

No.

CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE

Minutes of a remote meeting held on 20th January, 2021.

The Committee agenda is available [here](#).

Present: Councillor M.R. Wilson (Chairman); Councillor Mrs. P. Drake (Vice-Chairman); Councillors G.D.D. Carroll, G.A. Cox, R. Crowley, V.P. Driscoll, G. John, Dr. I.J. Johnson, Ms. S. Sivagnanam and J.W. Thomas.

Also present: Councillors L. Burnett, Mrs. S.M. Hanks, P.G. King and N. Moore.

365 ANNOUNCEMENT –

Prior to the commencement of the meeting, the Principal Democratic Services referred to a number of housekeeping issues including advising those present that the meeting would be recorded for uploading via the internet and archived for future viewing.

366 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 16th December, 2020 be approved as a correct record.

367 DECLARATIONS OF INTEREST –

These were received from Councillors Mrs. P. Drake, G.A. Cox, R. Crowley, V.P. Driscoll, G. John, Dr. I.J. Johnson and M.R. Wilson having regard to Agenda Item No. 5 – The Local Government and Elections Bill, in that they were Members of Town and Community Councils within the Vale of Glamorgan and also had dispensation to speak and vote on matters relating to the reshaping of services.

368 ANNUAL CORPORATE SAFEGUARDING REPORT: 2019/20 (REF) –

Cabinet, on 30th November, 2020, had referred the report to the Scrutiny Committee for consideration which provided an update on the work that had been undertaken to date in relation to Corporate arrangements for Safeguarding across the Council.

During consideration of the report Councillor Dr. Johnson, although offering his congratulations in relation to overall compliance of 98% for 2019/20 for Schools and Corporate Services with the Council's Safer recruitment policy compared to 96% for the previous year, commented that 8 schools had commenced employment with personnel prior to all the checks being completed. The Operational Manager for the service area advised that it was important to note that teachers also had to be registered with the Teaching Council and in the main this related to missing medical

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references or a missing personal reference. Councillor Dr. Johnson also queried what risk assessments would have been put in place and whether there were any lessons to be learned going forward. The Operational Manager agreed to obtain the detail and share it with Members later that week as well as consideration of how the data could be brought to Committee sooner in the process for consideration. The Chairman queried whether the 12 week timescale for checks should be reduced to 6 weeks, and what training was in place for Headteachers and staff involved in recruitment. In response the Operational Manager advised that the reference to 12 weeks related to the probation period for staff. Recruitment and selection, safeguarding and DBS training was offered to staff and further discussions with schools could be held.

Having considered the report, the Scrutiny Committee subsequently

RECOMMENDED – T H A T the report be accepted and the further information requested above be forwarded to Members.

Reason for recommendation

Having regard to the discussions at the meeting and the contents of the report.

369 LOCAL GOVERNMENT AND ELECTIONS (WALES) BILL – AN UPDATE (REF) –

Cabinet, on 21st December, 2020, had referred the report to the Scrutiny Committee for consideration. The Managing Director presented the report by means of a PowerPoint presentation which was uploaded on the screen during the virtual meeting. It was noted that the Bill was a substantial piece of legislation which covered electoral reform, public participation, governance and performance and regional working e.g. Corporate Joint Committees.

Attached at Appendix A to the report was an action plan which the Monitoring Officer / Head of Legal and Democratic Services took Members through noting that the Bill was due to receive Royal Assent imminently.

During the discussions Members commented on the potential resources required, the general power of competence for Town and Community Councils and the impact this could have on smaller Community Councils. Members also commented on the reference to the job sharing positions that the Bill was introducing and the implications for governance arrangements etc. and the work that needed to be undertaken to address the requirements. The Monitoring Officer advised that part of the Bill would come into force the day after the Bill received Royal Assent, with others 2 months after, some sections on 1 April 2021, 5 May 2022 and 6 May 2022 with others when appointed by the Welsh Ministers.

Having considered the report, the Scrutiny Committee subsequently

RECOMMENDED – T H A T the report be noted.

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Reason for recommendation

Having regard to the contents contained therein, the PowerPoint presentation and discussions at the meeting.

370 CORPORATE JOINT COMMITTEES – RESPONSE TO WELSH GOVERNMENT CONSULTATION (REF) –

Cabinet, on 21st December, 2020, had referred the report to the Scrutiny Committee for consideration, with it being noted that a response to the current consultation was required by Welsh Government (WG) by 4th January, 2021 with the caveat that any additional recommendations be reported back to Cabinet for further consideration in advance of submission to Welsh Government as an addendum, if necessary and appropriate. The report set out the various elements of proposals by WG to introduce four Corporate Joint Committees (CJCs). The Managing Director, by way of presenting the report, referred to a PowerPoint presentation.

Some Members considered that the proposals, in their view, were WG reforming Local Government “by the back door”.

Councillor Thomas drew attention to his time as Leader of the Council when such proposals were being suggested and, along with other Leaders, had raised concern around the amount of additional work and responsibility that such proposals would place on Council Leaders. Councillor Dr. Johnson’s concern related to the implications for smaller Councils and how they would be appropriately represented. His party had been reluctant to support regional committees as, in their view, it was anti-democratic. Councillor Ms. Sivagnanam commented that she was in favour of Wales working on a regional basis but echoed some of the concerns raised by other Members as outlined above.

The Leader, Councillor N. Moore, not a Member of the Committee, with permission to speak, stated that considerable discussion in respect of such proposals had been taking place for some time and took the opportunity to reassure the Committee that representations and discussions had been held with other Leaders, but WG were pursuing the proposals. Councillor King, not a Member of the Committee, with permission to speak, stated that he too shared the concerns expressed by some Members at the meeting, but capacity and resource issues in Local Authorities to deliver some major projects was limited.

The Chairman commented on the work of the City Deal project, stating that in his view, the City Deal had been largely invisible and with a lack of Scrutiny. The Leader, in response, advised that was one of the reasons he had requested that the minutes of City Deal meetings be reported to Cabinet. The Chairman also referred to the bureaucracy in running such bodies, the auditing requirements and resourcing implications. The Monitoring Officer advised that with regard to the role of Scrutiny proposed for CJCs, further regulations were awaited.

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The Managing Director, in referring to the response within the report, advised that a lot of work had already been done and as such the direction of travel was already in existence, advising that the City Deal project itself addressed transport issues. School Improvement was being undertaken on a regional basis via the Central South Consortium and that Strategic Development Planning was already legislated for. The issue in relation to Leaders of Councils, staff capacity and resilience had also been referred to within the consultation response.

Following the discussions the Leader stated that in the main the comments made at Committee had, in his view, been included within the response and as the Bill was due to receive Royal Assent shortly, the Council would have to work with the proposals for CJsCs to the best of its ability. In referring to financial resources, he advised that the Minister had agreed a set of initial costs but it would be ongoing revenue costs that would be the issue for Local Authorities.

Having considered the report, the Scrutiny Committee subsequently

RECOMMENDED – T H A T the comments / views as outlined above and detailed below be referred to Cabinet and Welsh Government as appropriate –

- Some Members' views that CJsCs were a reform of Local Government by the back door,
- Increased workload and responsibilities for Council Leaders which could impact on their own Local Authority's work,
- Lack of detail in relation to the Scrutiny of CJsCs which had also not been recognised through legislation for other collaborations e.g. CSC and the challenges they had faced as a result,
- Internal and external bureaucratic implications,
- Financial impact and resources and staff resilience on Local Authorities.

Reason for recommendation

Having regard to the discussions at the meeting and to advise Cabinet of the Committees views.

371 RESPONSE TO THE WELSH GOVERNMENT CONSULTATION ON THE TOWN AND COUNTRY PLANNING (STRATEGIC DEVELOPMENT PLAN) (WALES) REGULATIONS 2021 (REF) –

The report detailed the Council's response to Welsh Government (WG) on the above regulations with Cabinet, on 21st December, 2020, referring the report to the Scrutiny Committee for consideration, with any additional recommendations to be reported back to Cabinet for further consideration in advance of submission to WG as an addendum, if necessary and appropriate.

Councillor Dr. Johnson commented that he had concerns as to how the Strategic Development Plan (SDP) would work but advised that many of his concerns had been addressed in the consultation response.

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In response to a query from the Chairman, regarding the relationship between the SDP and LDP the Operational Manager for Planning and Building Control advised that the SDP would provide the opportunity to allocate very large development sites, referring to the Barry Waterfront scheme by way of an example, with smaller schemes being determined at a local level.

Aware that the full detail was yet to be determined, the Scrutiny Committee subsequently

RECOMMENDED – T H A T the report be noted.

Reason for recommendation

Having regard to the response contained within the report.

372 LOCAL GOVERNMENT AND ELECTIONS BILL PART 6 PERFORMANCE AND GOVERNANCE OF PRINCIPAL COUNCILS – CONSULTATION RESPONSE (REF) –

The report advised that Welsh Government (WG) were currently consulting on the statutory guidance (attached at Appendix A to the report) that described how the Council would be required to demonstrate compliance with the duties contained in Part 6 of the Bill. Cabinet had, on 21st December, 2020, referred the report to the Scrutiny Committee for consideration, with any comments to be referred back to Cabinet for its consideration prior to the response being submitted. In referring specifically to the changes to Local Authority Audit Committees, Councillor Dr. Johnson enquired as to what thoughts, if any, there were on the WG's intended outcomes with the proposed changes and that in his view Lay Members would need to be brought up to speed with the Council's processes. This view was echoed by Councillor Carroll who commented that although it was recognised that there were benefits with having increased numbers of Lay Members on the Audit Committee (to be renamed Audit and Governance Committee under the Bill) initial training and regular refresher and up to date training would need to be provided it was acknowledged that robust recruitment processes and procedures would also be required.

Having considered the report, the Scrutiny Committee subsequently

RECOMMENDED – T H A T the Scrutiny Committee, although endorsing the consultation response, recommend to Cabinet that a robust recruitment and training process should be developed for the appointment of Audit and Governance Committee Lay Members.

Reason for recommendation

Having regard to the draft consultation response within the agenda and the role and positions of Lay Members on the proposed Audit and Governance Committee.

No.

373 REVENUE MONITORING FOR THE PERIOD 1ST APRIL TO
30TH NOVEMBER 2020 (REF) –

Cabinet, on 11th January, 2021, had referred the report to the Scrutiny Committee for consideration. The Section 151 Officer advised that there was significant detail within the report that outlined the Council's current position. It was further noted that the revenue position for 2020/21 had been and continued to be challenging with additional pressure for the Council.

Councillor Dr. Johnson enquired as to the Council Tax recovery position for the last financial year compared to previous years, what fraud controls were in place in relation to for applications for business grants and for the Committee to receive detailed information regarding how service departments revenue was being affected. The Head of Service in response stated that the recovery process that had been stopped in April / May as a result of the pandemic and recently started up again, but arrangements had not been able to be put in place for the current year as the courts had not been meeting. With regard to business grants, a significant amount of money had been processed, some of which had been automatic payments dependent on the type of grant. It was confirmed that there was a system in place to check the validity of grant claims and that audit checks had been undertaken and there had been very little cause for concern from an audit perspective. The Head of Service offered to prepare and provide for Members an analysis of returns and claims to date, in relation to service area revenue and income.

Councillor Cox queried whether Welsh Government (WG) had disallowed any monies from the claims that had been submitted regarding COVID 19 funding for Local Authorities. It was noted that monies had been claimed for ICT upgrades but WG had funded only 50% of the costs up to the end of June 2020. The Council's decision to pay some staff a 10% uplift during COVID was also claimed for, however WG considered that this was a local decision and should be borne by the Authority. Councillor John commended the Council for making the decision, as the Council he said must look after its staff.

The Chairman, in concluding the discussions, commented that a £4.5m overspend, in his opinion, was acceptable under the circumstances although queried whether the Building Services service had the staff resilience to go forward as a result of the underspend. The Section 151 Officer stated that the workforce was intact and staff had indeed supported other service areas where they could during the pandemic.

Having considered the report, the Scrutiny Committee subsequently

RECOMMENDED – T H A T the report be noted.

Reason for recommendation

Having regard to the contents contained therein and the discussion at the meeting.

No.

374 CAPITAL MONITORING FOR THE PERIOD 1ST APRIL 2020 TO 30TH NOVEMBER 2020 (REF) –

Cabinet, on 11th January 2021, had referred the report to the Scrutiny Committee for consideration. In presenting the report, the Section 151 Officer / Head of Service drew attention to the very genuine reasons for the number of schemes that had slipped during the year as outlined within the Appendix to the report.

In accepting the position, the Scrutiny Committee subsequently

RECOMMENDED – T H A T the report be noted.

Reason for recommendation

Having regard to the contents contained therein.

375 3RD QUARTER SCRUTINY DECISION TRACKING OF RECOMMENDATIONS AND UPDATED WORK PROGRAMME SCHEDULE 2020/21(MD) –

The Principal Democratic and Scrutiny Services Officer presented the report, the purpose of which being to advise on progress on the Scrutiny recommendations for 2019/20 in respect of the 3rd Quarter October to December (Appendix A to the report), 2nd Quarter July to September 2019 (Appendix B to the report) and for the Committee to consider and make any amendments to the updated work programme schedule for 2020/21 attached at Appendix C to the report.

Having regard to the forward work programme, Committee was informed of an amendment to the reports listed for the March meeting in that ADP Part 1 and the Council's Self-assessment would be referenced within one report e.g. the Vale of Glamorgan Wellbeing Objectives and Improvement Plan Part 1 report. Following consultation, the Corporate Plan report was currently being analysed with a view to bringing a report to the Committee in March. Councillor Dr. Johnson requested that an update be included in the work programme in respect of Welfare Reform and the Chairman suggested that the April meeting include an item on the Contact Centre and the Triage system.

The Principal Democratic and Scrutiny Services Officer also advised that with the Chairman's approval, following consultation and agreement with Members of the Committee, the date of the next meeting of the Committee had been changed from 17th February to holding an Extraordinary meeting on 11th February. The meeting on the 11th February being to consider in the main, reports relating to revised initial budget proposals, final capital proposals and the employee pay policy all of which were being scheduled to be reported to the Full Council meeting on 10th March which was prior to the Scrutiny Committee's March meeting date.

No.

RECOMMENDED –

(1) T H A T the status of the actions listed as completed in Appendices A and B to the report be agreed.

(2) T H A T the status of the actions listed as ongoing in Appendix A to the report be agreed.

(3) T H A T the items listed on the updated forward work programme attached at Appendix C to the report be approved and uploaded to the Council's website together with the following additions and amendments –

February – CWFP – Employee Pay Policy
Revised Initial Budget Proposals
Final Capital Proposals

March – CWFP – Corporate Plan
Welfare Reform update report

April – Contact Centre – Triage report.

Reasons for recommendations

(1&2) To maintain effective tracking of the Committee's recommendations.

(3) For information.