

Performance, Finance and Customer Focus Overview and Scrutiny Committee

Thursday 28 September 2023

PRESENT:

Councillor Darcy, in the Chair.

Councillor Goslin, Vice Chair.

Councillors Allen, Blight, Gilmour, Hendy, Dr Mahony (as substitute for Councillor Bingley), Moore, Poyser, Ricketts, Stoneman and Tofan.

Apologies for absence: Councillors Bingley and Tuohy.

Also in attendance: Councillors Mrs Beer, Coker, Dann, Lowry, Nicholson and Penberthy and Mike Artherton (Group Manager for Parking, Marine and Garages), Ross Jago (Head of Governance Performance and Risk), Tracey Lee (Chief Executive), Kevin McKenzie (Policy and Intelligence Advisor) and David Northey (Interim Service Director for Finance),

The meeting started at 2.00 pm and finished at 4.42 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.

12. **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 Stoneman	17	Family member worked for Plymouth City Council in the team involved.	Private

13. **Minutes**

The Committee agreed the minutes of the meeting held on 26 July 2023 as a correct record.

14. **Chair's Urgent Business**

There were no items of Chair's urgent business.

15. **Finance Monitoring Report**

Councillor Mark Lowry (Cabinet Member for Finance) introduced the report and highlighted the following points:

- a) There had been little change in the report from month 3 to month 4 and the forecast directorate overspends were shown including an overspend in children's social care, adult social care and homelessness, where 'deep-dives' were taking place in order to better understand what was happening and to implement measures to address the overspend.

In response to questions, with support from David Northey (Interim Section 151 Officer), it was explained that;

- b) With regards to homelessness, the volume had increased significantly since 2022 and therefore the budget allocation was insufficient and so the team were working with housing providers to look for solutions such as the possibility of converting Midland House to provide accommodation where it would become a capital provision to convert the building ensuring the council got a return on investment over the period of use;
- c) Following the improvement notice being served to the Council with regards to Children's Services, an improvement board had been set up, chaired by an independent person from Dorset County Council, and attended by the Chief Executive, Leader, Deputy Leader and other senior officers;
- d) Areas of overspend and how issues are being tackled could come to the panel for pre-decision scrutiny;
- e) David Northey had been working closely with the Chief Executive Department to look at ways of saving to cover the costs of 3 unexpected by-elections, that had taken place in 2023, but had not been budgeted for, and there was the possibility of more funding;
- f) It would be possible to add an indication in Section B where there had been changes month on month;
- g) The cost implications of the improvements required in Children's Services were yet to be determined in their entirety, and due to past actions, there was a higher number of children needing support, and when this passed, it would be easier to understand the ongoing costs for that directorate, and the overspend in Children's Services was expected to get worse before it improved;
- h) Children's social care, adult social care and homelessness were issues at different council's across the country.

The Committee agreed to:

- I. Note the forecast revenue monitoring position at Period 4 as set out in the report in the sum of £7.5 million;

2. Note the Capital Budget 2023-2028 had been revised to £562.416 million as shown in Table I of the report.

16. **Draft Corporate Plan Performance Report**

Councillor Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) introduced the report and highlighted:

- a) The report was in draft form as some changes were to be made;
- b) It covered the end of the previous administrations corporate plan and the beginning of the new plan;
- c) The report showed which scrutiny panel was responsible for each of the indicators and which Cabinet Member was leading on each indicator;
- d) The Cabinet wanted to be as transparent as possible in order to help with management and scrutiny, as well as work with partners, as the KPI's indicated a direction not just for the council but for the city;
- e) The report included an additional 10 indicators compared to the previous report, and more could be added moving forward;
- f) 26 of the indicators were in the previous corporate plan's performance reports, so the report had some continuity and some development;
- g) Review work for the report would ensure that the data not only showed month-on-month changes, but also the parameters that the council worked within as 'normal' good practice in order to focus on the things that were abnormal on a long-term basis;
- h) Notable findings included the fact that there had been an increase of 50% in anti-social behaviour interventions, a marginal decrease in the number of children with repeat child protection plans and considerable work had been done to reduce levels of homelessness;
- i) Homelessness was the biggest priority for him as Cabinet Member for that area, and work had begun to bring numbers of those in B&B's down, so they were in Airbnb's, so it was somewhere more suitable for them to be staying and solutions to common issues like not being able to stay with family due to storage issues, being solved with purchases of sheds, or bunk beds, whilst trying to support all to find a more permanent solution with their own home and he welcomed the opportunity of bringing an item on tackling homelessness to a future Committee meeting;
- j) He was interested in benchmarking against other local authorities in the report in the future.

In response to questions it was further explained:

- k) If Members of the Committee had more technical questions on a specific KPI and was able to let the Chair know before the meeting, Councillor Penberthy would do his best to have a response at the meeting;
- l) Members of the Committee were welcome to suggest further KPI's if they felt they were useful;
- m) The administration would continually review whether new technologies were purchased to complete work to free up staff time and resource;
- n) Carriageway defects would continue to be reported on with the data to be reviewed in relation to the use of velocity in repairs;
- o) Councillor Penberthy wanted to look in more detail at the KPI on the number of households prevented from becoming homeless or relieved of homelessness, in order to understand if less people were coming to the council for support, or if there had been an actual decrease, which was unlikely as there was an issue around Section 21 evictions, people becoming homeless because they were fleeing domestic abuse, and a significant decrease in the number of rental properties available;
- p) The Cabinet was not aware of any plans to increase car parking charges, but they may have been some scope in increasing enforcement;
- q) The number of people aged 65 and over living with a life-limiting long term illness or mobility issue was expected to increase significantly by 2035, but a specific indicator on this was not recommended as the date was so far in the future that the increase across a year now, would not likely show a significant change, but would influence strategic plans for the city;
- r) Councillor Penberthy thanked everyone in the city who worked to reduce levels of homelessness, but especially the council's New George Street team who were working with those people in need and were coming up with new solutions;
- s) The council was looking across projects to change the way in which it engaged with communities to improve and increase engagement.

The Committee agreed to:

- I. Note the report.

17. **Petition - Plympton District Car Parks**

Councillor Patrick Nicholson and Councillor Mrs Terri Beer presented the petition to the Committee and highlighted the following:

- a) The petition had been formally submitted to council in March 2023 following a decision made by Councillor Mark Shayer (Cabinet Member for Finance and

Economy at that time) to review and modernise car parking;

- b) Consultation began in August 2022 and representations were made, including by Councillor Nicholson, but there was never a response or any engagement from the council following the consultation;
- c) Asked there be a recommendation to ask the council to publish the risk assessment that was conducted at the time, prior to implementation of the revised arrangements, because he did not believe it had been carried out, particularly in relation to the impact on the facilities around the car park, as well as impact on local schools and local residential areas;
- d) Asked that whilst such a risk assessment was carried out the current cabinet member, Councillor Mark Coker (Cabinet Member for Strategic Planning and Transport), suspend the current arrangements until such a time that there had been proper and adequate scrutiny of the risk assessments at a meeting of the Committee in 2024;
- e) The car park served one of the best and most successful shopping centres in Plymouth, Plympton Ridgeway, and it was vital to its continued success;
- f) Suggested that since the implementation of the decision, there had been an impact on the number of people accessing the Ridgeway shopping centre, as well as an impact on how people were accessing it;
- g) This decision had been done to the community by the, conservative at the time, administration, rather than being done in communication with;
- h) Nurses working at the nearby clinic were having to park in the main car park because the spaces at the clinic were being taken up by members of the public who did not want to have to park in the main car park and put their registration into the machine;
- i) The machines were often faulty, and complaints were being made by residents to Councillors Nicholson and Mrs Beer that they were being fined by the machines, but they had no way of proving that they could not enter their registration;
- j) When Councillor Mrs Beer had spoken to local business owners, the response on the new car park machines had been mixed;
- k) One of the worst issues was people who could not return to the car park same-day were then parking outside schools, in other car parks, such as a the local clinic, or parking on double yellows on the Ridgeway itself.

The Chair explained at the beginning of the item that the petitioner would get 5 minutes to speak, and then Councillor Coker would receive 5 minutes to speak. In his discretion as Chair, he allowed Councillor Mrs Beer to speak, and asked for a brief summary of what she had prepared.

Councillor Mark Coker (Cabinet Member for Strategic Planning and Transport) then spoke on the matter, with Mike Artherton (Group Manager for Parking, Marine and Garage Services) in attendance to support:

- l) He reminded the Committee he had had no part of making the decision that had led to the petition;
- m) He was grateful to have the opportunity to come before Committee and to listen to Councillors Nicholson and Mrs Beer present the petition and feedback what they have heard from the community;
- n) Whatever the Committee recommended he would look at it in an open and transparent way and to present facts to support whatever decision was made.

In response to questions it was explained:

- o) The machines provided the car parking team with data and would alert if there was an issue/fault, and the latest data showed that there had been no recently reported issues with the machines via the data, or via staff visiting the car parks, but asked that the public make the council aware if there were experiencing issues so they could be looked into;
- p) When the machines were implemented, the team did ensure that people were aware of the change and that there were members of staff in the car parks to help people in using the machines;
- q) Mike Artherton did not have data on faults with the machines since their installation, but explained that since the schemes across the city had been implemented, there had be no significant issues at any locations;
- r) Mike Artherton did not have any information to hand on fines that had been issued in that car park, or whether any appeals had been upheld or dismissed, but someone might receive a fine if they had exceeded the amount of time allocated to them, and in Plympton this had actually been increased from 2 hours to 3 hours free parking;
- s) A similar system had been in place in Crownhill district car park for some years, predominantly to ensure a high turnover of short stay parking for local businesses who thrive on that turnover of visitors;
- t) Councillor Mrs Beer claimed that the no return policy was 5 hours, but Mike Artherton later clarified this was in fact 2 hours as detailed in the briefing paper;
- u) The Councillors had submitted comments in the consultation as well as within the Conservative Group, as they were members at that time, but they had little to no interaction or response to concerns;
- v) In recent years the Councillors had not received any significant issues about cars parking there and not using shops, or at least to the level that warranted

the level of intervention;

- w) It would not have been normal practice to have undertaken a risk assessment based on the changes that had been implemented, especially with similar changes having implemented across the city;
- x) The equality impact assessment was published as part of the cabinet decision to both consult on the changes and to implement the changes on 10 November 2022;
- y) Some Councillors expressed that they had heard positive feedback on the car parking measures.

In summing up Councillors Nicholson and Mrs Beer added:

- z) There were no safe passages in the car park for people to use when walking to and from the parking machine;
- aa) If in the future the Council decided to implement charges to increase revenue income, made easier with having machines in place, it would have a significant impact on the district shopping centre.

In summing up Councillor Mark Coker added:

- bb) Every car park has a risk assessment to allow it to function;
- cc) Similar parking systems had been introduced in areas such as Crownhill and Union Street with positive feedback received, as they created a churn of visitors;
- dd) The claim of issues relating to access to spaces for those with disabled spaces in the area would be investigated;
- ee) Most schemes usually took 12 months to 'settle' as people needed time to get used to new systems.

Councillor Darcy proposed that the Committee agreed to look at the item again in more detail with more information on fines issues and information on any appeals lodged in relation to fines, in February 2023, which was seconded by Councillor Gilmour.

For (9)
Councillors Allen, Blight, Darcy, Gilmour, Goslin, Mahony, Moore, Poyser and Tofan.

Abstain (1)
Councillor Ricketts.

Against (1)
Councillor Hendy.

Absent/Did Not Vote (1)
Councillor Stoneman.

Following a short discussion, the Committee agreed to:

- I. To look at the item again in more detail with more information on fines issues and information on any appeals lodged in relation to fines, in February 2023;

Councillor Goslin suggested that the data included details on whether fines had been issued because people had overstayed, or whether they had not entered their details.

The meeting was adjourned for a short break from 3.55pm to 4.05pm.

18. **Risk 25 - The Council having insufficient statutory senior leadership capacity and resilience to deliver the required to meet statutory obligations** (Verbal Report)

Tracey Lee (Chief Executive) began by highlighting the following points:

- a) She had added the risk to the risk register because of the number of posts that were vacant of permanent post-holders in the top 3 tiers of management, and this was a risk to the council in terms of having the capacity to deliver its programme of work and work well with partners across the city;
- b) The reasons why people had left the positions had been looked at and there was no pattern, but rather a wide range of different reasons;
- c) She agreed that the levels of interim cover within the organisation was too high, but needed to be in order for the Council in order for the statutory posts to be covered;
- d) The interim recruitment market was very aggressive and the pay levels were high, but the roles had to be covered whilst a permanent candidate was found;
- e) When roles need to be covered the Chief Officer Appointments Panel had not only looked at interim candidates but also at 'acting up' arrangements for existing staff;
- f) There were six senior posts out to advert at that time, but the market was extremely tight and the team were using recruitment agencies to try and fill the posts, and it was the second time that the roles of Service Director for Education and the Director of Resources roles had been advertised;
- g) Pamela Moffat (Interim Service Director for HROD) was looking at a more appropriate approach for succession planning, which the council had been good at in the past, but it needed to be far more intentional within a balance

of growing talent and looking for fresh ideas from new people;

- h) Part of the new approach to recruitment had been recording of videos with members of staff on why they enjoyed working for Plymouth City Council.

Councillor Sue Dann (Cabinet Member for Customer Services, Sport and HR & OD) added:

- i) The team were working with Destination Plymouth to look at the wider picture across the city, as Plymouth City Council was not the only large organisation that was experiencing recruitment issues.

In response to questions, it was further explained:

- j) There was not a direct comparison between the figures on how much interim post holders were paid compared to if the roles were filled permanently, as interim post holders were not paid when they didn't work and were not part of the pension scheme;
- k) Interim post holders were working well within the organisation, and their work was valued, but it was important to fill the posts permanently as soon as possible;
- l) Tracey Lee would provide the Committee with information on the amount interim posts were costing in comparison to if the posts had been filled for the month of either August or September following the meeting, as she did not have the data to hand, but this information would not include acting up arrangements as they were being paid the difference between their salary post and the salary of the permanent role;
- m) It was not just a financial consideration, some posts had to be filled legally, so in order to legally function, some posts had to be filled;
- n) There were existing training and development programmes, but more work was going to be done on them to develop and refresh them, and to look more into what employees careers and opportunities were to help them grow;
- o) The way apprentices were paid had been changed so that apprentices could exist throughout the organisation on any pay grade, and several pay bands had been added at the top end of the scale to try and stop senior leaders from leaving the council for better paid jobs;
- p) Sometimes interim post holders enjoyed the role so much they went on to stay at Plymouth City Council in a permanent role, but interim posts often attracted a different type of person to those who were interested in permanent roles;
- q) The Chief Officers Appointment Panel did have the ability to look at market factor supplements for some roles, but for other roles, local government

could never compete with private salaries, showing some people choose to work for local government to serve the public;

- r) It was preferable to put employees into senior roles onto a pay scale rather than provide a market factor supplement, because it was more transparent.

19. **Policy Brief**

The Committee agreed to note the briefing report.

20. **Work Programme**

Ross Jago (Head of Performance, Governance and Risk) explained:

- a) A proposal for budget scrutiny had been circulated to members at the beginning of the meeting for their approval, it outlined the approach to the meeting, due to be held across two days in early December 2023;
- b) He explained some small changes that had been made from previous years based on feedback from both the Centre for Public Scrutiny feedback and LGA Peer Review feedback.

In response to a question, it was explained:

- c) The contents had been based on the strategic risk register, but some flexibility had been built in to allow for additional sessions;

Councillor Darcy proposed the Committee agree the approach to budget scrutiny, which was seconded by Councillor Tofan.

The Committee agreed unanimously to the approach for budget scrutiny.

The Committee agreed to add homelessness to the agenda for November 2023, and development of staff to the agenda February 2024.

The Committee agreed to add IT provision to the work programme as an item for a Select Committee.

21. **Tracking Decisions**

The Committee agreed to note the tracking decisions document.