

CABINET

Minutes of the Cabinet meeting held at 10.00 a.m. on Tuesday 18 March 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 J R Bartley; R E Barton; M LI Davies; G C Evans; S Frobisher; K N Hawkins; C L Hughes; N Hugh Jones and M M Jones.

The meeting was chaired by Councillor J A Smith.

ALSO PRESENT

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

APOLOGIES

Corporate Director: Environment

ANNOUNCEMENT

The Deputy Leader presented 5 awards to the following officers, on behalf of the Departments concerned:

EXCELLENCE WALES AWARDS:

- 1 Adult Mental Health and Social Care Partnership Sub Regional Collaboration in Public Services** – accepted by Helena Thomas
- 2 Heather and Hillforts – Certificate of Recognition in Our Environment: Clean & Green, Managed & Enjoyed Category** – accepted by Fiona Gale and Helen Mrowiec
- 3 Denbighshire & Conwy Licensing Service – Commended for Sub Regional Collaboration** – accepted by Gary Sumner

OTHER AWARDS:

- 1 Investors in People** - Kathy Methven
- 2 DCC Website Transactional Status** - Catherine Williams and James Gillet

Councillors P A Dobb, E C Edwards, G M Kensler, P J Marfleet and J A Smith praised the officers and their departments on the excellent achievements and for their hard work on behalf of the Authority.

863 URGENT MATTERS

There were no Urgent Items.

864 MINUTES

The Minutes of the Cabinet meeting held on 19 February 2008 were submitted.

11 Budget Setting 2008-2009 – Use of One Off Additional LABGI Grant – Councillor G M Kensler asked for clarification on Library Services and the proposals for cuts. Both Councillor J Thompson Hill and the Chief Executive confirmed that the information on Library Services as minuted was correct and should be

read in conjunction with the subsequent information. Councillor Kensler asked Members to note that discussions were on going regarding proposals for cuts in Library Services.

RESOLVED that, subject to the above, the minutes of the meeting held on 18 February 2008 be approved as a correct record and signed by the Deputy Leader.

865 MODERNISING EDUCATION ACTION PLAN MONITORING

Councillor H H Evans presented the report seeking Members' consideration of the work undertaken to monitor the progress of the Modernising Education Agenda.

Councillor Evans referred to the incomplete actions and said the timescales for some actions had been unrealistic and these would need to be adjusted. Regarding Youth Support Services, he said the meeting due to have been held on 13.03.2008 had been cancelled but it would form part of the Agenda for the Modernising Education Board to be held on 19.03.2008. A response was still awaited following the recent Estyn visit but the general feeling had been that Denbighshire had laid the foundations for improvement and were making progress. The Recovery Board had also met twice and the Authority was focussing on the issues at hand and were progressing comfortably well.

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.

866 MODERNISING EDUCATION: RESPONSE TO CAMBRIDGE EDUCATION REPORT

Councillor H H Evans presented the report seeking Members' consideration of the Cambridge Modernising Education report (attached at appendix 1 to the report). Members were asked to receive the report setting out the process for developing and implementing an action plan, in consultation with stakeholders, for the remaining recommendations contained in the Cambridge Modernising Education report, at Appendix 4. Cabinet were also asked to nominate an Elected Member or Members to join the Modernising Education working group.

Councillor Evans said education in Denbighshire was moving forward and had been strengthened over the past 6 months. An effective partnership with schools; a robust performance management framework, improved funding for education, building capacity in key support services and reviewing the structure of the Lifelong Learning Directorate were key issues. Denbighshire had established the necessary foundations to improve the education service but issues of staff resources, for example, would need to be addressed. The main objective was to raise standards for young people in Denbighshire. The Working Group had commenced collating the information and would be looking at the Authority in say 10 years' time. All consultation and planning should be completed by October 2008.

Councillor E C Edwards proposed, and was seconded by Councillor G O Rowlands, that the Lead Member for Education be the representative on the Modernising Education Working Group. Councillor P J Marfleet suggested, and was supported by Councillor H H Evans, the Lead Member for Finance should also be part of the group. The Chief Executive reminded Members that the Working Group would be producing reports for the Modernising Education Board and Cabinet was represented on the Board.

At the start of the process there had been under and over capacity in various areas and in the long term there would be more efficient delivery. However, Councillor P J Marfleet said that there could be funding problems in the short term which would need to be addressed. The Chief Executive agreed and said the School Building Improvement Grant from WAG was dependent upon clear rational plans for asset management, with the priorities for management of school places being monitored by the Recovery Board.

Councillor P A Dobb asked that "clusters" be used to replace "federate". She referred to the Corporate Health Improvement Group, which encouraged schools to make pupils healthier. Councillor Dobb urged

colleagues to seriously take on board recommendation 9 - empower schools and their communities to assist in thinking of areas and clusters, multi-agency working, early years' provision and inclusion.

Councillor G M Kensler supported the Lead Member for Education as the representative on the Modernising Education Working Group. She referred to paragraphs 3.12 and 5 and asked whether there would be any new funding available. Councillor J Thompson Hill informed the meeting that the only other funding potentially unallocated was the educational feasibility budget for the forthcoming financial year. Councillor Marfleet said that as long as Members could be assured that finance would continue to be under consideration, he would support the Lead Member for Education as the Working Group representative, along with a Finance Officer.

Councillor G O Rowlands reminded colleagues that other services would also need funding in order to ensure delivery.

Councillor E C Edwards withdrew his proposal and suggested that decisions should be left until after the Council elections.

Councillor H H Evans said this biggest issue was the availability of capital funding to progress the plan. It was important for both parents and pupils to understand that the Authority was making every effort to improve standards. He agreed with some of Councillor Edwards' comments and referred to the situation in Gwynedd. It was essential that proper communication and all available information be made available. The process must be put in place.

Following further discussion it was agreed the Lead Member for Education be nominated to join the Modernising Education Working Group.

RESOLVED that Cabinet receive the Cambridge Modernising Education Report contained in Appendix 1 and receive the report setting out the process for developing and implementing an action plan, in consultation with stakeholders, for the remaining recommendations contained in the Cambridge Modernising Education report, at Appendix 4. Cabinet nominate the Lead Member for Education to join the Modernising Education Working Group.

867 REVIEW OF 16-19 EDUCATION PROVISION IN RHYL

Councillor H H Evans presented the report seeking Members' agreement to formal consultation on changes to 16-19 education in Rhyl. This would involve bringing to an end the current sixth form provision at Rhyl High School and at Blessed Edward Jones Roman Catholic High School and replace it with the agreed 'Rhyl Sixth' partnership arrangement (Appendices 1 and 2). The partnership agreement would be between both high schools, their governing bodies, Wrexham Diocese and Coleg Llandrillo. It would give all parties a say in the curriculum for post 16 learners in Rhyl. The agreement superseded the options put to the Council on 20.11.2007 and on which it had agreed to consult.

The main objective was to improve educational facilities in Rhyl. Meetings had been held with the Governors of Blessed Edward Jones High School and Rhyl High School, Headteachers of both schools, the Principal of Rhyl / Llandrillo College and the Senior Secondary School Improvement Officer. If agreed, an expanded curriculum and key basic skills would be provided for students which would also help with the regeneration of Rhyl.

Councillor H H Evans thanked S Halewood, Senior Management Accountant for all her hard work on the financial implications of the proposed provision and submission to the Assembly. The information in paragraph 5.4 would help reduce the financial implications for the Authority. He referred to a letter received from Dennis Gunning, Director of Lifelong Learning and Skills Group, Welsh Assembly Government (WAG) regarding the provision of a sixth form centre at Coleg Llandrillo, Rhyl. It confirmed that WAG was willing, in principle, to fund the development of a sixth form centre providing the relevant statutory process had been followed and that WAG receive confirmation in due course that the Authority was implementing closure of the sixth forms and transfer of pupils from the schools to the college. Once

WAG were satisfied the conditions had been met, a final business case submission would be required. The "in principle" commitment to fund the development of the centre is based upon the spend profile provided in paragraph 9 of Section B of the draft Business Case submitted, and a WAG capital grant of 87.3% towards actual costs incurred, to a maximum cost of £3,445,524.

Councillor E C Edwards proposed the report be supported and congratulated staff on all their hard work. He felt the team had produced an excellent report on what could be seen as a difficult situation.

Councillor P J Marfleet supported the mix of educational and vocational provision. He queried the redeployment of teaching staff and asked whether this would be cost neutral, have an adverse impact or could be an opportunity for efficiencies. The Interim Corporate Director: Lifelong Learning said whilst all 3 scenarios were a possibility, there were a small number of staff who spent their time teaching 6th form pupils and could now be available for curriculum development and would be a fantastic resource for the school.

Councillor G O Rowlands said as the over 16s were not the Authority's responsibility funding could be lost and asked whether the school would remain viable without this funding. The Deputy Chief Executive / Corporate Director: Resources confirmed that based on current financial figures, the 11-16 funding was effectively funding the 16+ provision. With the exception of one-off restructuring costs, the school's financial position remained broadly unchanged. The Chief Executive reminded Members that it was the number of pupils in schools which could be a cause for concern.

RESOLVED that Cabinet supports formal consultation on changes to 16-19 education in Rhyl that would take effect from September 2009. This would involve bringing to an end sixth form provision at Rhyl High School and at Blessed Edward Jones Catholic High School in its current guise. It is anticipated that a new building on the Rhyl College site will be in operation. Cabinet notes the financial and other implications of the Rhyl Sixth agreement and the closure of the sixth forms at both Rhyl high schools. Cabinet further notes that the Schools and College be requested to review the prospects for current Year 11 students in September 2008, including the transitional arrangements that might be necessary between 2008 and 2010.

868 PARTNERSHIP AND COLLABORATION PROCEDURE RULES

Councillor H H Evans presented the report seeking Members' views as to the robustness of the Council's approach to risk assessment and management in relation to collaboration and partnership working and recommend to County Council that the Partnership and Collaboration Procedure Rules be adopted. Collaboration and partnership working was being progressed at two levels in Denbighshire, through the North Wales Regional Partnership Board and the Denbighshire Local Service Board. Such working could be high risk and further detailed work would be undertaken following adoption of the Rules.

11.05 a.m. Councillor G O Rowlands left the meeting at this juncture.

Councillor P J Marfleet stressed that whilst collaboration was the way forward, it was important to ensure that any financial risks were identified and addressed.

11.07 a.m. Councillor G O Rowlands joined the meeting at this juncture.

Councillor E C Edwards agreed with Councillor Marfleet and said collaborative work should be cost effective as this was very important for the Authority.

RESOLVED that Cabinet agree the Authority's arrangements in relation to risk assessment and risk management in collaboration and partnership working projects and recommend County Council adopt the Partnership and Collaboration Procedure Rules.

869 PROGRESS AGAINST ACTIONS FROM DENBIGHSHIRE COUNTY COUNCIL'S IMPROVEMENT PLAN

Councillor P J Marfleet presented the report for Members to consider the progress made against actions from the Improvement Plan 2007-2010 and consider any issue arising from the report in greater depth, as deemed necessary and agree where actions which have not, or are not likely to be completed need to be followed up, or rolled forward to the 2008-2011 Improvement Plan. He said it was possible the newly elected Council would need to revisit the Priorities. The Plan had a formal publication deadline of end October 2008.

Much had been achieved in the Authority and he urged Members not to consider the Improvement Plan in isolation. He suggested specific measures for budgetary control could be considered.

Excellent progress had been made against actions in many cases and Councillor J A Smith thanked both Cabinet Members and officers for their hard work.

Councillor E C Edwards said the Head of Customer Care had been appointed in August 2007. He said the Customer Care Strategy was out for consultation and asked Members to send in any comments. Referring to the expansion of the range of queries dealt with by the Customer Care Centre (page 38), he said the list covered practically every delivery service in the County, and pest and dog control were soon to be added. He said that whilst the One Stop Shops at Ruthin, Prestatyn and Rhyl were part of the Customer Care Centre, he wished to discuss the One Stop Shops based in Libraries with Councillor Kensler. He said all the One Stop Shops were well run but it was important to ensure they all worked corporately.

Councillor G M Kensler referred to various issues and in particular to page 17 the funding bid to improve watersports facilities in the Marine Lake, Rhyl, to which it was hoped to attract funding. Councillor Kensler said she was the Lead Member for the Playground Improvement Programme on page 33, and not Councillor M A German.

Councillor P A Dobb said most of the work was on track and some wonderful work had been achieved. Referring to page 33, she said the strategy to meet the emotional and mental health needs of children and young people had not been produced as there was no funding from the Local Health Board but it was hoped to be on track in the new year.

11.15 a.m. Councillor N Hugh Jones left the meeting at this juncture.

Councillor Marfleet asked Members to give consideration to the Improvement Plan when the new Priorities had been agreed following the Council elections.

***RESOLVED** that Members identify any actions which they wish to be rolled forward to the 2008-2011 Improvement Plan and consider any actions where progress has not been made and whether they wish them to be followed up.*

At this juncture (11.25 a.m.) the meeting adjourned for 10 minutes to allow Members to participate in refreshments.

11.25 a.m. Councillor K N Hawkins joined the meeting at this juncture.

870 DENBIGHSHIRE RURAL STRATEGIC PLAN

Councillor G O Rowlands presented the report seeking approval of the Rural Strategic Plan for Denbighshire. Detailed consultation with stakeholders had taken place. Affordable housing concerns had been addressed, whilst the encouragement of economic activity had been added.

Councillor H H Evans said it was important to raise the profile of rural areas and Denbighshire was one of the first Authorities to deliver a strategic plan for the rural areas.

Councillor E C Edwards queried whether the 'gaps' around some villages could be closed. In response, the Principal Regeneration Manager said the Plan could not be too prescriptive and such matters should be addressed by the Local Development Plan.

Councillor P J Marfleet suggested that the Modernising Education Board should use the Plan to inform their policies. The protection of the rural culture and identity was important as was the need to identify deprivation which existed unmeasured in some rural areas. He informed colleagues that the Gwynedd Rural Housing Enabler was convening a meeting to discuss affordable housing and both Denbighshire and Conwy Councils had been invited to participate.

11.45 a.m. Councillor R E Barton joined the meeting at this juncture.

Members discussed the importance of ensuring Denbighshire was a healthy place to live and the need to address the health needs of those living in rural areas by raising awareness of the benefits of eating well and taking more exercise.

The Principal Regeneration Manager informed Members that deprivation was measured by the Welsh Index of Deprivation which was now using a new way of providing information on areas not previously defined. The Welsh Assembly Government used the distance from public services as a measure of deprivation. He also informed Members that some joint applications with the Denbighshire Enterprise Agency had been submitted but the outcome would not be available until the summer. Sustainable development in Conservation Areas and Areas of Outstanding Natural Beauty were being progressed.

RESOLVED that Cabinet approve the Rural Strategic Plan for Denbighshire.

871 HOUSING REVENUE ACCOUNT BUDGET & CAPITAL PLAN REPORT 2007-2008

(Councillor G O Rowlands declared an interest in the item.)

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. Members were also asked to approve a variation to a contract to complete improvements to the Council's stock of Airey houses.

Planning issues had not all been resolved and it was hoped the necessary permissions would be gained on 19.03.2008, which would allow extension of the contract from 9 to 16 houses. The Head of Housing Services said that whilst the houses were expensive to repair and refurbish, it was worth doing for the size and location of properties concerned. He confirmed that under the right to buy scheme the refurbishing costs would be protected and included in the sale price.

RESOLVED that Members note the latest financial forecast position of the Housing Revenue Account (HRA) for the current financial year. Members also approve the variation to the contract with the supplier named in the report for works on an additional 9 properties to complete the improvements to the Council's 16 Airey houses by the end of 2008-2009.

872 REVENUE BUDGET PROJECTED OUTTURN 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. Members were also asked to note the current position on the vacancy control procedure recently introduced. He went on to detail the forecast overall overspend in Lifelong Learning, the projected underspends in Social Services and Housing and the Environment Directorates.

In response to a query from Councillor P A Dobb, the County Clerk said the Bilingual Forum were considering translation service costs and how best to provide the high quality service required. He said some budget bids had been supported for legal work although some outsourcing of legal work would still take place.

Backdated electricity costs for the Events Arena had contributed in part to the Countryside and Leisure Services overspend and Councillor G M Kensler said this had arisen as the supplier had not been using the correct readings. She urged other services to check that correct readings were used.

With regard to the vacancy control appendix information any impact on services would be provided for future reports.

The County Clerk confirmed that the client department usually paid for the legal work on asset sales, however, wherever possible legal work on sales were paid for by the buyer.

***RESOLVED** that Members note the budget performance figures for 2007/2008 as detailed in Appendix 1 to the report and note the summary capital plan performance figures for the 2007-2008 financial year as detailed in Appendices 2 and 3 to the report. Members also note the progress to date in connection with the vacancy control procedure.*

873 ROUTINE REPORTING ON PERSONNEL

Councillor J A Smith presented the report for Members to note the information on the staff headcount. There had been a downward turn in sickness levels for the month, however, Social Services and Housing were recording high levels of long term sickness absence.

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

874 CABINET FORWARD WORK PROGRAMME

Councillor J A Smith presented the Cabinet Forward Work Programme.

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

875 URGENT ITEMS

There were no Urgent Items.

PART II

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 14 of Part 4 of Schedule 12A of the Local Government Act 1972.*

876 TENDER AWARD FOR TEMPORARY AGENCY STAFF CONTRACT

Councillor J Thompson Hill presented the report seeking Cabinet approval to appoint a single vendor neutral provider to fulfil a joint contract for the provision of temporary agency staff services to Denbighshire County Council, in conjunction with Flintshire County Council and Wrexham County Borough Council. He withdrew recommendation 11.3.

11.25 a.m. Councillor K N Hawkins left the meeting at this juncture.

Members discussed with the Strategic Procurement Manager the procurement of agency staff in detail. The service would be vendor neutral provider as a single point of contact for all agency staff procurement.

11.28 a.m. Councillor C L Hughes joined the meeting at this juncture.

All current suppliers will be approached by the provider in order to negotiate reduced profit margins. Once the rates have been established, a balanced score-card approach will be used in order to tier the suppliers based on quality and performance criteria. In regard to the service charge element, it was recommended that this be revisited in the future. The Working Group had recognised the gainshare option as the best option for the County and the option would be further evaluated.

The choice of commercial model will not result in a change of the provider but gainshare will offer greater flexibility and control to the Authority.

RESOLVED that Cabinet

- 1 approve the tender award to the single agency supplier named in the report to fulfill the contract for the provision of temporary agency staff services to Denbighshire County Council, with the final decision being delegated to the Lead Member for Finance & Procurement and the Corporate Director: Resources to the final negotiated financial terms.
- 2 agree the phased implementation schedule be approved. This will be facilitated by fortnightly meetings an Implementation Working Group which will be drawn together with approval from the relevant Directors and Senior Managers, comprising representatives from each Directorate, HR, Procurement, Finance, ICT, Legal, Audit.

877 AWARD CONTRACT FOR THE RUNNING OF DENBIGHSHIRE'S TOURISM INFORMATION CENTRES

Councillor G M Kensler presented the report seeking Cabinet approval to award the contract for the running of Denbighshire's Tourism Information Centres/Supplementary Information Centres at Rhyl, Llangollen and Prestatyn from April 2008 to March 2012 to the supplier named in the report, subject to annual reviews.

RESOLVED that Cabinet authorise the Head of Tourism, Heritage and Culture to award the contract for the day to day management of Denbighshire's Tourism Information Centres as identified by the procurement process and in accordance with OJEU requirements to the supplier named in the report, subject to annual reviews.

878 UPDATE FROM CLWYD LEISURE TASK AND FINISH GROUP

Councillor J Thompson Hill presented the report for Cabinet to note the progress to date. Councillor Thompson Hill confirmed that the Task and Finish Group had been established and had met twice to review the Council's options achievement. A detailed action plan from the Task and Finish Group would be brought to Cabinet in the summer.

RESOLVED that Cabinet note the progress to date.

879 CAPITAL PLAN 2007-2008 TO 2010-2011

Councillor J Thompson Hill presented the report for Members to note the latest position on the 2007/08 element of the Capital Plan.

12.45 p.m. Councillor S Frobisher left the room at this juncture.

Further information regarding the Ruthin Craft Centre had been included in the report and it was noted that costs would be contained within existing agreed budgets. Councillor Thompson Hill agreed to discuss a number of issues raised by Members with the Principal Management Accountant, who was part of the Ruthin Craft Centre Board.

The major projects additional revenue costs were detailed at Appendix 1a and the capital receipts schedule was at Appendix 3.

The Community Learning Centre at Ysgol Brynhyfryd, Ruthin was due to be handed over before the end of March, whilst those at Prestatyn and Llangollen were due to be completed by June 2008. Councillor E C Edwards congratulated staff on the wonderful facility at Ysgol Brynhyfryd and said it would be an excellent community facility.

The Chief Executive confirmed that the capital receipts for 2008-2009 were currently unallocated and allocation would be by the capital prioritisation process.

RESOLVED that Cabinet note the latest position on the 2007/08 element of the Capital Plan.

The meeting concluded at 1.00 p.m.
