

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Council Chamber County Hall and via Video Conference on Thursday, 9 June 2022 at 11.00 am.

PRESENT

Councillors Ellie Chard, Chris Evans, Jon Harland, Carol Holliday, Alan Hughes, Hugh Irving (Chair), Paul Keddie and Gareth Sandilands.

Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, in attendance for Items 6 and 7

ALSO PRESENT

Principal Manager (DS as substitute for GB Chief Executive); Joint Acting Head of Business Improvement and Modernisation (BIM) (NK); Strategic Planning and Performance Officer (EH); Scrutiny Co-ordinator (RE); Webcast and Zoom Host (SJ) and Committee Administrator (SLW)

Observers – Councillors Pauline Edwards and Huw Hilditch-Roberts

1 APOLOGIES

Apologies for absence were received from Councillors Geraint Lloyd-Williams
Apologies for absence were also received from Graham Boase, Chief Executive, and Iolo McGregor, Strategic Planning & Performance Team Leader

2 DECLARATIONS OF INTEREST

No interest of a personal or prejudicial nature were declared.

The Scrutiny Co-ordinator advised that, in accordance with the requirements of the Local Government (Wales) Measure 2011, the appointment of chairs of the Council's scrutiny committees was a decision for the political groups based on the political balance of the Council. Following the 2022 local authority elections Denbighshire's political balance had resulted in one scrutiny chair been allocated to the Conservative Group, one for the Independent Group and the third being allocated to the ruling Labour/Plaid Cymru Group. The Conservative Group had appointed Councillor Hugh Irving to chair Performance Scrutiny Committee.

Prior to proceeding to seek nominations for the role of Committee Vice-Chair Councillor Irving, who had served as the Committee's Vice-Chair during the term of the last Council, paid tribute to his predecessors, the late Councillor Huw Llewelyn Jones and Councillor Arwel Roberts for their work in chairing meetings effectively and providing strong leadership for the committee during their terms of office.

3 APPOINTMENT OF VICE-CHAIR

The Chair sought nominations for the office of Vice-Chair of the Committee for the 2022/23 municipal year. Councillor Ellie Chard nominated Councillor Gareth Sandilands for the role of Vice-Chair. Councillor Carol Holliday seconded Councillor Sandilands' nomination. No other nominations were received and the Committee unanimously:

RESOLVED to elect Councillor Gareth Sandilands as its Vice-Chair for the 2022/23 municipal year.

Councillor Sandilands duly thanked the Committee for electing him to the role.

4 URGENT MATTERS AS AGREED BY THE CHAIR

No matters of an urgent nature had been raised with the Chair or the Scrutiny Co-ordinator prior to the commencement of the meeting.

5 MINUTES OF THE LAST MEETING

The minutes of the Performance Scrutiny Committee meeting held on the 17 March 2022 were submitted. It was:

RESOLVED that the minutes of the meeting held on 17 March 2022 be received and approved as a true and correct record of the proceedings.

No matters were raised with regards to the contents of the minutes.

6 COUNCIL PERFORMANCE SELF-ASSESSMENT 2021 TO 2022

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, introduced the Council Performance Self-Assessment report (previously circulated).

Unfortunately, the report author, the Strategic Planning and Performance Team Leader, was unable to attend due to illness. The Joint Acting Head of Business Improvement and Modernisation (Acting Head of BIM) attended in his stead.

The report was the first statutorily required document written in response to the Local Government and Elections (Wales) Act 2021, which required the Council to produce a Self-Assessment of its performance against its functions. It also responded to the Council's duty around equality monitoring (under the Equality Act 2010 and Wales Measure 2011, which included the Socio Economic Duty) and the contributions to the Well-being of Future Generations (Wales) Act 2015.

Regular reporting was a monitoring requirement of the Council's performance management framework and a performance monitoring report would be taken quarterly to Cabinet and Performance Scrutiny Committee. Feedback from Performance Scrutiny Committee was sought prior to approval of the final documents by Council in July 2022.

A summary of the report and appendices was given to the members.

Councillor Harland had submitted a number of questions ahead of the meeting to enable officers to provide comprehensive answers at the meeting. In their response to those questions officers advised as follows –

- A sustainable transport plan was under development and would take account of provision for active travel. The Acting Head of BIM confirmed she did not have the information to hand regarding the timescale for this but would look into this and provide the information outside the meeting to members.
- The planting of 15,000 trees had taken place and officers confirmed that going forward all trees planted under the Climate and Ecological Change Strategy on Council land would be monitored and maintained for the first 18 months.
- The eradication of plastics, not reduction, within schools was a main concern for Councillor Harland. It was confirmed that a Task and Finish Group had been formed during the previous Council and conclusions of the Group had been presented to Full Council. In early 2022 Scrutiny had presented recommendations to Cabinet with respect of reducing the use of single-use plastics in the School Meals Service. Cabinet had supported the principle of reducing the use of plastics. However, achieving this ambition on a local basis was a complex matter as there would be a considerable budget deficit to plug in the School Meals Service if plastic water bottles were no longer sold within schools. Therefore, consideration of the objective would need to be part of the budget setting process going forward in order to identify resources to fund any deficit. Councillor Hue Hilditch-Roberts, the former Lead Member for Education and Children's Services who was in attendance as an observer, outlined the complexities involved to Committee members. It was suggested that Councillor Harland put forward a Notice of Motion to Full Council regarding this issue but that he should speak to the Head of Legal, HR and Democratic Services to discuss this and the way forward.
- Councillor Harland confirmed that the other questions had been responded to positively. The questions and responses would be circulated to all members of Performance Committee for information.
- The Scrutiny Co-ordinator clarified that Scrutiny Committees were not decision makers but could make recommendations to Cabinet and Council. Particular aspects of the report could be identified and a proposal form completed by members to be put forward to Scrutiny Chairs and Vice-Chairs Group for approval to be presented at a future Scrutiny Committee meeting.
- The monitoring of deprivation was raised and it was confirmed that there was nothing specific in relation to this matter within the report. A new Corporate Plan was being developed with the aim of being ratified at Full Council in October 2022, deprivation may feature in that Plan.
- Carbon reduction opportunities and measures would be required in future when delivering services across the county.

Councillor Paul Keddie proposed to accept the report, seconded by Councillor Jon Harland.

All members of the Performance Scrutiny Committee were in agreement.

At the conclusion of an in-depth and detailed discussion the Committee:

RESOLVED that, subject to the above comments and observations –

- (i) to receive and endorse the Council's Self-Assessment of Performance during 2021 to 2022, along with its performance in delivering the Corporate Plan 2017 to 2022; and
- (ii) recommends that going forward the Council makes every effort to facilitate active travel, reduce its use of plastics in school meals and other services, actively seeks carbon reduction opportunities when delivering services, and is proactive in reducing deprivation across the county.

7 CORPORATE RISK REGISTER (FEBRUARY REVIEW)

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, introduced the Corporate Risk Register (February Review) report (previously circulated).

The Strategic Planning and Performance Officer summarised the report and provided information regarding the latest review of the Corporate Risk Register which commenced in February 2022.

The Corporate Risk Register was developed and owned by the Senior Leadership Team (SLT) alongside Cabinet. It was formally reviewed twice a year by Cabinet at Cabinet Briefing.

Following each formal review, the revised register was presented to Performance Scrutiny Committee and also shared with the Governance and Audit Committee.

Due to the change in accessibility standards, the Risk Register (Appendix 1) utilised more words rather than charts with colours.

The review undertaken in February identified two new risks –

- New Risk 49 – (TRAC) – the risk that the future funding regime would not allow the Council to continue to support the most vulnerable learners and disengaged young people as funding had previously been provided by the European Union (EU).
- New Risk 50 – the risk that Welsh Government's commitment to eliminate profit from the care of Looked After Children would result in an unstable or unsuitable supply of placements.

There were a total of 22 risks on the register of which 14 were inconsistent with the risk appetite (64%) in comparison with the September 2021 review which had included 21 risks of which 13 were inconsistent with the risk appetite (62%).

Members acknowledged that the report was a high level document. They were advised that each Council service had its own risk register which fed into the Corporate Risk Register. As part of the regular reviews, risks could be escalated from Service Risk Registers to the Corporate Risk Register, similarly risks could be

downgraded from the Corporate Risk Register to the relevant Service's Risk Register. Councillor Ellie Chard proposed acceptance of the Corporate Risk Register Review, seconded by Councillor Paul Keddie.

Having considered the information submitted, both within the report and its appendices along with the rationale provided by officers on the key changes to the risks contained within the Register stemming from the February 2022 review, the Committee:

RESOLVED to receive the amendments to the Corporate Risk Register (Appendix 1), including the status of each risk against the Council's Risk Appetite Statement (Appendix 2) and the summary document for both Members and Officers' use as an aide memoir (Appendix 3).

8 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator introduced the report (previously circulated) seeking members review of the Committee's work programme and providing an update on relevant issues.

Discussion focussed on the following –

- The Scrutiny Coordinator informed members that this agenda item was a standard item on the agenda for every meeting.
- Appendix 1 was the forward work programme for the next meeting which would take place on 14 July. There were 4 items listed which was the optimum amount of items to facilitate meaningful discussion.
- There were 2 education items for which 3 education co-optees would be in attendance. There were still vacancies for education co-optees which Council hoped to fill in the future.
- Prior to Covid, it was usual practice to hold a pre-meeting. This could now be held virtually a few days prior to the meeting if Committee members were in agreement. All those present agreed to the pre-meeting taking place.
- There was a process in place contained in Appendix 2 which included a form for completion if members wished for an item to be considered for presentation at Scrutiny Committee. The form would be submitted to the Scrutiny Chairs and Vice-Chairs group for consideration at which they would go through the test which was on the reverse of the form, and a decision would then be made whether the item was suitable for Scrutiny and which Committee would be asked to consider it.
- Appendix 3 was the Cabinet Forward Work Programme for information.
- Appendix 4 was an update on recommendations from the last meeting.
- There would usually be a further standard item on the agenda which was feedback from members who serve as Committee representatives on various boards or groups. This item would be reinstated once the allocation of members to those groups has taken place.

All members present agreed to the items listed on the forward work programme.

Councillor Paul Keddie proposed the approval of the forward work programme, seconded by Councillor Ellie Chard.

At the conclusion of the discussion Members:

RESOLVED to receive and confirm, for the time being, the Committee's forward work programme as inherited from its predecessor Committee in the previous Council.

THE MEETING CONCLUDED AT 12.20 P.M.