

## **CABINET**

Minutes of a meeting of the Cabinet held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 19 November 2024 at 10.00 am.

### **PRESENT**

Councillors Jason McLellan, Leader and Lead Member for Economic Growth and Tackling Deprivation; Gwyneth Ellis, Lead Member for Finance, Performance and Strategic Assets; 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 Pauline Edwards, Hugh Irving, Brian Jones, Terry Mendies 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) and Corporate Support Services: Performance, Digital and Assets (HVE); Strategic Planning and Performance Officer (EH); Valuation and Estates Team Manager (RE); Commercial Development Manager (GT); Service Manager – Homelessness Service (NJ), and Committee Administrators (KEJ & SLW [Webcaster])

#### **1 APOLOGIES**

There were no apologies.

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

No declarations of interest had been raised.

#### **3 URGENT MATTERS**

The Leader permitted a question from Councillor Terry Mendies regarding the X51 Bus Service (Wrexham to Rhyl) into Llandegla.

Councillor Mendies referred to a recent complaint involving the X51 Bus Service when the bus driver refused to follow the designated route into Llandegla due to fog. He asked if the Lead Member, Councillor Barry Mellor could provide him with a copy of the contract the Council had with the bus company in relation to the operating hours and route, and whether there were any provisions for penalties or financial clawbacks in the event of a reduction in service. Contact had been made with the bus company who were investigating the issue. This latest complaint

followed previous interruptions to the service due to the imposition of the 20 mph speed limit and parking around the turning point in the village. Councillor Mendies acknowledged the hard work of Councillor Mellor in resolving previous issues and asked if he would attend a meeting with himself and the bus company on the matter and stress the importance of the service to residents.

Councillor Barry Mellor confirmed he would raise the issue with the Council's Operational Transport Manager on her return to further investigate the matter and to establish whether the service had been operating commercially or under contract at the time of the complaint. He also agreed to provide a copy of the contract as requested and to liaise with the bus company with a view to arranging a meeting.

Councillor Mendies thanked Councillor Mellor for his assistance in this regard.

#### **4 MINUTES**

The minutes of the Special Cabinet meeting held on 1 October 2024 and the Cabinet meeting held on 22 October 2024 were submitted.

**RESOLVED** that the minutes of the meetings held on 1 October 2024 and 22 October 2024 be received and confirmed as a correct record.

#### **5 CORPORATE PLAN PERFORMANCE UPDATE: APRIL TO SEPTEMBER 2024**

Councillor Gwyneth Ellis presented the report which provided an update on the Council's performance against its Corporate Plan during April to September 2024, including Strategic Equality objectives, and the seven key areas of governance.

The current financial context and inevitable impact on the standard of services was highlighted. However, it was also important to acknowledge the excellent work carried out, despite the exceptional challenges faced, which Councillor Ellis believed reflected the hard work and perseverance of council staff. She made particular reference to the positive changes in delivering homelessness services which had also generated a substantial saving and positive outcome from the recent Panel Performance Assessment. The importance of the document as a performance management tool and in monitoring progress was also emphasised.

The Head of Corporate Support Service: Performance, Digital & Assets and the Strategic Planning and Performance Officer attended for this item. Cabinet approval of the Performance Update Report was sought prior to its submission to Performance Scrutiny Committee. The report outlined progress against performance objectives and also identified indicators or activities that were Equality Objectives or contributed to Welsh Language and Culture together with case studies to exemplify good work carried out. The Strategic Planning and Performance Officer provided a general overview of performance and elaborated on some of the highlights which had been set out in the cover report. Overall, and given the financially challenging times, the report demonstrated that the council was working to its own values and principles, and wellbeing principles, to produce some excellent outcomes across a range of services. Further detail was provided on the three improvement actions identified.

The Leader thanked the Lead Member and officers for the detailed overview and key messages from the performance report. Cabinet acknowledged the areas for improvement identified in the report and impact of the financial situation together with the positive outcomes and achievements despite those financial challenges and paid tribute to the hard work of staff in that regard and compilation of the report.

The following issues were raised during the ensuing debate –

- Councillor Rhys Thomas made particular mention of the positive work carried out in the housing sector, including maintaining good relations with tenants and the response to homelessness, and praised staff for the work carried out
- each local authority in Wales was required to produce a Corporate Plan (which typically integrated the required wellbeing objectives) but its appearance and over what time period it covered varied across the different authorities
- officers provided an explanation of the performance management methodology used with performance either benchmarked nationally or locally. Where benchmarked nationally performance was measured against many or all local authorities in Wales with the upper quartile of performance as the best performing; where national comparable data was unavailable work was carried out with experts and services to determine the performance thresholds
- data trends could be measured via the Data Cymru platform with local authorities placed within a family group of other local authorities with similar demographics, etc. which allowed access to comparative data on a range of various functions. Access to Data Cymru was available to all and officers would share further details with Cabinet members in that regard outside of the meeting
- Councillor Emrys Wynne referred to the recent appointment of a Welsh Language Officer and the excellent work being carried out by that officer and also the Welsh Champions across the council in terms of raising awareness amongst staff and providing opportunities to practice and improve Welsh language skills
- once Cabinet approved the content of the report it would go forward to Performance Scrutiny Committee. The year-end Performance Self-Assessment 2024 to 2025 had been programmed into the committee cycle with reports to Performance Scrutiny Committee, Cabinet and finally Council in June/July 2025.

***RESOLVED*** that Cabinet notes the Council's performance against its functions for the period April to September 2024 and confirms the content of the report for approval.

## **6 FINANCE REPORT**

Councillor Gwyneth Ellis presented the monthly report detailing the latest financial position and progress against the agreed budget strategy.

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 £479k 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.

The Head of Finance and Audit guided members through the detail of the report. There was a forecasted underspend of £479k (excluding schools) compared to an overspend of £400k last month. 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 and Housing and Communities. The current outturn prediction for Adult Social Care and Homelessness was £510k underspend due to an increase in the underspend on Homelessness of £300k (total £1.3m underspend) netted off by an overspend in Adult Social Care (£790k). The high risk areas were reiterated which included residential placements in Children's Services, commissioned care in Adult Social Care and School Transport. The savings tracker had also been included for information together with the Housing Revenue Account and schools' position.

The Leader thanked the Lead Member and Head of Service for the detailed report, noting that the budget had been discussed at length at various forums.

Main points of debate focused on the following –

- Councillor Rhys Thomas drew attention to the excellent work undertaken in the homelessness service, with further savings realised since the previous month with an increase in the underspend of £300k to a total underspend of £1.3m. The Head of Finance and Audit concurred, highlighting the turnaround from an overspend to an underspend situation and demonstrating what could be achieved when taking a One Council approach
- there was some discussion regarding the risk associated with the capacity of the Finance Team and new financial system and impact on budget monitoring. The new system had replaced a number of different financial systems with the forecasting module in place most recently and it would take some time to refine that system with the team under some pressure at present, hence the risk being identified within the report. In response to a follow up question from Councillor Hugh Irving, the Head of Finance and Audit explained the current position in terms of staffing levels and turnover together with the difficulties in recruitment to particular posts in line with others in the public sector. Assurances were provided that whilst the Finance Team was under some pressure they were managing and coping under the pressure at the current point in time
- the complexities of budget planning were highlighted and there was some discussion on the meaning of particular terminology used when referring to risk and assumptions in the budget process. Officers confirmed that no budget could be set without an element of risk linked to it and in setting budgets consideration was given to expenditure patterns, with particular difficulty in predicting demand led statutory services which had to be provided and therefore presented a higher level of risk in the budget. In terms of managing risk, it was important to hold sufficient levels of contingency reserves to ensure if risks did materialise, they did not adversely affect the budget and provided some time to deal with those risks as they emerged. It was accepted that some elements of budget planning had to be based on assumptions with variations in costs,

income, and demand but the issues faced over recent years in terms of escalation of energy costs and inflation could not reasonably have been predicted at the time of budget setting and were beyond the Council's control. It was important that the Council was honest and transparent in its budget setting, discussing risks and how best to mitigate them. Councillor Gwyneth Ellis highlighted the importance of careful financial management and maintaining healthy reserves advising that the Council had been financially well managed over a number of years which continued to be the case and stood the Council in good stead going forward to deal with risks.

**RESOLVED** that Cabinet note the budgets set for 2024/25 and progress against the agreed strategy.

## **7 CABINET FORWARD WORK PROGRAMME**

The Cabinet forward work programme was presented for consideration.

**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 paragraphs 12, 13 and 14 of Part 4 of Schedule 12A of the Act.

## **8 DISPOSAL OF CALEDFRYN, DENBIGH**

Councillor Gwyneth Ellis presented the confidential report seeking Cabinet approval of the disposal of Caledfryn in accordance with the report recommendations.

The report included some background to the rationalisation of the Corporate Estate and reasoning behind the decision to close Caledfryn and put the site on the market for informal tender. Details of the informal tender process and bids received had been provided. The merits of the bids had been assessed by officers and consulted upon with the Asset Management Group, local ward members and Cabinet. Having reviewed each bid, including both risks and opportunities, Cabinet approval was sought to dispose of Caledfryn to the named bidder as set out in the report.

The Head of Corporate Support Service: Performance, Digital & Assets highlighted the hard work and swift action taken across a number of services to reach this stage in the process, and also thanked all those involved in the consultation and engagement exercise for their valuable input and constructive challenge. She elaborated on the recommended disposal, including the strong merits and benefits to Denbigh and the locality together with the risks and mitigations in that regard.

During debate the Leader thanked all those involved for their input and hard work carried out. The importance of the building to Denbigh was acknowledged and Cabinet was pleased to note the engagement and input of the Denbigh members, and wider members, to inform the decision making process. Given the need for

change, local member Councillor Pauline Edwards accepted that disposing of Caledfryn for the purposes identified in the report would be welcomed by residents as best use of the building. However, she was keen to ensure that, if approved, the transaction be progressed at a swift pace and the site used to its full potential as quickly as possible. She also highlighted the need for communication with residents following the decision. Cabinet agreed with those points and also queried whether conditions could be imposed on the sale in terms of timescales for completion and development. Officers elaborated on the work already carried out in preparation for the disposal and to maintain momentum in progressing the sale going forward. Conditions of sale could include a timescale for exchange and completion together with a long stop date for obtaining planning permission in relation to the site and its future development. The Leader confirmed that the Council would do all it could to progress the sale and development as quickly as possible and tasked officers with ensuring appropriate communication with Denbigh residents and that Denbigh Member Area Group continued to be kept informed.

The Corporate Director: Governance and Business confirmed that any decision made would be subject to the usual period of call-in before it could be implemented.

**RESOLVED** that Cabinet –

- (a) *approves the disposal of Caledfryn, Denbigh in accordance with the report recommendations to the named party and for the amount shown, and*
- (b) *confirms that it has read, understood and taken account of the Wellbeing Impact Assessment.*

## **9 HOUSING SUPPORT GRANT (HSG) KEEP MY HOME SUPPORT PROJECT - RAPID REHOUSING**

Councillor Rhys Thomas presented the confidential report detailing the outcome of the tender exercise for a new floating support service and seeking Cabinet approval to award the contract to the named provider as set out in the report.

In line with the transition towards Rapid Rehousing, the Keep My Home Service was designed to support people living in Denbighshire to sustain their accommodation and prevent homelessness. 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 three years (with the option to extend for a further two years) with commencement of the service in May 2025.

Cabinet referred to the success of the housing support projects and their importance in preventing and addressing homelessness. In response to questions, the Service Manager – Homelessness Service provided additional information regarding the background and experience of the recommended contract provider in the provision of specialist support for those managing their accommodation. An important element of the contract related to the mediation service with an excellent model of tailored outreach support for individuals included in the tender.

Having reviewed the report and tendering and evaluation process it was –

**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 paragraph 3.1 of the report) who had set out a 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 paragraph 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.*

The meeting concluded at 11.35 am.