

CABINET

Minutes of a meeting of the Cabinet held by video conference on Tuesday, 15 February 2022 at 10.00 am.

PRESENT

Councillors Hugh Evans, Leader and Lead Member for the Economy and Corporate Governance; 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; Richard Mainon, Lead Member for Strategic Direction and Transition; 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 Joan Butterfield, Meirick Davies, Gwyneth Ellis, Hugh Irving, Alan James, Gwyneth Kensler, Barry Mellor, Rhys Thomas and Emrys Wynne

ALSO PRESENT

Chief Executive (GB); Corporate Director: Communities (NS); Heads of Service: Legal, HR and Democratic Services (GW), Finance and Property (SG), and Business Improvement and Modernisation (AS); Interim Head of Service, Business Support Service (AL); Programme Lead – Housing Support Grant (CO); Operational Manager Community Equipment Service (NJ); Regional Business Manager (CP); Climate Change Project Manager (JH); Climate Change Project Manager (LWJ); Lead Officer – Corporate Property and Housing Stock (DL); Project Manager (RV) and Committee Administrators (KEJ & SJ [Webcaster])

1 APOLOGIES

There were no apologies.

2 DECLARATION OF INTERESTS

The following members declared a personal interest in agenda item 7 –

Councillor Hugh Evans, Leader declared a personal interest because he sold some stock via one of the estate agents/auctioneers involved in the consultation process.

Councillor Meirick Davies declared a personal interest because he would be asking the Climate Change Team for assistance with carbon reduction in Trefnant Ward (Cefn Meiriadog).

3 URGENT MATTERS

No urgent matters had been raised.

4 MINUTES

The minutes of the Cabinet meeting held on 18 January 2022 were submitted.

Accuracy – Page 9 – Item 6 – Extension of Leisure Services Contract – Councillor Meirick Davies clarified that his point regarding flood damage to the Rhyl Pavilion Theatre and Restaurant had been in relation to the circumstances around the burst water tank and whether it had been inspected prior to transfer to Denbighshire Leisure Limited. As Lead Member Councillor Bobby Feeley confirmed she would provide a response to Councillor Davies directly outside of the meeting.

RESOLVED that, subject to the above, the minutes of the meeting held on 18 January 2022 be received and confirmed as a correct record.

5 HOUSING SUPPORT PROGRAMME STRATEGY

Councillor Bobby Feeley presented the report seeking Cabinet agreement to the vision and approach to addressing homelessness and housing related support services in the Housing Support Programme Strategy and its publication.

There was a requirement by the Welsh Government to develop a Housing Support Programme (HSP) Strategy 2022 – 2026, with a mid-point review. The HSP Strategy was required to be the Council's single strategic document on housing support and homelessness prevention, and it had been aligned to the existing Housing and Homelessness Strategy monitored by the Strategic Housing and Homelessness Group. In developing the HSP Strategy a thorough needs assessment had been undertaken with a range of stakeholders and providers and seven priorities agreed, which largely mirrored the actions in the Housing and Homelessness Strategic Action Plan. A draft action plan had been included to support delivery of the HSP Strategy but it required additional longer term actions and timeframes before publication.

Councillor Feeley stated that the Strategy represented another step in the right direction to address homelessness and thanked officers for the comprehensive report. The Interim Head of Service, Business Support Service added that the Council had made good progress in working towards a rapid rehousing model.

The Lead Member and Interim Head of Service responded to questions as follows –

- the action plan would need to be finalised in time for the launch of the HSP Strategy at the end of March. However, the plan would be fluid and continually reviewed in order to respond to changing circumstances
- much progress had been made in terms of ensuring timely intervention, engagement and access into services and working with partners in a coordinated approach to support individuals and families as appropriate
- a substance misuse and mental health coordinator had recently been employed to help individuals affected by those issues to maintain their tenancies
- the Scrutiny Committee had discussed much of the work in the HSP Strategy and action plan and also received an annual report on homelessness, and the Strategic Housing and Homelessness Group also had oversight of those issues;

given the tight timescales for publication of the HSP Strategy, approval of the document had been sought from Cabinet

- highlighted challenges in rural areas to provide the level of housing needed with provision in Llangollen and Denbigh and limited provision in Ruthin together with short term leased accommodation which was dependent on community housing and registered social landlords having property available – best efforts were made to keep people presenting as homeless close to their communities
- steps were being taken to establish an early intervention and prevention service to reduce the number of people becoming homeless and the recent focus and funding provided by the Welsh Government over the last two years had been on prevention: that approach had also been reflected in the HSP Strategy.

RESOLVED that Cabinet agree with Denbighshire’s vision and strategic direction outlined within the Housing Support Programme Strategy and approve publication of the document.

6 REGIONAL MEMORY ASSESSMENT SUPPORT SERVICE INVITATION TO TENDER (ITT) - AWARD OF CONTRACTS

The Head of Legal, HR and Democratic Services referred to two confidential appendices to the report for reasons of commercial sensitivity and advised that any detailed questioning on those elements should be carried out in private session.

Councillor Bobby Feeley presented the report seeking Cabinet approval to award three contracts following completion of an Invitation to Tender (ITT) for the Regional Memory Assessment Support Service. [Cabinet had previously agreed at its meeting on 23 November 2021 that the Council act as the Lead Commissioner for the Service ITT on behalf of the Regional Collaboration Service (six local authorities and Betsi Cadwaladr University Health Board (BCUHB) partners in North Wales)].

The three contracts combined had a potential total value of up to £3.36m (£672k per annum over a potential 5-year period). Details of the tender process had been provided in the report including the number of bidders for each of the three lots offered as part of the ITT together with the evaluation of the tender submissions and recommended contract awards against each lot. External funding for the costs of the regional activity had been confirmed by Welsh Government.

RESOLVED that Cabinet –

- approve the acceptance of the tenders submitted by the three suppliers and to reject the tender submitted by one supplier for the reasons detailed within the ‘Contract Award Recommendation Report’ (Appendix 1 to the report), and*
- confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2 to the report) as part of its consideration.*

7 PROPOSED SCHEME OF DELEGATED DECISION MAKING FOR LAND ACQUISITION (FREEHOLD AND LEASEHOLD) FOR CARBON SEQUESTRATION AND ECOLOGICAL IMPROVEMENT PURPOSES

Councillors Brian Jones, Tony Thomas and Julian Thompson-Hill presented a joint report seeking Cabinet approval of a new scheme of delegated decision making for land acquisition for carbon sequestration and ecological improvement purposes.

The proposed changes to the scheme of delegation would effectively expedite the process of land acquisition to enable the Council to deliver on its Climate Change and Ecological Emergency Declaration and targets within its Climate and Ecological Change Strategy (2021/22 – 2029/30). Reference was made to the consultation and engagement undertaken and assurances were provided that the open communication with communities and stakeholders would continue in the future. The point was also made that there was no intention to purchase prime agricultural land. In terms of finance, part of the budget allocated for the net carbon zero target programme of work was for this type of land purchase and individual projects over £1m would still require Cabinet approval. Safeguards around the decision making process were also highlighted with a clear scoring matrix on land assessment and the extensive involvement of both elected members and officers in that process.

The Leader highlighted the sensitivities relating to land acquisition in order to offset carbon emissions and the impact on rural communities nationally. However, the report referred only to proposals to amend the delegation process and it was clear in the site assessment process that land for food production would not be acquired. He had also been assured with regard to the continuing consultation going forward.

During consideration of the report debate focused on the following areas –

- in accordance with the Council's land disposal policy internal services were consulted to ascertain whether there was any requirement for the land prior to disposal which also included the suitability of land for environmental use
- improved access to land for visitors would be a key consideration
- there was sufficient resource currently within Countryside Services for land maintenance and there was a mechanism via the Budget Board to bid annually for both capital and revenue funding in the event more resources were required to manage future land acquisition which would be a consideration going forward
- the Council was committed to reducing its carbon emissions as much as possible and a range of targets had been set in that regard, which included buildings and fleet; land acquisition for carbon sequestration was another means of contributing to that process and offset emissions which could not be removed
- there was some discussion on the practice of private companies buying Welsh farmland for the purpose of planting trees to offset their own carbon emissions which was an emotive issue and a particular problem in mid/South Wales
- in response to concerns raised by Councillor Gwyneth Ellis and the contentious nature of the issue, the Leader accepted it was a sensitive issue but was assured regarding the criteria for land acquisition (which did not include agricultural/food producing land) and that the approach was part of a programme of carbon reduction measures which would contribute to the Council's environmental agenda
- the sustainability score (31 / 36) in the Wellbeing Impact Assessment was explained, given that it was a wide measure and included integration with other activities and partnership working and was sustainable long term

- the report related to the decision making process and ensuring it was effective and the key decision makers were the lead members and therefore assurance could be taken that it was a political decision for members to make
- regular information on the Council's carbon reduction achievements was provided and the Climate Change and Ecological Emergency Working Group would continue into the new Council with an open invitation to all members
- there were currently sufficient resources within the Climate Change Team with much of their role focusing on coordination and planning with collaborative working with staff across the Council to promote and implement the programme, but the situation may need to be reviewed as the Strategy progressed.

RESOLVED that Cabinet –

- (a) *approve the introduction of the new scheme of delegated decision making for land acquisition (freehold/leasehold) for carbon sequestration and ecological improvement purposes as proposed in Appendix 1 to the report, and*
- (b) *confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2 to the report) as part of its consideration.*

8 QUEEN'S BUILDINGS RHYL - REQUEST FOR ADDITIONAL FUNDING

Prior to presenting the report the Leader recorded his disappointment that a Denbighshire County Councillor had made a statement in the press which could damage the reputation of the Council, the project and Rhyl in order to enhance their own standing. Denbighshire was an open, transparent authority and there was always opportunity for members to question and scrutinise beyond the Cabinet. It had taken years of hard work to create confidence amongst the residents of Rhyl and potential investors to help change the face of Rhyl which had not been helped by the misinformation in the press. He suggested if the member was present they listen to the debate, read the report and note the facts of the matter. [During the course of debate other members also expressed their views on the issue and the Leader directed the focus of the debate to the report and its recommendation.]

The Leader presented the joint report with Councillor Julian Thompson-Hill updating Cabinet on the Queen's Buildings Rhyl Project and seeking approval of the updated business case and for additional funding to deliver Phase 1 of the project.

The project was critical to the regeneration of Rhyl and future economic success of the area and would provide a key link in joining up investment on the promenade and the proposals through the Levelling Up Fund bid for improvements on the high street. The success of the Council's wider regeneration programme with partners was also highlighted, and the project was a key part of that programme of work to provide trading places and jobs in the town and future phases to provide new homes and further employment. Welsh Government also recognised the importance of the project and remained committed to the development. The financial elements and reasoning behind the project cost increases had been set out in the report and further elaborated on at the meeting, which had been due to factors beyond the Council's control and which could not have been foreseen, which included raising the finished floor level of the building to meet planning

conditions and increased costs associated with construction materials and demolition/asbestos removal. Whilst all possible funding avenues were being pursued to cover the funding shortfall to deliver Phase 1, at this stage the Council would need to fund the full amount required. It was noted that failure to complete the project would likely involve significant grant claw back.

Cabinet discussed the report at length and support was voiced as follows –

- Councillor Brian Jones considered that progressing the project was the right thing to do for Rhyl and he had been pleased to note the support from the Welsh Government and potential for Levelling Up Funding to benefit the area; he also acknowledged the hard work of the Lead Members and officers on the project
- Councillor Bobby Feeley had been disappointed to note the cost increase but recognised the global rise in construction costs; she accepted the need for regeneration in Rhyl and reported upon the improvements over recent years and also paid tribute to the role of Denbighshire Leisure Limited in that regard
- Councillor Mark Young was clear that the cost increases could not have been foreseen, referencing construction material cost increases of between 23% - 78%, and he noted that it would be more cost effective to progress the project to completion than lose the investment. He commended the officers for the work undertaken and looked forward to delivery of the scheme. In response to Councillor Young's question as to whether the additional funding requested was sufficient, Councillor Julian Thompson-Hill advised that the amount represented a fair assessment based on best assumption at the present time
- Councillor Huw Hilditch-Roberts also drew attention to the significant increase in construction costs which had impacted on a number of school projects and he commended the work of the Council and its commitment to regeneration in Rhyl, highlighting key projects and a focus on investment in the high street. He fully supported the recommendation noting that the project would generate jobs and create a better standard of living for the residents of Rhyl
- Councillor Richard Mainon paid tribute to all those involved in progressing the project which was a key part of Rhyl's redevelopment and would connect the promenade to the town centre, and pivotal in offering aspiration and opportunity in the town. He highlighted the hard work undertaken on the project with good controls on costs and fully supported the scheme.

The Leader invited questions from non-Cabinet members.

Rhyl Members Councillors Joan Butterfield, Alan James and Barry Mellor took the opportunity to highlight the Queen's Building Project as pivotal to the regeneration of Rhyl and thanked the Council for prioritising the regeneration programme which had resulted in significant improvements both on the promenade and other areas in the town and had been much appreciated by the residents of Rhyl. The project would be a catalyst for investment with significant economic benefits for Rhyl and the wider area. The support of both the Cabinet and all councillors across the authority in those regeneration efforts were recognised and much appreciated as was the continued support of the Welsh Government.

As the Scrutiny Committee representative on the Queen's Building Project Board, Councillor Hugh Irving confirmed he had been happy with the information presented

to the Board which he had kept under close review, and from a scrutiny perspective he had no issues with any actions to date. In response to a question from Councillor Meirick Davies, Councillor Julian Thompson-Hill clarified that the Levelling Up Fund bid included an element for enhancement at the Queen's Buildings to improve the visual appearance such as landscaping.

The Chief Executive acknowledged members' thanks and support of officers, particularly when undertaking difficult projects, and he had pride in the regeneration work carried out in Rhyl. He extended an open invitation to all members to discuss the approach to regeneration in Rhyl and highlighted other projects in the process of being planned or developed together with work to tackle deprivation in the town.

RESOLVED that Cabinet approves the updated business case and the allocation of additional funding to the project as detailed in section 6 and 9 of the report.

At this point (11.50 am) the meeting adjourned for a short break.

9 RECOMMENDATIONS OF THE STRATEGIC INVESTMENT GROUP

Councillor Julian Thompson-Hill presented the report seeking Cabinet's support of projects identified for inclusion in the 2022/23 Capital Plan as recommended by the Strategic Investment Group (SIG) and detailed in Appendix 1 to the report.

Councillor Thompson-Hill guided members through the report and explained the funding available for block allocations for on-going programmes of work. Reference was made to the work of the SIG in reviewing the bids for allocations and a summary of their recommendations had been provided and elaborated upon further at the meeting, which included the recommended funding source for each project together with the reasoning for supporting those specific projects and allocations.

As an aside the Head of Finance referred to recent Welsh Government capital funding announcements advising that work would be ongoing to maximise those income streams with a future report back to Cabinet thereon following the elections.

Cabinet considered the recommendations contained within the report. There was some debate on the funding allocations for structural and other repair works relating to bridges and it was noted that, following a condition survey of bridges, a specific funding allocation and ten year plan had been produced on works required. Given that the original survey had been carried out some six years ago, Councillor Brian Jones felt there would be merit in reviewing that work to ensure the latest position was known to safeguard against future issues and enable work to be prioritised as appropriate, particularly in light of the impact and loss of Llannerch Bridge. The Leader asked that Councillor Thompson-Hill relay that message back to officers.

RESOLVED that the projects detailed in Appendix 1 to the report for inclusion in the 2022/23 Capital Plan be supported and recommended to full Council.

10 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 £1.553m was forecast for service and corporate budgets
- 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.

The Head of Finance highlighted other Welsh Government funding streams being made available late in the financial year which would impact positively on finances. Due to the timing of the next Cabinet meeting in March a finance report would not be submitted but a summary of the financial developments over the coming months would be contained within the final outturn report to Cabinet and members would be kept informed of those developments as the situation progressed.

The following matters were raised during the ensuing debate –

- Councillor Mark Young sought assurances regarding the prompt roll out of the £150k rebate announced by the Welsh Government for council tax bands A to D and recipients of the council tax reduction scheme. The Head of Finance advised that once the detail of the scheme was known steps would be taken to facilitate its delivery as soon as possible and he outlined the likely arrangements in that regard. Members would be kept informed as the situation developed
- Councillor Brian Jones reported on the success of the East Rhyl Flood Defence Scheme which had been completed ahead of time and within budget, protecting 1600 homes and businesses from coastal flooding. He also referred to an extra £700-750k for highway spend in the current financial year and it was clarified that confirmation of the amount was awaited from the Welsh Government and given the late availability of the funding in the current financial year, it was likely that the funding would be allocated against work already undertaken with the Council's own budget being carried forward into the next financial year
- in response to a question from Councillor Bobby Feeley, the Corporate Director Communities reported upon the £1000 retention payment for those registered as social care workers who would also be beneficiaries of the real living wage from April. The payment was being made by the Welsh Government but the local authority would be facilitating delivery of the payment to eligible staff.

In response to questions from Councillor Meirick Davies, the Leader reported upon plans for the future use of the former school site relating to Ysgol Llanfair DC with discussions ongoing with a local community group in that regard, he also agreed to ascertain whether ownership of the land had been transferred from the Diocese to the Council. With regard to planning income, Councillor Mark Young confirmed that activity had increased and officers were working collaboratively to increase income and ensure the service was more sustainable going forward.

RESOLVED that Cabinet note the budgets set for 2021/22 and progress against the agreed budget strategy.

11 CABINET FORWARD WORK PROGRAMME

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

- the next scheduled meeting had been brought forward to 15 March in order to take place before the pre-election period which commenced 18 March
- North Wales Consultancy Framework – item rescheduled from March to July
- Items from Scrutiny Committees: Eradication of Non-recyclable Goods in School Catering Services – March

RESOLVED that Cabinet's forward work programme be noted.

The meeting concluded at 12.30 hrs.