

## **CABINET**

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 17 December 2013 at 10.00 am.

### **PRESENT**

Councillors Hugh Evans, Leader and Lead Member for Economic Development; Bobby Feeley, Lead Member for Social Care, Adult and Children's Services; Hugh Irving, Lead Member for Customers and Communities; Huw Jones, Lead Member for Leisure, Youth, Tourism and Rural Development; Barbara Smith, Lead Member for Modernising and Performance, David Smith, Lead Member for Public Realm, Julian Thompson-Hill, Lead Member for Finance and Assets and Eryl Williams, Deputy Leader and Lead Member for Education

**Observers:** Councillors Joan Butterfield, Bill Cowie, Meirick Davies, Huw Hilditch-Roberts, Martyn Holland, Jason McLellan, Dewi Owens and David Simmons

### **ALSO PRESENT**

Chief Executive (MM); Corporate Directors: Economic and Community Ambition (RM), Customers (HW), Modernisation and Wellbeing (SE); Head of Legal and Democratic Services (GW); Head of Finance and Assets (PM); Head of Business Planning and Performance (AS); Corporate Programme Manager (KA); Senior Technical Officer Waste (AR); Head of Highways and Environmental Services (SP); Head of Education (KE), Head of Customers and Education Support (JE); Programme Manager – Modernising Education (JC); HR Services Manager (CR) and Committee Administrator (KEJ).

### **WELCOME**

The Leader welcomed everyone to the meeting. A special mention was made to Ysgol Dinas Bran pupils who were attending to observe proceedings.

### **PETITION**

Councillor Martyn Holland presented to the Leader a petition on behalf of Llandegla Community Council requesting the Council introduce a 20 mph default speed limit in Llandegla on all residential roads. The Leader acknowledged the petition indicating that it would be forwarded to the Head of Highways and Environmental Services for consideration.

#### **1 APOLOGIES**

There were no apologies.

#### **2 DECLARATION OF INTERESTS**

No declaration of personal or prejudicial interest had been raised.

### **3 URGENT MATTERS**

No urgent matters had been raised.

### **4 MINUTES**

The minutes of the Cabinet meeting held on 26 November 2013 were submitted.

***RESOLVED** that the minutes of the meeting held on 26 November 2013 be approved as a correct record and signed by the Leader.*

### **5 YSGOL CLOCAENOG AND YSGOL CYFFYLLIOG**

Councillor Eryl Williams presented the report detailing the findings of the formal consultation for the future of Ysgol Clocaenog and Ysgol Cyffylliog and seeking support to publish the required statutory proposals for the closure of both schools and create a new area school.

Members were provided with background to the proposal arising from the review of primary schools in the Ruthin area to allow investment to improve educational facilities whilst also reducing the overall level of surplus places. The report related to one of the six proposals approved by Cabinet on 25 June 2013.

During debate it was clarified that due to the size of the Ruthin review it had been necessary to carry out the process in stages and this proposal had been submitted during the first stage because of the requirement for a statutory notice. Further proposals relating to other schools would be presented at the appropriate stage within the overall review process. Assurances were provided that no one proposal had been prioritised over another and funding requirements would be submitted to Cabinet at the same time. Current funding commitments together with indicative projects and costs subject of the review had been appended to the report.

Members raised questions and sought assurances regarding various aspects of the proposal. Councillor Bobby Feeley acknowledged the difficulties and extensive work involved in carrying out the Ruthin area review but questioned the viability of the proposals. She expressed reservations regarding the justification for particular proposals, highlighting a number of areas of concern, and questioned the reasoning behind the recommendations and potential implications for a new Ruthin school.

The following responses were provided to issues raised by members –

- funding for school transport would be provided for pupils to the new school whilst it existed on two sites
- concerns regarding suitability of the road network had been acknowledged and efforts would be made to ensure roads were passable and a priority for gritting
- the capacity and admission number of the new building would be determined as part of the design process to ensure significant surplus places were not created
- the reasons behind the decision to amalgamate the two schools as opposed to federating were detailed with the vast catchment area; remoteness of the locations, and pupil numbers across both schools being pertinent factors

- the proposed model would strengthen educational provision and ensure pupils received the best opportunities and curriculum delivery possible
- the categorisation process for the amount of Welsh medium education delivered within schools generally was explained.

In response to questions relating to proposals for other Ruthin area schools officers provided an update on progress and clarified the reasoning behind the individual proposals based on a number of factors pertinent to those schools. Councillor Eryl Williams reaffirmed his commitment to a new school in Ruthin and pledged to ensure the Ruthin area would receive first class quality education and facilities as a result of the review process.

Councillor David Smith highlighted the complex nature of the review and supported the proposal for the future of Ysgol Clocaenog and Ysgol Cyffylliog to ensure quality education for the area. Councillor Hugh Irving added his support for the proposal in order to deliver the best education for future generations. The Leader acknowledged difficult decisions needed to be made emphasising members' responsibility to ensure sustainability and improvement in education standards.

**RESOLVED** that Cabinet –

- (a) *notes the findings of the formal consultation for the closure of Ysgol Clocaenog and Ysgol Cyffylliog and the opening of a new area school on the two existing sites;*
- (b) *approves the publication of a statutory notice for the closure of Ysgol Clocaenog and Ysgol Cyffylliog on the 31 August 2014 and to open a new area school on the existing sites on the 1 September 2014, and*
- (c) *confirm the commitment to work towards delivering a new area school on one site subject to the availability of capital funding.*

Councillor Bobby Feeley abstained from voting on the above resolution.

## **6 PUBLIC REALM STRATEGY**

Councillor David Smith presented the report seeking Cabinet's endorsement of the draft Public Realm Strategy and associated Improvement Plan (attached to the report) outlining the way in which the Council intended to deal with issues affecting the public realm within the county.

The Strategy had been produced in order to develop clarity and coherence, ensure better joint working and a more corporate approach to dealing with public realm issues as recommended by a recent Internal Audit report. In advocating the Strategy Councillor Smith elaborated upon the four strategic principles which had been embedded into the document.

The Chair of Communities Scrutiny Committee, Councillor Huw Hilditch-Roberts provided an overview of the scrutiny debate on the Strategy confirming the committee had been happy to endorse the Strategy subject to the inclusion of

references to the Council's culture; the importance of consultation and a coordinated and collaborative approach together with identified key goals and objectives.

Cabinet considered the report and discussed the following issues –

- responsibility for maintaining play areas was raised and Councillor Huw Jones expressed concerns that County Council signage was located in some play areas for which they were not responsible which may have implications in terms of liability – he asked that this issue be explored further and that those liable for maintaining play areas be made aware of their responsibilities in ensuring the maintenance and safety of play equipment. The Head of Highways and Environmental Services (HHES) provided assurances that play area inspections were carried out and those liable were made aware of their responsibilities through that process. He agreed to report back on the number of play areas within the county and those responsible for them. The Corporate Director Customers agreed to communicate with town/community councils on the issue to clarify any misunderstanding which might exist
- the development of a fly posting policy and procedures was planned during 2014/15 in order to manage that issue
- Councillor Barbara Smith highlighted a number of issues raised in the Quarter 2 Corporate Plan relating to public realm and in particular asked that fly tipping be included as a specific improvement activity within the document. It was noted that Communities Scrutiny Committee would be scrutinising the management of fly tipping at their next meeting
- in response to an issue raised by Councillor Bobby Feeley the HHES reported upon the tendering process and award of the contract for supplying hanging baskets to Aberwheeler Nurseries
- the Leader highlighted the importance of developing a link with town and area plans at an early stage within the strategy and the HHES confirmed that many of those plans already contained a number of public realm actions
- with regard to the Street Sign Audit Councillor Huw Jones reported upon the work of the Bilingual Forum in order to take forward the language issue
- Councillor Joan Butterfield highlighted forecourt trading as an issue in Rhyl Town Centre and asked that it be included within the Strategy. Councillor David Smith confirmed it was also an enforcement issue for officers to investigate.

Members welcomed the strategy in order to provide a coherent and coordinated approach to public realm issues and taking into account comments made it was –

**RESOLVED** that Cabinet –

- endorses the draft Public Realm Strategy and Improvement Plan subject to the inclusion in the Improvement Plan of more detail regarding improvement activities in respect of fly tipping and forecourt trading, and*
- agrees to a review of the Improvement Plan to be undertaken annually, with updates on progress provided through the Service Challenge process for the relevant services, and with the involvement of the Lead Member.*

## 7 CORPORATE PLAN PERFORMANCE REPORT (QUARTER 2 2013/14)

Councillor Barbara Smith presented the report updating Cabinet on the delivery of the Corporate Plan 2012 – 17 at the end of quarter 2 of 2013/14. The report summarised each outcome in the Corporate Plan and key performance aspects. Overall the report showed acceptable progress made in delivering the Plan.

Performance Scrutiny Committee had considered the report and Councillor Smith provided an overview of the scrutiny debate highlighting a number of concerns and recommendations. She also stressed the importance of ensuring service data was available at the earliest opportunity in order to produce measureable outcomes. The Chair of Performance Scrutiny Committee, Councillor David Simmons reiterated the committee's main concerns which related to –

- the percentage of completed performance appraisals
- the use of mobile classrooms across the county
- the median income figures used to calculate deprivation

It was noted that reports on the use of mobile classrooms and fly tipping would be considered by the scrutiny committee in January and it would also be monitoring the percentage of performance appraisals completed. In response to the issues raised and questions posed by members during the ensuing debate the following responses were received –

- the latest figures available had been used to calculate indicators for tackling deprivation and poverty and it was acknowledged that since then more up to date figures had been published
- poor performance for completing appraisals may be partly due to recording mechanisms and work was ongoing to address that issue
- fly tipping had been identified as an issue because incidents had been recorded differently from other councils – most incidents involved trade waste which was not accepted at recycling centres
- the outcome of the proportion of adult population unable to live independently had been due to an historical issue involving benefit legislation
- carbon emissions had been reduced to such a level that the council was no longer required to be part of the tariff scheme and the spend on energy costs suggested that levels had been addressed – new measures for carbon emissions would soon be introduced in order to measure success
- the Economic Ambition Board had agreed a business plan in order to address the reliability of digital/mobile signal premises received
- a review of fleet vehicles had been recently undertaken and both vehicle size and numbers had been reduced creating savings of approximately £250k.

The Chief Executive advised that progress in delivering the Corporate Plan was as expected for the time of year and drew members' attention to the following –

- the excellent outcome overall in successfully enabling vulnerable people to live independently in Denbighshire
- the completion of performance appraisals would be addressed as a priority

- particular indicators for Education and Roads raised some concern and would require further investigation and challenge.

**RESOLVED** that Cabinet notes progress made in delivering the Corporate Plan.

At this juncture (11.45 a.m.) the meeting adjourned for a refreshment break.

## **8 CONTRACT RENEWAL - MATRIX**

Councillor Barbara Smith presented the report seeking Cabinet's support to renew the current contract with Matrix SCM, via the MSTAR framework, for managing the Council's agency workers thus improving control, safeguarding and visibility as well as delivering efficiency savings.

The contract was part of a collaborative agreement with Flintshire and Wrexham local authorities. Due to the value of the contract there was a requirement to obtain approval from Cabinet to proceed. It was confirmed that there were no financial implications arising from the recommendation because it involved the renewal of an existing contract. In response to questions the HR Services Manager reported upon the process of monitoring the contract and provided further detail of the savings delivered since using Matrix SCM.

**RESOLVED** that Cabinet agreed to renew the Matrix Contract via the MSTAR framework.

## **9 FINANCE REPORT**

Councillor Julian Thompson-Hill presented the report detailing the latest financial position and progress against the agreed budget strategy. He provided a summary of the Council's financial position as follows –

- an under spend of £656k was forecast across service and corporate budgets
- 72% of agreed savings had been achieved to date (target £3.061m)
- highlighted key variances from budgets or savings targets relating to individual service areas
- a positive movement of £45k on school balances brought forward from 2012/13
- a general update on the Capital Plan and Housing Revenue Account.

The Leader drew members' attention to the Corporate Plan element in the Capital Plan detailing projects for capital expenditure including schools.

**RESOLVED** that Cabinet note the latest financial position and progress against the agreed budget strategy.

## **10 CABINET FORWARD WORK PROGRAMME**

Councillor Hugh Evans presented the Cabinet Forward Work Programme for consideration. Cabinet noted a report on Town and Area Plans would be submitted in January and a report on the National Model for School Improvement would be

submitted in February. It was also noted that the report on Clwyd Leisure scheduled for January may be delayed.

**RESOLVED** that Cabinet's Forward Work Programme be noted.

## **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100A 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 it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

### **11 AWARD OF CONTRACT FOR RESIDUAL WASTE DISPOSAL**

Councillor David Smith presented the confidential report seeking Cabinet's approval to award contracts for the disposal of collected residual waste. Information on the tendering process together with the reasoning behind the recommendations to split the work between two bidders had been included within the report. Cabinet approval was required as the contract exceeded £1m.

Cabinet discussed the details of the contract with officers who clarified particular issues in response to questions thereon. Members noted the benefits of awarding two contracts for the disposal of residual waste and it was –

**RESOLVED** that Cabinet approves the award of two contracts to the named contractors as detailed in the report.

The meeting concluded at 12.25 p.m.