

CORPORATE OVERVIEW AND SCRUTINY COMMITTEE - MONDAY, 25 JANUARY 2021

**MINUTES OF A MEETING OF THE CORPORATE OVERVIEW AND SCRUTINY COMMITTEE
HELD IN REMOTELY VIA SKYPE FOR BUSINESS ON MONDAY, 25 JANUARY 2021 AT
11:00**

Present

Councillor CA Green – Chairperson

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|-------------|--------------|-----------------------|------------|
| TH Beedle | JPD Blundell | MC Clarke | N Clarke |
| RJ Collins | PA Davies | SK Dendy | DK Edwards |
| J Gebbie | T Giffard | A Hussain | M Jones |
| MJ Kearn | JE Lewis | RL Penhale- Thomas | AA Pucella |
| KL Rowlands | RMI Shaw | JC Spanswick | T Thomas |
| LM Walters | KJ Watts | PJ White | A Williams |
| AJ Williams | JE Williams | | |

Apologies for Absence

SE Baldwin, DG Howells, DRW Lewis, B Sedgebeer, E Venables, MC Voisey and CA Webster

Registered Representatives

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| Rev Canon Edward Evans Morris | Church in Wales Secondary Schools Sector |
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Officers:

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| Meryl Lawrence | Senior Democratic Services Officer - Scrutiny |
| Andrew Rees | Democratic Services Manager |
| Tracy Watson | Scrutiny Officer |

Invitees:

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| Victoria Adams | Interim Finance Manager – Budget Management: Communities, Education and Family Support |
| Councillor Nicole Burnett | Cabinet Member Social Services and Early Help Leader |
| Councillor Huw David | Interim Deputy Head of Finance |
| Deborah Exton | Corporate Director Education and Family Support |
| Lindsay Harvey | Interim Chief Officer – Finance, Performance and Change |
| Gill Lewis | Corporate Director Social Services and Wellbeing Accountant |
| Claire Marchant | Corporate Director - Communities |
| Chris Morris | Cabinet Member for Wellbeing and Future Generations |
| Janine Nightingale | Head of Neighbourhood Services |
| Councillor Dhanisha Patel | Chief Executive |
| Zak Shell | Cabinet Member for Education and Regeneration |
| Mark Shephard | Chief Officer Legal, HR and Regulatory Services |
| Councillor Charles Smith | Deputy Leader |
| Kelly Watson | Cabinet Member for Communities |
| Councillor Hywel Williams | |
| Councillor Richard Young | |

208. DECLARATIONS OF INTEREST

Councillor T Beedle declared a personal interest in agenda item 4 as he was Chair of Bridgend Governors Association.

Councillor A Williams declared a personal interest in agenda item 4, as a Committee member of Heol-y-Cyw RFC who were involved in the CAT process.

209. MEDIUM TERM FINANCIAL STRATEGY 2021-22 TO 2024-25

The Senior Democratic Services Officer - Scrutiny advised that as this combined meeting of all Scrutiny Committees was a continuation of the adjourned meeting from Thursday 21st January, Cllr Cheryl Green would continue as Chairperson for the meeting.

Education and Family Support

A Member referred to ESF2 and the tenders received for school transport and asked for reassurance that there was robustness around the selection process and how the Local Authority achieved value for money.

The Corporate Director - Education and Family Support explained that he was very happy to offer the Member assurance it would be a very robust process. Officers within Education and Family Support would be working very closely with Legal and Procurement Officers to ensure compliance with all processes around the tendering procedure.

A Member commented that Home to School transport had been under review for a long period and appealed that this was progressed.

The Corporate Director - Education and Family Support agreed with the Member and stated that it had been a concern for some time. There had been a considerable amount of work that had gone into the review, for the last year or so. The Local Authority hoped to see the WG review of several of the issues, which was due to come to fruition at the end of March. Hopefully this information, in combination with the intelligence secured, would enable the Local Authority to move this on at pace.

A Member referred to SCH1 and stated that the efficiency saving should be reconsidered to stop cutting central services as it damaged all schools.

A Member also referred to SCH1 and expressed that while no one wanted to make cuts, he felt that the burden needed to be shared equally and that there should be some cut this year.

The Registered Representative, Church in Wales also referred to SCH1 and that for the last number of years Bridgend had been at the lower, if not the bottom end in the amount that was spent on education per pupil. He advised that any cut to the schools' budget would be particularly disastrous, not only in the current year, but in future years.

A Member explained that she had been in a meeting with the Minister for Housing and Local Government and challenged her about the settlement. The Minister had said that while it wasn't a growth budget each Authority should not be losing or proposing to lose any staff, because it should be a standstill budget. She said that if any Authorities stated they were going to lose staff then WG wanted to know immediately because they had said that wouldn't be viable going forward.

The Corporate Director - Education and Family Support explained that he really appreciated Members' comments and it was a very challenging picture for the entire

organisation. All the areas identified were difficult; none of them were easy and had been reached after significant work. There was a balance to be had with supporting schools, and the points that a number of Members had made, with regard to the challenging financial position that some schools were in. The Local Authority was mindful to support schools through the difficult times that lay ahead but also the balance maintaining central service to provide support for all schools. He would need to reflect upon the comments in relation to the Minister for Housing and Local Government, as this was the first he had heard of this from WG, and again that would be something he would be happy to consider with colleagues and CMB.

Social Services and Wellbeing

The Chairperson thanked the Corporate Director - Social Services and Wellbeing and the Officers responsible for the very detailed response and additional information that had been provided.

A Member referred to page 42, SSW2 in relation to housing adaptations and asked if there was any way, sometimes expensive equipment, could be refurbished and re-used whereby saving the authority money, especially as there was a move to bring matters in-house.

The Corporate Director - Social Services and Wellbeing explained that Disabled Facilities Grants (DFGs) were a key example of an area whereby investing in a preventative service could reduce ongoing care and support needs. She knew of lots of examples across Wales where there was a really positive and proactive approach to recycling equipment, some of it very bespoke to individuals. Other equipment could be refurbished and cleaned and all the rest of it and could be put to very good use. This was something that should be built into performance targets for the service, as it was brought in house. She confirmed that she would keep Members updated in coordination with colleagues in Housing, who were the lead on delivery of DFGs.

A Member also asked if the practice could be looked into in relation to the secure estate.

The Corporate Director - Social Services and Wellbeing explained that Members were clearly highlighting the desire for more information about equipment including how much equipment was being issued, how much of that equipment was bespoke to individuals, be it in the secure estate or in their own homes in the community, as well as how well that equipment was being used and recycled. She would work with colleagues to prepare a briefing note that would set this out. There was a need to ensure whether the Local Authority was being as efficient and effective as it could be and she would certainly collate the data for this area.

A Member echoed the Chairperson's sentiments regarding the detailed additional information provided and requested more details and case studies in future going forward. They asked what was the sustainability of these cuts going forward considering the likelihood that people's conditions would deteriorate and they would be likely to need increasing help from the Local Authority.

The Corporate Director - Social Services and Wellbeing explained that one of her priorities as a new Director, was to make sure there is well evidenced strategic plans, going forward, across all the main population groups who require care and support, which look at the increase in population and the things needed to meet those needs going forward, in the most cost effective way. This also achieves the best outcomes for individuals and supporting that there would be business cases, which either required more investment or could continue to see reductions in the cost of services going forward. It would differ from population to population and would require different

business cases around the types of services needed to be developed to meet the needs most cost effectively.

The Member stated that he was just seeking assurance that if people's circumstances changed next week, for example, the Local Authority would be in a position to help them with another care plan which may cost more.

The Corporate Director - Social Services and Wellbeing responded to provide that assurance and explained that care packages were regularly reviewed, at least once a year, but often more frequently, and these could increase as well as decrease. She explained that the savings represented an overall net reduction.

A Member fully supported the review of functions but sought assurance that statutory reviews be undertaken more frequently, and that the staff providing the service would have the ability to make those recommendations. She also sought reassurance that in relation to any nursing provision, the tab should be picked up by the NHS, rather than the Local Authority. In relation to the White Paper, all care sector staff should have the real living wage including any commissioned services, and it would also be on the same spectrum as the agenda for change in the NHS, which would have significant cost implications for the Local Authority.

The Corporate Director - Social Services and Wellbeing explained that it was very interesting times working in social services and referred to the White Paper, published recently, which was out for consultation. This recognised the absolute value and importance of the work of the direct care workforce. She strongly believed they were experts in what they did and if they made recommendations that somebody needed even just a little bit more or a little bit less, then that was really important because they spent day in and day out with people with care and support needs, and would know the person well, in making those recommendations. In relation to the second point, Bridgend had integrated teams and good joint working between community nursing staff, particularly, social workers and occupational therapists in the community, which enabled a holistic approach. There had always been tensions at that interface between organisations, but if the practice was right and working in the strength-based way across the health and social care spectrum, the Local Authority was in a far better position with health colleagues to do what matters and to get the right care packages with the right contributions across partner agencies. Moving forward, the Local Authority would look at what further integration meant and some very important discussions would be needed with the Health Board about their contributions to keeping people safe within communities. A lot of the things driving social care costs were the underlying health needs, so it was about supporting them to invest in the right services, which could reduce the cost overall across sectors.

Communities

A Member referred to page 41, COM1 and expressed concern about employing a consultant, to review Maesteg Park and Newbridge Fields. She asked for the cost to be provided and whether there was an appetite to transfer, before employing someone to carry out the review.

The Corporate Director - Communities confirmed that all parks in the borough had expressed an interest in looking at the CAT process. When looking at large complex sites, with multiple users, it was important to take a close look at what would be involved with that CAT. Consultancy advice had been provided to make sure everything was being captured in order to know the full cost implications and operating lifetime costs of the facilities and to ensure if they were transferred, that they were done in the right way.

With regard to Maesteg Welfare Park and Newbridge Fields it was felt more detailed work needed to be undertaken on those two areas in particular.

The Member asked what the cost was of employing the consultants.

The Corporate Director - Communities explained that she did not have the cost to hand, but would provide that information.

A Member asked what would happen if Maesteg Welfare Park or Newbridge Fields were not transferred. What was, if any, the Local Authority's de facto or fail safe position on these two.

The Corporate Director - Communities explained that if the two areas were not transferred, they would remain in the management of the borough council and would be looked after, in perpetuity. She hoped for some arrangement for a CAT transfer, but of course these were large, complex sites and there was an awful lot to get through to ensure that CAT was appropriate and could be managed in the right way.

The Cabinet Member Communities acknowledged the complexity of the CAT process in relation to the two areas, which was due to the fact that, in some instances, pitches overlapped each other, so there was a lot of work that needed to be done with the two management committees of those particular clubs. In answer to the question, what would happen, the Corporate Director - Communities was quite right. The object of the strategy employed was to make savings. Savings were becoming apparent and clubs themselves, that were entering into CAT transfers, were beginning to see the benefits of those transfers, but it was fair to say that while there was an appetite with the clubs on those two areas, if it was impossible to transfer those, then the Local Authority would be in a position to support those clubs, although it would mean those savings would not be made. He was quite confident that a way forward on these two complex areas, could be found and he reassured Members on the appetite of the clubs that involve themselves in those two areas.

A Member stated that she welcomed the outside consultants, but as a Bridgend Town Councillor she had seen the brief to the consultants and nowhere did it actually mention the consideration of Newbridge Fields being a flood plain. She was concerned that the consultants may not have the expertise to deal with flood plains and whether the recommendations that came from them would actually include those costs.

The Corporate Director - Communities stated that she could provide assurance for that. The flood plain issue was very important and was part of the brief. While it may not have been involved in the tender, it would be one of the first things discussed with the consultants when looking through the maps, topography and the area of those parks. It would be one of the most important considerations for that scheme and would be included.

A Member referred to usable reserves and said it would be useful for perhaps, the Cabinet Member for Finance and the Interim Chief Officer Finance, Performance and Change to comment upon whether they felt that the usable reserves should be used in this time of uncertainty.

The Chairperson clarified that this was a question that had been generated because of the response to COM1, but she was happy for the Interim Chief Officer Finance, Performance and Change to make a general response.

The Interim Chief Officer Finance, Performance and Change explained that the short answer was no. She did not think the Local Authority should be using useable reserves.

The £64million that was referred to was made up of over £9million of Council fund and £55million of earmarked reserves. Whilst it looked like a big figure, the £9million in the Council fund was in line with the MTFs principles, in terms of reserves. These were approved by Council as part of the MTFs and reiterated in various documents that Council received. They were revised last year through BREP and then by approval by Council. She confirmed that the Council fund was in line with that principle, 5.27% of the net budget excluding schools, and the principle says it should be at least 5%.

In terms of the earmarked reserves, a lot of those were supporting the capital programme, about £20million. Another £4.5million supported asset management, minor works, repairs and demolition. The Covid-19 fund of £3million, was now £2.5million with money transferred into an emergency fund, most of which had already been used. There were also grants and equalisation accounts, which was another £4million, which could not be spent on anything else, otherwise these would have to be repaid back to WG. The rest was council wide reserves, major claims, service reconfiguration and insurance, etc. Earmarked reserves were earmarked for a purpose and were looked at nearly every month in Finance. These had been reported through the quarterly budget monitoring and the Interim Chief Officer Finance, Performance and Change had been vigilant in terms of unwinding any reserve that had not moved or was no longer necessary. The Auditors looked at them very closely, and would raise a query if they weren't needed or looked as though they were just set aside for something very general and were vigilant on them. School balances were incredibly low. While she understood that Members looking at that sort of figure might think that it was useable, it was not useable.

The Deputy Leader stated that he had nothing really to add to what the Interim Chief Officer Finance, Performance and Change had said, but gave assurance, as a Cabinet Member, that earmarked reserves were constantly reviewed. The process was under constant review and in meetings with the Finance Team it was ensured that there was an appropriate sum to cover a known pressure and put on the pressure to try and unwind and to keep that reserve pot as true as possible. The general fund was in line with audit recommendations, a principal set annually by Council. The Deputy Leader would not be advocating reducing that sum below what was recommended by Wales Audit.

A Member referred to COM1 and asked for further clarification that if the feasibility did not come to fruition, what would be the level of maintenance e.g. would they stay at the level they are now or go back to the fall-back position of having very little maintenance.

The Corporate Director - Communities explained it was important to keep parks in the condition they deserved, but against a backdrop of financial austerity, it was incredibly difficult. If they did remain with the in-Council ownership and the transfers were not successful, they would have a comprehensive maintenance regime, as they did currently, on those sites for the next year. What would happen after that, of course, would be dependent on budget settlements.

The Cabinet Member Communities reassured the Member that the Local Authority had a responsibility to the clubs and leagues, who expected a certain standard, so it would have to be kept up to those standards at least. He advised that as the Corporate Director - Communities has advised, the situation would have to be reviewed year on year. The Local Authority would keep monitoring the situation and liaise with clubs.

A Member noted that the additional information said that all clubs had expressed an interest, which he felt was to avoid an increase in fees, as if they didn't, either fees would go up or sites would close. He didn't disagree with the CAT process, but it was difficult to know how charging a club to pay maintenance would work in large open spaces because those areas were also used for informal recreation by the general

public. He raised concern that there did not appear to be individual costs per site and as a result questioned how this amount could be removed from the budget. He raised concern about employing consultants and felt that the service was no longer resilient. He confirmed his extensive experience in parks and green spaces and had offered some of that experience to the Cabinet Member in the past. He felt disappointed with the wording on closures to children's play areas and felt this should be removed because investing in children's play areas was in the capital programme for next year. He felt the £300k target should be removed and any savings made, reinvested in parks and open spaces, for future generations.

The Corporate Director - Communities reiterated that she understood the Member's concerns and acknowledged his discussions with the team about the CAT transfer process. She reassured him in regard to the CAT process, explaining that it was not compulsory, but something clubs were encouraged to do, which gave them more control over their fields, but only if this was financially viable and legally correct. She acknowledged his interest in the detailed breakdowns of figures, but they could not be provided at present. She was content that the process was robust and that every CAT was looked at carefully and nobody would be asked to undertake a CAT if the club were not ready, minded or willing.

A Member referred to the response received in relation to COM1, that clubs could maintain facilities as costs significantly lower than BCBC, and asked whether BCBC had been inefficient in running these previously, and if it was known where savings could be made, why they hadn't been made earlier.

The Corporate Director - Communities said that she assured the Member that was not the narrative that went behind the comment and explained that as a Borough Council everyone was paid wages, received pensions plus all of the add-on costs. Staff were paid to work across a range of sites, so it would be more expensive than a club, for instance, doing their own grass cutting with machinery they owned, as opposed to the Council, who would have to move machinery from one part of the Borough to another and whose employees were paid at a Council standard rates and had the protection that being a Council employee brought with it. She stressed that it was absolutely not that the service was inefficient, but rather that it was efficient and lean and as such there was little resilience. Using club staff and volunteers, could significantly reduce the costs of running those clubs.

The Cabinet Member Communities said in relation to CATs, he did not feel that the system was flawed. He acknowledged there were certain problems in respect of Newbridge Fields and Maesteg Welfare Park, as these facilities were used by members of the general public, not just sports clubs and this made it complex. The Local Authority would not have been able to maintain these facilities going forward, due to austerity, to the point where the facilities would close themselves because they would not be meeting the standards of the clubs or organisations that those clubs represent. CAT gave clubs an option and he felt that the majority of clubs were now seeing the benefits of that. He believed the decision taken at that particular time had allowed facilities and especially those taken over by CAT, to remain in the public domain.

A Member stated that in relation to COM1 there was talk of reduction of grass cut areas, maintained parkland, and a reduction of the number of children's play areas. In relation to TCC's taking over grass cutting and taking over children's play parks, she felt that communication could be better. She asked for clarification on the reduction of maintenance in relation to play parks.

The Corporate Director - Communities appreciated the Member's concerns and any transfer of any maintenance of grass cutting play areas and or grass cutting generally,

would be discussed with TCC's, which would need to be reflected in their precept. With regard to health and safety there wasn't a minimal level, but a standard for health and safety. Grass cutting didn't present the same dangers, but with health and safety and children's play, there was a standard which would be met. She would gladly have those conversations with TCC's going forward.

A Member referred to COM1 and the breakdown of the £300k and asked how achievable the target was in the long run this year.

The Corporate Director - Communities explained that this was the target being aimed for. The target was very ambitious, to get another 10 CAT transfers through the system, which would make the target achievable. This would be monitored and if it was felt this would not happen, then achieving the saving would need to be done through reduction in maintenance of the grass cutting, etc.

A Member felt concerned by the comment that said that if the saving can't be achieved through CAT, cuts would have to be made elsewhere, including reducing grass cutting. This was a frontline service and should be protected.

The Corporate Director - Communities explained that with regard to the comment on grass cutting, that was about grass cutting within play areas, and not grass cutting wholly across the borough. What needed to be done, and it was advisable and prudent, was to keep reviewing the target, which she hoped to achieve. If the saving was not seen through CAT, it would then have to come from other areas of the Directorate. All cuts were incredibly difficult for all service reductions.

The Chairperson advised that everyone that wanted to speak, had already spoken and so there was no further questions for all the invitees and she thanked them very much for their attendance, particularly at such short notice and it was much appreciated.

As this concluded debate on this item, the Chairperson thanked all Invitees for attending the meeting and positively responding to questions from Members, following which they retired from the meeting.

Recommendations:

Having considered the report on the Medium Term Financial Strategy 2021-22 to 2024-25, and having heard Invitees' responses to Members' questions upon the draft budget proposals and budget pressures, the Combined Meeting of all Scrutiny Committees made the following comments and recommendations:

1. The Committee recommended that the Cabinet lobbies Welsh Government to ensure that additional legislation comes with the consequential funding to avoid putting the Local Authority under additional unnecessary financial pressure from existing budgets. (CEX5 Homelessness Funding.)
2. The Committee recommended that consideration be given to greater communication with the public explaining the costs of services and how the Council spends money.
3. The Committee recommended that clarification is sought regarding the Local Government Minister expressing this year's settlement is a flat cash budget that requires no redundancies.

4. The Committee recommended that Corporate Management Board and Cabinet are requested to review and define what the role and responsibility of BREP is and respond to Corporate Overview and Scrutiny to consider.
5. The Committee recommended that Cabinet are requested to write to Welsh Government to impress upon them the need to lobby Westminster, as while NHS Staff and Teachers pay protections are devolved to Welsh Government, Local Government staff are on NJC Terms and Conditions, is not a devolved budget, and they will be subject to a pay freeze. Furthermore, the White Paper for the care sector requires that commissioned services should be paid a real living wage on the same terms & conditions as LA staff.
6. The Committee expressed concern about the Ed Psych provision and the additional pressure the pandemic placed on the service and recommend an increase in the budget for 2021-22 to alleviate the likely huge demand from younger people from the impact of the pandemic, as well as increased additional learning needs. (EFS7)
7. The Committee expressed concern that the target of £300k for 2021-22 was unrealistic and recommended that it should be removed. While it supported the CAT process it was felt that any savings should be reinvested into the service. If this target cannot be removed for 2021-22, then the Committee recommend that the target of £300k be spread across 3 years from 2022-23 onwards. (COM1)

8. The Committee recommended that the narrative be amended, as it states “this may impact on the availability to maintain the current number of children’s play areas”, but the Capital Programme is investing in play areas.(COM 1)

9. The Committee recommended that CAT Transfer progress be monitored by Subject Overview and Scrutiny Committee 3 at the half year point. (COM1)

10. The Committee recommended that the Fees and Charges policy be reviewed in 2021-22 to change it from “inflation +1%”, to just “inflation” with a view to it being implemented from the budget in 2022-23.

11. The Committee were concerned regarding the impact of cutting the Pest Control Contract completely, due to the impact on those in receipt of benefits and recommended that the Pest Control Savings proposal is placed on hold pending the Cabinet reviewing of the proposal. (CEX2)

12. The Committee recommended that a working group actively look at identifying relatively small one off investments on safe routes to schools which could offset ongoing costs of some Home to School transport. (EFS2/Budget Pressure EFS7)

210. URGENT ITEMS

None

The meeting closed at 14:00