

## **CABINET**

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 24 May 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 and Performance and Eryl Williams, Deputy Leader and Lead Member for Education

**Observers:** Councillors Ray Bartley, Joan Butterfield, Meirick Davies, Martyn Holland, Barry Mellor, Arwel Roberts and Huw Williams

### **ALSO PRESENT**

Chief Executive (MM); Corporate Directors: Economy and Public Realm (RM) and Communities (NS); Heads of Service: Legal, HR and Democratic Services (GW) and Head of Community Support Services (PG); Principal Manager – Business Support (TW); Project Officer – In house Provider Services Consultation (HE); Project Manager Waste Management (JE); Chief Finance Officer (RW), and Committee Administrator (KEJ)

#### **1 APOLOGIES**

Councillor Julian Thompson-Hill – Lead Member for Finance, Corporate Plan and Performance

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

No declarations of interest had been raised.

#### **3 URGENT MATTERS**

No urgent matters had been raised.

#### **4 MINUTES**

The minutes of the Cabinet meeting held on 26 April 2016 were submitted.

Accuracy – Page 9: Item 6 Members Involvement in Appeals – Councillor Barbara Smith asked it to be recorded that she had advised Cabinet that the Local Joint Consultative Committee had been inquorate when the matter had been discussed and that members of it had agreed for their views to be passed on to Cabinet.

**RESOLVED** that, subject to a point of accuracy, the minutes of the meeting held on 26 April 2016 be approved as a correct record and signed by the Leader.

## **5 IN-HOUSE CARE SERVICES REVIEW AND CONSULTATION**

The Leader advised that, due to the time consuming and comprehensive process involved in the review, it would be useful for some context to be provided. Consequently he invited those involved in the process to address Cabinet.

Councillor Meirick Davies, a member and former Chair of the Task & Finish Group established to assist with the review, elaborated upon the membership of the Group, its purpose and scope and the timescales involved which had culminated in their recommendations to Performance Scrutiny Committee. The Group's brief had been to examine value for money options for delivering high quality social care services in the county. Councillor Davies detailed the role of the Group in overseeing the planning process for the consultation exercise and exploration of the potential options over the last two years, demonstrating the comprehensive nature and robustness of the process. He also took the opportunity to pay tribute to the work of the late Councillor Richard Davies and his contribution to the process.

Councillor Barry Mellor, Chair of Performance Scrutiny Committee reported upon the committee's robust scrutiny of the findings, conclusions and proposals of the Task & Finish Group during their meeting on 12 April 2016. He had been disappointed that, despite being such a high profile issue, there had been a poor public response rate to the consultation process. Overall, Performance Scrutiny Committee had been satisfied with the Task and Finish Group's findings and recommendations. In formulating the committee's recommendation to Cabinet additional caveats had been included in relation to the inclusion of comparative cost, quality of care and Welsh language provision analysis between the current provider and any potential service. Councillor Mellor confirmed that he was comfortable with the recommendations put forward for Cabinet's consideration.

Councillor Bobby Feeley thanked both members and officers for their input into the process to date and for the hard work involved. She highlighted the case for change taking into account the requirements of the Social Services and Wellbeing (Wales) Act and the need to modernise services in response to changing demographics and needs of the public within difficult financial circumstances. The report summarised the information gathered from the public consultation and the views of the Performance Scrutiny Committee in considering the report of the Task & Finish Group established to analyse that information and recommend a way forward. Information and evidence considered as part of the review had been included in appendices to the report.

At this point the Head of Community Support Services and Principal Manager – Business Support delivered a power point presentation on the evidence from the public consultation which focused on the following key areas –

- explained how the legal principles around consultation had been met and the nature of the consultation
- detailed the case for change taking into account demand for types of social care and needs of local residents and delivering better outcomes, enabling independence for longer and taking into account costs of service provision

- detailed the options for each of the four care establishments together with the rationale behind each option
- summarised the public consultation together with an overview of the responses received, the main concerns raised and the Council's response thereto which had been detailed within the appendices to the main report.

Cabinet discussed the report with the Lead Member and officers and sought assurances regarding a number of issues and raised further questions as follows –

- if Cabinet approved the recommendations assurances were given that services would continue as usual in the interim period, including admissions to care homes providing the needs of those individuals could be met
- officers elaborated further on the case for change advising that demand for current standard residential and day care services was reducing but there was a greater demand for more specialist mental health services and nursing homes together with other services which promoted independence
- a letter had been received from the Older People's Commissioner about the future of care services and a detailed response to the issues raised had been provided – the Council had not stated there was no longer a need for standard residential care but that a small number of people chose that provision and demand was decreasing. However there was an increase in demand for specialised residential and nursing care which the Council did not provide. The recommended options would serve to increase the range of services provided
- it was recognised that there was opposition to the proposals and that uncertainty surrounding the future of the care homes would be a cause of stress and concern. Cabinet sought assurances that no individual would be disadvantaged as a result of the process and that their needs would continue to be met. Given the potential impact on service users, their families, staff and the wider community the importance of ensuring that everyone was kept well informed during the whole process was highlighted as a key priority. Officers reiterated that services would continue as normal during the interim period and Cabinet had previously agreed that nobody would be required to move if they did not wish to do so and their needs could still be met there. Officers agreed that communication was a key issue and that everyone would be kept informed of developments as they progressed
- tribute was paid to Unison for supporting staff throughout the process and officers advised that Unison's alternative proposal had been carefully considered but it did not address the decreasing demand for residential care and the need to develop more enabling alternatives to existing services. Since February the number of permanent residents in Council care homes had further decreased overall [there was an increase of one resident in Cysgod y Gaer].

The options for each of the four care establishments had been detailed within the report and were considered individually with debate focusing on the following –

### **Hafan Deg (Rhyl)**

Cabinet stressed the importance of the community centre to the wider community, particularly residents of War Memorial Court and sought assurances in that regard. Cabinet was advised that the centre's importance had been acknowledged during

the consultation process and the intention was to increase usage of the facilities with services being available to the wider community, including tenants of War Memorial Court, which would be included in any future Service Level Agreement.

Councillor Joan Butterfield highlighted the valuable services provided by Hafan Deg and she felt that the options were not sufficiently comprehensive. She believed that the residential and day care elements should be costed separately and it was imperative day care services continued. She felt that rehabilitation and day care services needed to work in partnership and should be further explored together with options to keep the service in-house. She questioned whether there was sufficient interest from external providers to proceed and, if that option was pursued, whether assurances could be given that the service would not be withdrawn in the future. Officers agreed that day care services were important but did not necessarily have to be provided by the Council. The Council had a legal responsibility to ensure individual needs were met should a service fail. The recommendations included a comparative cost analysis which would enable a fully informed decision to be made on a cost basis. Any buildings transferred under the proposals would likely be on a long term lease with conditions attached and the provision of services would be subject to a contract to safeguard against withdrawing service provision. In the event that a partner could not be found the review process would recommence.

### **Dolwen (Denbigh)**

Cabinet recognised the importance of the day care centre and sought assurances that the provision would be enhanced and not withdrawn. Officers confirmed that options were being explored for both residential and day care elements to ensure day care could support people with mental health needs. Staff were not currently registered to provide specialist mental health needs care or nursing care and there was a recognised need in this area to address.

Councillor Ray Bartley highlighted that Dolwen had been providing high quality care for fifty years and he paid tribute to the staff for the care provided. In highlighting Dolwen as a much needed care facility he supported the proposal for additional elderly mental health care provision. Councillor Arwel Roberts believed that finance was a driver for the proposed changes and he highlighted the importance of providing care through the medium of Welsh across all care facilities and sought further assurances in that regard. Officers confirmed that Welsh language provision was fundamental to providing care services whether in home or residential settings and an analysis of Welsh language provision had been included within the recommended options. In terms of finance officers advised that the main driver for change was sustainability of services for both current and future generations by providing a greater range of services and meeting needs in more diverse ways.

### **Awelon (Ruthin)**

The report recommended that three options be explored in more detail.

Councillor David Smith raised the following issues –

- in terms of Option 3 assurances were sought that the existing school sites (Ysgol Pen Barras/Rhos Street) would be considered for this proposal alongside other potential location sites
- advised that false rumours continued to circulate including the mistaken belief that admissions to Awelon had been stopped and there was a need for a clear message that options were being explored but that services continued as usual in the interim
- indicated that Canolfan Awelon was extremely well used and sought assurances that if the centre was removed/reconfigured as part of future plans, that an equivalent or improved facility was provided in its place.

The following responses were provided –

- officers advised that information regarding the operation of Awelon had been reinforced during the consultation process and confirmed that they would continue to send out a clear message in that regard
- a meeting had taken place with Canolfan Awelon representatives as part of the consultation process and the valuable service it provided for both older people and the wider community was acknowledged – the Management Committee would be kept fully informed of any future developments. Assurances were provided that the organisation providing extra care would deliver equivalent, if not better services than the existing provision
- Councillor Eryl Williams advised that the potential for the existing dual school site, once vacated, to be utilised for health care provision had been raised previously. Officers added that Health Board colleagues had been made aware of the request by members for more enhanced health services in the Ruthin area. They were also aware of how the recommended options had been developed and the drive for more integrated services in the future.

### **Cysgod y Gaer (Corwen)**

Councillor Huw Jones was pleased to note the proposal to progress the recommendation for Cysgod y Gaer which was the only care home to serve the needs in Corwen and the surrounding area. He was disappointed to note the low consultation response and would be emphasising, within the community, the importance of people expressing their views and preferences. Councillor Jones also took the opportunity to reiterate the importance of Welsh language provision across the county. In response to questions raised officers responded as follows –

- the number of residents had increased from 16 to 17 since February
- there were no current plans to transfer staff but in that event assurances were given that the unions would be involved within that process. Partnership arrangements would enhance the current service and result in staff from partner organisations working from the site
- acknowledged the importance of the Welsh language across the county which was a crucial element within the proposals.

During general debate questions were raised regarding the role of the NHS in the overall process and the need for greater collaboration when considering social care projects. Officers confirmed that the Council was working closely with Betsi

Cadwaladr University Health Board both on a strategic and operational level in order to improve outcomes. The requirements of the Social Services and Wellbeing Act was highlighted including the establishment of various regional boards in order to consider different types of provision, integrating services and outcome needs.

Prior to moving the recommendations Councillor Bobby Feeley reiterated the case for change and the need to transform services in order to create sustainable services to meet local needs and achieve the best possible outcomes. It was noted that work on the various options would likely be concluded at different stages.

**RESOLVED** that Cabinet approve the following –

- (a) *Hafan Deg (Rhyl) – the council explores a potential partnership with an external organisation with a view to transferring the building to them, commissioning 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. The work in relation to this option should include comparative cost, quality of care and Welsh language provision analysis between the current provider and any potential future service*
- (b) *Dolwen (Denbigh) – the council explores a potential partnership with an external organisation with a view to transferring the building and the whole service to them, whilst ensuring that Dolwen is registered to provide EMH day and residential care. The work in relation to this option should include comparative cost, quality of care and Welsh language provision analysis between the current provider and any potential future service*
- (c) *Awelon (Ruthin) – that the Council explores in detail the three options put forward in relation to this establishment and that the work in relation to these options include comparative costs, quality of care and Welsh language provision analysis between the current service and each of the three options.*

*The options are –*

- *Option 1 (Cabinet's preferred option): The council will enter into a partnership with the owner of Llys Awelon to develop additional Extra Care apartments on the site, replacing the existing residential and community provision. However, it should be noted that Cabinet has agreed that no resident will be required to leave if they don't want to and their needs can still be met in the residential provision*
- *Option 2: To work in partnership with a registered social landlord, health services and the 3rd sector to develop a range of services, transferring half of the building to develop additional extra care flats, possibly as an extension to Llys Awelon, while using the remainder as a small residential unit which could be used to meet the need for respite care and to ensure that no existing resident would need to move unless they chose to*

- *Option 3: (Suggestion from some members) The council should engage with BCUHB to investigate the feasibility of developing additional nursing care capacity in Ruthin which would then enhance the offer for older people in the Ruthin area*
- (d) *Cysgod y Gaer (Corwen) – The council explores entering 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 Corwen and the surrounding area, and*
- (e) *that upon completion of the above, an analysis of each of the options in relation to each establishment is presented to Performance Scrutiny Committee for examination prior to a decision by Cabinet, with each being presented as it is developed.*

At this juncture (11.50 a.m.) the meeting adjourned for a refreshment break.

In the absence of the Leader, the Deputy Leader Councillor Eryl Williams took the Chair for the remainder of the proceedings.

## **6 FINANCE REPORT**

In the absence of Councillor Julian Thompson-Hill, the Chief Finance Officer presented the report detailing the latest financial position and progress against the agreed budget strategy. A summary of the report elements was provided –

- the council’s revenue budget for 2016/17 with no variances to report at this stage in the financial year – the impact of the 2015/16 year end position was being finalised for inclusion in the Final Outturn report to Cabinet in June
- 91% of savings had been achieved in full in 2015/16 with the remaining 9% projected to be achieved in 2016/17 – an initial assessment of the 2016/17 savings would be provided in next month’s regular Cabinet Finance report
- background on the Welsh Government revenue grant funding position and an update on the revenue grants due to be received in 2016/17
- highlighted a number of pressures within the overall budget requiring management action by specific services
- services permitted to carry forward significant underspends to fund specific projects in the new financial year would be detailed in next month’s Final Outturn report, 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 final local government settlement had resulted in a cut to the Revenue Support Grant of 1.3% but concerns were expressed that, taking into account cuts to direct grants, the ‘real’ settlement was closer to 1.8%. Cabinet noted the work of local government finance officers and the WLGA in reviewing this

funding element and costs of administering grants and raising awareness of the issue. The Chief Executive advised that the Leader had requested an early meeting with the new Finance and Local Government Secretary and would include this issue for discussion as an area of concern

- in response to a question from Councillor Meirick Davies, the Chief Finance Officer explained that the carry forward of service underspends had been approved by Cabinet in principle – with regard to the remedial works at Wigfair, Cefn Meiriadog this scheme had been approved and it was agreed that the Chief Finance Officer provide a written response to Councillor Davies thereon
- Councillor Huw Jones reported upon suggested changes to the administration of funding for leisure initiatives such as dragon sports believing that local authorities would be disadvantaged as a result
- in response to a question from Councillor Eryl Williams regarding ‘topslicing’ of the Revenue Support Grant, the Chief Finance Officer advised that a breakdown of specific grants affected could not be provided as there was no evidence trail
- a number of specific pressures were highlighted relating to School Transport; North and Mid Wales Trunk Agency Contract; Community Services inflationary pressures and the growing number of Schools moving to deficit balances. In respect of School Transport officers provided an update on the need to review the policy following a series of challenges and for it to be funded appropriately. The shortage of nursing care was also flagged up as a significant challenge and pressure which needed to be addressed.

**RESOLVED** that Cabinet notes the budgets set for 2016/17 and progress against the agreed budget strategy.

## **7 CABINET FORWARD WORK PROGRAMME**

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

- a report on the former North Wales Hospital, Denbigh (Compulsory Purchase Order) would be added to the work programme once a clearer indication of timescales was known
- a report on Faith Based Secondary Provision would added to the work programme for July

**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.

## **8 AWARD OF CONTRACT FOR DISPOSAL OF RESIDUAL WASTE AND COMPOSTING OF GREEN WASTE**



Councillor David Smith presented the confidential report seeking Cabinet approval to award a single contract for residual waste disposal and a single contract for composting of green waste to the most economically advantageous tenderer as detailed within the report in accordance with Contract Procedure Rules.

An interim contract was required to take the Council towards the point at which the regionally procured facility became available (currently estimated in 2019). Details of the bids received together with the scoring mechanism had been provided for each of the contracts following which officers had recommended the award of the contracts to specific tenderers as detailed within the report. The Lead Member and officers responded to questions from members regarding the treatment facilities and disposal options. Councillor Eryl Williams suggested a press release highlighting that residual waste would not be disposed of to landfill in future.

***RESOLVED*** that Cabinet approve the award of a single contract for residual waste disposal and a single contract for composting of green waste to the named tenderers as detailed within the report.

The meeting concluded at 12.40 p.m.