

CABINET

Minutes of a meeting of the Cabinet held by video conference on Tuesday, 19 October, 2021 at 10.00 am.

PRESENT

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; 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 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), Communities and Customer Services (LG) and Highways and Environmental Services (TW); Project Manager Corporate Programmes Office (PC) and Committee Administrators (KEJ & SLW [Webcaster])

POINT OF NOTICE

In the absence of the Leader – Councillor Hugh Evans, the Deputy Leader – Councillor Julian Thompson-Hill took the Chair for the meeting.

1 APOLOGIES

Councillor Hugh Evans, Leader and Lead Member for the Economy and Corporate Governance

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 September 2021 were submitted.

RESOLVED that the minutes of the meeting held on 21 September 2021 be received and confirmed as a correct record.

5 GRAPHIC DESIGN AND PRINT FRAMEWORK DYNAMIC PURCHASING SYSTEM

Councillor Huw Hilditch-Roberts presented the report seeking Cabinet approval of the suppliers to be included on the new Dynamic Purchasing System (DPS) framework for design and print. The DPS was a collaboration with Flintshire County Council and as the estimated spend was over £4m Cabinet approval was required.

On 23 March 2021 Cabinet had approved advertising the new DPS framework for graphic design, print, banners and signage, vehicle livery and specialised print across five procurement 'lots' over a six year period in collaboration with Flintshire County Council. Following the subsequent evaluation process Cabinet approval was sought to enter into a contract with a list of suppliers to be included in the new framework which had been detailed in the report under the five procurement 'lots'.

Cabinet noted that the framework could be added to as appropriate during its six year lifetime following an application and evaluation process. It was confirmed that work was ongoing with the Economic and Business Development Team and its equivalent at Flintshire County Council to proactively engage with local companies with a view to including them on the new framework.

***RESOLVED** that Cabinet approve the new Dynamic Purchasing System Framework list of suppliers who have been evaluated as detailed within the report.*

6 PROPOSED APPROACH TO TENDERING FOR PHASE 2 NEW DCC WASTE TRANSFER STATION (WTS) AT COLOMENDY INDUSTRIAL ESTATE, DENBIGH

Councillor Brian Jones presented the report seeking Cabinet approval to the proposed tendering exercise to identify a main contractor to deliver Phase 2 new DCC Waste Transfer Station (WTS) at Colomendy Industrial Estate, Denbigh.

The proposed WTS was required to support the planned service change for household waste collections and details of the procurement exercise had been detailed within the report together with an estimated contract value of £5.2m which was within the current budget allocation. Details of previous permissions regarding various aspects of the overall waste service collection change and tendering approach had also been provided by way of background and the collaborative approach taken and benefits to local businesses on site from the wider project was also highlighted. The approval sought in the report was another step in the process to facilitate the planned service change. The contract award itself would be subject of a further report back to Cabinet following the tendering exercise which would also confirm contract management arrangements, tendered costs and contract details. Cabinet was advised that the timescales in the report were indicative at this stage and given the amount of work involved there may be some slippage.

Questions were raised regarding mitigation of key risks identified and the potential for a future site visit, and the need for a robust communications plan for residents at the appropriate time in the process was also highlighted. The Lead Member and officers responded to questions and comments as follows –

- there was confidence that tender responses would be received given the level of interest that had already been expressed in the tendering process
- financial risks by their nature were categorised as 'high' but due diligence and financial checks were carried out as part of the process for managing that risk
- there was ongoing market pressure on prices and materials outside of the Council's control which could potentially impact on the tendered price with cost estimates having been reviewed in that regard. The impact of those market pressures could not be known with any certainty until receipt of the tender submissions but there was confidence that any price increases could be covered within the budget allocated for the project
- assurance could be taken from the governance arrangements in place and work of the Project Board to oversee and monitor progress and developments
- officers noted the suggestion to arrange a site visit for members and advised that Spring/Summer would be timely after completion of phase 1 of the project
- though not part of the current report, the importance of communicating with residents at the appropriate time regarding the implementation of the new waste model was acknowledged, and assurances were provided that a detailed communications plan was being developed in that regard. It was noted that Communities Scrutiny Committee would be receiving a general update on the new Waste Model which would provide opportunity to further discuss the issue.

RESOLVED that Cabinet –

- (a) *approve the proposed tendering exercise as detailed within the report, and*
- (b) *confirm it has read, understood and taken account of the Wellbeing Impact Assessment (Appendix 1 to the report) as part of its consideration.*

7 CONTRACT AWARD AND POLICY CHANGES FOR A NEW CONTRACT TO MANAGE OUR HOUSEHOLD WASTE RECYCLING CENTRES

[The Head of Legal, HR and Democratic Services explained that the tender evaluation element of the report must remain confidential at this stage due to commercial sensitivity and he advised Cabinet to move into closed session if they wished to discuss that element of the report.]

Councillor Brian Jones presented the report seeking Cabinet approval to authorise the contract award to manage Household Waste Recycling Centres (HRCs) following the joint procurement process with Conwy County Borough Council (CCBC) together with adoption of the Joint HRC Policy with Conwy and the 2022/23 charging schedule in order to realise the maximum savings generated from the procurement. The benefits of the collaborative approach for both Denbighshire and Conwy residents were highlighted, including cross border use of recycling centres, providing an alternative option to hiring a skip to dispose of DIY and Construction waste for a reasonable charge, and continuation of the booking system. The cost savings to Denbighshire as a result of the changes was also highlighted.

The Head of Highways and Environmental Services clarified that the main aspects of the report related to the contract award across the two local authority areas to

manage the household recycling centre and the adoption of a new set of policies governing the use of those recycling centres. The tender process had been based on the assumption that the policies would be adopted and income would be generated through those policies. Therefore both elements required approval. Following previous concerns raised regarding the three visits per month limit to the centres each month the limit had been changed to allow six visits per household every two months in order to provide greater flexibility for residents.

Cabinet considered the comprehensive report and had been pleased to note the change to allow greater flexibility in the number of visits to sites following concerns raised in that regard. In response to questions the Head of Service and Lead Member advised that the proposed booking system had been developed by CCBC and it was proposed to use the system across both local authorities which would result in benefits for residents, including being able to book to visit a site in either county. Assurances were also provided that the proposed provider would be in a position to successfully operate the contract on the start date 1 April 2022.

There was much debate around the importance of a robust communication plan for implementation of the new waste model and associated changes to ensure all residents were fully aware and engaged in that regard in order to provide clarity, allay any concerns and contribute to the success of the project going forward. Councillor Emrys Wynne had some reservations regarding proposals to introduce a charge for DIY and construction waste, and sought clarity over the charging arrangements for specific items and how that element could be appropriately communicated to residents. Whilst noting the Council had no obligation to accept non-household waste and that the proposal offered an expansion of the service, the introduction of charges for some elements may not be viewed favourably by residents, particularly when residents were being charged for small amounts of non-household waste which they had not previously been charged for.

The Head of Service responded to the issues raised and provided further assurances that a clear message would be communicated to residents. He explained the process when booking a visit which included categorising items of waste to be disposed of at which point it was confirmed whether a fee was chargeable, and further clarity was provided by operatives on site to enable residents to make an informed choice. Assurances were also provided that staff would be well trained and able to deal with any issues at the sites and the process had been working successfully in Conwy with no major issues or concerns which provided confidence in that system and lessons learned from that process. An explanation of household and non-household waste had been clearly defined in the new HRC Policy together with a description of materials and items for which charges would apply. It was emphasised that residents were not being asked to pay for a service which was previously provided free of charge. The new policy permitted Denbighshire residents to bring any quantity of non-household waste for a reasonable charge which they were not able to do at present – the service would be expanded providing a greater range of options for residents.

Notwithstanding the assurances provided members reiterated the need to ensure clarity for residents and to raise awareness of the changes being made to service provision and ensure residents were fully engaged with the new process. The Lead

Member and Head of Service acknowledged the issues raised and were confident that the communication plan would ensure a clear message was communicated to residents regarding the implementation of the new waste model and any associated changes in that regard to ensure that they were clearly understood by residents.

RESOLVED that –

- (a) *Cabinet authorise the awarding of the contract to the Preferred Bidder identified in the joint procurement Tender Evaluation Report (Appendix 1 to the report), having demonstrated that they have submitted the most economically advantageous tender and noting that the contract will be awarded by Conwy County Borough Council as lead authority;*
- (b) *members confirm that they have read, understood and taken account of the updated Wellbeing Impact Assessment (Appendix 4 to the report) as part of its consideration and note that this will be updated upon contract award;*
- (c) *the Joint Household Recycling Centre Policy with Conwy County Borough Council (Appendix 2 to the report) be adopted from the contract commencement date;*
- (d) *the DIY Construction Waste Charges (Appendix 3 to the report) be formally adopted from the contract commencement date;*
- (e) *the Joint Household Recycling Centre booking system under in-house development at Conwy County Borough Council be adopted permanently;*
- (f) *a report is taken back to Partnerships Scrutiny Committee to review the first year of the new contract's operation, and*
- (g) *Cabinet note that an Inter Authority Agreement between Conwy County Borough Council and Denbighshire County Council needs to be agreed and request that the service is supported by Legal Services to prepare this.*

8 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 £0.656m was forecast for service and corporate budgets
- detailed agreed savings and efficiencies worth £4.448m 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
- a general update on the Housing Revenue Account and Housing Capital Plan, Treasury Management and Capital Plan with an update on major projects.

Cabinet approval was also sought to the use of the Schools Maintenance Grant as recommended by the Strategic Investment Group which had been awarded to the Council by the Welsh Government. The Head of Finance explained the reasoning behind the approval sought due to the Welsh Government allocating the Schools Maintenance Grant at the end of the financial year for spend in-year which meant the council monies earmarked for spending on schools could be carried forward as an underspend. The list of prioritised works had been agreed with the Education Service, in consultation with schools, and Property Services.

RESOLVED that Cabinet –

- (a) *note the budgets set for 2021/22 and progress against the agreed budget strategy, and*
- (b) *approve the recommended use of the Schools Maintenance Grant which has been awarded to the Council by the Welsh Government , as recommended by the Strategic Investment Group (as detailed in Section 6.7 of the report and Appendices 5, 6 and 7 to the report).*

9 CABINET FORWARD WORK PROGRAMME

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

- Contract Award: Redevelopment of the former library in Nant Hall Road, Prestatyn – to be moved from November to January
- Contract Award: Approval for new Waste Fleet to support new Wales Service Model – to be added to January
- Budget Proposals 2022/23 – to be added to January
- Contract Award: Approval for Phase 2 Construction Works DCC Waste Transfer Station to support New Waste Model – to be added to February

RESOLVED that Cabinet's forward work programme be noted.

The meeting concluded at 11.15 hrs.