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| <b>Report to</b>       | <b>Partnerships Scrutiny Committee</b>   |
| <b>Date of meeting</b> | <b>16 May 2024</b>   |
| <b>Head of Service</b> | <b>Catrin Roberts, Head of Corporate Support Service:<br/>People</b>   |
| <b>Report author</b>   | <b>Rhian Evans, Scrutiny Co-ordinator</b>  |
| <b>Title</b>           | <b>Review of Cabinet Decision relating to the Sustainable<br/>Communities for Learning – Rolling Programme</b> |

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

- 1.1 A review under the Council’s Scrutiny ‘call-in’ procedure of a decision taken by Cabinet, on 23<sup>rd</sup> April 2024 on ‘Sustainable Communities for Learning – Rolling Programme’.

## **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 (attached at Annex A) calls for a review by one of the Council’s Scrutiny committees into a decision taken by Cabinet on 23<sup>rd</sup> April 2024, on the “Sustainable Communities for Learning – Rolling Programme’.

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

That the Committee:

- 3.1 having considered the information in this report and its appendices, along with the representations made during the course of the discussion, determines whether to refer the decision on the “Sustainable Communities for Learning – Rolling Programme’, taken on the 23<sup>rd</sup> April 2024, back to Cabinet for further consideration; and

- 3.2 if it requests Cabinet to reconsider its original decision clearly identifies the reasons why it seeks the review and formulates recommendation(s) it would like Cabinet to consider.

## 4. Report details

- 4.1 On the 23<sup>rd</sup> April 2024 Cabinet considered a report on the “Sustainable Communities for Learning – Rolling Programme’ (copy of report attached at Annex B).
- 4.2 At the conclusion of the discussion it was resolved “*that Cabinet -:*
- (a) approves the submission of the draft Strategic Outline Programme for the Sustainable Communities for Learning Programme (Appendix 1 to the report) to the Welsh Government for their consideration, and*
- (b) confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 3 to the report) as part of its consideration.”*
- 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 25<sup>th</sup> April 2024. The ‘call-in’ procedure allows non-Cabinet councillors 5 working days in which to submit a notice of ‘call-in’. Councillor Mark Young submitted a notice of ‘call-in’ electronically on 2<sup>nd</sup> May 2024. This request was supported within the permitted timescale (via individual e-mails) by four other non-Cabinet councillors, namely Councillors Merfyn Parry, Pauline Edwards, Geraint Lloyd-Williams and Elfed Williams.
- 4.5 The reasons for calling-in the decision can be seen on the ‘Notice of Call-In of Decision’ form attached at Annex A.
- 4.6 The Council’s ‘call-in’ procedure does stipulate that a special meeting of a scrutiny committee should be convened within 5 working days of the receipt of the Notice of Call-In of Decision unless a scrutiny committee has a scheduled

meeting within that period. The procedure also states that this timeline can be extended if both the decision-maker and the Chair of the scrutiny committee agree to an extension. As the agenda and reports for Communities Scrutiny Committee's meeting on 9<sup>th</sup> May had already been published prior to receipt of the 'notice of call-in' request and as there were no other meetings of any of the Council's Scrutiny Committees scheduled within the prescribed 5 working days time period an extension to the timeline was agreed between the decision-maker and the Chair of the Partnerships Scrutiny Committee to facilitate the discussion on the decision called-in for scrutiny at today's meeting of Partnerships Scrutiny Committee.

- 4.7 As background to this item, the discussion that took place at the Cabinet meeting on 23<sup>rd</sup> April 2024 is available to [view](#) on the Council's website.
- 4.8 Following consideration of the Cabinet's decision on the basis set out for calling the decision in for scrutiny, along with all representations made during the course of the current meeting, Partnerships Scrutiny Committee must decide whether the decision should be referred back to Cabinet. If it determines that the decision merits being referred back to Cabinet the Committee needs to provide its reasons for referring it back, along with clear information on what it wants Cabinet to consider. If the decision is referred back to it, Cabinet will consider the referral and the reasons submitted in support of the referral at its next available meeting, on 21<sup>st</sup> May 2024. At that meeting Cabinet will be expected to demonstrate that appropriate consideration is given to the Scrutiny Committee's recommendations.
- 4.9 Cabinet will have options to change or re-affirm its original decision.
- 4.10 If Partnerships 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 Plan 2022 to 2027: The Denbighshire We Want?**

- 5.1. See Section 5 of the Cabinet report dated 23<sup>rd</sup> April 2024 (attached at Annex B).

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

6.1. See Section 6 of the Cabinet report dated 23<sup>rd</sup> April 2024 (attached at Annex B).

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

7.1. See Section 7 and Appendix 3 to the Cabinet report dated 23<sup>rd</sup> April 2024 (attached at Annex B).

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

8.1 This report has been prepared under the provisions and timescales of the Council's Constitution for a 'call-in' of a Cabinet decision.

8.2 Details of the consultation carried out prior to Cabinet taking its decision can be seen in Section 8 of the Cabinet report dated 23<sup>rd</sup> April 2024 (attached at Annex B).

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

9.1. See Section 9 of the Cabinet report dated 23<sup>rd</sup> April 2024 (attached at Annex B).

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

10.1. See Section 10 to the Cabinet report dated 23<sup>rd</sup> April 2024 (attached at Annex B).

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

11.1. Scrutiny's powers in relation to this matter are laid out in:

- Section 21(2) and (3) of the Local Government Act 2000; and
- Sections 7.2.1 and 7.25 of the Council's Constitution