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Democratic and Member Support

Chief Executive's Department
Plymouth City Council
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Plymouth PL1 3BJ

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CITY COUNCIL

Monday 25 September 2017
2 pm
Council House, Plymouth

Members:

Councillor Mrs Foster, Chair
Councillor Kelly, Vice Chair

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Coker, Cook, Dann, Darcy, Philippa Davey, Sam Davey, Deacon, Downie, Drear, Evans, Fletcher, K Foster, Fry, Hendy, James, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Loveridge, Lowry, Dr Mahony, Mavin, McDonald, Morris, Murphy, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Ricketts, Riley, Singh, Smith, Sparling, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wigen and Winter.

Members are invited to attend the above meeting to consider the items of business overleaf.

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

For further information on attending Council meetings and how to engage in the democratic process please contact democraticsupport@plymouth.gov.uk

Tracey Lee
Chief Executive

City Council

Agenda

1. Apologies

To receive apologies for absence submitted by councillors.

2. Minutes

(Pages 1 - 10)

To approve and sign the minutes of the meetings held on 3 July 2017 as a correct record.

3. Declarations of interest

(Pages 11 - 12)

Councillors will be asked to make declarations of interest in respect of items on this agenda. A flowchart providing guidance on interests is attached to assist councillors.

4. **APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC,** (Pages 13 - 16)

The Monitoring Officer will submit a schedule of vacancies on committees, outside bodies etc and of changes notified to him.

5. Announcements

(a) To receive announcements from the Lord Mayor, Chief Executive, Assistant Director for Finance or Head of Legal Services;

(b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

6. Questions by the public

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five complete working days before the meeting.

7. **Recommendations of the Investigation into the 2017 General Election** (Pages 17 - 52)

The Lord Mayor will propose to suspend rules of debate to allow a question and answer session on this item.

The Lord Mayor will invite Dr David Smith to introduce the recommendations of the Independent Investigation into the General Election 2017.

Following the presentation from Dr Smith, the Lord Mayor will invite the Acting Returning Officer to make a report to Council.

The Lord Mayor will propose return to the rules of debate and ask the Leader to move the recommendations within the report.

8. Report of the Independent Remuneration Panel (Pages 53 - 72)

Cabinet Member: Councillor John Riley

Council will consider the report and recommendations of the Independent Remuneration Panel on Members' allowances.

RECOMMENDATIONS FROM CABINET

9. Establishing a strategic partnership with Torbay Council to deliver Children's Services

9.1 Recommendations from Scrutiny (to follow)

9.2. Recommendations from Cabinet (Pages 73 - 92)

Cabinet Member: Councillor Ian Bowyer

The City Council will be asked to approve recommendations in the report.

10. Capital and Revenue Monitoring Report 2017/18 - Quarter 1 (Pages 93 - 112)

Cabinet Member: Councillor Darcy

The City Council will be asked to note the Capital and Revenue Monitoring Report 2017/18 Quarter One.

11. MOTIONS ON NOTICE

To consider motions from councillors in accordance with Part B, paragraph 14 of the Constitution.

12. Questions by councillors

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

13. Exempt business

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE MEETING)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, Council is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

City Council

Monday 3 July 2017

PRESENT:

Councillor Mrs Foster, in the Chair.

Councillor Kelly, Vice Chair.

Councillors Mrs Aspinall, Ball, Mrs Beer, Bowie, Bowyer, Mrs Bowyer, Mrs Bridgeman, Carson, Churchill, Coker, Cook, Dann, Darcy, Philippa Davey, Sam Davey, Deacon, Downie, Drear, Evans, Fletcher, K Foster, Fry, Hendy, James, Jordan, Martin Leaves, Michael Leaves, Sam Leaves, Loveridge, Lowry, Dr Mahony, Mavin, McDonald, Morris, Murphy, Nicholson, Parker-Delaz-Ajete, Penberthy, Mrs Pengelly, Rennie, Ricketts, Riley, Singh, Smith, Sparling, Stevens, Storer, Jon Taylor, Kate Taylor, Tuffin, Tuohy, Vincent, Wheeler, Wiggins and Winter.

The meeting started at 2.00 pm and finished at 8.30 pm.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

10. Minutes

The minutes of the meeting held on 20 March 2017 and 19 May 2017 were agreed subject to amendment to the Church represented by the Lord Mayor's Chaplain.

11. Declarations of Interest

The following declarations of interest were made by councillors in accordance with the code of conduct in respect of items under consideration at the meeting -

Name	Minute Number	Reason	Interest
Councillor Stevens	18.6	Employee of Devon and Cornwall Police	Disclosable Pecuniary Interest
Councillor Lowry	18.3	Undertaking review on behalf of the Dockyard.	Disclosable Pecuniary Interest
Councillor Tuohy	15	Member of Plymouth Community Homes Board	Personal
Councillor Winter	18.3	Employee of Devonport Dockyard Ltd	Personal
Councilor Hendy	18.5	Financial Interest	Disclosable Pecuniary

Name	Minute Number	Reason	Interest
			Interest
Councillor Dann	15	Member of Plymouth Community Homes Board	Personal
Councillor Churchill	15	Member of Plymouth Community Homes Board	Personal
Councillor Nicholson	18.3	Involved in successor solution	Disclosable Pecuniary Interest
Councillor Darcy	18.6	Employee Devon and Cornwall Police	Disclosable Pecuniary Interest
Councillor Beer	18.6	Employee Devon and Cornwall Police	Disclosable Pecuniary Interest

12. **Appointment to Committees, outside bodies etc**

The following changes reported to the Head of Legal Services were noted -

	Committee	Membership
(a)	Planning Committee	Cllr Winter to replace Cllr Wheeler and Cllr Ball to replace Cllr Leaves.

13. **Announcements**

(a) The Lord Mayor

The Lord Mayor moved a procedural motion that all votes were recorded in line with the electronic voting process as circulated by email to members, and that the Monitoring Officer make the necessary changes to the constitution so that this new technology can be used future meetings of the council. The motion was seconded by Councillor Riley.

Following a show of hands vote the motion was carried.

The Lord Mayor moved a second procedural motion to vary the order of items on the agenda. The motion was seconded by the Deputy Lord Mayor. Following a vote the motion was carried.

For the Motion (57);

Lord Mayor, Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, K Foster, Fry, James, Jordan,

Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

The Lord Mayor made further announcements and presented awards as follows

- Bethany Warne, Boxer, England call up
- Carole Burgoyne, awarded MBE in the Birthday Honours List
- School Leaver Award 2017 – Top employer public sector
- National Apprenticeship Awards 2016/17
- Fairtrade Certification for the City Council
- Finance Award – Council Integrated Fund
- Four Greens Community Trust

(b) The Leader, Cabinet Members or Chairs of Committees

The Leader

- Cladding on Devonport Towers
- Investigation into General Election Processes.

14. **Questions by the Public**

There were no questions from members of the public.

15. **Plan for Libraries**

Councillor Bowyer (Leader) proposed and Councillor Jordan (Cabinet Member for Culture) seconded a report and recommendations on the Plan for Libraries.

During the debate, Councillor Evans proposed and Councillor Jon Taylor seconded a procedural motion without notice under Part B, procedure rule 14.6 of the constitution. The motion was to refer the new Plan for Libraries to Cabinet, following further consideration by the Scrutiny Select Committee before a final decision is taken by Council, in order to prevent an application for Judicial Review of the Council's decision, based on a flawed or non-existent consultation and scrutiny process.

Following a vote, the motion was lost.

For the motion (27)

Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Mavin and Winter.

Against the Motion (28)

Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Carson, Mrs Loveridge, Cook, Mrs Bridgeman, Riley and Storer.

Abstentions (1)
Lord Mayor

Absent / Did not vote (1)
Councillor K Foster

Following a debate on the substantive item Council agreed to -

1. note that the statutory 12-week consultation process for the Plan for Libraries had been carried out in line with the Council's duties under the Equalities Act 2010 and guidance in relation to the Public Libraries and Museums Act 1964;
2. note the recommendations of the Scrutiny Select Committee of 15 May 2017 and the Cabinet's response to them;
3. adopt the 'Plan for Libraries' as its annual plan for libraries fulfilling the Council's duties under the Public Libraries and Museums Act 1964 which requires Local Authorities to deliver a comprehensive and efficient public library service;
4. approve the outline delivery plan for the new library service, performance measures and outline communication, engagement and marketing plan for the new service.

For the motion (27)

Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Carson, Mrs Loveridge, Cook, Mrs Bridgeman, Riley and Storer.

Against the Motion (28)

Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Mavin and Winter.

Abstentions (1)
Lord Mayor

Absent / Did not vote (1)
Councillor K Foster

16. **Financial Outturn 2016 - 2017**

Councillor Darcy (Cabinet Member for Finance/ICT) presented the report on the Financial Outturn 2016 – 2017 for noting. Council noted:

1. the provisional outturn position as at 31 March 2017
2. the use of capital receipts - £0.267m - to write down Minimum Revenue Provision (MRP) to ensure a balanced budget position is achieved in 2016/17.
3. the additional transfers to and from reserves reflected within the outturn figures:

- Release the Business Rates Reserve (£1.000m).
- Transfer to Housing Benefits Overpayments Provision (£1.000m).
- Release of Stock Transfer Reserve (£1.005m).

4. the release of £0.350m from Working Balances and transfer to the Redundancy reserve.
5. the Capital Report including the Capital Financing Requirement of £90.423m.

17. **Annual Report on Treasury Management Activities for 2016/17**

Councillor Darcy (Cabinet Member for Finance/ICT) proposed and Councillor Nicholson seconded the Annual Report on Treasury Management Activities for 2016/17 for approval.

Following a vote the recommendations were approved.

For the motion

For the Motion (49);

Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Penberthy, Smith, Stevens, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Mrs Beer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, K Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1)

Lord Mayor

Absent / Did not vote (7)

Councillors Bowyer, Rennie, Singh, J Taylor, Ball, Bowyer, Wiggins and Parker-Delaz-Ajete.

18. **Motions on Notice**

(i) Proposed Funding Cuts to Schools within the City

Councillor McDonald proposed and Councillor Smith seconded a motion on proposed funding cuts to schools within the city.

Following a vote, the motion was carried

For the motion (56)

Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drear, Fletcher, K Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley,

Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1)
Lord Mayor

Absent / Did not Vote (0)

(ii) Retention of Universal Infant Free School Meals

Councillor McDonald proposed and Councillor Penberthy seconded a motion on the retention of universal infant free school meals.

Following a vote, the motion was carried

For the motion (56)
Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Dreaan, Fletcher, K Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1)
Lord Mayor

Absent / Did not Vote (0)

(iii) Ministry of Defence Guard Service

Councillor Stevens proposed and Councillor Kate Taylor seconded a motion on the Ministry of Defence Guards Service.

Following a vote, the motion was lost.

For the motion (26)
Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Mavin and Winter.

Against the Motion (28)
Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Dreaan, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Mrs Pengelly, Ricketts, Wiggins, Carson, Mrs Loveridge, Cook, Mrs Bridgeman, Riley and Storer.

Abstentions (1)
Lord Mayor

Absent / Did not vote (0)
Councillors Nicholson and Lowry.

(Due to declared Disclosable Pecuniary Interests Councillors Nicholson and Lowry were absent for this item)

(iv) Road Works Causing Chaos on Plymouth Roads

Councillor Jon Taylor proposed and Councillor Mavin seconded a motion on Road Works causing chaos on Plymouth roads.

Councillor Nicholson moved and the Leader seconded an amendment to the motion. Following a vote the amendment was carried.

For the motion (56)

Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Eddie Rennie, Chaz Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1)
Lord Mayor

Absent / Did not Vote (0)

Following a vote the amended motion was carried. The amended motion was as follows -

Plymouth sympathises with the frustration of many road users across Plymouth of the recent spate of major road works they have had to endure, particularly at Outland Road, Derriford and Deep Lane. The second Deep Lane scheme and the Forder Valley link road are still to commence. Whilst these improvement schemes are vital to Plymouth's transport future the scheduling and communication with the travelling public has been unacceptable warrants a thorough review to minimise the impacts on the travelling public.

We therefore request the relevant scrutiny panel to review the timeline of each of these schemes highlighting the key milestones in each and reviewing whether or not scheduling and public communication could be improved. This is to include a request to Devon County Council to participate in the review of the Deep Lane scheme of which they are the lead Authority.

For the motion (56)

Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Eddie Rennie, Chaz Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Wiggins, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (0)

Abstentions (1)

Lord Mayor

Absent / Did not Vote (0)

(v) The Conservative/UKIP controlled council's war on small business

Councillor Evans proposed and Councillor Smith seconded a motion on the Conservative/UKIP controlled council's war on small business.

Following a vote, the motion was lost.

For the motion (26)

Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, Stevens, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Winter and Mavin.

Against the motion (28)

Deputy Lord Mayor, Councillors Ball, Mrs Beer, Bowyer, Mrs Bowyer, Churchill, Darcy, Deacon, Downie, Drean, Fletcher, Foster, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Carson, Mrs Loveridge and Heath Cook

Abstentions (1)

Lord Mayor

Absent / Did not Vote (2)

Councillor Hendy and Wiggins

(Due to declared Disclosable Pecuniary Interests Councillor Hendy was absent for this item)

(vi) No confidence in the Police and Crime Commissioner

Councillor Penberthy proposed and Councillor Evans seconded a motion of no confidence in the Police and Crime Commissioner.

Councillor Evans and Councillor Rennie seconded a procedural motion to move to the vote. Following a vote the procedural motion was carried.

For the motion (49)

Deputy Lord Mayor, Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Eddie Rennie, Chaz Singh, Smith, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Ball, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Fletcher, Fry, James, Jordan, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Sparling, Mavin, Carson, Winter, Mrs Loveridge and Cook.

Against the motion (1)

Councillor John Riley

Abstentions (1)

Lord Mayor

Absent / Did not Vote (0)

Councillors Stevens, Mrs Beer, Bowyer, Darcy, Foster, Wigans.

Councillor Penberthy summed up and following a vote, the motion was carried.

For the motion (26)

Councillors Aspinall, Bowie, Coker, Dann, P Davey, S Davey, Evans, Hendy, Lowry, McDonald, Morris, Murphy, Parker-Delaz-Ajete, Penberthy, Rennie, Singh, Smith, J Taylor, K Taylor, Tuffin, Tuohy, Vincent, Wheeler, Sparling, Winter and Mavin.

Against the motion (25)

Lord Mayor, Councillors Ball, Mrs Bowyer, Churchill, Deacon, Downie, Drean, Foster, Fry, James, Jordan, Deputy Lord Mayor, Martin Leaves, Michael Leaves, Mrs Leaves, Dr Mahony, Nicholson, Mrs Pengelly, Ricketts, Mrs Bridgeman, Riley, Storer, Carson, Mrs Loveridge and Cook.

Abstentions (0)

Absent / Did not Vote (6)

Councillors Mrs Beer, Darcy, Stevens, Fletcher, Bowyer and Wigans.

19. **Questions by Councillors**

Please note that questions, answers, supplementary questions and supplementary answers have been summarised.

	From	To	Subject
1.	Councillor Mrs Beer	Councillor Downie	Gypsy and Traveller encampments.
2.	Councillor Sparling	Councillor Riley	Young people and student voting.

	From	To	Subject
3.	Councillor Davey	Councillor Michael Leaves	Representations from Stoke Village
4.	Councillor Murphy	Councillor Nicholson	Real time information in bus shelters. (written response on programme roll out)
5.	Councillor Evans	Councillor Nicholson	Sutton Harbour Bridge and Ferry (written response to be provided)
6.	Councillor Morris	Councillor Nicholson	Young people and student voting.
7.	Councillor Sparling	Councillor Beer	Sprinklers in schools.
8.	Councillor McDonald	Councillor Leaves	Victoria Park, Policy on hazardous waste removal (written response to be provided)
9.	Councillor Coker	Councillor Nicholson	Devonport tower blocks.
10.	Councillor Stevens	Councillor Nicholson	Comments made by Councillor Fletcher.
11.	Councillor Penberthy	Councillor Riley	Pay cap review.
12.	Councillor Coker	Councillor Michael Leaves	Waiting lists for garden waste.
13.	Councillor Evans	Councillor Michael Leaves	Bin aperture.
14.	Councillor Stevens	Councillor Riley	Comments by Councillor Fletcher.

DECLARING INTERESTS – QUESTIONS TO ASK YOURSELF

What matters are being discussed?

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Does the business relate to or is it likely to affect a disclosable pecuniary interest (DPI)? This will include the interests of a spouse or civil partner (and co-habitees):

- any employment, office, trade, profession or vocation that they carry on for profit or gain
- any sponsorship that they receive including contributions to their expenses as a councillor or the councillor’s election expenses from a Trade Union
- any land licence or tenancy they have in Plymouth
- any current contracts leases or tenancies between the Council and them
- any current contracts leases or tenancies between the Council and any organisation with land in Plymouth in they are a partner, a paid Director, or have a relevant interest in its shares and securities
- any organisation which has land or a place of business in Plymouth and in which they have a relevant interest in its shares or its securities

No

Yes

Declare interest and leave (or obtain a dispensation)

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Does the business affect the well-being or financial position of (or relate to the approval, consent, licence or permission) for:

- a member of your family or
- any person with whom you have a close association; or
- any organisation of which you are a member or are involved in its management (whether or not appointed to that body by the council). This would include membership of a secret society and other similar organisations.

Yes

No

You can speak and vote

Will it confer an advantage or disadvantage on your family, close associate or an organisation where you have a private interest more than it affects other people living or working in the ward?

Yes

No

Declare the interest and speak and vote

Speak to Monitoring Officer in advance of the meeting to avoid risk of allegations of corruption or bias

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Cabinet members must declare and give brief details about any conflict of interest* relating to the matter to be decided and leave the room when the matter is being considered. Cabinet members may apply to the Monitoring Officer for a dispensation in respect of any conflict of interest.

*A conflict of interest is a situation in which a councillor’s responsibility to act and take decisions impartially, fairly and on merit without bias may conflict with his/her personal interest in the situation or where s/he may profit personally from the decisions that s/he is about to take.

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CITY COUNCIL

25 SEPTEMBER 2017



Appointments to Committees, Outside Bodies Etc

Report of the Monitoring Officer

Councillors Riley, Mrs Bridgeman and Storer notified the Chief Executive and monitoring officer on the 11 September 2017 that they had resigned membership of the United Kingdom Independence Party and had joined the Conservative Party.

In line with the principles of political balance a review of political proportionality had been carried out in the impact of the change is set out below.

Committee	Lab Seats	Con Seats	Total
Planning	6	7	13
Taxi Licensing	3	4	7
Licensing	7	8	15
Chief Officer Appointments Panel	3	4	7
Chief Officer Appeals Panel	3	4	7
Chief Officer Disciplinary Panels	3	4	7
Audit	2	3	5
Tamar Bridge and Torpoint Ferry	2	3	5
Devon and Cornwall Police and Crime Panel	1	1	2
Place and Corporate Overview and Scrutiny Committee	5	6	11
Wellbeing Overview and Scrutiny Committee	5	6	11
Totals	40	50	90

(See overleaf for proportionality calculations)

Other Committees

Devon Audit Partnership (not proportional)	0	2	2
Joint Health Scrutiny (not proportional)	1	2	3
Health and Wellbeing Board (not proportional)	1	2	3

Note:

The Devon Audit Partnership, the Joint Health Scrutiny Committee and the Health and Wellbeing Board do not fall under the statutory rules and have not, therefore, been included in the political balance calculations.

POLITICAL BALANCE ON COMMITTEES SEPTEMBER 2017/18

Party	Members	% representation	Seats (proportional)	Allocated seats
Labour	27	47.36%	43 (42.62%)	40
Conservative	30	52.63%	47 (47.36%)	50
Totals	57	100%	90	90

So far as is reasonably practicable, political proportionality has been achieved.

The principles of the allocation of seats to political groups:

Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations: the City Council has a duty to review the representation of different political groups at its Annual Meeting in respect of bodies to which the section applies. Section 15 provides that, in performing this duty, the council has a duty to make only such determinations as give effect so far as reasonably practicable to the following principles:

- (a) that not all the seats on committees are allocated to the same political group;
- (b) that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
- (c) subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority, and
- (d) Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.

The application of those principles is set out below.

Principle (a) – The seats will be allocated amongst the Labour and Conservative groups.

Principle (b) – The majority of seats will be allocated to the Conservative group.

Principle (c) The allocation of seats on all committees is based on the group's percentage of total Council membership is as set out above.

Principle (d) Subject to (a) to (c), each group has the same proportion of seats on each committee as it holds on the Council as a whole.

The City Council is asked to not the following changes to committee nominations notified to the Council Monitoring Officer –

Committee	Previous Member	New Member
Chief Officers Appointments Panel	Councillor Penberthy	Councillor Carson
Chief Officers Disciplinary Panel	Councillor McDonald	Councillor Carson
Taxi Licensing Committee	Councillor Singh	Vacancy
Planning Committee	Councillor Cook	Vacancy

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PLYMOUTH CITY COUNCIL

Subject: Plymouth City Council Review of Registration and Elections
Committee: City Council
Date: 25 September 2017
CMT Member: Tracey Lee (Chief Executive and Acting Returning Officer)
Author: Giles Perritt (Assistant Chief Executive)
Contact: Tel: 01752 304464
e-mail: giles.perritt@plymouth.gov.uk
Ref: DSER17
Key Decision: No
Part: I

Purpose of the report:

The report presents to Full Council the outcomes of the investigation undertaken by Dr David Smith into the administrative issues encountered with the 2017 General Election.

In the days leading up to the General Election on 8 June 2017, the Acting Returning Officer (ARO) for the three parliamentary constituencies of Plymouth Moor View, Plymouth Sutton and Devonport and South West Devon identified a problem with the issue of postal voting packs to electors who had requested them.

In addition to the above, a further issue emerged at the declaration of the results of the election, where the final number of votes declared for the Plymouth Sutton and Devonport constituency was not correct, despite the count itself being accurate and the result unaffected.

A number of electors reported that they attended polling stations on 8 June 2017 with their polling card, but were unable to vote.

In response to these issues the Acting Returning Officer instigated an independent review and commissioned Dr David Smith, former Chief Executive of Sunderland City Council, highly experienced returning officer and advisor to national bodies on elections, to investigate what happened and why so that lessons could be learned.

Dr Smith commenced the investigation on 19 June 2017 and submitted the final report on 8 September 2017.

Dr Smith's report is presented to Full Council for consideration and included alongside is the Acting Returning Officer's initial response to the recommendations. The Council has established an Electoral Services Improvement Programme to drive and sustain a robust and resilient elections service.

Corporate Plan 2016-19:

This report relates strongly to the corporate values of 'democratic', 'responsible' and 'fair' as the Council seeks to learn from the issues of the 2017 General Election and ensure that actions are taken to improve the administration of future elections such that all citizens trust the process will be fair and have opportunity to exercise their vote.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Actions to strengthen the capacity of the Elections Services team are highlighted. Appendix 3 details the financial impact of the elections response and recovery, including the cost of the investigation. Resources for the implementation of recommendations from this report will be allocated within the envelope of the Council's Medium Term Financial Strategy.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

The recommendations from the report have implications for ensuring all of Plymouth's electorate have equal opportunity to register for and vote in forthcoming elections.

Equality and Diversity

The Council has a duty to have due regard to the need to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equality Act 2010 and those who do not.

Has an Equality Impact Assessment been undertaken? Elements of the improvement plan will require equality impact assessments which will be undertaken as appropriate.

Recommendations & Reasons for recommended action:

That Council:

1. notes the recommendations in Dr Smith's Review of Registration and Elections relating to the 2017 General Election, in the context of what happened and why (see Appendix 1);
2. notes the Acting Returning Officer's response to the review recommendations (see Appendix 2);
3. notes the costs associated with the election response, recovery and independent investigation (see Appendix 3)
4. asks the Constitutional Review Group to oversee the Council's response to the recommendations from Dr Smith's report and the implementation of the Electoral Service Improvement Plan, reporting back to Full Council on progress as required; and
5. notes that a follow-up external review of elections-readiness will be commissioned and undertaken in January 2018.

Alternative options considered and reasons for recommended action:

Reject findings from the investigation – the Council needs to understand the reasons for the issues experienced during the General Election and take robust, sustainable action to ensure future elections are undertaken well and public trust restored. The independent investigation report and recommendations provide an objective assessment of the issues and provides recommendations from a highly experienced and well-respected elections expert. Rejecting the findings from the report is therefore discounted as a viable course of action.

Pursue an alternative improvement plan focussed on a shared-service model – such a plan would take time to initiate and implement and there is unknown appetite for sharing elections services across local authorities due to the complexity of elections delivery specific to each area.

Published work/information:

None

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Draft Elections Improvement Action Plan	X									

Sign off:

Fin	AKHI718.102	Leg	lt/28965/1409	Mon Off	lt/dvs/28965	HR	Assets	IT	Strat Proc
Originating SMT Member – Giles Perritt									
Have you consulted the Cabinet Member(s) named on the report? n/a									

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Plymouth City Council
Review of Registration and Elections

Dr David Smith
Managing Director
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Plymouth City Council - Review of Registration and Elections

1) Introduction

1.1 During the course of preparing for and administering the General Election in June 2017 Plymouth experienced a number of failures in the processing of the registration, voting and the count declaration. Following the election Plymouth City Council commissioned me to undertake a full and independent review. This report sets out my assessment, findings and recommendations to the Council.

2) Terms of Reference

2.1 The Council, in consultation with the Electoral Commission, established the following terms of reference to guide the review and investigation I agreed to undertake: -

To investigate how a significant number of people who had requested postal votes for the June 2017 General Election failed to receive their packs in good time, and the Council's response to this.

Also to consider:

- The issue of polling cards being dispatched to electors who were subsequently removed from the register.
- The circumstances in which the Declaration for the constituency of Sutton and Devonport did not include the 'mini count' totals for all eight wards.
- The events that led to some postal voters receiving a station poll card as well as their postal poll card

Specifically to consider:

- The processes and controls around election planning
- The factors that led to postal voting packs not being received
- The sequence of events and consequences at each stage
- An assessment of the overall numbers of voters affected
- The approach, effectiveness and timeliness of remedial action taken to rectify the issue, once the Council became aware of the scale of the problem
- The advice and guidance provided by the Electoral Commission regarding the Council's responsibilities, and their adopted method of resolving the issue
- The staffing and operation of the election call centre leading up to the day of the election, and on polling day itself
- The effectiveness of communications, and the way in which customer enquiries were dealt with

- Evidence of customer interactions including the outcomes and levels of satisfaction
- The general effectiveness of the elections and electoral registration function, including the capacity and capability of the team
- The robustness of systems and processes, with a particular focus on applications for, and distribution of postal votes
- Any other matters that might have influenced the elections process or response to the issues encountered

3) Methodology

3.1 I have conducted this review by means of written evidence and a series of interviews. I have interviewed 24 people. These interviews have included staff and management of the registration and elections service, the acting returning officer (ARO), the deputy returning officer (DRO), the leader of the council, the leaders of the political groups within the council, political agents and the MP for Plymouth Sutton and Devonport. I have had the benefit of a public call for evidence. I have read and taken account of the 127 responses made in this public call. I have also read and taken account of over 70 pieces of written evidence provided by the council, the Electoral Commission and by others including policies and procedures, risk assessments, internal assessments and reviews, communications documentation, data spreadsheets, meeting notes, comments and complaints and other documentation. My review was conducted between mid-June 2017 and the end of July 2017.

3.2 I have had the full cooperation of the Council and its staff. All my requests for information have been responded to positively, fully and effectively. I have had the full cooperation of those I have interviewed, all of whom have approached this in an open manner.

4) Principal issues of concern – the facts

4.1 Introduction

Overall, there were 217,186 people registered to vote in the 2017 General Election in Plymouth, split over three constituencies: Plymouth Moor View (69,342), Plymouth Sutton and Devonport (76,584) and South West Devon (71,260).

20% of voters (42,988) requested a postal vote, with similar splits across the three constituencies; Plymouth Moor View (21%), Plymouth Sutton and Devonport (19%) and South West Devon (20%).

Overall, there were 149,732 votes cast and verified; of that number 23.4% through postal votes and 76.6% polling stations.

4.2 Postal Vote Electors receiving 2 polling cards – one for their postal vote and one for the polling station.

35,000 electors who were registered for a postal vote received both a postal vote polling card and a polling station card. These were issued on the 5th May, 2017. The problem was first reported to the Council on the 10th May.

4.3 Poll Cards issued where the elector was subsequently removed from the register.

331 people who received a polling card issued on the 5th May were removed from the register through the rolling programme of reviewing and revising the register on the 23rd May. 38 of these people attended a polling station on polling day, the 8th June, and were reinstated on the register.

4.4 Registered postal voters not receiving their postal vote packs

41,062 registered postal voters received their packs as normal. 1,926 registered postal voters did not receive their postal votes through the normal batch issues. Of these 1,926 voters, 1,839 were issued a postal vote pack. 87 registered voters were not issued a postal vote pack as delivery was not possible and as a consequence were unable to vote.

4.5 Inaccurate Declaration of the count for the Plymouth Sutton and Devonport constituency

51,291 votes were cast in the Plymouth Sutton and Devonport constituency. These votes were verified and counted. The declaration omitted the 6,587 votes verified and counted for the Efford and Lipson ward. The declaration statement was subsequently corrected and posted on line

.

5) Public Call for Evidence

5.1 Of the 127 responses to the call for evidence I received, 59 of them were from people who stated they were unable to vote in the election. Of those, 54 complained that they were unable to vote as they did not receive a postal vote pack. 41 of those stated they were away from their Plymouth residency by polling day. 25 of this number stated that their postal vote pack was at their home when they arrived home in the period after the 8th June. This demonstrates that in addition to the 87 registered voters who were not issued

with a postal voting pack, there was a number of voters issued with a replacement postal pack who did not receive their pack in time for them to vote. Of the 54 who complained of not being able to vote, 4 people stated they lived abroad and did not receive their postal vote packs.

5.2 Of the remainder of the 59 respondents who stated they were unable to vote, 2 said they had received a polling card but were not on the register when they attended a polling station and were not allowed to vote and in 1 case they had expected a proxy vote to be issued and it wasn't.

5.3 Out of the 127 responses, 49 stated they were able to vote. 25 of these complained that they did not receive their original postal pack, but did receive a replacement either by collecting it from the Council House (17 cases) or received a replacement at home (8 cases). 13 respondents who had registered for a postal vote stated they had received 2 polling cards and 1 person received a polling card but at the polling station was not on the register and was reinstated and voted.

5.4 There were a number of common features amongst the respondents who were able to vote, those who were not able to vote and amongst the majority of the remainder of respondents who focussed on making more general points. Most complained of the difficulty in reaching the Council by phone, calls either not being answered, waiting a long time for calls to be answered, receiving assurances that they would be phoned back but not receiving a call back. Respondents commonly complained that advice and information changed rapidly, at best causing confusion and at worst contradicting earlier advice received. Common complaints cited by respondents included:

- Those who contacted the Council prior to the 2nd June (the date after which replacement postal packs could be issued) were asked to wait until after that date and phone again
- Electors told to wait for the royal mail system, then advised to attend the Council House and then advised to wait for a courier/home delivery
- People told they could have an emergency proxy and then they couldn't have an emergency proxy
- People told they could and couldn't take their completed postal vote to a polling station
- The times of the opening and closing of the Council House changing
- Difficult and unpleasant exchanges either over the phone or in person at the Council House

6) Analysis of the Events

Introduction

6.1 A significant number of people were disenfranchised as a consequence of the errors made on the issuing of postal vote packs and by the decision to complete the rolling review of the register after the issuing of poll cards. A far more substantial number of voters were confused, inconvenienced and had their confidence in the administration of the election undermined by the errors made and by their accumulation over the period of the election.

6.2 In addressing the specific points outlined in the terms of reference, this review has to address why and how each error occurred and why and how this number of significant errors occurred in the space of one election. This matters in determining what and why things went wrong and in minimising the risk of such failures occurring in the future.

Strategic issues of planning and resourcing registration and elections in Plymouth

6.3 Plymouth City Council commissioned a review of its staffing needs for the elections and registration service from the Association of Electoral Administrators (AEA) in 2014. The AEA report was received at the beginning of January 2015. Amongst its recommendations, the AEA drew attention to the fact that the service was under-resourced and needed more permanent experienced staff in the core team. At that time the service had an establishment of an Electoral Services Manager and 3.6 full time equivalent staff; 2.6 FTE posts were actually filled at the time. The AEA recommended an establishment of 4.5 staff plus the Electoral Services Manager for the size of the electorate in Plymouth. Given this was the period in the lead up to the 2015 General Election and local elections, the AEA recommended short term steps to engage temporary additional staff and project management capacity.

6.4 The Council recruited to the existing permanent vacancy and filled this post in February 2015. The Council also employed additional temporary and project staff, which it continued to do throughout 2015, 2016 and 2017.

6.5 In May 2015 after the elections an internal service review of the service was undertaken. The report concluded that the current structure “is not fit for purpose...this was evident in the recent May 2015 election”. The report referred to the AEA report and recommendations.

6.6 The internal report recommended a two-stage process. The first stage was to be an initial increase in staffing from the current 2.6 to 4 full time equivalent posts, the recruitment of a service manager and an exercise to map the business processes with a view to deploying other council resources

to deliver non-specialist functions (e.g. customer contact requirements). The second stage would involve finalising the permanent structure based on the mapping exercise and the views of the service manager. The report suggested one option for a stage two structure which involved the addition of two assistant managers and an admin assistant in addition to the 4 FTE elections staff.

6.7 In response to this report and the earlier AEA report, the Council seconded a member of staff to run the postal votes process in 2015 and a second member of staff was seconded to manage the count process in 2016 and 2017. On the retirement of the Electoral Services Manager in January 2016, the Council employed an AEA Consultant to act as the Electoral Services Manager.

6.8 The Council continued to use temporary staff whilst seeking unsuccessfully to recruit permanently to the Electoral Services Manager role. The most experienced and senior remaining member of staff left the Council during the latter part of 2016 and at that stage and in the run up to the election in 2017 the elections and registration service was operating with

- 2.6 FTE core permanent staff,
- additional temporary and project staff,
- an AEA consultant acting as the Electoral Services Manager from January 2016
- a Council redeployed manager confirmed in role as the Electoral Services Planning and Performance Manager with effect from 1st February 2017.
- a team leader recruited from another Authority in April 2017

6.9 Whilst acknowledging that the Council brought in temporary and project staff, retained an AEA consultant and tried a number of times to recruit to the Electoral Services Manager post, the registration and elections service was acutely short of sufficient experienced registration and elections staff. The Council had been aware of this problem since January 2015. By the time of the 2017 General Election the registration and elections service was dealing with an additional 11,000 registered voters. The internal report produced in May 2015 had reinforced the need to address this acute shortage and had also recommended alleviating workload pressures on the team by analysing what non-specialist roles could be embedded amongst wider Council resources. The most obvious of these would have been the role of the contact centre in managing enquiries and information to and from the public. I understand that this exercise is now being addressed.

6.10 In my view, the failure over 2.5 years to successfully address the permanent resourcing needs of the core service and bring to bear other council resources for non-specialist roles and integrate the associated systems and processes had a direct bearing on both the errors which

occurred during the election period and the attempts to rectify and ameliorate those errors once they had occurred. There is no doubt that the Council took the matter seriously in its repeated attempts to recruit to the Electoral Services Manager and in the employment throughout this period of an AEA consultant and other temporary and project staff. This included the engagement of the previous Electoral Services Manager both through the period of the canvass in 2016/17 and the General Election.

6.11 However, the lack of sufficient, experienced staff in the core team not only meant that there were substantial gaps in working knowledge, it also meant that as a consequence of the lack of continuity and lack of integration of working practices, there was no current detailed operating manual for the service that could provide a detailed guide to staff operating parts of the system and process with which they were unfamiliar. Put simply, individuals could only operate effectively and safely that part of the system and process that they knew.

The Electoral Register

6.12 The Council had embraced the spirit as well as the letter of individual electoral registration. There is evidence of well thought through and successful promotional campaigns undertaken to promote registration in the transfer from household registration to individual registration. In common with other areas of the country registration numbers were boosted by the interest in the EU referendum. This more than offset the expected fall in registered numbers once the transition from household registration to individual registration was completed following the 2015 General Election.

6.13 However, the positive interest in registration and elections set alongside combined polls using different voting methods compounded the severe operating pressures felt within the registration and election service. This impacted on the canvass and rolling registration. As a consequence, the rolling update of the register was still dealing with electors transitioning from their previous household registration to having to register individually.

Poll Cards issued where the elector was subsequently removed from the register.

6.14 As part of the rolling registration process the Council was continuing to refresh the register. This is a requirement on the Electoral Registration Officer (ERO) to ensure that the register is complete and accurate. Where information on a registered voter is incomplete or anomalous the ERO has a detailed specific process to undertake to verify the information. This involves a series of notifications to the individual with requests for information. If the individual fails to respond to these notices or fails to provide the necessary

information then the person is removed from the register and are notified that this has been done.

6.15 This process is long and arduous for the registration team and it is made more difficult by the deeply held, but erroneous view, of longstanding electors that once you are on the register you stay on the register. Changes in circumstances unless reconciled with the register mean people will be removed. Outside the period of an election being called registered voters are less inclined to focus on notifications concerning the request for information from the registration service.

6.16 In the particular circumstances of Plymouth, there were 331 people who had been receiving various stage notifications as described above and who had not satisfied the ERO concerning their current eligibility to be on the register. At the time the election was called this rolling process had not been completed and as registered electors these individuals along with everyone else on the register at that point in time were issued with a poll card on the 5th May, 2017. On the 23rd May, 2017 the decision was taken within the registration and election service and without reference or consultation with the ERO or other senior managers to remove those 331 people from the register.

6.17 The basis for this decision was that the requirements for removal had been met and that to complete that process was required to meet the requirements for an accurate and complete register. However, given that the review process had been taking place over an extended period of time and had not been completed to that date, it was rather arbitrary to complete the review and action the outcome in the middle of an election process and after poll cards had been issued. At the very least it would have been appropriate to escalate the issue to the ERO/DRO and seek advice from the Electoral Commission.

6.18 Nevertheless, in making this decision and actioning it the registration and elections service did not inform the individuals that they have been removed. The decision was also taken the day after the deadline for registering so if such a notice had been issued it would not have been possible for an individual to complete the registration process.

6.19 As outlined above 38 of the 331 who complained at the polling station when they were advised they were not on the register were re-entered on the register on the grounds of a clerical error. In my opinion this decision was not compliant with the law and guidance. The decision to remove had been made and the individuals were no longer on the register. I also note from the public call for evidence that other individuals who were similarly affected were not put back on the register. The decision to put individuals back on the register was wrong and was not consistently applied. The matter was not escalated to

the ERO/DRO nor to the Electoral Commission prior to the decisions having been made and actioned.

Postal Vote Electors receiving 2 polling cards – one for their postal vote and one for the polling station.

6.20 The fact that 35,000 electors received 2 polling cards – one with respect to the polling station and one with respect to a postal vote – did not jeopardise the ability to vote nor did it compromise the integrity of the voting process. Polling cards have no legal status as a means of voting. However, this error was particularly significant in 2 respects: it caused confusion for some of the electorate and the cause of this error was indicative of the much more substantial problem which was to occur with the postal vote pack distribution.

6.21 The Elections and Registration service had procured a new electoral management software system to replace the existing software system. In effect this software generates and organises the information held on the electoral register and is essential to generate the required details for polling station voters, postal voters, proxy voters, overseas voters amongst other things. It is the critical source of data for the printers in printing the correct material and sending it to the right voters.

6.22 The need to address identified problems in the maintenance of the EMS system and its integration with Council systems was identified in reports commissioned by the Council and by internal reports in January 2015 and in May 2015. These reports recognised that as part of the strategy to improve the organisation and delivery of the service there was potential to use other Council resources and embed them in the registration and elections system. Some limited progress was made to improve technological interfaces and address technology updates. However, the fundamental business process issues were not pulled together until 2016, part of which was a decision to procure a new EMS system and recruit a team leader with experience of the new system. This procurement process was completed in early 2017 with a view to migrating systems during 2017 as an election free year for Plymouth. A team leader with a background in the new (but not the outgoing EMS system) was recruited. In the event the process of migrating from the old to the new system had started when the snap General Election was called. The new team leader had just started at the Council. The Council made the only decision it could at the time and reverted to the outgoing EMS system. However, this left the Council exposed as there were no staff with experience of operating the EMS system.

6.23 In order to offset this risk, the Council employed the retired former Electoral Services Manager to assist. His availability was severely limited and his knowledge of the system and process dated. The impact of this arrangement was limited opportunity to effectively communicate over data, data storage and data communication issues. The generation, storage and communication of data to the printer were carried out on an ad hoc basis according to availability. Communication between the participants was via written notes and phone calls. There was no documented, detailed operational procedure nor was there evidence of any one person having overall detailed operational control. This ad hoc arrangement was taking place in the context of an election called at short notice, with acute deadlines, multiple other tasks occurring at the same time and with insufficient staff and experience.

6.24 In the absence of these control mechanisms the service sent one file which included both postal voters and polling station voters. The Printer expected, as per the contractual agreement, 2 separate files (one for polling cards for postal voters and one for polling cards for polling station voters). The Printer read the file to be the polling station voters and asked for the second file, containing postal voters. The electoral and registration service sent a file with postal voters, thereby duplicating the data. The duplicated polls cards were issued on the 5th May and the Council began to receive queries and complaints on the 10th May. The matter was escalated to the Acting Returning Officer (ARO) once the matter became public and the scale of the problem understood. The Electoral Commission (EC) had not been contacted, but became aware through the media interest and sought information from the Council. The ARO in consultation with EC agreed a letter of explanation and clarification to be sent to affected voters.

6.25 The ARO ordered an immediate review which identified the lack of quality assurance and quality checking which if undertaken may have detected the source data issue and avoided the duplication. The ARO introduced a requirement that any data transfer to the printer required quality assuring and sign off through the chain of command and including the AEA consultant and Deputy Returning Officer.

Preparations for the Election

The Elections Project Board – strategic preparations

6.26 There is an established Elections Project Board, chaired by the ARO and involving the DRO, Electoral Services Manager and others as required. It

provides a forum for strategic discussions in the planning for registration and elections processes. It meets all year round, but substantially increases the frequency of its meetings during the preparation for an election. The substance of its agenda in the run up to the 2017 General Election were high level project planning, the management of resources, risk and business continuity planning, security and allied preparations. This model of providing strategic oversight and leadership from the ARO I think represents an example of best practice in the returning officer fulfilling her responsibilities as the statutory officer for registration and elections.

6.27 There is evidence of the ARO holding her senior team to account for the preparations for the election, providing challenge and support to address and overcome problems and to improve the planning and ultimately in the engagement in the errors that occurred and their resolution.

Operational Preparations

6.28 Notwithstanding the above, the evidence does not support the effective bridging required between the relatively high-level planning and assurance processes at the ARO level and the detailed operational implementation of those plans. The expectations of the ARO were that the Electoral Services Manager would act at the interface between the ARO and the operational requirements and that given the inexperience of the ESM in electoral matters that the DRO and the AEA consultant would manage down more closely, given management responsibilities.

6.29 There was little relationship between the level of organised and considered planning taking place at a strategic level and the ad hoc, disconnected and poorly coordinated activity at operational level. The ESM was preoccupied with preparing for and servicing the project board's needs. The rest of the registration and elections service were focussed on their individual roles and assigned tasks with little knowledge or understanding of what each was doing. There is no evidence of operational leadership, of anyone with a grasp and a grip of the whole project. This coupled with the resourcing and time pressures already referred to and the lack of detailed operational manual guidance made it highly likely that mistakes would be made. The additional complexity of the required decamping of the operational team from their headquarters office to the "bunker" at the Council House could only add to the risk.

Registered postal voters not receiving their postal vote packs

6.30 The source of the error in failing to issue 1,926 postal vote packs is the same as that experienced in the issuing of two polling cards. Data was generated, stored and uploaded by different people, unaware of each other's actions and with little or no communication. As a consequence of the data transfer problem experienced over the poll card issue, there was a new quality assurance and sign off process (as referred to above). However, whilst there is evidence of the required signing off, there is no evidence of an active, detailed checking procedure.

6.31 The first batch of data of just short of 40,000 postal voters was uploaded to the contracted printer on the 11th May. These postal vote packs were printed and distributed to eligible voters who had requested postal votes by this stage.

6.32 On the 23rd May a member of the registration and elections service prepared a file of postal vote applicants received since the 11th May and up to and including the 23rd May. This data file of 1926 applications was electronically stored. A different member of the team prepared a file of voters during the evening and night of the 23rd and the morning of the 24th, unaware that a file store had already been created with applicants received since the 11th May up to the 23rd. This second store included 1,300 postal applications. This store was assumed to be the complete list of applicants since the 11th May and was uploaded as batch 2 to the printers on the 24th May, printed and distributed.

6.33 The service was under severe pressure with staff already working extremely long hours. The team did not have sufficient technical knowledge of the EMS system and did not have sufficient resource to process by the printer deadline the new postal vote applications received between 11th May and the closing date for applications on the 23rd May. Contracted printers with the skill, experience and capacity to handle elections are limited in number and therefore under heavy demand from a number of local authorities. As such they have an agreed schedule with each local authority and deadlines. Plymouth was required to submit its second batch by 4pm on the 23rd May. It could not meet this deadline and negotiated an extension. In the end, the incomplete batch was uploaded to the printer on the afternoon of the 24th May.

Discovery

6.34 In the week commencing the 29th May the calls from concerned electors that they hadn't as yet received their postal vote began to be received in the registration and elections service. This is evidenced from the public call for evidence and from the service itself. Additional temporary staff were brought in to support the core team who had decamped to the Council House. However, most of these additional staff had no experience of elections administration and did not receive sufficient or indeed any training and there was little support available. The calls were handled by the staff in the team, including the temporary staff. Prior to Friday 2nd June people were advised to wait and contact the service if they hadn't received them by the 2nd, as this was the first date at which replacement for lost votes can be issued.

6.35 It is reasonable to expect some calls concerning postal packs not being received and in this context advice concerning the procedure for reissuing is also reasonable. However, the escalating numbers may have been picked up more quickly had calls been monitored by an experienced manager. The number of calls increased substantially on Friday 2nd. There is clear evidence that at times the electorate were being given wrong advice by inexperienced staff – the most obvious of which was concerning the ability to apply for emergency proxy votes. This is evidenced by the public call for evidence and within the service. Unanswered calls were increasing and at that point on the Friday the service began the process of issuing replacement postal packs, carrying out the required checks and processes. The reissuing process continued over the weekend and by close of play on Monday 5th June, 381 replacement packs were issued.

6.36 The ARO was notified on Friday evening as the calls and queries began to escalate. The service was focussing on the reissuing and had not at that point instituted any action to understand the source of the problem nor its scale and seriousness. There was an expectation that calls would drop off on the Monday. The ARO was appropriately alive to the possibility of the scale of the problem and instituted a number of checks to source the problem over the weekend and on Monday. However, an investigation into this was hampered by limited knowledge within the team, the focus on reissuing and a leading assumption that the problem lay with Royal Mail's distribution of the packs. The ARO persisted in her questioning and on Tuesday morning directed the enquiry to examine the data stores and uploads. By Tuesday afternoon the source of the problem and therefore its scale was understood.

6.37 The flow of clear, accurate and reliable information through the media, candidates and agents and one to one with the electorate was severely

impeded by the time and difficulty in understanding the nature of the problem and by the inexperience of the staff and management. Insufficient attention was given to a strategy for communicating consistently with key stakeholders, including the Electoral Commission, candidates and agents and with the media at this early point and remained largely reactive to comments and questions received.

Remedial action

6.38 The ARO made the decision on Tuesday to deploy civil emergency procedures for the purposes of leading and project managing the issues. This appears to me to have been both appropriate and proportionate to the scale of the problem. The ARO appointed a senior and experienced manager to lead the process and senior and experienced manager to project manage. The clear and focussed stated goal was to maximise the number of people able to vote. There was no prospect of overseas voters who had requested a postal pack receiving them in time and these 78 packs were discounted along with a further 9 which were undeliverable. The command structure was established and working by 6pm on Tuesday 6th June. The immediate issue of concern was that the stock of spare postal vote packs had been exhausted in the reissuing over the weekend. As such, postal vote packs would need to be printed within the Council with very limited printing capability and capacity. This required a manual process of creating the individual elements of a postal vote pack, the printing of these individual elements, the manual collation of the printed elements into single packs and the various checks to ensure the eligibility of the voter, avoid duplication and protect the integrity of the register. Such a complex process undertaken manually, with very limited printing capability and under severe time constraints was in itself fraught with risk. This risk was further heightened by the limited availability of experienced staff to check the elements of the pack were legally compliant and that the intended recipient was an eligible registered postal voter.

6.39 Those packs being couriered to voters in the UK but outside Plymouth were despatched on the morning of Wednesday 7th June. Those packs to be couriered to addresses in Plymouth were despatched on the afternoon of Wednesday 7th June. For those voters who attended the Council House to collect their packs this took place on the Wednesday and Thursday.

6.40 In the circumstances, it was remarkable that in less than 24 hours over 1500 postal vote packs were created and issued on the Wednesday and Thursday before close of poll. However, it was achieved at a considerable cost. The most significant elements of this cost were not financial, though of course there were considerable but as yet uncollated costs. The costs came

in terms of the concern and inconvenience to many voters, the disenfranchisement of 87 documented undeliverable cases plus those who received their packs at home after they had left their homes and were unable to vote.

6.41 However, post-election analysis has found that the 374 postal vote packs generated directly by the Council for the Moor View constituency were not legally compliant in that they did not contain a signature box. Postal packs are required to contain a statement to confirm identity by way of a signature and date of birth. Whilst the Moor View batch did include the correct instructions to the elector to sign and enter their date of birth, the space, but not the actual signature box was present. Of those 374 packs issued, 124 were returned. 39 votes were rejected for want of a signature where there was no signature box. A system of quality checks existed for both the content of the packs and in terms of the integrity of the register. These checks failed to find this error at the time of production.

6.42 No fault has been found in the batches created for Plymouth Sutton and Devonport or South West Devon.

Communications during the Remedial action stage

6.43 At the instigation of the civil emergency procedures, the Council established a special contact centre arrangement using primarily headquarters policy and allied staff with a view to responding more efficiently and effectively to the high volume of calls from the public concerning postal votes. In addition, the communication/media leads were part of the emergency planning structure with a view to maintaining communication with the media, on social media, with candidates and agents and with elected members of the council. The ARO's stated objective was to ensure a candidness and clarity to enable stakeholders to be aware and further the objective of maximising the ability to vote. In their operation, these arrangements fell short of their intended impact on a number of counts.

6.44 There was poor and sporadic internal communication with the core registration and election team. As such professional and technical advice was not effectively deployed from the team, the team were not always aware of the position over postal vote replacements and were themselves receiving separate calls from the public and others. FAQ's to the special contact centre were being issued and revised up to three times a day which caused further confusion. Queries which required the attention of the core team were sent as emails from the special contact centre to the core team. The team were not

aware of this arrangement and these emails were not seen or responded to until after the election. There was poor communication between the decisions made in the civil emergency command and the core team and where they were involved – for example in checking the register against postal vote replacement applications – it was adding to their already over stretched resources. Resolution of requests, particularly for those who attended the Council House, was heavily delayed and the work backed up as a consequence.

6.45 Some agents and politicians complained that information was limited and sporadic. It appeared to them that some were finding out more than others and often the most direct source of information was social media with all the attendant risks over accuracy that this brings. Others felt there was good communication. There is evidence that once the nature of the postal votes issue was understood that communications improved in both quality and frequency and I note that the ARO met with Agents on the night of the election to provide an explanation and to answer questions.

6.46 The relationship with the local media was largely reactive leading up to the Tuesday morning when the remedial stage started. There is evidence that from then on there was an attempt to take a proactive approach. The print and broadcast media were supportive in publishing a number of public information statements from the Council to assist people with what to do and where to go.

Polling Day and the Count

6.47 A major element of the elections preparation is the planning associated with the polling stations, staffing of these stations and the arrangements for the count. These preparations had to be handled in the same time horizon as the rest of the preparations. These arrangements worked well. I have not found any substantive issues of concern over the operation of polling stations. The preparations for the count itself is managed outside the core registration and elections team and works well. Notwithstanding there are always improvements which can be made, the venue, the organisation of the count arrangements, the organisation around attendees, the media and counting staff all work effectively. Building on the previous use of the count venue the efficiency of the count has improved, though some would like to see improvements in the speed of declarations.

6.48 The error in the declaration of the result for the Plymouth Sutton and Devonport constituency was out of keeping with the rest of the count organisation. The error occurred as a result of a faulty formula applied to an

excel spreadsheet collating the results from the ward based mini counts within that constituency. The Formula counted seven of the eight mini counts, omitting Efford and Lipson. The same faulty formula on the same spreadsheet was used to verify the count against the votes cast thereby balancing the numbers. At the point the figures were formally shared with candidates and agents no issues were raised. However, both before and after the declaration concerns over the numbers were raised by two Agents with count officials. Unfortunately, this did not prompt a detailed check of the figures. No action was taken until the Saturday when there was media speculation over the accuracy of the declaration. Further examination of the figures was undertaken. The fault was found and an amended declaration posted. There was no impact on the outcome of the election for the Plymouth, Sutton and Devonport constituency.

6.49 There should have been a number of opportunities to discover the mistake and rectify it in advance of the declaration. The spreadsheet formula should have been checked independently of the officer who generated the formula. The votes cast formula and spreadsheet should be prepared and calculated independently of the count spreadsheet, avoiding a faulty formula being replicated across the two calculations. At the count a parallel manual calculation of both the votes cast and the count numbers should be undertaken and compared with the excel spreadsheet calculation.

Post-election recovery stage

6.50 It is to the Council's credit that despite the intensity of the pressures felt during the election and the opportunity to step back, the Council immediately instituted a process to speak to electors who had been in contact with the Council, including those who had not received a response. This was clearly a difficult task but was undertaken professionally and with care. Equally, there were members of staff who had worked in very difficult and arduous circumstances for a prolonged period of time and for whom support was required and provided. The ARO was also quick to examine the issues and acknowledge the shortfalls, including the need for this independent investigation.

7) Summary of Key Issues and Recommendations

7.1 The body of the report examines the details of the issues which arose during the administration of the 2017 General Election. Out of this examination there are a number of key points which underpin my recommendations which follow from the analysis.

Key Issues

7.2 The Council has a long-standing problem with insufficient capacity and capability within its core registration and elections service. The nature of this deficit has been described to the line management of the service by both external and internal reports during January 2015 and in May 2015. These problems have been exacerbated by the retirement of a long standing and highly experienced Electoral Services Manager in January 2016 and by the loss of an experienced member of staff towards the end of 2016. These problems are made more difficult by the challenges in recruitment caused by the diminishing number of registration and elections specialists available regionally and nationally.

7.3 As a direct consequence of the shortfall in capacity and capability the registration and electoral operational system and process lacks integrity and robustness. The lack of a detailed operational procedure manual, the lack of experience and understanding of the current electoral management system, the lack of operational management grip, integration of tasks and the absence of effective quality controls, quality assurance and independent checking are critical points of failure in the system.

7.4 There has been insufficient progress in the implementation of the re-engineering of the business processes. The need for these changes were highlighted in 2015 and are detailed in the analysis undertaken in May 2016. The implementation of new business processes would streamline demands on the core team to those requiring their specialist input, engage other skills in the Council for non-specialist tasks and would improve the integrity and robustness of working practices.

7.5 There has been strong strategic leadership in the registration and elections requirements from the Acting Returning Officer. Strategic planning to fulfil responsibilities to maximise registration, promote an accurate and complete register and administer the elections are evident in the elections board arrangements. There is, however, a wide gap between effective strategic planning and the operational realities as outlined above. The ARO requires greater support from those with line management responsibility for the service to acknowledge and close that gap.

7.6 In seeking to rectify the postal vote pack distribution problem by a single objective of maximising the ability to vote, it is difficult to see how the Council could have been more effective given the constraints placed upon it, particularly that of time.

7.7 Despite attempts to take a proactive approach to communication with all stakeholders once the size and nature of the problem was recognised,

communications with the public, media, candidates and agents and the Electoral Commission and internally was not as effective as it needed to be.

7.8 Whilst it is impossible to be accurate about the number of registered electors who were unable to vote because of the administrative errors of the Council, I estimate this to be in the order of 150 to 200 people. There were clearly many more times that number caused inconvenience, concern and upset by the issues that arose.

Recommendations

- 1) The Council needs to take urgent action to review its recruitment strategy to attract appropriately skilled and experienced registration and elections staff.
- 2) The Council needs to act without delay to recruit additional permanent and technically capable staff to the core team and achieve a compliment of staff and management consistent with the levels recommended by the AEA and by the Council's own analysis
- 3) Pending these appointments, the Council needs to recruit temporary staff who have the salient detailed operational experience to manage the team, build capacity, provide focus, direction and integration
- 4) Resources need to be sufficient and experienced to undertake the canvass and maintain the register, plan and prepare for the possibility of a General Election and plan for the local election in 2018. This needs to include properly documented operating procedures, systems and process to ensure continuity, robust quality assurance and checking procedures, effective communication and completion of tasks.
- 5) The Council should refresh and extend its business process analysis of the service activities with a view to improving their efficiency and effectiveness, including the full migration to the new EMS system and its embedding within operating procedures of the service. This should also address the implementation of proposals to embed non-specialist roles in other parts of the Council and particularly customer/elector contact.
- 6) Further and more detailed planning should be undertaken with regards to communications during an election period; including in the handling of communications when an error occurs. The development of such a plan should engage key stakeholders including the local media, politicians and their agents, the Electoral Commission and the Council's contact centre. This plan needs to be embedded within the

- operating procedures of the registration and elections service and in the civil emergency procedures.
- 7) The ARO should establish an improvement plan taking account of these recommendations and maintain sufficient frequency of the elections project board to hold line management to account for the delivery against the improvement plan
 - 8) The Council should hold the ARO to account for the overall delivery of planned improvements through a cross-party committee of the Council
 - 9) The ARO and the Electoral Commission should agree a process and a frequency of reporting to enable the commission to offer ongoing advice and to satisfy the commission that the necessary improvements are being delivered.
 - 10) The ARO should consider a further independent review in January 2018 to assess progress and preparedness for May 2018 elections.

Dr David Smith
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RESPONSE TO RECOMMENDATIONS FROM THE REVIEW OF REGISTRATION AND ELECTIONS 2017



No.	Review recommendation	Response	Status	Anticipated completion date	Lead
1	The Council needs to take urgent action to review its recruitment strategy to attract appropriately skilled and experienced registration and elections staff.	<ul style="list-style-type: none"> ▪ Recruitment strategy for elections staff has been drafted and includes: <ul style="list-style-type: none"> • Engagement of a specialist search firm to explore the market for recruitment of key Head of Elections Service position. • Benchmarking to determine grading levels for the core team. • Job descriptions have been comprehensively reviewed to better reflect skills and experience requirements. • New staff structure proposed and consultation commenced. • National advertisement for team vacancies and accompanying regional campaign. • Enhanced interim arrangements remain until recruitment complete. • Development of roles for wider non-specialist staff groups. 	In progress	October 2017	Interim Strategic Director Transformation and Change
2	The Council needs to act without delay to recruit additional permanent and technically capable staff to the core team and achieve a compliment of staff and management consistent with the levels recommended by the AEA and by the Council's own analysis.	AEA Technical consultant engaged as at 10 July 2017 – providing expert technical support to ensure a safe and successful canvass and next election.	Complete	July 2017	Interim Elections Operations Manager

No.	Review recommendation	Response	Status	Anticipated completion date	Lead
		<ul style="list-style-type: none"> ▪ Taking into account the AEA recommendations and our own analysis of the local challenges to electoral registration plans are in place to increase our core team from 6.0 FTE to 12.0 FTE ▪ Recruitment in progress for additional 2x Electoral Services Clerks and 1 x Business Apprentice. ▪ Consultation underway for additional 1x Team Leader and 1x Electoral Services Officer. ▪ Permanent core team anticipated to be in place by autumn 2017. 	In progress	October 2017	
			In progress	October 2017	
			In progress	November 2017	
3	<p>Pending these appointments, the Council needs to recruit temporary staff who have the salient detailed operational experience to manage the team, build capacity, provide focus, direction and integration.</p>	<ul style="list-style-type: none"> ▪ Interim staff have been recruited into the following positions within the Elections Service: <ul style="list-style-type: none"> • AEA Consultant – Technical Manager • Operational Manager • Programme Manager ▪ These temporary appointments are supplemented by dedicated programme and project management resource 1 x Programme Manager, 1x Project Manager, and 3x Business Analysts. 	Complete	July 2017	Interim Elections Operations Manager
4	<p>Resources need to be sufficient and experienced to undertake the canvass and maintain the register.</p> <p>Plan and prepare for the possibility of a General Election and plan for the local election in 2018.</p> <p>This needs to include properly documented operating procedures, systems and process to ensure continuity, robust quality assurance and checking procedures, effective</p>	<ul style="list-style-type: none"> ▪ The canvass is in progress and is taking place between 18 August and 31 November 2017. ▪ Canvass Delivery Plan written – operational task plans and procedures along with clear quality assurance and checking procedures have been produced. ▪ Accompanying resource requirements confirmed. Ancillary canvass staff in place 2x Electoral Services Assistants and 1x Apprentice. ▪ Canvass plan is in use with regular check points with the team to review task status and assign upcoming tasks. 	In progress	November 2017 for completion of the canvass	Interim Elections Operations Manager

No.	Review recommendation	Response	Status	Anticipated completion date	Lead
	communication and completion of tasks.	<ul style="list-style-type: none"> ▪ General Election Plan drafted – operational task plans and procedures along with clear quality assurance and checking procedures have been produced. Accompanying resource requirements identified for both snap and planned General Election. ▪ Gateways within the Electoral Services Programme will ensure key documentation, processes and procedures are fit for purpose and robust through both internal testing and external peer challenge. 		<p>September 2017 for a snap election Response Plan</p> <p>Ongoing, systematic approach to quality assurance of procedures, processes and systems</p>	
5	The Council should refresh and extend its business process analysis of the service activities with a view to improving their efficiency and effectiveness, including the full migration to the new EMS system and its embedding within operating procedures of the service. This should also address the implementation of proposals to embed non-specialist roles in other parts of the Council and particularly customer/elector contact.	<ul style="list-style-type: none"> ▪ Dedicated 3x business analysis resource are provided as part of the Electoral Service Programme. ▪ The programme delivered successful migration to the new Election Management System (EMS) during August 2017. ▪ Key digital customer channels have been reviewed and encouragement to register in place. ▪ Specific non-specialist staff have been briefed to support and advise customers during canvass in front facing locations such as Libraries and via the main Council phone line. ▪ Access to parts of the EMS will enable additional specific non-specialist resource to support key points in the electoral cycle, enhance customer contacts and support local data matching. ▪ Telephony analysis in progress and information sharing protocols being drafted. 	In progress	December 2017	Interim Elections Operations Manager

No.	Review recommendation	Response	Status	Anticipated completion date	Lead
6	Further and more detailed planning should be undertaken with regards to communications during an election period; including in the handling of communications when an error occurs. The development of such a plan should engage key stakeholders including the local media, politicians and their agents, the Electoral Commission and the Council's contact centre. This plan needs to be embedded within the operating procedures of the registration and elections service and in the civil emergency procedures.	<ul style="list-style-type: none"> ▪ Review the proactive Communications Plans developed for the 2016 local and 2017 GE and identify improvements ▪ Identify elections risks jointly with service lead and appropriate communications responses for issues ▪ Engage stakeholders (as identified) in the development of a proactive Communications Plan for Elections 2018 ▪ Develop a reactive crisis communications plan for elections which is aligned with Civil Protection and embedded in operational service delivery. Seek external peer review on the plan to strengthen resilience of proposed approach. 	In progress	October 2017	Head of Public and Partner Relations
7	The ARO should establish an improvement plan taking account of these recommendations and maintain sufficient frequency of the elections project board to hold line management to account for the delivery against the improvement plan.	<ul style="list-style-type: none"> ▪ The Chief Executive established an internal Electoral Service Improvement Programme in July 2017. ▪ An Electoral Service Improvement Plan is being developed with a focus on capability, rigour and resilience with clear timescales and responsibilities. ▪ The Elections Board has oversight of development and delivery of the improvement plan. ▪ The Elections Board is meeting fortnightly to oversee the improvement plan. ▪ The Terms of Reference for the Elections Board have been reviewed and agreed (September 2017). 	<p>Complete in terms of establishing improvement plan and aligning to Elections Board</p> <p>Ongoing in terms of holding line management to account for delivery</p>	September 2017	Chief Executive

No.	Review recommendation	Response	Status	Anticipated completion date	Lead
8	The Council should hold the ARO to account for the overall delivery of planned improvements through a cross-party committee of the Council.	<ul style="list-style-type: none"> ▪ It is proposed to Full Council on 25 September 2017 that the Constitutional Review Group (CRG), a cross-party group of Councillors, monitor the improvement plan and hold the Acting Returning Officer to account for progress. These meetings are scheduled monthly and can occur more frequently if required. ▪ CRG, via its Chair, would report direct to Council. 	In progress	September 2017 for Council decision	Leader
9	The ARO and the Electoral Commission should agree a process and a frequency of reporting to enable the Commission to offer ongoing advice and to satisfy the commission that the necessary improvements are being delivered.	<ul style="list-style-type: none"> ▪ The ARO and Electoral Commission have scheduled a series of check-in points where progress against the improvement plan and performance standards will be reviewed. ▪ Electoral Commission guidance will also be sought at relevant points in between these scheduled check-points. ▪ Electoral Commission representatives have open invites to the Strategic Election Board and receive papers. 	Complete in terms of establishing the frequency of reporting Ongoing in terms of satisfying the commission on progress	August 2017	Chief Executive
10	The ARO should consider a further independent review in January 2018 to assess progress and preparedness for May 2018 elections.	<ul style="list-style-type: none"> ▪ The ARO agrees that a further independent review of progress and preparedness for May 2018 elections would be beneficial and will schedule such a review for January 2018. ▪ Gateway reviews with external peers will also be established as part of the Electoral Services Improvement Programme to provide external quality assurance on progress at appropriate points. 	In progress	January 2018	Assistant Chief Executive

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FINANCE BRIEFING PAPER – GENERAL ELECTION



1. Introduction

- 1.1 This paper provides details of the estimated cost of undertaking any UK Parliamentary or General Election (GE) and the additional costs incurred in the June 2017 GE resulting from activities undertaken in order to respond to the issues experienced.
- 1.2 The paper also sets out the forecasted expenditure for the GE which will be reclaimed from the Government as part of the reimbursement for eligible GE costs.
- 1.3 The costs included within this paper are an unaudited statement and maybe subject to further minor adjustments.

2. Budgeted Expenditure For General Election

- 2.1 All eligible spend by the Council in conducting a GE is funded by Government and all eligible costs are reclaimed by submission of Election Accounts to the Cabinet Office Elections Claims Unit.
- 2.2 The estimated eligible spend to be claimed for the June 2017 GE is £401,000.
- 2.3 In addition the Council is due to receive the balance of claims for the previous Referendum and Police and Crime Commissioner Election. This is estimated to be £75,000 and is held as a contingency for the Council to be used to support the cost of undertaking elections.

3. Additional Costs

- 3.1 The response to rectify three distinct issues experienced in the GE have given rise to additional costs. The following section details the issues and the response with associated costs.
- 3.2 Poll Cards
- 3.3 Costs relating to the issuing of two poll cards to postal voters and the subsequent explanatory letter agreed by the Electoral Commission are set out below:

Description of additional costs	£
Poll Cards printing and posting error	12,498
Additional letter – Electoral Commission requirement	10,468
Total	22,966

3.4 Postal Votes

There were 1,117 entries identified where a postal vote pack was required but had not been printed and distributed. Print costs are within usual expenditure plans, however the distribution method and cost varied depending on the location of the elector as follows;

- 927 were within the Plymouth area and were distributed by hand
- 56 were outside the area and were distributed by courier
- 56 were agreed for collection (though more people did decide to collect their pack)
- 77 were living overseas, and it was not possible to distribute their packs

3.5 Costs relating to the dedicated customer services response, associated IT support and urgent distribution of the 1,117 postal votes are set out below:

Description of additional costs	£
Courier and mileage	15,100
Additional staffing	8,206
Stationery	100
Total	23,406

3.6 Investigation

3.7 The Council has appointed Dr David Smith, former Chief Executive of Sunderland City Council to undertake an independent investigation. Dr Smith is a non-executive board member for the Cabinet Office Electoral Registration Transformation Board and leads on elections and democracy for the Society of Local Authority Chief Executives (SOLACE).

3.8 Costs relating to the independent investigation and the associated specialist IT support are set out below;

Description of additional costs	£
Investigation fees	19,700
IT support - data extraction	2,000
Total	21,700

4. **Summary of costs**

Additional cost totals	£
Poll cards (printing, postage and follow up correspondence)	22,966
Postal votes (courier, mileage, staffing and stationery)	23,406
Investigation (enquiry, report and IT support)	21,700
Total	68,072

5. Impact of additional costs

- 5.1 It is proposed to meet the additional costs incurred by using the contingency funds outlined in 2.3.
- 5.2 Senior Officers have foregone fees associated with the undertaking of the 2017 GE. In order to minimise the impact of the additional costs on the Elections contingency funds these foregone fees are proposed to supplement the funds available to carry forward into 2018/19.
- 5.3 Taking account of the proposed approach the impact of the additional costs on the Elections Contingency is set out below:

Description of funds	£
Elections contingency	75,000
Senior Officer foregone fees	7,446
Sub Total	82,446
Less additional costs incurred	- 68,072
Balance of contingency to carry forward to 2018/19	14,374

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PLYMOUTH CITY COUNCIL

Subject:	Review of Members' Allowances 2017 – Report from the Independent Remuneration Panel
Committee:	City Council
Date:	25 September 2017
Cabinet Member:	Councillor Riley (Cabinet Member for Governance, Democracy and HR)
CMT Member:	Giles Perritt (Assistant Chief Executive)
Author:	Siân Millard (Oversight and Governance Manager)
Contact:	Tel: 01752 304870 e-mail: sian.millard@plymouth.gov.uk
Ref:	IRP17
Key Decision:	No
Part:	I

Purpose of the report:

The report presents the findings and recommendations from the Independent Remuneration Panel on the 2017 Review of Members' Allowances.

The Panel is convened under the Local Authorities (Members' Allowances) England Regulations 2003 (SI 1021) and subsequent amendments to the regulations (SI 2003/1022 and SI 2003/1692 ['the Regulations']).

The Regulations require all local authorities to set up and maintain an advisory Independent Remuneration Panel to review and provide advice about the allowances to be paid to Members. All Councils are required to convene their Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members Allowances Scheme.

Members' Allowances should be reviewed at least every four years. The last full review for Plymouth City Council was in 2013, with an interim review relating to remuneration of Scrutiny Committee Chairs in 2016.

The Review methodology included: comparative evidence of Members' Allowances with 14 of the Council's 'family group,' who are statistical neighbours as defined by Chartered Institute of Public Finance and Accountancy (CIPFA), and eight 'local/coastal' comparator Councils; responses from Members to a questionnaire from the Panel; and interviews with a variety of Members and Officers.

The Panels' report and recommendations has been considered and endorsed by the Constitutional Review Group.

Corporate Plan 2016-19:

None directly arising.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

The recommendations propose no change to the Members' Allowance Scheme other than the regular index-linked cost of living uplift (currently at 1%). This increases the overall budget for Members' Allowances by £6,000 from 2016/17. The total cost for 2017/18 represents 0.18% of the Council's gross budget.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

None directly arising.

Equality and Diversity

The Council has a duty to have due regard to the need to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equality Act 2010 and those who do not.

Has an Equality Impact Assessment been undertaken? Not applicable

Recommendations & Reasons for recommended action:

That Council:

- I. considers and decides upon the nine recommendations from the Independent Remuneration Panel on the level of Member Allowances from 2017/18 onwards as follows:

Recommendation 1: The basic allowance should remain unchanged for all Members, subject to appropriate back-dating of index-linked uplift where necessary for 2017/18.

Recommendation 2: The Council may wish to follow the developing national debate on core expectations of Members and inform the Panel of any significant developments that have implications for variance of the basic allowance.

Recommendation 3: The SRAs for the following roles remain unchanged subject to appropriate back-dating of index-linked uplift where necessary for 2017/18: Leader of the Council; Deputy Leader of the Council; Chair of Planning; Vice-Chair of Planning; Chair of Licensing Committee; Chair of Taxi Licensing; Chair of Audit; Leader of the largest minority party; Leader of other minority parties; and Deputy Leader of largest majority party.

Recommendation 4: The interim SRA determined in 2016 for the Scrutiny Committee Chairs should be confirmed and appropriate back-dating of index-linked uplift applied where necessary.

Recommendation 5: The Travel and Subsistence Policy in the 'Plymouth Book' should continue to be applied for Member travel and subsistence claims.

Recommendation 6: Co-opted members should remain unremunerated, except for the reimbursement of travel and subsistence.

Recommendation 7: Current provisions of the childcare and dependent carers allowance should be retained.

Recommendation 8: Any changes to Member allowances should be back-dated to the start of the municipal year where applicable.

Recommendation 9: The arrangement of linking Members' allowances to the annual local government cost of living pay award should be retained.

2. notes the next full review of member allowances will take place by 2021; and
3. delegates to the Monitoring Officer responsibility for undertaking the necessary updates to Appendix One of the Council's Constitution to reflect the agreed member allowances from 2017/18.

Legislation states Council must have due regard to the Independent Remuneration Panels' recommendations in determining the level of Member Allowances.

Alternative options considered and reasons for recommended action:

It is a legislative requirement to regularly review (at least very four years) the Members Allowance Scheme.

Published work/information:

[Review of Members' Allowances 2013](#) and [Minutes Review of Scrutiny Allowances 2016](#) and [Minutes Statutory Instrument No. 1021](#) – The Local Authorities (Members' Allowances) (England) Regulations 2003, the Statutory Guidance on Members' Allowances for local authorities in England

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Responses to questionnaire to members		X	X							
Benchmarking information for comparator groups	X									

Sign off:

Fin	pl1718.101	Leg	lt/28968/1409	Mon Off	lt/dvs/28968	HR	Assets	IT	Strat Proc
Originating SMT Member – Giles Perritt									
Have you consulted the Cabinet Member(s) named on the report? Yes									

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INDEPENDENT REMUNERATION PANEL

REPORT ON THE REVIEW OF MEMBERS' ALLOWANCES 2017

I. SUMMARY OF RECOMMENDATIONS

I.1 The Panel makes nine recommendations for the Council to consider with regards Member allowances:

Recommendation 1: The basic allowance should remain unchanged for all Members, subject to appropriate back-dating of index-linked uplift where necessary for 2017/18.

Recommendation 2: The Council may wish to follow the developing national debate on core expectations of Members and inform the Panel of any significant developments that have implications for variance of the basic allowance.

Recommendation 3: The SRAs for the following roles remain unchanged subject to appropriate back-dating of index-linked uplift where necessary for 2017/18: Leader of the Council; Deputy Leader of the Council; Chair of Planning; Vice-Chair of Planning; Chair of Licensing Committee; Chair of Taxi Licensing; Chair of Audit; Leader of the largest minority party; Leader of other minority parties; and Deputy Leader of largest majority party.

Recommendation 4: The interim SRA determined in 2016 for the Scrutiny Committee Chairs should be confirmed and appropriate back-dating of index-linked uplift applied where necessary.

Recommendation 5: The Travel and Subsistence Policy in the 'Plymouth Book' should continue to be applied for Member travel and subsistence claims.

Recommendation 6: Co-opted members should remain unremunerated, except for the reimbursement of travel and subsistence.

Recommendation 7: Current provisions of the childcare and dependent carers allowance should be retained.

Recommendation 8: Any changes to Member allowances should be back-dated to the start of the municipal year where applicable.

Recommendation 9: The arrangement of linking Members' allowances to the annual local government cost of living pay award should be retained.

- 1.2 Should the Council accept these recommendations, the Panel notes that based on 2016/17 figures, the total budget for Members allowances was £597,000 and the total budget for 2017/18 is £603,000, which represents 0.18% of the Council's gross budget. The Panel considers this to be an appropriate level at a time of significant budget constraints and continued national austerity.
- 1.3 The Panel would like to thank all Members and officers who were either interviewed for the review and/or responded to the Member questionnaire – their evidence was valuable in informing the Panel's deliberations. The Panel would also like to recognise the excellent administrative and research support it received during the course of the review.

2. INTRODUCTION

The Regulatory Context

- 2.1 The Independent Remuneration Panel (IRP) was appointed by Council on 8 October 2007 to review the scheme of Members' Allowances and to make recommendations for appropriate changes in accordance with statutory guidance.
- 2.2 The Panel is convened under the Local Authorities (Members' Allowances) England Regulations 2003 (SI 1021) and subsequent amendments to the regulations (SI 2003/1022 and SI 2003/1692 ['the Regulations']).
- 2.3 The Regulations require all local authorities to set up and maintain an advisory Independent Remuneration Panel to review and provide advice about the allowances to be paid to Members. All Councils are required to convene their Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panels' recommendations before setting a new or amended Members Allowances Scheme.
- 2.4 Members Allowances should be reviewed at least every four years. The last full review for Plymouth City Council was in 2013, with an interim review relating to remuneration of Scrutiny Committee Chairs in 2016.

Panel

- 2.5 Plymouth City Council's Independent Remuneration Panel members are:

Alan Wooderson (Chair)	Alan Wooderson has recently retired but was previously in a national and local leadership role with the Probation Service as part of the Ministry of Justice. Alan has 30 years' experience within Local Government
Duncan Currall	Duncan Currall is Chair of Livewell Southwest and consultant to a firm of

	solicitors
Paul Woods	Paul Woods is a Tribunal Judge and consultant to a firm of solicitors

Note: Sarah Errington, Commercial Services Coordinator at Plymouth University Peninsula Schools of Medicine and Dentistry, is also a member of the Panel but unavailable for the 2017 Review.

- 2.6 Members of the Panel may have some contact with the Council. In the interest of openness and transparency their links are stated below:

Alan Wooderson is employed on an occasional basis by Plymouth City Council and other Local Authorities as the Chair of Review Panels to resolve complaints against the local authority prior to possible submission to the Local Government Ombudsman

Duncan Currall is a member of the Plymouth Growth Board and consultant to a firm of solicitors which provides services to Plymouth City Council

Paul Woods is consultant to a firm of solicitors which provides services to the Council and a trustee of Theatre Royal Plymouth

Terms of Reference

- 2.7 The Panel's Terms of Reference which guided the Review, as stated in the Constitution, are at **Annex I**.

Methodology and Approach

- 2.8 The Review methodology included: comparative evidence of Members' Allowances with 14 of the Council's 'family group,' who are statistical neighbours as defined by Chartered Institute of Public Finance and Accountancy (CIPFA), and eight 'local/coastal' comparator Councils; responses from Members to a questionnaire from the Panel; and interviews with a variety of Members and Officers.

- 2.9 The CIPFA family group of councils included:

Bournemouth	Portsmouth
Bristol	Swindon
Brighton and Hove	North East Lincolnshire
Medway	Warrington
Southampton	Stoke-on-Trent
Southend-on-Sea	Telford and Wrekin
Derby	York

- 2.10 The local/coastal comparator group included:

Bristol	Devon County
Cornwall	Exeter

Hull
Poole

Swansea
Torbay

- 2.11 The Panel noted only 15 Members responded to the questionnaire which represents just 26% of Council Members. This is lower than in previous reviews.
- 2.12 The Panel met on three occasions to receive and distil the evidence. The Panel undertook to preserve the confidentiality of responses to the questionnaire and interviews (evidence from which is non-attributable to individuals). Such evidence is therefore not subject to public examination.
- 2.13 The Panel's approach to its deliberations and subsequent recommendations for the Members' Allowance Scheme was to consider, in accordance with its Terms of Reference and the requirements of the statutory instrument:
- What had changed, if anything, from the last full review in 2013 and the interim review in 2016?
 - Was there any compelling reason(s) to depart from the fundamental principles of the approach adopted when the original Members' Allowance Scheme was introduced in 2003?
- 2.14 The Panel noted the change in Scrutiny Committee structure in 2016 and their related report and interim recommendations for the remuneration of Scrutiny Committee Chairs. The Panel also noted no compelling reason to depart from the original principles adopted in 2003 and therefore concluded the fundamental principles should be adhered to.
- 2.15 The following findings and recommendations follow the flow of the Panel's Terms of Reference.

3. FINDINGS AND RECOMMENDATIONS

Basic Allowance

- 3.1 The IRP noted:
- there is no nationally set level of remuneration for the basic allowance for Members. It is therefore the responsibility of each Council to establish its own level on recommendation of its Independent Remuneration Panel. The current system for Plymouth has been in place for a number of reviews and is used as the base for this review.
 - responses from Members to the Panels' questionnaire reported an average of 30hrs spent on Council business, with 5.5hrs of this estimated to be unremunerated. This is in line with evidence from a 2013 Local Government Association Census of Councillors where the average time spent on council business was 25 hours a week.

- in light of comments received from the interviews, the Panel requested additional benchmarking information to inform whether the level of remuneration on the basic allowance is appropriate.
- 3.2 The additional benchmarking demonstrated the current basic allowance for Plymouth Councillor's is in the second quartile, (just below the average) within its local/coastal comparators. This is different to the finding from the CIPFA family group placing the Council in the third quartile (just above average) within the group.
- 3.3 After considering the benchmarking evidence, responses to the questionnaire, and interviews, the Panel concluded that the evidence does not suggest an adjustment to the basic allowance is required. The Panel recognised that budgetary constraints, as referenced in the Councils Medium Term Financial Strategy 2017/18 to 2019/20, and continued national austerity weigh against a departure from the current provision, save for an index-linked cost of living uplift.

Recommendation 1: The basic allowance should remain unchanged for all Members, subject to appropriate back-dating of index-linked uplift where necessary for 2017/18.

- 3.4 During the process of the review, a consistent view was expressed by those interviewed about whether a performance-related element could be introduced to the basic allowance.
- 3.5 The Panel sought legal advice on this issue and was advised by the Council's internal legal team and legal experts with the Local Government Association (LGA). Key points from the advice received was as follows:
- The Members allowances regulations states that the amount of the basic allowance shall be the same for each member.
 - Whilst the legislative framework provides for a Special Responsibility Allowance for additional responsibilities to certain Member roles, the legislation does not go so far as to enable an allowance system based upon performance related pay.
- 3.6 The Panel is clear on the basis of the legal advice that the basic allowance should remain the same for all Members. However, the Panel believe it may be worth the Council considering and clarifying core expectations of Members and that such work is developing in some other councils which could inform such an approach.

Recommendation 2: The Council may wish to follow the developing national debate on core expectations of Members and inform the Panel of any significant developments that have implications for variance of the basic allowance.

Categories of Members Receiving a Special Responsibility Allowance

- 3.7 The Panel noted 13 roles which are in receipt of a Special Responsibility Allowance. In undertaking the review they sought only to focus on those areas identified by the evidence as requiring specific attention. The Panel therefore confirmed no compelling reason to alter the current level of SRA for any other roles.

Recommendation 3: The SRAs for the following roles remain unchanged subject to appropriate back-dating of index-linked uplift where necessary for 2017/18: Leader of the Council; Deputy Leader of the Council; Chair of Planning; Vice-Chair of Planning; Chair of Licensing Committee; Chair of Taxi Licensing; Chair of Audit; Leader of the largest minority party; Leader of other minority parties; and Deputy Leader of largest majority party.

Scrutiny Committee Chairs

- 3.8 The Panel had conducted an interim review in 2016 on the level of remuneration for the Chairs as a result of the changes introduced to the scrutiny model within the Council. The number of Scrutiny Committees had reduced from five to two, with the two Committees supported by dedicated, ad hoc select committees which consider specific issues in depth.
- 3.9 The Panel specifically examined the Special Responsibility Allowance (SRA) for Scrutiny Committee chairs and heard evidence in this respect. The Panel acknowledges from the interviews and evidence that the City Council recognise Scrutiny as an important check and balance in the governance system.
- 3.10 The Panel had recommended an interim SRA for the two Scrutiny Committee Chairs, of an amount of £10,368 that they considered would support the importance of the function.
- 3.11 The Panel had also recommended further review of remuneration of the Scrutiny Committee Chairs after two months, taking into consideration the workload and responsibilities of members.
- 3.12 The Panel is aware that such a review has not been undertaken until this point. On the available evidence, the Panel proposes the interim SRA be confirmed as the appropriate level for the Scrutiny Committee Chairs.

Recommendation 4: The interim SRA determined in 2016 for the Scrutiny Committee Chairs should be confirmed and appropriate back-dating of index-linked uplift applied where necessary.

Party Whips

- 3.13 The questionnaire responses raised an issue of whether Party Whips should be remunerated. The Panel specifically examined this issue as part of the review.
- 3.14 The Panel were reminded they had examined this issue in some detail in 2013 and concluded that Party Whips should not be in receipt of an SRA. The Panel therefore considered whether the position had demonstrably changed. The Panel noted:
- there are two main parts to a Whip's role: 1) enforcing party regulations and behaviour standards; 2) liaison point for officers on issues of committees and/or standards
 - the evidence from the benchmarking information reviewed is that most Councils do not chose to remunerate their Whips through their Member allowance scheme
 - differing views from those interviewed on whether the Whip role should be remunerated
- 3.15 The Panel concluded the position of Chief Whip is not a legislative requirement. As such, the Panel concluded there was no substantive change to the position held in 2013 and no compelling reasons as to why Whips should receive an SRA and do not recommend such approach.

Vice-Chairs of Taxi Licensing and Licensing Sub-Committees

- 3.16 The questionnaire responses raised an issue of consistency regarding remuneration of the Vice-Chairs of the three quasi-judicial committees: Planning Committee, Taxi Licensing Committee and Licensing Committee. The Panel therefore specifically examined this issue as part of the review.
- 3.17 The Panel noted:
- like Planning Committee, Taxi Licensing and Licensing Committees are quasi-judicial committees that discharge the regulatory and statutory duties of the Council, which the law prevents being a function of Cabinet the Vice-Chair of Planning receives an SRA as a result of a decision made by the Council's Standards Committee and Constitutional Review Panel in December 2003. The decision was made on the basis of: an assessment of the number of committee meetings held each year; Members roles; the acknowledgement that such Members are often required to have extensive technical training in their areas; and the impact of the committees' decisions upon individuals, which could be significant
 - while the Vice-Chairs of Taxi Licensing and Licensing Committees may sometimes be required to attend court in the absence of the respective Chair to explain a decision of the Committee, on the evidence reviewed this occurs infrequently.
 - on the basis of benchmarking evidence, the majority of Councils do not remunerate the Vice-Chairs of Licensing Committees

- varying views were expressed from the questionnaire and interview evidence on the question of remunerating the Vice-Chair positions; the key issue appeared to be one of consistency.

3.18 While the Panel acknowledges the discrepancy point of consistency, it considers there is limited evidence that the role of the Vice-Chairs of Taxi Licensing and Licensing Committee should be remunerated.

Restrictions on Special Responsibility Allowances

- 3.19 There are 57 members of Council and statutory guidance states that if the majority of members of a council receive an SRA the local electorate may rightly question whether this was justified. Therefore, one of the principles of Members Allowances at Plymouth City Council is that no more than 28 Plymouth City Councillors at any one time should receive an SRA. In 2016/17 20 Councillors (35%) received an SRA (not including the Lord Mayor and Deputy Lord Mayor). Should Council accept the recommendations of the Panel, in 2017/18 the proposal this position would remain, with 20 Members (35%) in receipt of an SRA.
- 3.20 The current arrangement is that Members can only claim one SRA. This excludes the Lord Mayor and Deputy Lord Mayor who may also receive a personal allowance for their significant civic duties. The Panel believes such practice should continue.

4 Travel and Subsistence Scheme

- 4.1 The Panel noted that Members are subject to the same travel and subsistence policy as council staff, as determined by the 'Plymouth Book', and that the basic allowance includes provision for such expenses. The Panel considered there was no substantive evidence to deviate from this position.

Recommendation 5: The Travel and Subsistence Policy in the 'Plymouth Book' should continue to be applied for Member travel and subsistence claims.

5 Co-opted members

- 5.1 A co-opted member is not a Councillor of the authority but is a member of a committee or sub-committee. The current scheme does not provide an allowance for co-opted members. Co-opted members may claim travel and subsistence expenses in order that they are not out of pocket for undertaking work on behalf of the council.
- 5.2 There are co-opted members on the following committees/sub-committees:
- Audit Committee
 - Local Access Forum
 - Standing Advisory Council for Religious Education
 - Wellbeing Oversight and Scrutiny Committee

- 5.3 The Panel understands that co-opted members do not normally have any further commitment to the council other than attending meetings, on average, between four and six times per year. The Panel therefore considers no change in the status of co-opted members.

Recommendation 6: Co-opted members should remain unremunerated, except for the reimbursement of travel and subsistence.

6 Childcare and dependent carer's allowance

- 6.1 The existing scheme makes an allowance available to Members who have dependents living with them. The Panel stress the importance of enabling people from all walks of life to become a Councillor and minimise barriers to participation in political representation and governance. The Panel noted that 56% of Councillors work full or part-time (employed or self-employed); 30% are retired and 14% are unclassified.
- 6.2 The Panel continues to encourage the Council to ensure prospective Councillors are aware of the childcare and dependents allowance. The Panel also reaffirms its view that the maximum period of entitlement should be the duration of the approved duty plus reasonable travel time and that the allowance should not be payable to a member of the claimant's household.

Recommendation 7: Current provisions of the childcare and dependent carers allowance should be retained.

7 Back-dating of allowances

- 7.1 The Panel reconfirmed the principle that any increases to allowances made as a result of this review should be backdated to the start of the municipal year.

Recommendation 8: Any changes to Member allowances should be back-dated to the start of the municipal year where applicable.

8 Index Linking

- 8.1 Currently, Member allowances are index-linked to the annual local government cost of living pay award (currently 1%). The Panel determined this arrangement should continue.

Recommendation 9: The arrangement of linking Members' allowances to the annual local government cost of living pay award should be retained.

9 Pensions

- 9.1 Since the last review, the Panel noted that as a result of a 2013 government consultation, from 2014, Members were no longer enrolled in the Local

Government Pension Scheme (LGPS) (Local Government Pension Scheme Regulations, 2014)

- 9.2 The Panel noted that no Members are enrolled in the LGPS. The Panel also noted that despite being subject to tax and national insurance via PAYE, Members are holders of public office and therefore not legally considered an employee of the organisation. Members are therefore not entitled to auto-enrolment for pensions.

ANNEX I: TERMS OF REFERENCE FOR THE INDEPENDENT REMUNERATION PANEL

Extract: Plymouth City Council Constitution, Part E (page 10)

INDEPENDENT REMUNERATION PANEL

I. FUNCTIONS

The Panel carries out the Council's responsibilities under the Local Authorities (Members Allowances) Regulation 2003 as amended to convene an Independent Panel to make recommendations to the Council about the level of Members Allowances.

SPECIFIC RESPONSIBILITIES

- 2.1** Overall, to recommend the level of allowances to be paid to Members, including special responsibility allowances, pension rights for elected Members and allowances payable to co-opted members.
- 2.2** The Panel will recommend:
 - (a) The amount of basic allowance that should be payable to elected Members;
 - (b) The categories of Members who should receive special responsibility allowances and the amount of such an allowance;
 - (c) The travel and subsistence scheme, the amount of the allowance and how it should be paid;
 - (d) The payment of an allowance for co-opted members and the amount of that allowance;
 - (e) The payment of an allowance in respect of arranging for the care of Members' children and other dependants, the amount of this allowance and the means by which it should be determined;
 - (f) Whether the allowances should be backdated to the beginning of the municipal year;
 - (g) Whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run;

ANNEX II: MEMBERS ALLOWANCE SCHEME 2016/17

Extract: Plymouth City Council Constitution, Appendix One

APPENDIX ONE (I)

MEMBERS' ALLOWANCE SCHEME
Summary of basic allowance and special responsibility allowances
from 1 April 2016 – 31 March 2017

<u>BASIC ALLOWANCE</u> (per year for all 57 councillors)	£
Basic Allowance	10,472
<u>SPECIAL RESPONSIBILITY ALLOWANCES</u> (in addition to the basic allowance) (Numbers in brackets refer to the number of Members claiming this allowance)	
The Executive (Leader and the Cabinet)	
Leader of the Council (1)	31,412
Deputy Leader of the Council (1)	22,104
Cabinet Member (8)	20,940
Overview and Scrutiny Committees	
Chair of Health & Wellbeing O&S Committee (1)	10,368
Chair of Place & Corporate O&S Committee (1)	10,368
Regulatory Committees	
Chair of Planning Committee (1)	10,472
Vice Chair of Planning (1)	5,236
Chair of Licensing Committee (1)	10,472
Chair of Taxi Licensing (1)	10,472
Chair of Audit (1)	5,236
Opposition Groups	
Leader of the largest minority party (1)	10,472
Leader of other minority parties (1)	5,236
Deputy Leader of largest minority party (1)	5,236
Lord Mayoralty	
Lord Mayor (1)	14,546
Deputy Lord Mayor (1)	4,800

DEPENDENT CARERS' ALLOWANCE

Members are entitled to claim for the duration of the approved duty plus reasonable travelling time. The allowance should not be payable to a member of the claimant's own household. See below.

TRAVEL ALLOWANCES AND SUBSISTENCE EXPENSES

Car, Motorcycle and Bicycle Allowance Rates are set in lines with those paid to officers of the authority. Existing travel and subsistence arrangements will continue, i.e. that Members are entitled to claim such allowances necessarily met in carrying out their official duties as councillors outside of the city boundary (in line with the officers' scheme).

Travel within Plymouth and peninsula (counties of Devon, Cornwall, Somerset and Dorset)**HMRC RATE:**

45p per business mile up to 10,000 miles
25p per business mile over 10,000 miles

'Out of Peninsula rate':

25p per business mile

Low emission car rate (travel within Plymouth and Peninsula)

Cars with up to 110g/km CO₂ emissions, and/or in tax band A or B:
50p per business mile up to 10,000 miles
29p per business mile over 10,000 miles

HMRC passenger rate:

5p per business mile per passenger

Meals and subsistence rates**Breakfast**

Irregular starter before 6am. This rate does not apply if employee regularly leaves home before 6am.

- Maximum claim - £5

One meal rate

Where an employee is away from the normal place of work for a period of more than five hours.

- Maximum claim - £5

Two meals rate

Where an employee is away from the normal place of work for a period of more than 10 hours.

- Maximum claim - £10

Late evening meal

Irregular late finisher - where an employee is away from the normal place of work outside of their normal working hours and after 8pm.

- Maximum claim - £10

Only a maximum of three meals can be reimbursed per day. Alcohol cannot be purchased within the allowance.

Overnight stays

Accommodation will be reimbursed for overnight stays where it is impractical for a day-return or where the overnight stay represents better value for money. Reimbursements will be made when presented with a valid VAT receipt.

- Bed and breakfast outside of London (M25): Maximum payment - £65
- Bed and breakfast within London/M25 boundaries: Maximum payment - £85

Approved duties and claiming childcare and dependent carers' allowances

If a councillor is responsible for the care of children, elderly relatives or people with disabilities, childcare and dependent carers' allowances may be claimed (against receipts). The maximum period of the entitlement is the duration of the approved duty plus reasonable travelling time. The allowance should not be payable to a member of the claimant's own household.

Approved duties are:

- attending a committee, sub-committee or outside body meeting
- attendance at any other authorised meeting (provided that it is a meeting to which Members of at least two political groups have been invited)
- attendance at a meeting of any association of authorities of which the authority is a member
- attendance at any Cabinet meeting
- performance of any duty connected with the opening of tenders
- performance of any duty requiring the authority to inspect or authorise the inspection of any premises
- performance of any duty in connection with arrangements for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996
- attendance at development and learning events
- the carrying out of any other duty approved by the authority for the purpose of or in connection with the discharge of the functions of the authority or any of its committees or sub-committees

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**STRATEGIC PARTNERSHIP WITH TORBAY
COUNCIL TO DELIVER CHILDREN'S SERVICES**

City Council – 25 September 2017

**CABINET MINUTE 36 (29 August 2017)**

The Leader introduced the report and then handed over to Alison Botham, Assistant Director for Children, Young People and Families who highlighted that Plymouth City Council were invited to submit an expression of interest to create a partnership arrangement with Torbay Council to jointly deliver its Children's Services. This was following Torbay being judged inadequate for several years by Ofsted. This report seeks an 'in principle' decision and we have been clear throughout that to proceed with a full partnership due diligence would be undertaken to ensure that this partnership does not compromise our services to children and young people.

Since this report was produced Torbay Council will now consider their options at an Extraordinary Council Meeting on 27 September 2017.

Cabinet –

1. Agrees 'in principle' to progress the development of a partnership with Torbay Council to run its Children's Services, working with Torbay Council and the Commissioner for Children's Services, and under the auspices of the Department for Education to develop a detailed partnership agreement.
2. Delegates to the Chief Executive in consultation with the Leader of the Opposition the development of the detailed partnership agreement.
3. Requests the Wellbeing Overview and Scrutiny Committee to examine and debate the proposal in September 2017 and provide any feedback to the Council meeting on 25 September 2017.
4. Recommends that the Council endorses the Cabinet's 'in principle' decision at its meeting on 25 September 2017, subject to continuing support for a strategic partnership with Plymouth City Council to deliver Torbay Council's Children's Services, following the latter's Council meeting on 13 September 2017.
5. Receives a further report later in 2017 following the 'due diligence' exercise and seeks further endorsement from the Council before any binding decision is made.

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PLYMOUTH CITY COUNCIL

Subject: Establishing a strategic partnership with Torbay Council to deliver Children's Services

Committee: Council

Date: 25 September 2017

Cabinet Member: Councillor Ian Bowyer

CMT Member: Tracey Lee

Author: Alison Ward, Regional Partnerships Manager

Contact: Tel: 01752 398084
E-mail: alison.ward@plymouth.gov.uk

Ref:

Key Decision: No

Part: I

Purpose of the report:

In March 2017, Plymouth City Council was invited to submit an expression of interest to create a partnership arrangement with Torbay Council to jointly deliver its Children's Services. Torbay Council's Children's Services have been judged inadequate for several years and in May 2016, the Department for Education (DfE) appointed a Commissioner, John Coughlan, Chief Executive of Hampshire County Council, to oversee improvement.

The Commissioner's role also involves ensuring that improved performance can be sustained over the longer term by exploring alternative delivery models, including partnering with nearby councils. In April 2017, the Commissioner advised that having evaluated expressions of interest from Plymouth City Council and Devon County Council, his preferred option as a partner for Torbay Council was Plymouth. In June 2017, the DfE Minister endorsed his recommendation. (Appendix 2)

This report seeks an 'in principle' agreement to proceed to develop a delivery model and detailed partnership agreement with Torbay Council to deliver its Children's Services. A Prospectus has been jointly developed by officers from both councils. This is a high level framework document setting out the general terms and principles for the partnership (Appendix 1).

Discussions with Torbay Council regarding Children's Services are set against the backdrop of Torbay exploring longer term options for the future delivery of all their services. They have engaged Local Partnerships (a consultancy between the Local Government Association and HM Treasury) to develop business cases for several options. This work is due to be reported to Torbay Council in mid-September 2017. The options being considered include the potential for joint delivery of all their services with one, or a combination of nearby councils.

The Commissioner and the Minister have both been very clear that improvements to Children's Services in Torbay must happen at pace, and therefore unless there is a credible and compelling alternative, a partnership with Plymouth City Council will remain the preferred option for delivery of that service.

The Corporate Plan 2016/17 – 2018/19:

One of the central themes of the Corporate Plan is that Plymouth City Council is pioneering; finding new ways to deliver services that are innovative and more efficient. A partnership with Torbay Council would enable us to explore new and more cost effective service delivery models based on greater economies of scale and the sharing of best practice, which will benefit both councils.

The partnership also supports our ambition to be a confident city, demonstrating strong sub-regional leadership and enhancing our reputation within the sector and with Government.

The Council has a strong track record of working in partnership which has been recognised regionally and nationally. This proposal is a further opportunity to demonstrate that strength.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

The establishment and running of the partnership would be at no cost to Plymouth City Council, and there would be no pooling or cross subsidy with Torbay Council budgets. The set-up costs would be covered by a one-off payment from the Department for Education. In the longer term, Torbay Council would pay Plymouth City Council the extra costs incurred in providing the agreed partnership support. Any savings generated from shared working or more efficient delivery structures would be apportioned between the two councils in accordance with a pre-agreed ratio.

The partnership would involve a shared role for the Director of Children's Services across both councils. This will necessitate a review of the capacity in the senior management arrangements in Plymouth City Council's People Directorate. The remainder of the staffing structures within Children's Services would remain largely unaffected, although the necessity may arise for a minor reapportioning across middle management to take on additional responsibility for supervision and guidance, and a greater degree of deputising across senior management to accommodate the shared Director role.

There would also be opportunities for secondments and career development across the larger workforce of the two councils. The partnership would provide greater critical mass for recruitment and retention of social workers, and better opportunities for training and development based on economies of scale.

There would be an opportunity to harmonise working practices and IT systems across the joint workforce and this could lead to the standardisation of case management software. Any associated costs would be factored into the business case for transition funding from the DfE. Torbay Council would make a proportionate on going contribution to senior management costs, including any additional capacity created to ensure a robust joint DCS function.

There are no direct implications for land or buildings as each council would retain their current facilities.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

The partnership proposal presents a number of risks that would need to be managed, but also a range of potential benefits that would need to be exploited, including financial efficiencies, workforce stability and the testing of new delivery models. Some key risk management principles are set out below:

1. The safety and wellbeing of Plymouth's children and young people is paramount. Any partnership arrangements must not detract from this. The partnership must also not disrupt Plymouth's own Children's Services improvement journey.
2. The partnership must not impact on Plymouth's finances or create issues in terms of staffing. All set up costs will be recorded and contained, and funded by the Department for Education.
3. The precise terms of the partnership arrangement would be set out in a detailed agreement including the roles and accountabilities of Members and officers in both councils.
4. Torbay Council would retain full political accountability, as well as the statutory responsibilities associated with the Director of Children's Services and the Lead Member for Children's Services. There would need to be absolute clarity to ensure that Plymouth's City Council's reputation was not harmed as a result of entering into the partnership.
5. Given the long term and binding nature of the partnership it would be crucial to secure a strong commitment from Members and senior managers before embarking on the partnership. There would be a built-in review point and other termination conditions set out in the full partnership agreement.

Recommendations & Reasons for recommended action:

That Council:

1. Endorses Cabinet's 'in principle' decision to progress the development of a partnership with Torbay Council to run its Children's Services, subject to continuing support for a strategic partnership following the Torbay Council meeting to be held on the 27 September 2017,
2. Endorses Cabinet's 'in principle' decision to work with Torbay Council and the Commissioner for Children's Services, and under the auspices of the Department for Education to develop a detailed partnership agreement.
3. Endorses Cabinet's 'in principle' decision to delegate to the Chief Executive in consultation with the Leader and the Leader of the Opposition the development of the detailed partnership agreement.
4. Requests that, subject to continuing support for a strategic partnership, the Wellbeing Overview and Scrutiny Committee to further examine the partnership arrangements as they develop and make recommendations to Cabinet before any final decision.
5. Agrees to receive a further report, following the 'due diligence' exercise and seeks further endorsement from the Council before any binding decision is made.

Alternative options considered and reasons for recommended action:

Torbay Council are required to act in accordance with the recommendations of the Commissioner. At this point, the Commissioner has identified that a partnership with Plymouth City Council provides the best solution for Torbay Council to improve its Children's Services at pace and Torbay Members voted overwhelmingly to support this route in July 2017. Plymouth City Council is under no obligation to continue with the partnership at this point.

The options at this point are therefore:-

- (i) To agree 'in principle' to proceed to develop the partnership, or
- (ii) Not to proceed

Option (i)

If the Council decides to proceed to develop the partnership arrangements, officer project teams would be set up within both councils to develop the detail required, and to undertake due diligence. The project teams would report to a single project board chaired by Plymouth City Council's Chief Executive, which would provide structure and rigour to ensure all aspects are covered. The Board would provide regular updates to each council. In addition, the Cross Party Working Group would continue to meet and receive updates, as well as opportunities for wider Member involvement. A final decision will be required before the partnership can be formally established, and Plymouth City Council's Cabinet would seek further endorsement from the Council.

It is envisaged that the partnership would take approximately six months to establish. Should any issues arise during this period which cannot be resolved, or which present 'red lines', the Council could withdraw.

Whilst there are clearly implications that need to be carefully considered, there are also strong benefits and opportunities to be gained from the partnership, particularly in terms of Plymouth City Council's positioning for the future in a fast changing public services agenda.

Option (ii)

If the Council decides not to proceed, the Commissioner will have to find an alternative way forward, as the responsibility for the delivery of Children's Services cannot remain with Torbay Council alone.

The Commissioner could decide to explore setting up an independent trust to deliver Children's Services, however this is likely to be more costly, complex and slower.

If the Council decides not to proceed at this stage, it would lose the opportunity to demonstrate strong sector-led leadership in this area, and would not be able to explore the more innovative delivery models or secure the efficiency savings that the partnership could deliver. In addition there are additional risks for Plymouth if either of the above options become a reality, these include: impact on our recruitment and retention of social workers in a challenging national and local context; impact on our regional influence with a particular risk in relation to placement sufficiency for children in care.

The Council would also lose the opportunity to align more closely with other commisioning and governance arrangements such as those emerging in the Health and Care Sustainability and Transformation Plans and the changing public sector landscape.

Background papers:

- Appendix 1. Prospectus
- Appendix 2. Ministerial letter

Torbay Council’s report on the Children’s Service Alternative Delivery Model, and the minutes recording their decision.

[Torbay Council 20 July 2017 Children's Services Report](#)

[Torbay Council 20 July 2017 Minutes](#)

Sign off:

Fin	AKHI 718.10 3	Leg	It/2794 7/1/14 09	HR	It/2794 7/1/dvs	Corp Prop	N/A	IT	N/A	Strat Proc	N/A
Originating SMT Member Tracey Lee											
Have you consulted the Cabinet Member(s) named on the report? Yes											

1.0 Background

- 1.1 In May 2016, the Department for Education issued Torbay Council with a Statutory Direction and appointed John Coughlan, Chief Executive of Hampshire County Council as the Commissioner for Children's Services, and Hampshire County Council Children's Services as expert advisors to support improvement. This action was the culmination of poor Ofsted inspection results over a number of years. An improvement notice was first issued to Torbay Council in January 2011 following poor performance in its safeguarding services for children and young people. A further improvement notice was issued in April 2012 to revise the targets in the first improvement notice. Whilst the service was judged to have shown some improvement following an inspection in 2013, the most recent Ofsted inspection published in January 2016 found that those improvements had not been sustained and this triggered the Statutory Direction.
- 1.2 The Commissioner's primary role is to oversee the improvement of Children's safeguarding services in Torbay, reporting progress to the Secretary of State on a regular basis. However, as a consequence of repeated failure, Torbay falls into a category of intervention whereby there is a Government assumption that the governance of services will be changed and cannot be left to Torbay alone. Consequently it is within the Commissioner's remit to explore alternative delivery models for Children's Services to ensure that improvement can be sustained over the longer term.
- 1.3 Prior to the appointment of the Commissioner, Torbay Council secured funding to help to explore transferring Children's Services into the Integrated Care Organisation (ICO) model, with Torbay and South Devon NHS Foundation Trust, following a similar approach to that for Adult (Social Care) Services. Soon after the Commissioner took up his role, he identified that this work had not progressed sufficiently. An independent company, Mutual Ventures were commissioned to complete the review and reported back in December 2016.
- 1.4 Whilst the model of transferring Children's Services into the ICO was deemed feasible, the Commissioner concluded that it was not appropriate for a number of reasons, including the complexity and uniqueness of such an arrangement, and the time it would take to bring into effect.
- 1.5 In early 2017, the Commissioner started to explore the potential for partnering arrangements with other councils as an alternative delivery model. Cornwall Council, Plymouth City Council and Devon County Council were each approached. Cornwall Council withdrew when their Director of Children's Services was appointed as a Commissioner to another authority. Plymouth and Devon were invited to put forward written submissions and this was followed up with face to face discussions.
- 1.6 On 5 April 2017, the Commissioner wrote to the DfE advising them that his preferred option as a partner for Torbay Council to deliver Children's Services was Plymouth City Council. He concluded that whilst both councils offered credible proposals, on balance Plymouth City Council was a better fit. His rationale included the following points:
- Plymouth evidences a generally stronger performance profile and history than Devon, although both are currently judged as 'requiring improvement'.
 - Analysis of the data shows a stronger synergy between Plymouth and Torbay as coastal and largely urban locations.
 - Plymouth has had long term stability in its senior management team.

- 1.7 In response to the Commissioner's recommendation, the Chief Executive of Torbay Council wrote to the Chief Executive of Plymouth City Council on 25 April 2017 setting out his initial thoughts on the key features of a partnership arrangement. This formed the basis of the Prospectus document, developed by officers from both councils, as the overarching framework on which to progress the work. (Appendix 1)
- 1.8 In the early summer of 2017, Torbay Council commissioned Local Partnerships to conduct an in-depth options review of potential future arrangements for the delivery of all of Torbay Council's services. This followed ongoing discussions within the council regarding its long term viability as a unitary council, emanating from an LGA Peer Review which reported in January 2016. The review explores forming delivery partnerships with other local councils. Torbay Council is due to consider the findings at its meeting on 27 September 2017, at which point it could decide which option(s) to pursue.
- 1.9 Devon County Council has stated its willingness to deliver all of Torbay's upper tier services, but not if Children's Services is excluded as they consider it would not make operational or economic sense to have separate arrangements for that service.
- 1.10 The Commissioner and the Minister have both reiterated their strong support for Plymouth City Council as the preferred partner for Torbay Council's Children's Services, but have acknowledged that the outcome of this review could have a direct and material impact on that decision which could force them to reconsider.

2.0 Rationale

- 2.1 The Commissioner judged that Plymouth City Council was a good fit to support Torbay Council. Plymouth is also moving through an improvement process after services for children in need of help and protection, looked after children, and care leavers were judged as requiring improvement in 2015. Good progress has been made to address the areas highlighted by the inspection, including changes to operational practice that have seen caseloads reduced, front line staff better supported, higher retention rates for social workers and improved partnership working through programmes like Families with a Future.
- 2.2 There is also strong leadership and a clear corporate commitment to improving the outcomes and aspirations for children and young people, and for safeguarding the most vulnerable. This is demonstrated by an effective systems leadership culture, and integrated commissioning underpinned by a good understanding of demand, flow, performance and costs.
- 2.3 A recurring theme in Torbay Council inspection assessments has been a lack of strong leadership, and poor management and governance. The latest judgement, published in January 2016, and the Statutory Direction issued in response highlighted this failing, as well as the poor quality of services for children who need help and protection. [Torbay Council Ofsted Inspection January 2016](#)
- 2.4 These are areas that Plymouth City Council can help Torbay to address; in a practical sense in terms of implementing better working practices and introducing cultural change, as well as providing strong and consistent leadership and management support.
- 2.5 Hampshire County Council set up an improvement partnership with the Isle of Wight Council in 2013. This was one of the first partnerships of its kind, however it is increasingly the Government's preferred option, being less complex and more cost effective than setting up an

independent trust. It is a model that supports sector-led, peer to peer improvement which is more embedded and sustainable. A partnership with Torbay Council would be a good example of one unitary council providing sector-led improvement to a similar, nearby unitary council.

3.0 Risks and Benefits

Risks

- 3.1 The partnership would be expected to follow a similar format to that set up between Hampshire County Council and Isle of Wight Council which is designed to run for 5 years. Given this duration, which would span several local election cycles, it would be critical that the arrangement has political consensus and strong corporate commitment.
- 3.2 Inspections at Torbay have highlighted failings in leadership and management. In addition, the Mayoral governance model in Torbay presents different dynamics to the Leader and Cabinet model in Plymouth. These challenges present a potential risk to Plymouth City Council in being able to establish the partnership, and support Torbay to achieve vital service improvements.
- 3.3 Torbay Council is considering a range of options for the long term delivery of all their services. The outcome of that review may persuade councillors to opt for a different delivery partner for other key services, in which case Plymouth City Council would be likely to withdraw, and the Commissioner would be required to review his recommendation and find an alternative solution for the delivery of Torbay Council's Children's Services.
- 3.4 There must be no distraction for Plymouth City Council on its improvement journey as a result of entering into the partnership. It is crucial that the hard-won progress that the Council and its partners have achieved is not compromised in any way. This includes ensuring that the Council has sufficient capacity and capability at all levels, and is not overstretched, particularly in the event of a major safeguarding incident in either council area, or by an inspection.
- 3.5 There must be no extra costs incurred by Plymouth City Council as a result of entering into the partnership. The DfE has agreed to cover transition costs for both councils and it will be essential to ensure that sufficient funding is requested, and that the ongoing additional costs for shared senior management support after the partnership goes live are met by Torbay Council.
- 3.6 There must be absolute clarity regarding lines of accountability to ensure that Plymouth City Council's reputation is not harmed as a result of the partnership.
- 3.7 Plymouth City Council must have sufficient oversight to be confident that Torbay Council has allocated adequate funding to run Children's Services.

Benefits

- 3.8 Plymouth City Council already enjoys a high profile and strong influence in regional and sub-regional work; including Health and Care Sustainability and Transformation Plans; successful recruitment and retention of social workers; effective regional commissioning; and in other spheres of influence such as the Plymouth-Exeter-Torbay Growth Corridor bid which has gained early Government interest. The Council's status would be enhanced through a successful strategic partnership arrangement with Torbay to deliver Children's Services as it would add critical mass in terms of workforce numbers and the scale of delivery.

- 3.9 The partnership could strengthen the Council's own improvements and current partnership initiatives and innovations. For example, the work with the NSPCC could be scaled up and have greater impact in Plymouth, as well as delivering benefits for Torbay.
- 3.10 There are potential areas for financial efficiencies and economies of scale, and for staff development in both councils.
- 3.11 The partnership provides an opportunity to learn from Hampshire County Council which has considerable experience in this area, having established an improvement partnership with the Isle of Wight in 2013. This means that the Council could benefit from working alongside them and use their model for developing the partnership, but also learn from their strong leadership and good practice. There would also be opportunities to learn from areas of strength within Torbay Council Children's Services. Torbay has strong performance in their schools and education services.
- 3.12 The partnership would strengthen the Council's relationship with the DfE, including drawing down dedicated funding to set up the partnership to create a firm foundation for it to flourish.
- 3.13 Setting up a partnership to deliver a complex area like Children's Services would open up the potential for further strategic partnering opportunities to jointly deliver other services in the future, where it makes sense to do so.

4.0 Timeline and Next Steps

- 4.1 Based on Hampshire County Council's experience with the Isle of Wight, the detailed work to develop the partnership is likely to take 6-9 months. On this basis, the target date for the partnership to be established would be 1 April 2018.
- 4.2 Should the Council decide to proceed, a programme structure would be set up with teams across both councils, with a single Board reporting to each council.
- 4.3 Member cross party groups and separate briefings and updates for members would be programmed in throughout the development period.
- 4.4 A business case would be submitted to the DfE at the earliest opportunity to secure funding to cover the transition costs.
- 4.5 A further report would be brought back to the Council, in order to secure final agreement to establish the partnership.
- 4.6 The DfE would issue a Statutory Direction setting out the terms of the partnership, as defined in the partnership agreement.
- 4.7 The Commissioner and Hampshire County Council would remain in place to shadow the new arrangements to ensure a smooth transition.



Prospectus (Heads of Terms) for a Strategic Partnership between Plymouth City Council and Torbay Council: Children's Services

Context

Children's Services in Torbay have had a history of underperformance and an inability to sustain improvements in outcomes for children. In 2010, Torbay's Children's Services were judged inadequate and a Statutory Direction issued by the Department for Education (DfE) in 2011. Although child protection services were judged 'adequate' in 2013, the latest Ofsted report in January 2016 judged services 'inadequate', identifying significant weaknesses in leadership and management. It should be noted that Torbay's Education services have been performing well, with outcomes for children and young people generally at or above comparators.

As a result of the inspection judgement, Torbay Council was subject to a Statutory Direction in May 2016 and the Chief Executive of Hampshire County Council appointed as the DfE Commissioner. The role of the Commissioner has been to oversee the improvement journey and consider what alternative delivery models might best secure sustainably improved Children's Services in Torbay. Hampshire County Council Children's Services were also appointed as the improvement partner to Torbay Council and a multi-agency Children's Improvement Board (CIB), chaired by the Commissioner, established to oversee the improvement journey. These governance arrangements will remain in place until such time as they are amended, revoked or replaced by a further Ministerial direction.

Since his appointment, the Commissioner has been working with Torbay Council and partner agencies, across the South West, to explore the potential for an alternative delivery model. This reflected a growing consensus in Torbay that it could no longer deliver Children's Services on a unilateral basis. An increasingly detailed series of discussions were commenced by the Commissioner to explore the optimum delivery model and, within that context, a capable partner agency or agencies. The work was supported by Mutual Ventures, a consultant with considerable experience of the development of alternative delivery models for Children's Services. This culminated in a recommendation by the Commissioner, in April 2017, that sustained improvement in Children's Services in Torbay would be achieved via a partnership with Plymouth City Council. This document has been prepared in advance of the Ministerial response to the Commissioner's recommendation to enable work to progress at pace thereafter.

Both Plymouth City Council and Torbay Council believe the partnership model will contribute to improved service delivery, better outcomes for children and young people and the opportunity to realise efficiencies through shared or merged service elements. The larger practitioner resource within the partnership model will better support workforce development, recruitment and retention and provide greater opportunity for service innovation. The statutory direction underpinning the partnership will also establish an ongoing dialogue with the DfE around service improvement and a stronger voice for Plymouth and Torbay within the sector led improvement agenda.

Purpose

The purpose of this document is to set out the guiding principles, operating arrangements, governance and timeframe for the development and implementation of a partnership between Plymouth City Council and Torbay Children's Services. It is intended to provide the baseline for the more detailed work required for the development of a comprehensive partnership agreement and delivery model.

Guiding Principles

1. The safety and wellbeing of children and young people within the administrative areas of Torbay Council and Plymouth City Council will be paramount at all times throughout the development and operation of the partnership.
2. The primary objective will be the sustained improvement of Children's Services in Torbay and Plymouth.
3. There will be a commitment to openness and transparency at all stages and by all parties.
4. Lines of accountability for politicians and officers will be clearly articulated and agreed at each stage to avoid ambiguity.
5. Any issues will be resolved as quickly as possible by working together in the spirit of cooperation, equality and mutual respect.
6. The development and operation of the partnership will be cost neutral to Plymouth City Council, with all costs recorded and recovered in accordance with an agreed cost recovery model.
7. All communications relating to the partnership arrangement will be agreed by both councils before being issued, including the content and timing of messages, and the channels and audiences.

Outline Partnership Arrangements

1. Plymouth City Council's Director of Children's Services shall take full operational responsibility for Torbay Children's Services including its education and social care functions and those corporate support functions that directly support Children's Services. The role of Director of Children's Services will be as defined within Children Act 2004 and Statutory Guidance (2013).
2. Torbay Council will retain political and financial authority and statutory accountability. Plymouth City Council will take no direct political accountability but both parties will readily explore political partnership opportunities over time, such as joint scrutiny arrangements. The Executive Member for Torbay will play a key role in on-going political responsibility.
3. Executive line management and operational responsibility will rest entirely with Plymouth City Council, but with a joint Director of Children's Services reporting to both Councils and Chief Executives regarding their respective statutory duties. The role of Director of Children's Services will be as defined within Children Act 2004 and Statutory Guidance (2013).

4. The joint Director of Children's Services will be a full member of the Senior Leadership Team in Torbay and engage in place setting and wider strategy development where this involves activity related to Children's Services. This includes engagement with Torbay's corporate support and governance services as appropriate. There may also be a requirement for a nominated senior officer from Torbay Children's Services to engage with the senior leadership teams of both councils when deputising for the Director.
5. Torbay Council will retain financial accountability and provide an appropriate budget for the delivery of Children's Services, as informed by its Medium Term Financial Strategy (MTFS) which will be subject to regular review and close monitoring and reporting by both partners. The Children's Services' budgets for Torbay and Plymouth will not be pooled or subject to cross subsidy as part of this agreement. The respective Section 151 Officers will continue in their statutory roles providing budgetary oversight and working together to ensure that Torbay Council is making sufficient budgetary provision for its Children's Services.
6. The joint Director of Children's Services shall ensure that there is sufficient leadership visibility in Torbay.
7. Hampshire's role as improvement partner to Torbay Council shall continue until removed or revoked by ministerial direction, whilst also engaging with Plymouth in order to secure the progress made to date and ensure there is a shared and agreed pathway to improvement. This acknowledges a desire on Torbay's part to have continuity of leadership and improvement focus during the transitional period.
8. PCC DCS will join the Children's Improvement Board (CIB) and Torbay's Safeguarding Children's Board (TSCB) at the earliest opportunity to further support a smooth transition.
9. It is anticipated that Torbay Council will be subject to statutory direction and therefore appropriate and proportionate financial assistance will be provided by the DfE, to fully fund the logistics and infrastructure necessary to place the partnership arrangements on a secure and sustainable footing. As an example, this could include the cost of harmonisation of case management systems across both councils. Any development funding provided by the DfE would be held by Plymouth City Council on behalf of the partnership, in consultation with Torbay Council and the DfE Commissioner. This will also contribute towards the arrangements being at no additional cost to Plymouth City Council in both the development and delivery phases.
10. Plymouth City Council will lead on the appointment and development of managers and staff including redesign where appropriate, in consultation with Torbay. Similarly the redeployment of Plymouth City Council managers or staff to Torbay Council posts and vice versa will be a joint decision. Both Councils' view this as an opportunity to second and develop talented staff.
11. A particular consideration for both Councils and their elected members will be to maintain the strong, existing local relationships and high visibility with local partners, communities and schools within any partnership arrangement.
12. This partnership is an opportunity for both parties to explore the development of shared functions and merged teams. Whilst both Councils remain open to all options, it is vital that any such changes contribute to improvements and services for children and do not destabilise services, including the loss of staff or lower morale. No significant organisational changes shall

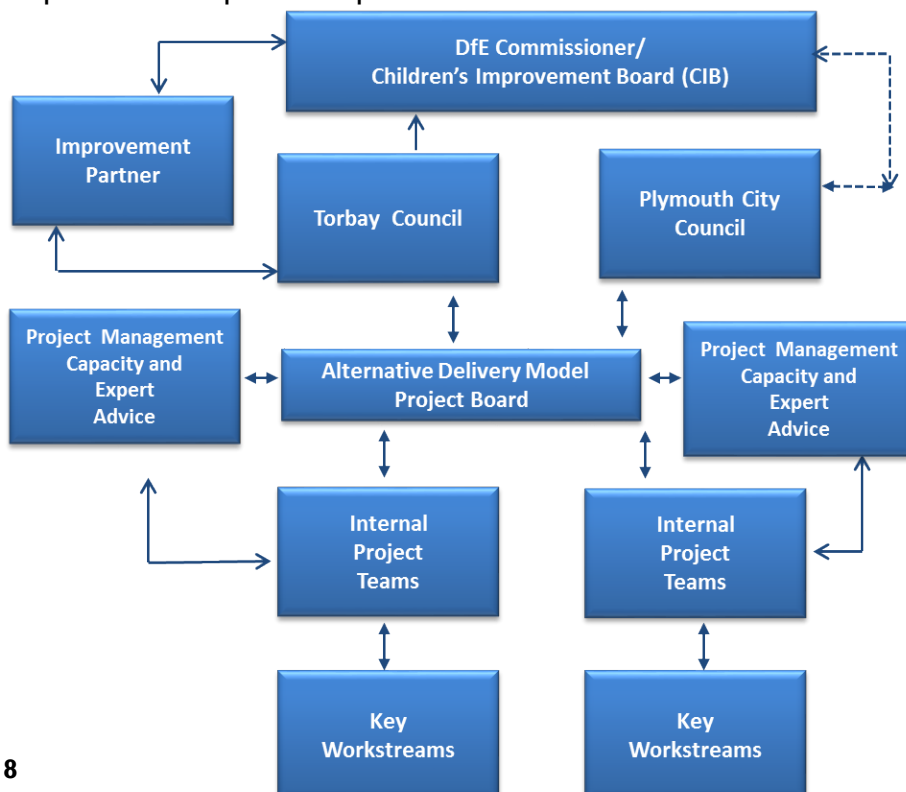
be made affecting Children’s Services without the express endorsement of Plymouth City Council, as supported by the statutory direction.

13. Clear legal arrangements to be put in place to ensure there is no confusion about the right of direction by Plymouth City Council managers to those Torbay employees working within the partnership agreement.
14. Torbay’s operational support arrangements, policies and procedures shall remain in place, particularly where these have developed through the work with Hampshire or are deemed to be important to Torbay’s wider financial position, but with Plymouth City Council having discretion to amend or develop in consultation with Torbay and Hampshire.
15. The same principle would apply to ‘back office’ functions and services, which should remain in situ but may be subject to review.
16. The arrangements for any termination of the partnership from either party will be fully set out in the partnership agreement so as to minimise disruption and risk, and to maintain the safety and wellbeing of children and young people in both localities.

Governance

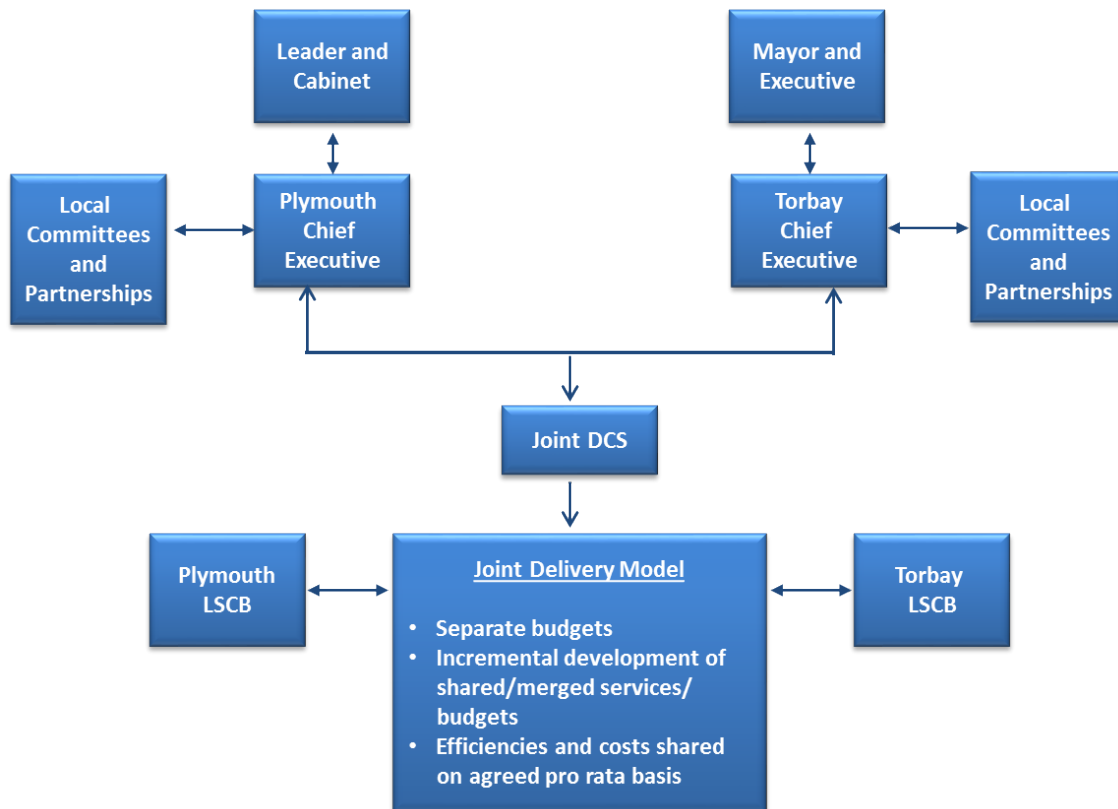
Torbay Council is currently subject to a Statutory Direction issued in May 2016 requiring it to co-operate with the DfE Commissioner, in order to improve Children’s Services and explore the most effective way of securing and sustaining these improvements over the longer term. The governance arrangements put in place by the direction will remain in place during the implementation phase.

The development phase for the partnership, which the Commissioner has indicated will take between 6-9 months from the point of a decision by the Minister, will require interim governance arrangements to be established to oversee project delivery. The arrangements will necessarily link into the DfE Commissioner and Children’s Improvement Board (CIB) put in place by the statutory direction issued in May 2016. The outline model below sets out how governance will work during the development phase for the partnership.



The Alternative Delivery Model (ADM) Project Board will comprise of appropriate senior representatives from both Plymouth and Torbay Councils, with input from the DfE Commissioner (or their representative) as appropriate. The ADM Project Board would continue to meet on a regular basis until the partnership is operating on a secure and sustainable basis.

At the point that the partnership is able to go ‘live’ it will link in with the existing political and managerial accountabilities in place within Torbay Council and Plymouth City Councils, acknowledging the longer term opportunities to develop shared arrangements for the children safeguarding boards and other aspects of assurance and scrutiny. The diagram below sets out how the partnership will integrate with the existing governance arrangements for Plymouth City Council and Torbay Council.



Workstreams

Working within the above governance framework the joint or separate project teams working to the project board will need to progress a wide range of work streams to enable the partnership to go live.

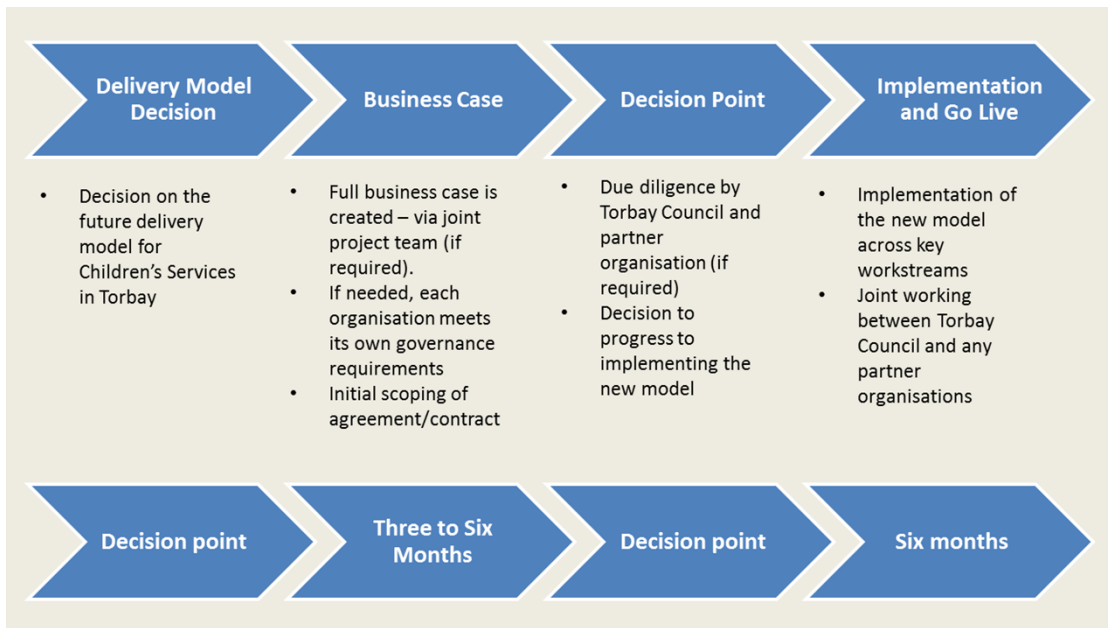
The table below sets out an illustrative set of workstreams to enable work to progress from a Heads of Terms to a detailed partnership agreement.

Number	Workstream	Description
1.	Service delivery and improvement	<ul style="list-style-type: none"> ▼ Scope of Children's Services within the agreement. ▼ Operating model. ▼ Organisational structure. ▼ Quality standards and performance.
2.	New model governance	<ul style="list-style-type: none"> ▼ Development of delivery model governance. ▼ Ofsted registration. ▼ Budget, finance and management/reporting arrangements.
3.	Legal and contracts	<ul style="list-style-type: none"> ▼ Partnership Agreement between Torbay Council and Plymouth City Council. ▼ Governance model. ▼ Services contract. ▼ Third party contracts/commissioned services.
4.	Finance	<ul style="list-style-type: none"> ▼ Budget(s). ▼ Restructuring the budget ▼ Re-coding the budget?
5.	Staff transfer (if the new delivery model involves any transfers of staff)	<ul style="list-style-type: none"> ▼ TUPE / HR advisory. ▼ Pension advisory. ▼ Staff consultation. ▼ Payroll disaggregation if required. ▼ Terms and conditions contracts review.
6.	Communication	<ul style="list-style-type: none"> ▼ Joint Communications strategy. ▼ Day-to-day communications management. ▼ Press management. ▼ Customer information. ▼ Website.
7.	Stakeholder management and regulation	<ul style="list-style-type: none"> ▼ Engagement with key Government departments. ▼ Engagement with the requisite regulators.
8.	Property and assets	<ul style="list-style-type: none"> ▼ Building and capital assets disaggregation (if required). ▼ Valuation of transferred assets (if required). ▼ Accommodation arrangements.
9.	Data and ICT	<ul style="list-style-type: none"> ▼ Review of databases and case management platforms. ▼ Archiving. ▼ Disaggregation/Integration of ICT systems

		(if required). <ul style="list-style-type: none"> ▼ Ongoing access to information and data sharing (if required).
	Support services	<ul style="list-style-type: none"> ▼ Finance. ▼ Payroll. ▼ Legal services. ▼ HR support. ▼ Facilities management. ▼ Utilities. ▼ Telephony. ▼ Security. ▼ Communications. ▼ ICT support. ▼ Printing and office materials. ▼ Admin and PA support.

Timeframe

A Ministerial decision in response to the Commissioner’s recommendation is anticipated in July. The Commissioner had identified a timeframe of 6 – 9 months from the point of a decision for the partnership arrangement to go live. The timeframe below sets out how this will progress including the stages at which key decisions will be required.





Robert Goodwill MP
Minister of State for Children and Families

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

Gordon Oliver
Mayor, Torbay Council
Town Hall
Torquay
TQ1 3DR

30 June 2017

Dear Gordon,

I am writing following the report from the Children's Services Commissioner, John Coughlan, on the future of Torbay's children's social care services. John has carried out a very comprehensive review and I am grateful to him for his work.

As you know, the starting place for the Commissioner's appointment was Ofsted's inspection of Torbay's children's social care services which found serious and persistent failures. John has been clear for some time that services should not remain under the operational control of the Council and has carried out a thorough analysis of the options for the future delivery of services in Torbay. I am persuaded by John's argument that a partnership with another local authority to run services on Torbay's behalf is the best way to achieve sustainable improvement.

I am encouraged that both Plymouth and Devon developed credible proposals to work with Torbay. At present I am minded to agree with John's recommendation that Plymouth is the most appropriate partner for the reasons set out in his report. I understand that Torbay and Plymouth have already engaged in discussion about how a partnership would work. However, I note that Torbay is also undertaking a wider review of the future of services, due to conclude in July. I will ask John to consider the outcome of that review and, if it materially changes his view about the most appropriate partner, to update me accordingly. You will be aware, though, that services in Torbay have not been good enough for too long and it is imperative that we act at pace to bring about long-term improvement and provide the most vulnerable children and young people in Torbay the services they deserve. I share John's concern that any alternative model that may be proposed by the separate review can only make a material difference to John's recommendation if it is able to achieve a sustainable change in the governance of children's services that can match the pace of the Plymouth proposal.

The Commissioner remains in place under statutory direction, and I expect the Council to continue working with him on the development of the new operating model. I have asked John to provide an update on progress in September.

I am copying this letter to John Coughlan and Steve Parrock.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Robert Goodwill', written over a large, loopy circular flourish.

Robert Goodwill MP
Minister of State for Children and Families

**CAPITAL AND REVENUE MONITORING REPORT
2017/18 - QUARTER I**

City Council – 25 September 2017

**CABINET MINUTE 37 (29 August 2017)**

The Leader highlighted that this report outlines the finance monitoring position of the Council as at the end of June 2017.

Cabinet agreed –

1. to note the current revenue monitoring position and actions plans in place to reduce/mitigate shortfalls;
2. to approve the non-delegated virements which have occurred since 1 April 2017;
3. to recommend to council that the Capital budget 2017-2022 is revised to £836m (as shown in table 5).

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PLYMOUTH CITY COUNCIL

Subject:	Capital & Revenue Monitoring Report 2017/18– Quarter I
Committee:	Cabinet
Date:	29 August 2017
Cabinet Member:	Councillor Darcy
CMT Member:	Andrew Hardingham – Interim Joint Strategic Director for Transformation and Change
Author:	Paul Looby – Head of Financial Planning and Reporting Hannah West - Finance Business Partner
Contact details	Tel: 01752 307271 email: paul.looby@plymouth.gov.uk Tel: 01752 305171 email: hannah.west@plymouth.gov.uk
Ref:	
Key Decision:	No
Part:	I

Purpose of the report:

This report outlines the finance monitoring position of the Council as at the end of June 2017.

The primary purpose of this report is to detail how the Council is delivering against its financial measures using its capital and revenue resources, to approve relevant budget variations and virements, and report new schemes approved in the capital programme.

As shown in Table I below, the estimated revenue overspend is £4.259m. The overall forecast net spend equates to £188.142m against a budget of £183.883m, which is a variance of 1.23%. This needs to be read within the context of needing to deliver in excess of £18m of savings in 2017/18 on the back of balancing the 2016/17 revenue budget where £24m of net revenue reductions were successfully delivered.

Additional management solutions and escalated action to deliver further savings from the council's transformation programme will be brought to the table over the coming months in order to address the in year forecasted overspend.

Table I: End of year revenue forecast

	Budget £m	Forecast Outturn £m	Variance £m
Total General Fund Budget	183.883	188.142	4.259

The latest approved capital budget covering 2016/17 – 2020/21 stood at £895m which was agreed at Council on 27th February 2017. This report details a revised capital budget of £836m, now for the period 2017/18 – 2021/22.

The Corporate Plan 2016/17 – 2018/19:

This quarterly report is fundamentally linked to delivering the priorities within the Council's Corporate Plan. Allocating limited resources to key priorities will maximise the benefits to the residents of Plymouth.

Implications for Medium Term Financial Strategy and Resource Implications:

Robust and accurate financial monitoring underpins the Council's Medium Term Financial Strategy (MTFS). The Council's Medium Term Financial Forecast is updated regularly based on on-going monitoring information, both on a local and national context. Any adverse variations from the annual budget will place pressure on the MTFS going forward and require additional savings to be generated in future years.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

The reducing revenue and capital resources across the public sector has been identified as a key risk within our Strategic Risk register. The ability to deliver spending plans is paramount to ensuring the Council can achieve its objectives to be a Pioneering, Growing, Caring and Confident City.

Equality and Diversity

This report monitors our performance against our approved budget 2017/18. As part of the budget setting process, EIA were undertaken for all areas.

Recommendations and Reasons for recommended action:

1. Note the current revenue monitoring position and action plans in place to reduce/mitigate shortfalls;
2. It is recommended that Cabinet approve the non-delegated virements which have occurred since 1st April 2017;
3. Cabinet are asked to recommend to Council that the Capital Budget 2017 -2022 is revised to £836m (as shown in Table 5).

Alternative options considered and rejected:

None – our Financial Regulations require us to produce regular monitoring of our finance resources.

Published work / information:

2017/18 Annual Budget: [2017 Budget Report](#)

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	

Sign off:

Fin	AKH1718. 72	Leg	lt/28678/ 2707	Mon Off	lt/28678/ 2707	HR		Assets		IT	Strat Proc	
Originating SMT Member: Andrew Hardingham, AD for Finance												
Has the Cabinet Member(s) agreed the contents of the report? Yes												

JUNE 2017 FINANCE MONITORING

Table 2: Revenue Monitoring Position

Directorate	Gross Expenditure	Gross Income	2017/18 Latest Approved Budget	Forecast Outturn	Forecast Year End Variation	Movement from previous month
	£m	£m	£m	£m	£m	£m
Executive Office	3.749	(0.128)	3.621	3.621	0.000	0.000
Corporate Items	14.961	(14.732)	0.229	0.529	0.300	0.000
Transformation and Change	149.376	(116.630)	32.746	33.686	0.940	0.005
People Directorate	253.700	(131.390)	122.310	124.558	2.248	(1.553)
Public Health	19.657	(19.457)	0.200	0.200	0.000	0.000
Place Directorate	75.742	(50.964)	24.777	25.548	0.771	0.771
TOTAL	517.185	(333.302)	183.883	188.142	4.259	(0.777)

Table 3: Key Issues and Corrective Actions

Issue	Variation £M	Management Corrective Action
EXECUTIVE OFFICE	0.000	There is currently a nil variance to report.
CORPORATE ITEMS The budget includes the management of the Council's treasury activities, insurance provision and cross cutting savings targets.	0.300	The Procurement budget includes an increase of £0.300m over the previous year. An action plan to meet this pressure in full before the end of the financial year is being developed.
TRANSFORMATION and CHANGE – Finance The Finance Department holds a number of budgets on behalf of the whole Council including utilities and Facilities Management.	0.045	The department are continuing to hold vacancies and to manage demand led services. A review of Document Management, Postage and Cleaning Services is currently underway in order to deliver those services within budget and mitigate any potential year end overspends.
TRANSFORMATION and CHANGE – Legal	0.000	There is currently a nil variance to report.
TRANSFORMATION and CHANGE – Customer Services There continue to be pressures regarding managing Housing Benefit subsidy and overpayments budget as preparation continues for the introduction of Universal Credit.	0.311	The Council has reviewed the costs of debt recovery through the court system. At this stage of the year pressure has arisen from Court costs resulting in a forecast shortfall of £0.311m against the target budget.

TRANSFORMATION and CHANGE – Human Resources & OD	0.000	There is currently a nil variance to report.
TRANSFORMATION and CHANGE – Departmental	0.369	The budget for 2017/18 included a number of efficiency savings targets associated with service reviews. Plans are in place to deliver some of these savings whilst other plans (e.g. Commercialisation) are still being developed. Staff savings of £0.098m contribute.
TRANSFORMATION and CHANGE – Transformation and Portfolio	0.215	In year vacancy savings across the department (£0.090m) have been offset by pressures delivering the Smart Working target of £0.305m.
TRANSFORMATION and CHANGE – ICT Commissioned Service	0.000	There is currently a nil variance to report.
PEOPLE – Children Young People and Families The Children Young People and Families Service are reporting a pressure attributed to the increased cost and volume of looked after children’s placements but are on track to achieve savings; made assumptions this will be met by the end of the year. However one off savings carried forward from 2016/17 remain a budget pressure and are included. There are currently two young people placed in ‘welfare’ secure.	1.500	As part of the MTFs for 2017/18, CYP&F are expected to make savings of over £1.500m (in order to contribute to the £7.117m Directorate target) as well as £0.710m of savings brought forward from 2016/17 that were realised from one off savings and will need to be realised in this financial year. A piece of work has been undertaken to ensure a systematic review of all young people in supported living and new arrangements for plans for them are in place. This will ensure appropriate plans are in place for young people improving timeliness and reducing cost pressure.

<p>There are currently 98 Independent Foster Care (IFA's) placements with a budget for 92 but we are aiming to achieve savings from the transformation of our In House Foster Care Service.</p>		<p>Extensive work is underway to review all placements in order to reduce the pressure on cost and volume where appropriate.</p>
<p>PEOPLE – Strategic Co-operative Commissioning</p> <p>The Strategic Co-operative Commissioning (SCC) service is forecasting a year end overspend against budget of £0.437m at month 3. The main reasons for the variations are:</p> <ul style="list-style-type: none"> • £0.485m – Supported Living – this forecast is currently under review. • £1.011m Domiciliary Care – this variation is being reviewed as part of Intermediate Care review. • £0.291m Residential / Nursing - client base still shifting from residential to nursing. • (£0.326m) Additional contributions from Health for joint funded care packages. • (£0.406m) Direct Payments - a further reduction in client's numbers. • (£0.724m) Client Contributions – work is underway to ensure that this figure is not overstated as clients are assumed to pay in full for their service if information is not provided within 14 days. 	<p>0.437</p>	<p>Strategic Co-operative Commissioning will need to make over £4.300m of savings in 2017/18 as part of the overall People Directorate target of £7.117m.</p> <p>It is however noted that £1.300 million of this still does not have well developed plans.</p>

<p>PEOPLE – Education Participation and Skills</p> <p>Education Participation and Skills is forecasting a breakeven position at year end. However, we are continuing to review the cost of provision of community meals and school transport costs. There is a further pressure within the People directorate of £1.370m regarding the on-going legacy liabilities from the 1998 transfer to Unitary status.</p>	0.000	<p>A plan is being written to scope all of the education-related services within Education, Participation and Skills and recommend an approach and plan for transforming in order to realise savings.</p> <p>The specific legacy costs will be considered as an overall council issue with options worked through during the year. At this stage it is not being reported as a budget pressure as plans are in place to resolve prior to the financial year end.</p>
<p>PEOPLE – Community Connections</p> <p>Average Bed & Breakfast numbers for Quarter 1 have been 59 placements per night with nightly costs increasing, as demand has increased use of nationwide accommodation providers together with increasing accommodation needs for families. Cost pressure for maintaining an average 60 per night placement level £0.703m.</p>	0.311	<p>Action is ongoing to limit the overall cost pressure through lower placements and prevention work.</p>
<p>PEOPLE – Management & Support</p> <p>This budget is projecting to balance for 2017/18.</p>	0.000	
<p>PUBLIC HEALTH</p> <p>Although the 2017/18 Public Health ring-fenced grant was cut by a further £0.398m for Plymouth City Council, the Directorate is on track to achieve a balanced budget. However there are pressures with achieving some income targets.</p>	0.000	<p>In order to achieve a balanced budget ODPH is working with the Commercialisation team to increase income streams.</p>

<p>PLACE - Strategic Planning and Infrastructure</p> <p>The major fee income activities have been performing well for the first part of the financial year, and spend budgets being kept substantially on track.</p> <p>Key risks looking ahead relate to the potential for increased costs in relation to concessionary fares, a drop off of performance on planning application and building control fees, unknown cost of the forthcoming public examination into the joint local plan, the potential for shortfall in project based income that is important for the Engineering Design and Natural Infrastructure teams, and as yet to be resolved issue regarding the source of loan repayments for Mayflower coach station</p>	(0.004)	<p>Risks are being closely monitored on a monthly basis by SP&I Management Team to ensure early action where necessary.</p> <p>At present this include positive actions to maintain and drive planning and BC income, review level of legal representation for joint local plan public examination and negotiation of full cost recovery of contribution from South Hams & West Devon, and seeking S151 officer confirmation about funding options to cover borrowing costs for Mayflower coach station.</p>
<p>PLACE - Economic Development</p> <p>Forecast income generation, including from Asset Investment Fund acquisitions, have enabled a number of expected spend pressures within Economic Development to be met. This includes enabling the removal of the Corporate Landlord budget savings target for Museums “mothballing”, and earmarking resources to meet a potential net overspend within Events.</p>	0.000	<p>Whilst every effort will be taken to maximise income and reasonably contain MTV costs, there are unforeseen pressures arising from security concerns which will influence this year’s concert cost.</p>
<p>PLACE – GAME – The New Homes Bonus target has already been achieved for 2017/18</p>	0.000	<p>Target has been met</p>

<p>PLACE - Street Services</p> <p>Street Scene & Waste services: Currently there is a nil variance against business as usual within Street Scene & Waste having delivered savings of £1.3m to date via an extensive Street Cleansing & Waste modernisation programme. The full implementation of AWC has resulted in further costs to manage the new arrangements. The full costs of the additional support are still to be fully determined.</p> <p>Fleet and Garage: Currently there is a cost pressure which is a gap from 2017/18 budget setting in the sum of £0.775m. This includes legacy savings targets which have been undelivered of £0.607m.</p> <p>Highways and Car Parking: On track to meet budget.</p>	<p>0.000</p> <p>0.775</p> <p>0.000</p>	<p>The implementation of AWC has enabled future income streams to be explored such as Trade Waste.</p> <p>Work is being done to identify potential savings, increase stock controls, and do a full service review.</p>
<p>TOTAL</p>	<p>4.259</p>	

Overall Comments Finance AD

The projected outturn position at the end of the first quarter has identified a number of budget pressures. At this early stage of the year this is not unexpected and there is time for management action to be taken to contain spend within the approved budget or identify further efficiencies or savings. However, the Council does face a number of financial challenges due to cost and volume pressures across a number of services and the delivery of 2017/18 savings targets.

The delivery of procurement savings has been identified as a pressure with discussions ongoing to address this through reviewing contracts and maximising all possible savings options.

Staff savings have been identified within Transformation and Change which have been offset by pressures including the delivery of the Smart Working project, and reallocation of commercialisation and CST programme targets.

The People directorate is facing a challenging year primarily due to cost and volume pressures within both Children's Services and Adults. A review of all young people in supported living are ongoing and a review all placements in order to reduce the pressure on cost and volume where appropriate. Partnership working health partners continues to mitigate the pressures within Adult Social Care.

The main adverse pressure within Place is within Fleet and Garage where a review is being undertaken to try to alleviate this overspend. Forecast income generation within Economic Development has identified a favourable quarter variance and all efforts will be made to maximise income for example asset investment fund acquisitions.

Recommendation

It is recommended that Cabinet note the current monitoring position.

VIREMENTS

Table 4 below includes a number of virements between specific directorate budgets. All virements in excess of £0.1m are required to be approved by Cabinet and are shown below.

Table 4 Virements detail

Directorate	Agreed team movements	Transfer of Grant Carry forward budgets from 16/17 to 17/18	Realignment of Delivery Plan coming out of People Mgmt and Support	GCOCD Budget Cleanse following meeting with AH, HW and HM - to ensure budget agrees to MTFS increase of £500k	Totals
	£'000	£'000	£'000	£'000	£'000
Executive Office	(10)				(10)
Corporate Items		(350)			(350)
Transformation and Change	10	58		0	68
People Directorate		66	0	0	66
Public Health		41			41
Place Directorate	0	185			185
	0	0	0	0	0

Recommendation

It is recommended that Cabinet approve the non-delegated virements which have occurred since 1st April 2017.

Capital Programme 2017-2022

The Capital Budget was last reported to Council on 27th February 2017, as £895m. This Capital Budget was the sum of the current approved Capital Programme and Income Assumptions 2016-21 (£478m) and, the recently approved, Priority List 2016-22 (£417m).

Since this approval the 2016-17 outturn has been reported and 2021-22 has been added. After taking into account the removal of £90m capital investment in 2016/17 this has resulted in a decrease in the overall budget for the period 2017 -2022, by £59m to £836m.

This is set out in Table 5 below.

Table 5: Current Capital Resources

Description	£m
Latest Approved Budget 2016 - 2022	895
Addition of 2021-22	26
Less 2016-17 Outturn	(90)
Other changes	5
Total Revised Capital Budget for Approval (2017-2022)	836

The Capital budget consists of the following elements:

Description	£m
Capital Programme	186
Priority List (original approval)	417
Less: Priority list approved in Capital Programme	(35)
Income Assumptions *	268
Total Revised Capital Budget for Approval (2017-2022)	836

* Estimate of income to be received to finance future capital projects

Within the approved budget (representing forecast resources), the Capital Programme represents projects that have been approved by the City Council Investment Board (CCIB). Project officers prepare detailed business cases and present them to the board and if approved the CCIB recommends them to the Leader for approval. Once the executive decision has been signed by the leader the projects are added to the Capital Programme for delivery.

Table 6 below shows the revised annual programme for the period 2017-22, as at the end of June 2017.

Table 6: Revised Capital Programme

	2017/18	2018/19	2019/20	2020/21	2021/22	Total
Directorate	£m	£m	£m	£m	£m	£m
Transformation & change	5.612	-	-	-	-	5.612
People	8.074	3.019	0.225	0.225	0.225	11.768
Place	105.156	44.884	14.220	2.717	2.004	168.981
Total	118.842	47.903	14.445	2.942	2.229	186.361

Recommendation

Cabinet are asked to recommend to Council that the Capital Budget 2017 -2022 is revised to £836m (as shown in Table 5).

Table 7: Capital Budget

Approved Capital Programme	2017/18	2018/19	2019/20	2020/21	2021/22	Total
	£000	£000	£000	£000	£000	£000
Celebrating Mayflower						
Mayflower 400 - Public Realm Improvements	674	160	281	-	-	1,115
Total Celebrating Mayflower	674	160	281	-	-	1,115
Connecting the City						
Mayflower Coach Station	49	-	-	-	-	49
Creation of Non-Scheduled Coach Drop Off Points	66	-	-	-	-	66
Total Connecting the City	115	-	-	-	-	115
Delivering More/Better Housing						
Self Build Housing Sites	188	-	-	-	-	188
Former Whitleigh Community Centre	180	-	-	-	-	180
Empty Homes / Enabling	63	-	-	-	-	63
North Prospect Phase 5	-	500	450	-	-	950
Prince Maurice Road	359	-	-	-	-	359
Bath Street	3,036	1,353	-	-	-	4,389
Plan for Homes	300	200	200	300	-	1,000
Homes for Veterans (Nelson Project)	225	-	-	-	-	225
Extra Care Housing Support Millbay	450	-	-	-	-	450
How Street Specialist Housing Programme	275	-	-	-	-	275
Bournemouth Churches Housing Association	80	-	-	-	-	80
Total Delivering More/Better Housing	5,156	2,053	650	300	0	8,159
Delivering Oceansgate						
South Yard Remediation/separation works	1,726	7,729	-	-	-	9,455
South Yard Area 1 East Direct Development	6,121	-	-	-	-	6,121
Total Delivering Oceansgate	7,847	7,729	-	-	-	15,576
Delivering The History Centre						
The History Centre	11,158	12,120	6,455	-	-	29,733
Total Delivering The History Centre	11,158	12,120	6,455	-	-	29,733
Ensuring Essential City Infrastructure						
Clean Vehicle Technology Improvements	81	-	-	-	-	81
Electric Car Charge Points	5	-	-	-	-	5
Bus Punctuality improvement plan (BPIP)	253	-	-	-	-	253

Access Road to Housing Site in Estover	112	-	-	-	-	112
SI06 Transport Projects	123	162	-	-	-	285
Millbay School Creative Arts highway work	49	-	-	-	-	49
Billacombe Footbridge	692	-	-	-	-	692
Derriford Community Park	322	299	22	4	4	651
European Marine Sites - Recreational Behaviour Changing Measures	28	28	55	-	-	111
Home Energy	80	-	-	-	-	80
Development Funding	460	-	-	-	-	460
Capitalised Maintenance Schemes	9,250	6,000	5,042	2,000	2,000	24,292
Flood defence Works	44	-	-	-	-	44
Container Provision	672	-	-	-	-	672
West Hoe Pier	105	-	-	-	-	105
Mount Edgcumbe Sea Wall Repairs	569	-	-	-	-	569
Mount Edgcumbe Commercialisation	180	84	-	-	-	264
Total Ensuring Essential City Infrastructure	13,025	6,573	5,119	2,004	2,004	28,725
Ensuring Good Quality School Places						
Pennycross Basic Need	1,750	-	-	-	-	1,750
Pomphlett Basic Need	893	1,600	-	-	-	2,493
Oreston Academy Basic Need	226	-	-	-	-	226
Yealmpstone Farm Primary School Basic Need	1,796	1,004	-	-	-	2,800
Woodford Primary School - Decking	59	-	-	-	-	59
Total Ensuring Good Quality School Places	4,724	2,604	-	-	-	7,328
Growing the Economy						
Social Enterprise Fund	824	29	-	-	-	853
Langage Development Phase 2	2,301	870	-	-	-	3,171
STEM Provision at City College	481	-	-	-	-	481
39 Tavistock Place	202	15	-	33	-	250
Total Growing the Economy	3,808	914	0	33	0	4,755
Improving neighbourhoods and delivering community infrastructure / facilities						
MVV Devonport Biodiversity Improvements	219	-	-	-	-	219
Active Neighbourhoods	77	-	-	-	-	77
The Big Greenspace Challenge	4	-	-	-	-	4
Infrastructure Works at Honicknowle	-	26	-	-	-	26
Bond Street Playing fields (Southway Community Football Facility)	40	473	-	-	-	513
Staddiscombe Sports Improvements	58	-	-	-	-	58
Higher Efford Play Pitch Enhancements	50	400	66	-	-	516
Central Park Sports Plateau	40	340	89	-	-	469

Central Park Improvements	2,000	-	-	-	-	2,000
Improving Outdoor Play	593	264	-	-	-	857
Central Park Wooded Valley	35	-	-	-	-	35
Dunstone Woods	13	-	-	-	-	13
Blockhouse Park Playground Refurbishment	2	-	-	-	-	2
Manadon Play Pitches	648	-	-	-	-	648
St Budeaux Tennis Courts	3	-	-	-	-	3
MAP Early Years Capital Fund	300	-	-	-	-	300
Total Improving neighbourhoods and delivering community infrastructure / facilities	4,082	1,503	155	-	-	5,740
Securing Growth in Derriford and Northern Corridor						
Forder Valley Link Road- Development Costs	2,390	-	-	-	-	2,390
Derriford Transport scheme - Derriford Roundabout / William Prance Road	12,221	50	-	-	-	12,271
Derriford Hospital interchange scheme	37	-	-	-	-	37
N Corridor Junction Imps - PI Outland Rd	196	1,200	-	-	-	1,396
Purchase of 444 Tavistock Road	32	-	-	-	-	32
Northern Corridor Strategic Cycle Network	550	1,750	840	-	-	3,140
Marjons Link Road	6	-	-	-	-	6
Total Securing Growth in Derriford and Northern Corridor	15,432	3,000	840	-	-	19,272
Securing Growth in the City Centre and Waterfront						
Devonport Market High Tech 'Play Market'	657	1,374	-	-	-	2,031
Sutton Harbour Public Realm Improvements	32	-	-	-	-	32
Visitor signage	86	-	-	-	-	86
Cobourg House	3,573	-	-	-	-	3,573
Quality Hotel	336	-	-	-	-	336
Colin Campbell Court	965	-	-	-	-	965
Plymouth City Market Major Refurbishment	1,289	-	-	-	-	1,289
City Centre Shop Fronts Grant Scheme	173	116	-	-	-	289
West End Public Realm	74	-	-	-	-	74
Total Securing Growth in the City Centre and Waterfront	7,185	1,490	-	-	-	8,675
Securing Growth in the Eastern Corridor						
Eastern Corridor Junction Improvements	1,500	1,500	340	-	-	3,340
Eastern Corridor Strategic Cycle Network	1,657	1,489	380	380	-	3,906
Woolwell to The George	420	-	-	-	-	420
Total Securing Growth in the Eastern Corridor	3,577	2,989	720	380	-	7,666

Transforming Services						
Street lighting bulb replacement	119	-	-	-	-	119
Highways Information Management System	342	-	-	-	-	342
Fleet Replacement Programme	1,478	-	-	-	-	1,478
Bell Park Industrial Estate	335	-	-	-	-	335
Friary Retail Park	50	-	-	-	-	50
Next	8,701	6,353	-	-	-	15,054
10 New George Street	1,780	-	-	-	-	1,780
Purchase of St Catherine's House	2,372	-	-	-	-	2,372
Royal Mail	20,377	-	-	-	-	20,377
Mayflower 400	6	-	-	-	-	6
Disabled Facilities (incl Care & Repair works)	16	-	-	-	-	16
Schools Condition Works	366	-	-	-	-	366
SEN Access and Safeguarding	60	-	-	-	-	60
Schools Devolved Projects	447	415	225	225	225	1,537
ICT	2,021	-	-	-	-	2,021
Corporate Asset Lifecycle Maintenance	802	-	-	-	-	802
Corporate Heritage Maintenance	166	-	-	-	-	166
Other Corporate Property	1,303	-	-	-	-	1,303
Transformation Accommodation	1,173	-	-	-	-	1,173
Boiler Replacement Programme for Council Properties	145	-	-	-	-	145
Total Transforming Services	42,059	6,768	225	225	225	49,502
TOTAL CAPITAL PROGRAMME	118,842	47,903	14,445	2,942	2,229	186,361
Forecast future income streams	75,522	98,038	43,003	28,227	22,372	267,162
Priority List	37,736	116,721	128,285	65,100	34,301	382,143
TOTAL CAPITAL BUDGET	232,100	262,662	185,733	96,269	58,902	835,666