

CABINET

Minutes of the Cabinet meeting held at 10.00 a.m. on Tuesday 7 September 2010 in Conference Room 1, County Hall, Ruthin.

PRESENT

Councillors P A Dobb, Lead Member for Health, Social Care and Wellbeing; H H Evans, Leader; S Frobisher, Lead Member for Environment and Sustainable Development; M M Jones, Lead Member for Welsh Language, Children, Young People and Leisure; P J Marfleet, Lead Member for Modernising the Council; D A J Thomas, Lead Member for Regeneration and Tourism, J Thompson Hill, Lead Member for Finance and Efficiency and E W Williams, Lead Member for Education.

Observers: Councillors W L Cowie; G C Evans; B Feeley; H LI Jones and G M Kensler.

ALSO PRESENT

Chief Executive; Corporate Director: Environment; Corporate Director: Governance and Efficiency; Corporate Director: Lifelong Learning; Head of Finance and Assets and Legal Services Manager.

APOLOGIES

Councillor R W Hughes, Lead Member for Customers and Communities, and Ian Hearle, Head of Corporate Governance.

ANNOUNCEMENT

The Leader announced that the Council had been shortlisted for a number of UK Association for Public Service Excellence (APSE) service awards.

He conveyed his best wishes to the Services shortlisted in the following categories:

Best Service Team – Highways, winter maintenance and street lighting

Best Service Team – Waste management and recycling

Best Service Team – Social Care

Overall Council of the Year – Denbighshire being the only Welsh authority shortlisted

Best Public Partnership Initiative - Conwy/Denbighshire Joint Head of Highways and Transportation Service

269 URGENT MATTERS

There were no Urgent Matters.

270 MINUTES OF THE CABINET MEETING 13.07.2010

The Minutes of the Cabinet meeting held on 13 July 2010 were submitted:

Pg. 2 – last sentence of the 2nd paragraph – the sentence should read – *He said this had been **signed***
.....

RESOLVED that the Minutes of the meeting held on 13 July be approved as a correct record and signed by the Leader subject to the above amendment.

271 SHORELINE MANAGEMENT PLAN

Councillor S Frobisher presented the report seeking Cabinet support for the Shoreline Management Plan policies and to recommend adoption of the Shoreline Management Plan by the Council.

She explained that the Plan provided a large scale assessment of the risks associated with coastal processes and presented a long term framework to reduce these risks to people and the developed, historic and natural environment in a sustainable manner. The Plan was a high level document that formed an important element of the strategy for flood and coastal erosion risk management and also

developed coastal defence policies for the coastline. The level of funding required by Denbighshire would depend upon the grant aid received from the Welsh Assembly Government at the time, and typically it was expected that Denbighshire would be expected to fund 25% of the cost of the works.

Councillor J Thompson Hill said he welcomed the Plan, but highlighted that bearing in mind that the Council's capital expenditure was expected to be significantly reduced in future years, it was expected that £1.25m would need to be allocated towards the cost of these works.

In response to the Leader's question asking what percentage of Denbighshire's priority funding would have to be allocated to the Plan, the Corporate Director: Environment explained that this was difficult to answer at the present time, but if the Plan needed to be delivered, it would need to be included in the 10 year Capital Plan. It made far more sense for the Council to aggregate these schemes instead of breaking them into smaller packages, and if the funding was not there, they would not go ahead.

Councillor D A J Thomas reminded Members that 20 years had passed since the Towyn Floods, and highlighted the importance of when deciding as to where this Plan was placed as a priority, a risk assessment would need to be carried out to find out what the financial implications on other Council services would be if flood defences were breached.

RESOLVED that Cabinet support the report and recommend that Council adopt the Shoreline Management Plan.

272 REVENUE BUDGET AND SUMMARY CAPITAL PLAN 2010/11

Councillor J Thompson Hill presented the report for Cabinet to note the latest estimates of the likely outturn for the 2010/11 financial year as detailed in Appendix 1 attached to the report, and the summary capital plan performance for the 2010/11 financial year as detailed in the attached Appendices 2 and 3. Cabinet were also asked to note the latest Housing Revenue Account and housing capital position for 2010/11 as detailed in Appendices 4 and 5.

Councillor Thompson Hill reported that an overall overspend of £70k (excluding schools' delegated budget) was forecast and that Lifelong Learning was forecasting a balanced budget following the introduction of a revised agreement which had been introduced with schools in relation to the cost of maternity cover.

Social Services and Housing, and Environment were all forecasting a balanced budget. Corporate Governance and Efficiency were forecasting an overspend of £70k which was a result of the pressures on the translation budget.

The capital expenditure at the end of July was £6.3m against a plan of £25.4m. The Housing Revenue Account was forecasting an in year surplus of £269k and capital expenditure of £6.9m against the original plan of £8m. Denbighshire was still on track to achieve the Welsh Housing Quality Standard by the end of 2012.

Councillor P J Marfleet referred to the forecast overspend in relation to translation costs, and asked whether this was a one off overspend, or an error made in the amount of budget allocated to the service.

The Corporate Director: Governance and Efficiency explained that the translation service was being looked at as part of the review, and currently there was no in-house translation service.

The Leader said that this figure was similar for the whole of the year, and expressed his concerns that translation costs were always seen as an overspend. He felt that there was a definite need to strengthen the service within the authority.

The Leader thanked Officers within Lifelong Learning for promptly reaching a new agreement with schools in relation to the cost of maternity cover.

RESOVLED that Cabinet note the initial revenue projections for 2010/11 as detailed in Appendix 1 of the report and note the summary Capital Plan performance figures for 2010/11 financial year as

detailed in Appendices 2 and 3. Cabinet also noted the latest Housing Revenue Account and Housing Capital Plan forecasts as shown in Appendices 4 and 5.

273 MONITORING PERFORMANCE AGAINST THE CORPORATE PLAN: QUARTER 1 2010-2011

Councillor H H Evans presented the report seeking Cabinet consideration of performance against the Corporate Plan 2009-2012 as detailed in the performance for the first quarter of 2010-2011 (Appendices I - III) attached to the report and agree where action needed to be taken in response to slippage against targets for 2010–2011.

Councillor Evans reported that the Corporate Plan 2009-12 set the strategic direction for the authority, and that progress on programmes, projects; actions and performance indicators that were associated with priority outcomes and improvement themes were monitored quarterly by Cabinet, in this format. Progress will be discussed and evaluated more closely with Lead Members over the next few weeks in their quarterly one to one meetings which had already commenced.

He said that the Council had achieved top 2 quartile status in 16 of the 23 indicators. The current picture for the 2012 set of indicators looked good but at this stage was incomplete. Future projections show that the Council had a decent chance of meeting its target for 2010/11 – 17 out of 23.

There had therefore been a good start this year, and the report highlighted the RAG status of the plan. He referred to Appendix I and offered Lead Members the opportunity to comment on their indicators:

The following comments were made:

Pg. 13: there were a number of indicators marked in red against highway issues and this was due to the way in which we were re-assessing the way road conditions are reported.

Pg. 15 – Project GAIA: Councillor P J Marfleet is the Lead Member for Asset Management; but the remainder of the indicators for Project GAIA should be amended to read Councillor S Frobisher as Lead Member.

Pg 16 – Produce a Corporate Workforce Planning Strategy: HR is aware of this action, but do not currently have the capacity to produce the new Plan.

Pg 21 – The percentage of private sector dwellings that had been vacant for more than 6 months: This should be amended to read Councillor D A J Thomas as Lead Member.

Councillor E W Williams said that the School Improvement Team had now all moved into Trem Clwyd, and he invited Members to visit the Team to see the good work that is being done. He also referred to the indicator on road conditions, and asked for an assurance that all roads were being looked at, not just the main roads.

In response, the Corporate Director: Environment said that all roads are assessed regularly and all factors are considered.

Councillor D A J Thomas referred to the Ffynnon Training which now allows Members to track an indicator from beginning to end, and gives an assurance that if there are problems with any of the indicators, they can be tracked earlier. The Leader encouraged Members to attend the training being provided.

RESOLVED that Cabinet notes the Quarterly Performance Report and refers the Indicators not currently on target to the Service Performance Reviews for consideration.

274 ANNUAL PERFORMANCE REVIEW 2009-10

Councillor H H Evans presented the report seeking Cabinet approval to recommend the draft 'Annual Performance Review 2009-10 (as attached at Appendix 1) for adoption by full Council on the 21 September 2010, subject to any amendments agreed. Cabinet agreement was also sought to agree

to the publication of the public summary of the Annual Performance Review 2009-10 in County Voice and on the Denbighshire County Council Website (attached at Appendix 2).

Councillor Evans advised Members that the Council is required to publish an annual report of its performance by 31 October of each year. This year, the Council had decided to produce a more comprehensive report which, not only reported against the performance of the Corporate Plan, but also provided a summary of the performance of our services.

The detailed and wide ranging report would be a useful tool for senior managers and elected members who need to see beyond the performance indicator data to understand fully the story behind the performance.

In 2009/10, the Council exceeded its expectations with 70% of the 2012 indicators in the top half of authorities in Wales. This was a promising start, but improvement needed to continue over the next two years in order to fulfil the Council's ambitious aim to be in the top half of authorities for 100% of these indicators by 2012. The 100% target was a real challenge, especially when the Welsh Assembly Government keeps moving the goal posts in the process.

Councillor Evans reported that he will be challenging Lead Members to take a more proactive approach to working with Heads of Service to maintain a clear focus on the 2012 indicators over the next two years and to achieve the targets.

Excellent progress had been made against the corporate priorities, and the report provided a comprehensive assessment of performance across the whole Council during 2009-10.

Councillor E W Williams referred to this year's 'A' Level and GCSE results and congratulated the young people and schools on their success.

In response to the question from Councillor P J Marflee asking how the Council internally audited work which is shared with other local authorities, the Corporate Improvement Team Manager explained that Denbighshire was currently working closely with Conwy County Borough Council on how to bring together their business planning frameworks so as to manage joint activities. Further meetings were already underway to develop a joint business plan for Highways and Infrastructure. Joint Service Performance Reviews will enable us to challenge the performance of joint services. He also referred to the Improvement Agreement and advised Members that the Council were still in the process of being assessed by WAG and the Wales Audit Office, and although the final position was still unknown, the Council was confident that its performance was good enough to secure the funding.

Councillor P A Dobb referred to Improvement Theme 3: Strong Governance and Leadership for Improvement and was pleased that work had progressed on developing guidelines for scrutinising cross-organisational bodies, partnerships and collaborative working, but felt that as a number of Members sat on cross-boundary groups, it would be useful to have an update on work to date. She also felt that there was nothing highlighting the training investment that had been made by the Council to develop all Councillors.

In response the Corporate Improvement Team Manager explained that this report was a direct reflection of the actions contained in the Corporate Plan and what the Council said it would do in the first year to deliver them. However, he agreed to re-visit the report to provide more information on Member development.

The Corporate Director: Governance and Efficiency explained that the scrutiny proposals are under consideration as part of the Democratic Services Review and that Alan Smith would be visiting all the Groups to discuss the proposals in more detail.

Councillor H Jones suggested that in order to ensure that the Council's performance against the indicators was easily understood when published in County Voice and on the website, another column should be added to show the trend and the performance against the indicators for the previous year.

The Chief Executive advised he was really pleased with the report which demonstrated real progress, but drew Members attention to the indicators for roads, and that Denbighshire was worse than target and the Welsh median. The condition of Denbighshire roads was a corporate priority, but was a real challenge and very expensive to put right. He referred to meetings he and the Leader had convened with Town and Community Councils, and it was clear from these meetings that the condition of roads within the County was the most important issue for most residents, and therefore careful consideration would need to be given as to whether enough money had been allocated to this priority.

RESOLVED that Cabinet recommend full adoption of the Annual Performance Review 2009-10 by full Council on 21st September, and agreed subject to the inclusion of an additional column, the public summary of the Review be published in County Voice and on Denbighshire's County Council website.

275 CABINET FORWARD WORK PROGRAMME

Councillor H H Evans presented the Cabinet Forward Work Programme.

Councillor P J Marfleet referred to the reports listed for the 26 October meeting and in particular the report on the Agricultural Estates Review. He advised Members that this report would not be an update as listed, but proposals which will require a Cabinet decision.

The Corporate Director: Lifelong Learning forewarned Members that the report on 21st Century Schools Bid Submission may need to be brought forward to the 28 September meeting. He was currently in discussions with WAG over their change to the submission date.

RESOLVED that Cabinet note the amendments to the Forward Work Programme.

276 ISSUES REFERRED TO CABINET BY THE SCRUTINY COMMITTEES

There were no issues referred to Cabinet by the Scrutiny Committees.

277 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.

278 COMMUNITY CAPITAL PROJECTS

Councillor D A J Thomas presented the report seeking Cabinet approval for the allocation of funding to community capital projects in 2010/11.

He referred to the request at the County Council meeting on the 9th February, 2010 to invite expressions of interest from community organisations for the receipt of financial support towards new capital projects. This was advertised in the local press, the Denbighshire Volunteer magazine and on the Council's website.

The Denbighshire Voluntary Services Council and the six area member elected groups were consulted about the expressions of interest received, and other funding opportunities such as the Rural Key Fund were explored to ensure that the best use had been made of the limited resources available from the County Council.

Councillor Thomas informed Members that the applications which most closely matched the criteria to be supported were given the highest priority by the Area Members' Groups.

Councillor P J Marfleet said he was pleased that the submitted applications had been discussed and agreed by the Area Elected Member Groups, and both he and Councillor P A Dobb said they were both happy with the creative process which had been followed.

Councillor P A Dobb asked for assurances that the projects which had not been successful were being offered support to look for funding elsewhere.

The Principal Regeneration Manager outlined a number of organisations which, although not successful of funding from this project would receive grant aid from other funding streams.

RESOLVED that Cabinet approves the allocation of funding to community capital projects as listed in Annex A of the report.

279 ACQUISITION OF LAND FROM NEWTORK RAIL, PRESTATYN

Councillor D A J Thomas presented the report seeking Cabinet approval to use Compulsory Purchase procedures for the acquisition of Network Rail land to complete the land acquisition required for the Stadium (Prestatyn) Ltd Retail Development.

Councillor Thomas reminded Members of the historical background to this development.

Councillor J Thompson-Hill as local ward Member for the area welcomed this step forward which was very much necessary as a technical procedure to allow the submission of a combined planning application to ensure the development was a success.

RESOLVED that Cabinet approves the use of Compulsory Purchase procedures for the acquisition of Network Rail land to complete the land acquisition required for the Stadium (Prestatyn) Ltd Retail Development.

280 SCALA CINEMA AND ARTS CENTRE, PRESTATYN: BUSINESS PLAN UPDATE

Councillor P A Dobb presented the report updating Members on progress with the Scala, following the paper that was presented to Cabinet in May 2010. The report updated Members on the current financial position of the Company and outlined the support currently being offered by the Council to the Scala Company to improve the current trading position.

She reported that following on from the Cabinet recommendation in May, considerable work had progressed at the Scala, and at the Board's Annual General meeting, 5 new members from the Council had been appointed and set to work on identifying work areas which had now been highlighted as areas which required attention.

During the Board's meeting in August, the Board responded positively to a number of recommendations that had emerged, and one recommendation was for an Officer from the Council to be seconded to work alongside the General Manager to revise operating procedures within the building. A further report would be presented to Cabinet in December.

Councillor Dobb said it was very positive that so much work had been undertaken in such a short time, and thanked the new Board Members and management of the Scala for their co-operation.

The Leader also thanked the new Board Members for the work they had put in so far on the Board.

RESOLVED that Cabinet

- (a) note progress made since the last Cabinet report in May 2010, including progress with producing a revised business plan, and
- (b) support the additional Officer time being used in support of the Scala management

The meeting concluded at 11.35 a.m.
