



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Scrutiny Programme Committee

At: Remotely via Microsoft Teams

On: Tuesday, 14 December 2021

Time: 4.00 pm

Chair: Councillor Peter Black CBE

Membership:

Councillors: C Anderson, E W Fitzgerald, D W Helliwell, T J Hennegan, P K Jones, H Lawson, W G Lewis, C E Lloyd, S Pritchard, G J Tanner, W G Thomas and T M White

Statutory Co-opted Members: D Anderson-Thomas and A Roberts

Councillor Co-opted Members: C A Holley, P R Hood-Williams, S M Jones, L R Jones and J W Jones

Watch Online: <https://bit.ly/3kY9yfp>

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Agenda

Page No.

1 Apologies for Absence.

2 Disclosures of Personal & Prejudicial Interest.

www.swansea.gov.uk/disclosuresofinterests

3 Prohibition of Whipped Votes and Declaration of Party Whips.

4 Minutes.

To approve and sign the Minutes of the previous meeting(s) as a correct record.

1 - 4

5 Public Question Time.

Questions must be submitted in writing to Democratic Services democracy@swansea.gov.uk no later than noon on the working day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

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Next Meeting: Tuesday, 18 January 2022 at 4.00 pm

Huw Evans

Huw Evans
Head of Democratic Services
Wednesday, 8 December 2021

Contact: Democratic Services - Tel (01792) 636923

Agenda Item 4



City and County of Swansea

Minutes of the **Scrutiny Programme Committee**

Remotely via Microsoft Teams

Tuesday, 16 November 2021 at 4.00 pm

Present: Councillor P M Black (Chair) Presided

Councillor(s)

C Anderson
P K Jones
S Pritchard

Councillor(s)

E W Fitzgerald
H Lawson
G J Tanner

Councillor(s)

D W Helliwell
W G Lewis
T M White

Statutory Co-opted Member(s)

D Anderson-Thomas A Roberts

Councillor Co-opted Member(s)

P R Hood-Williams S M Jones J W Jones

Also Present

Councillor Alyson Pugh Joint Cabinet Member for Supporting Communities
Councillor Louise Gibbard Joint Cabinet Member for Supporting Communities

Officer(s)

Amy Hawkins	Interim Head of Adult Services
Kate Jones	Democratic Services Officer
Brij Madahar	Scrutiny Team Leader
Anthony Richards	Poverty and Prevention Strategy and Development Manager
Debbie Smith	Deputy Chief Legal Officer

Apologies for Absence

Councillor(s): C E Lloyd

Councillor Co-opted Members: C A Holley and L R Jones

60 Disclosures of Personal & Prejudicial Interest.

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared:

Councillor Peter Jones – Minute No. 64 – Personal – Assisted in drafting the Well-Being objectives within the Well-Being of Future Generations (Wales) Act 2015.

61 Prohibition of Whipped Votes and Declaration of Party Whips.

In accordance with the Local Government (Wales) Measure 2011, no declarations of Whipped Votes or Party Whips were declared.

62 Minutes.

Resolved that the Minutes of the Scrutiny Programme Committee held on the 19 October 2021 be approved and signed as a correct record.

63 Public Question Time.

There were no public questions.

64 Report on the Delivery of the Corporate Priority of Tackling Poverty.

The Cabinet Members for Supporting Communities, The Interim Head of Adult Social Services, and the Poverty & Prevention Strategy and Development Manager were present for the report on the Delivery of the Corporate Priority of Tackling Poverty.

Further the written report provided the following was highlighted: -

- Definition of Poverty - income below a minimum standard that is acceptable to live on, inadequate opportunities / resources, inadequate access to necessary services
- Various factors of poverty – unemployment, ineffective benefits, high cost of housing, relationships, abuse etc.
- Key goals to improve people's lives
- Holistic approach to tackling poverty
- Good partnership working
- Heavy reliance on grants
- Examples of the great work of the Council's Poverty Team as outlined in the written report

Questions and discussions focused on: -

- Aims and objectives of the Council in respect to poverty – scope of what can be achieved as a single Council
- Good partnership working with the common aim of improving lives
- The Swansea Poverty Truth Commission planned to launch in 2022 - told this is about real input from people who have experienced poverty – based on learning from Leeds Council
- The role of Well-being of Future Generations Act (Wales) 2015 and the Resilient Wales goal in helping tackling poverty – access to green spaces, energy efficient houses, employability experience in the green economy
- The potential for One Stop Shops for sources of advice, support and information and potential use of the Community Hub for information – current examples included employability hubs, early help hubs, common access points,

Local Area Co-Ordinators, projects in libraries as well as the development of the Dyfatty shops and city centre community hub

- Food poverty and impact of encouraging 'grow your own' in communities – £450,000 in funding had been distributed to over 100 projects across Swansea since 2019 to help tackle food poverty and food insecurity – They were broken down into 3 main categories of: providing crisis food support, developing cooking skills and encouraging community food growing projects – in terms of impact, it was reported that organisations had said the help was instrumental in dealing with the increased demands that the pandemic brought
- Decrease in the average annual full time earnings in Swansea in comparison to Wales and UK figures which have increased
- Employability and potential barriers to gaining employment – key issue of transport as well as childcare issues which were made worse by the pandemic, gap in receiving wages from starting work and lack of access to opportunities for experience during the pandemic
- Ways of monitoring and measuring the success of the Corporate Tackling Poverty measures and measuring the efforts to mitigate poverty as a barrier to academic success. Measuring the success was essential to ensure the efforts / measures taken were working and having the desired impact

The Chair thanked the Cabinet Members and Offices and looked forward to a further update in the next municipal year.

Resolved that the Chair of the Scrutiny Programme Committee write to the Cabinet Members, reflecting the discussions and sharing the views of the Committee.

65 Scrutiny Performance Panel Progress Report: Development & Regeneration (Councillor Jeff Jones, Convener).

Councillor Jeff Jones, Convener, presented the Development and Regeneration Performance Panel Update Report and highlighted the following from recent Panel activities: -

- Panel Visit to the new Arena – noted there had been a few issues with materials, a Covid-19 outbreak on site and labour shortage as a result of the pandemic, but they had been assured that it would be completed by March 2022
- Box Village in SA1 – the University of Wales Trinity St David's were going to meet the costs of the project
- Hearing from Swansea University – about their possible development of mid-tech and sports tech facilities at the Singleton campus and in Morriston
- City Centre Travel Plan – trying to encourage less use of cars in the City Centre, relocation of some park and rides, possibility of extension to free bus travel

The Chair thanked the Convener for the report.

Resolved that the update be noted.

66 Membership of Scrutiny Panels and Working Groups.

The Chair presented a report on the Membership of Scrutiny Panel and Working Groups.

The Membership of Road Safety Working Group as previously agreed was set out in the report.

Resolved that the report be noted.

67 Scrutiny Work Programme.

The Chair presented a report on the Scrutiny Work Programme.

It was noted that the work plan of the Child and Family Services Scrutiny Performance Panel, has been adjusted, in the same way as the Adult Services Performance Panel, given current pressures within Social Services Officers to cope with the extra demand resulting from the pandemic.

He referred to the Cabinet report, published within the 18 November Cabinet agenda concerning legal agreement on the new regional education partnership 'Partneriaeth'. Within the legal agreement it was confirmed that a joint scrutiny group would be set up in due course to scrutinise the work of the partnership.

The next Scrutiny Programme Committee was scheduled for 14 December 2021. The main items scheduled were: -

- Scrutiny of Cabinet Member Portfolio Responsibilities – Parking Policy, Control & Enforcement
- Scrutiny of Public Services Board
- Pre-decision of Scrutiny on the Cabinet Report on 'Leasehold Acquisition and Redevelopment FPR7 – 279 Oxford Street / 25-27 Princess Way'

It was noted that the Scrutiny of the Public Services Board may be re-scheduled for January should the Pre-Decision Scrutiny item go ahead in December.

Resolved that the report be noted.

68 Scrutiny Letters.

The Chair presented a report on 'Scrutiny Letters' for information.

Resolved that the Scrutiny Letters be noted.

69 Date and Time of Upcoming Panel / Working Group Meetings.

The dates and times of the upcoming Panel / Working Group meetings were noted.

The Meeting ended at 5.16 pm

Chair

Agenda Item 6



Report of the Chair

Scrutiny Programme Committee – 14 December 2021

Scrutiny of Cabinet Member Portfolio Responsibilities

Purpose:	To enable the Committee to question Cabinet Members on their work. The Committee's questions will broadly explore Cabinet Members' priorities, actions, achievements and impact in relation to specific areas of responsibility.
Content:	<p>The following Cabinet Member will appear before the Committee:</p> <p>a) Councillor Mark Thomas, Cabinet Member for Environment Enhancement & Infrastructure Management</p> <p>The specific areas of responsibility being discussed is:</p> <p>a) Parking Policy, Control & Enforcement</p>
Councillors are being asked to:	<ul style="list-style-type: none">• Question the relevant Cabinet Member on the specific portfolio responsibilities• Make comments and recommendations as necessary
Lead Councillor:	Councillor Peter Black, Chair of the Scrutiny Programme Committee
Lead Officer:	Tracey Meredith, Chief Legal Officer
Report Author:	Brij Madahar, Scrutiny Team Leader Tel: 01792 637257 E-mail: brij.madahar@swansea.gov.uk
Legal Officer:	Debbie Smith
Finance Officer:	Paul Cridland

1. Introduction

- 1.1 One of the most important roles that scrutiny carries out is holding the Council's Cabinet to account. The Cabinet (also known as the Executive) is made up of the Leader and other councillors, appointed by the Leader, who are allocated specific portfolio responsibilities.

1.2 There are 10 Cabinet portfolios:

	Cabinet Portfolio	Cabinet Member
1	Economy, Finance & Strategy (Leader of the Council)	Cllr Rob Stewart
2	Delivery & Operations (Joint Deputy Leader)	Cllr David Hopkins
3	Climate Change & Service Transformation (Joint Deputy Leader)	Cllr Andrea Lewis
4	Adult Social Care & Community Health Services	Cllr Mark Child
5	Business Improvement & Performance	Cllr Andrew Stevens
6	Children Services	Cllr Elliott King
7	Education Improvement, Learning & Skills	Cllr Robert Smith
8	Environment Enhancement & Infrastructure Management	Cllr Mark Thomas
9	Investment, Regeneration & Tourism	Cllr Robert Francis-Davies
10	Supporting Communities	Cllr Alyson Pugh Cllr Louise Gibbard

NOTE:

- All Cabinet Members have responsibility for Poverty Reduction
- Supporting Communities Portfolios operate under a job share system with two named Councillors sharing the responsibility, rotated on a regular basis; however, formally they remain as one cabinet portfolio.
- Detailed Cabinet Portfolio Responsibility listing is **attached** to this report.

1.3 By acting as a 'critical friend' scrutiny has the opportunity to challenge the Cabinet and individual cabinet members on their actions and performance in relation to their areas of responsibilities.

1.4 The Committee has moved away from general Cabinet Member Question Sessions, looking at overall responsibilities, in favour of focusing on specific areas of interest / concern, taking into account any gaps in the overall scrutiny work programme and ensuring good coverage of scrutiny across all cabinet portfolios.

1.5 The Committee should be mindful to avoid duplication of any issue(s) which are being examined elsewhere in the scrutiny work programme e.g. within Performance Panels.

2. Discussion on Cabinet Member Portfolio Responsibilities

- 2.1 The following Cabinet Member will appear before the Committee:
- a) Councillor Mark Thomas, Cabinet Member for Environment Enhancement & Infrastructure Management
- 2.2 The Cabinet portfolio responsibilities that the Committee will focus on are:
- a) Parking Policy, Control & Enforcement
- 2.3 The Cabinet Member, will attend, along with lead officers who can assist the Committee, to report on aims / objectives, plans, and the delivery of work related to this portfolio responsibility and objectives. Cabinet Members will be invited to make introductory remarks before taking questions from the Committee.
- 2.4 The Cabinet Member has provided a report on the portfolio responsibility under discussion to help the Committee focus the discussion and questions - see **Appendix 1**.

3. Approach to Questions

- 3.1 The session should provide Committee members with a greater understanding of what the specific responsibilities entail, resources, priorities / objectives / commitments, key activities / headlines / achievements, performance measures, and overall assessment of service health (including, for example, how we compare with others, challenges / risks) and improvement / impact / difference made. This will give the Committee the chance to ask focused questions and provide challenge on actions and performance in relation to these areas of responsibility, as well as future thinking.
- 3.2 In terms of themes that cut across all cabinet portfolios, the Committee can ask Cabinet Members about:
- Well-being of Future Generations Act – impact on their work / decisions e.g. what they are doing to achieve the well-being goals and ways of working, e.g. focus on long-term thinking, collaboration / involvement etc. (including regional / collaborative working, service user / public engagement)
 - Links to Poverty Reduction
 - Reducing inequalities, including socio-economic disadvantage
 - Links to the Council's Recovery and Transformation Plan, 'Swansea Achieving Better Together'
 - Links to the Public Services Board (PSB)

- 3.3 The Committee has also invited members of the public and other scrutiny councillors (not on the Committee) to suggest questions that the Committee should ask. It is up to the Committee how to deal with any suggested questions within the session.
- 3.4 Following each session the Chair will write to Cabinet Members in order to capture the main issues discussed, views expressed by the Committee, and any actions for them to consider.
- 3.5 If the Committee wishes to conduct more detailed scrutiny of any of the issues raised during the session, then this should be agreed through the normal work planning process and planned for a future meeting. This will also allow proper time for preparation.
- 3.6 The Committee should note that Councillor Mark Thomas has already been engaged in scrutiny, or is planned, of the following:
- Air Quality & Pollution (Natural Environment Performance Panel)
 - Local Flood Risk Management (Natural Environment Performance Panel)
 - Green Space Management (incl. grass cutting, weed spraying) (Natural Environment Performance Panel)
 - Ash Dieback (Natural Environment Performance Panel)
 - Waste Management & Recycling (Service Improvement & Finance Performance Panel)
 - Transport / City Centre Travel Plan (Development & Regeneration Performance Panel)
 - Active Travel (Scrutiny Programme Committee)
 - Bus Services (Working Group)
 - Highways & Engineering and Infrastructure Repairs & Maintenance (Scrutiny Programme Committee)
 - Road Safety (Working Group)

4. Next Session

- 4.1 The next scheduled Scrutiny of Cabinet Member Portfolio Responsibilities, will be a session with the Leader of the Council, Councillor Rob Stewart, on 18 January 2022. The Committee will be able to question the Leader on any of his responsibilities, however, should identify in advance any key issues that it may wish to explore so that these can be reported on. Based on previous, the Committee could focus on: COVID response / recovery, Brexit effects / response, the Budget, City Centre Regeneration, and Developments in Partnership / Regional Working.

5. Legal Implications

- 5.1 There are no specific legal implications raised by this report.

6. Financial Implications

6.1 There are no specific financial implications raised by this report.

Background Papers: None

Appendices:

Appendix 1: Cabinet Member Report – Parking Policy, Control & Enforcement

Appendix 2: Cabinet Portfolio Responsibility Listing



Report of the Cabinet Member for Environment Enhancement and Infrastructure Management

Scrutiny Programme Committee – 14 December 2021

Parking Policy, Control and Enforcement

Purpose	To provide a briefing to the Scrutiny Programme Committee relating to Parking Policy, Control and Enforcement undertaken by Parking Services, Highways and Transportation.
Content	This report sets out the functions, standards and operational activities of Parking Services in relation to Parking Policy, Control and Enforcement. It also gives an explanation of Car Park and Park and Ride Operations which also fall within the remit of Parking Services.
Councillors are being asked to	Consider the report, to give their views and make recommendations to Cabinet Member as necessary
Lead Councillor(s)	Councillor Mark Thomas, Cabinet Member for Environment Enhancement and Infrastructure Management
Lead Officer(s)	Stuart Davies, Head of Highways and Transportation
Report Author	Gavin Newman, Parking Services Manager Mark Thomas, Transport Infrastructure Group Leader
Legal Officer	Debbie Smith
Finance Officer	Paul Roach/Aimee Dyer

1. General Description

1.1 Parking Services consists of the management of:

- Off Street Car Parks
- Civil Parking Enforcement (on street parking restrictions)
- Park and Ride Sites
- Abandoned Vehicle Service.

- 1.2 Under the Traffic Management Act 2004 the Council has a statutory duty to manage the highway network in a way to minimise congestion and reduce air pollution. Parking Services are key to meeting this statutory duty. This function is carried out by the Council but on street enforcement could be carried out by a private enforcement contractor, on behalf of the Council.
- 1.3 The Council currently operates 48 public use car parks throughout the City & County area. The car parks include three multi-story car parks and two park and ride sites. The location and details of the car parks can also be viewed on-line at <https://www.swansea.gov.uk/carparkssearch>.
- 1.4 As part of the Copr Bae regeneration project, two new Multi Storey Car Parks are due to open, Copr Bae North and South. The North Car Park will have 630 spaces and the South 355. This development has resulted in the loss of two surface car parks (St Mary's and Oystermouth Road car parks) plus St David's MSCP will soon be lost to make way for future development as part of the City Centre Regeneration Strategy. Overall the net impact on available car parking spaces is negligible with a reduction of only 15 spaces.

2 Operational Requirements

Parking management and enforcement is undertaken for three key reasons:

- 2.1 **Safety**
On street enforcement discourages vehicles from stopping and parking in areas which could compromise for pedestrians, cyclists and motorists.
- 2.2 **Congestion**
On street enforcement and effective car park management will deter indiscriminate parking and stopping on the highway which restricts the movement of traffic. In addition to this effective car park management ensures that motorists can access and egress workplace and retail premises in the most efficient way.
- 2.3 **Economy**
Effective management of on street and off street parking facilities will increase the availability of spaces through ensuring there is an appropriate turnover of spaces. This ensures that a greater number of people can access the business which is crucial to the economy.
- 2.4 The provision of off-street car parks provides suitable places for motorists to park their vehicles which will relieve congestion on the public highway and therefore improve road safety and reduce pollution. Within The City Centre and other shopping areas, it is intended that the provision of well maintained, easily accessible car parks with attractive charging rates will encourage users and therefore lead to an improvement in the economic viability of the areas.
- 2.5 By providing off street parking and managing the turnover of available on street parking we are ensuring that the road network continues to operate to its maximum efficiency by ensuring that parked vehicles do not affect the free flow of traffic and park safely in accordance with the parking restrictions. It is important that we

continue to enforce on street to ensure that not only are the waiting and loading restrictions correctly enforced but also that the residents parking bays are enforced so that residents can park near to where they live.

3. Management and Support

3.1 Parking Services forms an integral part of the wider Transport Infrastructure group, which sits within the Highways & Transportation Service.

Parking Services is led by a Parking Services Manager, responsible for 51 other members of staff, split into two main areas:

Car Parks Team – responsible for

- the management of on and off street parking provision
- Asset management and first line maintenance of car park equipment
- cash collection and reconciliation
- Management of the two Park & Ride sites.

The team consists of fourteen staff :

- A Car Parking Manager
- One car parks supervisor (focusing on day to day operational issues)
- One Senior Civil Parking Enforcement Officer/Cashier
- Six Civil Parking Enforcement Officer/Cashiers (cash collection, reconciliation and front line maintenance of car park equipment)
- Three car parking officers (patrolling car parks, assisting with customer queries, monitoring pay on foot operating.
- Two car Park attendants – security patrols, general cleaning / maintenance of car parks

3.2 The Civil Parking Enforcement Team – responsible for:

- enforcement of on-street parking restrictions
- processing of Penalty Charge Notices and Appeals
- Issuing of Season tickets and permits to staff and traders
- Financial monitoring Enforcement of Abandoned Vehicles

The team consists of thirty seven staff :

- A Civil Parking Enforcement Manager.
- An on-street enforcement section consisting of one Supervisor, three Senior Civil Parking Enforcement officers and twenty Civil Parking Enforcement officers, covering two foot patrol shifts and operation of the camera car.
- A back office PCN processing section consisting of a Supervisor and eleven PCN processing officers.
- An Abandoned Vehicle Officer.
- 22 Civil Enforcement Officers including two Senior Civil Enforcement Officers and one Supervisor.

3.3 Operational Periods

Since returning back to work after the Covid pandemic, Civil Parking Enforcement officers are currently operating on a two shift rotation pattern, seven days a week. The hours of enforcement are currently 07:00 to 15:00 and 12:00 to 20:00. In addition the Council's camera enforcement vehicle patrols between 07:00 – 20:00. Officers do work later on Fridays and Saturdays or when there are special events on such as football matches or city centre events. There are a number of patrol beats that officers regularly patrol, plus officers will target areas where the council has received complaints from the public or requests from councillors.

The car parks are managed between 07:00 and 20:00, with the two MSCP's (High Street and St David's) open to the public twenty hour hours a day, are patrolled by contract security staff during the night time.

4. Stakeholders

4.1 All Council services have stakeholders however the following groups have a higher level of interest.

- BID and the City Centre Traders.
- Community Councils
- ENTE – City Centre Group
- Beaches Management Group
- Emergency services
- Parks and Cleansing
- Housing
- Corporate Property
- Public Transport Companies
- DVLA

5. Finance

5.1 Details of Parking Services Operational Budgets, income targets and actual income can be seen in the following tables. Civil parking Enforcement is a self financing operation. Any revenue received from Penalty Charge Notices is ring fenced within strict parameters to support Environmental and Transportation service areas. No council funding stream is used to support Civil Parking Enforcement.

CPE

Year	Operating Budget	Income Target	Actual Income
20/21	1,389,900	1,352,200	1,771,652
19/20	1,360,300	1,352,200	1,908,360
18/19	1,334,500	1,332,200	1,947,351
17/18	1,248,200	1,332,200	1,433,209
16/17	1,305,500	1,332,200	1,525,418

CAR PARKS

Year	Operating Budget	Income Target *	Actual Income*
20/21	1,046,400	4,246,000	3,998,883 (excludes £11K inter service credits)
19/20	1,106,600	4,246,000	4,133,612
18/19	1,042,300	4,246,000	4,633,951
17/18	1,007,600**	3,778,400	3,709,696
16/17	1,388,500	3,169,400	3,220,994

* Includes Car Parks income, Staff Parking, Season Tickets and Abandoned Vehicles

** changes and centralising of certain expenditure e.g. electricity, NNDR,

PARK AND RIDE

Year	Operating Budget	Income Target	Actual Income
20/21	642,200	666,500	147,915
19/20	632,900	666,500	289,795
18/19	642,600	666,500	360,583
17/18	625,800***	646,500	425,611
16/17	1,075,100	646,500	428,828

***Changes to bus operator payments

6. Current Performance and Trends

6.1 The table below shows the number of PCN's issued, appealed and accepted over the past five years

19/20 and 20/21 figures may have been affected as a result of the coronavirus pandemic and lockdowns.

	2020/2021*	2019/2020*	2018/19	2017/18	2016/17	2015/16	2014/15
Number of parking tickets issued	25,908	55,360	57,286	42,348	43,712	42,342	36,311
Number of parking tickets appealed	7,349 (28%)	17,425 (31%)	15,497 (27%)	15,299 (36%)	13,835 (31%)	11,607 (27%)	9,539 (26%)
Number of appeals accepted	2,681 (10%)	3,888 (7%)	6,706 (11%)	4,747 (11%)	5,247 (12%)	5,234 (12%)	4,390 (12%)

Upon taking on Civil Parking Enforcement powers, the advice from the British Parking Association was that the expected rate of appeals to PCN's issued was around a third. However, the service is not content to deal with such high numbers of appeals as is not an efficient use of resources. Further, a Systems Thinking initiative was undertaken to assess the reasons for appeals and also the reasons why appeals were successful. A significant number of successive appeals were granted due to the appeal meeting our established mitigating circumstances which were established to ensure that genuine cases were considered in a compassionate manner. Some of the mitigating circumstances are, medical emergency, mechanical breakdown or the appellant being established as a vulnerable person. Work is underway to improve the information to motorists when considering whether to appeal, to explain the limited instances where appeals will be considered, with the intention of reducing unjustified appeals.

6.2 The overarching objective within the group's business plan is to reduce the number of road safety casualties within the City and County of Swansea by managing the highway network optimising traffic throughput in a safe and efficient manner.

In particular the Performance Indicators that relate to the Parking service are:

PI Ref		Result 20/21	Target 21/22
ETE8	Increase number of cars using park and ride services	No % increase	50% this target is no longer viable for last year as P&R operation was suspended at the end of 19-20 and remained closed until 1 st August 2020, due to restrictions on usage of public transport
ETE23	Percentage of new reports of abandoned / untaxed vehicles investigated within 5 days of notification	96%	100%
ETE26	Percentage of abandoned / untaxed vehicles removed within 24 hours from the point at which the Authority is legally entitled to remove the vehicle	100%	100%

T9	Percentage of PCNs overturned		
	a) Officer Error	0.05%	0%
	b) Incorrect lines and signs	0.01%	0%
T10	Percentage of lining and signing errors reported and addressed	95%	100%
T12	Percentage of Car Parks inspections carried out on a monthly basis	100%	100%

Car Parks and CPE Internal Audits

In spring of this year our internal audit teams carried out audits on both our Car Parks and CPE operations. Both Audits came back with the 2nd highest level of assurance, Substantial. This was an improvement on the previous audits where only Moderate assurance level was given.

7. Notable Management Practices

7.1 Asset Management Plan

In order to assist with the management of departmental spending, Asset Management Plans for the next five years were produced for Car Parks, CPE and Park and Ride. These plans help officers to identify when large spend is expected to help with financial planning and resource levels. It also enables us to spread cost over a five year period rather than have peaks of spending pressures fall within one year.

7.2 Car Park Surveys and condition reports

Regular Car Park Condition Surveys are carried out in order to monitor the condition of the car park and identify any maintenance works that are required. The works can then be prioritised and progressed according to urgency and cost. They will assist the service in maintaining operational efficiency of the assets and forward planning of capital finance requirements.

7.3 Parking Strategy and City Centre Transportation Strategy

In March 2018 a consultant was commissioned to produce a Parking Strategy. The Strategy would consider existing and future requirements for City Centre and, our Beach and Foreshore Car Parks. The commission also produced a parking model which could be used to predict the parking capacity and resultant demand within the City Centre based on a number of planned City Centre regeneration scenarios.

7.4 Cashless parking and new machinery

During the past 18 months the Council have invested £600k on replacing pay on foot equipment in two multi storey Car Parks and both Park and Ride Sites. In addition the council has replaced all Pay and Display Machines within council surface car parks. These upgrades will be paid for over the next five years and will ensure we have the reliable modern equipment allowing us to adapt offers and payment methods to meet the future needs of our customers. In 2018 the Council introduced the MiPermit cashless Parking solution which enabled customers to pay for their parking via mobile phone or using the MiPermit App. The introduction of this facility was to offer an alternative method of payment for customers. During the

COVID 19 pandemic there was an increase in the total MiPermit transactions from 20% to 70% against traditional cash payments.

7.5 **Work During the Pandemic.**

During periods of lockdown our car parks and park and ride sites all stayed closed with many of our staff helping out other front line services such as delivering meals and Test Track and Protect. Our Senior CEO's remained in work and responded to issues of dangerous and inconsiderate parking. They also used the time to review enforcement operations and review rotas and patrol beats. Since the easing of lockdown and the reopening of the City Centre our car parks and park and ride sites have reopened.

We are currently running offers to support local businesses recover from the effects of the pandemic. The deal are:-

City Centre Car Parks, after 9:30am

£1 for 2 hours

£2 all day

This compares with the normal tariff of

£1.20 for 1 hour

£2.40 for 2 hours

£3.50 for 3 hours

£5.00 for 4 hours

£7.00 all day

Mumbles

£4 all day (was £6)

Park and Ride

£1 all day per vehicle. (was £2.50)

8. **Future Challenges & Opportunities**

8.1 **City centre prosperity –**

Car park income is roughly split between 40% generated from foreshore car parks and 60% from city centre car parks. Therefore, the success of the car parking operation is inextricably linked to the economic prosperity of the city centre. Car parks both serve as an arrival point for many visitors to the city centre and indeed our coastal areas but also are reliant on the city centre and other attractions to bring customers to the car park. Therefore, whilst car parking tariffs alone cannot be considered as a mechanism for revitalising a city centre, they can be used to support tentative shoot of economic recovery, especially post pandemic.

8.2 **Support of future regeneration projects –**

With the majority of surface car parks within the city centre being identified development sites, it is crucial that parking provision is considered as part of the transport assessment linked to any major development to ensure that car parks are available in the correct location to not only support ongoing city centre regeneration, but to cater for existing demand. However, such an approach can only be effective

if considered as part of a wider Transportation Strategy for the county as a whole. A study has been commissioned to help inform the future planning for car park provision in the city centre.

8.3 **Changing travel choices –**

One of the future challenges is the growing demand to reduce carbon emissions which in turn will drive greater uptake of electric vehicles and more sustainable modes of transport. Hence car parks must adapt to provide more electric charge points but also function as travel mode hubs, providing more than just car parking, accommodating more quality and secure cycle parking close to popular destinations.

This approach is also being considered at the Park & Ride sites where consideration is given to customers being able to park their vehicles at the sites and complete their journey by bicycle to reach destination where perhaps vehicles are discouraged or the final leg of their journey may be quicker by bicycle or simply customer wish to undertake a limited part of their journey whilst taking exercise, with the obvious benefits to health, wellbeing and the environment.

8.4 **Parking Restraint –**

With the anticipated economic prosperity within the city centre, as with other prosperous city centres, demand for car parking spaces will eventually outstrip demand and without controls put in place the city's transport infrastructure will become clogged, with increases in journey times, air pollution, subsequent risk to future inward investments and continued economic prosperity. Effectively the rejuvenated city centre becomes a victim of its own success. Therefore, an integrated transport policy is vital and within that strategy consideration will be given to the principle of parking restraint. This principle simply places a premium on car parking spaces close to or within the city centre, whilst car parks located further away and close to or linked to more sustainable transport choices, such as Park & Ride, Park & Cycle, Park & Walk, rail stations, public transport hubs will provide a cheaper option, in addition to avoiding any residual congestion that occurs within any city centre during peak traffic hours.

8.5 **Park & Ride locations -**

The current location of the Landore Park & Ride site is under review given the fact that exciting new developments such as the SkyLine and other commercial, retail and Leisure developments are being considered in the area. Therefore, the land currently occupied by the Landore Park & Ride may well become sought after development land, not well suited to accommodate a Park & Ride site. A commission is underway to consider any alternative locations for a Park & Ride site to serve the lower Swansea Valley.

Future studies will be necessary to determine the feasibility of potential park and ride sites to the north west and west of the city.

9. Assessment

- 9.1 Parking Services has adopted an important function in Civil Parking Enforcement, which has been significantly disrupted during the pandemic, its officers transferred to assist in support the pandemic response including some staff still seconded to Test Trace and Protect. It has taken a number of years to establish a consistent and reliable approach to delivering the duties under the Traffic Management Act, not helped by a change in the service management personnel from its inception in 2008. However, work is ongoing to refine and constantly improve the system from the aspect of customer service, improved information and assistance to what can be termed as reluctant customers, through to more efficient patrolling and back office systems and methods of working.

The Park & Ride operation has been hard hit during the pandemic, with concern amongst customers over the risks of sharing a bus with strangers and infection. It is uncertain over the rate of return of Park & Ride patronage at this time.

With the advent of two purpose built multi storey car parks to support the Arena and wider city centre regeneration it is important that careful consideration is given to the purpose, location and offered services within our car parks to ensure they meet the needs and aspirations of our future customers and support the ongoing economic regeneration of the city and wider county.

10. Legal Implications

- 10.1 There are no legal implications associated with this report other than those set out in the body of the report.

11. Financial Implications

- 11.1 There are no financial implications associated with this report.

Appendix 2 - CABINET PORTFOLIOS (as at 20 May)

Economy, Finance & Strategy (Leader) (Cllr Rob Stewart)	Adult Social Care & Community Health Services (Cllr Mark Child)	Supporting Communities (Cllr Alyson Pugh; Cllr Louise Gibbard)	Business Improvement & Performance (Cllr Andrew Stevens)	Children Services (Cllr Elliot King)
<ul style="list-style-type: none"> • Brexit & New Economic Relationships • Capital Programme Delivery • City Centre Redevelopment • City Deal Delivery • Communications • Community Leadership • Constitutional Changes • Emergency Planning • Finance Strategy, Budget & Saving Delivery • Financial Services • Future Digital Networks (City Deal) • Legal Services • Local & Regional Investment Strategy • Planning Policy (Regional) • Poverty Reduction • Public Services Board (PSB) • Recovery Plan Lead • Regeneration Strategy & Major Projects • Regional Working Lead (All Bodies) • Strategic Partnerships • Swansea Bay City Region Joint Committee - Chair • Welsh Local Government Association (WLGA) – Deputy Leader • WLGA Lead on Europe, Brexit, Economy & Energy • WLGA representative to LGA 	<ul style="list-style-type: none"> • Activities to Promote Independence & Ageing Well • Adult Social Services Modernisation • Assessment / Care Management • COVID-19 Response – Adult Social Care • Elderly Care • Healthy City Partnership • Integration of Health & Social Care • Joint Equipment • Learning Disability • Local Area Coordination Lead • Mental Health • Physical & Sensory Impairments • Poverty Reduction • Recovery Plan – Adult Services Lead • Safeguarding • Strategic Health & Social Care Collaboration Opportunities • Supporting People • Wellbeing • West Glamorgan Regional Partnership Board (RPB) – Leader’s Representative 	<p>Cllr Alyson Pugh (leading on):</p> <ul style="list-style-type: none"> • 3rd Sector Homeless Support • 3rd Sector Services • Community Cohesion • Community Safety • Community Safety – Board Representative • Community Support for Refugees & Asylum Seekers • Employability • Financial Inclusion • Food Poverty Reduction • Lifelong Learning • Neighbourhood Working • NEETs (Not in Education, Employment or Training) 19-25 • Poverty Reduction in Communities • Recovery Plan – Community Support Services Lead • Safer Swansea Partnership Representative • Services for Vulnerable People in Communities during COVID-19 • Substance Misuse • Support for Veterans • Swansea Working • Welfare Reform & Rights <p>Cllr Louise Gibbard (leading on):</p> <ul style="list-style-type: none"> • Access to Services • Community Centres • Community Groups, Engagement & Development • Community Growing (inc. Allotments) • Community Support Services • Co-production • Councillor Champions – Coordination, Liaison & Networking • Diversity • Equalities • Future Generations Compliance • Human Rights City • LAC Services in Communities • Poverty Reduction in Communities • Preventing Violence against Women, Domestic Abuse & Sexual Violence • Recovery Plan – Community Support Services Lead 	<ul style="list-style-type: none"> • Agile Working • Business & Service Improvement • Community Digital Connectivity (inc. free WiFi) • Community Hubs, Service Protection • Contact Centre • Corporate Building Rationalisation • Corporate Delivery of Priorities • Corporate ICT and Digital Delivery of Services • Councillors Community Budget Scheme Delivery • Councillors ICT Services Lead • Crowd Funding & New Community Funding Models • Digital Inclusion • Information & Business Change (inc. Better ICT) • Localised Services and Opportunity for New Business Models • Performance Management & Improvement • Poverty Reduction • Recovery Plan – Digital Services Transformation Lead • Risk & Resilience Management • Rural Economy Lead 	<ul style="list-style-type: none"> • Apprenticeships Support • Best Start in Life • CAMHS (Child & Adolescent Mental Health Services) • Child & Family Services • Children & Young People (CYP) Chair • Continuum of Care • Corporate Parenting Lead • Families First • Flying Start • NEETS Reduction Support (Not in Education, Employment or Training) • Opportunities for Young People • Play Opportunities • Poverty Reduction • Promoting Youth Inclusion & Youth Citzenships • Readiness for Work (Support) • Recovery Plan – Children Services Lead • Regional Adoption Service • Safe Looking After Children (LAC) Reduction Strategy • Safeguarding • UNCRC (United Nations Convention on the Rights of the Child) • YOS (Youth Offending Service) • Youth Services

Appendix 2 - CABINET PORTFOLIOS (as at 20 May)

Delivery & Operations (Joint Deputy Leader) (Cllr David Hopkins)	Education Improvement, Learning & Skills (Cllr Robert Smith)	Environment Enhancement & Infrastructure Management (Cllr Mark Thomas)	Climate Change & Service Transformation (Joint Deputy Leader) (Cllr Andrea Lewis)	Investment, Regeneration & Tourism (Cllr Robert Francis- Davies)
<ul style="list-style-type: none"> • Building Control • Cemeteries, Crematoriums, Births, Deaths & Marriages • City Profile • Collaboration Opportunities • Commercial Services, Procurement & Frameworks • Councillor Champions – Overall Responsibility • Corporate Delivery of Priorities • Councillor Development • Democratic Services • Environmental Health incl. COVID-19 Regulation Enforcement • Health & Safety Policy • Houses in Multiple Occupation • Human Resources • Landlord Licensing • Licensing Policy • Mayoral & Civic Functions • Outside Bodies (Participation Oversight) • Petitions • Planning Policy • Poverty Reduction • Public Protection • Recovery Plan – Policy Change Lead • Scrutiny Services • Strategic Estates & Property Management • Statutory Nuisance Matters (inc. Noise, Pests, Overgrown Gardens) • Sustainable Development (incl. Biodiversity) Lead • Trade Union Engagement (JCC Lead Member) • Trading Standards 	<ul style="list-style-type: none"> • 21st Century Schools Programme (inc. School Building Upgrades) • Apprenticeships Lead • Catchment Review • City of Learning - Member of UNESCO COL Steering Group (United Nations Educational, Scientific and Cultural Organization Commonwealth of Learning) • Children & Young People Board Member • Education Regional Working (ERW) - Leader's Representative • Education Services from 3 to 19 • Further Education • Future Schools Estate Scoping & Delivery • Inclusion & Learner Support • NEETS Prevention (Not in Education, Employment or Training) Lead • Quality in Education (QEd) Programme • Readiness for Work Lead • Recovery Plan – Schools & Education Lead • Regional Workforce Planning & Skills Development • School Improvement • Schools Estate Planning & Resources Planning • Schools' Organisation & Performance • Skills & Talent Project (City Deal) 	<ul style="list-style-type: none"> • Air Quality & Pollution Incidents • Coastal Defence • Community Caretakers (Non Housing Revenue Account - HRA) • Cycleways • Estates Maintenance Management (Non HRA) • Fleet Renewal & Maintenance • Fly Tipping Task Force • Grass Cutting Services • Highways & Engineering • Infrastructure Repairs & Maintenance • Litter & Community Cleansing • Marina, Foreshore & Beach Maintenance • Parking Policy, Control & Enforcement • Parks Maintenance • Pothole Task Force • Poverty Reduction • Recovery Plan – Place Based Service Lead • Regional Collaborations for Transport, Highways & Waste • Regional Transport Policy (Lead Member of Joint Transport Authority) • Streetscene • Transport Services • Waste Management & Recycling 	<ul style="list-style-type: none"> • Agile Rollout Programme - Lead • Building Services • Cooperative Housing • Council House Management • Council House Repairs • COVID-19 Response on Housing & Homelessness • COVID-19 Recovery Plan – Strategic Service Transformation Lead • Energy Policy (inc. Generation, Supply & District Heating) • Green Energy Infrastructure • Green Fleet Transport & Green Vehicle Adoption • Homes as Power Stations (City Deal) • Homelessness Lead & Supporting People • Housing Adaptions & Renewal Schemes • Housing Policy, Affordable Housing & Housing Options, Tenancy Support (Housing Support Grant) • More Homes Delivery • Organisational Development • Poverty Reduction • Public Services Board – Leader's Representative • Safer Swansea – Partnership Lead • Sheltered Housing • Tenancy Enforcement • Welsh Housing Quality Standard (WHQS) Programme Lead • Western Gateway – Leader's Representative 	<ul style="list-style-type: none"> • Business & City Promotion • City Centre Management (inc. Swansea Market) • City Projects and Major Development Opportunities (Shaping Swansea) • City Waterfront & Marina Promotion • Creative City • Culture, the Arts & Galleries • Events and Attractions • Healthy Night Life / Purple Flag • Heritage Protection & Restoration • Inward Investment Opportunities • Libraries • New Local & Regional Business Opportunities • Parks & Play Development • Parks, Beaches and Foreshore Events & Promotion • Play & Sports Facilities • Poverty Reduction • Recovery Plan – Tourism Economy Lead • River Corridor Development • Science City • Suburban Centres & Community Regeneration Initiatives • Tourism, Destination Management, and Marketing • Universities Collaboration (Development)

Agenda Item 7



Report of the Chair

Scrutiny Programme Committee – 14 December 2021

Scrutiny Performance Panel Progress Report

Purpose	The Committee is responsible for managing the overall work of scrutiny and its effectiveness. Performance Panel conveners will regularly provide a progress report, updating the Committee on headlines from their Panel's work and impact.
Content	This report focuses on the following Performance Panel: a) Natural Environment
Councillors are being asked to	<ul style="list-style-type: none">• Ensure awareness and understanding of the work of the Panel• Consider its effectiveness and impact• Consider any issues arising and action required
Lead Councillor(s)	Councillor Peter Jones (Panel Convener)
Lead Officer & Report Author	Emily-Jayne Davies Tel: 01792 636292 E-mail: scrutiny@swansea.gov.uk
Legal Officer:	Debbie Smith
Finance Officer:	Paul Cridland

1. Introduction

- 1.1 There are six Performance Panels which have been established by the Committee. Whilst the work of an Inquiry Panel leads to the production of a final report with conclusions and recommendations for Cabinet based on evidence gathered on a specific issue, the work of a Performance Panel represents regular monitoring of, and challenge to, particular services / service areas and issues.
- 1.2 Performance Panels are expected to have on-going correspondence with relevant cabinet / lead members in order to share views and recommendations, arising from monitoring activities, about the performance of services and service delivery.

1.3 The Committee is responsible for managing the overall work of scrutiny and its effectiveness. Performance Panels Conveners will therefore provide a regular progress report to the Committee to enable:

- a discussion on the work of each Panel, achievements, effectiveness and impact
- the Committee to consider any issues arising from Panel activities which may have an impact on the overall scrutiny work programme
- awareness amongst the Committee as well as visibility across the council and public.

1.4 This report is about the following Performance Panel:

- a) Natural Environment – this is an update on work carried out since the previous update provided in May 2021.

To focus the discussion a short, written report has been provided by the Convener and is **attached**. This includes a summary of Panel activities, correspondence between the Panel and relevant Cabinet Members, recommendations and impact.

1.5 The Natural Environment Panel involves the following members:

Labour Councillors: 7

Joe Hale	Hazel Morris
Oliver James	Mary Sherwood
Peter Jones (CONVENER)	Christine Richards
Hannah Lawson	

Liberal Democrat/Independent Councillors: 2

Wendy Fitzgerald	Mary Jones
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Conservative Councillors: 4

Steve Gallagher	Will Thomas
Brigitte Rowlands	Linda Tyler-Lloyd

Uplands Councillors: 1

Irene Mann	
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2. Legal Implications

2.1 There are no specific legal implications raised by this report.

3. Financial Implications

3.1 There are no specific financial implications raised by this report.

Background Papers: None

Appendices:

Appendix 1 – Scrutiny Performance Panel – SPC Update

Natural Environment Scrutiny Performance Panel Update

1. Remit of the Panel

The Panel is responsible for ongoing monitoring of performance in relation to the natural environment. The Panel will monitor delivery of the Council's work, commitments and implementation of agreed plans, and assess progress.

2. Introduction

The development of this Panel followed a scrutiny inquiry, which looked at how the Council manages its responsibilities in relation to the natural environment in Swansea, including statutory requirements under the Environment (Wales) Act 2016, and subsequent introduction of a new Corporate Priority of Maintaining and Enhancing Swansea's Natural Resources and Biodiversity. This also links with the Climate Emergency, declared by the Council in June 2019, and the recent declaration by the Council in November 2021 of a Nature Emergency.

This is the second update report from this Panel, since established by the Committee in July 2019. The Panel has been focused on contributing to the ongoing development and enhancement of Swansea's natural resources and biodiversity, acting as a critical friend for the Cabinet, and helping to ensure accountability for performance. The introduction of the Panel ensures there is an ongoing conversation between scrutiny and the executive on performance.

As part of its work, the Panel has welcomed guest speakers from Swansea University and Natural Resources Wales (NRW), who have contributed to discussions and provided information in conjunction with Swansea Council teams.

3. Key Activities

The Panel was set up initially to meet on a quarterly basis. Because of the growing importance and urgency around the health of our natural world and impact of climate change, the Panel now meets every two months. These additional Panel meetings have enabled better monitoring of Council performance against objectives, targets and action plans.

The Panel has held four meetings since the last update to SPC in May 2021. The issues covered are outlined as follows:

Meeting date (2021)	Main Topic
19 May	<ul style="list-style-type: none">• Climate Change Action Plan consultation feedback• Climate Emergency Declaration – Council Action Plan Progress

29 June	<ul style="list-style-type: none"> • Air Quality Management
26 August	<ul style="list-style-type: none"> • Ash Dieback
6 October	<ul style="list-style-type: none"> • Local Flood Risk Management • Water Pollution

4. Achievements / Impact

The Panel has been developing its role as a Performance Panel, developing awareness and understanding of the key issues, Council commitments under the natural environment, and the plans, initiatives and projects that are in place. The Panel has developed a relationship with relevant Cabinet Members and engaged with the key officers, both at a strategic and at an operational level, on specific areas of interest and concern. The Panel has helped to raise the profile of, and attention to, the natural environment and biodiversity, and is keeping a watching brief on a range of issues.

The Panel has written to relevant Cabinet Member(s) following each meeting with key findings, and its views and recommendations arising from discussions, including some of the following:

Climate Change Action Plan:

- We raised queries over car battery use and sustainability. It was explained to us that once batteries deplete to 80% efficiency they are no longer used as car batteries but may be utilised as storage capacity elsewhere.
- We raised queries over the availability of generic charging points for electric vehicles (EV).
- The Panel took the opportunity to ask about the policies relating to the Local Development Plan (LDP) and the subsequent increase in traffic/air pollution as a result of an increase in house building.

Air Quality Management:

- We heard that traffic flow data is collected and analysed, to help understand air quality measurements across Swansea. The Panel queried whether data is collected at specific times, such as dates of major events. Officers explained to us that, although not currently a focus, the capability exists to look into specific days/events and the effect of higher density traffic on localised pollution measurements.
- Panel Members raised the issue of engine idling at school collection points and concerns that children are subject to concentrated exposure during these times. Panel Members suggested that bus operators are encouraged to install monitoring technology to measure engine idling times, a

suggestion taken on board as a possibility for inclusion within the next tender process.

- Officers highlighted that there remains much scope to engage schools and young pupils in Green Infrastructure projects, acknowledging the need for engagement of children at a young age, helping to shift traditional behaviours. Members also elaborated on the need to better educate the public regarding consequences of certain behaviours and the impact of such on air pollution.

Ash Dieback:

- The Panel queried what measures the Council has taken to ensure awareness of this disease amongst private landowners.
- Members raised queries surrounding lack of signage and permanent information boards in areas where a larger percentage of woodland is affected. Members suggested more permanent signage after works are completed to better inform the public about Ash Dieback management. Officers took this suggestion on board and undertook to provide better signs and information boards where applicable.
- Members queried the extent of research being done into possible genetic resistance to the disease that has been found in some individual Ash trees.

Local Flood Risk Management:

- Members commented on recent use of environmental budget allowances within individual wards to procure gully teams on an ad-hoc basis, suggesting that this become a wider practice when needed.
- Members questioned the latest update on the Coastal Risk Management Programme in relation to the Mumbles flood defence wall. It was explained to us that public perception appears to be supportive, and that there is a general acceptance that this scheme is needed. We heard that circa £12million will be invested from Welsh Government and that evidence suggests flood risk will be reduced for over 120 properties.
- The Panel queried the Development Advice Maps in relation to Technical Advice Note 15 (TAN 15). Officers explained that the Council would need to provide defence around certain City Centre sites, with the additional requirement to take account of surface run-off risk.

Water Pollution:

- Members queried the current designation of the sea bathing season duration (May-September) and whether the duration of this season should be extended. Officers highlighted that this seasonal period was designated under statutory regulations.

- We discussed the River Tawe water quality situation, recently highlighted in the media, which had come about via sewage discharges entering the river further upstream.
- The Panel also discussed other recent media coverage relating to discharge into beaches during emergency discharge events.
- The Panel raised the issue of residential front gardens being converted into hard standings, thereby contributing to surface water run-off during episodes of intense and prolonged heavy rainfall. Such episodes are likely to increase in frequency as a consequence of climate change.
- Members raised concerns more generally over urban areas and surface water run-off, citing the Sandfields area as an example. Officers also highlighted that this particular area receives run-off from higher ground; they explained that good gully maintenance would help alleviate this issue.
- Panel Members commented on the excellent working relationship between NRW and Swansea Council and praised the teams involved in this collaborative area of work.

5. Future Work

The Panel is keen to ensure focus on the right things so that its work can make a difference. The Panel is also keen to engage more widely with external organisations and the public so that it can benefit from a range of perspectives on Council action and performance and help inform advice on improvement.

Forthcoming Topics	
12 January 2022	<ul style="list-style-type: none"> • Management of Green Space / Weed & Verge Management
15 March 2022	<ul style="list-style-type: none"> • Update from Nature Conservation Team (TBC) • Climate & Nature Action Plan (TBC)

6. Action for the Scrutiny Programme Committee

None

Agenda Item 8



Report of the Chair

Scrutiny Programme Committee – 14 December 2021

Scrutiny Dispatches – Impact Report

Purpose	To present a draft of the regular report from the Committee to Council on the impact of scrutiny.
Content	The report appends the draft 'Scrutiny Dispatches' report, which headlines scrutiny activities and impact for council and public awareness.
Councillors are being asked to	Approve content of the draft 'Scrutiny Dispatches' for submission to Council / inclusion in the Scrutiny Annual Report.
Lead Councillor(s)	Councillor Peter Black, Chair of the Scrutiny Programme Committee
Lead Officer(s)	Tracey Meredith, Chief Legal Officer
Report Author	Brij Madahar, Scrutiny Coordinator Tel: 01792 637257 E-mail: brij.madahar@swansea.gov.uk
Legal Officer:	Debbie Smith
Finance Officer:	Paul Cridland

1. Introduction

- 1.1 The Scrutiny Programme Committee is responsible for the overall work programme, including the various informal scrutiny activities, and monitoring progress to ensure that the work is effective.
- 1.2 The Committee is also concerned about improving communication and public engagement and getting more coverage in the media so that the public are more aware of the work of scrutiny.
- 1.3 In order to provide 'headlines' from scrutiny activity and give the work of scrutiny greater visibility, both for council and public audience, a 'Scrutiny Dispatches' report is published.

2. Scrutiny Dispatches

- 2.1 The next report has been drafted for approval (**attached**). This can then be submitted to the next available Council meeting for discussion (27 January).

2.2 'Scrutiny Dispatches' is intended to demonstrate scrutiny achievements and outcomes. It is effectively a regular report about impact and how scrutiny is making a difference, rather than a descriptive account of the scrutiny work programme and activities. The aim is to focus on and promote a small number of 'significant stories'. A chair's roundup is also featured to highlight other work.

2.3 This issue reflects on the second part of the 2021/22 municipal year, and features scrutiny of:

- Corporate Safeguarding
- Adult Services
- Recovery & Transformation Plan
- Corporate Performance Monitoring Reports

The Chair's Roundup talks about progress with the Scrutiny Work Programme, Committee work plan, developing a strong Scrutiny / Audit Relationship, Regional Education Scrutiny, and improving Scrutiny.

2.4 As well as being a report to council the content will be shared more widely, with advice and support from the Council's Communications Team and utilising social media. This should help raise awareness of the work and impact of scrutiny, and hopefully encourage more public engagement and participation in scrutiny. It is anticipated that some of the impact stories within Scrutiny Dispatches will generate press releases. Scrutiny Dispatches will also form part of the Scrutiny Annual Report.

2.5 In order to ensure that people are informed more generally about the work of scrutiny a monthly newsletter is also being produced. This is circulated via an email subscription (sign up via www.swansea.gov.uk/scrutiny), and includes details of:

- Topics being looked at by scrutiny
- Progress with current activities
- Forthcoming panel and working group meetings

3. Legal Implications

3.1 There are no specific legal implications raised by this report.

4. Financial Implications

4.1 There are no specific financial implications raised by this report.

Background Papers: None

Appendices:

Appendix 1 - Scrutiny Dispatches Impact Report

Scrutiny Dispatches

City & County of Swansea – 2021/2022 (No.2)

‘How scrutiny councillors are making a difference’

Making sure Safeguarding is everyone’s business

Safeguarding people from harm is considered to be the Council’s number one priority. Councillors considered the Annual Report on Corporate Safeguarding to review the implementation of the Council’s Corporate Safeguarding policy, which promotes a “Safeguarding as everyone’s business” approach.

(Lead: Councillor Peter Black)

The Council’s Scrutiny Work Programme is closely aligned to Council priorities to ensure it is focused on the most important issues and can influence improvement. Monitoring and challenging performance in delivering on Safeguarding has been a standing item in the work plan of the Scrutiny Programme Committee since 2016 and it has reviewed progress and achievements against objectives.

An Annual Report was considered by the Committee in October 2021, which reflected on seven key areas of activity during 2020/21, under the headings of: Safe Governance, Safe Employment, Safe Workforce, Safe Practice, Safe Partnerships, Safe Voice, all contributing to Delivering Safe Performance.

The Committee recognised the extraordinary circumstances with the pandemic and workforce pressures and were concerned about risks to safeguarding. Councillors gained assurance that despite difficulties at no stage did the Council or partners lose focus and dedicated safeguarding teams have continued to provide support and come up with solutions to protect those in urgent need.

The Committee commended the continuing efforts of the Corporate Safeguarding Group across the Council to make safeguarding everyone’s business – not just a matter for Social Services and Education.

Among the issues raised the Committee will be closely watching action on:

- the Council’s effectiveness in ensuring that all contractors, companies and individuals carrying out work on behalf of the Council whether voluntary or paid are compliant with the Council’s Safeguarding Policies.
- the Council being able to provide access to its own safeguarding training materials to external providers.
- ensuring DBS checks for contractors are completed in line with the new DBS Policy and Risk Assessment.

The Committee will also be following up on other work identified for the year ahead within the Annual Report.

Monitoring how Social Services are managing through the pandemic and ensuring Health & Social Care staff are supported well

The Adult Services Scrutiny Performance Panel continue to monitor the performance of the Directorate including how the department is managing through the Covid pandemic and have recently focussed on the Workforce Support Programme in place for Adult Services.

(Lead: Councillor Susan Jones)

In terms of management of the pandemic the Panel heard that whilst the Directorate is still manging, it remains a struggle and the third wave is having a very significant impact. Fragility of Domiciliary Care has hit the Directorate worst, particularly the workforce.

The Panel heard that whilst the waiting list for long term domiciliary care has reduced, the situation is still far from ideal. The list includes individuals who do have care but not the right type of care, the Directorate is working with families and carers to come up with alternatives up until February 2022. Panel Members heard that a small number of individuals are having to consider residential care as the Authority is unable to provide the domiciliary care they need.

The Panel heard that having realised there was an issue with sickness, Social Services were the first to trial a dedicated Human Resources Officer to support staff to return to work and support staffing pressures within teams. Panel Members were pleased to hear that this has led to a reduction in sickness levels in Social Services but expressed concern that the private sector suffered similar problems with staffing and queried if the Authority has shared its practices. Panel members were reassured that although private homes have their own governance arrangements in place, they can turn to our commissioning services for advice and that the Authority ensures that when recruiting, staff are not taken from private homes.

Panel Members praised and expressed their thanks and appreciation to all members of staff, who continue to have a huge burden placed upon them and are doing an amazing job in very difficult circumstances.

Monitoring the Council's Recovery and Transformation Plan

Councillors are keeping a watching brief on the Council's Recovery and Transformation Plan, 'Swansea Achieving Better Together', monitoring progress against key objectives and milestones, and challenging the Leader of the Council on action.

(Lead: Councillor Peter Black)

Members of the Scrutiny Programme Committee heard that whilst there is a focus on recovery, there are challenging times ahead given that the pandemic is still with us causing continued pressure on services and therefore the Phases and timelines noted within the Plan are fluid. Nevertheless, it was reported that the Council's position on recovery and transformation was strong in comparison with other Councils and has been held up by the Welsh Local Government Association as good practice.

Numerous examples were given to the Committee in relation to work on recovering, restarting & adapting Council services, and the strategic response to support the city to emerge and grow from the pandemic and deliver corporate priorities.

The Committee raised some issues, including the need to:

- streamline the process for Economic Recovery Fund applications, grants to businesses, etc. to avoid undue delay in the processing and ensure the Council is dealing with applications as swiftly as possible.
- ensure good communications with all councillors on recovery and transformation work, to ensure it is well understood, including opportunities to engage in the delivery of the Plan and specific work streams.

Continuing to monitor corporate performance

Councillors on the Service Improvement and Finance Scrutiny Performance Panel have continued to keep a close eye and challenge performance in relation to relevant indicators across the authority. They have recently reviewed the Quarter 1 2021/22 Performance Monitoring Report presenting the performance results in delivering the Council's Well-being Objectives and priorities.

(Lead: Councillor Chris Holley)

Overall Council performance reports are routinely considered by the Scrutiny Panel. It is recognised that the ongoing Covid-19 pandemic has brought huge challenges and changes to the Council, its services and workforce. This will have impacted on performance across the Council.

However, the Panel heard that, overall, during Q1, 81% of indicators have improved or stayed the same and the Council's response to the pandemic, whilst not necessarily reflected in the established corporate performance indicators, has been extraordinary.

The Panel queried some indicators and why they have improved in such adverse circumstances, asking how indicators are selected. Officers explained that the indicators help to measure priorities within the Corporate Plan and are selected specifically for that purpose.

Amongst questions raised, Panel Members heard that in Q1 2020/21 the Council was in the height of the pandemic and saw less family homeless presentations due to the suspension of evictions. This had a direct impact on Council data and the comparable indicators.

Panel Members queried measures for, and the use of the term, 'tackling poverty' and suggested this description be reviewed in the future to better reflect Council objectives.

The Panel noted the statistic regarding 'Number of data breaches which has resulted in an enforcement or monetary penalty notice being issued by the Information Commissioners Office' – and these results being zero, Panel Members felt was an impressive reflection on the Council.



Chair's Round up

This is my second roundup of the work of scrutiny for 2021/22, as Chair of the Scrutiny Programme Committee.

Scrutiny Work Programme

The work of scrutiny continues in accordance with the Work Programme agreed in November 2020, which will take us up to the end of this Council Term. We are making progress on scrutiny priorities. The in-depth inquiry focusing on Procurement has now completed evidence gathering, and the Panel, led by Cllr. Chris Holley will be reflecting on the evidence and findings. You can expect the Panel's final report with conclusions and recommendations by March 2022.

Our six Performance Panels are meeting on a regular basis however some adjustment has been made to the work plans of the Adult Services and Child & Family Services Panel as scrutiny continues to ensure that it is flexible and responsive to pressures whilst still in the midst of the pandemic. Both Panels will keep close focus on how the service is managing those pressures and its impact on performance.

For similar reasons, we have had to put back a planned Healthy City Working Group. A further meeting of the Bus Services Working Group, following a meeting in July 2021, will however be held before the end of this municipal year to follow up on their recommendations and see what changes / improvements have been made.

Committee Work Plan

As well as monitoring the delivery of the work programme, the Committee has a varied work plan looking at a broad range of service / policy matters, targeting specific issues of concern and focused on addressing any gaps in the overall scrutiny work programme. The Committee will call in Cabinet Members as and when required to account for delivery of objectives, performance, and service improvement.

Since my last update we have asked questions on the Council's Recovery & Transformation Plan, Corporate Safeguarding, and Delivery of the Corporate Objective on Tackling Poverty. We have also questioned Cllr. Mark Thomas, Cabinet Member for Environment Enhancement & Infrastructure Management, on the Council's work and his responsibilities relating to Parking Policy, Control & Enforcement.

Future Committee meetings will include looking at: Scrutiny of Public Services Board, Q & A with the Leader of the Council, Crime & Disorder / Safer Swansea Partnership, and Children & Young People's Rights Scheme Annual Progress Report.

Developing a Strong Scrutiny / Audit Relationship

Although Scrutiny and Audit have distinctive roles, there are common aims in terms of good governance, improvement in performance and culture, and financial management, so a regular conversation between Committee Chairs and Members will help to ensure we are working together effectively. I addressed the Governance & Audit Committee on this in October and we also heard from Paula O'Connor, Chair of the Governance & Audit Committee, at the Scrutiny Programme Committee that month. We are making sure that there is good awareness of each other's work, avoiding duplication and gaps in work programmes, and are able to refer issues between Committees. Some of the areas that will benefit from co-ordination between Committees include the new responsibilities arising from the Local Government and Elections (Wales) Act 2021 around Council performance, and around the systematic reporting of external audit reports, and respective role in considering and monitoring these.

Regional Education Scrutiny

Following approval of a legal agreement by each Council in the new Education Partnership, Partneriaeth, a Joint Scrutiny Councillor Group, comprising of Education Scrutiny Chairs and Vice Chairs or equivalent from each of the three Councils, will be set up to scrutinise the work of the regional Partnership. This will support the delivery of school improvement and ensure greater public accountability over decisions made. Scrutiny will seek reassurance and consider if the Partnership is operating according to the Joint Committee Agreement, and its Business Plan, and is being managed effectively. Responsibility for Scrutiny Support, as well as responsibility for other functions, will be determined in due course by the Partneriaeth Joint Committee, comprising the Leaders of the three Councils, as the strategic decision-making body.

Improving Scrutiny

Leading by example, we are always looking to improve how we work as scrutiny councillors and the effectiveness of scrutiny meetings. We are now inviting post-meeting feedback from scrutiny participants, i.e., Cabinet Members, officers, external invitees, and public attendees, about their experience and satisfaction. They will be invited to complete a short anonymous survey shortly after each scrutiny meeting. This will provide us with valuable information that will help us to evaluate the quality and effectiveness of scrutiny practice and inform the improvement and development of scrutiny in Swansea.

Connect with Scrutiny:

Web: www.swansea.gov.uk/scrutiny

Twitter: @swanseascrutiny

Email: scrutiny@swansea.gov.uk

Blog: www.swanseascrutiny.co.uk

Agenda Item 9



Report of the Chair

Scrutiny Programme Committee – 14 December 2021

Membership of Scrutiny Panels and Working Groups

Purpose:	The Scrutiny Programme Committee is responsible for appointing members and conveners to the various Scrutiny Panels / Working Groups that are established. This report advises of relevant matters that need to be considered.
Content:	This report is provided to facilitate any changes that need to be made.
Councillors are being asked to:	<ul style="list-style-type: none">• agree the membership of Panels and Working Groups reported, and any other changes necessary.
Lead Councillor:	Councillor Peter Black, Chair of the Scrutiny Programme Committee
Lead Officer & Report Author:	Brij Madahar, Scrutiny Team Leader Tel: 01792 637257 E-mail: brij.madahar@swansea.gov.uk
Legal Officer:	Debbie Smith
Finance Officer:	Paul Cridland

1. Introduction

- 1.1 In accordance with Council report 18 October 2012, when current scrutiny arrangements were agreed, the Scrutiny Programme Committee is responsible for appointing members and conveners to the various Scrutiny Panels / Working Groups that are established.

2. Proposed Revision to Current Scrutiny Panel / Working Group Membership

- 2.1 None

3. Guiding Principles

3.1 When determining membership / conveners or agreeing any changes there are some key considerations for the Committee:

- It is necessary for more than one political group to be represented on each Panel / Working Group.
- These bodies also need to be of a manageable size in terms of team working and effective questioning.
- To ensure that all political groups have opportunities and are engaged.
- Good scrutiny practice places emphasis on respect for minority party wishes around both chairing of such bodies and the work programme.
- Being fair and balanced in the appointment of conveners, when there is interest from more than one councillor, e.g. giving opportunity to those who have not acted as convener previously.
- The Committee should reflect on the existing 'balance' of conveners to help inform future appointments.
- A minimum of three members should be present at all Panel / Working Group meetings.

4. Legal Implications

4.1 There are no specific legal implications raised by this report.

5. Financial Implications

5.1 There are no specific financial implications raised by this report.

Background Papers: None

Appendices: None

Agenda Item 10



Report of the Chair

Scrutiny Programme Committee – 14 December 2021

Scrutiny Work Programme

Purpose	This report presents the agreed Scrutiny Work Programme for 2020/22, which the Committee is responsible for monitoring.
Content	The agreed work programme is attached, which shows the topics that will be examined by scrutiny through various Panels and Working Groups. A plan for future Committee meetings is also attached. Progress against the agreed work programme is shown.
Councillors are being asked to	<ul style="list-style-type: none">• plan for the Committee meetings ahead• consider opportunities for Pre-decision Scrutiny• review the Scrutiny Work Programme (including progress of current Panels and Working Groups)
Lead Councillor	Councillor Peter Black, Chair of the Scrutiny Programme Committee
Lead Officer	Tracey Meredith, Chief Legal Officer
Report Author	Brij Madahar, Scrutiny Team Leader Tel: 01792 637257 E-mail: brij.madahar@swansea.gov.uk
Legal Officer:	Debbie Smith
Finance Officer:	Paul Cridland

1. Introduction

- 1.1 The Scrutiny Programme Committee is responsible for developing the Council's scrutiny work programme and managing the overall work of scrutiny to ensure that it is as effective as possible.
- 1.2 A report is provided to each meeting to enable the Committee to maintain an overview of agreed scrutiny activities, monitor progress, and coordinate work as necessary.
- 1.3 The broad aim of the scrutiny function is to engage non-executive councillors in activities to:

- provide an effective challenge to the executive
- help improve services, policies, and performance
- engage the public in its work

1.4 The Scrutiny Work Programme is guided by the overriding principle that the work of scrutiny should be strategic and significant, focussed on issues of concern, and represent a good use of scrutiny time and resources.

It also needs to be:

- manageable, realistic and achievable given resources available to support activities
- relevant to Council priorities
- adding value and having maximum impact
- coordinated and avoids duplication

1.5 The work of scrutiny is undertaken primarily in three ways – through the Committee itself, by establishing informal Panels (for in-depth activities) or via one-off Working Groups. Panels and Working Groups would be open to all non-executive councillors - the Committee will determine membership and conveners following expressions of interest.

1.6 Scrutiny will regularly send letters to Cabinet Members communicating findings, views and recommendations for improvement and, where appropriate, by producing reports. Inquiry panels will always produce a final report at the end of the inquiry with conclusions and recommendations for Cabinet (and other decision-makers), informed by the evidence gathered. Inquiry panels will reconvene to follow up on the implementation of agreed recommendations and the impact of their work – usually 6-12 months following cabinet decision.

1.7 Although much of the work of scrutiny is carried out by informal Panels and Working Groups these meetings are accessible to the public. Agendas, reports and letters relating to all such scrutiny activities are published, in the same manner as the committee, on the Council's modern.gov online platform:

<https://democracy.swansea.gov.uk/ieDocHome.aspx?bcr=1&LLL=0>

2. Scrutiny Work Programme 2020/22

2.1.1 The agreed Scrutiny Work Programme for 2020/22 is set out in **Appendix 1**.

2.1.2. The following paragraphs break down the work programme by specific ways of working to provide a brief overview.

2.2 Scrutiny Programme Committee:

- 2.2.1 The Committee's own work plan is attached as **Appendix 2**. This should be kept under review to ensure it represents a robust, manageable, and effective plan. As well as keeping an oversight on all scrutiny activities, the Committee plan covers a broad range of policy and service topics and aims to ensure coverage of scrutiny across all cabinet portfolios and address any gaps in the overall work programme. The Committee is also the designated Council Committee for scrutiny of the Public Services Board, and Crime & Disorder Scrutiny.
- 2.2.2 Committee members should review and confirm items for the next and future meetings giving specific consideration to who should attend so that meetings are always well planned and prepared for, e.g. information required and key questions that the Committee wishes to ask.
- 2.2.3 The main item(s) scheduled for the next Committee meeting on 18 January are:
- Q & A Session with the Leader of the Council / Cabinet Member for Economy, Finance & Strategy, Councillor Rob Stewart.
 - Scrutiny of Public Services Board – this will include the PSB Annual Report 2020/21 and specific focus on the Council's contribution to the delivery of PSB Well-being Objectives.
- 2.2.4 The Committee will have the opportunity to review scrutiny priorities and introduce issues of concern as and when they arise, e.g. pre-decision scrutiny or call-in, which may require extra meetings.
- 2.2.5 Pre-decision Scrutiny – this is carried out by the Committee unless delegated elsewhere. The Committee is invited to consider the available information on future Cabinet business and any opportunities for pre-decision scrutiny, taking into account strategic impact, public interest, and financial implications (see Cabinet Forward Plan attached as **Appendix 3**). Any requests will require discussion with relevant Cabinet Member(s) to confirm timescales and window of opportunity for scrutiny involvement. Pre-decision scrutiny enables scrutiny to develop understanding about and ask questions on proposed Cabinet reports to provide 'critical friend' challenge and influence decision-making.
- 2.2.6 The Committee Work Plan remains flexible and subject to change to accommodate requests for pre-decision scrutiny and any urgent issues arising during the year to ensure each meeting is manageable.

2.3 Inquiry Panels:

- 2.3.1 Once membership and a convener have been appointed the first task of an Inquiry Panel is to have a briefing on the issue and then determine the key question and terms of reference for the inquiry. Once the planning stage is complete, the inquiry will be evidence gathering, with the last stage being to develop the final report.

In Progress	Completed (follow up stage)
1. Procurement (drafting final report)	1. Equalities (followed up 28 Jan 2021 & further follow up 26 Jan 2022)

2.4 Performance Panels:

- 2.4.1 The following Performance Panels, which enable regular and structured monitoring of performance within these key areas, have been agreed and will meet on an ongoing basis until otherwise agreed by the Committee (frequency of meetings in brackets):

Performance Panel	Convener
1. Service Improvement & Finance (monthly)	Cllr. Chris Holley
2. Education (monthly)	Cllr. Lyndon Jones
3. Adult Services (every six weeks)	Cllr. Susan Jones
4. Child & Family Services (every six weeks)	Cllr. Paxton Hood-Williams
5. Development & Regeneration (every two months)	Cllr. Jeff Jones
6. Natural Environment (every two months)	Cllr. Peter Jones

- 2.4.2 Performance Panel conveners are scheduled to provide a regular update to the Committee to enable discussion on key activities and impact.

2.5 Working Groups:

- 2.5.1 The following Working Groups are in the work programme. Dates of meetings already held, or planned for the year ahead:

1. Workforce (29 Mar 2021, further meeting 2 Feb 2022)	3. Bus Services (7 Jul 2021, further meeting tbc Mar 2022)
2. Digital Inclusion (11 May 2021)	

- 2.5.2 The Road Safety Working Group planned for February 2022 has had to be cancelled at the request of officers, due to service pressures affecting ability to report and support the meeting at that time. This topic will be carried forward and held at the earliest opportunity, subject to agreement of a new Scrutiny Work Programme after May 2022.

However, re-convened meetings of the Workforce Working Group and Bus Services Working Group will be held before the end of this municipal year.

2.6 Regional Scrutiny:

2.6.1 **New Education Partnership ‘Partneriaeth’** – The new Education Partnership, following the dissolution of ERW, consists of Swansea Council, Carmarthenshire Council and Pembrokeshire Council. A legal agreement has now been approved by each Council which confirms the terms of the partnership and governance arrangements, including scrutiny arrangements. A Joint Scrutiny Councillor Group, comprising of Education Scrutiny Chairs and Vice Chairs or equivalent of each of the 3 Councils (like the previous arrangement) will scrutinise the work of the regional Partnership which will support the delivery of school improvement, and ensure greater public accountability over decisions made. Scrutiny will seek reassurance and consider if the Partnership is operating according to the Joint Committee Agreement, and its Business Plan, and is being managed effectively. Responsibility for scrutiny support, as well as responsibility for other functions, will be determined in due course by the Partneriaeth Joint Committee, comprising the Leaders of the three Councils, as the strategic decision-making body.

2.6.2 **Swansea Bay City Region City Deal** – Swansea Scrutiny is also involved in the Swansea Bay City Region Joint Scrutiny Committee established during 2018/19. This formal arrangement involves three Councillor representatives from each of the four Councils involved in the City Deal, meeting to scrutinise the work of the Joint Committee responsible for delivering the City Deal programme. Swansea’s Councillor representatives, appointed by Council, are: Jan Curtice, Phil Downing & Jeff Jones. As per Joint Agreement, the Joint Scrutiny Committee is serviced by Neath Port Talbot Council. Although originally scheduled to meet quarterly meetings, additional meetings are being arranged as required.

3. **Monitoring the Work Programme**

3.1 The Committee is responsible for monitoring progress against the agreed work programme and this includes work undertaken by the informal Panels and Working Groups and findings, to ensure that this work is effective and has the required visibility.

3.2 **Appendix 4a** provides a timetable of all scrutiny activities (projected or actual where dates are known). Lead councillors and officers are also noted within.

3.3 **Appendix 4b** provides a snapshot of progress with all of the Panels and Working Groups established by the Committee and their current position.

- 3.4 Although a work programme has been agreed, with activities identified to take things up to the end of the current Council term (May 2022), the work programme is kept under constant review by the Committee, with changes made as necessary. The Committee will always retain the flexibility to adapt and re-prioritise the work of scrutiny, to ensure the continued relevance of the programme.

4. Public Requests for Scrutiny / Councillor Calls for Action

- 4.1 An issue was raised by a member of the public regarding difficulties for those without off street parking to charge electric vehicles at home, and solutions that would help to encourage electric vehicle take up in Swansea. At this stage the relevant Cabinet Members, Councillors Andrea Lewis and Mark Thomas (as it refers to both EV charging and highway issues) have been asked to jointly respond directly to the member of the public. Their response will be reviewed by the Committee Chair in considering whether this issue should be picked up within scrutiny.

There is no action required from the Scrutiny Programme Committee at this stage.

5. Financial Implications

- 5.1 Any costs that arise out of work plan activities, for example expenses for witnesses or transport costs, are not envisaged to be significant and will be contained within the existing Scrutiny Budget.

6. Legal Implications

- 6.1 There are no specific legal implications raised by this report.

Background papers: None

Appendices:

Appendix 1: Agreed Scrutiny Work Programme 2020/22

Appendix 2: Scrutiny Programme Committee Work Plan 2021/22

Appendix 3: Cabinet Forward Plan

Appendix 4a: Scrutiny Work Programme – Projected Timetable of Activity

Appendix 4b: Progress Report – Current Scrutiny Panels and Working Groups

Appendix 1 – Agreed Scrutiny Work Programme 2020/22

New Inquiry Panel (time-limited in-depth scrutiny – six months)	New Working Groups (light-touch scrutiny / one-off meetings)	Performance Panels (ongoing in-depth performance / financial monitoring & challenge)	Issues for Scrutiny Programme Committee (Overall work programme management; discussion of broad range of policy and service issues)
<p>1. Procurement (previous Terms of Reference / Key Question to be reviewed / updated - What is the Council doing to ensure it procures locally, ethically, and greenly while being cost effective and transparent in its practices?)</p> <p>2. Anti-Social Behaviour (Terms of Reference to be agreed by Panel but would focus on how we can reduce anti-social behaviour in our communities, look at factors behind rising anti-social behaviour; inter-agency working, the role of elected members, reporting, etc.)</p> <p>Follow Up of Previous Inquiries:</p> <p>1. Equalities</p>	<p>1. Workforce (how the Council supports health & well-being of staff; issues around home working; staff sickness; staff turnover; use of agency staff, pressures, etc.)</p> <p>2. Digital Inclusion (follow up on previous discussion around digital transformation, the Council's digital inclusion strategy, and how well prepared both the Council and the public is to use and communicate / engage via digital technology to avoid exclusion / poor access, etc.)</p> <p>3. Bus Services (discussion about bus network coverage and levels of service; community transport provision; integration with other forms of transport, etc.)</p> <p>4. Healthy City (exploration of activities, promotion, particularly physical activities, including provision of outdoor sport and activities and opportunities for young people, etc.)</p>	<p>1. Service Improvement & Finance (monthly)</p> <p>2. Education (monthly)</p> <p>3. Adult Services (every 6 weeks)</p> <p>4. Child & Family Services (every 6 weeks)</p> <p>5. Development & Regeneration (every two months)</p> <p>6. Natural Environment (every two months)</p> <p>Specific issues to cover within wider work plans:</p> <ul style="list-style-type: none"> • Service Improvement & Finance: <ul style="list-style-type: none"> - Corporate Plan – Review / Progress - Council Byelaws - Budget Scrutiny - Performance Management - Waste Management & Recycling – incl. questioning on fly-tipping experiences & council activity - Welsh Housing Quality Standard • Education: <ul style="list-style-type: none"> - 21st Century Schools - Additional Learning Needs - Children Educated at Home - Delivery of Corporate Priorities - Remodelled Education Other Than at School Provision • Adult Services: <ul style="list-style-type: none"> - COVID-19 and Community Mental Health - Delivery of Corporate Priorities - Domestic Abuse 	<ul style="list-style-type: none"> • COVID-19 Council response and Recovery Plan / Transformation • Brexit Preparedness • Specific reports: <ul style="list-style-type: none"> - Children & Young People's Rights Scheme - Corporate Safeguarding - Delivery of Corporate Priority – Tackling Poverty Homelessness Strategy – progress (incl. discussion on Young People's Supported Housing Provision) • Leader Q & A Session(s): <ul style="list-style-type: none"> - Brexit - Partnership Working - Great Western Gateway • Other Cabinet Member Q & As (issues to pick up): <ul style="list-style-type: none"> - tbc • Public Services Board • Crime & Disorder (Community Safety)Scrutiny: <ul style="list-style-type: none"> - Incl. Community Cohesion / Hate Crime • Wales Audit Office Reports • Follow Up on Previous Working Groups: <ul style="list-style-type: none"> - Tourism

Appendix 1 – Agreed Scrutiny Work Programme 2020/22

	<p>Reserve List:</p> <ul style="list-style-type: none"> • Road Safety (hot spots; work to improve safety; preventative measures; speed controls; safety of cycling routes; partnership working, etc.) • Active Travel (are we meeting obligations of Welsh Government Active Travel Act; encouragement of cycling / walking; particular focus on cycling given experience during pandemic – are we making the most of opportunities to embed increased cycling, etc.) • Accessibility for the Disabled / Elderly (to look into concerns around mobility around city centre and access, e.g. and whether there is sufficient curb dropping to help mobility scooters, and other facilities to improve access and wellbeing, etc.). 	<ul style="list-style-type: none"> • Child & Family Services: <ul style="list-style-type: none"> - Delivery of Corporate Priorities - Forced Marriages – Safeguarding issues • Development & Regeneration: <ul style="list-style-type: none"> - City Deal and effects of COVID-19 - Delivery of Corporate Priorities - Economic Regeneration Strategy - Foreshore Developments - Historic / Listed Buildings • Natural Environment: <ul style="list-style-type: none"> - Climate Change - Delivery of Corporate Priorities - Environment Bill 2020 Implications - Nature Conservation – regular monitoring of activity and performance
<p>Regional Scrutiny</p> <ul style="list-style-type: none"> • ERW (Education through Regional Working) Specific issues to pick up: ERW Replacement organisation – post April 2021 • City Deal (Swansea Bay City Region Joint Scrutiny Committee) 		

Scrutiny Programme Committee – Work Plan 2021/22

ACTIVITY	15 Jun 2021	13 Jul 2021	17 Aug 2021	14 Sep 2021	19 Oct 2021	16 Nov 2021
Scrutiny Work Programme					Audit / Scrutiny Relationship – Discussion w/ Chair of Governance & Audit Committee	
Cabinet Member Q & A Sessions						
Specific Cabinet Member / Officer Reports	Scrutiny of Public Services Board	<ul style="list-style-type: none"> Highways and Engineering Infrastructure Repairs and Maintenance 	<ul style="list-style-type: none"> Tourism, Destination Management, and Marketing Business and City Promotion 	<ul style="list-style-type: none"> Energy Policy (incl. Generation, Supply & District Heating) Litter and Community Cleansing 	<ul style="list-style-type: none"> Recovery & Transformation Plan Progress Update Annual Corporate Safeguarding Report 	Delivery of Corporate Priority – Tackling Poverty
Scrutiny Performance Panel Progress Reports		Education	Service Improvement & Finance	Adult Services	Child & Family Services	Development & Regeneration
Pre-decision Scrutiny						
Final Scrutiny Inquiry Reports / Follow Up on Scrutiny Recs.			Follow Up on Tourism Working Group recommendations			
Scrutiny Reports to Council	Scrutiny Dispatches Impact Report		Draft Scrutiny Annual Report 2020/21	Scrutiny Dispatches Impact Report		

ACTIVITY	14 Dec 2021	18 Jan 2022	15 Feb 2022	15 Mar 2022	19 Apr 2022 (to be cancelled)	
Scrutiny Work Programme				Work Programme Review		
Cabinet Member Q & A Sessions		Leader / Economy, Finance & Strategy (focus on COVID response / recovery, Brexit effects / response, Budget, City Centre Regeneration, Developments in Partnership / Regional Working)				
Specific Cabinet Member / Officer Reports	Parking Policy, Control & Enforcement	Scrutiny of Public Services Board, incl. Annual Report	Crime & Disorder Scrutiny - Safer Swansea Community Safety Partnership	Children & Young People's Rights Scheme Annual Progress Report		
Scrutiny Performance Panel Progress Reports	Natural Environment	Education	Service Improvement & Finance			
Pre-decision Scrutiny	Leasehold Acquisition and Redevelopment FPR7 – 279 Oxford Street/25-27 Princess Way					
Final Scrutiny Inquiry Reports / Follow Up on Scrutiny Recs.				Procurement Inquiry Final Report		
Scrutiny Reports to Council	Scrutiny Dispatches Impact Report			Scrutiny Dispatches Impact Report		

* denotes extra meeting

Appendix 3 – Cabinet Forward Plan 2021 – 2022

Report Title	Report Summary	Report Author	Portfolio	Decision to be taken by	Date of Expected Decision	Exempt Details
Leasehold Acquisition and Redevelopment FPR7 – 279 Oxford Street/25-27 Princess Way.	Leasehold acquisition and redevelopment of the What! Store (former Miss Selfridge building) to incorporate into the existing Community Hub refurbishment project, plus update on the community hub project progress.	Geoff Bacon	Cabinet Member - Delivery & Operations (Deputy Leader), Cabinet Member - Investment, Regeneration & Tourism	Cabinet	16 Dec 2021	Fully exempt
Castle Square Regeneration FPR7.	A phased regeneration scheme is being prepared for Castle Square from feasibility, through to design, planning and implementation. This report summarises the current short list of design options, outcomes from consultations, RIBA stage 2/3 scheme costs and seeks funding from the capital budget and authorisation to deliver the project during 2022/23.	Gail Evans	Cabinet Member - Investment, Regeneration & Tourism	Cabinet	16 Dec 2021	Open

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Appendix 3 – Cabinet Forward Plan 2021 – 2022

Report Title	Report Summary	Report Author	Portfolio	Decision to be taken by	Date of Expected Decision	Exempt Details
Quarter 2 2021/22 Performance Monitoring Report.	To report the performance indicator results and summarise the Council's performance meetings its priorities for the second quarter period July 2020 – September 2020.	Richard Rowlands	Cabinet Member - Business Improvement & Performance	Cabinet	16 Dec 2021	Open
Revenue and Capital Budget Monitoring 2nd Quarter 2021/22.	To note any significant variations from the agreed budget 2021/22 and the actions planned to achieve a balanced budget.	Ben Smith	Cabinet Member - Economy, Finance and Strategy (Leader)	Cabinet	16 Dec 2021	Open
Gower AONB Management Plan 2021/22 - Offer of NRW Funding.	Natural Resources Wales (NRW) has offered Swansea Council grant funding of £108,250 to support the implementation of the Gower AONB Management Plan (2021/22).	Mike Scott	Cabinet Member - Delivery & Operations (Deputy Leader)	Cabinet	16 Dec 2021	Open

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Appendix 3 – Cabinet Forward Plan 2021 – 2022

Report Title	Report Summary	Report Author	Portfolio	Decision to be taken by	Date of Expected Decision	Exempt Details
Cultural and Digital Hub at Swansea Grand Theatre; Management Agreement and Lease.	To highlight to Cabinet the developments in the partnership with Race Council Cymru since March 2020 and seek approval for the new ways of working and commitments as outlined in the Management Agreement so that the terms of a new Lease may be agreed simultaneously.	Tracey McNulty	Cabinet Member - Investment, Regeneration & Tourism	Cabinet	20 Jan 2022	Open
South West Wales Regional Energy Strategy Plan.	To seek Cabinet approval to adopt the South West Wales Regional Energy Plan/Strategy.	Martin Nicholls	Cabinet Member - Climate Change & Service Transformation (Deputy Leader)	Cabinet	20 Jan 2022	Open
Budget Proposals 2022/23 – 2025/26.	To consider budget proposals for 2022/23 to 2025/26 as part of the Council's Budget Strategy within the Achieving Better Together Framework. To enable consultation to take place with residents, employees, partners and other interested parties.	Ben Smith	Cabinet Member - Economy, Finance and Strategy (Leader)	Cabinet	20 Jan 2022	Open

Appendix 3 – Cabinet Forward Plan 2021 – 2022

Report Title	Report Summary	Report Author	Portfolio	Decision to be taken by	Date of Expected Decision	Exempt Details
Revised Policies and Procedures for Outdoor Hospitality.	This report advises as to actions taken during the pandemic to support the hospitality trade and which elements will continue as future policies and procedures.	Geoff Bacon	Cabinet Member - Delivery & Operations (Deputy Leader)	Cabinet	20 Jan 2022	Open
Welsh in Education Strategic Plan 2022-2032.	<p>This report seeks Cabinet approval to submit Swansea's final Welsh in Education Strategic Plan (2022-2032) to the Minister for Education and Welsh Language. The plan sets out proposals on how Swansea Council will carry out its education functions to:</p> <p>i. Improve the planning of the provision of education through the medium of Welsh; and</p> <p>ii. Improve the standards of Welsh-medium education and of the teaching of Welsh in its area;</p>	Rhodri Jones	Cabinet Member - Education Improvement, Learning & Skills	Cabinet	20 Jan 2022	Open

Appendix 3 – Cabinet Forward Plan 2021 – 2022

Report Title	Report Summary	Report Author	Portfolio	Decision to be taken by	Date of Expected Decision	Exempt Details
Third Sector Compact Agreement Update.	The report updates on Swansea's Third Sector Compact Agreement and the work to date of the Third Sector Liaison Group who were formed as part of the updated Swansea Compact Agreement with the Voluntary Sector in 2018.	Spencer Martin	Cabinet Members - Supporting Communities	Cabinet	20 Jan 2022	Open
Waste Strategy 2022-2025.	The report seeks the approval of Cabinet for the adoption of the Waste Strategy 2022-2025 which is attached as Appendix 1. This document details the Strategy to meeting next Welsh Government Statutory Recycling Target of 70% by 2024/25, and outlines potential issues for future consideration.	Matthew Perkins	Cabinet Member - Environment Enhancement & Infrastructure Management	Cabinet	20 Jan 2022	Open
FPR7 Report - Hafod Copperworks Powerhouse Redevelopment Project Update Report.	To comply with Financial Procedure Rule No.7 (Capital Programming and Appraisals) - to commit and authorise the addition of schemes to the Capital Programme.	Richard Horlock	Cabinet Member - Investment, Regeneration & Tourism, Cabinet Member - Business Improvement & Performance	Cabinet	20 Jan 2022	Fully exempt

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Appendix 3 – Cabinet Forward Plan 2021 – 2022

Report Title	Report Summary	Report Author	Portfolio	Decision to be taken by	Date of Expected Decision	Exempt Details
Disposal of Highway Land at Mumbles.	The report updates members on progress to date and the necessity to adopt a revised approach in respect of the potential disposal of the land identified	David Turner	Cabinet Member - Delivery & Operations (Deputy Leader)	Cabinet	20 Jan 2022	Fully exempt
Revenue and Capital Budget Monitoring 3rd Quarter 2021/22.	To note any significant variations from the agreed budget 2021/22 and savings plan and the actions planned to achieve a balanced budget.	Ben Smith	Cabinet Member - Economy, Finance and Strategy (Leader)	Cabinet	17 Feb 2022	Open
Annual Review of Charges (Social Services) 2021/22.	This report sets out the annual review of Swansea Council's charges (social services), providing a transparent framework for the setting of charges and the application of allowances to citizens who receive managed care and support, provided or arranged by the council.	Simon Jones	Cabinet Member - Adult Social Care & Community Health Services	Cabinet	17 Feb 2022	Open

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Scrutiny Work Programme 2021-22 – Projected Timetable of Meetings (actual dates shown)

Activity / Month	MAY 2021	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	
SCRUTINY PROGRAMME COMMITTEE Lead Scrutiny Councillor: Peter Black Lead Scrutiny Officer: Brij Madahar Lead Cabinet Member: cross-cutting Lead CMT: cross-cutting Lead Head of Service: cross-cutting	18 2020/21 year	15	13	17	14	19	16	14	18	15	15	19 to be cancelled	
INQUIRY PANELS:		Planning	Evidence Gathering					Findings/Final Report		SPC	Cabinet		
Procurement Lead Scrutiny Councillor: Chris Holley Lead Scrutiny Officer: Michelle Roberts Lead Cabinet Member: David Hopkins Lead CMT: Adam Hill Lead Head of Service: Chris Williams		24	27	16	13 27	20	10 24		31**	21	15	21	
Equalities Follow Up (Cabinet decision: 21 November 2019) First follow up - 28 Jan 2021 Lead Scrutiny Councillor: Lyndon Jones Lead Scrutiny Officer: Michelle Roberts Lead Cabinet Member: Alyson Pugh / Louise Gibbard Lead CMT: Adam Hill / Sarah Lackenby Lead Head of Service: Lee Wenham									26				

Appendix 4a

Activity / Month	MAY 2021	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
PERFORMANCE PANELS:												
Service Improvement & Finance (monthly) Lead Scrutiny Councillor: Chris Holley Lead Scrutiny Officer: Emily Davies Lead Cabinet Member: Rob Stewart / Andrew Stevens Lead CMT: Adam Hill / Ben Smith Lead Head of Service: cross-cutting	10 & 17* <small>2020/21 year</small>	11 & 23			20	19	16	15	18	15 Budget	22	
Education (monthly) Lead Scrutiny Councillor: Lyndon Jones Lead Scrutiny Officer: Michelle Roberts Lead Cabinet Member: Robert Smith Lead CMT: Helen Morgan-Rees Lead Head of Service: cross-cutting	13 <small>2020/21 year</small>	24	15		1 30	21	18	9	20	14 Budget	24	
Adult Services (every 6 weeks) Lead Scrutiny Councillor: Sue Jones Lead Scrutiny Officer: Liz Jordan Lead Cabinet Member: Mark Child Lead CMT: Dave Howes Lead Head of Service: Amy Hawkins / Helen St John		2	14			20	30		12	14 Budget (Joint with CFS)	2	
Child & Family Services (every 6 weeks) Lead Scrutiny Councillor: Paxton Hood-Williams Lead Scrutiny Officer: Liz Jordan Lead Cabinet Member: Elliot King Lead CMT: Dave Howes Lead Head of Service: Julie Davies	25	22		11	21			13	25	14 Budget (Joint with Adult)	9	

Appendix 4a

Activity / Month	MAY 2021	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
Swansea Bay City Region Joint Scrutiny Committee (every 2 months) Lead Scrutiny Councillor: Rob James (Carmarthenshire Council) Swansea Scrutiny Councillors: Jan Curtice / Phil Downing / Jeff Jones Lead Scrutiny Officer: Stacy Curran, Neath Port Talbot Council Lead Cabinet Member: Rob Stewart Lead CMT: Phil Roberts / Martin Nicholls Lead Head of Service: Phil Holmes			20				9 23		25		22	

* denotes extra meeting

** not public

15
05

Information correct as of 07/12/21 16:44

Progress Report – Current Scrutiny Panels and Working Groups

1. Inquiry Panels:

These will undertake in-depth inquiries into specific and significant areas of concern on a task and finish basis and will be expected to take around six months to complete to enable wide-ranging evidence gathering, and production of a final report with conclusions and recommendations for Cabinet (and other decision-makers).

a) Procurement (convener: Cllr Chris Holley)

Key Question: What is the Council doing to ensure it procures locally, ethically, and greenly while being cost effective and transparent in its practices?

Progress Bar:

Planning				Evidence Gathering				Draft Final Report			

The Panel met on the 24 November to look at all the findings from the Inquiry and to start to draw their conclusions and recommendations. They will next meet on the 31 January to discuss the first draft of their final report to Cabinet.

(Inquiries may take up to six months to complete, as they will call for wide ranging evidence, and will lead to a report with conclusions and recommendations that will be presented to Cabinet)

2. Follow Up on Completed Inquiries:

Follow-ups of inquiries will consider both the implementation of scrutiny recommendations and wider impact / difference made. Inquiry Panels are reconvened between 6-12 months after cabinet decision on Inquiry reports.

Inquiry	Cabinet Decision	Recommendations			Follow Up Panel Meeting
		Agreed	Partly	Rejected	
Equalities	21 Nov 2019	18	0	0	28 Jan 2021 Further follow up: 26 Jan 2022

3. Performance Panels:

Performance Panels enable regular and structured in-depth monitoring of performance and challenge within these key areas:

a) **Service Improvement & Finance** (convener: Cllr Chris Holley)

This Panel meets every month. The Panel last met on 16 November to discuss the Mid-term Budget Statement and the Planning Annual Performance Report. At this meeting, the Panel also carried out pre-decision scrutiny of the Cabinet report regarding Swansea Airport.

The Panel will next meet on 15 December to discuss the Recycling and Landfill Annual Performance Monitoring Report and the Budget Monitoring Report 2021-22.

b) **Education** (convener: Cllr Lyndon Jones)

This Panel meets every month. The Panel last met on 18 November they will meet with the Headteacher and Chair of Governors from Morrision Comprehensive School to discuss their performance and prospects for improvement. On the 9 December the Panel will look at the performance in education against identified objectives (RAG), Swansea Skills Partnership and will also receive an update on the new regional education partnership.

c) **Adult Services** (convener: Cllr Susan Jones)

This Panel meets every 6 weeks. The Panel last met on 30 November to receive an update on the management of Covid and Performance Monitoring.

Remaining meetings for this municipal year will focus on the same items. The next meeting will be held on 12 January.

d) **Child & Family Services** (convener: Cllr Paxton Hood-Williams)

This Panel meets every 6 weeks. The Panel last met on 21 September to discuss progress on the Child and Family Improvement Programme, receive an update on the Corporate Parenting Board and view a video on Appreciative Inquiry.

Remaining meetings for this municipal year will focus on a shortened Performance Report and Emergency Staffing Plan. The next meeting will be held on 13 December and will also include an update on progress with the action plan for Ty Nant.

e) **Development & Regeneration** (convener: Cllr Jeff Jones)

This Panel meets every two months. The Panel last met on November 2 to discuss the City Centre Travel Plan update and the Project Update Report.

The next meeting will be held on 25 January, when the Panel will receive an update presentation from the Swansea Business Improvement District. The Panel will also discuss the Foreshore Developments Update Report and the Project Update Report.

f) **Natural Environment** (convener: Cllr Peter Jones)

This Panel meets every two months. A progress report appears separately under Agenda Item 8.

4. **Regional Scrutiny:**

This is collaborative scrutiny with other Local Authorities for topics / issues of shared interest or concern, and models of regional working.

a) **Regional Education Partnership**

The new regional education partnership called 'Partneriaeth' will commence shortly, and will include Swansea, Carmarthenshire and Pembrokeshire Councils. Following recent approval of a legal agreement by each Council's Cabinet, the next step will be for the new Partneriaeth Joint Committee to meet to agree responsibility for functions / organisational support for the Partnership and other arrangements. Within the agreed governance structure, there will be a Joint Scrutiny Councillor Group, similar to that which existed to scrutinise the Education Through Regional Working (ERW) Regional School Improvement Consortium.

b) **Swansea Bay City Region City Deal**

The Joint Scrutiny Committee continues to monitor the City Deal programme. Because of a planned meeting in September was cancelled the Committee met twice in November.

On 9 November,, the Committee focused on Digital Infrastructure Programme of the City Deal which is an investment in the digital connectivity and associated telecommunications infrastructure of the region. On 23 November, the Committee looked at the current status of the Swansea Bay City Deal Homes As Power Stations (HAPS) project which is a regional project led by Neath Port Talbot Council. It also received an update on financial monitoring, and progress made to the recommendations resulting from the City Deal Internal Audit review, and the independent Gateway Review, as part of assurance arrangements.

The next meeting on 25 January will focus on the Skills & Talent regional project and review quarterly programme monitoring documents.

The Joint Committee is supported by Scrutiny Officers in Neath Port Talbot Council and agendas / minutes of meetings can be found on-line:

<https://democracy.npt.gov.uk/ieListMeetings.aspx?Committeeld=417>

5. Working Groups:

A number of new topics have been identified which will be dealt with through one-off Working Groups. These enable a 'light-touch' approach to specific topics of concern and will be planned as a one-off meeting (in the order shown below) primarily involving discussion with relevant cabinet member(s) / officer(s), and any other persons called, to gather information, ask questions, and give views / raise any concerns.

a) **Workforce** (convener: Cllr Cyril Anderson)

This Working Group met on 29 March 2021 and asked about the impact of the pandemic on the health and wellbeing of staff; how the Council is supporting this; issues around home working; staff sickness; staff turnover; use of agency staff and pressures. A range of information was considered by the Working Group, with input from relevant Cabinet Member(s) and officer(s). A letter with the Working Group's conclusions and recommendations was sent to the relevant Cabinet Members and this letter together with the Cabinet Members response was reported to the Committee in June.

The Working Group will meet again on 2 February in order to revisit the topic and consider the latest position, information and experience including the results of the further staff survey carried out by the Council.

b) **Digital Inclusion** (convener: Cllr Lesley Walton)

This Working Group met on the 11 May where they congratulated officers for the good work done so far in relation this, especially through the difficult Covid period. Overall the Working Group were of the view that the Council is on the right track with its Digital Inclusion Strategy and do recognise that the Council is keen to make the right improvements moving forward. The Digital Inclusion Framework/Strategy and the Council Website is currently being reviewed and members of the Working Group asked to be included in this process. The letter from the Working Group to the Cabinet Member for Business Improvement & Performance was reported to the Committee in June.

The Working Group felt that further oversight of work on Digital Inclusion is necessary as things develop, perhaps annually, whether through Working Group or other method of scrutiny. This will be factored into future work planning discussion.

c) **Bus Services** (convener: Cllr Lyndon Jones)

This Working Group met on 7 July when a range of information was considered, including bus network coverage and levels of service, community transport provision and integration with other forms of transport. Relevant Cabinet Member and officers participated in the meeting together with representatives of First Cymru and Cardiff Bus.

A letter with the Working Group's conclusions and recommendations was sent to the relevant Cabinet Member and this letter together with the Cabinet Members response was reported to the Committee on 19 October. It was agreed that a further meeting of the Working Group be held before the end of the municipal year to enable follow up on the Group's recommendations and see what changes / improvements had been made.

d) **Road Safety** (convener: Cllr Steve Gallagher)

Following adjustment to the Scrutiny Work Programme this Working Group was been brought forward.

The meeting will enable information, questions and discussion to understand the Council's role and responsibilities on road safety, e.g. asking about hot spots; work to improve road safety; preventative measures; speed controls; safety of cycling routes; partnership working, etc.

A meeting was planned for February 2022 but has had to be cancelled due to service pressures affecting ability to report and support the meeting at that time. This topic will be carried forward and held at the earliest opportunity, subject to agreement of a new Scrutiny Work Programme after May 2022.

e) **Healthy City** (convener: Cllr Jennifer Raynor)

This will enable information, questions and discussion on Swansea as a healthy city, exploring in particular the provision, and promotion of, outdoor sport and activities and opportunities for young people, etc.

Due to Covid pressures this Working Group will no longer be held in this municipal year.

Reserve Working Group List:

- Active Travel
- Accessibility for the Disabled / Elderly

Agenda Item 11



Report of the Chair

Scrutiny Programme Committee – 14 December 2021

Scrutiny Letters

Purpose:	To ensure the Committee is aware of the scrutiny letters produced following various scrutiny activities, and to track responses to date.
Content:	The report includes a log of scrutiny letters produced this municipal year, and provides a copy of correspondence between scrutiny and cabinet members where discussion is required.
Councillors are being asked to:	<ul style="list-style-type: none">• Review the scrutiny letters and responses• Make comments, observations and recommendations as necessary
Lead Councillor:	Councillor Peter Black, Chair of the Scrutiny Programme Committee
Lead Officer:	Tracey Meredith, Chief Legal Officer
Report Author:	Brij Madahar, Scrutiny Team Leader Tel: 01792 637257 E-mail: brij.madahar@swansea.gov.uk
Legal Officer:	Debbie Smith
Finance Officer:	Paul Cridland

1. Introduction

- 1.1 The production of scrutiny letters has become an established part of the way scrutiny operates in Swansea. Letters from the chair (or conveners) allow scrutiny to communicate directly and quickly with relevant cabinet members.
- 1.2 These letters are used to convey views and conclusions about particular issues discussed, and provide the opportunity to raise concerns, ask for further information, and make recommendations. This enables scrutiny to engage with Cabinet Members on a regular and structured basis.

2. Reporting of Letters

- 2.1 All scrutiny letters, whether they are written by the Scrutiny Programme Committee or conveners of Panels / Working Groups, are published to ensure visibility, of the outcomes from meetings, across the council and public.
- 2.2 The Scrutiny Programme Committee agenda also includes a copy of letters to/from Cabinet Members where specific discussion is required, e.g. letters relating to the Committee, Working Groups, and Inquiry Panel follow ups. Letters are included when cabinet member responses that were awaited are received or where a scrutiny letter did not require a response.
- 2.3 Where requested Cabinet Members are expected to respond in writing to scrutiny letters within 21 calendar days. The response should indicate what action (if any) they intend to take as a result of the views and recommendations made.
- 2.4 Letters relating to the work of Performance Panels are part of an ongoing dialogue with Cabinet Members and are therefore reported back and monitored by each Panel. However all Performance Panel conveners will provide a progress report to the Committee, including summary of correspondence with Cabinet Members and outcomes.

3. Letters Log

- 3.1 This report contains a log of scrutiny letters produced to enable the Committee to maintain an overview of letters activity over the current municipal year – see **Appendix 1**. The letters log will show the average time taken by Cabinet Members to respond to scrutiny letters, and the percentage of letters responded to within timescale.
- 3.2 The following letter(s), not already reported to the Committee, are **attached** for discussion:

	Activity	Meeting Date	Correspondence
a	Committee (Discussion on Council's Recovery & Transformation Plan)	19 Oct	Letter to Leader / Cabinet Member for Economy, Finance & Strategy
b	Committee (Discussion on Corporate Safeguarding Annual Report)	19 Oct	Letter to Cabinet Member for Adult Social Care & Community Health Services

4. Legal Implications

4.1 There are no legal implications.

5. Financial Implications

5.1 There are no financial implications.

Background Papers: None

Appendices:

Appendix 1: Scrutiny Letters Log – 2021-22

Appendix 2: Scrutiny Letters and Responses

Scrutiny Letters Log (2021-2022)

Ave. Response Time (days): 20 (target within 21 days) % responses within target: 64

No.	Committee / Panel / Working Group	Meeting Date	Main Issue(s)	Cabinet Portfolio	Letter Sent	Response Received	Days Taken
1	Working Group	11-May	Digital Inclusion	Business Improvement & Performance	26-May	n/a	n/a
2	Service Improvement & Finance Performance Panel	10-May	Welsh Housing Quality Standard Annual Report	Climate Change & Service Transformation	26-May	n/a	n/a
3	Education Performance Panel	13-May	New Curriculum and progress with ALN reform	Education Improvement, Learning & Skills	26-May	n/a	n/a
4	Child & Family Services Performance Panel	25-May	Update on CAMHS; Youth Offending Service	Adult Social Care & Community Health Services	14-Jun	n/a	n/a
5	Natural Environment Performance Panel	19-May	Climate Change Action Plan	Climate Change & Service Transformation	16-Jun	n/a	n/a
6	Adult Services Performance Panel	02-Jun	Transformation Programme; WAO Report actions; Review of Social Services Charges	Adult Social Care & Community Health Services	23-Jun	16-Jul	23
7	Service Improvement & Finance Performance Panel	11-Jun	Revenue Outturn, HRA Outturn and Capital Outturn and Financing 20-21	Economy, Finance & Strategy (Leader)	30-Jun	n/a	n/a
8	Child & Family Services Performance Panel	22-Jun	Regional Adoption Service, Initial feedback from CIW Assurance Visit	Children Services	01-Jul	n/a	n/a
9	Committee	15-Jun	Public Services Board	Chair of Public Services Board	16-Jul	n/a	n/a

10	Service Improvement & Finance Performance Panel	23-Jun	Welsh Language Annual Report	Education Improvement, Learning & Skills	22-Jul	n/a	n/a
11	Natural Environment Performance Panel	29-Jun	Air Quality	Environment Enhancement & Infrastructure Management	22-Jul	n/a	n/a
12	ERW Scrutiny Councillor Group	28-Jun	Education Partnership moving forward	Chair of ERW Joint Committee	20-Jul	28-Jul	n/a
13	Education Performance Panel	15-Jul	Delegated spend and the Behaviour Strategy and new Education Partnership	Education Improvement, Learning & Skills	02-Aug	23-Aug-21	21
14	Working Group	07-Jul	Bus Services	Environment Enhancement & Infrastructure Management	09-Aug	17-Aug	8
15	Adult Services Performance Panel	14-Jul	Performance Monitoring; Initial feedback CIW Assurance Visit	Adult Social Care & Community Health Services	09-Aug	14-Sep	36
16	Development & Regeneration Performance Panel	01-Jul	Project update report	Investment, Regeneration & Tourism	18-Aug	20-Sep	33
17	Committee	13-Jul	Highways & Engineering and Infrastructure Repairs & Maintenance	Environment Enhancement & Infrastructure Management	19-Aug	07-Sep	19
18	Child & Family Services Performance Panel	11-Aug	Performance monitoring; CIW Assurance Visit; Ty Nant CIW Inspection	Children Services	25-Aug	n/a	n/a
19	Natural Environment Performance Panel	26-Aug	Ash Dieback	Environment Enhancement & Infrastructure Management	16-Sep	n/a	n/a

20	Education Performance Panel	01-Sep	Estyn changes, Regional Consortia and Covid recovery	Education Improvement, Learning & Skills	17-Sep	n/a	n/a
21	Development & Regeneration Performance Panel	07-Sep	Project update report & Swansea University	Investment, Regeneration & Tourism	30-Sep	n/a	n/a
22	Committee	17-Aug	Tourism, Destination Management & Marketing and Business & City Promotion	Investment, Regeneration & Tourism	30-Sep	18-Oct	18
23	Child & Family Services Performance Panel	21-Sep	Child and Family Improvement Programme; Corporate Parenting Board; Appreciative Inquiry video	Children Services	04-Oct	22-Oct	18
24	Service Improvement & Finance Performance Panel	20-Sep	Q1 Budget Monitoring Report	Economy, Finance & Strategy (Leader)	12-Oct	n/a	n/a
25	Service Improvement & Finance Performance Panel	20-Sep	Peer Review & Self-Assessment (Local Government and Elections (Wales) Act 2021	Business Improvement & Performance	12-Oct	n/a	n/a
26	Committee	14-Sep	Litter & Community Cleansing	Environment Enhancement & Infrastructure Management	14-Oct	21-Oct	7
27	Education Performance Panel	30-Sep	Education Improvement	Education Improvement, Learning & Skills	18-Oct	n/a	n/a
28	Committee	14-Sep	Energy Policy	Climate Change & Service Transformation	20-Oct	n/a	n/a
29	Natural Environment Performance Panel	06-Oct	Water Pollution	Delivery & Operations	27-Oct	n/a	n/a

30	Natural Environment Performance Panel	06-Oct	Flood Risk Management	Environment Enhancement & Infrastructure Management	27-Oct	n/a	n/a
31	Education Performance Panel	21-Oct	Welsh in Education, New Curriculum	Education Improvement, Learning & Skills	04-Nov	01-Dec	27
32	Service Improvement & Finance Performance Panel	19-Oct	Q1 Performance Monitoring	Business Improvement & Performance	09-Nov	n/a	n/a
33	Adult Services Performance Panel	20-Oct	Workforce Support Programme; Update on management of Covid and Performance Monitoring	Adult Social Care & Community Health Services	10-Nov	n/a	n/a
34	Service Improvement & Finance Performance Panel	16-Nov	Pre-Decision Scrutiny - Swansea Airport	Delivery & Operations	17-Nov	n/a	n/a
35	Committee	19-Oct	Recovery & Transformation Plan	Economy, Finance & Strategy (Leader)	23-Nov	n/a	n/a
36	Committee	19-Oct	Corporate Safeguarding Annual Report	Adult Social Care & Community Health Services	24-Nov	n/a	n/a
37	Education Performance Panel	18-Nov	Morrleston Comprehensive School	Education Improvement, Learning & Skills	24-Nov	01-Dec	7
38	Development & Regeneration Performance Panel	02-Nov	City Centre Travel Plan	Environment Enhancement & Infrastructure Management	01-Dec		
39	Development & Regeneration Performance Panel	02-Nov	Dashboard Project Monitoring Report	Investment, Regeneration & Tourism	01-Dec		
40							
41							
42							
43							



**To/
Councillor Rob Stewart
Leader / Cabinet Member for
Economy, Strategy & Finance
BY EMAIL**

cc: Cabinet Members

*Please ask for:
Gofynnwch am:*

*Direct Line:
Linell Uniongyrochol:*

*e-Mail
e-Bost:*

*Our Ref
Ein Cyf:*

*Your Ref
Eich Cyf:*

*Date
Dyddiad:*

Scrutiny

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SPC/2021-22/6

23 November 2021

Summary: This is a letter from the Scrutiny Programme Committee to the Leader following the meeting of the Committee on 19 October 2021. It is about the Council's Recovery & Transformation Plan – Swansea Achieving Better Together.

Dear Councillor Stewart,

Scrutiny Programme Committee – 19 October

We are writing to you following our scrutiny session to monitor and challenge Council action in relation to the Council's Recovery and Transformation Plan – 'Swansea Achieving Better Together'.

Thank you for attending the Committee on 19 October 2021. We are grateful to you and the Deputy Chief Executive for the report, updating the Committee on the current situation and main headlines so we could see how things have developed since our discussion in March. This letter reflects on what we learnt from the information presented, questions, and discussion. It shares the views of the Committee and highlights any outstanding issues / actions for your response - main issues summarised below.

You highlighted that whilst the focus was on recovery, the pandemic was still very much with us with concerning levels of infection across the UK and continued pressure on services, particularly health & social care. Along with upcoming winter pressures, coupled with the impact of Brexit, this will be very challenging. As such, we acknowledged that the Phases and timelines noted within the Recovery & Transformation Plan were fluid.

OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU

SWANSEA COUNCIL / CYNGOR ABERTAWE

GUILDHALL, SWANSEA, SA1 4PE / NEUADD Y DDINAS, ABERTAWE, SA1 4PE

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We asked about whether the Council's work on recovery and transformation was like other Councils, and what, if anything, this Council has learned from others, whether about process or solutions. You highlighted that Swansea Council had managed to not reduce key services, unlike other Councils. We heard that the Council has worked closely with the Welsh Local Government Association and looked at what other Councils have been doing, and Swansea's work as a transforming Council, in comparison, has been held up as good practice.

We asked about headlines and tangible achievements to date since agreement of the Plan and journey to re-mobilise and re-focus the Council. We were given numerous examples in relation to recovering, restarting & adapting Council services, and the strategic response to support the city to emerge and grow from the pandemic and deliver corporate priorities. We noted that work on the five work streams (focus on Care Services, Education & Learning, Economy & Environment, Community Support, and Future Workforce & Equalities) continues, with specific topics identified for each. It was highlighted that the Plan placed emphasis on partnership working.

There was discussion about communication with councillors regarding Economic Recovery Fund applications, including Capital Scheme Applications, Play Scheme Application and Recovery Fund applications for community priorities. The Committee asked whether there was any possibility of streamlining the process for Economic Recovery Fund applications, grants to businesses, etc. to avoid undue delay in the processing. We understood the need to comply with appropriate approval / audit processes but would suggest reviewing this to ensure that, between Directors, Cabinet Members and the Recovery, Reshaping & Budget Strategy Board, the Council is dealing with applications as swiftly as possible. We noted that programme managers were in place to deliver schemes once approved.

Looking at the governance structure for 'Swansea - Achieving Better Together' and co-ordination / overview of work streams, we sought clarity about reporting lines and mechanisms, and councillor representation and engagement in the delivery of the plan. We asked about the extent to which work streams benefitted from the input of councillors and in response noted the integration of work streams with the work Policy Development Committees and that there would be other forms of councillor engagement (e.g. consultative workshops) as necessary. We noted that, within the governance structure, the Organisational Cross Cutting & Transformation Steering Group played a key role in oversight and co-ordination of the different work streams, identifying synergies. As well as formal reporting to Scrutiny and Governance & Audit Committees, Committee members stressed the importance of good communications with all councillors on recovery and transformation work, as the whole Plan looks complex from a backbencher point of view.

We asked about the effect of the pandemic on regeneration projects. It was noted that planned developments had progressed well, despite circumstances, with only minor delays for example to the Arena Development and practical completion was expected by the end of the year. Events for 2022 were now booked for the Arena and tickets on sale. You did highlight that impacts of Brexit, as well as the pandemic, had affected the availability of labour and supplies (e.g. building materials) but stated this has been managed well to date. You also referred to progress on various projects, including: Copr Bay, Kingsway, Mariner Street, Palace Theatre, former Oceana site, Community Hub on Oxford Street, Wind Street, Castle Square, Penderyn Whisky Distillery & Visitor Centre, Skyline, Tidal Lagoon, and City Centre Phase 2 to which the regeneration company Urban Splash had recently been appointed as development partner. We talked about the importance of, and asked about your confidence in, delivering Phase 2 of City Centre development, and its impact on the overall Recovery & Transformation Plan. You felt that there was now a significant momentum of private sector interest and investment and assured the Committee that the Council will look at the best funding and investment model for delivery of Phase 2, having very much led the development of Phase 1 due to necessity.

We asked about the extent to which the Plan reflected Council priorities in relation to the natural environment, not just concerning Climate Change. We heard that biodiversity, climate change and natural environment was considered in all work undertaken as well as the Well-being of Future Generations (Wales) Act 2015 being incorporated into all strategies. We were pleased to hear that the Council's Climate Change Action Plan would shortly be revised as a Climate Change and Nature Action Plan, as they are intrinsically linked.

Looking forward, specific mention was made of the following as key targets between now and the end of this Council term in May 2022:

- Assessing the financial impact of COVID-19 and shaping the Medium-Term Financial Plan
- Review / Update of the Corporate Plan
- Workforce Strategy
- Regional Economic Delivery Plan
- Development of a Corporate Joint Committee
- Co-production Strategy
- Consultation & Engagement Strategy
- Continue and expand public communications
- Volunteering Strategy
- Capitalise on the new Arena and increase in visitors
- Continued regeneration and attracting inward investment

It was clarified that the structure of the Council's future workforce was not something that could be determined in the next few months but would be a matter to be considered by the new Council post May 2022 elections, the appointment of a new Chief Executive, and subject to a new Corporate Plan and future spending assessments.

Your Response

We hope that you find the contents of this letter useful and would welcome any comments on any of the issues raised within; however, we do not expect you to provide a formal response. However, you will note particular advice within the letter about:

- streamlining the process for Economic Recovery Fund applications, grants to businesses, etc. to avoid undue delay in the processing and ensure the Council is dealing with applications as swiftly as possible.
- good communications with all councillors on recovery and transformation work, to ensure it is well understood.

We will revisit this topic within the Committee's work plan and a further progress report will be requested in due course given its importance.

Yours sincerely,



COUNCILLOR PETER BLACK

Chair, Scrutiny Programme Committee

✉ cllr.peter.black@swansea.gov.uk



**To/
Councillor Mark Child
Cabinet Member for Adult Social
Care & Community Health Services
BY EMAIL**

cc: Cabinet Members

*Please ask for:
Gofynnwch am:*

*Direct Line:
Linell Uniongyrochol:*

*e-Mail
e-Bost:*

*Our Ref
Ein Cyf:*

*Your Ref
Eich Cyf:*

*Date
Dyddiad:*

Scrutiny

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SPC/2021-22/7

24 November 2021

Summary: This is a letter from the Scrutiny Programme Committee to the Cabinet Member following the meeting of the Committee on 19 October 2021. It is about the Annual Report on Corporate Safeguarding.

Dear Councillor Child,

Scrutiny Programme Committee – 19 October

We are writing to you following our scrutiny session to monitor and challenge Council action in relation to Corporate Safeguarding.

We thank you and officers for attending the Committee meeting to present the Annual Report which reflected on activities during 2020/21. The Annual Report is a standing item within the Committee work plan given safeguarding is one of the Council's top priorities, so we can comment on progress, achievements, and implementation of policy. Because of disruption to the work programme, unfortunately it was not considered last year. Previous discussion was in October 2019. The issues raised during discussion then were around: data protection / confidentiality as a barrier to safeguarding; the role of councillors; safeguarding training and record keeping; and training for school governors, temporary staff and contractors.

This letter reflects on what we learnt from the information presented, questions, and discussion. It shares the views of the Committee and highlights any outstanding issues / actions for your response - main issues summarised below.

OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU
SWANSEA COUNCIL / CYNGOR ABERTAWE
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The Committee commends the continuing efforts of the Corporate Safeguarding Group across the Council to make safeguarding everyone's business – not just a matter for Social Services and Education. We note that the Annual Report covers seven key areas of activity, described as: Safe Governance, Safe Employment, Safe Workforce, Safe Practice, Safe Partnerships, Safe Voice, all contributing to Delivering Safe Performance.

We are acutely aware of the pressures on health and social care because of COVID, which will have presented risks to safeguarding. You stated that you were proud of the way in which the Council responded to safeguarding through the pandemic, with an even sharper focus on supporting and protecting those in need. In view of current workforce pressures on both Adult Services and Child & Family Services we asked whether this was impacting on safeguarding. We were assured by the Director of Social Services that despite the extraordinarily difficult circumstances at no stage did the Council or partners lose focus and dedicated safeguarding teams have continued to provide support, and come up with solutions, to protect those in urgent need, in unsafe circumstances. He added that there is always a reactive response available which ensures the Council meets its statutory responsibilities around safeguarding, however the team is able to take a more proactive and preventative approach and head off issues where possible depending on pressures, and feedback has been positive.

We note that there is an expectation that all contractors, companies and individuals, carrying out work on behalf of the Council, to confirm that they comply with the Council's Safeguarding Policies, and this also applied to their staff or their sub-contractors. We asked whether training was provided by the Council or if not how awareness and compliance is demonstrated to the Council. We heard that this is still work in progress, with efforts impacted upon by the pandemic, however this remained on the work programme to do more. We were told that there are guidance documents for contractors which spell it some of the things they need to be doing to evidence compliance. We noted that there would be different levels of contract monitoring, depending on the services contracted, e.g. a regulated provider would require a high level of compliance, but safeguarding nevertheless would be written into all contracts. We also asked about the work looking at improvements for ensuring DBS checks for contractors are completed in line with the new DBS Policy and Risk Assessment and noted this is also work in progress. You took the opportunity to assure us that any Council funding for community events would be subject to volunteers being DBS checked.

We were also interested in who was overseeing / monitoring whether those working in a voluntary capacity for the Council have had the appropriate level of safeguarding training and comply with policy and procedures. It was clarified that anyone employed directed by the Council, whether in paid or voluntary capacity would be expected to follow the same process in relation to safeguarding training. In the case of volunteers in the Third Sector the situation was different, and work was being undertaken to ensure we have a

high level of standard in place. In the interim the Council has been able to give access to its on-line 'learning pool' so they can access the same training as Council staff, but there is work in progress to ensure access to external providers.

We look forward to next year's Annual Report when we can follow up on these issues. We can also follow up on work you have identified within this year's report for the year ahead:

Safe Employment

- Promoting safeguarding and the duty to report as everybody's business in all recruitment materials, and job descriptions in line with the current corporate safeguarding policy.
- Continue to review / update all our staff and employment policies including a Council safe recruitment policy and staff handbook.
- Ensuring that all work roles and responsibilities are risk assessed and, where necessary, DBS compliant.

Safe Workforce

- Ensure named safeguarding officers and service areas are represented at the Corporate Safeguarding Group meetings.
- Continue roll-out of revised mandatory training across Council through hybrid programme of e-learning, virtual and face to face options to meet diverse needs of service areas and employees.
- To work with the Oracle Fusion team to ensure safe and accurate transfer of current staff records and improve record reporting and review of staff training and data checks in relation to safeguarding training and compliance.

Safe Practice

- To ensure quality audits on cases are completed within Child and Family and Adult Services, as well involving leads from all Council Departments within the next Section 135 audit cycle. The audit is to gain assurance that arrangements are robust in all the Council's main service areas, and to identify improvements needed.

Safe Partnerships

- To invite leads in all service areas outside of social services to discuss how they review safe practice in their areas to help inform further improvements, and in readiness for next Section 135 audit.

Safe Voice

- Checking out how Swansea is 'Making safeguarding personal' by carrying out case audits within Quality Assurance framework.
- Development of advocacy offer and independent support to promote citizen rights and best interest decision within safeguarding and deprivation of liberty safeguards.
- Working within families, communities, and schools to promote safeguarding awareness.

Safe Performance:

- To incorporate findings from the Section 135 audit into future annual reports.
- To review set corporate performance indicators in readiness for reporting in 2022-23.

Your Response

We hope that you find the contents of this letter helpful and would welcome any comments on any of the issues raised within; however, we do not expect you to provide a formal response. We will make sure that consideration of the next Annual Report is scheduled into the Scrutiny Programme Committee's work plan for 2022/23.

Yours sincerely,



COUNCILLOR PETER BLACK

Chair, Scrutiny Programme Committee

✉ cllr.peter.black@swansea.gov.uk

Agenda Item 12



Scrutiny Programme Committee – 14 December 2021

Date and Time of Upcoming Scrutiny Panel Meetings

14 December – 18 January

- a) 15 December at 2.00pm – Service Improvement & Finance Performance Panel
- b) 12 January at 10.00am – Natural Environment Performance Panel
- c) 12 January at 4.00pm – Adult Services Performance Panel
- d) 18 January at 9.30am – Service Improvement & Finance Performance Panel

Meetings will be held remotely via MS Teams

Agenda Item 13



Report of the Chief Legal Officer

Scrutiny Programme Committee – 14 December 2021

Exclusion of the Public

Purpose:	To consider whether the Public should be excluded from the following items of business.	
Policy Framework:	None.	
Consultation:	Legal.	
Recommendation(s):	It is recommended that:	
1)	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	Item No.	Relevant Paragraphs in Schedule 12A
	14	14
Report Author:	Democratic Services	
Finance Officer:	Not Applicable	
Legal Officer:	Tracey Meredith – Chief Legal Officer (Monitoring Officer)	

1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, the Committee will be requested to exclude the public from the meeting during consideration of the

item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

- 3.1 There are no financial implications associated with this report.

4. Legal Implications

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
 - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
 - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
 - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
13	Information which is likely to reveal the identity of an individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <p>a) Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</p> <p>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</p> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>
	<p>No public interest test.</p>
17	<p>Information which reveals that the authority proposes:</p> <p>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) To make an order or direction under any enactment.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

Agenda Item 14

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