

Performance, Finance and Customer Focus Overview and Scrutiny Committee

Wednesday 14 December 2022

PRESENT:

Councillor Penberthy, in the Chair.

Councillor Finn, Vice Chair.

Councillors Briars-Delve (substitute for Councillor Vincent), Churchill, Kelly, Lowry, McDonald (substitute for Councillor Stevens), Tippetts (substitute for Councillor Haydon), Tofan and Wheeler.

Apologies for absence: Councillors Haydon, Partridge, Stevens and Vincent.

Also in attendance: Councillor Smith (Cabinet Member for Homes and Communities), Matt Garrett (Service Director for Community Connections), Jessica Dann (Technical Lead – Asylum Seekers/ Refugees), Councillor Patel (Cabinet Member for Customer Services, Leisure and Sport), Rachael Hind (Licensing Service Manager), David Moore (Licensing – Devon & Cornwall Police), Councillor Stoneman (Cabinet Member for Climate Change and Governance), Giles Perritt (Assistant Chef Executive), Glenda Favor-Ankersen (Head of Electoral Services), Councillor Shayer (Cabinet Member for Finance and Economy), David Northey (Interim Service Director for Finance), Andy Ralphs (Strategic Director of Customer and Corporate Services) and Helen Rickman (Democratic Advisor).

The meeting started at 9.00 am and finished at 12.00 pm.

Note: At a future meeting, the Panel 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.

47. Declarations of Interest

There were no declarations of interest made by Members in accordance with the code of conduct.

48. Chair's Urgent Business

There were no items of Chair's urgent business.

49. Support the Council is Providing to Refugees from Syria, Afghanistan and Ukraine

Councillor Smith (Cabinet Member for Homes and Communities), Matt Garrett (Service Director for Community Connections) and Jessica Dann (Technical Lead – Asylum Seekers/ Refugees) presented the report on Support the Council is Providing to Refugees from Syria, Afghanistan and Ukraine.

The following key points were highlighted:

- (a) the report included information upon asylum seekers however primarily focused upon support the council was providing to those seeking support through Home Office managed migration schemes and therefore had recourse for public funds;
- (b) the Syrian Vulnerable Persons and Vulnerable Childrens Resettlement Scheme – the Council was successful in meeting its target to resettle 200 people under the scheme – this also supported vulnerable families in the Middle East and North Africa.
- (c) the Afghan Home Office Pathways in Plymouth – the Afghan Assistance and Relocation Policy and the Afghan Citizens Resettlement Scheme were schemes the Council had been working on in the city. They were home office managed migration schemes to relocate afghan civilian personnel employed by the Ministry of Defence in recognition of their commitment and bravery shown to UK forces since 2014, and Afghan citizens who may be at particular risk because of assisting UK efforts in Afghanistan to help vulnerable people; 53 people and 12 families have been resettled as a result of these routes;
- (d) Homes for Ukraine: 97 hosts in Plymouth welcomed 166 guests from Ukraine. Hosts were continuing to accommodate guests beyond the initial six month period and re-matching levels were far below that of other local authorities and was considered to be because of the intense wraparound support that was offered as part of the scheme;
- (e) Plymouth had been an asylum seeker dispersal area for over 20 years supporting individuals once they had received their refugee status to settle and integrate into the local community had enabled a diverse and burgeoning local economy in the city where people felt welcomed;
- (f) in terms of the relevance of this work to the Council's corporate plan and Plymouth Plan, Plymouth was a friendly and welcoming city and would continue to work to support cultural activities and events in Plymouth for Plymouth residents and visitors. Since the start of the Homes for Ukraine scheme, 4 welcome events had taken place at the Council House hosted by the Lord Mayor and Deputy Lord Mayor. A request to host an event for those arriving through the Afghanistan and Syria scheme and this would take place in February/ March 2023;
- (g) commissioned services were available for those arriving in the city to access the employment market including self-employment and accessing skills training where required and this would ensure the diversity and business and community offer in the city continued;
- (h) support through the Afghan Assistance and Relocation Policy and the Afghan Citizens Resettlement Scheme offered incentives to landlords to renovate their homes to enable them to enter the private rental market at affordable

local housing allowance rates. The Homes for Ukraine's Scheme required an initial property check at the start of the placement; the success of the scheme had widened the scope and enabled the council to provide a similar scheme for homeless families.

In response to questions raised it was reported that –

- (i) in terms of the Homes for Ukraine Scheme, the Government allowed for people to move and change hosts if required to do so; the Council was successful in encouraging hosts to stay with their guests for a further six months by offering a top-up to the initial £350 paid by the Government up to 12 months – the Council offered an additional £150; this also supported the increased cost of living. Where the relationship had broken down, guests had moved to other hosts. 31 people had been supported by their home to move directly into private rental accommodation;
- (j) two people as part of the Homes for Ukraine Scheme that wanted to move on from their hosts were currently in bed and breakfast accommodation however did have move-on plans in place;
- (k) the Government had yet to advise as to plans for the Homes for Ukraine Scheme after the initial 12 month period; the Council were to work closely with partners to source private rented sector accommodation where appropriate and funding would be looked into to see if the Council could continue to provide a top-up;
- (l) there hadn't been any relaxing of planning laws, however there were a number of properties in the city that had the correct legal framework in place to support schemes; as a result of a directive from Government, those people hosting a Ukrainian that claimed a single person council tax discount could continue to claim it whilst hosting;
- (m) in terms of safeguarding, those arriving into the UK had to undergo normal checks prior to being granted a visa from the Home Office. Hosts were required to undertake a Home Office police national database check and the council would conduct a DBS check and also check the Council's safeguarding system for flagged individuals. A property visit was undertaken in person with the host and safeguarding concerns could be raised; a wellbeing check was also undertaken on arrival of the guests;
- (n) an individual was resettled to Plymouth in the Afghan Locally Employed Scheme in 2014 however his wife and children, even though eligible, weren't able to be evacuated from Afghanistan but were able to flee to Pakistan; the Council held accommodation and negotiated with the Home Office until the process could come through and they arrived in Plymouth – this was considered a success story;
- (o) the Council was able to support a further people seeking refuge from Afghanistan in the coming 12 months; the Council was supporting families that wished to move to Plymouth and source their own accommodation –

they were supported by the schemes also;

- (p) in terms of asylum seekers, the Home Office target was to make a decision on applications within the first six months however on average this was taking 2.8 years to receive a decision; asylum seekers had no recourse to public funds until they received a positive decision upon their case however after six months could attend English classes, they were also eligible for primary care and school admissions;
- (q) the majority of asylum seekers were housed in PL1 – PL4 postcodes because it was a central location and would enable easier access to services. With the Homes for Ukraine Scheme people were housed across the city in all postcodes. For the Afghan Scheme the approach was to be more flexible about where the Council supported people to move however it was critical that a community infrastructure was there so that people could access support within their locality;
- (r) the aforementioned schemes didn't have a big impact upon the housing market because that was in its own form of crisis; landlords were leaving the housing market, social housing tenants were remaining in accommodation for longer periods of time, affordable housing delivery had stalled and private rent had increased. The schemes weren't big enough to make a massive impact however sourcing accommodation was becoming more difficult. In terms of the impact upon the budget, asylum seekers were Home Office funded and funding was also provided for other schemes therefore there was no impact on council budgets;
- (s) Clearsprings ready homes would talk to the council before they took on any properties and in terms of hotels the Home Office had now promised to liaise with local authorities before opening up further hotels in local authority areas;
- (t) funding for the schemes for ESOL (English for Speakers of Other Languages) came via the Department for Education and there wasn't enough funding especially with increased demand across the country – in Plymouth the Council was using funding received through participating in these schemes to commission via the refugee integration service women's only classes with a crèche to enable women with children at nursery age and below attend women's only classes, this was considered to be really successful;
- (u) people arriving in the UK via the aforementioned schemes could work from day 1 on arrival – they all had an immigration status that enabled them to work. Asylum seekers could only work once they had received a positive decision on their asylum claim;
- (v) the Safer Communities Partnership liaised with the Police if they had any concerns of suspected modern slavery/ illegal workers; the providers working closely with asylum seekers would also highlight concerns to the Council if required;

- (w) it was important to recognise that there was a general widespread misunderstanding of the distinctions between a refugee, an asylum seeker and an illegal immigrant; work needed to be done to re-educate.

The Committee agreed:

1. to recommend to the Cabinet Member that the Council explores with the Local Government Association how pressure could be put on the Government to provide additional funding for ESOL (English for Speakers of Other Languages) in support of the three schemes in order that people are more able to quickly access it;
2. to recommend to Cabinet that work to communicate the schemes to the city was undertaken on a regular basis, specifically focusing upon the following:
 - the numbers involved in the schemes, definitions of terms, what the city was gaining from the schemes, case studies and stories;
3. to note the update.

50. **Cumulative Impact Policy**

Councillor Patel (Cabinet Member for Customer Services, Leisure and Sport), Rachael Hind (Licensing Service Manager) and David Moore (Licensing – Devon & Cornwall Police) presented the Cumulative Impact Policy.

The following key points were highlighted:

- (a) under the Licensing Act 2003, the licensing authority were required to publish a licensing cumulative assessment; this was first adopted in 2008 and reviewed regularly however the Cumulative Impact Policy was last reviewed in March 2019 and again in 2022;
- (b) there were currently five CIA areas: Mutley, North Hill, Stoke, the Barbican and Union Street and it was proposed that a sixth would be included in the City Centre;
- (c) the consultation was sent out between March and June 2022 and received 61 responses which were all in favour to keep the five CIA areas and introduce the sixth area;
- (d) there had been an increase in crime and disorder in the city centre of which it was believed could be linked to licensed premises.

In response to questions raised it was reported that –

- (e) Devon and Cornwall Police licensing officers regularly reviewed incident logs for the Evening and Night Time Economy (ENTE) and had an input into the briefings for the ENTE patrols; a lot of work had gone in to preventative

measures to disorder including working with door staff companies, running sessions on conflict management;

- (f) it was expected that approximately 12 officers would be ring-fenced to work within the ENTE;
- (g) Licensed premises along the Barbican positively received Operation Scorpion; there was a shared perspective among premises that they want their patrons to have a good and safe time;
- (h) it was considered that the 61 response rate to the consultation was very positive as previous consultations gathered a much less response;
- (i) the impact of potential displacement from a cumulative impact area onto other areas was a consideration however it was highlighted that all licensed premises required an operating schedule which set out how the four licensing objectives would be met so as not to have a negative impact on issues such as crime and disorder and public safety;
- (j) complaints received to the licensing department would be investigated and officers would work with licensed premises to help alleviate issues; information was contained on the Council's website regarding licensed premises, how to complain about a premises and the option for potential reviews.

The Committee agreed to recommend that the Cumulative Impact Policy is considered by Cabinet so that the Cumulative Impact Assessment can then be submitted to Full Council so that it is maintained and the revised assessment contained in Appendix C is adopted and published.

51. **2022 Elections Act - Voter ID**

Councillor Stoneman (Cabinet Member for Climate Change and Governance), Giles Perritt (Assistant Chef Executive) and Glenda Favor-Ankersen (Head of Electoral Services) presented the 2022 Elections Act – Voter ID report.

The following key points were highlighted:

- (a) the Elections Act 2022 received Royal Assent in April 2022; the Act imposed new duties on Returning Officers and Electoral Registration Officers who were responsible for organising and overseeing elections and maintaining the electoral register respectively. The new duties would be implemented gradually over the next few years by the Department of Housing, Levelling Up and Communities;
- (b) one of the key provisions of the Act was the introduction of voter identification requirements in 2023; the city council elections in May 2023 would be the first elections to see the new legislation implemented. Voters would be required to provide specific photographic proof of their identity and present their poll card in order to cast their ballot. In addition to voter ID the

Act included provisions which would be introduced later in 2023 to improve electoral fraud detection and investigation as well as increased penalties for election offences and measures to modernise the electoral registration process;

- (c) the Act allowed for the creation of new electoral offences including intimidating electoral officials and making false claims about candidates during an election and included revisions to improve accessibility for disabled voters such as requiring polling stations to have at least one wheelchair accessible voting booth;
- (d) the Council's that were undertaking local elections in May 2023 would be the first application of the photo ID requirements within the Act and having local elections instead of a general election to bed down the procedures was welcomed. There would be a national independent review of the impact of the vote ID on the May elections which would be published.

In response to questions raised it was reported that –

- (e) the Cabinet Office were drafting guidance for transgender communities with regards to photo identification required for voting purposes; it was highlighted that if people were concerned that their photo ID didn't look like them then they should apply for a postal vote or apply for a VAC (Voter Authority Certificate) from 23 January 2023;
- (f) the Elections Act required a refusal form to be completed at polling stations as well as reasons for refusal; it was highlighted that the data collected at the end of the first election in May 2023 would identify if changes were to be considered a success;
- (g) local authorities were required to appoint a Registration Officer and Electoral Returning Officer who delegated various functions of the elections process to various staff members including the Poll Clerk and Presiding Officer; it was highlighted that the decision as to if voter ID was to be accepted would be considered by the Poll Clerk and Presiding Officer however the Head of Electoral Services, the Assistant Chief Executive, and Elections Inspections would also be available for support if queries were raised;
- (h) the Council would have roving polling station inspectors that would be readily available to attend polling stations however polling clerks and presiding officers would be trained in order to allow them to undertake their roles effectively;
- (i) the types of identification that would be accepted on polling day were set out in the appendix to the published report and a communication campaign was to take place highlighting requirements to Plymouth residents; Councillors and agents would also be involved in helping to ensure that processes and risks were properly tested;
- (j) the Elections Act report included on the agenda was previously included on

the panel's work programme because of the potential impact of the changes on the elections process and upcoming election; this item was not referred to scrutiny by full council;

- (k) in terms of the Council leading by example on the subject of photo identification, it was acknowledged that some of the photos of Councillors used on the Council's website were out of date and not an accurate representation of what they currently looked like; photos contained on the website should be a true likeness;
- (l) on 8 January 2023 the Council were taking part in a national campaign highlighting mass awareness of the change to the elections requirements; it was highlighted that the Council had approximately 120k email address and mobile numbers of local residents and had GDPR approval to do a mass email and text advising of changes to encourage those eligible to be able to vote;
- (m) the Council was committed to adequately resourcing the elections work; during a recent canvas several people were employed to specifically work during the evenings calling local residents with the aim to include them on the electoral register; several thousand people were added through this approach;
- (n) the Electoral Commission confirmed that a picture of accepted European forms of identification would be available for polling staff to refer to if required;
- (o) the Council had engaged with care leavers to ensure that they were supported in the new process for voting at future elections and were also liaising with care leavers to highlight opportunities in working with the Council as part of the elections process;
- (p) examples of how voter registration could be maximised, including harder to reach people such as homeless units, was welcomed;
- (q) Members would be provided with a written response as to the expenditure to date for the current financial year for the elections department, expected reimbursement figures from Government, the overall cost of the elections work and what was included in the risk register with regards to the elections;
- (r) a record of people turned away would be kept, as well as those that were to come back and properly vote.

The Committee agreed:

- I. to recommend to the Cabinet Member that the Trans Community, EU citizens, homeless people, the disabled and looked after young people are specifically considered in terms of identifying ways of enabling them to vote and how this is communicated to them, that action plans are developed for these five areas of potential voter vulnerability, and that an update on this issue is provided to a future Performance, Finance and Customer Focus Overview and Scrutiny Panel;

2. that a review of the May 2023 elections process is provided to the Performance, Finance and Customer Focus Overview and Scrutiny Panel in the Autumn detailing true costs of the elections, funding received from the Government, financial implication upon the Council as to the new requirements introduced and next steps;
3. to request that updated photographs for Councillors and Officers are undertaken to ensure that they are appropriate (a true likeness);
4. that the 2022 Elections Act – Voter ID report is noted.

52. **Finance Monitoring Report - Month 7 (including Plans for Balancing In-Year Budget - to follow)**

Councillor Shayer (Cabinet Member for Finance and Economy) and David Northey (Interim Service Director for Finance) presented the Finance Monitoring Report – Month 7 (including plans for balancing in-year budget).

The following key points were highlighted:

- (a) the Council currently had a debt of £4.1m and since the last Finance Monitoring Report was submitted to the panel for scrutiny a significant improvement of approximately £2m had been made;
- (b) the Council acknowledged that expenditure was slow in the final quarter of the year and that would allow the Council to draw back on some of the areas where expenditure was predicted and would reduce the deficit; in consideration of the fees and charges that were uplifted on 1 December the Council was already beginning to see an improvement;

In response to questions raised it was reported that –

- (c) the Council had a working balance of £8.4m which was considered the ‘rainy day fund’ and was currently approximately 4% of the Council’s net budget and the industry standard considered it should be closer to 5%; the external auditors report said that that should be topped up and not diminished. In terms of general reserves and provisions the Council was ensuring adequate money was put aside for bad debt, and insurance claims, risk. The Council was currently set at £4.1m in month 8 with the hope that by month 9 the debt would be approximately £3m; however if by 31 March the gap was not accounted for then the working balance would be considered;
- (d) the Council was following the CIPFA guidance and recommendations that the working balance should be approximately 5% of the Council’s net budget and had no intention to further challenge the 4%;
- (e) the Council did not ‘fudge’ its accounts in order to balance its finances; in terms of energy predictions the energy usage was predicted based upon

average weather and cold snaps were considered and included within that. With regards to gritting, lorries had been out numerous times on numerous days and it was considered that grit would be purchased in the future which would be covered within the budget. An overspend forecast for energy was predicted earlier in the year and £3.3m was still accounted for and within the budget;

- (f) the original budget for the current year indicated that £350k would be put into the working balance; this was an ongoing process that had been undertaken for a few years on advice from the external auditor however a decision was made so that this money was not moved in this year;
- (g) a written response would be provided to Members upon the additional expenditure under the Chief Executive's Office referring to the pressure on additional Member allowances;
- (h) the Council was required to get to a balanced position for its budget by 31 March 2023 and the working balances would be used to achieve this if absolutely required however were continuing to identify if other savings could be made to fill the gap;
- (i) ICT savings had been carried over however additional pressures were present this year with ICT inflation and increased licensing costs; the Council was working towards achieving those savings and Delt had been asked to make £1m savings last year with a further £600k savings this year which they were working towards. In terms of Harm FM, structural repairs and maintenance had been reduced in the budget due to the early exit of Windsor House and the forthcoming exit of Midland House will ensure the balances were realigned – the council was able to bring forward an early exit for both buildings for the end of this year;
- (j) the outcomes of Treasury Management were submitted to the Audit and Governance Committee and then on to full council for consideration; extra contingency had been included for next year's budget;
- (k) a proposal for aged old debt for housing benefit overpayment and recovery was currently being considered.

Under this item Councillor Kelly offered an apology as to his comment and the language used (fudging the accounts) and clarified that in terms of accountancy, money could be moved around in order to balance its books – it was a methodology of how the Council went about the movement of the money that was being described and no offence was intended.

The Committee agreed:

- I. that the Council's working balances were protected as much as possible, however if any of the Council's reserves were used to balance the budget then a written explanation would be provided to the Performance, Finance and Customer Focus Overview and Scrutiny Committee detailing how much

money was required and for what purposes;

2. that a written response would be provided to Members upon the additional expenditure under the Chief Executive's Office referring to the pressure on additional Member allowances;
3. that an update would be provided at future scrutiny meetings as to the movement between reserves;
4. to note the report.

53. **Work Programme**

Under this item the budget scrutiny timetable was discussed – one typographical error was identified on page 117 'methodology approach' whereby it was confirmed that budget scrutiny would take place over three days other than two.

The Committee agreed the budget scrutiny timetable and approach and requested that EIA accurately reflected the overall impact of the budget upon the most vulnerable.

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