

## **CABINET**

Minutes of a meeting of the Cabinet held in the Council Chamber, County Hall, Ruthin on Tuesday, 12 December 2017 at 10.00 am.

## **PRESENT**

Councillors Hugh Evans, Leader and Lead Member for the Economy and Corporate Governance; Huw Hilditch-Roberts, Lead Member for Education, Children and Young People; Brian Jones, Lead Member for Highways, Planning and Sustainable Travel; Richard Mainon, Lead Member for Developing Community Infrastructure; Tony Thomas, Lead Member for Housing, Regulation and the Environment; Julian Thompson-Hill, Lead Member for Finance, Performance and Strategic Assets, and Mark Young, Lead Member for Corporate Standards

**Observers:** Councillors Meirick Davies, Arwel Roberts, Glenn Swingler, Rhys Thomas and Emrys Wynne

## **ALSO PRESENT**

Chief Executive (MM); Corporate Director Economy and Public Realm (GB); Heads of Service: Community Support Services (PG), Highways and Environmental Services (TW) and Finance/S.151 Officer (RW); Legal Services Manager/Deputy Monitoring Officer (LJ); Commissioning and Tendering Officer (LD); Homelessness Prevention Team Manager (CO); Procurement Business Partner (MW); Passenger Transport Section Manager (PD) and Committee Administrator (KEJ)

## **POINTS OF NOTICE**

The Leader –

- (i) paid tribute to the work of the Council's staff, in various departments, over the last few days in responding to the extreme weather conditions within the county in challenging and difficult circumstances and conveyed his appreciation
- (ii) asked that non-Cabinet members refrain from making general comments and statements on particular items and to focus on asking relevant questions on the specific report and recommendations under consideration.

### **1 APOLOGIES**

Councillor Bobby Feeley, Lead Member for Well-being and Independence  
Nicola Stubbins, Corporate Director Communities

### **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 21 November 2017 were submitted.

***RESOLVED*** that the minutes of the meeting held on 21 November 2017 be approved as a correct record and signed by the Leader.

## 5 DENBIGHSHIRE HOMELESSNESS STRATEGY 2017-21

In the absence of Councillor Bobby Feeley, Councillor Tony Thomas introduced the report seeking Cabinet approval of the Homelessness Strategy 2017-21 prior to its submission to the Regional Collaborative Committee. The Strategy outlined the plans and actions of the Homelessness Prevention Team (and its partners) in tackling homelessness and its causes.

The Housing (Wales) Act 2014 required local authorities to carry out a review of homelessness in their area and develop a Homelessness Strategy based on the review findings. The Strategy detailed six strategic priorities over the next four years to tackle, and ultimately end, homelessness in Denbighshire with a strong commitment to early intervention and prevention. The Strategy had been developed following extensive consultation and had been considered at Partnerships Scrutiny Committee in November when it was recommended to Cabinet for adoption.

Cabinet discussed the report with officers and were keen to understand the impact of welfare reform on homelessness and how Denbighshire compared nationally given the growing pressures and high demand for services together with measures to tackle specific problems, including the impact on young people and families.

In response to questions officers –

- confirmed that in areas where universal credit had been rolled out there had been a big impact and the Homelessness Prevention Team, along with partners, were working to identify those groups affected in order to mitigate those changes as far as possible and provide advice and support at an early stage
- in terms of general demand it was difficult to compare figures given recent legislative changes but there remained a high demand which was difficult to meet in some cases
- elaborated upon the reduced use of bed and breakfast accommodation for young people following development of the Young People's Positive Pathway in favour of more suitable temporary accommodation and different options
- emphasised the importance of the private rented sector in meeting housing needs and the development of a landlord offer, including landlord incentives, to increase the provision of housing available to individuals and families who were homeless or threatened with homelessness
- discussed the challenges of communicating with the 'hidden homeless' and those who did not recognise their status or did not wish to engage with the service – much was being carried out through various outreach programmes

and responding with flexible services led by the needs of individuals; web based self-help tools provided another avenue for those who did not wish to engage

- the increased costs following implementation of the Housing Act 2014 had been recognised by Welsh Government in the funding provision for the next year
- the main basis of the Strategy was the homelessness review undertaken in 2016 which was very comprehensive and a key driver in what was required locally whilst at the same time meeting the legal requirements of the Act
- elaborated upon the strong links between departments, particularly Planning and Public Protection, who had regulatory control of property standards and landlords and had driven up quality and expectations
- acknowledged that early intervention was key and reported upon steps to engage with individuals and families at an early stage to prevent homelessness, which in future would include a physical presence on the doorstep
- clearer reference to local connection criteria had been included in the Strategy at the request of Partnerships Scrutiny Committee and a copy of the SP Reconnection Guidance could be made available to members on request
- confirmed that the lack of direct payments to landlords had resulted in some reluctance to provide accommodation hence the need to consider landlord incentives as part of future developments
- as part of plans to prevent youth homelessness education work in schools and other youth provision would be commissioned to raise awareness of the available housing options and the reality and risks of homelessness and officers also provided an explanation of emergency respite accommodation available
- in terms of future monitoring officers confirmed that a progress report on the implementation of the Strategy and delivery of the Prevention Action Plan would be submitted to Partnerships Scrutiny Committee in May 2018.

The Legal Services Manager advised that the report had cited some repealed legislation under the power to make the decision section and the correct power was Section 50 of the Housing (Wales) Act 2014.

***RESOLVED*** that Cabinet approves the Homelessness Strategy, ahead of its submission to the Regional Collaborative Committee in January 2018, and implementation up to 2021.

## **6 DENBIGHSHIRE SUPPORTING PEOPLE/HOMELESSNESS PREVENTION PLAN 2018/19**

In the absence of Councillor Bobby Feeley, Councillor Tony Thomas introduced the report seeking Cabinet approval of the Denbighshire Supporting People/Homelessness Prevention Plan for 2018/19 prior to its submission to the Regional Collaborative Committee.

The Plan outlined the plans and actions of the Homelessness Prevention Team (and its partners) in tackling homelessness and its causes, with a particular emphasis on commissioned service development over the next year. The Plan was also a key part of delivering against the Homelessness Strategy (discussed under the previous item). Five strategic priorities had been identified for the Plan which would also include a full spend plan for the Supporting People Grant following confirmation of the budget by Welsh Government. The Plan had been developed

following extensive consultation and had been considered at Partnerships Scrutiny Committee when it was recommended to Cabinet for adoption.

In responding to questions regarding funding levels, officers advised that the Supporting People element of the funding was ring-fenced for those purposes by the Welsh Government for the next two years. A spend plan was developed annually alongside a contingency plan based on anticipated cuts given the late notification of the precise level of funding to individual local authorities from the Welsh Government. The Legal Services Manager clarified that the correction legislative provisions under the power to make the decision section of the report was Part 2 of the Housing (Wales) Act 2014.

**RESOLVED** *that Cabinet approves the Denbighshire Supporting People/Homelessness Prevention Plan 2018/19, ahead of its submission to the Regional Collaborative Committee in January 2018, and implementation 2018/19.*

## **7 INTEGRATED CARE FUND AGREEMENT 2017-2020**

In the absence of Councillor Bobby Feeley, Councillor Tony Thomas introduced the report seeking Cabinet approval to the Council entering into a legal agreement between Betsi Cadwaladr University Health Board and the six local authorities across North Wales in respect of the Integrated Care Fund (ICF) in order to formalise regional funding and governance arrangements.

The ICF was part of the wider collaboration of social care and health mandated by the Social Services and Well-being (Wales) Act 2014 and provided a regulated funding stream, through pooled budgets, to reduce pressures on the hospital and in the community, primarily covering hospital admissions and discharges on a regional basis. Existing arrangements were already in place and the legal agreement would formalise and regulate those specific activities and funding stream.

Councillor Julian Thompson-Hill supported the recommendations and transition to more formalised arrangements which could be used as a test case in order to manage tensions at an early stage prior to progression with the wider collaboration agenda between health and social care. In response to a query regarding the role of the rapid response team officers advised that home support was now managed within other projects with a number of services working alongside homecare services which also included reablement and clinical intervention.

Cabinet supported the formalisation of arrangements and work undertaken to deliver services on a regional basis and it was –

**RESOLVED** *that Cabinet –*

- (a) notes the contents of the report;*
- (b) approves the Council entering into a legal agreement between Betsi Cadwaladr University Health Board and the six local authorities across North Wales, regulating the governance and processes surrounding expenditure and reporting requirements in respect of the ICT, and*

- (c) *confirms that they have read, understood and taken account of the Well-being Impact Assessment attached at Appendix 1 to the report as part of their consideration.*

## **8 MANAGED SERVICE FOR THE PROVISION OF AGENCY WORKERS**

Councillor Julian Thompson-Hill presented the report seeking Cabinet approval to commence a collaborative procurement with Flintshire County Council and enter into a contract to appoint an agency to supply temporary staff for use by the Council.

The Council's existing agreement to supply agency staff expired in February 2018. Given the ongoing requirement for agency staff and taking into account legislative requirements it was proposed to undertake a competitive tendering process using the Mstar2 (Managed Services for Temporary Agency Staff) framework. The contract would be for three years with the option to extend it for a further year.

During the ensuing debate Cabinet sought clarity regarding the value for money aspect of the proposed contract, details of the contract specification, and whether alternative methods of provision had been considered. Members noted that savings of over £200k per year had been made utilising the existing framework and whilst it was accepted that the proposed new contract would also likely benefit the council financially, there was concern over the lack of detail provided in the report in order to give that value for money assurance, particularly given that the anticipated spend under the new contract would be in excess of £4m over four years, and Cabinet considered that the matter would benefit from further scrutiny. The timescales for the procurement process and expiration of the current agreement were discussed and given those tight timescales it was agreed to commence the procurement process but to ask the appropriate scrutiny committee to consider the collaborative procurement and alternative options based on best value as soon as possible with a view to Cabinet receiving a report back to consider whether to proceed with the process or withdraw in favour of a more advantageous option.

**RESOLVED** that Cabinet approves –

- (a) *commencement of the procurement using the ESPO MSTAR2 Framework Number 653F;*
- (b) *for Denbighshire County Council to work collaboratively with Flintshire County Council in leading and managing the procurement process;*
- (c) *that the appropriate scrutiny committee receive a report from the relevant officers in January 2018 in respect of the procurement exercise and the alternative options that could be available to the Council based on best value, and*
- (d) *that Cabinet receive a report to award to the most economically advantageous tenderer in February 2018.*

## 9 FINANCE REPORT

Councillor Julian Thompson-Hill presented the report detailing the latest financial position and progress against the agreed budget strategy. He provided a summary of the Council's financial position as follows –

- service and corporate budgets were forecast to break-even due to the use of corporate contingencies
- service efficiencies worth £0.902m having already been agreed as part of the budget with the assumption that all would be delivered – any exceptions would be reported to Cabinet if required
- highlighted current risks and variances relating to individual service areas, and
- provided a general update on the Housing Revenue Account, Housing Capital Plan and the Capital Plan (including the Corporate Plan element).

Cabinet was also asked to support the submission of a full business case for a new 3 – 16 Catholic school building and facilities to the Welsh Government.

In response to a question regarding how the adverse weather would impact on finances, Councillor Julian Thompson-Hill referred to the winter maintenance reserve which had been established to aid peaks and troughs in expenditure in the event of adverse weather conditions. It was noted that school transport had not been functioning in a number of areas which would provide a cost saving.

**RESOLVED** that Cabinet –

- (a) notes the budgets set for 2017/18 and progress against the agreed budget strategy, and
- (b) supports the submission of a Full Business Case for a new 3 – 16 Catholic school building and facilities to the Welsh Government (detailed in Appendix 4 to the report).

## 10 CABINET FORWARD WORK PROGRAMME

The Cabinet Forward Work Programme was presented for consideration.

A report on the managed service for the provision of agency workers would be scheduled for February 2018.

**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 item 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.

## 11 LOCAL BUS SERVICE CONTRACT

Councillor Brian Jones presented the confidential report seeking Cabinet approval to award contracts for local bus services in accordance with Contract Procedures Rules to the most economically advantageous tenderers.

Officers had tendered a range of options and suppliers had been able to bid for individual contracts for two or more contracts in combination. There were a number of outstanding areas but Cabinet approval was required to enable officers to let contracts formally in accordance with relevant timescales. If suppliers were unable to accept what was offered to them at formal award stage subsequent changes would be managed within the budget available.

During a lengthy debate officers responded to questions regarding a range of issues including the evaluation process and ensuring best value for money, due diligence testing, fares and pricing, the specific operation of particular services in different areas of the county together with the viability of particular routes and services. There was some discussion about the potential for electric buses which was still under consideration and given the tight timescale to bid for funding in that regard it was agreed that the latest position be further considered by the Strategic Investment Group that afternoon. In terms of the available budget officers advised that the proposals were based on current budgets and assumptions and Cabinet expressed concern regarding the late notification of available funding from the Welsh Government and agreed that the matter be taken up with them directly.

***RESOLVED*** that Cabinet authorises the Head of Highways and Environmental Services in conjunction with the Lead Member for Highways, Planning and Sustainable Transport to award contracts up to the limit within the available budget in accordance with proposals attached in the appendix to the report. This may require some amendments to the detail of the plan following formal engagement with contractors and the position becoming clearer.

The meeting concluded at 12.20 p.m.