

## CABINET

Minutes of the Cabinet meeting held at 10.00 a.m. on Tuesday 14 July 2009 in Conference Room 1, County Hall, Ruthin.

## PRESENT

Councillors P A Dobb, Lead Member for Health, Social Care and Wellbeing; H H Evans, Leader and Lead Member for Education; S Frobisher, Lead Member for Communities; R W Hughes, Lead Member for Personnel and Business Management; P J Marfleet, Lead Member for Modernisation and Improvement; J Thompson Hill, Lead Member for Finance; D A J Thomas, Lead Member for Environment: Regeneration and E W Williams, Lead Member for Environment: Sustainable Development.

Observers: Councillor W L Cowie, M LI Davies, G C Evans, R L Feeley and D I Smith.

## ALSO PRESENT

Chief Executive; Corporate Director: Environment; Corporate Director: Lifelong Learning, County Clerk and the Principal Management Accountant.

## APOLOGIES

Councillor M M Jones, Lead Member for Children's Services; Deputy Chief Executive / Corporate Director: Resources; Corporate Director: Social Services and Housing and the Financial Controller.

Councillor H H Evans Chaired the meeting. He welcomed Councillor W L Cowie to Cabinet and said he was pleased to see him at the meeting, following a bout of ill health. He also welcomed Ceri Evans, Customer Service Officer to the meeting. Ceri was shadowing the Leader as part of a prize won for the competition run celebrating National Customer Service Week for demonstrating the best 'customer focus' skills within a selection of calls.

## 172 URGENT MATTERS

There were no urgent items.

## 173 MINUTES OF THE CABINET MEETING 23.06.2009

The Minutes of the Cabinet meeting held on 23 June 2009 were submitted.

Item 8 Criteria for Supporting Community Capital Projects In 2009-2010: Councillor P A Dobb said "quality" should be replaced by "qualify" in the first sentence of the second paragraph.

Item 12 Value Added Tax Refund – Councillor P A Dobb asked the fourth paragraph be amended to say she had queried the need for additional administrative support.

**RESOLVED** that, subject to the above, the Minutes of the meeting held on 23 June 2009 be approved as a correct record and signed by the Leader.

## 174 A HIGH PERFORMING COUNCIL CLOSE TO ITS COMMUNITY

The Chief Executive presented the report for Members to agree his vision and priorities for the next few years, including proposals for change and improvement and a new senior management structure. The Statement of Intent had been developed to articulate an ambitious vision for the Council, its priorities for the next few years and the way forward. By 2012 he wanted Denbighshire to be an excellent authority, providing high quality and efficient services to all its citizens and effective leadership to the Local Service Board and the wider community. Denbighshire should be one of the top performing authorities in Wales. Bilingualism was to become a reality.

The Improvement Themes – community and people focused; high performance; outward looking, and strong governance and leadership – will put the community and people first and before the provider. The Chief Executive expected the Authority to be high performing and he would celebrate its achievements but at the same time, understand that the Authority could not do everything. Strong governance and leadership was vital, particularly as the Authority would be operating in a tough financial environment and would have to do better with fewer resources. The expectation was to do well rather than do more – variable service provision had to be improved and raised on a level with the best.

Engaging with the residents and communities was important and clarifying the corporate priorities to them would help in them gaining understanding of what we are trying to achieve in the way of service delivery improvement and customer care. There were 3 key strands: driving for excellence, improving across the board; responding to criticism; ensuring effective corporate governance. It was important to build on internal capacity, starting with a strong senior leadership team and reducing reliance on using external capacity at a high level.

The first of the key themes was to focus on challenges and priorities for the Authority. To achieve this, it was important to have clarity of purposes of posts and it was recommended that the senior management team would be leaner and smaller and those in post would be more accountable.

Referring to the new posts, the Chief Executive said the new Head of Business Planning and Performance would address issues raised by the Wales Audit Office and others and plan and manage strategically. This post would be part of the Corporate Executive Team and report directly to the Chief Executive. There would be a move away from corporate project management in departments.

The new role of Corporate Director: Governance and Efficiency would manage resources, property, assets, human and finance. The new Head of Customer Services role would be responsible for customer focus, ICT, information management, ensuring a coherent approach to ICT, communications and care for our customers. The new Head of Regeneration and Tourism role was vital and would create opportunities to focus on the correct issues. There were 2 Lifelong Learning roles, Head of Modernising Education and Head of School Improvement and Inclusion – the first would incorporate modernising and reorganising of schools and mergers or new schools and the second would have one post dealing with improvement and inclusion.

There were posts being deleted from the structure and the Chief Executive stressed that it was the posts which were redundant and that redundancy did not imply criticism of the work of the post holders. He valued the work of current postholders and he hoped that some of those postholders would apply for posts in the new structure.

The expected outcomes were an effective support service model based on the new Senior Leadership Team structure, with an effective corporate system for planning and performance management across all services. There would be increased collaboration, which over a 3 year period would deliver further restructuring of appropriate services across local authority / public / private sector boundaries. An improved workforce would be appropriately deployed to deliver key priorities and support the Council's aspirations for bringing the Council closer to the community.

Councillor H H Evans said it was an important decision for Cabinet to make and said the new structure would be fit for purpose and change the way the Authority worked for the better. There was an aspiration for the Authority to provide excellent services and he was pleased to see the area profiles included and these would be a measure on how services were delivered.

Councillor P A Dobb said the report was refreshing to read. She asked for more information regarding the new Head of Business Planning and Performance post and support teams. The Chief Executive said job descriptions were in the process of being written and the Head of Business Planning and Performance post would be responsible for business planning, the corporate plan / medium term financial plan and ensure that the Authority was prepared for any inspections and new regulations; partnership

working and how we manage and improve performance. The postholder would manage performance management for the Council and partnerships and also manage projects e.g. the Rhyl 6<sup>th</sup>, as many of the large projects involved more than one department. Another part of the role was to ensure the Corporate Executive Team and Heads of Services conformed. A smaller business support team would be in place in each Directorate but the framework and guidance would come from the Head of Business Planning and Performance.

The proposals were welcomed by Councillor P J Marfleet and said the consultation to date was excellent. He supported the merging of Asset Management to Finance, at the same level as Human Resources. He asked how the new posts would be monitored and at what frequency and regarding the timescale for implementation, what arrangements would be put in place to cover any shortfall should existing staff leave and there was a gap before the new officers were in post. The Chief Executive said he would be involved in every appointment and would use his previous experience as a technical assessor. He said the right appointments were important. He said consideration would be given to performance related pay if it was possible to have a transparent and fair scheme. Staff would be monitored by performance appraisals, 'one to one' sessions with the line manager and they would have robust expectations. Regarding timescales, the Chief Executive said draft job descriptions would be ready by the end of the week and this should inform whether any internal candidates were suitable. If not, all posts would be advertised at the same time, to attract a wider field of candidates. The Corporate Director: Governance and Efficiency and Head of Business Planning and Performance would be recruited first with new posts in place by the New Year. Notices would be served for redundant posts in September and these should end when the new posts start which should mean a minimised gap. He confirmed that if there was a suitable internal candidate, the appointment would be made without external advertising.

Councillor E W Williams suggested that the new Corporate Director: Governance and Efficiency could be part of the Chief Executive role as the Head of Business Planning and Performance was corporate. Was there scope for joint posts with other Authorities? The Chief Executive felt there was a need for 4 Corporate Directors at this time but depending on the environment in a few years, this could change. It was important to focus on significant and continual improvement and the new Corporate Director post would focus on those areas which had been found to be wanting. Councillor Williams suggested the Chief Executive should be looked at for guidance and he felt it was important for the Chief Executive to play an important part.

The report was welcomed by Councillor R W Hughes and said the roles of both Leader and Chief Executive had grown over the years. She did not want a Chief Executive who spent most of his time at meetings. She said the 13 senior staff whose roles were affected should be treated with particular consideration at this time. She discussed the perception of both staff and residents. She felt that the culture of the organisation needed to change and that Central Personnel, for example, should not have to go to Directorates on non-compliance and that these were line management issues. She said changes were required and the Chief Executive needed Cabinet support over the next weeks and months in particular.

Councillor E W Williams said rationalisation of posts would happen throughout Wales and there was no new money for posts. It was important to keep frontline services and joint working and outsourcing would be considered when cost effective.

The Chief Executive, responding to a query from Councillor R W Hughes, regarding Members and the media said he understood their frustration on occasions when they felt a service was not responding appropriately to requests by the public. The feedback from staff on the proposals for change were positive and in meetings with staff across the Authority he said many had good ideas on improving efficiency.

The Audit Regeneration Report was referred to by Councillor D A J Thomas who said that the Authority was well placed to deliver regeneration. He discussed the £41m Convergence funding coming to the Authority and said the Strategic Regeneration funding would soon be launched which would mean a further £2.5m for the Authority. He said the posts in that department were critical both to seek new

funding and deliver projects and he said it was critical that no gaps in services arose with the changes proposed. The Chief Executive said he was delighted at the amount of funding attracted into the Authority and on the regeneration work being carried out. The new role would enhance the Authority's capacity on regeneration and tourism. If an internal candidate was selected there would be no gap but if it was an external appointment the notice period should coincide with the redundancy period. If there was a gap, this would be managed internally.

Councillor R L Feeley agreed it was a good time to make changes. She suggested more mention should be made of the environment as a whole, expressed disappointment regarding the possible use of consultants, agreed with the need to sensitively deal with staff who may be made redundant, agreed the need for community involvement, particularly through plain speaking. She was not supportive of performance related pay and wanted the Authority to tackle the big issues e.g. Royal International Pavilion, Llangollen and Hyfrydle. Councillor E W Williams agreed it was important to safeguard the planet and Denbighshire would have a part to play in this. He reminded Councillor Feeley that Denbighshire already sent less to landfill than many Authorities. The Chief Executive said he would give consideration to including the environment in his vision for the Authority. Regarding the use of consultants, he said they would only be used when particular knowledge or expertise was not available in the Authority and in this instance the Welsh Local Government Association would be paying for consultants. The Chief Executive said the new structure was better and would deliver what the Authority needed. The structure was part of the journey. He also agreed with the need for Plain English whenever possible.

Councillor D I Smith welcomed the new structure and said the Authority was facing challenging times. Referring to the new structure, he said much expertise would be lost and he wanted confidence that this would not be detrimental to the Authority. The Chief Executive reminded colleagues that it was posts being deleted and that current postholders could consider opportunities in the new structure.

Councillor W L Cowie said the report and its vision for Denbighshire's future was interesting. Turning to Public Realm, he said he was receiving complaints about weeds and overgrown grass and hedges and asked whether these issues would be addressed. The Chief Executive said these issues had formed part of the budget setting and he urged a better understanding of budget setting in future, which should be cross department and more strategic. There should be a collective responsibility for what was agreed.

Councillor C Hughes, referring to the new Regeneration and Tourism post, said Upper Denbigh for example was unlikely to benefit from tourism but would benefit from regeneration. He asked whether the new officer would be a regeneration or tourism specialist. The Chief Executive said the new post was for Head of Regeneration and Tourism and both were equally important. He also said the Head of Customer Services would have a very important role, dealing both with internal and external customers along with information management systems for both. Responding to Councillor Hughes' query on Youth Services, the Corporate Director: Lifelong Learning said Roger Rowett and Associates had carried out a review of Youth Services and their report was due in September 2009. He agreed the Service had been working somewhat in isolation and the service would become part of Leisure Services.

Councillor H H Evans thanked the Chief Executive for an excellent report and for a thorough debate by Members.

***RESOLVED*** that Cabinet approves the Chief Executive's proposals for establishing a new Senior Leadership Team and notes the reviews of the Council's corporate and support services and planning and performance functions.

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

**175 DENBIGHSHIRE COUNTY COUNCIL'S CORPORATE PLAN AND SUPPORTING MEDIUM TERM FINANCIAL PLAN**

Councillor H H Evans presented the report for Members recommendation of Denbighshire County Council's draft Corporate Plan 2009 – 2012 for adoption by full Council on the 28 July 2009, subject to any amendments agreed by Cabinet (Annex I refers) and to note the likely financial position of the Council as detailed in the draft Medium Term Financial Plan 2009-2012 and comment as appropriate to full Council on the 28 July 2009. The report sets out the strategic direction of the Council for the coming 12 months, sets out its priorities and the Authority's improvement journey. The focus would be on communities and getting closer to them and understanding their needs. More focus would be put on frontline services and the finances to provide those services. Outcomes must provide improvements and with well thought out medium term financial planning it should be possible not to cut services.

Councillor J Thompson Hill said national and local issues affected the budget and with priorities being set by the Authority this should help the budget. Current projections up to 2012/13 from the Welsh Local Government Association showed that Authorities would be looking at zero growth in the revenue support grant for each of the 3 years. The position on Capital was worse, with a 10% reduction in funding year on year, and it was expected that the Welsh Assembly Government would only receive funding of perhaps £280m instead of £650m by 2012/13. There was a need for the restructure within the Council and for joined up thinking by all. No additional funding had been allocated into the Priorities to date and £1m a year revenue could be put into the 4 Corporate Priority Areas. Was that level enough to deliver the change of pace currently being sought. Members would need to decide whether £250k would be allocated to each of the 4 Priorities or whether more should be allocated to a particular Priority.

Voluntary redundancies, procurement improvements, debt rescheduling and staff reorganization would help with the budget process. The Authority was at the 5% recommended level for Reserves. Approximately £2.5m of savings could be delivered from the areas detailed in the report, which would produce a Council Tax increase of 2.5% for 2010/11. The settlement figures would not be available until November.

Councillor P J Marfleet said the report was good in general terms and it encapsulated the improvement plan but the improvement agreement was still in place and that discussion on allocation to the Priorities would be required. Councillor J Thompson Hill said £250k for example would fund additional prudential borrowing say for flooding. He said budget setting was difficult when the amount of funding would not be known until November.

Councillor P A Dobb supported collaboration and partnership working and asked who would analyse costs along the way to ensure that partnership working was cost effective. She urged caution with partnership working and cited the Wirral Purchasing Consortium as an example.

The Head of Strategic Policy agreed there was a need to develop partnership governance frameworks and this was one of the recommendations from the Corporate Governance report. Conwy CBC had a Partnership Scrutiny Committee and although this was unlikely to be formed in Denbighshire, she said she would discuss with the County Clerk a way of monitoring collaboration. Some collaborative projects would be monitored using project management methodology. She agreed to include a paragraph on collaborative monitoring in the report. The Chief Executive said there was no need for an extra scrutiny committee and that the required monitoring would be built into the existing Cabinet and Scrutiny function. He supported collaboration not only with other Local Authorities but also with the Police and Health Services and the private sector. Councillor Dobb said she had seen varied collaborative working at first hand through the Local Service Board. Councillor R W Hughes agreed with Councillor Dobb's words of caution and said awareness of such problems was low in the Authority.

Having met with other Leaders in North Wales, Councillor H H Evans said it was difficult to gauge the level of commitment to collaboration and he felt that it had taken some time for the Local Service Board to get the local delivery agreements right. He felt Denbighshire was aspirational.

Councillor E W Williams agreed with Councillor Hughes in that discussions with external partners on a wide range of issues affecting Denbighshire was required. It was important for residents to know what was advocated by which of the services.

Members were asked by the Chief Executive to agree the Corporate plan before the end of July, although he said there was further work required on the Plan. Any further comments to be passed to the Head of Strategic Policy as soon as possible. The Plan would be reviewed annually. He thanked the Strategic Policy Unit for their hard work in producing the Plan. In regard to the allocation of resources to Priorities, the Chief Executive said this did not have to be an equal amount of £250k to each of the 4 Priorities – some could have no allocation whilst another could have more than £250k. He wanted Members to engage with the allocation to Priorities.

The Head of Strategic Policy agreed to amend the narrative regarding the inclusion of vocational qualifications and agreed that sustainability impacts would be assessed.

**RESOLVED** that Cabinet recommend Denbighshire County Council's draft Corporate Plan 2009 – 2012 for adoption by full Council on the 28 July 2009, subject to the above amendments and that Members note the likely financial position of the Council as detailed in the draft Medium Term Financial Plan 2009-2012 and comment as appropriate to full Council on the 28 July 2009.

#### **176 MODERNISING EDUCATION: DEE VALLEY EAST REVIEW**

Councillor H H Evans presented the report seeking Cabinet approval to the commencement of formal consultation regarding the potential closure of Ysgol Llantysilio for September 2010. Although it was sad that this or any school could potentially close, he drew Members' attention to the fall in pupil numbers over the past 3 years and the projections for the next 5 years and that 4 pupils were projected to attend the school in 2010/11. The Headteacher had held open days to try and attract new pupils to the school but there are none in the area to attend.

Discussions between the Headteacher, school governors, teachers, local Councillors and other Headteachers in the Dee Valley East area had been held and all were willing to cooperate regarding the potential closure of the school. Councillor Evans thanked the staff at the school for their support.

Consultation would take place between 7 September and 7 October 2009 with feedback to Cabinet on 20 October. Objections, if received, would be sent to the Welsh Assembly Government who would have 3 months to make a decision. If no pupils register at the school at the start of the September term, the statutory process still has to be followed.

The Head of Policy & Performance Lifelong Learning said the Local Development Plan had been considered as part of the process.

**RESOLVED** that Cabinet approves the commencement of formal consultation regarding the potential closure of Ysgol Llantysilio for September 2010 from the 7<sup>th</sup> September to the 7<sup>th</sup> October 2009.

#### **177 APPROVAL OF OUTLINE BUSINESS CASE FOR THE NORTH EAST WALES FOOD TREATMENT PROJECT**

Councillor E W Williams presented the report seeking Cabinet approval of the Outline Business Case (Executive Summary) for the procurement of Food Waste treatment capacity in North East Wales, and to authorise moving into the next stage of the procurement process. He thanked the Head of Environmental Services for all his hard work on the project and said the Welsh Assembly Government was pleased with the work done by the Authority to date.

Responding to Councillor P A Dobb's queries, Councillor Williams said the issue had been considered by Scrutiny Committee. The site was effectively owned by the Welsh Assembly Government as Denbighshire had purchased it with Assembly Grant on the understanding it may not be used and the

tenderer / operator could either rent the site or bring another proposal for consideration. If the site was not developed the Assembly could agree to sell it for commercial use.

The Head of Environmental Services said a contract could not be entered into unless a site was available and that any contract would have a profit sharing clause built in. Denbighshire, Conwy and Flintshire Councils have entered into a preliminary partnership and they accept there is one gate fee and there would be no sharing of transport costs to get the waste to the site.

Councillor G C Evans asked for assurances regarding the project not committing to levels it could not deliver. The Head of Environmental Services said a high target of 12% of waste to be recycled via this project had been set by the Assembly but that the Council had not agreed to commit to this level of recovery as it did not believe there was that level of food waste available. It had committed to 8.4% to ensure that any facility was appropriate.

**RESOLVED** that Cabinet approves the Outline Business Case for the procurement of food waste treatment capacity in North East Wales and authorises the Corporate Director: Environment to continue with the procurement process, through to the Final Business Case. In accordance with Section 25 of the Council's Contract Procedure Rules; a further report will be presented to Cabinet prior to the final contract award.

**178 DENBIGHSHIRE COUNTY COUNCIL AND CONWY COUNTY BOROUGH COUNCIL PLANNING AND PUBLIC PROTECTION COLLABORATION (DETAILED AGREEMENT)**

Councillor S Frobisher presented the report and reminded Members that approval by Cabinet of both Conwy (15 January 2009) and Denbighshire (16 December 2008) in consideration of a report to them on collaborative working gave authority to the Head of Regulatory Services, CCBC and the Head of Planning and Public Protection Services, DCC to commence a project on collaborative working, to produce a legal agreement that would form the basis for such collaboration and establish Membership of a Management Board. The current report provided an insight in relation to opportunities that have arisen to date as a consequence of the project. Having briefed the Management Board, confirmation of previous decisions of the Executive is now sought to allow the legal agreement to be duly endorsed so that further comprehensive collaborative working across the service areas can be developed and implemented.

Councillor P A Dobb asked for further information on targets and outcomes and wanted specific information on costs included. Councillor Frobisher said many positions were on hold. The Head of Planning and Public Protection said cashable efficiencies were achievable through licensing for example. It was premature to include figures at this stage. Although there were some costs likely on any collaboration there would be savings in the long term. Details of any cashable savings would become available through the Joint Management Board, Cabinet or Scrutiny. Councillor Dobb supported the collaboration but reminded colleagues of the importance of being cognisant of costs.

Councillor E W Williams said there were two strands to collaboration – the first was for efficiency and cost benefits and the second was because one Authority / team was too small to deliver the full requirements to the public but could do so when collaboration with another team. Any efficiencies would be through joint working and purchasing. Councillor Frobisher said there would be consistency between the two Authorities on licensing and she wanted other Authorities to come on board.

The Corporate Director: Environment said a lot of time and effort had been spent on collaborative projects in the past and these had not always been successful. However, there was a need for a consistent top level management structure to ensure the collaboration worked. Advantage had been taken of the EVR process within the medium term financial plan to fill any gaps in staffing with Conwy Council. Perhaps 3 or 4 of the posts in the EVR project would be in part of the Directorate budget process. In time, some projects would not be viable but would need to be formalised into some form of joint committee.

The County Clerk informed Members that the Authority was awaiting guidance from the Welsh Assembly Government on the legal framework for any joint Scrutiny. No one wanted too much 'red tape'. Once the Assembly receive the awaited Legislative Competence Order it should be able to provide the legal framework.

Councillor P J Marfleet said Cabinet had discussed partnership and collaborative working in detail through the course of the day and he said that these would have ICT implications over time. It was important to ensure that these were right and true efficiency savings could not be achieved unless the ICT worked seamlessly together. Councillor Williams said this and joint purchasing was under consideration.

**RESOLVED** that Cabinet agree the Legal Agreement to enter into Collaborative working and authorise the Management Board to endorse the document. Cabinet agree the Cabinet Member for Corporate and Regulatory Services (CCBC); Cabinet Member for Corporate Modernisation (CCBC), the Corporate Director of Resources (CCBC), Lead Member for Communities (DCC), Lead Member for the Environment: Sustainable Development – (DCC) and Corporate Director: Environment (DCC), be confirmed as Members of the Management Board in accordance with the agreement.

Cabinet further agree to authorise the Head of Regulatory Services (CCBC) and the Head of Planning and Public Protection Services (DCC) to work towards gaining efficiencies/improvements from the collaboration agreement as they arise in accordance with the agreement.

#### **179 HOUSING REVENUE ACCOUNT BUDGET & CAPITAL PLAN UPDATE 2009-2010**

Councillor P A Dobb presented the report for Members to note the forecast outturn position of the Housing Revenue Account (HRA) and Housing Capital Plan for 2009-2010. The initial forecast showed that an in-year revenue surplus of £191k should be generated by the end of the financial year, which was £102k less than forecast in the original budget set in February 2009. The main changes since the budget have been as a result of interest rates used to calculate capital financing costs being slightly higher than the original forecast.

It had been announced by the UK Government on 1 July 2009 that the housing subsidy system was to be scrapped. Further details were awaited on how this would apply in Wales and Denbighshire. There was some slippage on planned expenditure this financial year and new tenders would be considered at the end of the month.

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

#### **180 WRITE OFF SUNDRY DEBTOR ACCOUNT**

Councillor J Thompson Hill presented the report seeking Cabinet approval to write off a debt of £22,132.12 being the rental and service charges for a Children's Village retail unit. All avenues had been explored and the Council had now exhausted all possibilities of getting the money owed.

Following a question from Councillor G C Evans, the Head of Revenues and Benefits said write off of over £20,000 were Cabinet rather than Delegated Decisions but the Authority pursued its debts and did not lightly write off debts.

Councillor E W Williams reminded colleagues that Delegated Decisions information was available on the County's website. However, Councillor G C Evans said the information was currently not up to date. The County Clerk said there had been slippage with putting the information on the website and this would be addressed as soon as possible.

**RESOLVED** that Cabinet agree to write off a debt of £22,132.12 being the rental charges outstanding for the retail unit.



## 181 REVENUE BUDGET AND SUMMARY CAPITAL PLAN 2009-2010

Councillor J Thompson Hill presented the report for Members to note the likely outturn figures as detailed in Appendix 1 attached to the report and the summary capital plan performance for 2009-2010 as detailed in Appendices 2 and 3. Members were asked to agree to the reallocation of excess pay award inflation. The forecast underspend was £463k, excluding the schools' delegated budgets.

Since the last Cabinet meeting more work had been carried out on the figures and £1.127m would be needed for Single Status, making a total of £120k available for use elsewhere. The Medium Term Financial Plan had assumed the £1.127m would be used for Single Status. Councillor Thompson Hill suggested and was seconded by Councillor P A Dobb that the £120k remaining be put in the Public Realm budget.

Although Hyfrydle was being discussed later in the day, Councillor S Frobisher asked for an update. The Corporate Director: Environment said there was no easy solution and that officers were working on various solutions.

Councillor E W Williams discussed grass cutting issues and Members agreed with him that full and informed decisions would need to be made the following year as Members were receiving complaints. Councillor M LI Davies suggested that more grass cutting be carried out in certain areas rather than on the wider roads. The Corporate Director: Environment informed Members that Environment Scrutiny Committee would be reviewing this year's grass cutting programme.

**RESOLVED** that Members note the initial projected outturn figures for 2009-2010 as detailed in Appendix 1 to the report and note the summary capital plan performance figures for the 2009-2010 financial year as detailed in Appendices 2 and 3 to the report. Members agree to use the £1.247m excess inflation allocation for non teaching staff pay awards for the current year as follows:

- (a) £1,127k to be transferred to the contingency budget for the impact of the Single Status pay and grading review
- (b) £120k to be re-allocated to Public Realm.

## 182 ROUTINE REPORTING ON PERSONNEL

Councillor R W Hughes presented the report for Members to note the statistics on Personnel. Information would be available for the September Cabinet meeting on grant funded posts.

Information on the percentage of completed appraisals was detailed at Appendix 1 to the report. The Corporate Executive Team would receive a demonstration of the Trent system and would be looking for any evidence of problems with the system or inputters. She said Cabinet could also be given an informal overview of the system if required.

Councillor P J Marfleet referred to the increase in headcount, whilst the vacancy control procedure was in place and whilst the Authority was under severe financial pressure. The Head of Personnel said 100 extra jobs were included in the figures because of the Foundation Phase in the Education department and some collaborative posts were included on the Denbighshire roll.

Councillor J Thompson Hill referred to the low percentage of appraisals carried out in the first quarter. The Head of Personnel said the emphasis had been to complete appraisals in the last quarter and that some Directorates were changing timings of appraisals to fit in with other work.

Sickness absence was a major priority for Members and officers and the Chief Executive said it was fundamentally about management. He said he would be considering the issue in detail and that everyone had to be more aware of sickness absence. In some areas the absence was well managed and managers should have credit for this. Every service would be looked at by the Corporate Executive

Team, the data would be examined and challenged where necessary. The data presentation would also improve so that funded, non funded and school posts would be clear.

Councillor Hughes said there were areas of good practice and these should be identified as our ambassadors. She would discuss Cabinet Members going into Directorates with Members at the next Informal Cabinet to discuss sickness absence.

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

### **183 CABINET FORWARD WORK PROGRAMME**

Councillor R W Hughes presented the Cabinet Forward Work Programme.

Councillor Thompson Hill said Revenue and Capital reports would not be required at both the September Cabinet meetings.

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

### **184 ISSUES REFERRED TO CABINET BY THE SCRUTINY COMMITTEES**

There were no issues referred.

### **185 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.*

### **186 HARBOUR EMPOWERMENT ORDER FOR FORYD HARBOUR**

Councillor D A J Thomas presented the report seeking authority for officers of Denbighshire County Council to proceed with the creation of a Harbour Authority for the Rhyl Foryd Harbour through the application to the Department for Transport for a Harbour Empowerment Order under Section 16 of the Harbours Act 1964. He said much investment had been made in the area and this Order would allow the harbour to be managed.

Responding to Councillor J Thompson Hill's query, he said if objections were received a public inquiry would be held.

***RESOLVED** that Cabinet authorises officers to proceed with the creation of a Harbour Authority through the application for a Harbour Empowerment Order under Section 16 of the Harbours Act 1964. Cabinet further agrees the governance regime for controlling the Rhyl Foryd Harbour be in the form of a Municipal Harbour (Local Authority Port).*

### **187 IMPLEMENTATION OF APPETITE FOR LIFE (HEALTHY SCHOOL MEALS)**

Councillor H H Evans presented the joint report seeking agreement in principle to the strategy outlined in the report.

The report had cross Directorate implications and it highlighted why the current service was unsustainable. Schools should play a bigger part in the service provision and he wanted more accountability, a stronger action plan and timescales for officers. It was important for Secondary Schools to improve their financial position. He felt there was disparity across the Authority in the provision and wanted to make schools responsible for the funding allocated. By providing healthy meals for pupils it could mean they were less of a burden on other services in the future. He could only support the recommendation to establish permanent budgets if timescales were agreed.

Councillor P A Dobb was pleased that the Education and Contract Services departments were working closely together on the provision of school meals but could not support the recommendation on establishing permanent budgets unless further clarification could not be provided. She also suggested that the price of a 2 course meal should be and recommended 'an increase in the price of adult meals to £3.25' be added. However, the Head of Environmental Services said that some lower paid staff would not pay over £3.00 for a meal.

The resource implications for the service provision was outlined in the report and the Head of Environmental Services said the £150k previously allocated would always be needed. Budgetary demands could be reduced, if the schools implement the measures contained within the 'payback scheme'. Councillor J Thompson Hill supported the report and accepted that it was not possible to predict outcomes. He also supported the increase in the cost of adult meals to £3.25 and said everyone had a part to play to try and keep to the £150k subsidy.

Councillor P J Marfleet said there were four options – no lunch provision, pupils providing their own packed lunch, school lunch provision or pupils going home for lunch. He asked whether schools had the authority to keep pupils on site during school hours and that if it was feasible, this should be done. The Head of Policy and Performance Lifelong Learning said pupils could be kept on site but there was no capacity to keep 6<sup>th</sup> formers on site during the lunch period. The proposals would be taken to the cluster groups in September/October and it was hoped that all schools would take up this service or service provision would be affected. Councillor R W Hughes said discussions on making canteens more like café bars to encourage pupils to use the facilities had been discussed over the years but there was no capital funding available.

The Corporate Director: Lifelong Learning said the free breakfast initiative had been well received, particularly in the more deprived areas. He suggested that the cost of healthy school meal provision should be debated at national level.

It was suggested by the Chief Executive that any funding over and above the £150k be kept centrally and monitored and be treated as contingency funding and be reduced in line with increased income per annum to 2012. This could be reported on a 3 monthly basis.

Following further discussion, Members agreed the Recommendation at 10.3 be amended so that £150k be included in the base budget. Members also agreed the decision on subsidised adult meals be delegated to the Lead Members.

The Corporate Director: Lifelong Learning supported the cost of adult meal increases but said teachers on lunchtime duty might receive the subsidised meal cost as part of the agreement to supervise lunchtimes.

Councillor D A J Thomas suggested the cost of meal provision at Cefndy be considered as a separate issue.

**RESOLVED** that Cabinet:

- (a) *confirm the price of school meals will rise by 10 pence per meal in September 2009 in primary schools, and that an equivalent percentage increase will apply in secondary schools*

- (b) *agree the fair funding agreement should be the vehicle for defining a new financial relationship with schools, including setting up a 'payback scheme' to reward schools who take positive actions to mitigate the effects of poor take-up rates*
- (c) *agree a permanent base budget of £150k be established to maintain the Council's required levels of service provision in schools where there is no realistic prospect of operating a break even service*
- (ch) *agree to allocate up to £100k to a contingency budget held centrally, which will be reduced in line with increased income per annum to 2012*
- (d) *agree to delegate the decision to the Lead Cabinet Members on possible increases to adult meal costs, following provision of further information on take-up.*

**188 CAPITAL PLAN 2009-2010**

Councillor J Thompson Hill presented the report for Members to note the latest position on the 2009/10 element of the Capital Plan, the final position of the 2008/09 financial year and note the successful projects delivered in the year. Members were asked to approve the use of existing Modernising Education funding for the purchase of an Admissions and Transfer Software Module and to upgrade the existing ICT infrastructure to support PULSE 4 as per the costs detailed in the report.

The review of 2008/09 would be reported to Council as a Part I report.

The current position regarding the major projects was detailed and Councillor Thompson Hill reported that an overrun of 4 weeks would be experienced on the Clawdd Offa Project and an overspend on extra work to a retaining wall in Ysgol Dinas Bran would need to be funded.

Councillor P J Marfleet provided an update with regard to Henllan Centre capital receipt and said the receipt would be lower than anticipated owing to the need for a green area to form part of the site.

***RESOLVED*** *that Members note the latest position on the 2009/10 element of the Capital Plan, the final position of the 2008/09 financial year and note the successful projects delivered in the year. Members also approve the use of existing Modernising Education funding for the purchase of an Admissions and Transfer Software Module and to upgrade the existing technical infrastructure to support PULSE 4 as per the costs detailed in the report.*

The meeting concluded at 3.10 p.m.

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