

CABINET

Minutes of a meeting of the Cabinet held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 17 December 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; Diane King, Lead Member for Education Children and Families; Alan James, Lead Member for Local Development and Planning; Julie Matthews, Deputy Leader and 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: Councillors Ellie Chard, Karen Edwards, Bobby Feeley, Huw Hilditch-Roberts, Hugh Irving, Brian Jones, Delyth Jones, Will Price, Arwel Roberts 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), Highways and Environmental Services (PJ); Housing and Communities (LG), and Planning, Public Protection and Countryside Services (EJ); Project Manager – Corporate Programme Office (KM); Principal Manager Catering and Cleaning (HJ); Lead Officer – Community Housing (GD); Lead Officer – Housing Development (MD); Lead Officer Housing Property (MC); Finance and Assurance Manager (JR); Service Manager – Homelessness Service (NJ); Public Protection, Regeneration and Economic Development Manager (GR); Project Manager – Corporate Programmes Office (RV); Scrutiny Coordinators (RE & KE), and Committee Administrators (KEJ & SLW [Webcaster])

1 APOLOGIES

Councillor Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets

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 November 2024 were submitted.

Matters Arising – Item 3: Urgent Matters X51 Bus Service into Llandegla – Councillor Barry Mellor provided a verbal update following interruptions to the bus service into Llandegla which had been raised by Councillor Terry Mendies at the previous meeting. Whilst it had not been possible to meet with all drivers, the bus company had taken action, specifically regarding a further incident where disciplinary action had been taken, and all drivers had been directed not to bypass Llandegla under any circumstances. The Leader thanked Councillor Mendies for raising the matter and Councillor Mellor for his intervention in helping to resolve the issue, highlighting the importance of transport routes to rural communities.

RESOLVED that the minutes of the meeting held on 19 November 2024 be received and confirmed as a correct record.

5 DRAFT LOCAL TOILET STRATEGY

Councillor Barry Mellor presented the report seeking Cabinet approval of the draft Local Toilets Strategy for public consultation.

Councillor Mellor stressed that the report was not about closing toilets as portrayed by the press and it was appropriate that the Council agreed and adopted a new Strategy prior to any decisions on the provision and operation of public conveniences going forward. The report included some background to the legislative provision regarding public toilets and requirement for local authorities to prepare and publish a Local Toilets Strategy which must include an assessment of need for toilets. The Local Toilet Interim Needs Assessment and draft Local Toilets Strategy for Denbighshire, including an action plan of how the Council proposed to meet the identified need, had been appended to the report together with frequently asked questions in response to comments received during the Interim Needs Assessment consultation, a Wellbeing Impact Assessment and identified risks.

The Head of Highways and Environmental Services and Principal Manager (Catering/Cleaning) attended for this item. The Head of Service referred to work carried out to date and reiterated that no decisions had been made regarding the future provision and operation of public conveniences, stressing the importance of an agreed Strategy as a prelude to future decision making. Cabinet was asked to acknowledge the work carried out and approve the draft Strategy for consultation.

The following issues were raised during the ensuing debate –

- further detail was provided on how the public consultation would be conducted over a two month period in order to achieve as full and wide consultation as possible with an appreciation of the impacts on many different, wide ranging and diverse groups in the county, and the potentially contentious nature of changing the current operating model. It was hoped to gain as much information as possible with the findings used to formulate the overall final strategy position and inform future decision making or recommendations moving forward
- currently one business had signed up to the Community Toilet Scheme and it was important to target appropriate businesses in key areas to join the scheme to meet the identified need for public toilets in the county; it was accepted that it may be difficult to recruit some businesses, but assurances were provided that much work

would be carried out to maximise the benefits of the scheme which included learning from other councils who had success with similar schemes

- reference was made to criticism in the press over the £500pa payable for joining the Community Toilet Scheme, and whether a greater incentive should be offered and views sought in that regard as part of the consultation process. The Head of Service advised that the £500 rate was a national rate aligned with other local authorities and there was a balance between the financial implications of an increase and increasing uptake for the scheme. Given the lack of promotion of the scheme to date he felt it would be appropriate to engage as much as possible with the business community at the current level to gauge the level of interest and then re-evaluate the position depending on the willingness of businesses to join the scheme. Cabinet was keen for more targeted engagement with businesses but asked that the matter be brought back to them for further consideration in the event of poor take up of the scheme
- with regard to Changing Places toilets, there was provision in Ysgol Glan Clwyd and Tesco Prestatyn Superstore referenced in the report, and officers reported on future provision in Corwen through the Levelling Up Fund and also in Queen's Market, Rhyl. It was accepted that such facilities were expensive to provide and there would be engagement with the third sector regarding any potential opportunities in that regard. Councillor Emrys Wynne also highlighted the demand for baby changing facilities which did not require as much space
- discussions had taken place with local Town/City/Community Councils generally regarding the operation of council-run public conveniences and to discuss the draft Strategy and way forward on the need for public toilets, and there had been a mixed response across the county with some very welcoming and supportive and others who were not prepared to work with the local authority – discussions were being held on a case by case basis for the areas concerned
- in responding to a question regarding the day visitor numbers for Denbigh being higher than Llangollen, the Head of Service explained that STEAM data had been used for the day visitor numbers which did not include the significant amount of visitors who stayed overnight or for a longer period in that calculation.

RESOLVED that Cabinet –

- acknowledges the work completed so far following a review of the needs of the local population which was undertaken via a public consultation and approves the final needs assessment (the Interim Needs Assessment had been appended as Appendix 2 to the report);*
- approves the draft strategy and action plan (Appendix 1 to the report) in line with the Public Health (Wales) Act 2017: Provision of Toilets;*
- delegate authority for the Lead Member Highways and Environment to agree any minor editorial changes required to the draft strategy before public consultation, and*
- confirms that it has read, understood, and taken account of the Wellbeing Impact Assessment (Appendix 3 to the report) as part of its consideration.*

At this point Councillor Arwel Roberts advised that he was not aware that Rhuddlan Town Council had been approached with regard to the draft Strategy and would like officers to attend a future meeting to discuss the matter. The Leader asked the Monitoring Officer to raise the issue with the appropriate officer outside the meeting.

6 HOUSING RENT SETTING & HOUSING REVENUE AND CAPITAL BUDGETS 2025/26

Councillor Rhys Thomas presented the report seeking Cabinet approval for the Denbighshire Housing annual rent increase, the Housing Revenue Account (HRA) Capital & Revenue Budgets for 2025/26 and Housing Stock Business Plan (HSBP).

The report included the latest forecast outturn for the HRA and proposed budget for 2025/26 which had been calculated to enable delivery of revenue services, the capital investment programme, strive to achieve quality standards and develop the new build programme. In terms of the annual rent increase, Welsh Government had set a maximum rent increase of 2.7% and it was proposed to increase weekly rents by that amount due to pressures on the HRA to invest in homes to achieve the Welsh Housing Quality Standard (WHQS) and strive to deliver the corporate plan target for new homes. The report had been subject to scrutiny by Communities Scrutiny Committee the previous week and had been very well received.

The Head of Housing and Communities introduced officers present. She gave an overview of the report, providing assurances regarding the affordability of the rent increase for tenants based on the rent matrices and intention to spend any increase on meeting the WHQS with a significant programme of work required in that regard together with the ambition to create more social housing. Reference was also made to the support provided to tenants in terms of any financial difficulties through direct support from officers and also commissioned support from organisations such as Working Denbighshire and Citizens Advice. Finally, reference was made to the HSBP and HRA with further detailed work planned given the Council's ambition for its housing stock with the creation of new housing not currently affordable based on current projections with a report back thereon to Cabinet in the new year.

Main areas of debate focused on the following –

- Cabinet had been pleased to hear the feedback following scrutiny of the report by Communities Scrutiny Committee which gave further confidence in the recommendations in addition to the thorough consideration of all factors detailed in the report and paid tribute to the work of the Housing Team to benefit tenants
- particular mention was also made to successful council housing development projects, including Llys Elizabeth, Rhyl and Llys Llên, Prestatyn and close partnership working with others including Clwyd Alyn's housing development on Edward Henry Street, Rhyl, all examples of excellent affordable quality housing
- members welcomed the commitment to no evictions due to financial hardship where there was engagement with the council noting that the vast majority of tenants were willing to seek help and advice; the close working with the Homeless Prevention Team was also noted
- there was a focus on the affordable warmth agenda with approximately £9m per annum spent on capital works with circa 13000 routine repairs carried out; the

revised standard required raising EPC levels of all homes up to C75 and whilst some grant funding was provided for that purpose, delivering that standard was expensive and largely unaffordable at present, by 2027 a plan was required to demonstrate how the revised standard would be achieved by 2030

- there was a fine balance between ensuring rents were affordable for tenants and securing investment in the housing stock to benefit those tenants and the success of the approach taken had been evidenced with Denbighshire having one of the highest tenant satisfaction rates in Wales in terms of service and value for money.

RESOLVED that –

- (a) the Housing Revenue Account Budget for 2025/26 (Appendix 1 to the report) and the Housing Stock Business Plan (Appendix 2 to the report) be adopted;*
- (b) rents for Council dwellings be increased in accordance with the Welsh Government Policy for Social Housing Rents by 2.7% to an average weekly rent of £112.29 with effect from Monday 7 April 2025;*
- (c) the additional report (Appendix 3 to the report) on the considerations taken into account when deciding on the recommendation be noted, and*
- (d) Cabinet 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.*

7 FINANCE REPORT

In the absence of Councillor Gwyneth Ellis, the Head of Finance and Audit presented the monthly report detailing the latest financial position and progress against the agreed budget strategy together with further recommended approvals.

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

- the net revenue budget for 2024/25 was £271.021m (£250.793m in 2023/24)
- an underspend of £4.285m was forecast for service and corporate budgets
- current risks and assumptions relating to corporate budgets and service areas
- savings and efficiencies for the 2024/25 budget (£10.384m) and progress in delivering savings approved with ongoing tracking/monitoring
- an update on Schools, Housing Revenue Account and Treasury Management.

Cabinet was also asked to approve the Council Tax base for setting the 2025/26 budget; the use of capital contingency to fund the overspend on the Lôn Parcwr Scheme, and the capital business case relating to Ysgol y Castell, Rhuddlan which had been attached as a confidential appendix. Cabinet was asked to move into private session if they wished to discuss the confidential element of the report.

The Head of Finance and Audit guided members through the detail of the report. There was a forecasted underspend on service and corporate budgets of £4.285m compared to an underspend of £479k last month. The significant positive movement had been due to Welsh Government awarding additional in-year funding to support

pay pressures and teachers' pension costs. Services as a whole continued to overspend in areas including Education and Children's Services, Highways and Environmental Services, and to a lesser extent Planning, Public Protection and Countryside Services. There was an underspend in Adult Social Care and Homelessness similar to that reported over recent months. High risk areas including School Transport were highlighted. The areas of service overspend had been more than offset by the underspend on corporate budgets due to the release of contingency budgets and grant funding award from Welsh Government. Careful consideration would need to be given to the level of underspend and its future use. Details on the Housing Revenue Account and schools' position had also been included in the report.

The Leader and Chief Executive referred to the positive impact on the budget position as a result of the in-year consequentials following the UK Government Budget in October and Welsh Government's allocation of additional grant funding together with the recently announced local government provisional settlement for 2025/26. A Members Budget Briefing had been arranged for the following day to provide an update to all councillors on the detail of the Welsh Government's provisional settlement with a full update on the position to be presented to Cabinet in January. The Head of Finance and Audit advised that whilst the provisional settlement was better than expected the additional funding would not cover all of the budgetary pressures for the next financial year and savings would still be required together with an increase in Council Tax in order to achieve a balanced budget for 2025/26.

RESOLVED that Cabinet –

- (a) *note the budgets set for 2024/25 and progress against the agreed strategy;*
- (b) *approve the Council Tax Base for setting the 2025/26 budget as detailed in Appendix 3 to the report;*
- (c) *approve the use of the capital contingency to fund the overspend on the Lôn Parcwr scheme as detailed in Section 6.8 to the report, and*
- (d) *approve the Ysgol y Castell business case for submission to the Welsh Government Capital Programme as detailed in Section 6.9 and Appendix 5 to the report.*

8 CABINET FORWARD WORK PROGRAMME

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

- Public Services Ombudsman for Wales Annual Letter – moved from January to February
- North Wales Domiciliary Care Agreement – moved from January to February
- Denbighshire's Economic Strategy – moved from February to March
- Corporate Joint Committee Governance Arrangements – moved from January to February/March

RESOLVED that Cabinet's forward work programme be noted.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following items of business on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 14 of Part 4 of Schedule 12A of the Act.

9 DENBIGHSHIRE DOMESTIC ABUSE HOMELESSNESS PREVENTION SUPPORT SERVICE, HOUSING SUPPORT GRANT (HSG) PROJECT - RAPID REHOUSING

Councillor Rhys Thomas presented the confidential report detailing the outcome of the tender exercise for a new Domestic Abuse Homelessness Prevention Support Service and seeking Cabinet approval to award the contract.

In line with the transition towards Rapid Rehousing, the Domestic Abuse Homelessness Prevention Support Service was designed to support people living in Denbighshire to sustain their accommodation and prevent homelessness, with a focus on supporting domestic abuse survivors. Details of the tender and evaluation exercise had been provided with tender fees confirmed as within budget and value for money had also been evaluated as part of the procurement process. The contract would be for a period of five years (with the option to extend for a further two years) with commencement of the service in April 2025.

The Service Manager – Homelessness Service elaborated on the merits of the recommended provider and highlighted the importance of the service provision which also offered exceptional value for money. Cabinet considered the report and thanked officers for their hard work in that regard and providing a detailed report with the relevant information clearly set out in order for a decision to be made.

RESOLVED that Cabinet –

- (a) *acknowledge that a fair and robust tender exercise had been completed in accordance with the Denbighshire Contract Procedures Rules, and which had identified a clear ‘winner’ (as detailed in section 3.1 of the report) who had set out a detailed programme which met the aims and aspirations of the project specification set out in the tender request (Appendix 3 to the report);*
- (b) *agree to awarding the contract to the named contract provider (as detailed in section 3.2 of the report) based on their tender proposals at the fee level proposed, and*
- (c) *confirms that it has read, understood, and taken account of the Wellbeing Impact Assessment (Appendix 2 to the report) as part of its consideration.*

10 APPOINTMENT OF CONTRACTORS TO A VOID HOUSING MAINTENANCE AND REFURBISHMENT FRAMEWORK

Councillor Rhys Thomas presented the confidential report detailing the outcome of the procurement process for the Housing Voids Framework and recommending the appointment of contractors as set out in the report.

Tenant movement in the Council's Housing Service resulted in approximately 250 properties becoming void annually which were refurbished to the new lettable standard for subsequent tenants. A Housing Voids Framework would reduce costs and time in undertaking works on void housing units and enable an improved service and higher standards. The original framework had expired, hence the re-tendering exercise, and a decision was required to appoint the contractors on the terms outlined in the report. The tender had been split into 4 Lots according to value of projects.

Cabinet discussed with officers the amount of time voids were left empty whilst work was carried out to bring them up to the new lettable standard which was closely monitored with some previous assumptions currently being tested with a view to reducing void times where possible. Officers agreed to provide further detail on average voids times to Councillor Diane King after the meeting. In terms of homeless figures, the biggest demands were for larger families and single bedroom homes and work was being carried out in partnership with Registered Social Landlords to specifically address those two areas of demand.

RESOLVED that Cabinet –

- (a) *confirms that it has read, understood, and taken account of the Wellbeing Impact Assessment (Appendix 2 to the report) as part of its consideration, and*
- (b) *the contractors as recommended and detailed in Table 1 (section 3.2 of the report) which had been evaluated according to the scoring and weighting methodology detailed within the tender documents, be appointed to the Housing Voids Framework on the terms outlined within the report.*

11 QUEEN'S MARKET RHYL: OPERATION/MANAGEMENT

Councillor Jason McLellan presented the confidential report seeking Cabinet approval to develop and award a contract to manage Queen's Market in Rhyl.

Some background to the Queen's Market development had been included in the report together with an update on progress to date including options considered by the Project Board and recommended way forward. The reasoning behind the recommendations, including advantages and risks, had been set out in the report together with the potential financial implications and mitigations in that regard.

The Corporate Director: Environment and Economy guided Cabinet through the report detail leading to the current position to date. In terms of the way forward further detail was provided on the recommended management company in terms of knowledge and experience and the merits of awarding a contract to them to operate the facility. However, no project came without risk and those risks and how they would be mitigated against were highlighted, including the Council's responsibility to underwrite any losses for the period of the management contract.

Cabinet considered the report at length and also revisited the merits of the project with the Council acquiring a failing and dilapidated site to provide exciting regeneration opportunities and attract inward investment and ambitious plans for its future use. Queen's Market was a key part of the Council's regeneration vision for Rhyl which would also act as a catalyst for future development and investment. Thanks were extended to the previous Cabinet and Leader Councillor Hugh Evans in setting the project in motion and their hard work in that regard.

Cabinet discussed various aspects of the report with officers and were keen to ensure opportunities for local businesses and to maximise capacity and use of the facility all year round. The importance of the promotion and use of the Welsh language and culture within the facility was also highlighted. Officers provided assurances regarding local quality provision and support for start-up businesses with much work carried out around appropriate rent levels to achieve those aims and provide a high quality attraction all year round with further opportunities for the town centre and wider area, and reference was also made to the wider regeneration improvements including the use of Levelling Up Funding for public realm improvements and other grant funding which would portray a positive outlook. The work carried out in terms of community safety in the area was also acknowledged and close working with the North Wales Police. Assurances were also provided regarding the promotion of the Welsh language offer and discussions had already taken place with the proposed management company and further work and support with others including the Council's Welsh Language Officer and Menter Iaith in that regard.

Having carefully considered the report, including the merits of the proposed way forward together with the risks and potential financial implications, it was –

RESOLVED that Cabinet –

- (a) *delegates authority to the Corporate Director: Environment and Economy for awarding a contract to the named party and for the period shown as detailed in section 3.1 to the report, as recommended by the Project Board. Delegated authority would be subject to consultation with the Section 151 Officer, Monitoring Officer, Head of Corporate Support Services: Performance, Digital and Assets, and the relevant Lead Members;*
- (b) *agrees to underwrite any losses for the period of the management contract, as per section 6 of the report. It was anticipated that this could be covered by an existing budget developed specifically for the purpose of supporting regeneration, and*
- (c) *confirms that it has read, understood and taken account of the Wellbeing Impact Assessment (Appendix 1 to the report) as part of its consideration.*

The meeting concluded at 11.50 am.