

**Minutes of Partnerships Scrutiny Committee held on Thursday, 18 December 2014
at 9.30 am at Conference Room 1A, County Hall, Ruthin**

Present:

Councillors Raymond Bartley (Vice-Chair), Jeanette Chamberlain-Jones (Chair), Meirick Davies, Richard Davies, Pat Jones, Dewi Owens, Merfyn Parry and Bill Tasker

Also Present:

Director of Social Services (NS), Head of Highways and Environmental Services (SP), Team Leader Economic & Business Development (JD), Countryside and Heritage Services Manager (HR), Heritage Commercial Manager (SW), Specialist Services Manager (AP), POVA Coordinator (NT).

Councillors Eryl Williams (Deputy Leader) and Councillor Huw Ll Jones (Lead Member for Leisure, Youth, Tourism and Rural Development) attended for items 6 and 8.

Councillor Bobby Feeley, Lead Member for Social Care Adult and Children's Services attended for item 5

Councillor Gwyneth Kensler attended as an observer.

Lowri Owain and Gareth Evans Cadwyn Clwyd representatives for business item 6.

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1 APOLOGIES

Apologies for absence were received from Councillors Ann Davies and Mararet McCarroll.

2 DECLARATION OF INTEREST

Councillors Meirick Lloyd-Davies and Merfyn Parry declared a personal interest in item 6 as a members of the board of the Rural Development Plan and Councillor Lloyd-Davies declared a personal interest in item 9 as a member of the 'Friends of Bodelwyddan Castle'.

3 URGENT MATTERS AGREED BY THE CHAIR

There were no urgent matters however the Chair, with the Committee's agreement varied the order of business on the agenda taking the item on the Annual Report on Adult Protection in Denbighshire – 1 April 2013 to 31 March 2014 before the item on the Rural Development Plan Partnership.

4 MINUTES OF THE LAST MEETING

The minutes of a meeting of the Partnerships Scrutiny Committee held on Thursday 6th November, 2014 were submitted.

Matters Arising

Councillor Merfyn Parry referred to page 12 of the minutes relating to Hygiene and Infection Control where non-compliance with the uniform wearing policy should be addressed. He raised concerns regarding maintenance contractors at Ysbyty Glan Clwyd who did not appear to be subject to the same hygiene control as care workers. An enquiry regarding those concerns had been forwarded to the Betsi Cadwaladr University Health Board (BCUHB). No response had been received to date..

RESOLVED that the Minutes of the meeting held on Thursday, 18th December, 2014, be received and approved as a correct record.

5 RURAL DEVELOPMENT PLAN PARTNERSHIP

The Deputy Leader introduced the report (previously circulated) and explained the current Rural Development Plan (RDP) 2007 - 2013, which had been extended and would now cease on 31 December 2014, had drawn in circa £4.8m into the rural areas of Denbighshire and Flintshire - £1.5m of which had been for Axis 3 projects aimed at improving the quality of life in rural areas and to encourage diversification.

The current RDP had involved close working between Denbighshire and Flintshire county councils via the Local Action Group (LAG) Cadwyn Clwyd, the proposed RDP for 2014 - 2020 would be a tripartite working relationship involving Wrexham County Borough Council as well.

Previously the Dyserth area had not been included in the RDP Plan but successful representations meant it would be included in the 2014-2020 Plan.

A map of the County illustrating the distribution of monies (and the project list) under the RDP was circulated at the meeting. It showed a fairly even distribution of the funding across the county. However, as Rhuddlan and Bodelwyddan had entered into the current RDP Plan at a later stage, it had not benefited from the Plan to the extent of the remainder of the area. More activity would be planned in the Rhuddlan/Bodelwyddan area for it to benefit from the new RDP in due course.

The Committee heard that under the 2007-2013 Plan Denbighshire County Council had been responsible for distributing grant money to businesses, whilst Cadwyn Clwyd (the LAG) had awarded bursaries;

A number of tourist and agri-food projects had benefited under the current plan as had community projects. With the current Plan drawing to a close an anticipated 1% to 2% underspend was projected. This was an acceptable level of underspend

for such a programme, and a far lower rate of underspend than a number of other rural development plans.

the rate of return for the Council of the RDP's work in the area was showing a £4 rate of return for every £1 contributed by the Authority in projects; despite the fact that the current plan would be ceasing at the end of 2014 the 2014-2020 RDP Plan submitted to the Welsh Government (WG) was yet to be approved. Approval was expected to be given in February 2015, one WG received confirmation on RDP funding from the European Commission

Responding to members questions the lead members and officers :

- advised that the current RDP had included a good cross-sector of projects across the County;
- answered questions on specific projects and undertook to provide more information on the Llangollen Museum project;
- explained how outcomes from projects were measured and how the Wales Audit Office had the powers to undertake spot-checks on the administration of the scheme locally;
- outlined the consultation process which had been undertaken as part of compiling the new RDP for 2014-2020;
- confirmed that the new RDP would have greater emphasis on tackling poverty and economic regeneration, particularly the regeneration of excluded/hard to reach communities. The new plan would expect projects submitted for consideration to have explored and secured match-funding for the projects prior to receiving RDP funding. Any funding awarded under the new RDP would need to attract at least 20% match funding from elsewhere;
- affirmed that Cadwyn Clwyd would again be the decision taking body with respect to awarding funding for projects, with a representative from each of the rural area Member Area Groups (MAGs) sitting on the awarding body;
- advised that with local government funding dwindling year on year local members should, through the MAGs and the town and area plans earmark high priority or desirable projects that may benefit from applying for RDP funding and identifying additional funding sources to match-fund the projects.

It was already known that communities within Denbighshire were eligible to benefit from other funding sources e.g. Communities First, community monies from major infrastructure/wind energy projects. A co-ordinated approach towards the planning and delivery of proposed projects could maximise the benefits from them for the communities concerned, ensure long-term sustainability and support the Council's ambition to develop the local economy as well as to deliver a number of its corporate priorities. It should also be noted that not all projects would be compatible with the Council's priorities ;

- noted that the 2014-20 Plan also included proposed improvements within the AONB
- Scrutiny members from both Denbighshire and Flintshire councils would be invited to attend the celebration event marking the conclusion of the 2007 - 2013 RDP Plan

At the conclusion of the discussion the Committee:

RESOLVED:

(i) subject to the above observations, to note the good practices identified during the delivery of the current programme of the Rural Development Plan funding in rural Denbighshire and that those practices be utilised where appropriate during the new programming period; and

(ii) that a report outlining external funding schemes available to local communities, as part of national or European government schemes/funds or as recompense for large infrastructure projects and how they can best be coordinated with local government funding with a view to maximising the benefits to local communities, be presented to the Committee for consideration at its meeting in February 2015

6 ANNUAL REPORT ON ADULT PROTECTION IN DENBIGHSHIRE 1 APRIL 2013 TO 31 MARCH 2014

The Lead Member for Social Care and Children's Services introduced the Annual Report on Adult Protection in Denbighshire for the period 1 April 2013 to 31 March 2014 (previously circulated)

The Committee was advised that the introduction of the Social Services and Well-being Act 2014 made adult safeguarding a statutory requirement for the first time. The adult safeguarding process would be similar to the one followed for children. There was a new process regarding serious case reviews being implemented, with final guidance on adult practices reviews still awaited.

Attention was drawn to the increased number of adult protection referrals in the county (page 2) and clarification that this did not necessarily equate to an increase in the number of incidents but possibly the result of a heightened awareness of the referral process, existence and accessibility.

The Committee heard that the number of POVA referrals and the profile of the alleged victims were similar in Denbighshire to that of both Flintshire and Wrexham (mainly elderly women). Nationally this placed Denbighshire mid-table on Welsh Government (WG) statistics.

With regard to complaints, it was emphasised that an 'inconclusive' outcome did not mean that no action would be taken. Any potential gaps or shortcomings identified during the investigation process would be addressed as a matter of course. The investigation outcome from a POVA referral is based on 'the balance of probabilities' that a violation had taken place, this could be extremely difficult in

cases where there were no witnesses and it was one person's word against another. There were occasions however when medical evidence would tip the balance.

POVA was a process under which various agencies gathered evidence under thorough investigation with a view to determining whether any abuse had taken place. The initial decision made would be whether the vulnerable person was at risk of immediate harm? If they were they would be moved to a place of safety before any of the detailed investigation into the alleged violations took place.

It was explained to the Committee that where figures showed a high percentages of 'residents' were affected or a high percentage of staff were the alleged perpetrators - this more often than not was a large establishment where an anonymous complaint had been made against an un-named member of staff, this meant that all residents were classed as affected and all staff classed as alleged perpetrators - this potentially skewed the figures. Consequently members requested that a footnote to this effect be included in future annual reports.

A Supreme Court Judgement relating to the test for 'deprivation of liberty' for the purpose of Article 5 of the European Convention on Human Rights had resulted in a significant increase in the number of review applications both nationally and locally. The protracted assessment process for deprivation of liberty reviews and cost involved with each individual review had placed increased pressures on the Social Services' Department's staff and its budget. To date 11 best interest assessors had been trained to increase the pool of staff available to undertake work relating to these reviews. However, this was still not sufficient to deal with the estimated increase in review requests. It was also identified that there was a need to increase capacity within current 'Localities' staff to deal with POVA enquiries, therefore discussions would commence with an external trainer early in the new year to see how this could be facilitated.

It was confirmed that no posts had been lost as part of the budget setting process for 2015/16, and it was anticipated that the administration review which was currently underway would help strengthen the Service to deal with the increase in the number of referrals year on year and with the additional work involved as a result of the Supreme Court's ruling on the Deprivation of Liberty test

Following an in-depth discussion the Committee:

RESOLVED :

(i) subject to the above observations, to receive the report and acknowledge the important nature of a corporate approach to the Protection of Vulnerable Adults and the responsibility of the Council to view this as a key priority area and place it alongside the commitment and significance given by Denbighshire to Child Protection; and

(ii) that the Annual Report on Adult Protection in Denbighshire for the period April 2014 to March 2015 be presented to the Committee in twelve months time, and that the report include an evaluation of the resource and financial impact of the Supreme Court's Judgement on Deprivation of Liberty on the Service and its work.

7 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator (SC) introduced a report (previously circulated) regarding the Partnerships Committee's forward work programme and highlighted where decisions were required from the Group.

Items scheduled for 5th February 2015 included:

1. Regional Emergency Planning Service
2. Co-ordination of Community Funding

RESOLVED that the Partnerships Scrutiny Committee's forward work programme be approved.

8 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Richard Davies had represented the Committee at a recent Business Improvement and Modernisation service challenge. He felt that the Service had been robustly challenged and would bring a more detailed report to the next meeting.

9 HERITAGE SERVICE PERFORMANCE AND REVIEW

Part II item:

RESOLVED that in accordance with Section 100A (4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following items of business because it is likely that exempt information as defined in paragraph 14 of Part 4 of Schedule 12A of the Act would be disclosed.

The Lead Member for Leisure, Youth, Tourism and Rural Development and the Head of Highways and Environmental Services introduced the confidential report (previously circulated) prepared by consultants on 'The Future Delivery of Heritage Services in Denbighshire'.

The Committee heard that since 2010 a number of changes had been made within the Heritage Service, including reviews of service provision, attraction opening times and ways to increase visitor spending. This had streamlined working practices and supported an increase in yield of 15% in income during the 2010 - 2014 period, with an estimated additional yield of 2% to 3% projected in the forthcoming few years.

A service review was undertaken by an external consultant who concluded that greater collaboration was required both locally and regionally to provide a more

modern, responsive and innovative service. This conclusion fit in with the context of the Authority's "Freedom and Flexibilities" programme which encouraged increased partnership working.

Members of the committee were apprised that future provision of heritage services depended not only on partnership working, but also the various restrictive conditions relating to leaseholds, covenants and service level agreements - in relation not only to the attraction sites but adjacent authority owned land.

Members discussed the potential to work on a regional basis with respect of heritage assets with a view to enhance their promotion and visibility.

Members suggested that it may be useful to utilise the following methods of promoting the attractions:

- e-mails to all councillors with a list of events taking place at the facilities;
- increase use of social media for their promotion;
- introduction of a single entry ticket for the venues, with perhaps a discounted rate for purchasing entry to the entire heritage portfolio;
- working closer with voluntary/independent sector attractions with a view to raising awareness and promoting both Council and non-Council owned attractions.

The Committee:

RESOLVED :

(i) subject to the above observations endorsed the significant progress made by Denbighshire's Heritage Service since 2011;

(ii) to support the general aim outlined in the service review i.e. that the Service should work towards higher levels of partnership and collaborative working; and

(iii) to support the actions currently being pursued in order to deliver the above aim, including the investigation/concept development work that was being proposed.