



CABINET SCRUTINY COMMITTEE

9.30 am WEDNESDAY, 6 MARCH 2019

COUNCIL CHAMBER - PORT TALBOT CIVIC CENTRE

Part 1

1. Declarations of Interests
2. Minutes of the Previous Meeting (*Pages 5 - 16*)
3. To select appropriate items from the Cabinet agenda for pre-decision scrutiny (cabinet reports enclosed for Scrutiny Members)
4. To select appropriate items from the Cabinet (Finance) Sub Committee agenda for pre-decision scrutiny (Cabinet Finance Sub - Committee reports enclosed for Scrutiny Members)
5. Forward Work Programme 18/19 (*Pages 17 - 20*)
6. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Section 100B (4) (b) of the Local Government Act 1972
7. Access to Meetings
To resolve to exclude the public for the following items pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No.2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972

Part 2

8. To select appropriate items from the Private Cabinet agenda for

pre-decision scrutiny (cabinet reports enclosed for Scrutiny Members)

9. To select appropriate items from the Private Cabinet (Finance) Sub Committee agenda for pre-decision scrutiny (Cabinet Finance Sub - Committee reports enclosed for Scrutiny Members)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Thursday, 28 February 2019

Committee Membership:

Chairperson: **Councillor A.N.Woolcock**

Vice
Chairperson: **Councillor S.Rahaman**

Councillors: M.Crowley, S.E.Freeguard, M.Harvey, N.T.Hunt,
S.K.Hunt, L.Jones, S.A.Knoyle, A.Llewelyn,
S.Miller, J.D.Morgan, S.Paddison, S.M.Penry,
L.M.Purcell and A.L.Thomas

Notes:

- (1) *If Committee Members or non-Committee Members wish to have relevant items put on the agenda for future meetings, then please notify the Chief Executive/Chair eight days before the meeting.*
- (2) *If non-Committee Members wish to attend for an item of interest, then prior notification needs to be given (by 12.00 noon on the day before the meeting). Non-Committee Members may speak but not vote, or move or second any motion.*
- (3) *For pre scrutiny arrangements, the Chair will normally recommend forthcoming executive items for discussion/challenge. It is also open*

to Committee Members to request items to be raised - though Members are asked to be selective here in regard to important issues.

- (4) The relevant Cabinet Board Members will also be invited to be present at the meeting for Scrutiny/ Consultation purposes.*
- (5) Would the Scrutiny Committee Members please bring the Cabinet Board papers with them to the meeting.*

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CABINET SCRUTINY COMMITTEE

(Council Chamber - Port Talbot Civic Centre)

Members Present:

23 January, 2019

Chairperson: Councillor A.N.Woolcock

Vice Chairperson: Councillor S.Rahaman

Councillors: M.Crowley, S.E.Freeguard, M.Harvey, N.T.Hunt, S.K.Hunt, L.Jones, S.A.Knoyle, A.Llewelyn, S.Miller, J.D.Morgan, S.Paddison, S.M.Penry and A.L.Thomas

Officers In Attendance A.Evans, A.Jarrett, H.Jenkins, S.Phillips, K.Jones, C.Griffiths and C.Davies

Cabinet Invitees: Councillors C.Clement-Williams, D.Jones, R.G.Jones, E.V.Latham, A.R.Lockyer, P.A.Rees, P.D.Richards, A.J.Taylor and A.Wingrave

1. **DECLARATIONS OF INTERESTS**

The following Member made a declaration of interest at the commencement of the meeting:

Cllr. S.K.Hunt Re: Report of the Director of Finance and Corporate Services on the Provision of Loan Funding to Blaengwrach and Seven Sisters Community Council's as he is the Ward Member for Seven Sisters.

2. **MINUTES OF THE PREVIOUS MEETING**

The Committee noted the Minutes of the Cabinet Scrutiny Committees held on the 27 November and 5 December, 2018.

3. **PRE-SCRUTINY**

The Committee scrutinised the following matters:-

Cabinet Proposals

3.1 Ethical Employment in Supply Chain Policy

Members received information on adopting the Welsh Government Ethical Employment in Supply Chains Code of Practice.

Members asked for reassurance that the Trade Unions would be included within the Neath Port Talbot Ethical Employment in Supply Chain Policy as it was detailed within the Welsh Government's Policy. Officers confirmed that the Trade Unions were detailed within the draft of the Policy at Point 9 of the Action Plan.

Members asked whether there would be any workforce impacts from adopting this Policy and were advised that there were a couple of elements within the document on which Officers would require training. The Chief Executive highlighted that a balance was required as the Policy could cause resource issues for the Council.

The Cabinet Member explained to the Committee that the Policy is a further example of our role as Corporate Parents.

Following scrutiny, the Committee was supportive of the proposals to be considered by the Cabinet.

3.1 Provision of Loan Funding to Blaengwrach and Seven Sisters Community Councils

(Cllr.S.K.Hunt re-affirmed his interest at this point and withdrew from the Meeting).

Members received information on granting a loan to Blaengwrach and Seven Sisters Community Councils.

Members raised concerns regarding the interest rate that was being offered and therefore requested clarity. Officers explained that the loan was anticipated to be for a short period and that

the interest rate was slightly higher than the bank base rate. Members were advised that should they wish to propose an increase to the proposed rate this could be taken into account.

Members asked why the two Community Councils did not use the facility within their precept. Officers explained that the Community Councils would have to make the payments for the Mining Themed Play area first before being able to recover the VAT. As VAT is recovered Community Councils do not need to include VAT in their Precept.

Members asked why the Community Councils had not asked Welsh Government for a loan. Officers explained that as the grant was coming from Welsh Government they would not also provide the facility for a loan.

Members were concerned that this proposal could set precedence for other Community Councils to make similar applications to the Authority. They were advised that all applications would be considered on their own merit.

Members asked whether the Community Councils had spoken with the contractors prior to applying for a loan as previously other Community Councils and Organisations had been able to reach an agreement without requiring a loan.

Members asked whether Groups or Organisations that did not have Community Councils could request a loan under section 2 of the Local Government Act. At this point the Leader asked the Head of Legal Services for advice as it was felt that the question raised could be perceived as a personal interest and the issue of the Community Council loans was the matter that should be considered today. The Head of Legal Services agreed with this. The question was therefore dismissed.

Following the discussion the Deputy Leader suggested that a Policy be produced in order to have a clear and consistent approach for any future requests of a similar nature.

Officers suggested an amendment to the recommendation as concern was raised in relation to the interest rate offered being too low. It was suggested that should the bank rate increase by the time the Loan Agreement was signed then the interest rate would increase by the same amount.

Members were concerned that if interest rates were to increase dramatically would this cause an issue for the Community Councils. Officers explained that if interest rates were to increase by a quarter of a percent the increase in payment would be small.

Following scrutiny, it was agreed that Cabinet be asked to consider the following recommendations:-

1. That a maximum loan of £37,000 to Blaengwrach Community Council Limited at an interest rate of 1% for a maximum period of 15 months, be approved, and should the bank base rate increase before the loan is taken out, the interest rate would increase by the same percentage rise;
2. That a maximum loan of £156,000 to Seven Sisters Community Council at an interest rate of 1% for a maximum period of 9 months, be approved, and should the bank base rate increase before the loan is taken out, the interest rate would increase by the same percentage rise;
3. That delegated authority be granted to the Director of Finance and Corporate Services (in consultation with the Head of Legal Services) to enter into a loan agreement detailing the arrangements between the Council and each Community Council as specified above.

4. **FORWARD WORK PROGRAMME 18/19**

The Forward Work Programme for 2018/19 was noted.

CHAIRPERSON

CABINET SCRUTINY COMMITTEE

(Council Chamber - Port Talbot Civic Centre)

Members Present:

13 February, 2019

Chairperson: Councillor A.N.Woolcock

Councillors: S.E.Freeguard, M.Harvey, N.T.Hunt, S.K.Hunt, L.Jones, S.A.Knoyle, A.Llewelyn, S.Miller, J.D.Morgan, S.Paddison and S.M.Penry

Officers In Attendance: S.Phillips, H.Jenkins, G.Nutt, A.Jarrett, K.Jones, A.Thomas, C.Griffiths, C.Furlow, N.Headon and T.Davies

Cabinet Invitees: Councillors C.Clement-Williams, D.Jones, R.G.Jones, E.V.Latham, P.A.Rees, P.D.Richards, A.J.Taylor and A.Wingrave

1. MEMBERS' DECLARATIONS

The following Members made declarations of interest at the commencement of the meeting:

Councillor M.Harvey	-	Re: Min No. 3 – Capital Programme 2019-2020 to 2021-22; Revenue Budget 2019-20; Treasury Management 2019-20; Revenue Budget Monitoring 2018/19 and Further Responses to the Welsh Government White Paper – Reform of the Fire and Rescue Authorities in Wales, as he is Chair of Governors at Abbey Primary School and is also employed by South Wales Police.
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- Councillor L.Jones - Re: Min No. 3 – Revenue Budget 2019-20 – Report of the Director of Finance and Corporate Services, as her father is employed as security by the Authority.
- Councillor A.Llewelyn - Re: Min No 3 – Further Responses to the Welsh Government White Paper – Reform of the Fire and Rescue Authorities in Wales, – Report of the Assistant Chief Executive and Chief Digital Officer, as he is a Member of Mid and West Wales Fire and Rescue Authority.
- Councillor A.N.Woolcock - Re: Min No 3 – Further Responses to the Welsh Government White Paper – Reform of the Fire and Rescue Authorities in Wales, – Report of the Assistant Chief Executive and Chief Digital Officer, as he is a Member of Mid and West Wales Fire and Rescue Authority.

2. **MINUTES OF THE PREVIOUS MEETING**

That the Minutes of the previous meetings of Cabinet Scrutiny Committee, held on 17 December, 2018 and 16 January, 2019, be approved.

3. **PRE-SCRUTINY**

The Committee scrutinised the following Cabinet items:

Capital Programme 2019-20 to 2021-22

The Director of Finance and Corporate Services provided Members with an overview of the circulated report.

Members felt that huge credit should go to Officers who contributed to the report, as they manage the budget skilfully by utilising match funding to deliver innovative schemes. Cefn Coed Colliery Museum was discussed and clarity was sought over when the restoration project would begin. Officers confirmed that discussions had taken place with Welsh Government regarding identifying the site as one of the Valleys' Regional Park Gateways, as well as handing the site over, possibly with a dowry as well as funding. There had been a commitment made by Welsh Government that the first headgear would be restored by May 2020, with the second being completed May 2021.

Members queried where ideas for the projects listed in the Capital Programme came from, and noted that all assets were regularly risk assessed in terms of need. Decisions were then taken as to where investment could best be used in terms of outcome. The Valleys' Task and Finish Group had helped to feed into these decisions, as well as asset management plans.

It was noted that no money had been directed toward public transport. Officers explained that while there was no quick fix to the issues around transport in valleys communities, the Welsh Government was currently consulting on Improving Public Transport. The white paper sought views on how local bus services were planned and delivered as well as the reform of taxis and private hire vehicle licensing. The Local Authority would fully engage in the consultation, including feeding in the relevant outcomes of the Valleys Task and Finish Group. Members were pleased to see that so many of the projects listed in the circulated report related to the valleys.

Officers explained that the monies allocated to town centres would be used as 'seed core' monies to attract match funding for further regeneration work. The importance of ensuring the brown signage was up to date and displayed the correct information was discussed.

The Strategic Schools Improvement Programme was discussed, specifically the funding for Band B schools. Members noted that the same processes would be followed as with the Band A schools, including full and thorough consultation.

Members queried whether the purchase of the old Metal Box site in Neath was fully complete. Officers explained that the process had taken longer than expected as thorough due diligence on this site had been necessary, owing to its many former uses. A very competitive price had been negotiated and the matter was now being finalised.

Following scrutiny, the Committee was supportive of the proposals to be considered by Cabinet.

Revenue Budget 2019-20

Members received an overview of the circulated report, and noted that following feedback from the public consultation, various amendments had been made to the original budget savings proposals, including withdrawing the proposals for reducing funding to the music service and welfare rights, and identifying alternative service savings for libraries.

Members discussed the income generation posts within the Authority and their remits, specifically in relation to Cefn Coed Colliery Museum. It was noted that the savings relating to Cefn Coed referred to in the Revenue Budget report, had been agreed as part of last year's budget and were part of a two year plan. Officers emphasised that guidance, assistance and advice was always available from the Education, Leisure and Lifelong Learning team within the Council, but that sustainability had to come from the Friends of Cefn Coed Museum.

The amalgamation of the Supporting People; Families First; Flying Start; Communities First Legacy Fund and Employability Grants to form two new grant schemes (Children and Communities Grant and Housing Grant) was discussed, and Members noted that Neath Port Talbot had not been one of the 6 Local Authorities involved in the pilot scheme, despite being one of the most deprived Local Authorities across Wales. Officers explained that although not all the notifications concerning the two new grants had been received, there did not seem to be as much flexibility with the two new schemes.

Rodent Pest Control Charges (item ENVT918) and School Catering Staff (item ELLL715) were discussed. Officers explained that despite some Scrutiny Committee Member's concerns, should any savings be withdrawn from consideration then an alternative proposal would be required in order to achieve a balanced budget.

Members were pleased that so many responses had been received to the consultation, and that a number of proposals had been altered as a result.

The Cabinet Member for Finance thanked all those (including Officers, Members, the Welsh Local Government Association and UNISON) who had lobbied Welsh Government for extra funding, but noted that it was the cuts coming from Westminster which caused the deprivation.

Following scrutiny, the Committee was supportive of the proposals to be considered by Cabinet.

Treasury Management 2019-20

Following an overview of the circulated report by the Director of Finance and Corporate Services, Members discussed institutes the Council investment programme in and how the outside organisations were credit checked. It was noted that the Local Authority currently had no investments outside of the UK. Members queried whether the Local Authority took external advice about its investments, and Officers explained that Treasury Advisors support Local Authority Officers in their work. The increased penalty around debt rescheduling was discussed.

Members suggested that the Minutes of this meeting be forwarded to the Audit Committee as an example of good practice and to illustrate that due process had been followed.

Following scrutiny, the Committee was supportive of the proposals to be considered by Cabinet.

Revenue Budget Monitoring 2018/19

Members received an overview of the circulated report, and queried whether any underspends from the 2018/19 budget had been taken into account in the reports before Cabinet today. Officers confirmed that they had been.

Out of county placements were discussed, and Members noted that Officers were very careful with out of county funding and only placed children when there were no other suitable options.

Following scrutiny, the Committee was supportive of the proposals to be considered by Cabinet.

Further Responses to the Welsh Government White Paper – Reform of the Fire and Rescue Authorities in Wales

Following an overview of the circulated report, Members felt that a further response should be forwarded to Welsh Government by the Assistant Chief Executive and Chief Digital Officer, highlighting a number of concerns.

Members considered the comments made in the consultation document regarding the competency of existing fire and rescue authority members to be insulting and disgraceful. The Members who serve on fire and rescue authorities brought considerable experience and skill to the roles they carried out.

Elected Members felt the existing fire and rescue authority membership provided robust challenge to the Chief Fire Officer and his team. Furthermore, they believed the diverse membership of the existing fire and rescue authorities ensured the community impact of the work of the fire and rescue service was fully considered in decision making processes.

Members strongly disagreed with the proposal that the existing membership be replaced by members of council executives. This was not considered to be practical or in the best interests of democracy.

Members felt there was a case for reviewing the way the Fire Service was funded to ensure the funding model reflected the work of the modern day fire and rescue service – in particular the growing role the service plays in supporting the NHS in Wales.

Elected Members did not consider models such as those in place to support Local Health Boards to be a suitable basis for democratic oversight of an important public service like the fire and rescue service. There was no case made out to replace elected councillors with appointees.

Following scrutiny, the Committee was supportive of the proposal to be considered by Cabinet.

4. **FORWARD WORK PROGRAMME 18/19**

The Committee noted the Forward Work Programme 2018/19.

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(DRAFT)
Cabinet Scrutiny Committee
Forward Work Programme 2018/19

Date of Meeting	Agenda Item	Officer
23 May 2018		
7 June 2018		
27 June 2018		
18 July 2018		
1 August 2018		

12 September 2018		
3 October 2018		
24 October 2018		
31 October 2018		
21 November 2018		

5 December 2018		
16 January 2019		
23 January 2019		
13 February 2019		
20 February 2019		
6 March 2019		

27 March 2019		
17 April 2019		
8 May 2019	Periodic report on the progress of work against the Wales Audit Proposals for Improvement	Karen Jones
29 May 2019		

Items to be programmed in for future meetings

- To view the impacts of the decisions on the Welsh Language Promotion Strategy and the Valleys Action Plan annually (Karen Jones)
- PSB – Annual report (after 29th May 2019) – Karen Jones