

CABINET

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 29 March 2016 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, Joan Butterfield, Jeanette Chamberlain-Jones, Jason McLellan, Barry Mellor and Paul Penlington

ALSO PRESENT

Corporate Directors: Economy and Public Realm (RM) and Communities (NS); Heads of Service: Legal, HR and Democratic Services (GW), Highways and Environmental Services (SP), Finance, Assets and Housing (JG), and Business Improvement and Modernisation; Recruitment Specialist (AM); Chief Finance Officer (RW), and Committee Administrator (KEJ)

COUNCILLOR TRIBUTES

The Leader referred to the recent sad loss of two valued and respected members in Councillors Peter Owen (Dyserth) and Richard Davies (Denbigh Lower). Both councillors would be sadly missed and the Leader conveyed Cabinet's condolences to their families at this difficult time. Members and officers stood in silent tribute.

1 APOLOGIES

Mohammed Mehmet – Chief Executive

2 DECLARATION OF INTERESTS

Councillor Bobby Feeley – Personal – Agenda Item 6 – Independent Board Member of Betsi Cadwaladr University Health Board

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 16 February 2016 were submitted.

RESOLVED that the minutes of the meeting held on 16 February 2016 be approved as a correct record and signed by the Leader.

5 WINDING UP OF TAITH JOINT COMMITTEE

Councillor David Smith presented the report seeking Cabinet's endorsement to terminate the Taith Joint Committee and consider successor arrangements.

The Taith Joint Committee was established by North Wales Authorities in 2007 to further regional transport co-operation. In 2014 the Minister removed the co-ordinating, regional planning and capital monitoring responsibilities from regional transport consortia which represented most of Taith's work. Consequently the Taith Board had agreed that the Joint Committee be wound up. In terms of future arrangements it was recommended that a Transport Advisory Forum under the North Wales Economic Ambition Board be established to deal with transport interventions using transport portfolio holders' knowledge and experience. A similar report would be considered by each Cabinet in the other local authorities involved.

Cabinet acknowledged that Taith had worked extremely well for the region providing an equitable way of prioritising infrastructure projects in North Wales and there was some disappointment regarding the requirement for change. In terms of successor arrangements members were pleased to note the retention of transport portfolio holders' involvement and expertise, providing valuable input into regional transport issues. The Leader referred to the gap in infrastructure between North and South Wales and the importance of the new Forum in delivering improvements to benefit the economy, particularly highlighting the need for investment in the A55.

RESOLVED that Cabinet –

- (a) *endorses the decision of the Taith Joint Committee to terminate its role, with effect from 29 September 2015, and*
- (b) *supports the establishment of a Transport Advisory Forum under the North Wales Economic Ambition Board to include the Lead Member Public Realm as Denbighshire's representative.*

6 PROPOSED GRANT OF LEASE TO BETSI CADWALADR UNIVERSITY HEALTH BOARD FOR TY NANT, NANT HALL ROAD, PRESTATYN

Councillor Julian Thompson-Hill presented the report seeking Cabinet approval to grant a Lease to Betsi Cadwaladr University Health Board (BCUHB) on terms reflecting an open market letting of the property as recommended by the Council's Commercial Development Manager and the Council's external agents.

Ty Nant was vacated in 2014 to enable it to be let/sold as part of a wider regeneration scheme but there had been little interest in the property since then. BCUHB had identified a need for new premises to run its primary care service following a decision by two medical practices to end their contracts with the Board. BCUHB wished to lease the property in order to provide an integrated primary care centre and deliver services from one central building within the town centre.

Councillor Hugh Irving supported granting a lease to BCUHB which would provide a solution to the primary care needs of the area and benefit local residents whilst also freeing up other buildings. In terms of financial implications Cabinet was advised that any internal configuration to the building would be paid for by BCUHB. The current savings target for the building had already been taken as part of previous efficiencies and would result in that existing pressure being met. Given the wording in the report regarding assumed planning permission it was clarified that change of use was subject to the formal planning process but informed discussions with planning colleagues indicated that a refusal recommendation was unlikely.

RESOLVED that a Lease on terms reflecting an open market letting of the property as recommended by the Council's Commercial Development Manager and the Council's external agents be granted.

7 RHYL GOING FORWARD - REVIEW AND NEXT STEPS

Councillor Hugh Evans presented the report setting out a review of progress with the Rhyl Going Forward Regeneration Programme and proposals for future regeneration activity. Rhyl had been a regeneration priority for over ten years.

Councillor Evans summarised the report which provided some historic context to the demise of seaside resorts and assessment of previous regeneration activity in Rhyl. A collaborative approach to future regeneration activity was required with particular support welcomed from the Welsh Government on a number of initiatives, most recently the Waterfront project, together with private sector partnerships and investment. The aim was to recreate Rhyl as a desirable place to live, work and visit and although it was a huge challenge, Councillor Evans felt there was now a coherent plan in place and progress could be made through the regeneration strategies and proposals for the next phase as detailed within the report.

The Corporate Director: Economy and Public Realm highlighted a number of successes and referred to those areas where further work was required and outcomes had not been as expected. She advised that the focus should be on activities that improved footfall to the town, attracted more economically active residents to live in Rhyl, addressed negative perceptions, and nurture business confidence and growth. Consequently three work streams had been proposed containing projects focusing on Tourism & Visitors, Town Centre and Living & Working in Rhyl. It was recommended that Cabinet approve those proposals together with programme management and governance arrangements.

Cabinet welcomed the plan to tackle regeneration in Rhyl and the proposals to draw people back into the town across the three work streams. It was hoped that the original success of the Sun Centre could be emulated with a series of attractions as any improvements in the retail offer alone would not be enough to entice people back into Rhyl. The need for sustainable income generation was also highlighted together with continual investment in facilities to keep the leisure offer fresh and exciting. The Corporate Director agreed that a retail offer alone would not sustain the town and elaborated upon the Waterfront project to provide activities, events and facilities and increase footfall within the town impacting positively on its

regeneration. She also apologised that reference to progress on entering Rhyl beach for a seaside award had been omitted and agreed to circulate that information to members.

Councillor Joan Butterfield reported that Rhyl Members fully supported Rhyl as a regeneration priority but expressed a number of concerns as follows –

- the lack of input from Rhyl Members when formulating the regeneration plan and their lack of involvement in the project boards overseeing particular initiatives
- the lack of investment in maintaining Rhyl facilities such as the Skytower and Sun Centre but investment being made to facilities in other areas of the county
- concerns regarding the delay on the part of Pennaf Housing Group (including Clwyd Alyn Housing Association) in delivering the housing development aspect of the West Rhyl Housing Improvement Project (WRHIP)
- highlighted the significant investment made in Rhyl West which had resulted in little or no impact on outcomes and lack of investment in other areas
- welcomed the investment in the Rhyl New School but noted no further progress with the new Faith School.

The Lead Members and Corporate Director responded to issues raised as follows –

- the report had been shared with Rhyl Members prior to submission to Cabinet and any new regeneration proposals would be welcomed and considered
- the governance structure highlighted the involvement of Rhyl Members in the Rhyl Reference Group and Scrutiny Committees and they would also be involved in various dedicated project boards – membership of the Coastal Facilities Board and WRHIP Board also included Rhyl Members
- advised of the significant investment in Rhyl over recent years including the Foryd Harbour, Apollo, Honey Club, Rhyl New School, Flood Defences and Housing and the recently announced Waterfront Development
- it was accepted that the impact of particular investments and their outcomes was not always clear or easy to quantify
- Pennaf Housing Group was being called into scrutiny to discuss why the WRHIP was taking longer than expected with a view to accelerating delivery of the housing development; Pennaf was aware of the Council's view that the houses built should be marketed for sale and not for rent
- education was also crucial to regeneration and the Rhyl New School would act as a catalyst to bring people into the town.

Councillor Jeanette Chamberlain-Jones voiced concerns regarding the impact on town centre businesses and asked for more to be done in terms of reducing business rates and car parking fees to try and increase footfall in the town. Councillor Barry Mellor welcomed much within the report but highlighted the need for appropriate timescales for particular developments and maintenance programmes for facilities. He also advocated the Council building houses for its own housing stock which would have a positive impact on economic regeneration.

The following responses were provided –

- there was currently a temporary reduction of business rates in Rhyl High Street due to slow trading conditions and the signs were that a forthcoming revaluation of rateable values would likely lead to a reduction to reflect lower rental values resulting in lower business rates for town centres businesses, hopefully from 2017
- car park charges had been subsidised previously by the Town Council in Ruthin but there was no evidence that it had increased footfall within the town. It remained open, however, for Rhyl Town Council to subsidise parking charges if they wished as was currently happening in Prestatyn through its Town Council. The County Council needed to be able to balance its parking budget, hence the recent increase in charges across the county
- reported upon the potential acquisition of property and land for redevelopment for social housing in areas of Rhyl to add to the Council's housing stock, and
- referred to the inherited problems from Clwyd Leisure Limited and assurances regarding ongoing assessment of the Council's coastal leisure facilities.

The Leader emphasised the Council's commitment to Rhyl's regeneration adding that the regeneration proposals provided huge opportunities for Rhyl.

RESOLVED that Cabinet –

- (a) *note the progress made with regeneration projects in Rhyl;*
- (b) *approve the proposals for the next phase of regeneration activity in Rhyl set out within the report and illustrated in Appendix 2 to the report and agree that they should be used to inform priorities for any regeneration funding that may become available, and*
- (c) *approve the programme management and governance arrangements set out within the report and illustrated in Appendix 3 to the report.*

At this juncture (11.20 a.m.) the meeting adjourned for a refreshment break.

8 CORPORATE PLAN PERFORMANCE REPORT QUARTER 3 - 2015/16

Councillor Julian Thompson-Hill presented the report providing an update on the delivery of the Corporate Plan 2012 – 17 as at the end of quarter 3 of 2015/16.

The performance report provided a summary position for each outcome together with an analysis of key exceptions. All outcomes had been evaluated as acceptable or better and an explanation behind the status of each indicator had been included with key issues elaborated upon further at the meeting together with achievements in quarter 3. Performance Scrutiny Committee had considered the report and had called in issues relating to education and housing indicators for further scrutiny. A Corporate Plan Improvement Board had been established to monitor delivery of the Plan over the last eighteen months of the administration.

During consideration of the report members discussed the following –

- Indicator JHLAS03i – It was noted that this indicator was green when measuring the years of supply of housing land which was at odds with the red rating in the LDP Annual Report submitted to Welsh Government using their calculation method. Officers suspected the contrary findings had been due to a different measure being used but agreed to look into the matter further and report back
- CES111a – reducing the reliance on mobile accommodation had been rated blue (completed) because there was a policy in place to address that issue; it was noted that the number of school places provided through mobile classrooms had been rated yellow for primary and amber for secondary
- performance against the indicator for pupils achieving the level 2 threshold including Welsh/English and Maths had increased from 55% in 2013-14 to 56% in 2014-15. However, improvement elsewhere in Wales meant Denbighshire's performance had fallen below the median and was considered a priority for improvement. Councillor Eryl Williams advised that the indicator was unfair given the huge disparity between Welsh Government funding allocated across the region to spend on school improvement and raising standards
- THS012: % of principle (A) and non-principal (B) and (C) roads that were in overall poor condition – it was recognised that the green indicator could be misleading but it was in fact a positive outcome with the level of poor condition having reduced overall, it was not possible to amend the wording for clarity as the indicator was set nationally. Councillor David Smith reported upon the latest figures available which showed an improvement in road conditions for both principle and non-principal roads since 2012. The challenge of continually maintaining the county's roads was acknowledged
- the red indicator for broadband availability was a serious concern which had been called into scrutiny and the delay would be discussed directly with BT
- Residents' Survey 2015 – the latest responses had been used to inform the plan outcomes and it was disappointing, if not unsurprising, to note that customer satisfaction levels were still red and that the largely positive report had not been reflected in residents' responses
- Vibrant Towns and Communities – activities relating to the Honey Club and Queen Street, Rhyl had been classified green because the Council's work in that regard was on target – Cabinet asked for greater clarity in future reports regarding which performance element of the project was being measured
- the rate of fly-tipping incidents was high due to the way incidents in the county were recorded and figures had not increased as a result of the introduction of green waste charges
- the number of additional affording housing units was largely dependent on the size and viability of housing developments.

Cabinet was pleased to note that the report was largely positive and that scrutiny had called in a number of issues for further examination.

RESOLVED that Cabinet receives the report and notes the progress in delivering the Corporate Plan 2012 – 17 as at the end of quarter 3 of 2015/16.

9 EMPLOYMENT POLICIES

Councillor Barbara Smith presented the report recommending approval of eight employment policies which had been developed/revised. The report detailed four

new policies and highlighted proposed changes within the existing policies and the reasons therefore. Reference was made to the consultation process and although the Local Joint Consultative Committee had been inquired when considering the policies, both unions and members were happy to recommend their adoption.

During consideration of the Equal Opportunities in Employment Policy Councillor Huw Jones queried the impact of the new Welsh Language Standards. Officers confirmed that the Welsh Language was not a protected characteristic as set out in the equalities legislation and there were other policies relating to language, including the Council's own Welsh Language scheme. Assurances were also sought regarding consistent application of the policies across the authority and officers reported upon the active promotion of the policies at various management meetings and their promotion and availability on the intranet. The documents had been reformatted for ease of use and templates had been included for consistency.

RESOLVED that Cabinet adopt the employment policies as detailed within the report.

10 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 £0.585m was forecast for service and corporate budgets
- 91% of agreed savings had been achieved to date (target £7.3m) and the majority of the remaining savings were projected to be achieved by 2016/17 at the latest – it was clarified that the remaining 9% savings for 2015/16 would be delivered in cash terms but the actual saving may not be delivered until 2016/17
- 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).

Cabinet was also asked to approve the £677k underspend within the PFI and Capital Financing Budgets to set up a reserve to help mitigate the effects of future reductions in funding. It was clarified that this element would be considered during members' budget workshops. As the Final Settlement had resulted in an additional £6k funding it was recommended that this sum be added to the £480k Corporate Contingency for 2016/17 to help offset any delays in achievement of efficiencies.

During debate assurances were provided that decisions regarding high cost placements in Children's Services were based on need and not financial grounds and a specialist placement reserve had been created in order to meet those costs. With regard to the Rhos Street School and Ysgol Pen Barras project, Councillor Bobby Feeley asked that future reports be reworded to further clarify that there would be two schools on the Glasdir site.

RESOLVED that Cabinet –

- (a) *notes the budgets set for 2015/16 and progress against the agreed budget strategy;*
- (b) *approve the use of the underspend within the PFI and Capital Financing Budgets of £677k to set up a reserve to help mitigate the effects of future reductions in funding received from Welsh Government as part of the budget strategy for 2017/18, and*
- (c) *note the update on the Final Settlement and approve the recommended use of the additional £6k in Welsh Government funding.*

11 CABINET FORWARD WORK PROGRAMME

The Cabinet Forward Work Programme was presented for consideration and members noted the following –

- the Adult Social Care Charging Policy would be considered in April
- reference to the Adult Social Care Charging Policy in May should be removed and replaced with the Future of Adult Provider Services, and
- the former North Wales Hospital, Denbigh item scheduled for May could be delayed as it was subject to a District Valuer report.

RESOLVED that Cabinet's Forward Work Programme be noted.

The meeting concluded at 12.30 p.m.