

Cabinet Scrutiny Committee

(Via Microsoft Teams)

Members Present:

22 September 2021

Chairperson: **Councillor S.E.Freeguard**

Councillors: N.T.Hunt, S.K.Hunt, D.Keogh, S.A.Knoyle, A.Llewelyn, S.Miller, R.Mizen, S.Paddison, S.M.Penry, S.H.Reynolds, R.L.Taylor, A.N.Woolcock and W.F.Griffiths

Officers In Attendance: K.Jones, A.Jarrett, A.Thomas, N.Pearce, H.Jenkins, C.Griffiths, H.Jones, C.Furlow-Harris, C.Morris, C.Davies, J.Woodman-Ralph, N.Blackmore, R.Headon, P.Hinder, M.Shaw and S.Davies

Cabinet Invitees: Councillors C.Clement-Williams, M.Harvey, D.Jones, L.Jones, E.V.Latham, A.R.Lockyer, P.A.Rees and A.Wingrave

1. Chairs Announcements

The Committee was informed of a change to the following report on the Cabinet Board Agenda:

- Agenda Item 10 – Corporate Plan Annual Report

An adjustment was to be made to the following sentence on page 56 of the circulated report:

‘Across the three well-being objectives for 2020/21, 64% (53 of 83) of our ‘steps’, i.e. the strategic actions we set to deliver our improvement priorities are on track, 24 of the steps are ‘just off’ track and 6 are off track’

The sentence was to be adjusted to the following:

‘Across the three well-being objectives for 2020/21, 65% (54 of 83) of our ‘steps’, i.e. the strategic actions we set to deliver our

improvement priorities are on track, 24 of the steps are 'just off' track and 5 are off track'

The same adjustment would also need to be made to pages 66 and 182 of the circulated report.

Following the update, Members were happy with the changes, therefore chose not to scrutinise the report.

2. **Minutes of the Previous Meeting**

The minutes of the meetings held on the 9 June 2021, 30 June 2021 and 28 July 2021 were approved, with the following amendment to the minutes of the 30 June 2021:

During the scrutiny of the agenda item relating to the 'Investments from Reserves 2021/22', the Committee discussed the Levelling Up Fund. Members asked if the following points could be included to the narrative of the minutes:

- *It was noted that during the meeting Members expressed their disappointment in that only 25% of the eligibility of the Levelling Up Fund was applied for; however, Officers provided thorough answers which satisfied Members.*
- *The Director of Education and Regeneration confirmed that there was £125k available for consultancy work which will allow Officers to work through the detailed plans of any future funding e.g. the Shared Prosperity Fund.*
- *Members wanted their thanks to Officers and the Director of Environment and Regeneration to be portrayed.*

3. **Pre-decision Scrutiny**

The Committee scrutinised the following Cabinet Board items:

Revenue Budget Monitoring and Update Report 2021/2022

Members received an update in relation to current budget projections for the 2021/22 financial year.

Officers mentioned that the Revenue and Budget Monitoring and Update Reports were being provided to Members on a by-monthly basis due to the impact of Covid-19.

It was highlighted that the current predicted underspend this year was £1.583m; this was partly due to the reimbursement of loss of income

and the expenditure from the Welsh Government's Hardship Fund. The circulated report detailed that to date, the Council had been reimbursed £2.4m, and that a loss of income claim of £1.221m for quarter one had also been agreed.

In a previous meeting of the Committee, Members were informed that an additional £12m was recently allocated to the Council from Welsh Government; Members asked if this additional money had been reflected in the underspend and overspend of the circulated report, and if they were not, could they be put into the reserves to offset burdens which residents may face going forward, such as Council Tax.

It was highlighted that Members were informed of the additional £12m that was put into reserves, at the meeting held on 2 June 2021; during this meeting it was stated that this money was allocated to specific reserves across the various service areas. Officers confirmed that these monies were still in the reserves, other than the reserve movements as detailed on pages 26 and 27 of the circulated report. It was added that a report which was approved by Cabinet on 30 June 2021, also identified the use of around £4m of reserves which was shown in the reserves scheduled on Appendix 3 of the circulated report.

The Committee was informed that currently, the predicted specific reserves was around £54m; the end of year position will not be known until May 2022. It was mentioned that the Council will be setting its budget for 2022/23 at the beginning of March 2022, which was in advance of the closing of this financial year.

By Members receiving the monthly updates, it provided them with the knowledge of what the predicted position will be for the budget setting meeting in March; there will be opportunities to review the level of reserves being used in order to underpin the base budget and/or for specific initiatives that the Council proposes. However, it was noted that Members should be mindful of the reduction in reserves and of the financial sustainability of the Council.

It was highlighted that within the Social Services, Health and Housing Directorate, there was a £17k underspend on Aids and Equipment. It was asked if the Authority had the provision to reclaim and reuse any of the equipment when a resident passes away. Officers explained that the predicated underspend was due to allocating additional monies into that budget during previous years. It was confirmed that there was mechanisms in place by which some equipment could be

reutilised, however sometimes it was not financially viable. Officers agreed to provide Members with further details regarding what type of equipment could be re-used.

In regards to the £75k overspend on parks and open spaces, it was queried whether the cost of dealing with the issue of ash die back was going to be an ongoing issue, and if the Council will be able to cover future issues that will arise. The Director of Environment and Regeneration confirmed that there was a programme of work for the ash die back issue; this was a large project which was set over multiple years, given the scale of the Council's assets, level of forestry, and having regard to the budget. It was mentioned that the Council would continue to try and secure funding, where possible, from Welsh Government and Natural Resource Wales (NRW); the Council was successful in securing additional grant funding at the end of last year, which had contributed to the overall cost of dealing with ash die back.

A discussion took place in regards to the scrutiny of individual Directorate budget reports; each Scrutiny Committee received the budget report relevant to their remit, and were provided with a more detailed picture of the various overspend and underspend in the service areas. However, it was noted that the Cabinet Scrutiny Committee had the opportunity to scrutinise all Directorate budget reports, even after they had been scrutinised at the relevant Scrutiny Committee.

It was highlighted that some Members of the Cabinet Scrutiny Committee did not sit on the membership of another Scrutiny Committee; which made it difficult sometimes to identify when/where budget reports were taken for scrutiny. It was identified that Officers will consider reports going to future meetings of each of the other Scrutiny Committees, in order for Members to review the detail.

The Committee discussed the Council Tax increased income which was detailed in Appendix 4 of the circulated report, as part of the general reserve balance; the table showed that the Council Tax increased income was at Cr £1m. The Director of Finance and Corporate Services explained that Neath Port Talbot Council (NPTC) had set the Council Tax collection rate at 97% when setting the Council Tax base. It was stated that the Council Tax Team had been undertaking extensive work to collect and pay out money for the Council, Community Councils and the Police and Crime Commissioners Office; the collection rate was around 97.5% last year

and 98% the previous year. Members were informed that NPTC had placed top in recoveries across Wales in the past two years, and placed in the top four in the past five-six years, in terms of Council Tax collection. Officers added that the £1m was related to the collection of more than 97% in Council Tax, and reflects the hard work that the Team have carried; collecting the money and paying it out to the individual bodies that require the money.

Members relayed their thanks to the Teams in Finance for their hard work.

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

Strategic Equalities Plan Annual Report

The Committee were presented with the Strategic Equality Plan 2020-2024 Annual Report for the period 2020-2021.

A question was raised as to the progress of the pilot on anonymised job application forms to facilitate a fair and transparent recruitment and selection process. Officers confirmed that this had not been implemented yet as it relied on the introduction of the new HR/payroll database. An update on the current position would be sought from the Head of Human and Organisational Development and circulated to outside of the meeting.

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

Purchase of Hybrid Meeting System and Refurbishments to the Council Chamber

Members were provided with a report regarding the request to purchase a hybrid meeting system and refurbishment of the Council Chamber to facilitate the attendance at such hybrid meetings.

Officers explained that there had been various changes in legislative obligations in respect of Council meetings that would need to be in effect by May 2022; this was due to the introduction of the new Local Government and Elections (Wales) Act 2021. It was mentioned that the circulated report also aimed to address some of the feedback received from Members who took part in the recent Member Survey, relating to this matter. Officers stated that the hybrid meeting system would offer Members choice in regards to how they attend meetings; they would be able to join a meeting in person, or join virtually at various other location such as their workplace or home.

A discussion took place in regards to public participation; it was highlighted that a report would be presented to the Democratic Services Committee on this matter in the coming months. Members were informed that the Council was beginning to establish its participation agenda, which will provide the opportunity for public speaking in meetings and petition schemes; this was an aim to try and improve participation in democracy. It was added that this was also a requirement of the new legislation.

The importance of having a high quality and efficient system in place for hybrid meetings was raised. It was noted that the proposal contained within the circulated report covered the various options and sources that Officers had looked into; the key focus was ensuring ease of access for Elected Members and the public, and meeting the needs of the users. It was added that training opportunities would be provided to all Members once a system was put in place.

Concerns were raised in regards to connectivity, and how this could be a barrier to participating in meetings. Officers confirmed that a lot of thought had been given to connectivity issues; the Members IT Reference Group had recently been re-established and would be looking at various IT matters. It was mentioned that one of the first areas of work would be developing a survey to issue to all Members, in order to gain an understanding of their IT issues, including connectivity.

Further to the discussion on connectivity, it was stated that there were physical reasons with BT Openreach in regards to why some households struggled with connection; it was asked if it was possible to prompt the Welsh Government to push this issue forward. Officers explained that the Council would be looking into specific resolutions for Members' personal set-ups; where there were issues identified that could not be resolved in the short term, Officers will look into other buildings across the County Borough in which Members could utilise to take part in meetings. Members were informed that the City Deal was undertaking a regional digital project; one of the aspirations within that regional programme was to identify areas where there were difficulties in terms of connectivity, and how the Council could work within the City Deal arrangements to overcome these.

Due to the nature of the connectivity issues, it was suggested that Cabinet give consideration to make representation to the Welsh Government on this matter.

Following concerns raised regarding the costings of the proposals, it was stated that the Cabinet Member for Finance had contacted Welsh Government to raise this issue and had queried whether there was any more funding that could be utilised; the Cabinet Member would continue to lobby Welsh Government on this.

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

South West Wales Corporate Joint Committees

An update on the current status and progress in relation to the creation of the South West Wales Corporate Joint Committee (CJC) was provided to Members.

The circulated report stated that the CJC will be able to co-opt such members to the CJC and determine/agree the terms of membership of any co-opted participant (e.g. voting rights, role, funding contribution etc.); Members expressed their concerns in regards to Co-opted Members having voting rights. The Chief Executive mentioned that the four Leaders of the four Councils, which covered the South West Wales area, very much had the same concerns. It was highlighted that when Welsh Government indicated that they were going to impose these arrangements on Local Authorities, the Welsh Local Government Association (WLGA) had made it clear that the maximum flexibility was to be provided to the locally Elected Members to determine how the CJC's would be set up. However, the exception to this was the position of the National Parks Societies, in which some voting rights had been granted on strategic land use and planning matters that fall within their purview.

Reference was made to the response letter from Rebecca Evans AS/MS, Minister for Finance and Local Government, which was detailed in Appendix 1 of the circulated report; the letter stated that it was intended that a CJC, in consultation with its constituent Councils, will be required to agree appropriate locally determined overview and scrutiny arrangements. Members queried whether any thought had been given in advance, to the appropriate scrutiny arrangements that could be put in place. Officers explained that the Monitoring Officers had been looking at different options for constituting these arrangements; this had been an ongoing process due to the various different regulations that had been confirmed at different times during the summer period. It was noted that the Head of Legal and Democratic Services was leading on this particular element of work, and had started to prepare a report which outlined a number of

different scrutiny models for consideration; when the formal reports were brought to the relevant meetings, Members will have the opportunity to feed into the processes before the arrangements were signed off. It was added that the Council was awaiting updated guidance from Welsh Government on this matter.

Detailed within the circulated report, it stated that Officers had been liaising with neighbouring authorities and convened a group comprising Chief Executives, Directors of Environment, Finance Directors (S151 Officers) and Monitoring Officers which meets on a fortnightly basis to progress these discussions; it was asked why there was not Elected Member representation in this group. It was confirmed that the Chief Executives and the Leaders of the four Authorities had been meeting on a regular, informal basis in order for the Leaders to provide a steer on the work that was being undertaken, and to feed into the advice that was being prepared for Members to review; currently, the set-up of the shadow form of the CJsCs was being looked into, since most of the regulations had been established.

A discussion took place in regards to the impacts on the valleys communities. It was noted that the valley impacts will particularly be drawn out in some of the specific duties that had been introduced by the legislation; for example, the CJsCs must develop a regional economic development strategy, a regional transport policy and a regional strategic land use plan. Officers highlighted that the interest around valleys impacts would be in the way in which those particular pieces of work were developed, to ensure that the needs of the valleys communities were appropriately reflected in that work.

Members raised concerns regarding the potential of losing Council staff and their expertise to the CJsCs. It was stated that the four Leaders were very clear that the Council should be setting up the CJsCs on the minimum necessary basis in the first instance; therefore only providing the resources where the legislation specifically requires them. As previously mentioned, it was required to develop a regional economic development strategy, a regional transport policy and a regional strategic land use plan; these will form the business that the CJsCs must undertake. Officers confirmed that it was currently not proposed to establish a permanent team of staff for the CJsCs, instead it was currently being proposed that the work would be shared out amongst the four Authorities, similar to the arrangements with the City Deal; and then looking into seconding some of staffs time into those roles. Officers added that the money that the Council

was putting into the CJsCs, as part of the levy, will be money that the Council will be seeking to recover and claim as the cost of the time of staff.

Depending on how the CJsCs develop, there was a risk that Council staff will move from their current roles into this other entity. It was mentioned that throughout the pandemic, the labour market had become far more competitive; the Council was struggling to recruit into a range of roles and struggling to sustain individuals in certain roles. This highlighted the importance, moving forward, of the Council needing to start investing in growing the workforce.

Members asked if the Terms of Reference and the Constitution for the CJsCs had been established, and if Members views could be included in order to highlight their concerns. Officers explained that the necessary regulations for the CJsCs to be constituted had been developed and communicated over the summer; the Monitoring Officers had started to draft the Constitution based on some of the principles that the four Leaders had asked to be built in. It was stated that the Terms of Reference and Constitution would not be signed off until each of the four Local Authorities and the National Park Authorities had sight of them; Members will be able to comment on the detail and provide their views to the Leaders. The Committee was informed that the first key meeting to make decisions regarding this, would be before the start of the Christmas period.

Following Scrutiny, the report was noted.

4. **Forward Work Programme 2020/21**

The Committee noted the Cabinet Scrutiny Forward Work Programme 2021/22.

CHAIRPERSON

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