

CABINET

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 28 July 2015 at 10.00 am.

PRESENT

Councillors Hugh Evans, Leader and Lead Member for the Economy; Bobby Feeley, Lead Member for Social Care, Adult and Children's Services; Hugh Irving, Lead Member for Customers and Libraries; Huw Jones, Lead Member for Community Development; Barbara Smith, Lead Member for Modernisation and Housing; David Smith, Lead Member for Public Realm; Julian Thompson-Hill, Lead Member for Finance, Corporate Plan and Performance and Eryl Williams, Deputy Leader and Lead Member for Education

Observers: Councillors Ray Bartley, Jeanette Chamberlain-Jones, Bill Cowie, Martyn Holland, Huw Hilditch-Roberts, Jason McLellan, Merfyn Parry, Arwel Roberts and David Simmons

ALSO PRESENT

Chief Executive (MM); Corporate Directors: Economy and Public Realm (RM) and Communities (NS); Heads of Service: Legal, HR and Democratic Services (GW), Community Support Services (PG); Customers and Education Support (JW), Revenues and Benefits (RU); and Committee Administrator (KEJ)

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 30 June 2015 were submitted.

RESOLVED that the minutes of the meeting held on 30 June 2015 be approved as a correct record and signed by the Leader.

5 THE FUTURE OF IN-HOUSE CARE SERVICES

Councillor Bobby Feeley presented the In-house Social Care Task & Finish Group's report detailing the findings of the information gathering exercise from reviews of individuals and families using the in-house care services and sought approval to

publicly consult on suggestions for Awelon, Cysgod y Gaer, Dolwen and Hafan Deg and enter into a tender for the provision of domiciliary care in extra care schemes.

Councillor Feeley provided some context to the report highlighting the requirements of the Social Services and Wellbeing (Wales) Act and need to modernise services in response to changing demographics and needs of the public, whilst also bearing in mind the impact of significant budget cuts and ensuring sustainable services in the future. She took the opportunity to thank the Task & Finish Group and officers for their hard work in examining options for delivering high quality social care services taking into account local needs and elaborated upon the suggestions put forward for future in-house care services. Research showed demand for residential care was declining in favour of supported independent living and there was a need for Elderly Mental Health care and nursing beds. It was believed the current proposals would serve Denbighshire residents well in the future.

Cabinet noted the difference between the original and current proposals which demonstrated that the views of service users and their families had been taken into consideration. Debate focused on the following –

- clarification on the role of the Consultation Institute as a specialist in public consultation exercises was provided and their advice had been sought in order to safeguard against challenge and ensure the final outcome was deliverable
- the nature and type of partnerships suggested would differ depending on need in particular areas and would likely include partnerships with both private and voluntary sectors – if the suggestions were subsequently agreed it would be necessary to seek expressions of interest in order to deliver required outcomes which could include others delivering services on the Council's behalf
- the importance of working collaboratively, particularly with Betsi Cadwaladr University Health Board, in the provision of local care services for older people was highlighted and it was felt that greater emphasis should be placed on progressing this element of partnership working in future – it was agreed that reference be made within the resolution in this regard
- it was noted that it was not currently cost effective for Denbighshire to admit residents into care homes from outside the county but this could change in future as a result of partnership working with other local authorities
- whilst assurances had been provided in terms of delivering care services through the medium of Welsh this aspect had not been specifically referenced within the report – it was agreed that this requirement be reflected within the resolution if Cabinet approved the proposals, and it be made clear within the consultation process that Welsh Language was a priority for future services
- in terms of Awelon it was recognised that it would not be appropriate to move some residents, hence the longer term vision for that site – it was agreed to reword the recommendation in this regard to better reflect that fact
- some indicative timescales were provided should the suggestions be approved for public consultation and realisation of future savings.

Councillor David Simmons, Chair of Performance Scrutiny Committee provided an overview of the scrutiny debate and comments which had been summarised in the report. The day care assessment process had also been raised as an issue and in terms of day care services, scrutiny had requested that provision be provided for

individuals living alone and as respite for carers. Officers confirmed the intention to commission day care services at both Hafan Deg and Dolwen which would apply to any individual, regardless of their family situation. It was agreed to amend the wording in the recommendation for Dolwen to clarify that the service included both residential and day care provision. Councillor Ray Bartley added that in terms of day care assessments, officers had agreed to consult on whether the current six week provision should be increased to ten/twelve weeks. He also reported upon a positive outcome following a meeting with staff at Dolwen to explain the proposals.

[As an aside Councillor Eryl Williams reiterated the need for a full appraisal of scrutiny committee debates on matters submitted to Cabinet for decision.]

Councillor Jason McLellan raised concerns over the lack of detail about potential service providers and how services would be provided in future. Officers explained the need for a broad consultation on preferred options at this stage and be open to other suggestions – it was important not to pre-empt the outcome of the consultation as this would result in a risk of challenge. A report back to Cabinet in January/February would include the consultation results and more detailed proposals in that regard. It was agreed that the need for a procurement process to determine specific service providers be included within the consultation document.

Councillor Huw Hilditch-Roberts advocated a more evidence based approach to meet the care needs of the county's residents which should be clearly set out in the consultation. Officers reported upon evidence considered by the Task & Finish Group which included data and statistics of past and current usage and future projections based on Denbighshire's local population together with any additional information as requested. That analysis had identified the need for a mixed market provision which had been reflected within the proposals. Cabinet noted the work of the Task & Finish Group and Performance Scrutiny Committee within the process and was satisfied a decision could be made on the evidence provided. It was accepted there would be merit in ensuring that the evidence was sufficiently articulated within the consultation document. It was also agreed that a draft consultation document be tested on members prior to formal consultation.

RESOLVED that Cabinet –

- (a) *agree to publicly consult on the suggestions as detailed within the report and outlined below -*
- *Hafan Deg – to enter into a partnership with an external organisation and transfer the building to them, commission a day care service within the building and, in addition, enabling 3rd sector agencies to provide early intervention activities for older people that reduce social isolation, support independence and promote resilience;*
 - *Dolwen – to enter into a partnership with an external organisation and transfer the whole service to them (residential and day care), while registering for Elderly Mental Health care*

- *Awelon – to stop new admissions and work with the individuals and their families at their own pace to explore, where appropriate, suitable alternatives and to enter into partnership with the owner of Llys Awelon to develop additional Extra Care apartments on the site*
 - *Cysgod y Gaer – to enter into a partnership with relevant stakeholders (including BCU and the 3rd sector) to develop the site into a ‘support hub’ offering both residential and extra care type facilities as well as an outreach domiciliary care and support service to the tenants of local Sheltered Housing Schemes and the wider population of the Edeyrnion area;*
- (b) *agree to enter into a tender for the provision of domiciliary care in Llys Awelon, Nant y Mor and Gorwel Newydd Extra Care Schemes as set out in paragraph 4.5.5 of the report;*
- (c) *that any future provision must recognise the importance of delivering care services through the medium of Welsh, for those older people who require it, and maintain the capability to do so, and*
- (d) *the Council engages with Welsh Government Ministers, Officials and Betsi Cadwaladr University Health Board in order to urge greater collaboration and partnership working between the Council and Betsi Cadwaladr University Health Board in the provision of services relating to the care of older people.*

At this juncture (11.25 a.m.) the meeting adjourned for a refreshment break.

6 IMPLEMENTATION OF HOUSING ACT WALES 2014

Councillor Hugh Irving presented the report seeking Cabinet’s endorsement of their original decision (made on 17 February 2015) to retain the homelessness intentionality test in full following a revision of the prescribed timescale.

Following Cabinet’s decision to retain the intentionality test the Welsh Government advised of a revision in the prescribed timescale due to a delay in finalising the Homelessness Code of Guidance to accompany the Housing (Wales) Act 2014. As no change had been made to the conditions and parameters of discretion afforded to Councils regarding retention of the intentionality test (other than timescale), the decision remained legally valid. However, Welsh Government had recommended a report be brought back to Cabinet in order to reaffirm their original decision. Officers confirmed the original decision had been submitted to the Welsh Government and published within the revised timescale.

RESOLVED *that Cabinet note the content of the report and endorse their original decision to retain the “intentionality” test in full.*

7 BUSINESS RATES WRITE OFFS

Councillor Julian Thompson-Hill presented the report seeking Cabinet approval to write off irrecoverable Business Rates for two companies where recovery action

could not continue because they had either been wound up or dissolved. Further detail relating to each company had been included within the report.

In response to questions officers reported upon the debt recovery process and use of the Insolvency Service in particular cases and steps taken to ensure that so called “phoenix companies” were identified and individuals held to account. Cabinet noted that the debt for one of the companies spanned two years and assurances were provided regarding the robustness of the recovery process and timescales involved to ensure the best chance of a favourable outcome. Most debt was collected during the year but due to the timescales involved the debt could span two financial years. Cabinet noted there would be no cost to the council for debts written off which were met by the National Pool.

RESOLVED that Cabinet agrees to write off the irrecoverable Business Rates as shown in Table 1 of the report.

8 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 –

- a net under spend of £0.594m was forecast for service and corporate budgets
- 73% of agreed savings had been achieved to date (target £7.3m)
- highlighted key variances from budgets or savings targets relating to individual service areas, and
- a general update on the Housing Revenue Account, Housing Capital Plan and the Capital Plan (including the Corporate Plan element).

The following matters were raised during debate –

- the good progress being made in respect of major projects was highlighted with particular mention to Rhyl New School and Prestatyn Nova Development. The Leader also thanked officers involved in the successful delivery of West Rhyl’s Coastal Development Scheme (Phase 3) which had initially been a high risk project and reference was made to the work of Rhyl Town Council to secure further improvements to that area of the promenade including seating/shelters
- there had been a good debate at Communities Scrutiny Committee about setting the level of car parking fees – the setting of fees and charges was delegated to the Head of Highways & Environmental Services and the changes were being worked through for implementation as soon as possible
- the changes to school transport provision would be monitored closely over the coming months and sufficient time was needed to ensure an accurate assessment; the financial detail of school contracts for 2015/16 would be available in September and their impact reported to Cabinet in October as part of the regular finance report
- the impact of the known reductions in fee income from the North and Mid Wales Trunk Road Agency was again highlighted as a serious concern compounded by the Minister’s delay in confirming future income and work levels.

RESOLVED that Cabinet notes the budgets set for 2015/16 and progress against the agreed budget strategy.

9 CABINET FORWARD WORK PROGRAMME

Councillor Hugh Evans presented the Cabinet Forward Work Programme for consideration and members noted an additional item for December seeking Cabinet approval of the Supporting People Local Commissioning Plan.

RESOLVED that Cabinet's Forward Work Programme be noted.

The meeting concluded at 12.05 p.m.