

CABINET

Minutes of the Cabinet meeting held at 10.00 a.m. on Tuesday 26 April 2011 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 and D I Smith.

ALSO PRESENT

Chief Executive; Corporate Director: Demographics, Wellbeing & Planning; Acting Head of Corporate Governance; Acting Chief Financial Officer and the Head of Modernising Education.

879 APOLOGIES

There were no apologies.

880 DECLARATION OF INTERESTS

Members were asked to declare any personal or prejudicial interests in any business identified to be considered at the meeting. Councillor M M Jones declared a personal interest in Item 5 Disposal of Pen y Maes Farm, Denbigh including land, house, range of buildings and barn.

RESOLVED that Cabinet note the declaration of interests.

881 URGENT MATTERS

There were no Urgent Matters.

882 MINUTES OF THE CABINET MEETING 29.03.2011

The Minutes of the Cabinet meeting held on 29 March 2011 were submitted.

Item 7 Delivering the Corporate Plan 2009-2012 Year 3: Councillor P A Dobb asked whether the profile of the highways priority had been highlighted sufficiently. Councillor H H Evans agreed to ensure this was carried out.

Item 10 Etape Cymru Cycling Event: Councillor P A Dobb referred to recent reports that the route in Denbighshire had changed. Councillor S Frobisher said the original proposal had been to cross 3 trunk roads and by diverting the route the road closures would no longer be required. Councillor D A J Thomas agreed to ensure that all interested parties be kept up to date with the changes.

Item 15 Update on the Scala Cinema and Arts Centre, Prestatyn: Councillor P A Dobb took the opportunity to inform Members of the latest position. Sales to the end of March had decreased from £19368 to £12807 but the company had cash in the bank. She had received an e-mail from Councillor R W Hughes, Chair of the Scala Board stating that the recent hot weather was causing difficulties within the building as it was either too cold or too hot and this was also having an effect on the equipment. The Acting Head of Finance and Assets agreed to look into the issue and respond accordingly.

RESOLVED that, subject to the above, the Minutes of the meeting held on 29 March 2011 be approved as a correct record and signed by the Leader.

883 TO DECLARE PEN Y MAES FARM, BROOKHOUSE, DENBIGH SURPLUS TO REQUIREMENTS

[Councillor M M Jones declared a personal interest in the item.]

Councillor P J Marfleet presented the report seeking Members' approval to dispose of the above property including land, house, range of buildings and barn at Pen y Maes Farm, Brookhouse, Denbigh extending to circa 27.71 ha (68.48 acres) as shown edged black and shaded grey on the plan at Appendix A to the report. The unshaded area edged in black would be sold on the open market at auction whilst the land shaded grey at Appendix A to the report extending to 5.47 ha (13.51 acres) would be exchanged with land owned at Ty'n y Caeau Farm (subject to terms recommended by an independent Valuer). This land would then be incorporated into that holding conditional on other peripheral land at Ty'n y Caeau then being disposed of.

Previously 30% of capital receipts from the agricultural estate had been ring fenced for the agricultural estate but this agreement had ended in March 2011. The sale receipts would form part of the Capital fund. The Capital Strategy Group had allocated a sum of £500k to carry out the backlog of works on the estate.

Councillor E W Williams sought reassurance that the whole site would not be sold as one lot as he felt there was great potential for conversion of the outbuildings. He asked whether the tenant at Tyn y Caeau would lose any land and how the tenant would access the land to be included with Tyn y Caeau. Councillor P J Marfleet said officers would ensure that when the site was sold at auction it would be in the most beneficial way for the Authority as officers always worked on the principles of best value. The tenant at Tyn y Caeau was happy with the proposals as outlined and more than one company would be tendering for the work. The Acting Head of Finance and Assets agreed with Councillor Marfleet's comments and reminded Members that historically such parcels of land sold had been sold in lots.

Councillor H H Evans also supported the officers proposals in dealing with the disposals and said he had every confidence in their handling of disposals for the Authority. He reminded Members that Resources Scrutiny Committee and others had been consulted and they had agreed the strategic policy for the agricultural estate. The Farming Unions were supportive of the disposal, although wherever possible they wished land to remain in agriculture. The Unions understood the Authority's position and the need to invest elsewhere in the estate.

Capital bids for the agricultural estate had been received and Councillor Marfleet informed Members that the Capital Strategy Group had agreed it would not be possible to carry out all the work in the financial year to clear the backlog. He assured Councillor D A J Thomas that although the ring fencing of 30% of receipts from the agricultural estate had ended in March 2011, bids had already been approved. This disposal would also reduce the capital sum required to be spent on the estate.

Responding to queries from Councillor G C Evans, Councillor Marfleet said there was now no policy to ring fence capital receipts as this had been a time limited agreement and the capital policy would fund agricultural estates works in the future. The backlog of works on the agricultural estate would be carried out. He agreed to ensure Councillor Evans was given the necessary information on the access for the tenant of Tyn y Caeau. Councillor H H Evans agreed officers would have discussed and agreed any access issues with the tenant and he asked that Councillor Marfleet inform Cabinet and Councillor Evans on the issue.

RESOLVED that Cabinet approves the disposal of the above property including land, house, range of buildings and barn at Pen y Maes Farm, Brookhouse, Denbigh extending to circa 27.71 ha (68.48 acres) as shown edged black and shaded grey on the plan at Appendix A to the report. The unshaded area edged in black to be sold on the open market at auction whilst the land shaded grey at Appendix A to the report extending to 5.47 ha (13.51 acres) to be exchanged with land owned at Ty'n y Caeau Farm (subject to terms recommended by an independent Valuer). This land would then be incorporated into that holding conditional on other peripheral land at Ty'n y Caeau then being disposed of.

884 PROPOSED INFANT AND JUNIOR AMALGAMATION OF YSGOL GWAENYNOG AND YSGOL HEULFRE, DENBIGH

Councillor E W Williams presented the report seeking formal Cabinet approval to commence the formal consultation exercise with the 2 schools, the community and other appropriate stakeholders, regarding the potential amalgamation of Ysgol Gwaenynog Infants School and Ysgol Heulfre Junior School, Denbigh into a single all through school on their existing sites. He thanked the Modernising Education team for their work in bringing the report to Cabinet earlier than previously anticipated.

The proposed amalgamation of the 2 schools was welcomed by Councillor M M Jones as they were next to each other. The Head of Modernising Education said, if agreed, the process would be completed by September 2012 if no objections were received.

RESOLVED that Cabinet agree to commence formal consultation regarding the potential amalgamation of Ysgol Gwaenynog Infants School and Ysgol Heulfre Junior School, Denbigh into a single all through school on their existing sites.

885 INSURANCE CONTRACT AWARD

Councillor J Thompson Hill presented the report seeking Cabinet approval on the award of the insurance contract in accordance with Contract Procedure Rules, on a 5 year Long Term Agreement with an option for the Authority to extend for a further 2 years, as detailed in the report. By agreeing the recommendation in the report, the Authority would save £180k a year over the 5 year agreement.

The Acting Head of Finance and assets said the potential saving was significant for the Authority and he thanked the Insurance and Risk Manager and his team for all their hard work in pushing companies for these savings. Responding to Councillor H H Evans' query, he said there would not be a benefit to all the North Wales Authorities awarding one contract as contracts were awarded based on individual Authority risk.

RESOLVED that Cabinet award the insurance contract in accordance with Contract Procedure Rules on a 5 year Long Term Agreement with an option for the Authority to extend for a further 2 years (as per the tender document) and as detailed in the report.

886 REVENUE BUDGET AND SUMMARY CAPITAL PLAN 2010-2011

Councillor J Thompson Hill presented the report for Cabinet to note the latest estimate of the likely outturn figures for the 2010/11 financial year as detailed in Appendix 1 attached to the report and the summary capital plan performance for 2010/11 as detailed in Appendices 2 and 3 attached to the report. Cabinet were also asked to note the latest Housing Revenue Account and housing capital position for 2010/11 as detailed in Appendices 5 and 6 attached to the report.

For consistency with previous budget reports, this report and those reports to the end of the financial year would retain the 4 directorate block presentations whilst those relating to 2011-2012 would be presented using the new corporate structure.

The overall revenue underspend was £881k excluding the schools' delegated budget, this was a net improvement of £661k more than forecast the previous month – the main movement had been an award of additional WAG grants within Children's Services (£165k) and Highways (£607k) of which £357k would affect the revenue outturn with the remainder to be used to purchase road salt.

Lifelong Learning was forecasting an underspend of £388k, with the latest forecast for delegated school budgets having a pressure of £400k – an improvement of £117k from the previous month. School Improvement & Inclusion was forecasting an underspend of £244k as a result of an ongoing restructure which would form the basis of savings identified. Social Services and Housing was also forecasting an underspend of £120k but there were ongoing pressures with specialist placements in Children's Services but this had been helped by the additional grant funding.

The Environment Directorate was forecasting a £318k underspend as a result of additional grant funding and other underspends. This would mean there would be no requirement to draw funds from

the Winter Maintenance Reserve for the year and an additional contribution to the reserve could be made if required. Corporate Governance and Efficiency was forecasting a £55k underspend, which included pressures on the translation budget offset by some additional DWP subsidy received.

Capital expenditure at the end of March was at £25.8m for a plan totalling £28.8m. Payments being processed would be accrued to ensure the planned total was achieved. Officers continued to meet with external Treasury advisers to evaluate the current money market position and review the strategy.

The latest figures for the Housing Revenue Account showed an in year surplus of £304k, an increase of £5k from the previous month. The Authority was on course to achieve the Welsh Housing Quality Standard by the end of 2012 and the business plan was financially viable. Six Council properties sales had been achieved during the year.

Councillor P A Dobb confirmed the Council's share of the Continuing Healthcare funding would be paid in 2010-2011 and that funding matched expenditure.

The Acting Head of Finance and Assets, responding to Councillor D I Smith's query on the £132k previously earmarked as match funding for capital schemes which had been deferred by WAG, said Council would now make a decision on this at the year end.

The Chief Executive said any additional grants from WAG were welcome. However, it was bad practice to defer schemes or to allocate extra funding which had to be spent sometimes within 3 or 4 days of the end of the financial year and this would need to be discussed with WAG. He went on to congratulate Cefndy Enterprises who were an outstanding example of business planning and were doing better than expected.

Councillor D A J Thomas referred to the £385m WAG underspend and asked whether WAG had a policy on this. Councillor H H Evans agreed their financial management should be queried as difficult decisions could have been made by Welsh Authorities which need not have been taken. He agreed this would be discussed with the WLGA. Councillor S Frobisher suggested the issue should also be discussed at the Leaders / CEOs meetings.

RESOLVED that Cabinet:

- 1 note the revenue projections for 2010/11 as detailed in Appendix 1 attached to the report
- 2 note the Summary Capital Plan performance figures for the 2010/11 financial year as detailed in Appendices 2 and 3 attached to the report
- 3 note the Housing Revenue Account and Housing Capital Plan forecasts as detailed in Appendices 4 and 5 to the report.

887 STRATEGIC YOUTH JUSTICE PLAN AND INSPECTION REPORT

Councillor M M Jones presented the report for Members to recommend adoption of the Conwy / Denbighshire Strategic Youth Justice Plan Review for 2011-2012 to Council under The Crime and Disorder Act Section 38(4) 1998.

The Youth Justice Board oversees the youth justice system in England and Wales and works to prevent offending and re-offending by children and young people under the age of 18. To deliver youth justice outcomes youth offending teams have to be effective in 2 key sectors – criminal justice and services for children and young people. The Strategic Manager of the Youth Justice Service said they worked closely with the Local Safeguarding Children Board and the Children and Young Peoples Strategic Partnership across both Authorities. One of the key challenges was finding alternative provision for young people out of mainstream education, training or employment for those aged 16 plus. Of the 165 open cases across the 2 Authorities, 65% were in Denbighshire and most of those were in Rhyl and Prestatyn.

Councillor P A Dobb found the report refreshing and very interesting. She asked how the budget for the work was funded and how the work was scrutinised. The Strategic Manager said the Youth Justice Board was being abolished and the work would be carried out within the Ministry of Justice. Young people who were a risk to the public were placed on remand in secure childrens' homes but

this would result in Denbighshire being penalised for all those on remand. More appropriate provision and accommodation was required but it was difficult as Magistrates took the decision as to whether someone was on remand. Scrutiny is carried out by the Youth Justice Management Board, with the Chief Officer and 2 Lead Members with the Acting Chief Executive of Conwy chairing the Board which met quarterly. As Lead Authority, Conwy scrutinised the finances. The budget had been cut by 15% and the savings had been achieved by not recruiting.

Councillor W L Cowie congratulated staff on their excellent report. He referred to the Risks on page 4 of the cover report and asked whether it should also include Denbighshire. The Strategic Manager confirmed it should include Denbighshire.

RESOLVED that Cabinet recommends adoption of the Conwy / Denbighshire Strategic Youth Justice Plan Review for 2011-2012 to Council under The Crime and Disorder Act Section 38(4) 1998.

888 ISSUES REFERRED TO CABINET BY SCRUTINY COMMITTEES

There were no issues referred to Cabinet by Scrutiny Committees.

889 CABINET FORWARD WORK PROGRAMME

Councillor H H Evans presented the Cabinet Forward Work Programme.

It was agreed that Ysgol Heulfre and Ysgol Gwaenynog Amalgamation be presented to Cabinet in July, as would a report on the Capital Plan 2011-2012 whilst a report on HR would be presented in September.

RESOLVED that Cabinet note the amended Forward Work Programme.

890 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 13 and 14 of Schedule 12A of the Local Government Act 1972.

891 NEW WORK CONNECTIONS: PROCUREMENT OF MENTAL ILLNESS ELEMENT

Councillor P A Dobb presented the report for Cabinet to appoint a company to deliver services to support people experiencing severe and enduring mental illness into sustainable employment, education or training as part of the New Work Connections Project, funded by the Welsh European Funding Office Convergence Programme.

The New Work Connections project was for the provision of support to various groups facing disadvantage into employment. Many services were directly provided but some elements, such as support for people with mental illness, were being procured. The company being recommended had been through a rigorous pre qualification questionnaire and tender process as well as interview and had demonstrated they had the expertise and capacity to deliver the service.

The Service Manager: Communities said the project also covered Anglesey, Gwynedd and Conwy with Denbighshire being the Lead Authority. The DWP New Work Programme was part of the Government initiative to remove people from benefits over a period of 3 years.

Councillor D A J Thomas thanked the Service Manager: Communities and the Local Manager for the New Work Connections for their hard work. This was a huge project for the Authority and it had taken 2-3 years to put it together - this had only happened as a result of significant work by the Service Manager: Communities.

RESOLVED that Cabinet appoint the company named in the report to deliver the mental health element of the New Work Connections Project.

892 CAPITAL PLAN

Councillor J Thompson Hill presented the report for Members to note the latest position on the 2010-2011 element of the Capital Plan.

Councillor Thompson Hill referred to the Coastal Defence Scheme which would reduce the flood risk to some 2,000 properties in West Rhyl. Approval for Phase 1 and 2 works had been given by WAG with grant aid being offered at a 100% rate. Phase 3 approval was awaited. Work on the Foryd Harbour Cycle and Pedestrian Bridge was progressing and a report would be presented to Cabinet in June 2011. Work was also progressing on the Foryd Harbour Quayside Units development and officers would need to be vigilant to ensure no cost overruns. Any cost overruns in the Denbigh Flood Risk Management Scheme would be contained within the scheme funding.

Referring to the Phase 3 works in Lenten Pool / Smithfield Road, Denbigh, Councillor W L Cowie reminded Members that the Royal Welsh Regiment were to receive the Freedom of the County on 11 June and he asked that this be taken into consideration in planning the works. Councillor J Thompson Hill undertook to look into the issue and provide Members with an update.

RESOLVED that Cabinet note the latest position on the 2010-2011 element of the Capital Plan.

893 PRESTATYN BUS STATION

Councillor S Frobisher presented the report seeking Cabinet approval for the refurbishment of Prestatyn Bus Station and to approve the mechanism which would allow a developer to procure the bus station works on behalf of the Authority.

Councillor Frobisher informed Members that the Authority had received grant funding for the redevelopment from WAG through the TAITH Regional Transport Plan. Passenger facilities and disabled access were poor at the existing bus station and these problems would be addressed by the new scheme which would see the introduction of new toilets, new shelters, modern passenger information systems and improved facilities for the disabled. The developers had been granted planning permission for the construction of a new shopping park on land in the town centre and one of the conditions of the permission was for them to carry out improvements to the highway network so that the network could accommodate the extra traffic generated by the shopping park. For various reasons improvements to the bus station and adjacent highway would be required – this would minimise disruption to the public. Once the grant funding was spent all other costs would be met by the developer, there would be no capital costs to be met by the Council.

The scheme was welcomed by Councillor J Thompson Hill and he took the opportunity to ask about the consultation carried out and land costs. The Traffic and Transportation Manager said consultation with Prestatyn Town Council and the Business Association had taken place and land costs should not pose any risk to the Council.

RESOLVED that Cabinet approve Prestatyn Bus Station be redeveloped in its current location and for the Head of Highways and Infrastructure to enter into a design and build agreement with the developer named in the report for its redevelopment.

The meeting concluded at 11.35 a.m.
