

CABINET

Minutes of a meeting of the Cabinet held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 21 November 2023 at 10.00 am.

PRESENT

Councillors Jason McLellan, Leader and Lead Member for Economic Growth and Tackling Deprivation; Gill German, Deputy Leader and Lead Member for Education, Children and Families; Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets; Elen Heaton, Lead Member for Health and Social Care; Julie Matthews, Lead Member for Corporate Strategy, Policy and Equalities; Barry Mellor, Lead Member for the Environment and Transport; Win Mullen-James, Lead Member for Local Development and Planning, Rhys Thomas, Lead Member for Housing and Communities, and Emrys Wynne, Lead Member for Welsh Language, Culture and Heritage

Observers: Councillors Ellie Chard, Huw Hilditch-Roberts, Hugh Irving, Alan James, Gareth Sandilands, Peter Scott, and Andrea Tomlin

ALSO PRESENT

Chief Executive (GB); Corporate Directors: Social Services and Education (NS), Governance and Business/Monitoring Officer (GW), and Environment and Economy TW; Heads of Service: Finance and Audit (LT), Planning, Public Protection and Countryside Services (EJ), and Corporate Support Service: Performance, Digital & Assets (HVE); Strategic Planning and Housing Manager (AL); Project Manager Strategic Planning (KM), Planning and Performance Officer (EH), and Committee Administrators (KEJ & NPH [Webcaster])

1 APOLOGIES

There were no apologies.

2 DECLARATION OF INTERESTS

No declaration of interest had been raised.

3 URGENT MATTERS

No urgent matters had been raised.

The Leader permitted a statement from Councillor Peter Scott, Chair of the Council.

As Chair of the County Council, Councillor Peter Scott congratulated the Leader, the Council and James Davies, MP in provisionally securing almost £20m for the north of the county from the Levelling Up Fund. Councillor Scott was certain that the residents of Denbighshire would benefit in the future.

The Leader thanked Councillor Scott for his statement and clarified that the funding related to a one-off capital payment for specific projects only which could not be used to address the huge funding gap facing the Council. However, the funding was welcomed, and the Council would be working hard to develop projects in line with the associated conditionalities and maximise the benefit from that funding.

4 MINUTES

The minutes of the Cabinet meeting held on 24 October 2023 were submitted.

Accuracy – Members Present – Councillor Alan James advised that his attendance at the last meeting had not been recorded in the minutes of that meeting.

Matters Arising – Item 5 Storage Solution for our Archive Collections – Councillor Emrys Wynne confirmed that the funding bid for the new joint archive facility had been submitted to the National Lottery Heritage Fund Wales.

RESOLVED that, subject to the above accuracy point, the minutes of the meeting held on 24 October 2023 be received and confirmed as a correct record.

5 REVISION OF DENBIGHSHIRE'S GYPSY & TRAVELLER ACCOMMODATION ASSESSMENT (GTAA) 2023

Councillor Win Mullen-James presented the report seeking Cabinet approval of the revised draft Gypsy and Traveller Accommodation Assessment (GTAA) for submission to the Welsh Government. The report included a confidential appendix detailing personal information and Cabinet was asked to move into private session in the event they were minded to discuss the confidential element of the report.

The report set out the legislative requirements relating to the assessment of accommodation needs of Gypsies and Travellers and confirmed submission of the Council's assessment to the Welsh Government in December 2021. Since then, a family with an existing need who had previously declined to participate asked to be included and it was agreed to review the assessment. A Task and Finish (T&F) Group was established to support work on the new assessment and their report was presented to Communities Scrutiny Committee in October 2023 who endorsed their conclusions and recommended to Cabinet that the revised draft GTAA be approved for re-submission to the Welsh Government.

Councillor Peter Scott, Chair of the T&F Group explained the background to the establishment of the Group and detailed the work carried out which culminated in a final report being presented to Communities Scrutiny Committee on the Group's conclusions and recommendations. The Scrutiny Committee had endorsed the conclusions of the T&F Group: that the Welsh Government methodology had been applied appropriately to the analysis of need and the approach adopted for delivery of the GTAA was robust and in line with Welsh Government Guidance, and the recommendation that the revised GTAA be approved for resubmission to the Welsh Government. The T&F Group considered that the approach taken to this work, with member representation from each Member Area Group, had worked well and the current membership were keen to continue working together on future work.

Councillor Win Mullen-James guided Cabinet through the report detail. In brief –

- the estimated additional pitch provision needed for the first 5 years of the study period (2023/24 – 2028/29) was for 16 permanent residential pitches
- based on the need by 2033 was for a further 2 permanent residential pitches
- therefore, the total for the whole period across Denbighshire was 18 permanent residential pitches which was an increase of 6 permanent residential pitches from the previous GTAA completed in 2021
- there was no evidence of need for a permanent transit site.

Councillor Mullen-James urged Cabinet to approve the report recommendations to ensure the Council met its legislative duties. Following re-submission of the revised GTAA, the next stage involved identifying sites to meet those needs with support from the existing T&F Group. Councillor Mullen-James commended the valuable and collaborative work undertaken by the T&F Group and officers on the GTAA and those sentiments were echoed by the Leader, wider Cabinet and Chief Executive.

The Head of Planning, Public Protection and Countryside Services thanked members for their support and challenge throughout the process and reiterated the importance of a robust methodology and approach as demonstrated in this work. The Strategic Planning and Housing Manager also set out the definition of both residential and transit pitches with the focus of the current work on the GTAA and identifying need; the next stage of the process involved addressing that need.

Cabinet acknowledged the comprehensive report and positive member and officer engagement with the outcome testament to that hard work. Councillor Julie Matthews referred to the updated Wellbeing Impact Assessment and was pleased to see further work planned in continuing to build relationships with the Gypsy, Roma and Traveller community and improve health and wellbeing outcomes.

Councillor Emrys Wynne referred to the occasional difficulties caused as a result of unauthorised encampments in particular areas, and he felt there would be merit in exploring the potential for 'negotiated sites' as referred to in the report to ensure that a suitable site was available for use to address the issue. Officers reported on the current process for managing unauthorised encampments and the work of the Gypsy, Roma & Traveller Liaison Officer to ensure appropriate engagement with those travelling through Denbighshire and ensure welfare checks were undertaken and facilities provided. Work was currently ongoing to further develop a protocol on that managed approach which would include further member involvement as the matter progressed. It was accepted that there were areas of good practice across the UK and lessons to be learned from those different approaches. Councillor Scott added that there was no evidence of need for a permanent transit site. He reported further on the development of the unauthorised encampment policy which aimed to protect the rights and responsibilities of Gypsy and Travellers, local residents and key stakeholders and also minimise any environmental and community impacts. That policy would follow the democratic process for approval. Councillor Wynne noted there was no evidence of need for a permanent transit site but felt it would be good practice, in order to prepare for any future demand and given the previous difficulties experienced, to be able to offer a suitable site for that purpose. With

regard to future work to be carried out, including site selection for pitches, it was confirmed that the intention was for the T&F Group to be involved in that process.

At the end of debate, the Lead Member reiterated the valuable work carried out by both members and officers on the GTAA and thanked them for their involvement.

RESOLVED that Cabinet –

- (a) *confirms support for the approach adopted for the delivery of revision of Denbighshire's Gypsy and Traveller Accommodation Assessment as being robust and in line with Welsh Government guidance;*
- (b) *approves Denbighshire's revised Gypsy and Traveller Accommodation Assessment for submission to Welsh Government;*
- (c) *delegates authority for the Lead Member Local Development and Planning to agree any minor editorial changes required to the draft Gypsy and Traveller Accommodation Assessment, prior to submission to Welsh Government, and*
- (d) *confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 4 to the report) as part of its consideration. This was completed prior to the first assessment submission in 2021 and had been reviewed in 2023.*

6 CORPORATE PLAN PERFORMANCE UPDATE: JULY TO SEPTEMBER 2023

Councillor Gwyneth Ellis presented the report which provided an update on the Council's performance against its Corporate Plan as at the end of September 2023, including Strategic Equality objectives, and the seven key areas of governance.

Cabinet was advised that the format of the report had changed slightly from the last quarter to reflect discussions on that report and during the tranche review. The Head of Corporate Support Service: Performance, Digital & Assets explained that the report outlined the Council's performance against each of the nine themes for the period July to September 2023 and captured the evidence that formed part of the Self-Assessment as required under the Local Government and Election (Wales) Act 2021. That work was used to highlight successes and areas of development and also devise and implement interventions for improvement, and members were encouraged to use the document as a tool in further discussions going forward.

The Planning and Performance Officer provided a general overview of performance and advised that the status of all measures for each theme were 'orange – acceptable' and projects fared slightly better with a 'yellow' – experiencing obstacles' status; this was with the exception of the theme 'A fairer, safe and more equal Denbighshire' with those measures showing as 'red – priority for improvement' reflecting some of the longer-term issues around worklessness and material deprivation. Cabinet was provided with a summary of the measures and projects under each Corporate Plan theme together with an overview of contributing news and committee items.

The Leader thanked the Lead Member and officers for the overview and key messages arising from the comprehensive document. Cabinet noted that the report reflected the position as of September 2023 and that some things moved on since then. The following issues were raised during the ensuing debate –

- the Wales Index of Multiple Deprivation (WIMD) data was published every four to five years with the most recent data available for 2019, and members would be advised of the availability of new WIMD data as soon as it became known. Other measures were also being tracked, particularly relating to the fairer, safe, and more equal Denbighshire theme, such as households in material deprivation and children living in poverty
- Councillor Gill German reported on the good work in her portfolio area which had just missed the September deadline for inclusion in the current report. Reference was made to the additional childcare facilities at Ysgol Penmorfa in Prestatyn with similar work being undertaken at the Oaktree Centre in Rhyl, which was an excellent project both in terms of modernising education and providing facilities in an area of deprivation, and the Welsh Medium Playgroup supporting the work at Ysgol Dewi Sant and Welsh language provision. A Welsh Government capital grant had been received to support work on community focused schools and there had been positive engagement with schools in that regard. Prestatyn High School, as the pilot school for the initiative, had been cited as an example of good practice with details provided along with other schools on the Welsh Government website
- there was some debate on the importance of the data in the report in order to monitor performance and identify both good practice and areas for improvement. It was emphasised that the aim of the Corporate Plan was to deliver the very best possible for residents and secure improvement across all themes whilst also recognising this was at a time of severe financial difficulties and budget pressures. The Leader provided examples in his portfolio area of both good performance in people coming through sustainable employment and improvements needed in those claiming job seekers allowance and universal credit, and reiterated the Council's commitment to making a positive difference
- Councillor Emrys Wynne referred to a number of issues relating to his portfolio area, in particular Welsh Medium education and challenges faced arising from the reduction in Year 2 pupils due to the covid lockdowns. He also reported that a new venue had been secured for Cylch Meithrin in Ruthin and a new nursery had been approved to provide Welsh Medium care and education. Much work had been carried out in relation to the landscape project in the Dory Art Gallery, Llangollen and work to bring cultural projects in the area together to increase the use of the Welsh language and also to raise awareness of Welsh heritage. Reference was made to the Culture Strategy currently being developed by the Welsh Government. Councillor Gill German reflected on the cultural offer and areas of good work across the county and asked whether an overview of Denbighshire's cultural offer could be developed, with examples from across council services to showcase that work. The Corporate Director: Governance and Business confirmed that officers would be working to collate the necessary information with a view to developing a Cultural Strategy for the Council taking into account Welsh Language considerations and Welsh Government policy
- Councillor Hugh Irving raised a concern about performance in relation to the percentage of damaged roads and pavements made safe within target time

(CAT1 – Category 1 defects dealt within timescale). The Corporate Director: Environment and Economy confirmed there were ongoing challenges in relation to the measure, largely due to the financial situation and a number of vacant posts being held in the Highways Team which had an impact on service delivery. Councillor Irving acknowledged the financial position but felt that the issue should be given high priority.

At the close of debate Councillor Gwyneth Ellis thanked members for their contributions and highlighted the importance of the report in providing an open and transparent picture of the Council's performance and tool to both identify achievements and areas for improvement within a challenging financial climate.

RESOLVED that Cabinet notes the Council's performance against its functions as at the end of quarter 2 (July to September 2023) and confirms the content of the draft report for reporting to Performance Scrutiny Committee on 30 November 2023.

7 FINANCE REPORT

Councillor Gwyneth Ellis presented the report detailing the latest financial position and progress against the agreed budget strategy.

A summary of the Council's financial position was provided as follows –

- the net revenue budget for 2023/24 was £250.793m (£233.696m in 2022/23)
- an overspend of £3.316m was forecast for service and corporate budgets
- highlighted current risks and assumptions relating to corporate budgets and individual service areas
- detailed savings and efficiencies and increases in fees and charges (£8.172m)
- provided a general update on the Housing Revenue Account, Treasury Management, Capital Plan and major projects.

The Head of Finance and Audit guided members through the detail of the report. The decrease in the forecasted overspend on service and corporate budgets from £3.446m last month to £3.326m was highlighted together with a summary of the main movements. There had been a slight reduction in the forecasted overspend on Education and Children's Services and an increase in the forecasted overspend for Adult Social Care. Pay settlements for 2023/24 had been agreed and work undertaken to confirm energy costs and those monies had been released from corporate budgets and vired to services. Both energy and pay would have a positive impact on the Council's Medium Term Financial Plan looking forward to the 2024/25 budget. There were no changes to report in relation to Schools and the Housing Revenue Account and the usual appendices had been included on the Capital Plan and Major Projects update.

The Leader thanked officers for the Council Budget Workshop held the previous week which had been well attended with important feedback. Councillor Gill German referred to the dire financial situation facing councils across both England and Wales and hoped there would be positive action in the forthcoming Autumn Statement to address the unprecedented pressures facing local government. The

Leader referred to a high-level meeting with Council Leaders, S.151 Officers and Welsh Government Ministers later in the week to consider the immediate view following the outcome of the Autumn Statement and he would report back thereon.

RESOLVED that Cabinet note the budgets set for 2023/24 and progress against the agreed strategy.

8 CABINET FORWARD WORK PROGRAMME

The Cabinet forward work programme was presented for members consideration.

RESOLVED that Cabinet's forward work programme be noted.

The meeting concluded at 11.10 am.