

## **CABINET**

Minutes of a meeting of the Cabinet held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 25 June 2024 at 10.00 am.

### **PRESENT**

Councillors Jason McLellan, Leader and Lead Member for Economic Growth and Tackling Deprivation; Elen Heaton, Lead Member for Health and Social Care; Alan James, Lead Member for Local Development and Planning; Julie Matthews, Lead Member for Corporate Strategy, Policy and Equalities; Barry Mellor, Lead Member for the Environment and Transport; Rhys Thomas, Lead Member for Housing and Communities, and Emrys Wynne, Lead Member for Welsh Language, Culture and Heritage

**Observers:** Joan Butterfield, Ellie Chard, Karen Edwards, Pauline Edwards, Hugh Evans, Bobby Feeley, Huw Hilditch-Roberts, Hugh Irving, Brian Jones, Delyth Jones, Paul Keddie, James May, Terry Mendies, Merfyn Parry, Andrea Tomlin, Eryl Williams and Huw Williams

### **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: Head of Corporate Support Service: Performance, Digital and Assets (HVE); Chief Accountant & Deputy Section 151 Officer (RWE), Strategic Planning and Performance Officer (EH), and Committee Administrators (KEJ & NPH [Webcaster])

#### **1 APOLOGIES**

Councillors Gill German, Deputy Leader and Lead Member for Education, Children and Families, and Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets

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

No declarations of interest had been made.

#### **3 URGENT MATTERS**

The Leader declared that he intended to raise the following matter requiring urgent attention – **Roll out of the new Recycling and Waste Collection Service.**

The Leader apologised on behalf of the Council to residents affected by problems associated with the roll out of the new service and to members who had been working hard on behalf of residents. He also thanked members for reporting missed collections in their wards and residents for their patience and efforts in recycling.

The Leader advised that he had been in daily contact with the Chief Executive, Corporate Director: Environment and Economy and Lead Member regarding the

situation. Whilst collection rates had improved it was clear there needed to be a massive increase in pace and improvement to address the backlog and work to ensure the system was operating properly. The Leader provided assurances that both he and the Lead Member were providing rigorous challenge to officers to ensure the problems were dealt with as quickly as possible and all were working as hard as possible to clear the backlog, address the problems, and ensure the system was operating correctly going forward. The events surrounding the roll out of the new system would be subject to a public scrutiny inquiry and that process would commence at the earliest opportunity following the election with a special meeting of the Scrutiny Chairs and Vice Chairs Group convened for 8 July.

The Lead Member, Councillor Barry Mellor submitted his apologies to members and residents. He added that the roll out was brought forward by the previous Cabinet but as a Cabinet they believed it was the right thing to do and carried on with that. Councillor Mellor stressed that it was an operational problem and he had been in regular contact with the relevant officers to drive an increase in the pace of improvement. Together with the Chief Executive and Corporate Director he had been out with the crews to see first-hand the difficulties residents were facing and the hard work of the crews who were putting in extra shifts to address the backlog. Consequently, he was confident that the issues would be addressed, and the system would be successfully embedded, although not as quickly as envisaged. He thanked residents for their patience and provided assurances that all was being done to achieve the benefits the new system would bring as quickly as possible.

The Leader permitted questions but reminded members that scrutiny of the roll out of the new service was a separate process via a member-led inquiry.

During debate members took the opportunity to express their concern and distress over the roll out of the new service and the impact on residents with numerous examples of problems within different ward areas, particularly in rural areas. In speaking on behalf of the Independent Group, Councillor Huw Hilditch-Roberts wished to convey their thanks to the crews and operatives on the frontline who were working hard in difficult circumstances. He also wished it to be recorded that the former Cabinet voted on the concept of the new service and not its implementation. Members raised specific questions and concerns regarding various aspects of the service roll out and key failings and sought assurances regarding steps to address both the current backlog and ensure the system operated efficiently going forward, and a number of suggestions were also put forward in that regard.

The Leader, Lead Member, Chief Executive, Corporate Director and Monitoring Officer responded to the questions and issues raised as follows –

- the impact on residents detrimentally affected by the service change was unacceptable and the Council was truly sorry for the distress caused as a result
- collection rates in the rural areas of the county were lower than in the North where the majority of collections had been completed and additional resource had been targeted in the rural areas to address the issue
- senior managers, operational staff, and WRAP (Waste and Resources Action Programme) were working together on actions to address the problems

- additional resources had been directed to the new service for a temporary period until operations were running smoothly
- the backlog was essentially being addressed by more staff, driving more vehicles, for more hours with a shift system to maximise fleet hours during the week and also deploying a full fleet on Saturday
- once the backlog had been cleared a review could be carried out into the different routes to ensure they were being completed consistently going forward
- council staff were being redeployed on a temporary basis from other non-critical work and agency staff were being recruited in the short term, other options considered to increase capacity on a temporary basis included commissioning waste companies and contacting neighbouring local authorities for assistance
- confirmed that smaller vans were being utilised in the rural areas to carry out collections in those areas which had been given high priority
- it was not thought that missed garden waste collections was a widespread issue and the Corporate Director agreed to look into the matter and possible review of the subscription and provide an update to members outside of the meeting
- under the previous system food waste had been collected separately but it was collected with the recycling under the new system
- steps were being introduced to deal with the backlog of food waste and areas that had not had a collection for some weeks were being prioritised with routes created for specific crews in smaller vehicles to collect in those areas
- there had been issues across the whole of the county which had made it difficult to prioritise and target resources correctly, and there was a need to prioritise those households who had not had a collection for the longest time
- the Leader advised that he took full accountability that the roll out happened on his watch and did not blame the previous Cabinet for the circumstances of the roll out – his efforts now concentrated on maximising capacity and clearing the backlog. The system itself agreed by the previous Cabinet and taken up by the current Cabinet was the correct one once it was properly operational
- the Head of Highways and Environmental Services had been on the frontline on a daily basis and had been involved in the two member briefings on the roll out; he would also be available to participate in the forthcoming scrutiny process
- it had not been possible to convene a meeting of the Scrutiny Chairs and Vice Chairs Group prior to 8 July due to the pre-election period and scrutiny support staff working full time on the election, and the proposal for the scrutiny process was outlined which culminated in a public scrutiny inquiry of the service roll out.

At the conclusion of the debate the Chair thanked everyone for their contributions.

#### **4 MINUTES**

The minutes of the Cabinet meeting held on 21 May 2024 were submitted.

***RESOLVED*** that the minutes of the meeting held on 21 May 2024 be received and confirmed as a correct record.

#### **5 DENBIGHSHIRE COUNTY COUNCIL'S CLIMATE AND NATURE STRATEGY (2021/22 - 2029/30) - YEAR 3 REVIEW AND REFRESH**

Councillor Barry Mellor, Lead Member for the Environment and Transport presented the Council's Climate and Nature Strategy (2021/22 – 2029/30) (previously known as the Climate and Ecological Change Strategy) for consideration.

The Council declared a Climate Change and Ecological Emergency in 2019 and adopted a draft Strategy in 2021 which was required to be reviewed every three years. The revised Strategy had been presented together with details of the review and engagement process, results of the public consultation on the draft document and proposed amendments made to the Strategy as a consequence.

Councillor Mellor reported on good progress made since adoption of the Strategy but given the financial challenges facing councils the pace of change was not currently at a level to meet 2030 targets. It would not be easy to meet those goals in the revised Strategy, but the Council retained that ambition and commitment to do as much as it could as fast as it could within the resources available to tackle climate change and deliver nature recovery for future generations.

The Corporate Director: Governance and Business gave an overview of the review and engagement process and thanked those involved for their contributions. He drew attention to areas of note in the revised Strategy which included three new sections relating to reducing emissions and increasing absorption, increasing resilience, and nature recovery together with the introduction of a finance section, technical appendix and process/policy changes and actions/project updates.

Cabinet welcomed the Strategy and were supportive of its content and ambitions to deliver for future generations despite the difficulties. Reference was made to the important role of the Council as a community leader and whether more could be done at a community level in terms of raising awareness and better campaign the urgency of that agenda. The Head of Corporate Support Service: Performance, Digital and Assets advised that the Strategy was a central pillar alongside the Corporate Plan in terms of influencing and working with partners and agreed that people needed to be mobilised with specific actions in the Strategy on communication and behaviour change, and there was also a dedicated resource for that specific purpose going forward.

Councillor Rhys Thomas raised a number of technical questions with the Head of Service to be discussed further outside of the meeting. He sought assurances that in tandem with tackling carbon reduction the Council was also working towards operating in an ecologically positive way, to increase the number of scarce species and bring new wildlife back to Denbighshire. The Head of Service confirmed there was greater parity in the new Strategy between carbon/climate action and nature recovery and reported on work being carried out on the nature recovery agenda. Previous training had been provided on carbon literacy and future training was planned on eco literacy which would equip members with knowledge in both areas.

***RESOLVED that Cabinet –***

(a) *recommends that Council adopt the Climate and Nature Strategy (2021/22 – 2029/30) as set out in Appendix 1 to the report, and*

- (b) *confirms that it has read, understood and taken account of the Wellbeing Impact Assessment as part of its consideration as set out in Appendix 2 to the report.*

## **6 LONG TERM PLAN FOR TOWNS: RHYL**

Councillor Jason McLellan presented the report updating Cabinet on the delegated decisions and actions taken as part of the UK Government's Long Term Plan for Towns initiative and levelling up programme following the Cabinet meeting held on 21 May 2024.

Cabinet was advised of the actions undertaken by 3 June 2024 which included the appointment of Adam Roche as Chair of the Rhyl Town Board together with details of the Board Structure, Terms of Reference, Conflict of Interest Policy and Town Boundaries form. The information submitted to the UK Government had been appended to the report. Cabinet was also advised of actions required by the Board to be undertaken by 1 November 2024 which included: agree Governance; agree an engagement plan; undertake a data review; undertake public engagement; develop the 10-year vision and develop the delivery plan for the first 3-year period.

Councillor Joan Butterfield raised some procedural questions regarding the appointment process for the Chair of the Town Board and its membership and the information submitted to the UK Government. She also asked that consideration be given to appointing two Rhyl Town Councillors to the Board. In response to issues raised, and further questions from members, the Leader, Councillor Barry Mellor, and the Corporate Director: Environment and Economy responded as follows –

- reiterated the reasoning behind Cabinet's delegation of actions to enable the tasks to be completed within the tight timescale to meet the funding deadline, and all stakeholders had been kept informed on the process and progress made
- provided a detailed explanation of the rigorous nomination and appointment process for the Chair of the Town Board (including criteria, selection, interview, scoring matrix, and use of a consultant) and merits of the appointment of Adam Roche to that role together with the membership of the Board taking account of the guidance provided in terms of statutory and non-statutory representatives
- the guidance had suggested between 12 – 15 members and the Board had been made up of 16 members: 5 statutory and 11 non-statutory to enable good representation of relevant sectors. There may also be opportunity for subgroups to be formed with wider input from those sectors aligned to the three themes
- there was no statutory requirement for a representative of Rhyl Town Council but in recognition of their important role, a Rhyl Town Councillor had been included on the Board. The balance of elected representatives and those from community, business and other sectors was considered appropriate and in line with the guidance
- assurances had been provided that there would be continuity for the programme going forward if there was a change in government following the election.

In closing, the Leader referred to the expectation that the Town Board would be working with all elected members in Rhyl going forward for the benefit of the town.

**RESOLVED** that Cabinet note and support the information included in, and appended to, the report, including the appointment as Chair of the new Rhyl Board and the proposed membership of the Board.

At this point (11.40 am) the meeting adjourned for a refreshment break.

## **7 COUNCIL PERFORMANCE SELF-ASSESSMENT 2023 TO 2024**

In the absence of Councillor Gwyneth Ellis, the Head of Corporate Support Service: Performance, Digital and Assets presented the report and the Council's Self-Assessment for 2023 to 2024 for Cabinet's consideration ahead of its submission to Council. The Planning and Performance Officer was also in attendance.

The Performance Self-Assessment provided a year end analysis of progress and challenges against key performance objectives (i.e., Corporate Plan themes).

Officers guided members through the report which consisted of an Executive Summary (Appendix I) highlighting performance against the Corporate Plan and the seven governance areas; the Performance Update Report (Appendix II) covering October to March 2024; actions from the Service Performance Challenges (Appendix III) and draft scope of the Panel Performance Assessment (Appendix IV). Feedback had already been provided from the Governance and Audit Committee and Performance Scrutiny Committee following their consideration of the report. An overview of the progress made was given together with challenges that lay ahead. It was noted that performance must be considered in the context of budgetary constraints and a possible reduction in the pace of delivery was expected as a result. Specific attention was also drawn to the six improvement activities identified.

Cabinet thanked officers for the comprehensive report and hard work carried out.

Main areas of debate focused on the following –

- a detailed account of the purpose of Panel Performance Assessment (PPA) and expectations were provided. The draft scope for the PPA was discussed and welcomed as a further opportunity to assess performance from a different perspective to drive greater improvement and performance in future. The draft areas of focus included Leadership, Budget Proposals/Transformation and Partnership Working. A further report would be taken to Cabinet in July to approve the arrangements
- whilst it was important to maintain the Council's ambitions and continually strive for improvement it was accepted that many issues, both in terms of budgetary constraints and the wider economy, were outside the Council's control
- problems with the new waste service roll out and impact on performance together with other issues highlighted over recent months were raised as a concern and also the impact on the authority's reputation and theme of being a well-run, high performing council. The waste project featured in the Greener Denbighshire theme of the Corporate Plan and comment on the rollout would feature in the performance report for quarter 2. Significant budget challenges were being faced by all local authorities with work focussing on the

transformation agenda to deliver services. The Corporate Plan performance management framework included indicators of financial management

- the theme well run high performing council was discussed at some length and it was noted that performance was one of seven governance areas the Council was required to assess for good corporate health. Part of the focus of the well-run, high performing council theme of the Corporate Plan was to foster a “one council” approach to support each other, working together to address issues in an open and transparent manner, being a learning authority, recognising both good performance and making the necessary improvements as quickly as possible in areas that were not performing as well
- the Leader again acknowledged problems with the waste service roll out and repeated assurances that every effort was being made to resolve them
- there was no reference to planning breaches/enforcement in the performance report and officers agreed to raise the issue with the relevant service as a potential measure to consider for inclusion in future reports and report back the outcome at the next Governance and Audit Committee
- the report aimed to take an objective and level-headed view of the Council in terms of its performance and Cabinet agreed it was an honest report which provided both praise and challenge and was a vital tool to secure improvement.

Councillor Delyth Jones welcomed the report as a valuable means of evaluating performance together with constraints and challenges in order to move forward. She believed that a well-run, high performing council came from leadership shown in difficult times and thanked the Leader and Chief Executive for acknowledging the problems with the waste service and taking clear decisive action to address them.

**RESOLVED** that Cabinet –

- (a) *notes the contents of the report, including the six improvement actions listed in paragraph 4.4 of the report, and*
- (b) *confirms the content of the Council’s Performance Self-Assessment 2023 – 2024 for submission to Council in July 2024 for approval.*

## **8 FINANCE REPORT (2023/24 FINANCIAL OUTTURN)**

In the absence of Councillor Gwyneth Ellis, the Chief Accountant presented the report on the final revenue outturn position for 2023/24 and proposed treatment of reserves and balances, and guided members through the report detail.

In brief, the final position on service and corporate budgets (including schools non-delegated budget underspend of £115k) was an overspend of £513k. Coupled with a small shortfall in Council Tax collection of £163k resulted in £676k of the Budget Mitigation reserve being used to fund the net overspend. Schools overspent by £5.258m resulting in a total budget overspend of £5.934m. Transfers to and from reserves had also been set out and most of the movements had been budgeted for or had been previously approved. Finally, reference was made to the budget for 2024/25 which was an ongoing process and worked continued on the saving proposals. There were always risks associated with managing budgets and achieving savings and those were being closely monitored.

The Leader noted that the pressures facing the Council and difficult financial circumstances had been reflected in the report. He had been pleased to see the success of the budget control measures introduced during the year in some services and that high-risk demand areas such as Children's Services and Adult Social Care continued to be closely monitored. Finally, the Leader highlighted the importance of members' attendance at forthcoming budget workshops to ensure all were involved within that process going forward.

**RESOLVED** that Cabinet –

- (a) notes the final revenue outturn position for 2023/24, and
- (b) approves the reserves position for 2023/24 as described in the report and detailed in Appendices 1 – 3.

## **9 CABINET FORWARD WORK PROGRAMME**

The Cabinet forward work programme was presented for consideration.

**RESOLVED** that Cabinet's forward work programme be noted.

The meeting concluded at 12.45 pm.