

CABINET

Minutes of a meeting of the Cabinet held by video conference on Tuesday, 15 March 2022 at 10.00 am.

PRESENT

Councillors Hugh Evans, Leader and Lead Member for the Economy and Corporate Governance; 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; Richard Mainon, Lead Member for Strategic Direction and Transition; 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 Joan Butterfield, Meirick Davies, Gwyneth Ellis, Hugh Irving, Alan James, Barry Mellor, Arwel Roberts and Emrys Wynne

ALSO PRESENT

Chief Executive (GB); Corporate Director: Communities (NS); Heads of Service: Legal, HR and Democratic Services (GW) and Highways and Environmental Services (TW); Chief Accountant (RE); Principal Catering and Cleaning Manager (HJ); Project Manager (RV); Lead Officer – Corporate Property and Housing Stock (DL); Housing Development Manager (MD); Scrutiny Coordinator (RE); Business Co-ordinator: Leader's Office (SE) and Committee Administrators (KEJ & RTJ [Webcaster])

POINT OF NOTICE

The Leader welcomed everyone to Cabinet's first public hybrid meeting.

The Head of Legal, HR and Democratic Services explained that the Council Chamber had been equipped to enable fully hybrid meetings to take place with participants being able to attend in person in the Council Chamber or remotely via Zoom. Details were provided of those present in the Council Chamber for clarity.

1 APOLOGIES

There were no apologies.

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 15 February 2022 were submitted.

Matters Arising – Item 7 – Proposed Scheme of Delegated Decision Making for Land Acquisition for Carbon Sequestration and Ecological Improvement Purposes – The Head of Legal, HR and Democratic Services advised that the Cabinet decision had been called in for scrutiny and had been considered the previous week by Communities Scrutiny Committee who had resolved to refer that matter back to Cabinet for consideration. Consequently, a report would be submitted to a future Cabinet meeting to consider the Scrutiny Committee's recommendations.

RESOLVED that the minutes of the meeting held on 15 February 2022 be received and confirmed as a correct record.

5 ITEM FROM SCRUTINY COMMITTEE - ERADICATION OF NON-RECYCLABLE GOODS IN SCHOOL CATERING SERVICES

At the Leader's invitation Councillor Arwel Roberts, Chair of Performance Scrutiny Committee presented the report recommending that Cabinet, on behalf of the Council, lobby Welsh Government to provide sufficient financial support to local authorities to help them eliminate the use of non-recyclable goods and facilitate carbon reduction measures in the School Catering Service, without compromising their ability to deliver a viable and sustainable school meals service.

Councillor Roberts referred to the work undertaken with a view to eliminating the use of non-recyclable goods in the service to support the Council's carbon neutral ambition for 2030. He reported on the Committee's comprehensive discussion on the subject and valuable contributions to the debate from two pupils representing Ysgol Dinas Bran. Cabinet's attention was drawn to the significant financial pressures facing the service and its reliance on income from the sale of plastic bottled drinks to provide nutritious and cost effective meals for pupils together with the additional forthcoming pressure to provide free school meals for all primary school pupils which further complicated matters. Gratitude was expressed to Ysgol Glan Clwyd for conducting a drinks trial in their efforts to address the issue which highlighted the costs associated with that approach and challenges involved. It was clear that the financial and staffing pressure on the service, time constraints to serve meals, limited canteen space and the need to educate some pupils to return their cutlery made it difficult at present to reduce the reliance on non-recyclable materials and the service's carbon footprint whilst preparing nutritious yet affordable school meals. The service's commitment to reducing its carbon footprint and use of non-recyclable material was recognised as was the need to deliver a viable service. Consequently, it was felt that approaches should be made to Welsh Government to seek its support for local authorities nationally to achieve those goals. Cabinet was asked to write to Welsh Government asking them to work with local authorities across Wales to reduce and eradicate use of single use plastics or non-recyclable products in the service and provide sufficient financial resources for that purpose and facilitate carbon reduction measures whilst delivering a sustainable service.

The Leader thanked Councillor Roberts for the report and work of the Scrutiny Committee and had been pleased to note the involvement of young people as part of that process to ensure they had a voice in matters affecting their future.

Councillor Huw Hilditch-Roberts thanked the Scrutiny Committee for their work and fully supported the recommendations given the financial support required to deliver on aims to reduce usage and dependency on single use plastics. He elaborated on the drinks trial at Ysgol Glan Clwyd and the challenges faced together with the significant financial impact: approximately £220k per annum for stopping the sale of drinks in secondary schools and £200k per annum for selling/decanting drinks into reusable cups. There were also problems with reusable cups not being returned. Whilst the service was committed to reducing its use of plastic it was hampered by the financial costs associated with that aim and current model for school catering. The expansion of the service to provide free school meals for all primary pupils also raised additional challenges in terms of its future delivery and impact on the service.

Cabinet considered the report and debate focused on the following points –

- Councillor Julian Thompson-Hill acknowledged the difficulties faced by the service in attempting to meet environmental ambitions and fully supported the recommendation to engage with Welsh Government in that regard. Given that it was a national issue and to further strengthen the Council's position, he proposed an additional recommendation to also seek support from the Welsh Local Government Association (WLGA) to progress those measures. Councillors Huw Hilditch-Roberts and Arwel Roberts voiced their support for the proposition in order to present a collective and united position on the issue
- Councillor Brian Jones highlighted that following the Scrutiny Committee debate the two pupils from Ysgol Dinas Bran had been disappointed that more could not be done at this stage in order to address the issue and he advocated collective working and regular communications with schools and young people to find innovative solutions in order to move the climate change agenda forward
- the Head of Highways and Environmental Services recognised the disappointment and frustration that a quick resolution had not been possible in this case given the complexities involved and stressed the service's commitment and efforts in that regard. In light of the new requirements for free school meals the service needed to focus on delivering that work over the next twelve months, and whilst it may take longer to achieve the service goals in reducing carbon and single use plastics, all were committed to resolving the issue
- Councillor Bobby Feeley queried whether there would be merit in linking both the requirement for free school meal provision in primary schools to the aims of eliminating single use plastic in the service and review them collectively. Officers advised that the free school meals provision was a primary school issue whereas the plastics issue was largely a secondary school issue as it related to the sale of drinks in plastic bottles and therefore they were separate issues
- in response to questions from Councillor Mark Young, attention was drawn to the good progress made to reduce plastic in other areas of the service as detailed in the report but this particular element relating to drink sales in secondary schools had proved particularly challenging for the reasons outlined; there was insufficient funding in the current budget allocation to cover this element and therefore the cost of delivering the change would need to be met

by an increase in school meal prices or by passing on the costs to schools. It was noted that Ysgol Glan Clwyd did not wish to return to selling drinks in plastic containers which would leave a financial deficit to be met; it was also unclear whether the roll-out of free school meals would create a financial pressure.

The Leader invited questions from non-Cabinet members but given the amount of questions raised regarding the wider issues, which would have been best put during the initial scrutiny of the item, he asked that questions be confined to the Scrutiny Committee's recommendations as detailed in the report in order to progress the issue. Officers noted members' suggestions and responded to questions raised –

- confirmed that the majority of reusable cups provided to facilitate the drinks trial had not been returned and had been found in various locations, some smashed, and it was thought many were taken home by pupils; staff regularly looked for the cups around the school in order to return them to the dining room
- Ysgol Glan Clwyd did not wish to return to selling drinks in plastic containers but to make the trial a permanent feature in the school would require an additional £20k per annum which could not be met by the service; whilst regular dialogue would continue with the school in that regard discussions would need to focus on how that funding shortfall would be met going forward
- explained the need to comply with Welsh Government guidance on nutrition and food in schools which meant water, fruit based and milk based drinks with no carbonated drinks sold by the service in schools
- with regard to the suggestion to lobby the UK Government to change national legislation and ban the production of single use plastics, the Leader felt that given Scrutiny's recommendations and complexities of the issue locally, the support of Welsh Government and WLGA should be sought in the first instance.

Councillor Emrys Wynne highlighted the need to continue work in the school catering service to try and achieve the Council's aim of reducing single use plastics and Councillor Huw Hilditch-Roberts provided assurances that the ambition in the service was to become plastic free and reduce carbon wherever possible with an appetite from both the service and schools in that regard. He explained that due to the significant financial costs associated with progressing the element relating to the sale of drinks in single use containers it was not possible to do so at the present time, hence the recommendation to seek additional funding from the Welsh Government for that purpose and facilitating carbon reduction measures.

Having considered the Scrutiny Committee's report and recommendations and the additional recommendation proposed by Councillor Julian Thompson-Hill it was –

RESOLVED that Cabinet, on behalf of the Council, writes to the Welsh Government seeking it to –

- (a) *work with local authorities across Wales in a bid to reduce and eradicate the practice of using single use plastics and non-recyclable goods in the supply, preparation and serving of school meals;*
- (b) *provide sufficient financial resources to all local authorities to enable them to realise the above objectives and facilitate carbon reduction measures within*

their School Catering Services whilst securing the delivery of a sustainable school meals service, and

- (c) *that the Cabinet, on behalf of the Council, writes to the Welsh Local Government Association seeking their support in lobbying the Welsh Government to progress the measures set out in (a) and (b) above.*

6 QUEENS BUILDINGS PHASE 1 - CONSTRUCTION CONTRACT AWARD

Councillor Julian Thompson-Hill presented the joint report with the Leader updating Cabinet on the Queen's Buildings Rhyl Project and second stage of the process to award a contract for the construction of the Queen's Buildings development, and seeking Cabinet approval to award the contract via delegated decision.

Following Cabinet approval of the revised Business Case and additional funding at the last meeting the purpose of the current report focused on the letting of the phase 1 construction contract. Wynne Construction had been appointed in the first stage to work on the scheme through planning approval and detailed design ready for construction to start mid/late April. Lot 3 of the North Wales Construction Partnership Framework had been utilised for the phase 1 construction element. Given the tight timescales for project delivery and letting of the contract which fell outside the Cabinet meeting timetable due to May's elections, Cabinet approval was sought to award the contract via delegated decision. In addition, until a formal contract was in place the Council would be required to underwrite costs of circa £500k for advance orders relating to construction items that had a long lead in time.

RESOLVED *that Cabinet –*

- (a) *delegates authority to award a Contract for the construction of Phase 1 of the Queen's Building development to the preferred Contractor to the Chief Executive in consultation with the Section 151 Officer, Monitoring Officer and relevant Lead Members at the conclusion of the detailed design stage providing the cost plan is within the envelope of affordability for the works;*
- (b) *approves the immediate implementation of the Delegated Decision due to the urgency to award a Contract to allow works to commence on site as soon as possible to meet grant funding deadlines, and*
- (c) *confirms that it has read, understood and taken account of the Wellbeing Impact Assessment as part of its consideration (Appendix 1 to the report).*

7 RENOVATION OF TERRACED HOUSES AT 2 - 16 AQUARIUM STREET, RHYL - CONTRACT AWARD

[The Head of Legal, HR and Democratic Services referred to a confidential appendix to the report for reasons of commercial sensitivity and advised that any detailed questioning on that element should be carried out in private session.]

Councillor Tony Thomas presented the report seeking Cabinet approval to award a contract to appoint a Principal Contractor to renovate the terraced houses at 2 – 16 Aquarium Street, Rhyl.

Councillor Thomas advised that the scheme would deliver one of the final elements of the West Rhyl housing regeneration programme and commended the excellent work carried out in that regard and benefits of the scheme for residents and the area. Cabinet had approved the housing capital scheme in Aquarium Street, Rhyl in March 2019 and the report summarised the process undertaken during the procurement exercise which had resulted in four tender submissions. Following an evaluation exercise using a scoring methodology with a weighting of 70% for price and 30% for quality a preferred contractor had been selected and recommended to Cabinet. The estimated value of the contract had been £2,148,143.80 and the total estimated cost submitted by the recommended tender was £2,641,828.05 which was within budget for the project in the Housing Stock Business Plan.

Councillor Julian Thompson-Hill referred to the increase in the estimated value of the contract highlighting the steep rise in construction costs which had been well documented and outside of the Council's control. However, the scheme was fully funded and he supported the recommendation to approve the contract award. The Housing Development Manager added that the scheme would provide much needed affordable homes for local people whilst removing the current eyesore site. In response to questions he confirmed that the rear extensions would be removed; the recommended contractor was based in Denbigh and had carried out work previously for the Council and other partners, and the tender price was valid for some months following the closing date. Councillor Alan James added his support for the scheme and looked forward to its completion, thanking all those involved.

RESOLVED that Cabinet –

- (a) *approve the award of a Contract to Anthony Dever Construction Limited as per the Contract Award Recommendation Report (Appendix 1 to the report), and*
- (b) *confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2 to the report) as part of its consideration.*

8 CABINET FORWARD WORK PROGRAMME

The Cabinet forward work programme was presented for consideration.

The Head of Legal, HR and Democratic Services advised that, whilst it had been anticipated that a Cabinet meeting would not be held in April, there were some items of business that needed to be dealt with before May's elections and therefore officers were working with members to confirm a date for an April meeting; following that the next meeting of Cabinet would be in the new Council on 7 June.

RESOLVED that Cabinet's forward work programme be noted.

The meeting concluded at 11.10 hrs.