

Committee Business Report

Scrutiny Annual Report 2022/23 – RLDP Inquiry - Correspondence

Reasons for this Report

1. Three matters comprise this month's Committee Business Report:
 - To update Members on the Scrutiny Annual Report 2022/23.
 - To invite expressions of interest in the Replacement Local Development Plan (RLDP) Joint Scrutiny Task and Finish Inquiry.
 - To advise Members of correspondence arising from recent PRAP scrutiny meetings.

Scrutiny Annual Report 2022/23

2. The Council's Constitution requires all Scrutiny Committees to report annually to the Council on their work during the past year and make recommendations for future work programmes. In recent years this constitutes one combined Scrutiny Annual Report capturing the work of all five scrutiny committees.
3. The Scrutiny Annual Report 2022/23 will be considered by Full Council in June 2023. It is currently being drafted and the final report will be agreed by all Chairs of Scrutiny.
4. In preparation for the final draft each scrutiny committee is requested to agree the pages that will be included for that committee. A draft page is therefore attached at **Appendix 1** for this committee's approval. The page will set out membership, purpose, and achievements over the year.

5. The final Scrutiny Annual Report to Council will focus on how Scrutiny has influenced the way Council services are delivered; improve stakeholder understanding and interest in Scrutiny; explain how Scrutiny facilitates engagement and encourages public participation; and highlight the value of Member-led/ stakeholder informed decision making.
6. If agreed by Council the report will be available for download bi-lingually from the Council's website, in standard or large print version and will also offer a translation in other minority languages if requested.
7. Members views are sought on whether the narrative at **Appendix 1** succinctly captures the work of the Committee in this first year of a new administration.

Replacement Local Development Plan (RLDP) Inquiry

8. The Replacement LDP is a crucial strategic document which governs the future development and economic growth of Cardiff up to 2036. It will be a key driver of investment, competitiveness, growth and environmental protection in Cardiff and will have implications for the wider city region.
9. In September 2021, the five Scrutiny Committees individually considered the first stage of the Replacement LDP - *Vision, Issues and Objectives* and *Integrated Sustainability Appraisal Scoping Report* - prior to its consideration by Cabinet. Following these meetings, a collective letter capturing all concerns and observations from all five committees was sent to Cabinet.
10. In October 2021, all five Scrutiny Committees approved the establishment of a joint task & finish group, comprising the Chairpersons of the five Scrutiny Committees plus a volunteer from each Committee, to consider the next stage of the Replacement LDP, the *Strategic Options*. The Task Group met on several occasions, resulting in 2 letters to Cabinet setting out key findings and recommendations relating to consultation and engagement, strategic and delivery options, accessibility, inclusivity and environmental sustainability.

The Preferred Strategy

11. The next stage of the Replacement LDP is the *Preferred Strategy*, which will set out the preferred level of housing and jobs growth for the plan and the spatial strategy to deliver this growth. It will also contain a number of draft strategic key policies – such as sustainable transport, protecting the environment and delivering quality new development – which will inform the preparation of a Deposit Plan.
12. Welsh Government guidance requires the Preferred Strategy to be founded on a robust and up to date evidence base; this is tested during the independent examination of the Deposit Plan.
13. The draft Preferred Strategy will be consulted on between July and September 2023, finalised by the Council's Cabinet in Autumn 2023 and will then be considered for approval by Full Council.

The Scrutiny Process

14. It is essential that the Preferred Strategy is subject to robust scrutiny prior to being finalised by Cabinet.
15. The Scrutiny Chairs have agreed that a task and finish group be established, consisting of the Chairs of the five Scrutiny Committees and two volunteers from each committee.
16. The Task and Finish group needs to be established as soon as possible to plan and commence work around the RLDP Preferred Strategy, scheduled to go out to consultation in July 2023.
17. The Terms of Reference for the Task and Finish Group have yet to be set but will be established by the Task and Finish Group and presented to the 5 Scrutiny Committees for agreement.
18. Members might wish to consider the potential benefits of joining the task and finish group. Some of these benefits will include:
 - a. Becoming involved in the scrutiny of a key strategic corporate and statutory document which has major implications for the future of Cardiff.

- b. Gaining an in-depth awareness of the issues underpinning the LDP and its process.
- c. Gaining experience of the Task and Finish process and the dynamics of working with Members from the Council's other four Scrutiny Committees.

19. Following approval of the Preferred Strategy, it is anticipated that the task and finish group will continue to meet periodically, to undertake scrutiny of future stages of the Replacement LDP.

Correspondence

20. Following each Scrutiny Committee meeting, the Chair writes on behalf of all Members, to the relevant Cabinet Member and senior officer, summing up the Committee's comments, concerns and recommendations regarding the issues considered during that meeting. The Committee is routinely copied into the letters when they are forwarded to the Cabinet Member. Depending on the issues highlighted, the letter may request a response from the Cabinet Member to any recommendations made, and sometimes requests further information.

21. For Members information, attached to this report are copies of correspondence following the January, February and March 2023 meetings of this Committee, both letters sent, and Cabinet responses received.

22. Where responses are marked *Response awaited* the support officer continues to follow up on the Committee's behalf, particularly where the Committee has made a formal recommendation for monitoring as part of the new database in place to capture the impact of scrutiny. There are occasions, however, that the Committee does not formally request a response.

Committee	Scrutiny	Link
14 December 2022	Race Equality Taskforce	Link to correspondence following December PRAP
	<i>Response awaited</i>	
17 January 2023	Budget Consultation 2023-24	Link to correspondence following January PRAP
	<i>Response not required</i>	
	Mid-year Performance 2022-23	Link to correspondence following January PRAP
	<i>Response awaited</i>	
	Call-in St David's Hall	Link to correspondence following January PRAP
	<i>Report not referred back</i>	
3 March 2023	Corporate Plan 2023-26	Link to correspondence following 1 March PRAP
	<i>Cabinet response</i>	Link to Cabinet response
	Budget Proposals 2023-24	Link to correspondence following 1 March PRAP
	<i>Response not required</i>	
	Maindy Park Land Advisory Committee Recommendations	Link to correspondence following 1 March PRAP
	<i>Cabinet response</i>	Link to Cabinet response

Legal Implications

23. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the

Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

24. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

Members are recommended to:

- i. Consider, if necessary amend, and approve the draft Policy Review and Performance Scrutiny Committee page of the Scrutiny Annual Report 2022/23, attached at **Appendix 1**.
- ii. Express an interest in sitting on the Replacement Local Development Plan Joint Scrutiny Task and Finish Group.
- iii. Note correspondence between the Committee and the Cabinet for meetings December 2022 – March 2023.

Davina Fiore

Director Governance & Legal

16 March 2023