement to the formation of a Housing Working Party for formal consultation, participation and tenant involvement.

Councillor Dobb informed Members that the Housing Working Party would operate alongside Cabinet and Scrutiny Committee and its membership would consist of the Lead Member for Health and Wellbeing, and one Member nominated by the Social Services and Housing Scrutiny Committee and one Member nominated by the Environment Scrutiny Committee. The Members would serve alongside three tenant members and up to three independent members.

Members agreed with the suggestion by the Chief Executive, to delete "County Clerk" in paragraph 7.2 of the draft terms of reference.

**RESOLVED** that Cabinet agree the formation of a Housing Working Party for formal consultation, participation and tenant involvement. It was also agreed to delete "County Clerk" in paragraph 7.2 of the draft terms of reference.

#### **642 COUNCIL HOUSING GARAGES**

Councillor P A Dobb presented the report seeking Members' agreement to the proposals for the maintenance, improvement or redevelopment of garage sites on Council housing estates. It was hoped to complete the garage site surveys and consultation with Local Members and Tenants' Associations by 31.12.2006.

Councillor E C Edwards said he was very pleased to see the report. He went on to express his concern regarding paragraph 2.7 where Tenancy Conditions require the tenants to keep garages tidy and for garaging vehicles in regular use as he knew of many garage tenants who used the garages as workshops or stores. Councillor S A Davies agreed and said some garage tenants had moved out of County and were still able to rent garages from the Council.

The Head of Housing Services informed Members that some areas had a long waiting list for garages whilst there was no demand in other areas. Some garage tenants have purchased their Council houses so those garages are now not linked to Council housing. If maintenance to the garages was carried out this would enable the Authority to increase rental charges which would discourage inappropriate uses. He said the sale of Council garages in some locations could cause parking problems.

The Chief Executive suggested Members should have a wider debate to consider whether the income from the garages should remain in the Housing Revenue Account or whether this income should form part of the capital programme. Councillor E C Edwards agreed with the Chief Executive and said the sale of garages in many areas could be used to provide capital. He suggested that any survey of garages could be carried out by students. The Corporate Director: Social Services and Housing encouraged Members to agree the proposals and said the work on use of garages by tenants should be treated as a separate survey, to explore alternative uses the garages are being put to at this present time.

In response to a query from the Deputy Chief Executive / Corporate Director: Environment regarding insurance liability, the Head of Housing Services said he believed that there were no additional insurance issues for the Authority but that he would investigate.

**RESOLVED** that Members agree the proposals as outlined in the report for the maintenance, improvement or redevelopment of garage sites on Council Housing estates.

#### **643 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. The outturn projection at the end of October showed a net surplus at the year end of £638k was shown against a budgeted surplus of £333k.

Right to Buy sales were critical to the ongoing affordability of the Plan and would be monitored closely. The Housing Stock Business Plan would therefore be reviewed in December when the 2007/08 Determinations had been received from the Welsh Assembly Government.

Progress on the HRA capital plan remained at £6.5m, approximately £1m less than originally estimated. Although the environmental improvement programme was planned to escalate during the remainder of the year, the forecast expenditure remained at £305k. Achievements to date on the major contracts were 256 properties had completed major refurbishment, 1482 properties had received new windows and 671 properties had received new heating systems.

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

#### **644 REVENUE BUDGET 2006-2007**

Councillor G O Rowlands presented the report for Members to note the latest revenue budget performance figures for the 2006/2007 financial year as detailed in the appendices attached to the report.

Councillor Rowlands referred to the Social Services underspend increase from the last month due partly to the underspend brought forward from 2005-06 coupled with savings against the Supporting People Grant Schemes. The Lifelong Learning Directorate were forecasting increased pressures due to Health and Safety Works and vandalism repairs required at the Ffrith Beach. The equal pay claims would be a major pressure as HM Treasury had confirmed that this could not be capitalised and would lead to a major reduction in general balances.

Councillor S Roberts referred to Nantclwyd House and said no budget or business plan had been transferred with Nantclwyd House to the Service so would be an added pressure on the department. Councillor Roberts also referred to the lack of funding for the Ffrith Beach. The Financial Controller confirmed that there was no base budget currently and this would need a successful bid for funding or from the Directorate's existing base budget. He said Members would be asked to prioritise bids in the continuation of the Awayday meeting later in the day.

The Chief Executive reminded Members that the Ffrith Beach had become part of the Environment Directorate when Members had agreed to its disposal, however, there was no budget to transfer. As the Ffrith Beach had not been disposed of, it was transferred back to the Culture and Leisure Department, again with no budget to transfer.

The Corporate Director: Environment agreed that maintenance of the Ffrith Beach site had been a struggle for the last 3 years or so. There were also inherited car parking problems, maintenance problems and burdens and pressure and these would have to be dealt with. The Corporate Director: Lifelong Learning suggested a sustainable and reasonable way forward was required for all budget transfers.

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

#### **645 £200K SPEND TO SAVE BUDGET UPDATE**

Councillor G O Rowlands presented the report for Members to note the progress to date and likely outcomes from the efficiency schemes recently approved for funding in 2006/7 from this budget.

It was confirmed that the Head of ICT was pursuing the possibility of funding towards the aborted SNEN project.

In response to queries from Members, the Strategic Procurement Manager outlined the elements of the procurement system which had spend control measures contained therein and would also have a fraud system configured as part of the scheme. There would be true transparency and visibility of all aspects of the procurement system. The "purchase to pay" system would give adequate information to the Authority and risk of supplier challenges would be mitigated. E-sourcing would allow electronic tendering which would save time and effort and would be fully transparent. E-procurement was seen as one of the major efficiency drivers for Authorities. Councillor P A Dobb expressed concerns on the figures used and asked for further clarification on the savings figures used. The Strategic Procurement Manager agreed information on the savings made would be made available to Members.

Councillor J Thompson Hill queried construction procurement. The Strategic Procurement Manager confirmed that all local contractors had been invited to the briefing session and the new system would allow a level playing field and SMEs would have opportunities of being awarded tenders. He cited the wheelie bin procurement and said by using the reverse auction as the last stage exercise this had saved £250k.

**RESOLVED** that Members note the progress to date and potential savings achievable from the projects funded through the Spend to Save budget in the current year.

#### **646 ROUTINE REPORTING ON PERSONNEL**

Councillor S A Davies presented the latest report on staff headcount. He emphasized the purpose of the report was as a management tool and he had asked the Corporate Executive Team to carry out more in depth work on this. The Authority was spending £6m more than the previous year and this had to be factored in as part of the budget round.

Councillor R W Hughes said explanatory notes on the figures were required. The Deputy Chief Executive / Corporate Director: Resources confirmed the intention had been to explain what the major changes had been every month. He confirmed that agency staff figures would be included as a separate report.

The Chief Executive said that although some staff were grant funded, the Authority still had to supply desks, chairs etc and that not all grant funders included staff on-costs. The Deputy Chief Executive / Corporate Director: Resources reminded the meeting that exit strategies needed to be planned for grant funded staff.

**RESOLVED** that Cabinet note the information in the report and the proposed Action Plan.

#### **647 CABINET FORWARD WORK PROGRAMME**

Councillor S A Davies presented the Cabinet Forward Work Programme.

The Corporate Director: Lifelong Learning informed Members that a report on the Lifelong Learning Directorate Restructuring would be presented to the December Cabinet meeting.

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

#### **648 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 19, 20 and 21 of Part 4 of Schedule 12A of the Local Government Act 1972.

#### **PART II**

#### **649 AWARD DECISION FOR NORTH WALES PUBLIC SECTOR PRINT AND GRAPHIC DESIGN FRAMEWORK AGREEMENTS**

Councillor G O Rowlands presented the report seeking Members' agreement to the Strategic Procurement Manager awarding collaborative framework agreements for the provision of (i) printing and (ii) graphic design services (as detailed in sections 1 and 2 of Appendix 1 to the report) on behalf of all North and Mid Wales Public Sector Authorities. Members were also asked to endorse the Framework Agreement in accordance with CPR 15.1, which would also require all print and graphic design requirements to be sent to the Corporate Print Manager once appointed.

The Strategic Procurement Manager said the Print Manager, once appointed, would ensure savings were made, ensure bilingualism where appropriate was used and that corporate image standards were upheld. This would contribute to the Authority's efficiency savings. He said the EU Directive had been included in UK statutory law and the Authority had to comply with this under the procurement regulations.

In response to a question from Councillor J Thompson Hill, the Strategic Procurement Manager confirmed that Denbighshire was the Lead Authority for the framework agreements and further discounts would be gained as more Local Authorities came on board. The agreements were for a minimum of 2 years and a maximum of 4 years, but no new companies could be included within this time.

**RESOLVED** that Cabinet:

- (1) authorise the Strategic Procurement Manager to award the framework agreement for the provision of printing services to the suppliers identified in Section 1 of Appendix 1 of the

*report, and to allow the use of this agreement by all Public Sector Authorities in North and Mid Wales*

- (2) *authorise the Strategic Procurement Manager to award the framework agreement for the provision of graphic design services to the suppliers identified in Section 2 of Appendix 1 of the report, and to allow the use of this agreement by all Public Sector Authorities in North and Mid Wales*
- (3) *endorse the Framework Agreement in accordance with CPR 15.1, which will also require all print and graphic design requirements to be sent to the Corporate Print Manager once appointed.*

#### **650 CLWYD LEISURE LTD JOINT STUDY**

Councillor S Roberts and Councillor J Thompson Hill presented the report seeking Members' endorsement of the decision to undertake a joint study with Clwyd Leisure Ltd (CLL) to review options in respect of the properties they manage on behalf of the Council and to examine the company's financial capacity to manage those assets.

The Corporate Director: Lifelong Learning said it was important the detailed study was undertaken as this would allow the company's future developments to be considered.

Councillor J Thompson Hill reminded the meeting that the assets were in the Authority's ownership and it was important to bear this in mind whatever the outcome of the study.

The Deputy Chief Executive / Corporate Director: Resources informed Members that he had requested a 2 year cash flow forecast (on a monthly basis) from the company and that their accounts were made available to Members.

**RESOLVED** *that Members endorse the decision to undertake a joint study with Clwyd Leisure Ltd to review options in respect of the properties they manage on behalf of the Council and to examine the company's financial capacity to manage the assets.*

#### **651 FAENOL FARM, PENTRECELYN**

Councillor J Thompson Hill presented the report seeking Members' agreement to declare Faenol Farm, Pentrecelyn (as outlined black on the plan attached to the report at appendix 1) surplus to Council requirements and approve a subsequent disposal on the open market. Members were also asked to recommend that £250k be retained and incorporated within the agricultural estate capital programme fund. He confirmed the balance from the sale would be included in the Capital budget.

The Chief Executive said the report, when scored by the capital prioritisation process, would have a high score as this would allow essential health and safety issues to be addressed.

**RESOLVED** *that Cabinet declare Faenol Farm, Pentrecelyn, as outlined black on the plan attached to the report, surplus to Council requirements and approve its disposal on the open market. Members further agree £250k be retained and incorporated within the agricultural estate capital programme fund.*

#### **652 CAPITAL PLAN 2006-2007**

Councillor G O Rowlands presented the report for Members to note the latest position on the 2006-2007 element of the Capital Plan.



The Corporate Director: Lifelong Learning outlined the latest position regarding the Lifelong Learning Centres and confirmed that the three centres were at Prestatyn, Ruthin and Llangollen. Rhyl was to have separate funding earmarked by the Minister for Education and Lifelong Learning for 14-19 provision.

Councillor R W Hughes asked whether it would be possible to draw funding from the Convergence programme for the proposed satellite centres at St Asaph, Denbigh and Corwen.

The Corporate Director: Lifelong Learning, in response to a query from Councillor P A Dobb, said Cambridge Education would be considering requirements for Rhyl and DELLS had offered support for a financial feasibility study for the Rhyl Centre.

With regard to Llysfasi College, the Corporate Director: Lifelong Learning said the College would fit in with the Ruthin model provision and the Authority would encourage the College to participate fully.

Councillor E C Edwards asked whether design plans for Ruthin, Llangollen and Prestatyn were in place, and if so, would the Authority be ready to proceed immediately proposals were approved. The Corporate Director: Lifelong Learning confirmed design plans and the project manager were in place and the Authority could proceed once approval was received.

Members discussed the expenditure at the end of October 2006. The Financial Controller confirmed the rate of spend needed to accelerate but the availability of school sites for works only in school holidays was a big issue, although some schools had carried out works during term time.

Councillor E C Edwards queried whether the Authority had the necessary staffing levels and expertise to carry out the projects. The Corporate Director: Lifelong Learning said there were many reasons for delays with projects, including over-commitment.

The Deputy Chief Executive / Corporate Director: Resources said explanations for delays to the capital expenditure would be provided at the next Cabinet meeting.

The Chief Executive confirmed that the possible extra care housing scheme for Ruthin had not been formally assessed for inclusion in the Capital Plan.

**RESOLVED** that Members note the latest position on the 2006-2007 element of the Capital Plan.

The meeting concluded at 2.45 p.m.

\*\*\*\*\*