

CABINET

Minutes of the Cabinet meeting held at 10.00 a.m. on Tuesday 29 January 2008 in Conference Room 1, County Hall, Ruthin.

PRESENT

Councillors P A Dobb, Lead Member for Social Services; E C Edwards, Lead Member for Customer Care and Community Safety; H H Evans, Leader and Lead Member for Education; M A German, Lead Member for Environment; G M Kensler; Lead Member for Promoting Denbighshire; P J Marfleet, Lead Member for Modernisation and Improvement; G O Rowlands, Lead Member for Regeneration and Housing; J A Smith, Lead Member for Business Management, Communications & Personnel and J Thompson Hill, Lead Member for Finance.

Observers: Councillors R E Barton; J Chamberlain Jones; M LI Davies; G C Evans; S Frobisher; K N Hawkins; C L Hughes; N Hugh Jones; M M Jones and N P Roberts.

The meeting was chaired by Councillor J A Smith.

ALSO PRESENT

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

APOLOGIES

There were no apologies.

701 URGENT MATTERS

There were no Urgent Matters.

702 MINUTES

The Minutes of the Cabinet meeting held on 15 January 2008 were submitted.

***RESOLVED** that the minutes of the meeting held on 15 January 2008 be approved as a correct record and signed by the Deputy Leader.*

703 MONITORING OF ACTION PLAN IN RESPONSE TO ESTYN

Councillor H H Evans presented the report for Members to consider the initial work undertaken to monitor the action plan which had been developed in response to the recent Estyn Inspection of Education Services. He discussed the work plans developed to respond to the main recommendations of the Estyn report and also the other elements such as the Estyn Review of Youth Support Services in 2006 which were taken into consideration but were not linked to the Estyn report.

***RESOLVED** that Cabinet, having considered the progress to date against tasks, request that the Modernising Education Board reviews progress against those tasks identified as "Red" or "Amber" in Appendix 2 in advance of the next monthly monitoring report.*

704 JOINT ADULT MENTAL HEALTH AND SOCIAL CARE COMMISSIONING STRATEGY (CONWY AND DENBIGHSHIRE) 2007-2010

Councillor P A Dobb presented the report seeking Cabinet approval to adopt the Joint Commissioning Strategy for Adult Mental Health and Social Care for Conwy and Denbighshire 2007 – 2010. The Partnership with Conwy had been established in 2006. The needs assessment had identified various factors which would need to be

taken into account such as higher rates of mental illness than other areas in Wales, people with mental health problems finding it difficult to get jobs or housing, a higher rate of suicide than the Wales Average. Future commissioning would include basic mental health education and promotion.

Regarding Councillor P J Marfleet's question on the legacy in Denbighshire being reflected in the funding allocation, the Financial Controller confirmed that the Welsh Assembly Government funding for Adult Social Services had been reviewed and the following year it would be more focussed on Health having increasing people numbers rather than the Local Authority. The Corporate Director: Social Services and Housing confirmed this was not reflected in the settlement. Councillor Marfleet suggested that the Minister in the Welsh Assembly Government be reminded of the historical data which affected the numbers of people.

RESOLVED that Cabinet approves the adoption of the Joint Commissioning Strategy for Adult Mental Health and Social Care 2007-2010.

705 DRAFT HEALTH, SOCIAL CARE AND WELLBEING (HSCWB) STRATEGY 2008-2011

Councillor P A Dobb presented the report for Cabinet to consider and endorse the Health, Social Care and Wellbeing (HSCWB) Strategy 2008-2011 in advance of presenting to Full Council in February 2008.

The Strategy strongly impacted on both the Community Safety and Children / Young People policy areas. There were 8 priority themes within the Strategy: Reducing Poverty / Improving Social Inclusion; Our environment; Positive Lifestyles; Early Intervention & Crisis Support; Changing Needs / Responsive Services; Longer Term Needs; Protecting & Safeguarding; and Right Services in the Right Place. The Authority would be working with GPs to provide health and social services on a single site, for example the proposed site in Rhyl. Councillor Dobb referred to the Phase I Rapid Response Team, although it was too early to quantify its success. Joint working would take place although the partners may not have the same priorities as Denbighshire. It was noted that Conwy CBC had chosen to follow a different route to Denbighshire, in particular regarding the provision of an equipment store.

Councillor Dobb supported Councillor G M Kensler's comments regarding the programmes to improve enjoyment of life by providing opportunities for physical activities. Councillor Kensler stressed the need to ensure services were not reduced.

RESOLVED that Cabinet, having considered the draft Health, Social Care & Well-Being Strategy, recommend endorsement by Full Council in February 2008.

706 GATING ORDERS

Councillor E C Edwards presented the report for Members to consider and agree the proposed Gating orders to be made under The Highways Act 1980 (Gating Orders) (Wales) Regulations 2007 in Rhyl, Denbigh and Prestatyn at various locations. The specific areas were detailed in the consultation papers in Appendix 1 (The Gating Order Schedule).

Councillor E C Edwards asked for Members' agreement for Gating Orders to be approved under Delegation to the Lead Member for Community Safety.

The Community Safety Manager detailed the specific areas. He asked Members to note that Location 2 the Footpath between Ffordd Talargoch and Ffordd Pennant, Meliden had been withdrawn by the proposer, Councillor R W Hughes. Members were asked to note that Location 4 was Marine Road and not Marine Drive.

RESOLVED that Members approve the proposed gating orders as detailed in Appendix 1 to the report, with Location 2 Footpath between Ffordd Talargoch and Ffordd Pennant, Meliden being withdrawn. It was further agreed that Lead Member for Community Safety be given delegated authority to take all decisions on Gating Orders.

707 HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL PLAN REPORT 2007-2008

Councillor G O Rowlands presented the report for Members to note the latest financial forecast position of the Housing Revenue Account (HRA) for the current financial year. A surplus of £818k would be generated by the end of the financial year which was more than the planned surplus. However, there was a forecast overspend on repairs and maintenance of £100k that had been transferred to capital as part of the wider housing improvement programme.

Councillor E C Edwards referred to the Customer Service Centre which highlighted housing, highways and public realm issues which had been reported to the Authority and said this was an important tool for monitoring of the Authority's performance. He asked whether it was possible for the funding from the Housing Revenue Account to be used to fund the housing repairs which were behind schedule, once the actual figures were known. The Deputy Chief Executive / Corporate Director: Resources said it was possible to release funds in principle, as long as the whole housing business plan was not dislodged by any actions taken. The Corporate Director: Social Services and Housing confirmed that once all the detail on the backlog had been updated and checked then the value of the jobs would be known and whether it would be possible to use some of the funding from the HRA towards the backlog of repairs.

Councillor G M Kensler referred to the backlog of work as shown by the Customer Care Centre some 4 months earlier and asked when the situation would be brought to an acceptable level. Councillor G O Rowlands said this could take up to 12 months and work was ongoing to improve on the Performance Indicators. However, Councillor E C Edwards said Performance Indicators were not the issue, but the work required on housing repairs. The Corporate Director: Social Services and Housing agreed it would take some time to deal with the backlog but the up-to-date figures were not on the Customer Services system.

Councillor E C Edwards asked the Corporate Director: Social Services and Housing to congratulate members of her team on their excellent work in helping an elderly resident in Llanferres.

RESOLVED that Members note the latest financial forecast position of the Housing Revenue Account (HRA) for the current financial year.

708 REVENUE BUDGET AND SUMMARY CAPITAL PLAN 2007-2008

Councillor J Thompson Hill presented the report for Members to note the budget performance figures for the 2007/2008 financial year as detailed in Appendix 1 and note the summary capital plan performance for 2007/2008 financial year as detailed in Appendices 2 and 3.

The Ysgol Plas Brondyffryn 52 week residential unit continued to have a projected overspend of £277k. However, savings resulting from the Tourism Strategy tendering process had reduced the projected overspend by £30k. Social Services and Housing were in an improved position and the Directorate had been successful in securing grants of £145k and external contributions for expensive care packages. The non HRA Housing projected overspend had increased by £126k.

In response to various queries, it was confirmed that the £277k Ysgol Plas Brondyffryn overspend would have no impact on external funding figures; the Financial Controller confirmed that the Authority was insured externally for major claims including highways issues and that any small claims were covered from an internal insurance fund - the Authority operated a good inspection regime and most claims were defensible and avoided court action. Planning income appeared to tail off but this could be as a result of uncertainty over the economy or fewer large housing developers making planning applications.

RESOLVED that Members note the budget performance figures for 2007/2008 as detailed in Appendix 1 and note the feedback on urgent action to be taken to fill vacant places at the 52 week residential unit at Ysgol Plas Brondyffryn and to also note the summary capital plan performance figures for the 2007/2008 financial year as detailed in Appendices 2 and 3.

709 BUDGET SETTING UPDATE 2008-2009

Councillor J Thompson Hill presented the report for Members to review the budget proposals for 2008-2009 in the light of the final Welsh Assembly Government (WAG) settlement. Members were asked to indicate whether they supported the updated savings proposals made by services in Appendix 3, the latest proposals in Appendix 1 for additional resources in response to anticipated service pressures and the further potential cuts that had been identified. Members were further asked to indicate whether they still wished to propose a Council Tax increase of 3% for 2008-09. Members were asked to note the need for significant further efficiency savings and cost reductions/cuts in future financial years, in light of the poor settlement from the Welsh Assembly Government.

Councillor Thompson Hill discussed the budget proposals in detail, stating that the final settlement was slightly worse than anticipated. He highlighted the grant increases for the next three financial years which would be below the Welsh average.

The Authority was suffering adverse effects of the funding formula. It was not possible to match inflationary levels at this rate of funding.

The Lifelong Learning Directorate were in the process of firming up another £110k as savings in addition to the £292k already found.

A 5.5% increase in Council Tax would be required to fund the £36m which the Authority has to fund. To achieve a 3% increase in Council Tax additional savings would have to be found.

The impact of the settlement would have an adverse effect on Social Services and Housing. A number of bids in the sum of £1.5m had been received, whereas the allocation was only £0.5m. It had however been recommended in the Revenue Budget report earlier to carry over projected underspends of £0.5m which would reduce the bids to £1m. Further funding and savings options were being considered.

Lifelong Learning Scrutiny Committee comments were discussed - the Committee recommended the total savings by the Directorate should only be £200k. They also suggested reallocation of the £75k Performance Incentive Grant (PIG) to Countryside Services and that the Lifelong Learning Directorate contribution of £150k towards the vacancy control programme would not be achieved.

At this juncture (11.25 a.m.) the meeting adjourned for 30 minutes to allow Members to participate in refreshments.

Councillor H H Evans thanked Councillor J Thompson Hill for his comprehensive report. He stated that the Authority had received a poor settlement from WAG which was putting the Authority under severe pressure. It was important for Denbighshire to

manage its resources strategically. He understood that with the forthcoming Council elections in May, this would also have an influence on the level of Council Tax increase which some Members would support. He stressed the need to make sound decisions and reminded colleagues that during the current Council term the theme had been for a low Council Tax increase to try and close the gap between Denbighshire and other Local Authorities in North Wales. The debate in the recent informal Council meeting had led to a steer for an average of a 3% increase in Council Tax. This had led to severe concerns, for example, Social Services and Housing were not fully funded by WAG and neither were Waste Management and Highways in the Environment Directorate funded properly. Whilst he supported the Lifelong Learning Directorate it was also important that their figures were subject to challenge, as were the other Directorates. He expressed concern and disappointment regarding the Lifelong Learning Scrutiny Committee comments and felt strongly that they should achieve the set efficiency target of £400k. He recommended that Lifelong Learning be asked to find the required savings and he suggested Lifelong Learning Scrutiny Committee should discuss all the proposals in detail.

Councillor P J Marfleet expressed his frustration at the settlement and said Denbighshire would receive the worst settlement in Wales in 3 years' time whilst the WAG were putting millions of pounds in reserves. He stressed the need for all Members to remember their duty of care to the wider population of Denbighshire. He felt a 3.1% Council Tax increase could be achieved whilst also ensuring service delivery. He also felt that in some ways, Lifelong Learning Scrutiny Committee had abdicated their responsibilities.

In response to a query from Councillor P A Dobb regarding the review of vehicle fleet costs, Councillor M A German said details had been provided on the individual costs and needs for each vehicle at earlier informal meetings. A fleet procurement group had been established to discuss replacement vehicles. There was no separate fleet budget in the Environment Directorate. She raised the question marks over both the increase of Fees and Charges and Fleet Vehicle Costs and said she would not be able to support any increase in car parking charges, particularly in the rural areas. Councillor Thompson Hill confirmed that Fees and Charges and Vehicle Fleet Costs would be subject to review longer term.

Although he had initially proposed a Council Tax increase of 2% in the informal Council meeting, Councillor G O Rowlands said he realised this would not be achievable and was now prepared to support an increase of 3% in Council Tax.

Councillor G M Kensler felt that officers were on the one hand trying to make savings and also provide a service which would be acceptable to the public. She felt extra work was required on finding further savings. She referred to possible cuts in grants to the Pavilion Theatre Rhyl, ECTARC and the Royal International Pavilion at Llangollen and Bodelwyddan Castle and asked whether such cuts would have an adverse effect on the grants the organisations received.

The Financial Controller responded to a number of queries from Councillor Kensler. The settlement figures for the next 2 years are fixed but the figures for 2010/11 are subject to the next Comprehensive Spending Review. The WLGA will work hard to drive up the overall level of WAG funding while the Distribution Sub Group work programme will focus on some areas where DCC might gain additional funding. He confirmed the Authority was working closely with schools as part of the Estyn Action Plan on school balances. Denbighshire spent below SSA on Leisure Services but the spend on all non Education, Lifelong Learning services was £1.1m above the SSA. Denbighshire spends double the Wales average on Culture and three times the Wales average on Tourism. 2008 was the final year for LABGI funding.

Regarding landfill tax, this had been increasing at £3 per tonne per annum previously but currently was increasing by £8 per tonne. The Corporate Director: Environment

said WAG had met the cost of landfill tax in full in earlier years but were expecting the reductions in the amount of landfill created would now pay for the increase in costs. There was a need for investment and to make more use of the X2 scheme.

Councillor E C Edwards supported the funding of Education as agreed in the Estyn Action Plan but reminded colleagues that other services still had to be provided. It was unacceptable that WAG were reportedly working towards £830m in their reserves by 2011 as this was making it difficult for Local Authorities in Wales to deliver services. Referring to the vacancy control of posts, he said that although posts were frozen, a few would probably be deleted. Although the Authority had no time left in its current term for a radical restructure, he felt that should the need arise, some staff in surplus posts should be given the opportunity to be re-trained. The Authority would have to work in a different way. He also asked that more detail on Leisure Centres be provided before any decisions were taken. He supported a Council Tax increase of 3%.

A 3% increase was also supported by Councillor H H Evans, with the possibility of a small increase if necessary. He said there was insufficient information to support the issues within Lifelong Learning and suggested that an informal meeting of the Lifelong Learning Scrutiny Committee for Members be convened. He said the proposed budget should fund Education to the SSA level by the end of the current Council term. He also supported Councillor Edwards' suggestion of more detail being provided on Leisure Centres.

Councillor G M Kensler supported more in-depth discussion on Leisure Centres. She suggested that there were areas which had not been considered, for example free staff car parking and 25% discount for staff in leisure centres. She withdrew her earlier suggestion of a Council Tax increase of 4.2%.

Councillors G O Rowlands, M A German, P J Marfleet, H H Evans, E C Edwards, J A Smith and J Thompson Hill were in favour of an increase of 3% in Council Tax whilst Councillors P A Dobb and G M Kensler were not in favour of a 3% increase.

Councillor P A Dobb felt it was important to ensure Council Tax was kept low and said she would find it difficult to agree a 3% rise until further information was provided.

The Corporate Director: Lifelong Learning said the Directorate had 3 objectives, consistent with funding in the Council. The first was to increase funding for education to address various issues, secondly the Council Tax should be as low as possible (the steer had been 2-3% to the Corporate Executive Team) and Lifelong Learning would have to contribute to this. The third objective was to minimise the effect on service delivery and maximise efficiency savings. He believed the £400k target and further £150k from the vacancy control procedure were reasonable for Lifelong Learning but this would not all be achieved from efficiencies. He supported the Leader's positive statement on Education. He also accepted this could put more pressure on other areas leading to service / budget cuts elsewhere in Education. He agreed a further informal meeting would be helpful but stressed that the target had to be delivered.

The Chief Executive reminded Members that Council Tax had to be set by the end of February 2008, Cabinet would make its recommendation on 5 February 2008 therefore any meeting would have to be before 5 February 2008.

Members discussed in detail various aspects of the proposals. They agreed it was necessary to know if budgets were cut, whether there would be any implications for the grants received from outside organisations such as the Arts Council of Wales. Members also agreed that Rhyl Pavilion Theatre and Llangollen International Pavilion, for example, would have to work more efficiently.

Members would need to realise the implications of their proposals and what this would mean in detriment to services. The Chief Executive said the information provided for the extra informal Learning Scrutiny Committee would need to include the impact on the other Directorates should Lifelong Learning not be able to meet the savings targets set. To achieve an increase of only 3% Council Tax, there would not be much room for changes in the figures already provided. The Corporate Director: Lifelong Learning confirmed that his Directorate would be recommending £400k of savings.

The Chief Executive asked for Members' endorsement of the current proposals, subject to the requested further information being provided. He said that it was still possible for Lifelong Learning Scrutiny Committee to recommend amendments to the budget within the Directorate. Future years would be even more difficult and the next round of meetings would start following the Elections in May 2008. At least a further £1.5m savings would need to be made the following year.

***RESOLVED** that having reviewed the budget proposals for 2008-2009 in the light of the final Welsh Assembly Government (WAG) settlement, Members indicated their support of the updated savings proposals made by services in Appendix 3, the latest proposals in Appendix 1 for additional resources in response to anticipated service pressures and the further potential cuts that had been identified. Members (apart from Councillor P A Dobb and Councillor G M Kensler) further indicated they would propose a Council Tax increase of 3% for 2008-09. Members note the need for significant further efficiency savings and cost reductions/cuts in future financial years, in light of the poor settlement from the Welsh Assembly Government.*

Members further agreed an informal Lifelong Learning Scrutiny Committee be convened to further discuss the Directorate budget.

710 ROUTINE REPORTING ON PERSONNEL

Councillor J A Smith presented the report for Members to note the information on the staff headcount. The Agency figures provided were noted.

***RESOLVED** that Members note the information in the report.*

711 CABINET FORWARD WORK PROGRAMME

Councillor J A Smith presented the Cabinet Forward Work Programme. The Chief Executive said the Rhyl Post 16 Education report should be included on the March Cabinet Agenda and the Tender Award for Collaborative Temporary Agency Contract should be considered in March.

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

712 URGENT ITEMS

There were no Urgent Items.

At this juncture (1.15 p.m.) the meeting adjourned for 30 minutes to allow Members to participate in refreshments.

ANNOUNCEMENT On behalf of Members and officers, Councillor H H Evans congratulated Councillor J A Smith on the occasion of his Silver Wedding anniversary.

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

The remainder of the meeting was chaired by Councillor H H Evans.

713 CAPITAL PLAN

Councillor J Thompson Hill presented the report for Members to note the latest position on the 2007-2008 element of the Capital Plan and sought Members' recommendation to Council of the proposals on the Members' Priority Capital Allocation as shown in section 2.3 of the report. He said the latest figures would be sent to all Members following the meeting.

Members agreed to amend page 3 Members' Priority Budget para (a) to read 'All projects must be allocated by Members by 31 March 2008'.

The Chief Executive confirmed that projects already agreed in the Members' Priority Budget would continue even if the Member was not returned at the elections in May 2008 but the expenditure would still have to be incurred before 31.03.2009.

RESOLVED that Members note the latest position on the 2007-2008 element of the Capital Plan and recommend to Council the proposals on the Members' Priority capital Allocation as detailed in Section 2.3 of the report.

714 CAPITAL PLAN 2008-2009 AND THE RECOMMENDATIONS OF THE CAPITAL STRATEGY GROUP

Councillor J Thompson Hill presented the report for Members to endorse the recommendations of the Capital Strategy Group for projects to be included in the 2008-2009 Capital Plan. Members were also asked to recommend to Council the proposals for the 2008-2009 element of the Capital Plan as detailed in Appendix 1 to the report. The Capital Strategy Group had evaluated 64 bids, amounting to just under £50m over 3 years. The items scoring 16 points or above had been given further consideration.

Reserves in the DSO were being released into DSO schemes to fund health and safety requirements.

Councillor M A German asked for further information / detail information regarding item 214 additional storage records.

Councillor E C Edwards, declared an interest in item 254 loan to community association, and expressed his disappointment with the Capital Strategy Group's scoring. The works were required to keep cars off the busy main road and to ensure safety of children. The Chief Executive suggested the item should not have been included in the Plan and should be an item for commercial borrowing as it was self funding as were other schemes which had been given approval at an earlier date.

Discussion followed on the provision of laptops for all new Councillors and whether being computer literate or willing to be trained should be a condition of being elected as a Councillor.

Councillor E C Edwards requested that the use of any future Capital Receipts be given further consideration by the Capital Strategy group at a later date.

Following further discussion, it was

RESOLVED that Members recommend to Council the proposals for the 2008-2009 element of the Capital Plan as detailed in Appendix 1 to the report.

The meeting concluded at 2.30 p.m.
