

<b>Report to</b>	<b>Communities Scrutiny Committee</b>
<b>Date of meeting</b>	<b>5 October 2020</b>
<b>Lead Member/Officers</b>	<b>Councillor Huw Hilditch-Roberts/ Geraint Davies, Interim Head of Education/ James Curran, Principal Manager – School Support</b>
<b>Report author</b>	<b>Rhian Evans, Scrutiny Co-ordinator</b>
<b>Title</b>	<b>Review of Cabinet Decision relating to 21<sup>st</sup> Century Schools Programme – Band B Proposals</b>

## **1. What is the report about?**

- 1.1 The report is about a review under the Council's Scrutiny 'call-in' procedure of a decision on '21<sup>st</sup> Century Schools Programme – Band B Proposals' taken by the Cabinet on the 22<sup>nd</sup> September 2020.

## **2. What is the reason for making this report?**

- 2.1 A notice of a 'call-in' was submitted by 5 non-Cabinet councillors in accordance with the Council's Constitution. The notice called for a review by one of the Council's Scrutiny committees into a decision of the Cabinet relating to 21<sup>st</sup> Century Schools Programme – Band B Proposals

## **3. What are the Recommendations?**

- 3.1 That the Scrutiny Committee, after considering the information in this report, appendices and the representations made today, decides whether to refer the decision on the 21<sup>st</sup> Century Schools Programme – Band B Proposals taken on the 22 September 2020 back to Cabinet for further consideration.
- 3.2 That if Cabinet is requested to reconsider its original decision, the Scrutiny

Committee identifies the reasons for the review and any recommendations it would like Cabinet to consider.

## 4. Report details

4.1 On the 22 September 2020 Cabinet considered a report on '21<sup>st</sup> Century Schools Programme – Band B Proposals' (copy attached at Annex A).

4.2 At the conclusion of its discussion Cabinet resolved to:

*“(a) approve the commencement of projects at Ysgol Plas Brondyffryn / Denbigh High School, Denbigh; Ysgol Bryn Collen / Ysgol Gwernant, Llangollen and Ysgol Pendref, Denbigh as part of the first phase of projects for Band B of the 21st Century Schools Programme and the submission of these proposals to Welsh Government, and*

*(b) to continue to seek additional funding for the second phase of projects of Band B and to review the position in 18 months to ascertain options for the delivery of some of these projects.”*

4.3 The Council's 'call-in' procedure defines a process for Scrutiny to exercise its statutory powers to review or scrutinise executive decisions, and to request that the decision-maker reconsiders a decision that has been taken, prior to it being implemented.

4.4 Cabinet's decision was published on the 24 September. The 'call-in' procedure allows non-Cabinet councillors 5 working days in which to submit a notice of 'call-in'. Councillor Paul Penlington submitted a notice of 'call-in' electronically on 28 September. This request was supported (via individual e-mails) by four other non-Cabinet councillors, namely Councillors Mabon ap Gwynfor, Arwel Roberts, Glenn Swingler and Emrys Wynne.

4.5 The reason stated on the request for 'calling-in' the decision is:

*“...I wish to call in this decision in order that the authority can properly review PHS [Prestatyn High School] need as it stands in 2020 fairly alongside other schools. As the largest secondary school in the county, and only secondary*

*school in Prestatyn it has as good a case for improvement as others scheduled for Band B funding.”*

4.6 Communities Scrutiny Committee was scheduled to consider a report on the ‘Process for Band B Submission’ at its next meeting on 22 October 2020. However, following the call-in of this particular decision it was felt that having access to that report ahead of the current meeting would be beneficial and useful for Committee members. The report can be seen at Annex B

4.7 After considering the Cabinet’s decision and the representations made at today’s meeting, Communities Scrutiny Committee must decide whether the decision should be referred back to Cabinet. The Scrutiny Committee should provide its reasons for doing so and any information it wants Cabinet to consider. These would be considered by Cabinet at its next available meeting and Cabinet should demonstrate that appropriate consideration is given to the Scrutiny Committee’s recommendations.

4.8 Cabinet will have the options to change or re-affirm its original decision.

4.9 If Communities Scrutiny Committee decides that Cabinet’s decision should not be referred back to Cabinet, then the original decision can be implemented immediately.

## **5. How does the decision contribute to the Corporate Priorities?**

5.1. The review of a Cabinet decision is not linked to the Corporate Priorities.

## **6. What will it cost and how will it affect other services?**

6.1. See Cabinet report dated 22 September 2020 (Annex A).

## **7. What are the main conclusions of the Well-being Impact Assessment?**

7.1. See Cabinet report dated 22 September 2020 (Annex A).

## **8. What consultations have been carried out with Scrutiny and others?**

N/A. This report has been prepared under the provisions and timescales of the Council's constitution for a 'call-in' of a Cabinet decision

## **9. Chief Finance Officer Statement**

9.1. See Cabinet report dated 22 September 2020 (Annex A)

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. See Cabinet report dated 22 September 2020 (Annex A)

## **11. Power to make the decision**

11.1. Section 21(2) and (3) of the Local Government Act 2000

11.2. Sections 7.2.1 and 7.25 of the Council's Constitution