

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2016/17

**SPECIAL OVERVIEW & SCRUTINY
COMMITTEE**

15TH MARCH, 2017

**REPORT OF THE DIRECTOR OF
LEGAL AND DEMOCRATIC SERVICES**

Agenda Item 2

**`RCT Together` Community Enabling
Fund**

Author: Karyl May, Head of Democratic Services
Tel: 01443 424045

1. MEMBERS WILL FIND ENCLOSED:

- A. Copy of the Key Officer Report **(Pages 5 - 10)**
- B. Copy of the Key Officer Decision Notice **(Pages 11 - 14)**
- C. Copy Extract of Overview and Procedure Rules re: Call-in **(Pages 15 - 18)**
- D. Copy of Prescribed Call-in Form **(Page 19)**

2. RECOMMENDATION:

It is recommended that the Committee adopt the procedure for the conduct of the meeting as set out in paragraphs 4.2 and 4.3. below.

3. BACKGROUND

- 3.2 On the 1st March, 2017 a Key Officer Decision was made by the Group Director, Corporate and Frontline Services in consultation with the Cabinet Member for Prosperity, Wellbeing and Communities, County Borough Councillor J.Rosser in respect of the allocation of funding to the Community Enabling Fund (Copy of the report is attached as Appendix A)
- 3.3 The Key Officer decision in respect of the above was published on the same day i.e. 1st March, 2017 (Copy of the decision is attached as Appendix B.)
- 3.4 Rule 17 of the Overview and Scrutiny Procedure Rules dealing with call-in is reproduced as Appendix C of this report.

- 3.5 A call-in form was received on the 8th March, 2017, which complied with the relevant criteria. (A copy of the Prescribed call in form is attached as Appendix D)
- 3.6 Members will note that the Call-In Provisions were changed at the Council's Annual General Meeting in May 2014, to enable any 3 Non-Executive Members (from either (i) at least 2 political groups or (ii) in the case of an unallocated Member(s) – that unallocated Member(s) and a Member(s) from a political group). **Of the three Members making the Call-in, two Members are Members of the Committee and therefore will be able to vote on the matter.**
- 3.7 At the Council's Annual General Meeting held on the 20th May 2015 Members agreed the proposed changes to the Scrutiny structure to reflect that the 'Overview and Scrutiny Committee will deal with all Call-ins, and as and when appropriate to invite Scrutiny Chairs, Vice Chairs and Co-opted Members to such meetings'
- 3.8 Further, at the Council's Annual General Meeting held on the 25th May, 2016, it was agreed:-
- That to ensure accountability and to allow the opportunity for scrutiny of the decisions taken that Chief Officer Delegated Decisions in respect of 'Key Decisions' be open to scrutiny`;
 - All 'Key Decisions' of an Officer, made by Delegated Decision must be published in the same manner as decisions of the Cabinet. Delegated Decisions will need to be published with immediate effect and no later than 2 clear working days following the decision(s) being taken;
 - Once published, the Decision(s) will be subject to the same process in respect of 'Call In' as any Cabinet Committee Decision, i.e. the decision will come into force and may be implemented on the expiry of five clear working days after the publication of the decision, unless the decision is called-in for review by scrutiny.

4. PROCEDURE

- 4.1 Each case for Call-in must be considered on its merits and there is no set procedure.
- 4.2 The three Members who called in the decision will be invited to address the Committee, on a proposal that the decision relating to '**RCT Together**' **Community Enabling Fund** be referred back for reconsideration with regard to the reasons set out in the Notice of the Call In form (as reproduced below)

Reason for calling in decision: -

"Out of accord with Part 4 Rules of Procedure, Budget and Policy Framework rules 3a, 3b and 3c"

- 4.3 One of the three Members will be given the right to make a final address to the Committee membership immediately before a vote is taken on the proposal.
- 4.4 If the proposal to refer the matter back for reconsideration is passed then the matter will be referred: If the proposal is lost then the decision will take effect from the conclusion of this meeting.
- 4.5 The relevant Cabinet portfolio holder(s) will be invited to the meeting to answer any questions Members of the Committee may have with regards to the subject matter of the call in.

DELEGATED DECISION

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT TO ACCOMPANY A DECISION OF GROUP DIRECTOR, CORPORATE AND FRONTLINE SERVICES

DATE: 16TH February 2017

TITLE: 'RCT COMMUNITY ENABLING FUND'

AUTHOR(s): Debra Hanney (Community Asset Development Officer), Debbie Pike (Team Leader Enterprise)

1. PURPOSE OF THE REPORT

- 1.1 In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended Officer decision of the Director of Corporate Estates and Procurement with a process to continue the successful grant scheme for community groups who are going through the 'RCT Together' approach, exploring alternative delivery models, that can sustain services and facilities for the future.

2. RECOMMENDATIONS

It is recommended:

- 2.1 In recognition of the good work achieved through the 'RCT Together Community Enabling Fund', further monies are allocated to the fund and will continue to be administered by the Regeneration and Planning Service under the same criteria as was adopted previously.

3. REASONS FOR RECOMMENDATIONS

It is recommended that the Director of Corporate Estates and Procurement:

- 3.1 Agree a further amount of £100,000 to be earmarked from reserves for the fund.

4. BACKGROUND

- 4.1 The Community Enabling Fund was first allocated in March 2015 to support the Councils 'RCT Together' Community Asset Transfer process.



4.2 The fund aims to support the outcomes and priorities of “Delivering Change” A Single Integrated Plan for Rhondda Cynon Taf, specifically in terms of supporting the Local Service Board’s vision that ‘People in Rhondda Cynon are safe, healthy and prosperous’.

4.3 The Fund will complement other existing sources of funding.

4.4 Since the launch of ‘RCT Together’, over 116 formal expressions of interest have been received from a variety of existing and newly established groups with proposals ranging from taking over small paddling pools to museums and day care centres. An active caseload of 60 cases is likely to result in further applications to the fund to support the asset transfer process.

4.5 To date the Fund has supported 13 organisations with investment of almost £95,000. A summary of the projects can be found at Appendix 1.

4.6 Currently there is one application under assessment and a further 4 proposals in development.

5. PURPOSE OF THE FUND

5.1 Financial support will be aimed at;

5.1.1 Proposals from organisations who are interested in developing and delivering projects which offer creative and sustainable solutions on how local services could be run differently and in doing so, contribute to the Council’s Medium Term Financial planning budget saving requirements either;

- In partnership or in collaboration with Rhondda Cynon Taf County Borough Council
- Directly by them; or
- By members of their community

5.1.2 Proposals that may or may not include the transfer and development of community based assets.

5.2 Applications will be considered from non profit distributing voluntary and community groups or companies for activities, services and facilities which benefit communities and residents within Rhondda Cynon Taf.

5.3 Prospective projects will be subject to assessment against agreed criteria and funding awarded as appropriate in accordance with the Leader’s Scheme of Delegation.

6. EQUALITY AND DIVERSITY IMPLICATIONS

6.1 An Equality Impact Assessment is not required for this decision, as it applies to the general population i.e. anyone will have access to the fund.



7. CONSULTATION

- 7.1 The Council has no legal duties to consult on this decision, but partner organisations have been consulted during Voluntary Liaison Steering group meetings in November 2016 and January 2017 and agree to the ongoing approach.

8. FINANCIAL IMPLICATION(S)

- 8.1 The Council will earmark £100,000 to be made available for the fund, through available resources.
- 8.2 There will be no maximum limit for applications but funding will usually be in the range of £1000 to £10,000 although applications outside of these values will be considered in exceptional circumstances.
- 8.3 To ensure that the Fund has maximum impact, applicants are encouraged, in the first instance, to explore alternative sources of funding and, where possible, secure a match funding contribution towards the overall project cost.
- 8.4 Successful applicants will be required to provide regular progress reports which will include details of how the project is being progressed, implemented and the impact the project is having at a local level.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 Advice has been sought from Legal Services and the Local Authority is able to establish such a fund with reference to:
- Section 111 Local Government Act 1972 – provides that a local authority shall have power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any other functions.
 - Section 2 Local Government Act 2000 – provides that every local authority in Wales have the power to do anything which they consider is likely to achieve any one or more of the following objects – (a) the promotion or improvement of the economic well-being of their area, (b) the promotion or improvement of the social well-being of their area, and (c) the promotion or improvement of the environmental well-being of their area. This power allows the Council to (a) incur expenditure, (b) give financial assistance to any person, (c) enter into arrangements or agreements with any person, (d) co-operate with, or facilitate or co-



ordinate the activities of, any person, (e) exercise on behalf of any person any functions of that person, and (f) provide staff, goods, services or accommodation to any person.

10. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP.

10.1 The 'RCT Together' approach is a key initiative of the Council and supports the principles set out in the Corporate Plan 2016-2020 by supporting communities to become more involved and resilient, building a sustainable county borough. It has strong links with Medium Term Service Planning and the Single Integrated Plan priorities to make Rhondda Cynon Taf a safe, healthy and prosperous place to live and work.

11. CONCLUSION

11.1 This report sets out the proposal to replenish the existing Community Enabling Fund to support the ongoing demand by community voluntary groups who require funding to support their to deliver sustainable services in their communities.



APPENDIX 1

COMMUNITY ENABLING FUND - APPROVED PROJECTS

Organisation	Grant (£)	Purpose
Muni Arts Centre	10,000.00	Refurbishment and furnishing of public areas within the Muni Arts Centre.
Valleys Kids	10,000.00	Solicitor's fees, insurance, training and equipment to support the purchase of Penygraig Library and its development into a community resource.
Friends of Ferndale	10,000.00	IT equipment and furniture for the former Maerdy Library which has been developed into a community learning and resource centre.
Treherbert Regeneration Ltd	3,001.25	Insurance and solicitors fees to support the transfer of the Treherbert Community Education Centre and its redevelopment as a community hub.
Camau Cyntaf i Ddsgu	5,465.00	Architects, surveyors and design costs to establish feasibility of developing a childcare facility in Llantwit Fardre Sports Centre.
Too Good To Waste	9,450.00	Drawing up full building plans to support redevelopment of Treorchy Community Education Centre into a showroom, creating workshop, providing training and employment opportunities.
Beddau and Tynant Library	4,160.00	Installation of a heating system following the transfer of the Library to the Community Library Group. Part of a wider project which includes support from Welsh Church Act Fund and Trivallis.
Cynon Valley Museum Trust	10,000.00	Appointment of a Transition Consultant to support the Trust during the transfer of the Museum and Gallery. Part of a wider project which includes support from the Welsh Church Act Fund, Coalfields Regeneration Trust and Heritage Lottery Fund.
Autism Life Centre	10,000.00	Solicitors fees, insurance and fixed term running costs to support development of alternative delivery model for adults on autistic spectrum prior to potential transfer of asset.
Age Connects Morgannwg	6,930.00	Consultation costs associated with feasibility of enhancement of older peoples day services provision in Aberdare.
Taff Ely Foodbank	1,030.44	Proposal for insurance for vehicle being donated by RCT CBC via the Trussell Trust.
FeelGood Factory	4,584.99	Solicitor's fees and equipment to support the development of the former Penygawsi Day Nursery into the Feel Good Factory.
Cambrian Village Trust	10,000.00	Contribution to wider project to redevelop the car park at the entrance to Lakeside buildings, providing additional parking spaces, and a well lit, safe access to the facility. <i>This grant offer is subject to authorisation of the asset transfer.</i>
TOTAL	94,621.68	



Relevant Scrutiny Committee

- Public Service Delivery, Communities and Prosperity Community

Background Papers

- None

Contact Officer

- Debbie Pike – Regeneration and Planning – Enterprise Team Leader (01443 495153)



RECORD OF DELEGATED OFFICER DECISION

Key Decision ✓

SUBJECT: 'RCT Together' Community Enabling Fund

PURPOSE OF REPORT:

To approve further funding of £100,000 to the 'RCT Together' Community Enabling Fund in order to support community groups going through the asset and service transfer process.

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Corporate Estates and Procurement.

DELEGATED DECISION: (DATE) 1/3/17

It was **AGREED**: that further funding of £100,000 is allocated to the Community Enabling Fund to aid and support community groups going through the 'RCT Together' community asset transfer process.

 Chief Officer Signature	Coe Wynne Print Name	1/3/17 Date
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The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution



CONSULTATION

Jaybosser

1/3/17

CONSULTEE CABINET MEMBER SIGNATURE

DATE

D Hanney

1/3/17

CONSULTEE OFFICER SIGNATURE (if required)

DATE

CALL IN PROCEDURE RULES.

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YES

NO

Reason for urgency:.....

If deemed urgent - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Mayor)

.....
(Dated)

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.



FOR CABINET OFFICE USE ONLY

PUBLICATION & IMPLEMENTATION DATES

PUBLICATION

Publication on the Councils Website:- 01/03/17

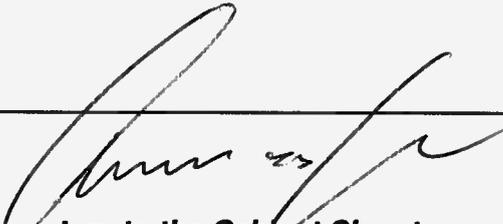
DATE

IMPLEMENTATION OF THE DECISION

Note: This decision will not come into force and may not be implemented until the expiry of 5 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Subject to Call In the implementation date will be 09/03/17.

DATE


Secretary to the Cabinet Signature

CHRISTIAN S'S HANAGAN
Print Name

1/3/17
Date



Further Information

Directorate:	Chief Executive's Division - Regeneration and Planning
Contact Name:	Debbie Pike
Designation:	Enterprise Team Leader
Tel.No.	01443 495153

APPENDIX C**17. Call-In****17.1 Rules**

- (a) Where a decision is made by the Cabinet, an individual Member of the Cabinet, a Committee of the Cabinet, an Area Committee, under joint arrangements or a Key Decision is made by an Officer (under the General Scheme of Delegation), it must be published on the Council's website by the responsible proper officer within 2 clear working days of it being made. A copy will also be available at the main offices of the Council. All Members of the Council will be sent copies of the records of all such decisions within the same time scale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force and may then be implemented, on the expiry of 5 clear working days after the publication of the decision, unless any 3 Non-Executive Members object to it and call it in for review under these procedure rules.
- (c) During that period the Monitoring Officer shall call-in a decision for scrutiny by the Overview and Scrutiny Committee if so requested in the specified format by any 3 Non-Executive Members and, shall then notify the decision taker of the call-in. Following the expiry of the 5 clear working day period in which a decision can be called-in the Monitoring Officer shall convene a meeting of the Overview and Scrutiny Committee on such a date as he/she may determine. Where possible the Monitoring Officer will consult with the Chair or Vice-Chair of the Overview and Scrutiny Committee as to a suitable date and in any case the meeting will be held within 5 clear working days of the expiration of the relevant call-in period (only in exceptional circumstances will the Chair (in his/her absence the Vice-Chair) of the Overview and Scrutiny Committee consider extending this time limit).
- (d) As soon as the Chair of the Overview and Scrutiny Committee signs a call-in form he/she shall cease to be the Chair for all purposes for the duration of the call-in process. If this situation arises then for the purposes of these Overview and Scrutiny Procedure rules references to 'Chair' of the Overview and Scrutiny Committee should be read as a reference to the 'Vice-Chair' of the Overview and Scrutiny Committee. In the situation where both the Chair and Vice Chair of Overview and Scrutiny Committee signs a call in form then the Chair of the meeting in respect of matters relating to the call-in shall be selected from the rest of the Overview and Scrutiny Committee membership by majority vote.
- (e) If, having considered the decision, the Overview and Scrutiny Committee refers it back to the decision making body or person

for reconsideration or the matter to full Council, it must set out in writing the nature of its concerns. If referred to the decision maker they shall then reconsider within a further 5 clear working days, amending the decision or not, before adopting a final decision. This decision shall take effect and be implementable on the date and time immediately following the closure of the relevant meeting

- (f) If following an objection to the decision, the Overview and Scrutiny Committee does not meet within the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date and time immediately following the closure of the Overview and Scrutiny Committee meeting.
- (g) If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decisions to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole, or a Committee of it, a meeting will be convened to reconsider within 5 clear working days of the Council's request. Where the decision was made by an individual, the individual will reconsider within 5 clear working days of the Council's request.
- (h) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is earlier.
- (i) In order to ensure the call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
 - (i) the Overview and Scrutiny Committee may only call-in a total of 3 decisions per 2 month period;
 - (ii) any 3 Non-Executive Members (from either (i) at least 2 political groups or (ii) in the case of an unallocated Member(s) – that unallocated Member(s) and a Member(s) from a political group) are needed for a decision to be called in;
 - (iii) once a Member has signed a request for call-in under paragraph 17 (call-in) above, he/she may not do so

again until the period of 2 months has expired.

- (iv) No Education Co-opted Members may report a decision be called in.
- (j) The Monitoring Officer may veto any request for call-in if it falls outside the remit of this scheme.
- (k) Save in exceptional circumstances all Members requesting a matter be called in must attend the meeting at which the matter is being considered.

17.1A Reference to a 'clear working day' in these Overview and Scrutiny procedure rules is defined as the following:-

A complete period of 24 hours (excluding weekends and Bank Holidays), beginning and ending at midnight on the day in question.

Therefore, by way of example, for the purposes of these call-in rules it shall exclude the day on which the relevant Cabinet decision notice is published and the day on which the call-in meeting is held.

17.2 Call-In and Urgency

- (a) The call-in procedure set out above shall not apply where the decision being taken by the Cabinet or an individual Cabinet Member is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or other public interests. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Mayor must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Mayor and the Deputy Mayor's consent shall be required. In the absence of both, the Head of Paid Service or his/her nominee's consent should be required. Decisions taken as a matter of urgency must be reported at the next available meeting of the Council, together with the reasons for urgency.
- (b) The operation of the provisions relating to call-in and urgency shall be monitored annually and a report submitted to Council with proposals for review if necessary.

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
OVERVIEW AND SCRUTINY PROCEDURE RULES – RULE 17**

SCRUTINY CALL IN FORM

THIS FORM MUST:

- (A) BE SIGNED BY AT LEAST THREE MEMBERS OF THE SCRUTINY COMMITTEE FROM AT LEAST TWO DIFFERENT POLITICAL GROUPS
- (B) BE DELIVERED TO PJ LUCAS, THE MONITORING OFFICER, THE PAVILIONS, CAMBRIAN PARK, CLYDACH VALE, CF40 2XX OR SENT BY FAX TO (01443) 424114 WITHIN THE TIMESCALE NOTIFIED WITHIN THE CONSTITUTION

DETAILS OF DECISION

Decision of Cabinet/Cabinet Member/Other (Please delete as appropriate) *KEY OFFICER DECISION*

Date of Publication of decision:..... *1.3.2017*.....

Subject of Decision... *'R.C.T. Together' Community Enabling Fund* ..

Decision Called in (Please quote from the record of decision)

It was agreed: that further funding of £100,000 is allocated to the Community Enabling Fund to aid and support..... Community groups going through the 'R.C.T. Together' Community Asset transfer process.

Reason for calling in decision		
<i>Out of accord with Part 4 Rules of Procedure rules Budget and Policy Framework rules 3a, 3b and 3c</i>		
Names	Signature	Group
<i>PAULINE JARMAN</i>	<i>P. Jarman</i>	<i>PLAID CYMRU</i>
<i>EMYR WEBSTER</i>	<i>[Signature]</i>	<i>PLAID CYMRU</i>
<i>PAUL WASLEY</i>	<i>[Signature]</i>	<i>Independent</i>

Date:..... *26th MARCH 2017*.....

For Office use only by the Monitoring Officer

8.3.17 at 3.42pm

Date & Time of Receipt..... Officer Receiving... *K. May*.....

To be submitted to Scrutiny Committee.....

Decision of Scrutiny Committee.....