

CABINET

Minutes of a meeting of the Cabinet held by video conference on Tuesday, 23 November 2021 at 10.00 am.

PRESENT

Bobby Feeley, Lead Member for Well-being and Independence; Huw Hilditch-Roberts, Lead Member for Education, Children's Services and Public Engagement; Brian Jones, Lead Member for Waste, Transport and the Environment; Tony Thomas, Lead Member for Housing and Communities; Julian Thompson-Hill, Deputy Leader and Lead Member for Finance, Performance and Strategic Assets, and Mark Young, Lead Member for Planning, Public Protection and Safer Communities

Observers: Councillors Meirick Davies, Alan James, Gwyneth Kensler, Christine Marston, Barry Mellor, Paul Penlington, Arwel Roberts, Glenn Swingler, Rhys Thomas and Emrys Wynne

ALSO PRESENT

Chief Executive (GB); Corporate Director: Communities (NS); Head of Service: Legal, HR and Democratic Services (GW), Finance and Property (SG), Community Support Services (PG), Highways and Environmental Services (TW), Planning, Public Protection and Countryside Services (EJ); Highways Risk and Asset Manager (TT); Service Manager (Client Services) (KN); Public Protection, Regeneration & Economic Development Manager (GR); Head of Regional Collaboration (CR); Regional Business Manager (CP); Regional Project Managers (LPJ & SG); Fleet Manager (CB); Project Manager (JT); Strategic Planning & Performance Team Leader (IM); Housing Development Manager (MD) and Committee Administrators (KEJ & SJ [Webcaster])

1 APOLOGIES

There were no apologies.

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 19 October 2021 were submitted.

RESOLVED that the minutes of the meeting held on 19 October 2021 be received and confirmed as a correct record.

5 LLANNERCH BRIDGE

[This item was brought forward with the consent of the Leader.]

Councillor Brian Jones presented the report seeking Cabinet's support for the principle of replacing Llannerch Bridge (located between Trefnant and Tremeirchion), which was lost in January 2021 during storm Christoph, subject to securing the necessary funding to do so.

Llannerch Bridge had formed part of a well-used route and an important link for the communities in the area. Officers had been working with consultants on potential options/cost for a replacement bridge which given the location and technicalities involved could cost £6 – 7m and would be dependent on securing relevant funding. It was proposed that approaches to seek external funding be made, particularly to the Welsh Government, and that some preparatory work be undertaken to develop a robust business case to increase the likelihood of securing external funding. A public engagement exercise had been undertaken with an overwhelming message that the bridge should be replaced as soon as possible and provided evidence of significant community support to strengthen the business case. Councillor Jones supported the local members in all their efforts to secure a replacement bridge and explained that despite best efforts it had not been feasible to provide a temporary replacement bridge given the complexities of ground conditions and other factors.

Cabinet recognised the value of Llannerch Bridge to rural communities and fully supported the report recommendations. Councillor Jones responded to questions confirming that any new bridge would be built to modern standards taking into account local views to ensure it was fit for purpose but also cosmetically similar to the previously grade II listed bridge. He was confident that a robust business case would secure funding from the Welsh Government and highlighted the potential to include active travel and connectivity of communities to further strengthen that case. If Welsh Government funding could not be secured, other external funding sources would be explored. It was noted that, whilst the bridge had been included on the Council's list of potential future projects (given that any new bridge may not be fully funded and a financial contribution may be required), no funding allocation had been made as yet within the limited capital resources for that purpose.

Local Members Councillors Christine Marston and Meirick Davies highlighted the importance of the bridge to local communities and devastating impact of its loss both socially and economically which had also been evidenced by the wealth of response to the public engagement exercise. Councillor Davies also felt that the listed status of the bridge should be recorded and that the resolution be further strengthened to ensure the necessary funding for a replacement bridge. The Lead Member and officers responded to points raised and further questions as follows –

- it was considered a robust business case should be developed prior to a formal approach to the Welsh Government for funding however the Council's intention to seek funding for a replacement bridge had been communicated to the Welsh Government at the outset following the loss of the bridge
- given the scale and nature of the project required as a consequence of a significant flood event it was reasonable for the Council to look to the Welsh

Government for funding support – if the approach was unsuccessful the Council would need to revisit the situation and reconsider its position at that time

- the logistics of providing a temporary bridge had been explored which would cost in the region of £1m but given the location and ground conditions which would hamper that work it had not been considered practical or feasible to do so
- in terms of timescales there was a need to fully establish the ground conditions on site and undertake some modelling of the river in order to acquire consent from Natural Resources Wales to undertake the necessary works, and it would likely be summer 2022 before a business case could be sufficiently developed
- no specific funding stream had yet been identified with the intention to engage with the Welsh Government on potential funding streams that may be available
- assurances were provided that local members would be kept fully informed of progress as works developed with regular discussion/reports to Elwy MAG.

There was some further debate on the wording of the recommendation and Cabinet was clear that the recommendation at present was to agree the principle of seeking the necessary funding for a replacement bridge to include an approach to the Welsh Government and potentially exploring other external funding sources. If that approach was unsuccessful the council would reconsider the position. Councillor Brian Jones reiterated his support to local members in efforts to replace the bridge and agreed to ensure momentum for that work continued with the hope that a business case could be developed by the end of the current Council term.

RESOLVED that Cabinet confirm support for the principle of replacing the bridge, subject to securing the necessary funding to do so. This will include making an approach to Welsh Government to request external funding.

6 MEIFOD UPDATE

Councillor Bobby Feeley presented the report on the future of Meifod following consideration of the options by relevant stakeholders, the Performance Scrutiny Committee Task and Finish Group and Performance Scrutiny Committee. She also took the opportunity to thank all those involved in that process for their hard work.

Meifod was a well-respected work opportunity service for adults with learning disabilities managed by Community Support Services. It was located in a rented factory unit in Denbigh producing and selling wood products. The facility had been closed since March 2020 due to Covid-19 and the Council had taken the opportunity to consider the future of the facility. All agreed that Meifod was a much valued service and there was much support to reopen the facility as soon as possible; it was anticipated that the required works would be completed to reopen Meifod by February. The current lease ended in September 2025 which allowed time to promote the facility, introduce alternative activities and consider new service delivery models to improve its long-term sustainability given the cost increases associated with providing the facility. Councillor Feeley added that at no stage had she or anyone else to her knowledge considered closure of the facility but agreed changes were needed to improve the offer at Meifod. The intention going forward was to ensure all interested parties were kept informed about Meifod's reopening and future plans including liaison with families of present and future users.

Councillor Arwel Roberts, Chair of Performance Scrutiny Committee thanked the Task and Finish Group for their work and reported upon the Committee's lengthy discussions and further strengthening of the Task and Finish Group's recommendations as detailed in the report, to invest in the service to ensure its reopening as soon as possible and to safeguard its future and provide a greater range of activities for service users whilst ensuring future provision conformed with relevant legislation and the Council's Welsh Language policy. He had also been pleased to hear the views of a parent of one of the service users at the meeting.

Cabinet noted the recommendations which reflected the conclusions of the Performance Scrutiny Committee and was pleased to note the positive report to safeguard the future of Meifod and opportunity to provide a greater range of activities to make the service more inclusive and encourage more people to use the service. As local member, Councillor Mark Young spoke positively about Meifod's future and along with fellow local member Councillor Rhys Thomas, asked that they be kept abreast of reopening plans and any future changes to the facility and also offered their support to officers in communicating with families using the service and future users. Councillor Bobby Feeley reiterated plans to ensure all interested parties be kept informed and to liaise with the families of present and future users. In response to further questions officers gave an update on the works to be undertaken prior to reopening of the facility and assurances were provided that all endeavours would be made to ensure the facility reopened as soon as possible. In response to a suggestion from Councillor Huw Hilditch-Roberts regarding the potential reference to 'Meifod Services' in the recommendations, Councillor Feeley confirmed she was happy with the current recommendations as per the report.

The Leader invited questions from non-Cabinet members. Whilst there was broad support for the report recommendations, questions were raised regarding the need to diversify into other areas given the previous success of Meifod with concerns that the skills base would be diluted or lost, and the reasoning behind the reduction in referrals to the facility and plans to increase uptake was also sought. In response to those and other questions/comments, the Lead Member and officers –

- confirmed categorically that no service users would be forced to undertake any activities they did not wish to do
- in response to Councillor Rhys Thomas and further request for involvement of local members reference was made to the establishment of a stakeholder group to be engaged in the re-opening of the service and developing future options
- noted suggestions from Councillor Arwel Roberts regarding the availability of other funding sources and individuals who may be able to assist in that regard
- accepted the desire for continuation of woodwork based activities with the recommendation having referred to new ways of working, including working with timber, and service users and their families/advocates would be engaged as part of the stakeholder group in developing future options
- numbers attending Meifod had reduced over recent years with those coming into the service preferring other activities; the proposals provided an opportunity to broaden the range of activities and encourage more people to use the service
- referrals were made by the Complex Disabilities Team who promoted Meifod along with other support services but there was a lack of interest in woodwork

- the practical manual activity was particularly valued at Meifod which was lacking in other services available and the intention was to capitalise on that aspect, making the service more accessible/attractive with a greater choice of activities.

With regard to some of the concerns raised Cabinet was assured that the recommendation to establish a stakeholder group to consider future options would ensure that a model was developed to address those issues and provide a more sustainable future for Meifod for the benefit of all concerned, and any options would be further considered by members through the usual democratic processes.

RESOLVED that –

- (a) *Meifod be re-opened as a Council run service for adults with learning disabilities as soon as it is safe to do so, following the necessary investment into the existing building/facilities. It was anticipated that the service would be able to re-open by February 2022, although this could be sooner if works are completed quickly;*
- (b) *officers to provide options for members to consider through the established political process on:*
 - *new ways of working at Meifod to improve learning and skills across a range of activities, including working with timber*
 - *alternative service delivery models for the operation at Meifod with a view to improving the long-term sustainability of the service as the lease on the building expires in 4 years*
- (c) *officers to establish a stakeholder group, including representative family members and individuals who attend Meifod or their advocates to ensure they are fully engaged in the re-opening of the service along with developing any future options for its operation.*

7 UK GOVERNMENT LEVELLING UP FUND BID APPROVAL - CLWYD WEST CONSTITUENCY

The Leader presented the report seeking Cabinet approval to delegate authority for the purposes of agreeing a bid for Levelling Up funding to be submitted to the UK Government from Denbighshire County Council (DCC) in partnership with Conwy County Borough Council (CCBC) for the constituency of Clwyd West.

The UK Government Levelling Up Fund (LUF) was intended to support investment in places where it could make the biggest difference to everyday life and would be delivered through local authorities. Bids were based on MP constituency areas of which Denbighshire had three: Vale of Clwyd, Clwyd West and Clwyd South. The bid for Clwyd South had been submitted in round 1 and was successful. The report related to the round 2 bid for Clwyd West which was shared with CCBC who were acting as lead bidder/authority. Each constituency area could bid up to a maximum of £20m capital funding and the DCC element would be approximately £10m. The proposed projects to be included in the bid had been detailed in the report with

broad cost figures pending the development of detailed business cases. Given the level of scrutiny and approval of the individual projects at local level the Leader did not consider they needed to be further scrutinised at this stage. David Jones MP had confirmed his support for DCC's element of the bid, local members had been extensively consulted and there had been engagement with Ruthin Town Council. It was anticipated that the closure for round 2 bids would be around December 2021.

The Head of Planning, Public Protection and Countryside Services detailed the process taken in development of the bid which had involved extensive discussions at local level and close working with David Jones MP in devising a theme together with the assessment and scoring of projects and formulation of the business cases. The theme for the bid was cultural and heritage investment. Further work would be carried out on those projects not taken forward as part of the bid with a view to seeking alternative funding streams to progress them as appropriate.

Cabinet welcomed the report and potential for significant investment in the area and was fully supportive of the recommendations to progress the bid. Councillors Bobby Feeley and Huw Hilditch-Roberts (Ruthin members) paid tribute to the tremendous work undertaken by officers and the local community in bringing forward the projects, highlighting the wealth of information required to inform the process and work which had been undertaken within extremely tight timescales, together with the welcome support of David Jones MP and his endorsement. If the bid was successful the benefits to Ruthin and wider area would be transformational with clear benefits too for residents and local communities in terms of both new and improved facilities, making a clear difference to people's lives and the local economy. As Ruthin MAG Chair, Councillor Emrys Wynne added his support to the proposals.

In response to Cabinet's questions/comments the Leader and officers advised –

- it was unknown at present when a decision would be made on the bid following its submission to the UK Government but a quick decision was expected given that delivery of the projects was expected by March 2024 and the need for a quick turnaround had been raised with the Regional Team leading on the LUF
- there were ongoing discussions with James Davies MP on the Vale of Clwyd bid to address some challenges provided in terms of allocating all projects into one bid and it was hoped that those would be addressed in time for a report to be submitted to Cabinet in December, and the intention was to bring it forward within the timescale for the round 2 submission of the bid to the UK Government
- the success of the Clwyd South bid in round 1 had been announced but a formal grant award was still awaited from UK Government who had requested further information on projects which was currently being compiled – work was ongoing with project leads to begin to mobilise those projects as soon as possible.

The Leader thanked the officers for their tireless work in the development of the bid and progressing of the necessary projects and to all those involved who had contributed to the process which would have a significant impact if successful.

RESOLVED that Cabinet –

- (a) *supports the theme of the bid, the proposed projects to be included in the bid and the broad indicative value of each project, and*
- (b) *delegates authority to the Chief Executive Officer and Head of Planning, Public Protection and Countryside Services in consultation with the Section 151 Officer, Head of Legal, HR and Democratic Services and the Leader, to refine the projects and project costs as required and to agree for a bid to be submitted to UK Government from Denbighshire County Council in partnership with Conwy County Borough Council for the constituency of Clwyd West.*

At this point (11.45 am) the meeting adjourned for a short break.

8 REGIONAL MEMORY ASSESSMENT SUPPORT SERVICE INVITATION TO TENDER (ITT)

Councillor Bobby Feeley presented the report seeking Cabinet approval for Denbighshire County Council (DCC) to act as the lead commissioner on behalf of the Regional Collaboration Team [six local authorities and Betsi Cadwaladr University Health Board (BCUHB) partners in North Wales] on an Invitation to Tender with a potential contract value of up to £3.36m (over a potential 5-year period) for the Regional Memory Support Assessment Service. The funding would be used to support the implementation of the North Wales Dementia Strategy.

The region had secured additional/new and recurring funding of £672k pa from Welsh Government for developing an enhanced regional approach to supporting individuals who had memory issues/concerns or dementia at the pre-assessment and post-diagnosis stages. Details of the regional integrated memory assessment pathway were provided to deliver a regional service that would be easy to access, efficient, effective and equitable for the population with dementia and their carers. The invitation to tender would identify partners the project could work with to develop the necessary regional provision and further detail of the tendering/commissioning process had been included in the report. Given that DCC was host authority for the regional collaboration service approval was sought from Cabinet to enable them to act as lead commissioner on the tender for the region.

The Head of Regional Collaboration added that all partners were keen to undertake a joint commissioning exercise and there would be no additional costs or support expected from DCC. In response to a query from the Leader on the risk in section 10.2 of the report, it was confirmed that whoever took the lead authority role was indemnified by each of the partners in respect of the risk of legal challenge.

RESOLVED that –

- (a) *Denbighshire County Council act as the Lead Commissioner for the Regional Memory Support Assessment Service Invitation to Tender;*
- (b) *that the Invitation to Tender exercise is led by the Denbighshire County Council procurement team in order to ensure due process is followed which is appropriate to the level of the potential contract value, and*

- (c) *Cabinet confirms it has read, understood and taken account of the Well-being Impact Assessment (Appendix 1 to the report) as part of its consideration.*

9 TENDER OF NEW FLEET VEHICLES FOR THE NEW WASTE MODEL

Councillor Brian Jones presented the report seeking Cabinet approval to the proposed tendering exercise to identify a main contractor to deliver fleet vehicles to support the Waste Model for household, trades and communal waste collections.

The proposed tendering exercise would help deliver the planned service change for a new Waste Model and details of the tendering process had been included in the report together with timescales and an estimated contract value for a diesel fleet with the potential to consider up to 20% of electric vehicles subject to funding from other sources to cover the cost difference between diesel and electric vehicles – discussions were ongoing with the Welsh Government in that regard. Given the tight timescales involved to ensure the fleet was ready for the new service the tender needed to be advertised as soon as possible and Cabinet had been asked that a decision to approve the tendering exercise be implemented immediately.

Cabinet's attention was drawn to the latest indicative costs for the fleet vehicles which had been made available since publication of the report. The fleet budget was £2.554m and the updated cost estimates suggested a pressure of £770k with the latest indicative costs suggesting the fleet may cost up to £3.325m – the actual costs would not be known until receipt of the tenders in January. The pressure had been due to around a 25% increase in the price of vehicles for reasons beyond the Council's control. The pressure on fleet costs would be met from the £2m risk and contingency sum within the overall waste project budget although there would be other calls on that sum going forward with a pressure expected when tendering for phase 2 of the depot construction due to the increasing costs of materials. A tender cost for that element was expected by spring 2022 and Cabinet would be updated at that time on the latest position. Discussions were also ongoing with the Welsh Government to explore options to access additional funding to address those pressures. At this stage Cabinet's approval was sought to start the procurement process to enable the fleet to be procured in time for the service change.

Main points of debate focused on the following –

- in the event that the projected cost estimates for the fleet were realised there would be no specific issue with this particular contract award given that the £2m risk and contingency fund could be used to meet that pressure – however if the entire projected amount was required it would leave just over £1.2m remaining in the risk and contingency fund for the overall project
- given the potential for further cost increases in other elements of the project there may become a point where pressures exceeded the £2m risk and contingency fund – to mitigate against that outcome work was ongoing to explore both external and internal funding solutions
- it would be difficult to predict the financial implications on other elements of the project given the uncertainties around the potential for future cost increases

- the Lead Member and officers confirmed that they were comfortable with the overall position of the project and provided assurances regarding the robust governance and monitoring arrangements in overseeing the financial elements of the project and Cabinet would be updated on any developments with further detail on the outcome of the tender for the new fleet in January
- the impact on the provision of electric vehicles as part of the new fleet was highlighted in light of the financial pressures and officers reiterated the Council's commitment to electric vehicles if it remained a viable option with best efforts to maximise the number of electric vehicles on fleet – a further update on that element would be included as part of the report back to Cabinet in January.

Cabinet noted the financial implications for the overall project as highlighted together with the tight timescales involved in tender process for the new fleet. It was noted that the outcome of the tender process and recommendation for the contract award would be brought back before Cabinet in January which would provide certainty on the financial element as it related to the new vehicle fleet.

RESOLVED that Cabinet –

- (a) *approve the proposed tendering exercise as detailed in the report;*
- (b) *confirms it has read, understood and taken account of the Well-being Impact Assessment (Appendix 1 to the report), Fleet Commissioning Form (Appendix 2 to the report) and Timeline (Appendix 3 to the report) as part of its consideration;*
- (c) *confirms that the decision be implemented immediately in view of the need for the Invitation to Tender to commence early December 2021 to ensure the goods are received in time for launch of the new service model. This is due to the current long lead time of these vehicles, and*
- (d) *notes a further report will be brought back to Cabinet in January 2022 for approval of the subsequent Contract Award following the tendering exercise, which will also confirm contract management arrangements, tendered costs, and contract details.*

10 CORPORATE PLAN UPDATE, QUARTER 2, 2021 TO 2022

Councillor Julian Thompson-Hill presented the report updating Cabinet on progress in delivery of the Corporate Plan in 2021 to 2022 as at the end of quarter 2 (July to September 2021).

The Corporate Plan 2017 – 2022 set the strategic direction for the council and its priorities and was now nearing the end of the five year period of the plan. The vast majority of schemes had been delivered or would be delivered although some had been unavoidably delayed due to Covid-19. The Corporate Plan Programme Board continued to monitor delivery of the plan and work was being carried out in terms of determining lessons learnt and looking forward to development of the next iteration of the Corporate Plan for the new Council. The overall summary identified two

measures as priority for improvement as previously reported for Connected Communities and Young People but projects had been assessed as good or above.

The Strategic Planning and Performance Team Leader added that the priority for improvement measures mainly reflected areas outside of the Council's control and the projects more within the Council's control had shown better performance. Areas of weakness included the SARTH figures (Housing) which remained high with the outcome of an investigative report due at the end of the year, and progress with the travel project (Connected Communities) had been slow likely due to the need for a project management role. Whilst healthy weight data for children in primary schools (Young People) had shown an improvement it remained an area of concern with the school nutrition project nearing its end in terms of funding, raising considerations as to what extent the Council could influence/control the weight of young people. There were no concerns regarding the Environment priority. With regard to the corporate health outcome, the seven governance areas appeared healthy with few concerns but sickness absence had increased slightly.

The Leader highlighted that the Corporate Plan had been deliberately ambitious and the challenging areas mainly related to those priorities that were predominantly outside the Council's control. He highlighted digital connectivity as a particularly challenging area where the Council had sought to influence the pace of change and whilst some progress had been made, it had not moved forward as hoped. It was noteworthy that some of the priorities highlighted at the beginning of the current Council term were still relevant and it was hoped that services would continue with those priorities going forward and embed them into future service planning.

RESOLVED that Cabinet notes the progress in delivering the Corporate Plan as at the end of quarter 2 of 2021/22 and confirms the content of the draft report.

11 FINANCE REPORT

Councillor Julian Thompson-Hill presented the report detailing the latest financial position and progress against the agreed budget strategy as outlined below –

- the net revenue budget for 2021/22 was £216.818m (£208.302m in 2020/21)
- an overspend of £1.179m was forecast for service and corporate budgets (£0.656m last month with the variance largely due to an increase in the use of external contractors/increase in material prices in Highways, Facilities and Environmental Services [£102k], and financial implications of cost increases in school contracts in Planning and Public Protection [£464k])
- detailed agreed savings and efficiencies worth £2.666m relating to fees and charges, operational efficiencies, changes in service provision and schools
- highlighted current risks and assumptions relating to individual service areas, corporate budgets and schools together with the impact of coronavirus and position on funding claims to the Welsh Government, and
- a general update on the Housing Revenue Account and Housing Capital Plan, Treasury Management and Capital Plan with an update on major projects.

Cabinet approval was also sought for the conversion of Llys Anwyl, Rhyl into apartments for social rent as detailed within the report and the Housing Development Manager provided further background and an overview of the project.

The Head of Finance and Property further highlighted the reasons for the projected overspend on school transport advising that an assessment would be carried out as part of the budget process as to whether to include a pressure for that element going forward. In response to questions he also elaborated upon the tightening of the criteria for financial assistance provided by Welsh Government via the hardship fund and the implications of that would become clearer as the results of subsequent claims were known, any issues identified as part of that process would be reported back to Cabinet. With regard to the Rhyl Queens Market Redevelopment the initial quote to deliver Phase 1 had been £1.4 over budget and officers had been working closely with the contractors on the detailed design options to reduce the costs to within budget or further invest for an enhanced design.

RESOLVED that Cabinet –

- (a) note the budgets set for 2021/22 and progress against the agreed budget strategy, and
- (b) approve the conversion of Llys Anwyl, Rhyl into apartments for social rent (as detailed in Section 6.7 of the report and Appendices 5 and 6 to the report).

12 CABINET FORWARD WORK PROGRAMME

The Cabinet forward work programme was presented for consideration and members noted the following additions for December –

- Gypsy and Traveller Accommodation Assessment
- Establishing the North Wales Regional Corporate Joint Committee

RESOLVED that Cabinet's forward work programme be noted.

The meeting concluded at 12.50 hrs.