

PARTNERSHIPS SCRUTINY COMMITTEE

Minutes of a meeting of the Partnerships Scrutiny Committee held in Council Chamber, County Hall, Ruthin and by Video Conference on Thursday, 6 July 2023 at 10.00 am.

PRESENT

Councillors Joan Butterfield (Chair), Jeanette Chamberlain-Jones, Kelly Clewett, Pauline Edwards, Bobby Feeley, Terry Mendies, Peter Scott (Vice-Chair) and Elfed Williams

Observers – Councillor Huw Hilditch-Roberts and Councillor Andrea Tomlin

Lead Members – Lead Member Health and Social Care, Councillor Elen Heaton and Leader of the Council and Lead Member for Economic Growth and Tackling Deprivation, Councillor Jason McLellan were in attendance at the Committee's invitation.

ALSO PRESENT

Corporate Director Economy and Environment (TW), Corporate Director: Governance and Business (GW), Head of Adult Social Care and Homelessness (AL), Service Manager, Adult Social Care & Homelessness Service (AP), Economic and Business Development Manager (JCE), Business Support Manager (PB), Revenues Team Manager (EE), Scrutiny Coordinator (RE and KE) Senior Committee Administrator and Zoom Host (KJ) and Committee Administrators (SJ and SW)

Public Speakers – Abigail Pilling (Manager of Rhyl Business Improvement District (BID)) and Nadeem Ahmed (Chair of Rhyl BID Board) were in attendance for agenda item 6.

The Chair welcomed Hedd Vaughan Evans - Head of Operations for the Portfolio Management Office of Ambition North Wales and Stuart Whitfield – Digital Programme Manager representing the North Wales Economic Ambition Board (Agenda item 5).

1 APOLOGIES

Apologies for absence were received from Councillors Arwel Roberts and David Williams.

2 DECLARATION OF INTERESTS

No interests of a personal, or a personal and prejudicial nature were declared.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No matters of an urgent nature had been drawn to the Chair or the Scrutiny Co-ordinator's attention prior to the commencement of the meeting.

4 MINUTES OF THE LAST MEETING

The minutes of the Partnerships Scrutiny Committee meeting held on 18 May 2023 were submitted. The Committee:

Resolved: that the minutes of the meeting held on 18 May 2023 be received and approved as a true and correct record of the proceedings.

No matters were raised in relation to the accuracy or the contents of the minutes.

5 NORTH WALES ECONOMIC AMBITION BOARD ANNUAL REPORT 2022/23

Leader of the Council and Lead Member for Economic Growth and Tackling Deprivation, Councillor Jason McLellan introduced the annual report (previously circulated) to the Committee. The report provided members with an opportunity to scrutinise the work of North Wales Economic Ambition Board (NWEAB) and its progress in delivering its work. He confirmed quarter 1, 2 and 3 reports were submitted to members for information with quarter 4 and Annual Report presented to Committee for further discussion.

He thanked the Head of Operations for the Portfolio Management Office of Ambition North Wales and Digital Programme Manager for attending the Committee meeting to present to the Committee.

Hedd Vaughan Evans, Head of Operations for the Portfolio Management Office of Ambition North Wales, presented members with a PowerPoint presentation. He introduced to the Committee Stuart Whitfield the Digital Programme Manager for the Board.

Members were provided with background information on the Board and advised that the Programme Office reported directly to the Board which set the direction of the work and took any decisions required. The NWEAB had been in existence since 2016, setting a vision for North Wales. Members heard the Board had secured £240m investment into North Wales. With a total investment target of £1billion over a 15 year period, creating 4200 new jobs. Members were guided through the aims of the Board including building a more vibrant, sustainable and resilient economy in North Wales. Building on strengths to boost productivity whilst tackling long term challenges. It was hoped this would be done in a sustainable way that was in line with the Well-being of Future Generations (Wales) Act 2015.

Members were provided with information on some of the challenges the Board had faced over the previous 12 months. It was stressed progress in some areas had not been as quick as had first been hoped. A number of project delays had been encountered and a number of challenges around cost inflation had impacted some projects.

Further business cases had initial outline cases approved by the Economic Ambition Board. This allowed projects to complete procurement processes and return to the Board for a final investment decision. These were:

- Enterprise Engineering and Optics Centre
- Last few %

- Smart Local Energy

Members heard funding had been acquired from Welsh Government to deliver Local Area Energy Plans. The team were co-ordinating the delivery of those plans.

A mobile connectivity survey on the quality of 4G connectivity across the region had been conducted, data received would feed into a digital programme in the plan. Members were guided through further highlights detailed in the presentation. Reallocation of funding had been agreed redirecting monies from projects which had been withdrawn due to a change in Welsh Government (WG) roads infrastructure policy. This had resulted in an additional £7million being allocated to some mature projects to support them with cost associated inflation. The remainder of the funding available for reallocation was then made available for projects to bid for. A total of 26 project applications had been received, ongoing review of those projects was taking place.

The Digital Programme Manager provided members with further information on the growth deal projects under the Digital Connectivity stream. Within the Growth Deal, there were 3 infrastructure based projects that were to be introduced across all counties. Details of the projects was provided to members. The Digital Signal Processing (DSP) Centre was the first project that had progressed to the delivery stage. A full 12 months of delivery had been observed with a number of jobs being created both at the centre and on a wider range.

The Corporate Director Economy and Environment thanked the representatives for the detailed presentation and for attending the Committee to present to members and answer any questions.

In response to members' questions the officers and representatives provided further detail on the following:

- A number of changes had been observed since the Growth Deal had been original agreed. The agreement with Government on the North Wales Growth Deal was at programme and portfolio level allowing for some flexibility for the projects. A review was conducted post covid to review the interventions in the growth deal were correct for the North Wales economy, which was supported by external consultants. It concluded the programme areas identified continued to be the right areas for intervention. The individual projects were subject to significant scrutiny and challenge.
- Flexibility within the deal to withdraw and select replacement projects. The project in Bodelwyddan had been withdrawn. The funding which had been originally allocated had been set aside to allow for alternative projects to bid for the funding. 26 project bids had been submitted across the region. It was hoped a recommendation of a project would be proposed at the next Board meeting. As the Growth Deal was a regional programme of work the proposed new project may not lie within Denbighshire.
- The Growth Deal did not allocate projects or funding to each authority. Each project had to go through a vigorous process to assess their suitability and viability for inclusion in the Deal's programme portfolio. The projects were regional and would benefit the whole of North Wales economy not just the area they were based in.

- The Llysfasi Net Zero Farm project had originally been part of the Growth Deal. However, this project had since been identified as an educational project rather than an agri-food and tourism economic growth project. The project had been withdrawn and the college was seeking different funding streams to fund the project. It was understood that the project was still progressing with WG support
- Resources and capacity would always be a challenge for the regional team. The first three years of operation been funded by a split of local authority contributions and a significant contribution from European funding. The European funding had since ceased which created a gap. The Board was committed to sourcing alternative sources of funding without seeking extra contributions from the partners. It had been agreed by both governments that the Board could top slice a proportion of the growth deal funding to support staffing costs with the aim of pursuing and securing alternative funding sources.
- Members were pleased to note the additional funding being made available for the North Wales Hospital project in Denbigh. Whilst officers echoed the thoughts of members and were pleased the project could progress, they did stress that this was a high risk project.
- All of the projects did have a contingency budget included in the original budgets. Due to the scale of the cost inflation it was noted some of those budgets may not be sufficient. Unfortunately, the scale of cost inflation could not have been predicted. It was hoped that construction costs were stabilising. Projects were being asked to source any funding gaps from the project sponsors or identify any savings. The risk was constantly monitored and reviewed.
- The Growth Deal would not be delivered with just the funding from Government. Investment from the public and private sector was vital for the delivery of projects. It was a significant risk at the wider portfolio level and for each individual project. When seeking market investment, extensive engagement with the private sector took place with a view to leveraging in private investment.
- £35million had been allocated from the North Wales Growth Deal for the Holyhead Gateway project. The funding was essentially required to facilitate the expansion of the port, including land reclamation that would future proof the port's operations. The additional £20million announced by UK Government for the breakwater project was additional funding and not part of the Growth Deal. The funding would support the work on the breakwater. It was an important additional investment to support the project.
- Corporate Joint Committees (CJC) were in existence and had been created by legislation; a lot of activity was currently taking place in respect of a creating the governance arrangements and constitutional arrangements for the CJCs. This was being led by the Monitoring Officer in Gwynedd. All partner authorities had in principle agreed that Growth Deal should eventually be governed by the CJCs.

At the conclusion of an in-depth discussion the Chair thanked the Leader, Corporate Director: Environment and Economy and officers from the North

Wales Economic Ambition Board's Portfolio Management Officer for attending the meeting and answering members' questions. It was:

Resolved: subject to the above comments and observations to –

- (i) receive the North Wales Economic Ambition Board's Quarter 4 report and its Annual Report on its work and progress during 2022/23; and***
- (ii) recommend to officers that the aims and objectives of the North Wales Economic Ambition Board be communicated to Denbighshire's city, town and community councils in order that they may actively engage with the Board and its work for the benefit of the county's communities.***

6 RHYL BUSINESS IMPROVEMENT DISTRICT (BID) RE-BALLOT

Leader of the Council and Lead Member for Economic Growth and Tackling Deprivation, Councillor Jason McLellan introduced the Rhyl Business Improvement District (BID) Re-ballot report (previously circulated).

The report provided an opportunity for members to scrutinise the proposal for a second term of the BID. Members were reminded the Rhyl BID was established in November 2018, following a successful ballot with a mandate to operate for a maximum of 5 years. In order to continue operating, a new set of proposals were required to be put to a ballot. The BID provided a form of local democracy, it gave local businesses the power to collectively raise funds to deliver agreed improvements to the local area. The BID was funded by local businesses contributing a small portion of business rateable value levy. A BID could only be formed following a successful ballot taking place, and any additional monies levied could only be utilised on items or services not provided by the local authority. Members heard the proposed business plan was attached to the agenda papers as Appendix 1.

It was stressed the BIDs were independent to the Council. Denbighshire County Council were a key stakeholder and had a statutory duty to conduct any BID ballots and to collect and enforce the BID levies. The authority was a significant levy payer in the BID area and therefore had a number of votes within the ballot process. The Council was represented on the Rhyl BID Board by the Corporate Director Economy and Environment, Tony Ward.

The Corporate Director Economy and Environment thanked the Leader for the overview of the report. He introduced to the Committee Abigail Pilling who was employed by the Rhyl BID as the Rhyl BID manager and Nadeem Ahmed owner of Jean Emporium in Rhyl Town Centre and Chair of the Rhyl BID Board.

The purpose of the report was threefold; firstly, to examine the proposals for a second five-year term for the Rhyl BID, secondly to inform members about the steps involved in arranging and holding a ballot and finally to enable the Committee to raise and ask any questions regarding the BID or the ballot process.

He guided members to paragraph 4.11 and 4.12 of the covering report, which informed members that part of the role of the Council was to decide whether there were any grounds to veto the BID proposals. The Council could veto the proposals if they conflicted with any corporate policy of the Council or if it felt that they placed

a significantly disproportionate financial burden upon any person or class of persons. Ultimately Cabinet would ask those questions in September 2023, prior to allowing the BID to take place. Members heard it was officers' opinion that the proposals did not fall under either area to veto the proposals.

Abigail Pilling addressed the Committee providing a brief overview of what the BID had been able to facilitate and deliver to date. She stated the original BID identified 4 action areas - safe and welcoming, cleansing and maintenance, marketing and business support. One of the more well-known projects was the Town Ranger Project which crossed over all 4 action areas. She made members aware of the events programme which detailed signature events proposed to take place. Alongside these events a training programme was timetabled to offer in-house training on certain areas for businesses. The BID was also involved in some community initiatives with a number of partnerships developed. The Chair of the BID Board, Nadeem Ahmed, added that the proposed new business plan attached to the report built on what had been established during the first 5 year term of the BID and aimed to progress and go further.

The Chair thanked the speakers and officers for the introduction Committee members were given an opportunity to ask questions to the Leader, public speakers and Officers. In response to the questions and observations raised confirmation was provided:

- Contact had been made with Denbighshire Leisure Limited (DLL). Discussions around potential projects had taken place. The main contact had been in relation to supporting the Rhyl Air Show. Communication with officers at the Rhyl Pavilion had also taken place regarding the upcoming Safari Trail which was taking place during the summer in the hope they would have an attraction or focus point to draw visitors to that area of Rhyl.
- Denbighshire County Council did not have more than 50 % of the overall votes in total. There were a number of rules that governed the ballot process. The rules were set by the Business Improvement District (Wales) Regulations and were therefore set out in law. It provided details of which businesses were eligible to vote and how the ballot must be conducted. Included in the rules was information on how a result was achieved.
- Eligible businesses were required to cast their vote(s) for the vote to be counted. If people were against the proposal they needed to submit a their ballot and not disregard the ballot paper or abstain. That was made clear on the accompanying documentation. A consultant had been employed by the BID Board to assist with the engagement with businesses.
- A survey had been issued to eligible businesses in the area asking for comments on areas that were in need of support. The business case was then formed in response to the survey. The survey was still open and businesses were encouraged to complete the questionnaire. This formed the basis of how projects were agreed. A number of areas had been identified that were ongoing from the current Rhyl BID.
- Once the business case was finalised a detailed list and potential allocation of funds would be published.
- The business case would be made available to businesses prior to the ballot.
- The potential investment with floral displays in Rhyl was a future proposal. The Rhyl BID Board was in discussion with Rhyl Town Council. It was hoped

it would support and expand the work of the Town Council in relation to floral displays.

- The BID decided its own priorities. It was up to the businesses to discuss and agree the action plan within the BID's business plan priorities. The BID had to deliver things over and above what would be provided to the town by the local authority.
- The Rhyl BID was a collective voice for Rhyl businesses, offering collaborative opportunities to all.
- The local authority was one business who was entitled to vote. Businesses should participate to ensure their vote contributed towards the outcome.
- There had been 33 cases where the Authority had to pursue enforcement action on businesses to pay the levy. The total cost of the enforcement action was circa £900.
- The BID enforcement rules mirrored the rules set out by council tax and business rates enforcement. Empty business properties were exempt for three months and then would be required to pay the levy.
- All businesses were included in the discussions including those businesses that fell under the levy threshold. The Rhyl BID included all in the designated geographic area. The objective was that all would benefit from the BID including the small businesses.
- A decision would be made by Cabinet if Denbighshire County Council would be exercising its votes for, against or abstaining from voting on the Rhyl BID.
- The final business plan would be issued to all key stakeholders and would be made available on the Rhyl BID website.

The Chair thanked both public speakers for attending the meeting and answering members' questions. Also, thanks were given to the Leader and officers.

At the conclusion of a comprehensive discussion the Committee, having considered the report and draft business plan:

Resolved:

- (i) subject to the above observations to receive the contents of the draft Business Improvement District (BID) Business Plan 2024-2029 (Appendix 1 to the report);***
- (ii) subject to there being no significant change(s) to the current BID proposals which would impact on the factors which influence the use of the power of veto as identified in Section 51(2) of the Business Improvement Districts (Wales) Regulations 2005, to support the Officer recommendation that there were no grounds for the Council to exercise the power of veto in relation to the ballot; and***
- (iii) to support the steps and timescales involved in the re-ballot process, including the steps to take the process through Denbighshire County Council's democratic process.***

At this juncture the Committee adjourned for a 15 minute comfort break.

7 ANNUAL REPORT ON SAFEGUARDING ADULTS IN DENBIGHSHIRE 1ST APRIL 2022 - 31ST MARCH 2023

The Lead Member for Health and Social Care, Councillor Elen Heaton introduced the annual report on Safeguarding Adults in Denbighshire 2022/23 (previously circulated). The report provided members with data from 1 April 2022 to 31 March 2023. The Lead Member highlighted several achievements made by the team over the 12-month period. She stressed the team had maintained excellent performance levels with 99.1% of Section 126 enquiries being completed within the 7 day target period. Appendix 2 to the report demonstrated the complexity of some of the cases the team dealt with. It also highlighted the challenging nature of the work.

Listed in the report were the risks and areas of concern noted by officers, it was stressed the risks listed were not unique to Denbighshire. They were national trends observed by other local authorities.

The Service Manager, Adult Social Care & Homelessness Service provided further summary of the report's contents. A slight increase had been observed in the number of alleged adults at risk reports that had been reported in the 12 month period. There had been a significant increase in the number of referrals made under Section 5 of the Wales Safeguarding procedures - Allegations/Concerns about Practitioners and Those in a Position of Trust. The previous year 25 referrals had been made under this process, this had increased to 46 referrals made the 2022/23 year. Officers were of the view that the increase had been due to a better understanding and knowledge of that section of the guidance. Officers when completing referrals under other sections considered if any other concerns under different sections should be raised.

Deprivation of Liberty Safeguards had also seen an 11% increase in the number of applications received. Only two members of the team could authorise referrals for further investigation. It was hoped that further training and recruitment into roles would allow more team members to authorise applications in due course. A further 7 applications had been submitted to Court in relation to Deprivation in Domiciliary Settings. This was ongoing work that was incorporated within routine casework in Complex Disability team.

Members were guided through the key performances noted in the report including the high level of performance completing 99.1% of the Section 126 enquiries within 7 working days. Members heard quarterly random audits were carried out to ensure work remained at a high standard. Vacant posts within the team had been filled and the team was currently at its full capacity.

The Section 5 process still proved to be a challenge in many areas, but specifically in relation to the operational element of this process. The section 5 National Task and Finish Group had concluded its work and the team were awaiting to be consulted on the outcome. The initial feedback suggested that additional clarity may not be available and may now require further consideration from the regional boards prior to reviewing the principles to support joint working with partner agencies.

Court proceedings continued to increase and the impact of this work on the capacity of the Council's operational teams as well as colleagues within the legal team could not be underestimated. Often this was further impacted by requests from the Court to lodge updated information. Updated information was requested where previous documentation had expired whilst awaiting judicial consideration. This was a situation experienced by all Local Authorities and not unique to Denbighshire.

The Chair thanked the Lead Member and officers for the detailed report and introduction. In response to further discussion the following points were discussed in greater detail:

- Members thanked officers for the figures along with the pie chart information. It was noted the number of referrals tended to be higher from care home settings due to every potential case being reported. All referrals were investigated to ascertain any wrongdoing. Very few reports proceeded to a criminal proceeding.
- The delay in the Liberty Protection Safeguards (LPS) had been instigated by UK Government which the Welsh Government were having to follow. Officers awaited further information of the outcome of the consultation.
- Members congratulated the team on the continued hard work and performance levels during the last 12 months.

The Chair thanked the Lead Member and officers for answering members' questions. At the conclusion of the discussion the Committee:

Resolved: subject to the above observations to acknowledge –

- (i) the work and efforts undertaken during 2022/23 in relation to safeguarding adults in Denbighshire; and***
- (ii) the importance of the Council's corporate approach towards the safeguarding of adults at risk and its responsibility in viewing it as a key priority area.***

8 SCRUTINY WORK PROGRAMME

The Scrutiny Co-ordinator introduced the report and appendices (previously circulated) seeking Members' review of the Committee's work programme and which provided an update on relevant issues.

The next Partnerships Scrutiny Committee meeting was due to be held on the 14 September 2023. There were 3 substantial items listed for the next Partnerships Scrutiny Committee:

- Community Safety Partnership
- North Wales Regional Partnership Board Annual Report 2022/23
- North Denbighshire Community Hospital Project

Confirmation had been received from the Health Board that a representative would be in attendance to discuss the latter item.

Members agreed that the September meeting was at full capacity. The Scrutiny Chairs and Vice Chairs Group was due to meet the last week of July 2023. Committee members were encouraged to complete a scrutiny proposal form (Appendix 2) in respect of any topic which in their view merited detailed examination by Scrutiny.

Appendix 3 was the Cabinet's forward work programme for members' reference. Appendix 4 provided the Committee with further information regarding the recommendations from the previous meeting.

Appendix 5 to the report was the table of members who represented the Committee on each of the Service Challenges Groups. The Scrutiny Co-ordinator was seeking nominations to sit on the vacant seats on the Service Challenge Groups in Housing and Communities, Corporate Support Service: Performance, Digital & Assets and Corporate Support Service: People. The Service Challenge Groups meet once a year and the meetings were held remotely. Councillor Butterfield nominated herself to serve on the Housing and Communities Service Challenge Group. Councillor Peter Scott put himself forward to attend the Corporate Support Service: People Service Challenge Group and Councillor Pauline Edwards agreed to attend the Corporate Support Service: Performance, Digital and Assets Service Challenge Group.

The Chair thanked all members for agreeing to attend the Service Challenge Group meetings and emphasised the importance of members attending and reporting back to the Committee.

The Committee:

Resolved: to –

(i) confirm its forward work programme as set out in Appendix 1 to the report; and

(ii) to appoint the following representatives to serve on the respective Service Challenge Groups:

- ***Councillor Joan Butterfield – Housing & Communities***
- ***Councillor Pauline Edwards – Corporate Support Service: Performance, Digital & Assets***
- ***Councillor Peter Scott – Corporate Support Service: People***

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

The following feedback from Committee representatives was received:

Service Challenge Group meetings:

Highways and Environmental Services – Councillor Pauline Edwards reported on the recent meeting of this Group during which recycling, environmental enforcement, repair cafes, Shared Prosperity Fund (SPF) monies and projects had been discussed. As a result of this meeting improvements to the level and type of information provided to councillors' enquiries via the C360 system had been

realised. This was proving to be extremely helpful to councillors for the purpose of reporting progress on service-related enquiries to residents.

Planning, Public Protection and Countryside Services – Councillor Peter Scott reported on a recent meeting of this Group, advising the Committee that one of the Service's biggest concern, similar to other services at present, was staff retention. Every effort was being made to recruit staff, but consultant periodically had to be engaged particularly in very specialist areas of work.

Bwthyn y Ddôl Sub Regional Children's Assessment Unit – Councillor Bobby Feeley, Scrutiny's representative on the Project Board for this specialist unit informed the Committee that the funding for this scheme had now been confirmed and secured by the Welsh Government. Following a re-tendering process for development of a purpose-built facility the construction contract had been awarded to Wynne Construction. Work had commenced on site and it was anticipated that the facility would be completed by September 2024. Despite the delays encountered with the building the Service itself was up and running, with staff operating from temporary accommodation in the Colwyn Bay area. Care Inspectorate Wales (CIW) was expected to certify the service provision by the end of July 2023.

Meeting concluded at 12:55pm