

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Council Chamber, County Hall, Ruthin and by video conference on Thursday, 8 June 2023 at 10.00 am.

PRESENT

Councillors Ellie Chard, Chris Evans, Martyn Hogg, Carol Holliday, Alan Hughes, Hugh Irving (Chair), Paul Keddie, Diane King, Terry Mendies, Gareth Sandilands (Vice-Chair) and Andrea Tomlin

Lead Members – Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis and Lead Member for Welsh Language, Culture and Heritage, Councillor Emrys Wynne.

Observer - Councillor Huw Hilditch-Roberts

ALSO PRESENT

Corporate Director: Governance and Business (Monitoring Officer) (GW); Interim Head of Corporate Support Service: Performance, Digital and Assets (NK); Strategic Planning & Performance Officer (EH); Principal Manager: Community Resilience (CT); Interim Head of Business Improvement and Modernisation Services (BE); Digital Officer North Wales (PB); Scrutiny Co-ordinators (RhE); Zoom Host (KJ) Committee Administrator (SJ).

Partnership Director for Openreach – Mr Martin Williams

1 APOLOGIES

Councillor Barry Mellor, Lead Member for Environment and Transport, invited to present agenda item 8, had tendered his apologies as he had already committed to attend another meeting.

2 DECLARATION OF INTERESTS

No interests of a personal or prejudicial nature were declared.

3 APPOINTMENT OF VICE CHAIR

Nominations were sought for the office of Vice-Chair of Performance Scrutiny Committee for the 2023/24 municipal year. Councillor Ellie Chard nominated Councillor Gareth Sandilands for the role of Vice-Chair, Councillor Carol Holliday seconded the nomination. No other nominations were put forward. The Committee:

Resolved: that Councillor Gareth Sandilands be elected Vice-Chair of Performance Scrutiny Committee for the 2023/24 municipal year.

Councillor Sandilands thanked Committee members for their support and for entrusting him with a further term as Vice-Chair of the Committee.

4 URGENT MATTERS AS AGREED BY THE CHAIR

No items 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 27 April 2023 were submitted. It was:

Resolved: that the minutes of the meeting held on 27 April 2023 be approved as a true, accurate and correct record of the proceedings.

Matters arising from the minutes:

The Corporate Director: Governance and Business confirmed that a session had recently been held with the Council's Senior Leadership Team (SLT) to discuss the collective approach towards managing risks across the Authority, with a particular emphasis on those risks which were outside of the Council's risk appetite.

Enquiries had been initiated with respect of how the Council could monitor that all of its commissioned care providers were paying their staff, as a minimum, the 'real living wage'. This was a complex matter, involving a number of stakeholders, and therefore confirmation was still awaited on whether this could be done. The Scrutiny Co-ordinator agreed to follow up the enquiry.

Information with respect to the delay in presenting the 'Recruitment, Retention and Workforce Planning' report had been included in the 'Scrutiny Work Programme' report included in the meeting's agenda pack. Members were advised by the Corporate Director: Governance and Business that, due to the on-going recruitment process to SLT posts which was not due to conclude until late July, officers would due to severe capacity issues struggle to prepare and present the requested report to the Committee at its July meeting. Whilst acknowledging the additional work entailed with the current recruitment exercises to senior posts members expressed their concern about the repeated delay with the report's presentation to the Committee, particularly as recruitment and retention was causing service delivery pressures across all Council services. The Corporate Director: Governance and Business agreed to request that the HR Service provide the Committee with as comprehensive a report as possible having regard to current workloads and priorities.

6 POOR INTERNET CONNECTIVITY IN DENBIGHSHIRE

The Chair welcomed the Lead Member for Broadband and Digital Strategy along with officers to present the report on poor internet connectivity in Denbighshire (previously circulated). On behalf of the committee he welcomed Martin Williams from Openreach.

Mr Williams thanked the committee for the invitation to attend the Performance Scrutiny Committee. He explained he was the Partnership Director for Openreach in Wales. His team was responsible for the roll out of full fibre broadband across Wales engaging with key stakeholders and communities on updates on the commercial builds and options for communities. The team also looked after the current co-funded contract with Welsh Government.

The Lead Member informed members included in the papers was the current information on levels of broadband in properties in the community. He stressed it was the responsibility of Openreach to install fibre in houses in Denbighshire. There was no legal requirement for Openreach to connect households to that fibre. Denbighshire County Council did not have the power to influence how Openreach operate. Members heard there was numerous plans including voucher schemes with the agency subject to eligibility. The process for a group to come together and apply for the voucher schemes took time. UK Government had put together the Gigabit Project which impacted the Gigabit voucher. Members heard there were alternative technologies such as wireless connections, satellite and 4G available but were not always the best solution for residents. It was dependant on the location of the property.

It was hoped that the windfarm grant provision in Denbighshire would help bridge any funding gaps between the Gigabit Voucher scheme and fibre install costs.

The Interim Head of Business Improvement and Modernisation Services along with the Digital Officer explained, Denbighshire had introduced the Digital Officer role to engage with communities, businesses and residents to offer a reasonable internet connection to their property. It was explained reasonable was a speed of 30 mbs, preferably fibre. Officers had to work with Openreach and go through their fibre partnership schemes to use Government money to fund. Currently the authority was restricted to where work could be completed due to upgrade programmes underway. Members heard the Gigabit voucher scheme was currently suspended in Wales due to the UK Government Initiative Gigabit Project was under tender. It was stressed officers have a good working relationship with Openreach.

One issue observed was the amount of money in the voucher scheme. Welsh Government ceased supporting the Gigabit voucher last year which in turn reduced it by 50%, UK Government have since increased the value of the voucher to £4500. It was hoped that it would reach the more rural areas. The really hard to reach areas would require further funding to achieve fibre internet.

The Chair thanked all the officers and Lead Member for the detailed introduction and invited members to raise any points for further explanation. The following points were discussed in greater detail:

- It was stressed the priority within the Corporate Plan of a better connected Denbighshire and the need to work in partnership with Openreach to achieve the targets set in that theme.
- It was felt the need for better connectivity in Denbighshire would be beneficial for both residents and businesses.
- Members heard there were over 100 network providers in the UK of which Openreach was just one. Predominantly in Denbighshire it was Openreach that was the main provider.

- The full fibre coverage in Denbighshire was very good. Currently the best in Wales for full fibre coverage. The coverage currently was 71.6% across the authority for full fibre. A £10mil investment from Openreach may have been one of the reasons for the high level of coverage. In relation the Wales average for full fibre coverage was 47%.
- Members were informed about the free website 'think broadband' which could test the connectivity in an area.
- Members stress the difficulty encountered when obtaining residents and businesses to participate in the voucher scheme. It was noted a time scale may have been due to a deadline prior to suspending the scheme.
- Infrastructure builds had taken place across all of Wales both rural and urban areas. It was hoped that in conjunction with the other full fibre providers up to 85% of the UK will have full fibre available by the end of 2026. The last 15% would potentially need further investment in the future.
- The voucher scheme from start to finish could take 12-18 months to complete that incorporated the initial period of obtaining sign ups to the development of infrastructure needed to provide the service.
- Officers and the Openreach representative encouraged members to contact them direct to review any quotes for areas or communities and work with them to move forward.
- Communication with the areas currently with lower internet connectivity to work with them to support and aid through the process.
- The telephone provider was responsible to informing residents and businesses of copper being turned off. When the copper exchange was turned off, houses that did not have fibre would still use copper wires from the home to the box until they are upgraded. The copper was not being retired it was the electronics within the exchange. The copper lines would still be there.
- The importance of take up was stressed by officers and engaging with everyone in the authority was essential.
- Other network providers could offer a service and input any infrastructure needed for that property.

The Chair thanked the Officers and in particular Martin Williams for his time and detailed explanation and discussions to members comments and concerns.

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

Resolved: *subject to the above observations and with a view to supporting the vision of a better connected Denbighshire, that a further progress report on internet connectivity, future upgrading and roll-out plans, along with information on schemes or support available for hard to reach communities and properties in the county, be presented to the Committee in six months' time.*

7 COUNCIL PERFORMANCE SELF-ASSESSMENT 2022 TO 2023

The Lead Member for Finance, Performance and Strategic Assets along with the Interim Head of Service Corporate Support Service: Performance, Digital and

Assets and Planning and Performance Officer guided members through the report (previously circulated).

The Lead Member stressed this self-assessment was based on the new Corporate Plan. A great amount of work had been placed in to the report and the attachments from officers, Cabinet, SLT etc.

The report presented to the committee were statutory reports and provided members the opportunity to assess if the authority was achieving what it set out to in accordance with the Corporate Plan.

Officers confirmed appendix 2 was a quarterly performance report based on the Corporate plan and overview of governance areas, which was a statutory document. Which responded to the authorities' duties under the Well-being of Future Generations Act, the Equalities Act and the Local Government and Elections Act.

This Committee along with Cabinet, received an update of the performance report 4 times a year, quarter 1 and 3 are received virtually via email with quarter 2 and 4 are tabled at a meeting for a discussion.

It was stressed this was the first performance review of the new Corporate Plan and would be used as a baseline for future self-assessments going forward.

Officers were aware within appendix 2 to the report, there was a large number of indicators and measures showing as red – priority for improvement. Members were reminded it was the first year of a five-year plan and suggested the themes and objectives demonstrated challenges faced in the community of which the authority wanted to improve. It was hoped going forward with the plan those red indicators would improve to a more positive position.

It was hoped that members felt the report beneficial and helpful in identifying areas for further scrutiny in the future.

Officers highlighted the number of key indicators that referred to the Wales Index of Multiple Deprivation. This was collated by Welsh Government and was reported on once a term, an update was expected in the next year or two. It did reflect the levels of deprivation across the county.

Appendix 1 was the self-assessment. That document was presented to the Performance Scrutiny Committee annually along with County Council and the Governance and Audit Committee. The report took stock of how the authority was performing against the Corporate Plan and the objectives set in the plan, and the extent to which our performance was resulting in positive outcomes and how well our governance was supporting continuous improvement.

It was stressed that at this point in time the documents were both still live documents and would be presented to County Council for approval in July 2023. A greater amount of Nationally benchmarked data was being measured against which officers felt was important. Further work was needed to agree what excellence looked like in some of those measures.

In the opinion of officers, the two reports represented a fair analysis of where the authority stood at this stage of the Corporate Plan. Officers were seeking members

feedback, and consider the reports and identify areas where further work may be required to address and performance concerns.

The Chair thanked the officers and Lead Member for the detailed introduction and comprehensive reports.

Responding to members' questions the Lead Member and officers:

- Sustainable Travel was a pledge carried over from the previous Corporate Plan. It was officers understanding a policy was currently being taken through the Cabinet process. Updates were expected in terms of indicators that can be used against this initiative by the end of June 2023.
- In Denbighshire, our default approach to setting performance thresholds is to take the upper-quartile (best performing) from nationally comparable information as the point where performance is considered 'Excellent'. The 'Priority for Improvement' threshold is usually the median. Midway between these two values determines the threshold between 'Acceptable' and 'Good' performance. If no data is available that we can compare ourselves with (either nationally or by comparable grouping), then we will take a local view on what we feel reasonably determines 'Excellent' and 'Priority for Improvement' performance. This should represent our ambition.
- Each Corporate Plan theme was given an overall status of performance for its measures and projects. Performance Officers always reviewed data provided and queried any issues they observed.
- Members noted the improvement in the energy ratings in Council's housing.
- Members suggested one area that they may like to scrutinise was the Early Intervention and Prevention team for homeless prevention. Especially following the change in legislation around notice periods issued for people to leave properties. The Scrutiny Coordinator informed members a report was due to be presented in September 2023 titled 'Denbighshire's Housing and Homelessness Strategy Action Plan'. It was suggested to request information on the new legislation and its impact be included in that paper.
- Performance officers where possible include percentages not numbers for indicators and measures, which provided a stronger indication of performance, for example the level of service that was being provided.
- Members made reference to the important across council issue of recruitment and retention. Members noted the issues faced across all areas and departments in the authority.
- The software package used to collect all performance data was Verto. Officers were happy to offer members further information on the system if they requested.
- Overall performance statuses for each theme were determined by two aspects that were judged, those being measures and the projects. The measures were the important element that illustrates what was being seen in the community. It demonstrated what residents and communities were experiencing in line with those themes and those areas officers hoped to see an improvement.
- A report on the Welsh Language Strategy was due to be presented to Cabinet in June.

The Chair thanked the officers for the detailed report and appendices.

Following consideration of the report the Committee:

Resolved: - subject to the above observations -

- (i) to receive the report and its contents;***
- (ii) to encourage all elected members to utilise the report as one of the tools to be used to inform future Scrutiny work programmes;***
- (iii) to note the Council's progress in developing its performance objectives along with its initial performance in delivering its new Corporate Plan; and***
- (iv) request that enquiries be made to establish the current position with regards to the development of a Sustainable Transport Plan for Denbighshire, with a view to determining whether Scrutiny could help progress its development and support its future delivery.***

8 REVIEW AND REFRESH OF DENBIGHSHIRE COUNTY COUNCIL'S CLIMATE AND ECOLOGICAL CHANGE STRATEGY (2021/22-2029/30)

The Interim Head of Service- Strategy & Performance, Projects, Climate Change introduced the report to members (previously circulated).

Members were reminded that the authority had a Climate and Ecological Change board in place in response to the declaration of a Climate Change and Ecological Emergency by Council in July 2019. A great deal of work was completed to develop a strategy. Within the terms of reference for the strategy was a commitment to review the strategy on a three yearly basis. This was good practice in terms of programme and strategy management allowing responses to changes in the external environment can be included in the plan.

The Climate Change Programme Manager provided members with further details and information. She informed the committee it was the first review of the strategy to be conducted with the next in 3 years' time – 2026/7.

Members were guided through the review and refresh as reported in the covering report as follows –

- a) the scope of the current strategy.
- b) the target pathways to achieve the 2030 targets of Net Carbon Zero and Ecologically Positive Council.
- c) the actions within the strategy - what needs to be changed and what needs to be added.
- d) the measures of success - whether any need to be added or changed.
- e) the information provided about finance, governance, partnership working and sharing learning.

It was stressed to members; officers were keen to engage with a wide range of populous at the early stage of the review and again at the end of the review. Members heard the start review commenced on the 18 May 2023 with a closing date of 2nd July 2023. To date 59 responses had been completed and returned to officers.

The independent assessment had been received. It had been completed and returned and was being reviewed and reflected upon.

The re-establishment of the cross party Climate Change and Ecological Emergency political working group had begun with representatives from each political party being sought.

The aim of the review was for the revised strategy to be approved by County Council and Cabinet in February and March 2024. It was hoped the committee would agree for an update report to be presented to Performance Scrutiny Committee in early 2024 prior to County Council and Cabinet.

The Chair thanked the officers for the detailed introduction. In response to members questions the following points were discussed in greater detail:

- The survey would be made available for residents to complete and return online, paper copies would also be made available. Communication with environmental groups to distribute paper copies had also been agreed. Officers noted the challenge engaging with residents and hoped a public engagement session would be arranged in the summer.
- It was also hoped that an in person meeting with the public on the adoption of the revised strategy. Officers welcomed any suggestions and support from members with engaging with the public.
- Members were in full support of the working group. It would be a vital part for members of the group to report back to political groups any messages or information coming from the group.
- Part of the constitution, the authority had the power to acquire or lease land to deliver the ambitions of the council. The constitution was updated in relation to the acquisition of land for carbon sequestration and ecological improvement purposes in 2022. Any land purchases had to go through a robust process to ensure it was appropriate for the intention of the purchase.
- Provision was inserted to the constitution under the principals of decision making which requires any decision to have regard to climate and ecological change. A number of delegated authorities would receive sight of any proposed acquisition proposals including the Asset Management Group.
- A reminder would be sent to all City, Town and Community Councils to share the questionnaire and post on social media websites.
- It was noted that the majority of correspondence received from the public was usually electronically. Paper copies would be shared for residents to complete with an emphasis on online publicising.
- A vast amount of statistics around wildflower meadow and its impact on climate and ecological change was available for members. It was hoped in the future the team would present a workshop to members.
- Members stressed the importance of communication. It was felt it was a vital aspect of informing residents of the authorities priorities and the background for completing certain projects such as wildflower meadow areas.

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

Resolved:

- (i) subject to the above observations to support the commencement of the review and refresh of the Council's Climate and Ecological Change Strategy to be conducted during 2023/24; and***
- (ii) to support the approach that will be taken when reviewing the Strategy and for adopting a refreshed Strategy in early 2024, including pre-decision engagement with Performance Scrutiny Committee ahead of presenting the refreshed Strategy to Cabinet and County Council for adoption.***

9 SCRUTINY WORK PROGRAMME

The Scrutiny Co-ordinator introduced the report and appendices (previously circulated) the purpose of which was to seek the Committee to review its programme of future work.

Members were guided through the draft forward work programme in Appendix 1. It was confirmed a report on recruitment and retention would be included on the agenda for the next Committee meeting scheduled for 20th July 2023. Also scheduled for that meeting was a report on Curriculum for Wales and Additional Learning Needs Transformation for which the co-opted members will be invited to attend. In addition, the Draft Director of Social Services Annual Report 2022/23 was scheduled for the next meeting.

At the last Scrutiny Chairs and Vice-Chairs Group meeting, it was decided to include 5 reports over the next 12 months on the committees forward work plan which were all educational items. The next Scrutiny Chairs and Vice-Chairs Group meeting was arranged for 25 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. The Scrutiny Co-ordinator confirmed she would liaise with the Chair and Vice Chair to complete a proposal for a report on Draft Sustainable Travel Plan.

Appendix 3 was the Cabinet forward work programme for members' reference.

Appendix 5 to the report was the table of members who represented the committee on each of the Service Challenges meetings. It was highlighted to members a vacancy on the Corporate Support Service: Performance, Digital & Assets. It was suggested at the last meeting Councillor Paul Keddie might be interested in attending that meeting. The Scrutiny Co-ordinator confirmed she had discussed the role with Councillor Keddie who stated he would be happy to represent the committee at that group, if members were in agreement.

Due to a change in the committee membership, a representative was required to attend the Corporate Support Service: People meeting. Councillor Martyn Hogg agreed to attend the Corporate Support Service: People. All members were in agreement.

In response to an enquiry the Scrutiny Co-ordinator agreed to investigate whether there was a connection between the 'Learner Travel Measure (Wales)' report,

currently delayed and listed under 'Future Issues' due to the Welsh Government (WG) seeking further information from authorities across Wales on school transport, and an overspend on school transport in the county.

The Committee:

Resolved:

- (i) subject to the amendments and additions outlined in the report and agreed during the course of the meeting, to confirm the Committee's Forward Work Programme as set out in Appendix 1 to the report; and***
- (ii) to appoint Councillor Paul Keddie as the Committee's representative on the Corporate Support Service: Performance, Digital and Assets Service Challenge Group, and to appoint Councillor Martyn Hogg to replace Councillor Jon Harland as the Committee's representative on the Corporate Support Service: People Service Challenge Group.***

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

The Vice-Chair, Councillor Gareth Sandilands, gave a brief overview of matters discussed at the Capital Scrutiny Group (CSG) which had taken place the previous day. Amongst the matters discussed were proposals to develop the Greengates Farm site into a nature reserve and how best to spend the £0.5m+ grant monies received towards that work. Discussions had also taken place on work associated with the 21st Century Schools programme.

The Chair, Councillor Hugh Irving, reported on a recent meeting of the Queen's Building Project Board which he had attended. During that meeting Board members had been informed that the new Queen's Building structure was on target to be handed over to the Council by mid July 2023. In addition, tenders had been received expressing an interest in becoming the operator for the new facility. These had been evaluated by the Tender Evaluation Panel, with the conclusions following the evaluation process being presented to the Project Board who subsequently formulated a recommendation in respect of a preferred operator for the facility. That recommendation would be presented to Cabinet in the near future seeking it approve the recommendation and appoint an operator.

The Committee:

Resolved: to receive the feedback and updates received.

Meeting concluded at 12.45pm.