

CABINET

Minutes of a meeting of the Cabinet held in Conference Room 1a, County Hall, Ruthin on Tuesday, 29 September 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, Meirick Davies, Martyn Holland, Dewi Owens, Merfyn Parry 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), Customers and Education Support (JW), Education (KE); Programme Manager (JC); Chief Accountant (RW), and Committee Administrator (KEJ)

1 APOLOGIES

There were no apologies.

2 DECLARATION OF INTERESTS

Councillor Martyn Holland declared a personal interest in agenda item 5 because he was a School Governor of Ysgol Bro Famau.

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 28 July 2015 were submitted.

RESOLVED that the minutes of the meeting held on 28 July 2015 be approved as a correct record and signed by the Leader.

5 PROPOSAL TO CLOSE YSGOL RHEWL AS OF 31 AUGUST 2017 AND TRANSFER EXISTING PUPILS TO YSGOL PEN BARRAS, RUTHIN OR RHOS STREET SCHOOL, RUTHIN SUBJECT TO PARENTAL PREFERENCE

Councillor Eryl Williams presented the report detailing the objections received following publication of the Statutory Notice to close Ysgol Rhewl with pupils transferring to Ysgol Pen Barras or Rhos Street School subject to parental preference, together with factors to be considered prior to determining the proposal.

The proposal for Ysgol Rhewl had been made in the context of the wider Ruthin area review taking into account the suitability and condition of school sites and surplus places and the impact on the long term sustainability of the school. Cabinet was reminded that Performance Scrutiny Committee had recommended further work be undertaken during the consultation process to address concerns raised relating to the new Glasdir site and the Welsh Language offer. The findings of that work had been included at Appendix D and E to the report. Councillor Merfyn Parry (local member) raised concerns over the adequacy of that supplementary work in terms of consultation highlighting the lack of information provided by officers in order to inform meaningful debate at meetings and the difficulties in convening meetings due to the availability of key individuals. He felt appropriate consultation had not been undertaken, adding that there had been no discussion whatsoever on the latest proposal to provide discretionary transport to the nearest category 2 school. Consequently Councillor Parry asked that the matter be deferred pending further consultation with stakeholders. Cabinet sought assurances regarding the supplementary work as directed by scrutiny and officers reported upon a timetable of communication culminating in the findings as detailed in Appendix D and E to the report. Cabinet considered the process of engagement to be robust and that sufficient information had been provided to enable a fully informed decision.

Councillor Williams drew members' attention to the report and statutory processes to be followed. Cabinet considered the objections detailed within the report together with the arguments for the proposal and factors detailed in the School Organisation Code. Members paid particular attention to issues raised relating to the new Glasdir site and Welsh Language impact as the main areas of concern –

(1) Concerns relating to the new site at Glasdir

Concerns had been raised regarding road safety and feasibility of the development.

Two road safety assessments had been undertaken on 14/08/15 (school holiday) and 15/09/15 (school term) which found that the current route for pupils walking from Rhewl to Glasdir was not hazardous. The assessment did not take into account any future development and Cabinet sought assurances as to the future safety of the route and ensuring appropriate traffic control measures were in place prior to the new schools' opening. The need to clarify the 30 mph speed limit for motorists travelling into Ruthin was also raised. Officers provided assurances that route safety was a top priority which would be kept under close review. Traffic and transport assessments would continue throughout the site development as circumstances changed to ensure any safety issues were identified.

Regarding the feasibility of the development to accommodate pupils assurances were provided that proposed capacity of the two new schools would allow sufficient room for growth. The proposal linked the transfer of pupils from Ysgol Rhewl to the new schools at Glasdir and pupils would not be expected to move twice in the event

of any delay in the site development process. Cabinet agreed that the intention to transfer pupils to the new schools be made clear in the resolution.

(2) Concerns relating to the impact on the Welsh Language offer

Concerns had been raised that the current Welsh Language offer could not be replicated if pupils moved to either of the new schools. Councillor Merfyn Parry reiterated those concerns and whilst noting the latest proposal to provide an option to transfer pupils to the nearest category 2 school he remained concerned about the lack of consultation and detail provided to test whether it was a robust option and he raised questions in that regard. Cabinet also sought assurances that the three curriculum offers for pupils in terms of Welsh medium, English medium and dual stream settings provided at least equivalent standards and opportunities for progression in their current language medium.

Officers responded to those issues as follows –

- further context was provided to the current language offer in the area and the extent of Welsh Language delivered in a range of settings which demonstrated suitable alternative provision. The current proposal allowed parents to choose three types of setting in order for pupils to maintain their current language medium – Welsh medium (Pen Barras), English medium (Rhos Street) and Dual stream (Llanfair Dyffryn Clwyd). As a result pupils would not be disadvantaged in terms of standards and opportunities for progression in their current language medium if the proposal was implemented
- if Cabinet approved the proposal officers would discuss school preferences with parents and capacity would be built into the new Glasdir site schools and the proposals for the new area category 2 school. Officers were confident that all three schools had capacity to accommodate parental preferences for pupils transferring from Ysgol Rhewl
- with regard to the transport element for the category 2 school officers explained that the Home to School Transport Policy allowed for the provision of discretionary transport in cases of school closure. Cabinet was advised that the Head of Education would look favourably upon applications made as a result of the closure of Ysgol Rhewl and confirmed that this discretion could be extended to siblings of existing pupils – members agreed that this element be further clarified as appropriate within their resolution.

Councillor Williams moved the recommendation with amendments in order to clarify that the transfer of pupils would coincide with opening of the new school buildings and that applications for discretionary transport to the nearest category 2 school would also be considered from siblings of existing pupils. Cabinet was satisfied that the proposal presented the best option to ensure a high standard of school provision for the future.

RESOLVED that Cabinet –

- (a) note the findings of the objection report;

- (b) *following consideration of the above, Cabinet approve implementation of the proposal to close Ysgol Rhewl on the 31 August 2017 with existing pupils transferring to the new school building of Ysgol Pen Barras, Ruthin or Rhos Street School, Ruthin subject to parental preference, and*
- (c) *that applications for discretionary transport to the nearest category 2 school, be considered on a case by case by case basis, from existing pupils of Ysgol Rhewl and their siblings for the remainder of their primary education.*

At this juncture (10.55 a.m.) the meeting adjourned for a refreshment break.

6 MODIFICATION TO YSGOL LLANFAIR AND YSGOL PENTRECELYN PROPOSAL

Councillor Eryl Williams presented the report seeking Cabinet approval to consult on a change to the timescale of the proposed closure of Ysgol Llanfair and Ysgol Pentrecelyn and the opening of a new area school.

Formal consultation on the proposal had already been undertaken but following initial feasibility works for the new build it was recommended that implementation of the proposal be delayed by twelve months. Consequently approval was sought to consult with the Diocese of St. Asaph, Governing Bodies of both schools and Welsh Ministers on the option that the two schools would close on 31 August 2017, rather than 2016, with the Church in Wales establishing a new area school on the existing sites on 1 September 2017, rather than 2016. This modification would allow further time for the two schools to work closely together before amalgamation and could result in the area school being on separate sites for a shorter period. If approved Cabinet would consider the findings of the consultation regarding the modification at its October meeting as part of the process of determining the proposal. To comply with the requirements of the School Organisation Code it was recommended that the decision be implemented immediately.

Cabinet noted the requirements set out in the School Organisation Code regarding such modifications. As local member the Leader welcomed the proposal which he believed would create more stability in the community with a realistic timescale.

RESOLVED that Cabinet approves the recommendations to –

- (a) *consult with the Diocese of St. Asaph, as a joint proposer, to seek their consent to the proposed modification;*
- (b) *obtain the consent of the Welsh Ministers to the proposed modification;*
- (c) *consult with the governing bodies of Ysgol Llanfair and Ysgol Pentrecelyn on the proposed modification, and*
- (d) *agrees that the recommendations be implemented immediately in accordance with the Council's call in procedure rules contained in the constitution in light of the circumstances as set out within the report.*

7 CORPORATE PLAN PERFORMANCE REPORT QUARTER 1 - 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 1 of 2015/16.

The report included three main elements –

- Corporate Plan 2012 – 17 – members' attention was drawn to the analysis of key exceptions and an explanation behind the 'Red' status of each indicator had been included within the report and elaborated upon further at the meeting
- National Strategic Indicators 2014/15 – an analysis had been provided of Denbighshire's excellent performance against national indicators with 20 in the top half and 14 in the top quartile, Denbighshire also had the fewest number in the bottom half. 8 national indicators had declined in performance and an explanation behind the decline had also been provided
- Corporate Project Register – there were no projects with a 'Red' status and only two projects with an 'Orange' status with all projects on track.

During consideration of the report the following issues were raised –

- Outcome 8: Residents and visitors to Denbighshire have access to a safe and well-managed road network – the indicator linked to outcome agreement funding would be removed in future when the funding was subsumed into the Revenue Support Grant. It was anticipated that budget reductions would have an adverse impact and the need to keep this priority under close review was emphasised
- National Strategic Indicator: SCC/002: Looked after children changing school – assurances were provided that this indicator continued to be closely monitored. Given the small cohort of children and valid reasons for school moves in all cases it was not considered a priority for improvement
- Carbon Emissions – Councillor Thompson-Hill explained that information could not be produced at present due to a major issue with the new British Gas billing system which they were working to resolve. It was considered appropriate to wait for the full data rather than reporting upon inaccurate partial data
- Deficit School Places – it was explained that figures related to the number of schools who did not have enough places and there was a general imbalance in that schools in the North of the county tended to be oversubscribed with schools in the South having surplus places
- Percentage of staff receiving a performance appraisal – this figure had decreased 17% to 67% compared to the same period last year and raised some concern. Officers explained the decrease was due to staff reorganisations but the figure was expected to increase. Performance for this indicator would be challenged as part of the service challenge process.

Cabinet welcomed Denbighshire's excellent performance in the National Strategic Indicators and their track record in that regard. Whilst recognising it was still early in the process members were also pleased to note the good progress overall in delivering the Corporate Plan. However it was noted that assumptions were still being made at this stage and it was too early to assess the impact of budget pressures on services. A clearer picture would emerge later in the year.

In moving the recommendations Councillor Julian Thompson-Hill also acknowledged points raised by members which he would take on board.

RESOLVED that Cabinet receives the report and notes the progress in delivering the Corporate Plan 2012 – 17 as at the end of quarter 1 of 2015/16.

8 ANNUAL TREASURY MANAGEMENT REPORT 2014/15

Councillor Julian Thompson-Hill presented the report updating Cabinet on the performance of the treasury management function and demonstrating compliance with treasury limits and Prudential Indicators during 2014/15.

In summarising the report Councillor Thompson-Hill referred to the economic background and subsequent impact on treasury management activities. He highlighted the main points for members in terms of borrowing and investment activity including the Housing Revenue Subsidy buyout which would result in significant savings to the Housing Revenue Account and provided an update on the termination and buyout of the County Hall PFI agreement which was close to completion. Recent changes to banks bail out arrangements had also led to changes in the Council's investment activity to minimise risk. All prudential indicators were as expected at this stage and there were no issues to report in that regard. Corporate Governance Committee had considered the report and found no issues which warranted further investigation. The Chief Accountant added an overview of current economic indicators and risk implications of treasury decisions and strategies used to manage those risks.

RESOLVED that the Annual Treasury Management Report for 2014/15 be noted.

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 –

- a net under spend of £0.380m was forecast for service and corporate budgets
- 74% 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 –

- members were pleased to note that 74% of savings had been achieved at such an early stage in the financial year and Councillor Julian Thompson-Hill and the finance team were congratulated on their work and progress made
- there was some discussion regarding the merits of subsidising car parking charges by town councils and Councillor David Smith (Lead Member) advised that the situation was under regular review

- questions were raised regarding the impact of introducing charges at Rhyl Drift Park and Councillor Huw Jones (Lead Member) confirmed that despite poor weather £20k income had been taken and savings had been achieved – whilst visitors had been content to pay charges there was still some local opposition
- in response to assurances sought regarding delivery of the Corporate Plan the Chief Accountant reported upon ongoing work to update the latest assumptions and it was agreed to receive a report back on the issue in November.

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

10 CABINET FORWARD WORK PROGRAMME

Councillor Hugh Evans presented the Cabinet Forward Work Programme for consideration and members noted an additional item for November on delivery of the Corporate Plan as agreed under the previous agenda item.

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 YSGOL GLAN CLWYD: CONTRACT AWARD

Councillor Eryl Williams presented the confidential report seeking authorisation to proceed with the construction and subsequent completion of the Ysgol Glan Clwyd Project via a Contract Award. The construction project included a new extension and partial demolition, remodelling and refurbishment of existing buildings.

Cabinet welcomed the positive project which demonstrated the Council's commitment to investing in schools and members were keen for the project details to be made public. The Programme Manager reported upon the subsequent publicity drive in order to maximise the positive elements of the project via press releases, events and leaflet drop. In terms of the financing further details were provided and assurances given that the project was fully funded.

RESOLVED that Cabinet approve the award of a contract related to the Ysgol Glan Clwyd project to the named contractor and to the provisional value as specified within the report.

The meeting concluded at 12.10 p.m.