

## POLICY REVIEW AND PERFORMANCE SCRUTINY COMMITTEE

20 JUNE 2023

Present: Councillor Williams(Chairperson)  
Councillors Ash-Edwards, Carter, Henshaw, Hunt, Stubbs and Thomson

### 1 : CHAIRPERSON AND COMMITTEE MEMBERSHIP

Noted.

### 2 : TERMS OF REFERENCE

Noted.

### 3 : APOLOGIES FOR ABSENCE

Apologies had been received from Cllr Chowdhury.

The Chairperson had also been advised that the Leader, Cllr Huw Thomas is on official Council business and unable to attend for the Legal Services item.

### 4 : DECLARATIONS OF INTEREST

None received.

### 5 : MINUTES

The minutes of the meeting held on the 16/05/23 were agreed as a correct record and signed by the Chairperson.

### 6 : CORE OFFICE STRATEGY

The Chairperson advised that this item provided Members with an opportunity for pre-decision scrutiny of the Council's Core Office Strategy. The Cabinet report attached at Appendix A of published papers sought approval of an Outline Business Case for a Core Office Strategy considering future options for the Council's core office requirements at City Hall and County Hall. The Outline Business Case (OBC) would be presented to Cabinet on 22 June 2023 and sought approval to progress to a Full Business Case on the preferred option.

For this item, the Chairperson welcomed Councillor Russell Goodway, Cabinet Member for Investment and Development; Neil Hanratty, Director of Economic Development; Donna Jones, Assistant Director County Estates; and Chris Barnett, Operational Manager Major Projects.

The Cabinet Member was invited to make an opening statement after which Officers provided their presentation. Members were then asked for their questions, comments, and observations.

The Committee welcomed the opportunity to discuss the Core Office Strategy's Outline Business Case. Members agreed with the approach of progressing while minimising budget impact and preserving City Hall's role. Ongoing staff and service area engagement was noted, along with the forthcoming new build office procurement for the Full Business Case.

Members noted that the preferred option was based on cost-effectiveness, and City Hall's preservation was acknowledged.

Members were advised that the ongoing research explores a museum option for heritage funding, but the Council's policy is to incorporate City Hall into its core office. The Committee fully supported this and considered it should include the restoration of the fountain in City Hall's upgrade plans.

Members were assured that the calculation of 140,000 sq. ft. for core office services was accurate. Members were advised of the current staff distribution at County Hall and City Hall, with changes in desk layouts resulting in reduced average office space per person. The proposal of 35,000 sq. ft. for City Hall was estimated to accommodate 400 staff, delivering significantly more space than is currently used. Extensive engagement with staff and service areas had influenced the design to prioritise collaborative working needs.

Members supported the freedom of choice for staff to work from home or in the office and they emphasised the need for flexibility to accommodate personal office space preferences, alongside the option to work from home. Members were assured that the Full Business Case would consider this aspect and provide appropriate flexibility.

Members emphasised the importance of ensuring that any new build proposal maintains a higher level of quality and longevity compared to County Hall.

Members expressed concern about the estimated £4-5 million of additional revenue required for a new County Hall, considering the lack of allocation in the Council's Capital budget for the preferred core office strategy.

Members were interested to hear of the approach of involving a public sector partner for potential shared core office space at City and County Hall. Members were advised that while no discussions have taken place yet, the significance of public sector leadership, as demonstrated with County Hall and the Atlantic Wharf Masterplan, was acknowledged. The assurance that City Hall's event venue space would be preserved in all partnership scenarios was noted. Furthermore, it was recognised that if a suitable partner doesn't emerge, the Council could proceed independently.

Members acknowledged that in the event of proceeding to a Full Business Case, a more detailed examination would take place to enhance transparency regarding the following matters:

- Financing options, including the management of incurred debt.
- Strategies to address embodied carbon, outlining in depth how it will be tackled within the preferred option.
- Ways to enhance income generation from City Hall office space.
- Potential leasing arrangements.

- A clearer outline of the drawbacks associated with maintaining County Hall as a core office.

RESOLVED – That the public be excluded from the meeting at this point during consideration of this item as the Committee discussed exempt information of the description contained in paragraphs 14 and 16 of Part 4 and paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972. The public may be excluded from the meeting by resolution of the Committee pursuant to Section 100A(4) of the Local Government Act 1972 during discussion of this item.

AGREED: that the Chairperson, on behalf of the Committee, writes to the Cabinet Member conveying the observations of the Committee when discussing the way forward.

## 7 : LEGAL SERVICES

The Chairperson advised that this item provided Members with an opportunity to consider whether the Council's current model of providing Legal Services is the right one for its needs. The Director of Legal and Governance was in attendance to brief Committee on the budget position, what alternative models exist for delivering legal services, and how resilient the service is to cope with future demands.

For this item, the Chairperson welcomed Councillor Chris Weaver, Cabinet Member, Finance Modernisation & Performance, Davina Fiore, Director of Governance and Legal Services, and Leanne Weston, Operational Manager, Communities.

The Cabinet Member was invited to make an opening statement after which Officers provided their presentation. Members were then asked for their questions, comments, and observations.

Members were advised of and acknowledged the current challenges facing the Council's Legal Service, including issues with lawyer recruitment and retention, the pay and grading structure, overspending on staffing budget due to locums, high workloads, and difficulties in obtaining complete instructions from client departments.

Members noted a growing demand for Legal Services, potentially influenced by the retirement of experienced officers and the emergence of new legislation. Members also noted that the complexity of cases in Children's Services, such as those involving children across different countries like refugee cases, has contributed to this increased demand.

Members were advised that additional financial support for complex cases primarily goes to client departments rather than Legal Services. An internal solution has been found by increasing the Legal Services budget, which aligns with the increased budget for Children's Services, particularly for cases involving court orders. Members noted that despite budget realignments over the past three years, there are indications that Legal Services may still lack sufficient resources.

The Director highlighted that Legal Services in various councils, including Cardiff, are facing challenges and no examples exist of other Welsh councils providing a superior Legal Service. In fact, Cardiff is often sought after to share its best practices in this regard.

Members were reassured that the Council can manage risks using its external fee budget when facing insufficient legal staff resources. The Council's legal work primarily involves statutory matters, especially those concerning vulnerable individuals, and a backlog of such work is unacceptable.

Members were advised that in the past 12 months, the Council has not lost a legal case due to handling it in-house rather than outsourcing it. Legal Services focus on risk management, and the legal staff are aware of escalation procedures if demand becomes overwhelming. Members noted that Courts have the authority to issue a wasted costs order against the Council for causing case delays, but no such orders have been issued.

Members emphasised the importance of supporting the well-being of staff in the Legal Services department, given the unpredictable demand and challenges in recruitment and retention. Members were advised that flexible working and remote work options are appreciated by staff, along with access to comprehensive well-being support services.

Members were advised that stress is effectively managed within the department, and despite recruitment challenges, many staff remain with the Council for an extended period.

AGREED: that the Chairperson, on behalf of the Committee, writes to the Cabinet Member conveying the observations of the Committee when discussing the way forward.

## 8 : COMMITTEE BUSINESS

The draft Scrutiny Annual Report 2022/23 was approved to be presented to the next full council.

Members noted that the RLDP task & finish group was due to meet on 7<sup>th</sup> July 2023 at 10am.

Members noted the provisional committee dates listed in the report. The Chairperson advised that all of the dates fall the evening before Cabinet, but he had been reassured that the calendar would be re-visited when the Council is in a position to host two meetings simultaneously and meet its webcasting responsibilities.

## 9 : URGENT ITEMS (IF ANY)

None received.

## 10 : DATE OF NEXT MEETING

12 July 2023 at 4.30pm.

The meeting terminated at 7.53 pm