

Present: Councillor Gary Hewson (*in the Chair*),
Councillor Pat Vaughan, Councillor David Clarkson,
Councillor Thomas Dyer, Councillor
Rebecca Longbottom, Councillor Lucinda Preston,
Councillor Clare Smalley and Councillor Loraine Woolley

Apologies for Absence: Councillor Adrianna McNulty

58. Confirmation of Minutes - 19 January 2023

RESOLVED that the minutes of the meeting held on 19 January 2023 be confirmed subject to the following comment:

Question: Members asked how many properties were under-occupied?

During the meeting it was clarified that the information would be reported back to the committee, Councillor Longbottom wanted to ensure it was noted that the relevant discussion took place on this matter and that people had tenancies for life.

59. Declarations of Interest

No declarations of interest were received.

60. To Receive Minutes of Housing Scrutiny Sub-Committee - 3 November 2022

RESOLVED that the minutes from the previous Housing Scrutiny Sub-Committee on 3 November 2022 be received.

61. Section 106 and CIL Contributions Update

Nicola Collins, Heritage and Planning Enforcement Team Leader:

- a) presented Performance Scrutiny Committee with an annual update on Section 106 Agreements and Community Infrastructure Levy (CIL) that had been collected in the last 12 months to December 2022
- b) highlighted that a report was last brought before the committee in March 2022 outlining the Section 106 Agreement amounts for the year up to December 2021
- c) explained that the table in paragraph 4.2 of the report illustrated Section 106 contributions and CIL secured for 2022 up to and including December 2022 as a result of new planning applications submitted during that period
- d) explained that the table in paragraph 4.6 of the report illustrated the S106 spend breakdown during 2022 which included the addition of a new piece of play equipment on the Arboretum recreation area
- e) invited members' comments and questions.

Question: How was it decided where money was allocated?

Response: The decision was mainly down to the Portfolio Holder to decide where to allocate funds. The approach would usually be to either provide a new play area but more often than not there wasn't enough money to allow this so it would result in improvements to the existing play area and equipment was sourced through S106 funding.

RESOLVED that the contents of the report be noted.

62. Quarter 3 2022/23 Operational Performance Report

Graham Rose, Senior Strategic Policy Officer:

- a) presented a report to Performance Scrutiny Committee with an outturn summary of the council's performance in Quarter 3 of 2022/23
- b) explained that at the end of Quarter 3 2022/23, of the 83 performance measures that were monitored across the directorates of Chief Executive's, Communities and Environment and Housing and Investment, 64 had targets allocated to them; of these targeted measures, 45 (70%) were within or exceeding the targets set
- c) referred to the count of performance measure outturn statuses by directorate at quarter 3 2022/23 detailed on page 4 of Appendix A
- d) invited members' comments and questions.

Members discussed the content of the report in further detail, asked questions and received relevant responses from officers as follows:

Question: What was the definition of SME?

Response: Officers advised that they would make further enquiries and feedback to the committee.

Question: Long term sickness appeared to be high throughout all Directorates:

- How did the Council prove that?
- Were there specific patterns?
- How was it being improved?

Response: There were a range of professional interventions:

- Self-diagnosis
- Speaking directly to the employee
- If diagnosed long term, a doctor's note
- The employee assurance programme which involved phoneline support.

If the employee's sickness was work related, a risk assessment would be carried out.

Question: What was being carried out to maintain the cleanliness in the Bus Station?

Response: The City of Lincoln Council had procured Stagecoach to carry out the works but there had been some issues involving the standard of works and

pigeon mess which officers were currently in the process of resolving. A full deep clean had been arranged biannually.

Question: How many people on long term sick left the Authority?

Response: After 6 months of being on long term sickness absence, the employee's pay would drop by half and zero after 12 months. Officers worked with the employee throughout that time. This was a national ruling and part of local government policy.

Question: What needed to be achieved to reduce the completion time of a DFG adaptation down from 13 weeks?

Response: There was a lot of pressure within the Private Sector Housing team at present which included a vacancy. There had been contractor issues also, both of these combined had led to the increased completion time of an adaptation.

With regards to wider enforcement work by the team,. the government were encouraging councils to use the Civil Penalty route against landlords failing to meet mandatory standards, rather than go through the Court. This means a penalty would be issued to the landlord and they would pay it. Lately, Landlords have been challenging the penalties which resulted in more officer time being taken to put the paperwork together ready for Court. With regards the tribunals, more people challenged the decisions than accepted the fine, due to this the tribunal became overwhelmed and some cases weren't heard for up to 6 months so it massively favoured the landlord. This again took staff resource away from other works such as DFG work.

Question: Members asked whether a table of compliments could be included for future meetings? Rather than all statistics being only complaints.

Response: Officers agreed to add this to future performance reports going forward.

Question: Should the City of Lincoln Council be advertising further afield for apprentices due to the decrease in numbers employed?

Response: The number of placements had decreased mainly due to the different ways of working. Officers agreed to find out more information on this to report back to the committee.

Question: Had the Universal online Housing Management repair system been fixed?

Response: Officers advised they would source this information from the relevant officers to feed back to the committee.

Question: With regards to the 8,978 users that logged into the online self-service system, was it 8,978 log ins as a total or 8,978 unique users?

Response: Officers advised it was the total amount of log-ins but advised they would check with the relevant officers and report back to the committee.

Question: Was the top floor of the Central Car Park still closed or was it being used?

Response: It was at full capacity over the Christmas period but when it wasn't busy the top floor was closed off, but officers would check the latest situation.

Question: In relation to Food and Hygiene, what was meant by a premises being 'broadly compliant'?

Response: Officers advised that they would speak to the relevant service area and report back to the committee.

Question: Was it possible to find out the percentage of Citizens Panel responses? The figure provided in the report wasn't relatable and members felt a total number of responses needed to be included.

Response: Officers agreed that this would be included in future reports going forward.

Members expressed their concerns about the number of responses received by the Citizens Panel and requested a review in the new municipal year.

Democratic Services agreed to add this to the work programme for May/June 2023.

Question: Why hadn't the 46.17 FTE (full time equivalent) vacant posts been actively recruited to?

Response: Up until recently positions were being approved by the Chief Executive before going out to advertisement. It had also been difficult to recruit in general and it depended on each individual service on how recruitment was processed.

RESOLVED that:

1. Further detail to be provided to members in the following areas:

- What SME was defined as and what the Council was working towards
- When the Universal Housing System was being repaired
- Why there were less Apprenticeship placements being advertised
- Clarification of the 8,978 figure quoted for number of users logged on to the on-line self-service online system this quarter and whether it was the number of total log ins or the total number of unique users.
- Of the 67 FTE posts, why only 20.83 posts were being recruited to
- How was stress and depression diagnosed
How many days were lost due to stress and depression
How many people left whilst on long term sick and didn't return
- What was meant by 'broadly compliant' in Food and Hygiene terms when a premises was concerned.
- The reason behind the top floor of the Central Car Park being closed

2. A review on the Citizens Panel to be scheduled for the new municipal year

3. The contents of the Quarter 3 2022/23 Operation Performance Review found at Appendix A be approved, to be presented to Executive on 20 February 2023
4. The content of Quarter 3 2022/23 Operational Performance Report format be confirmed and referred to Executive on 20 February 2023.

63. Financial Performance - Quarterly Monitoring

Colleen Warren, Financial Services Manager:

a) presented a report to Performance Scrutiny Committee with a summary of actual income and expenditure for the Council compared to the revised budget, and how any surpluses had been allocated to reserves

b) provided information on the Council's:

- **General Fund Revenue Account** – for 2022/23 the Council's net General Fund Revenue Budget was set at £8,907,490, including a planned contribution from balances of £60,700, resulting in an estimated level of general balances at the year-end of £2,262,761 (after allowing for the 2021/22 outturn position). The General Fund Summary was currently projecting a forecast overspend of £39,548 (Appendix A provided a forecast General Fund Summary). There were a significant number of forecast year-end variations in income and expenditure against the approved budget. Full details of the main variances were provided in Appendix B.
- **Housing Revenue Account** – The Housing Revenue Account was currently projecting a forecast underspend of £961.00 which could increase the general balances to £1,064,833 (Appendix C provided a forecast Housing Revenue Account Summary). There were a number of forecast year-end variations in income and expenditure against the approved budget. Full details of the main variances were provided in Appendix D.
- **Housing Repairs Service** – at Quarter 3 the Housing Repairs Service was forecasting a deficit of £420,284 in 2022/23. Appendix E provided a forecast HRS summary, with full details of the main variances provided in Appendix F.

c) provided information in the following areas:

- **General Investment Programme** – the revised General Investment Programme for 2022/23 amounted to £30.156m following the quarter 2 report. At Quarter 3 the programme had been decreased by £21.296m to £17.860m as shown at paragraph 7.2.

The overall spending on the General Investment Programme for the third quarter of 2022/23 was £5.9m which was 39.8% of the 2022/23 active programme (excluding externally delivered schemes).

- **Housing Investment Programme (HIP)** – the Housing Investment Programme for 2022/23 in the MTFS 2022–2023 amounted to

£22.133m following the Quarter 2 report. At Quarter 3, the programme had been decreased by £1.634m to £20.499m.

- d) advised the committee that due to unforeseen circumstances out of their control, the current fleet provider no longer wished to lease the HRS vehicles and had requested either to surrender the vehicles back to them or purchase the vehicles from them by 6th March 2023. At this point the actual cost for purchasing the vehicles was unknown and dependent upon the vehicle valuations and the rationalisation of the fleet to keep the impact to a minimum. An estimate of £500k was therefore proposed for inclusion in the HIP and would be adjusted through the appropriate approval limits once the actual purchase price was confirmed.

- e) invited members' comments and questions.

Members discussed the content of the report in further detail, asked questions and received relevant responses from officer's as follows:

- Question: Was it possible to have a breakdown of the overspend for Quarter 3?
- Response: Officers advised they would collate this information and feed it back to the committee.

RESOLVED that:

1. The financial performance for the period 1st April to 31st December 2022, and the projected outturns for 2022/23 be noted.
2. The underlying impact of the pressures and underspends identified in paragraphs 3.3 (and Appendix B), 4.3 (and Appendix D), and 5.2 (and Appendix F) be noted.
3. The General Fund carry forward request as detailed in paragraph 3.12, be noted prior to reporting to the Executive.
4. The changes to the General Investment Programme and Housing Investment Programme as approved by the Chief Finance Officer as detailed in paragraphs 7.4 and 7.11 be noted.
5. The changes to the General Investment programme and the Housing Investment programme to be approved by the Executive as detailed in paragraphs 7.3, 7.9 and 7.10 be noted.

64. Strategic Risk Register - Quarterly Review

Colleen Warren, Financial Services Manager:

- a) presented Performance Scrutiny Committee with a status report of the revised Strategic Risk Register as at the end of the third quarter 2022/23
- b) reported that the strategic risk registers currently contained twelve risks as follows:

- 1) Failure to engage & influence effectively the Council's strategic partners, council staff and all stakeholders to deliver against e.g., Council's Vision 2025.
- 2) Failure to deliver a sustainable Medium-Term Financial Strategy (that supports delivery of Vision 2025).
- 3) Failure to deliver the Towards Financial Sustainability Programme whilst ensuring the resilience of the Council.
- 4) Failure to ensure compliance with statutory duties/functions and appropriate governance arrangements were in place.
- 5) Failure to protect the local authority's vision 2025 due to changing structures and relationships in local government and impact on size, scale and scope of the Council.
- 6) Unable to meet the emerging changes required in the Council's culture, behaviour and skills to support the delivery of the council's Vision 2020/2025 and the transformational journey to one Council approach.
- 7) Insufficient levels of resilience and capacity exist in order to deliver key strategic projects & services within the Council.
- 8) Decline in the economic prosperity within the City Centre.
- 9) Failure to deliver key strategic projects.
- 10) Failure of the Council's key contractors and partners to remain sustainable and continue to deliver value for money.
- 11) Failure to protect the vulnerable in relation to the Council's PREVENT and safeguarding duties.
- 12) Failure to mitigate against the risk of a successful cyber-attack against the council.

c) highlighted a number of control actions that had been progressed or completed outlined at paragraph 3.2 of the report

d) informed the committee that all control actions continued to be implemented and risks managed accordingly.

RESOLVED that the Strategic Risk Register as at the end of the third quarter 2022/23 be noted.

65. Feedback from Budget Review Group

Councillor Gary Hewson, Chair of Performance Scrutiny, advised the committee of the following recommendations that were put forward at Budget Scrutiny Committee:

- (1) The Budget Scrutiny Committee be presented with an update on the number of consultation responses received from the Citizen's Panel at future Budget Scrutiny Meetings going forward.
- (2) Agreed to provide its comments and recommendations to the Executive prior to referral of the final budget proposals to Council on 21st February 2023.

66. Work Programme 2022/23 Update

Jess Cullen, Democratic Services Officer:

- a) presented the draft work programme for 2022/23 as detailed at Appendix A of her report
- b) advised that the work programme for the Performance Scrutiny Committee was put forward annually for approval by Council; the work programme was then regularly updated throughout the year in consultation with the Performance Scrutiny Committee and its Chair
- c) reported that items had been scheduled in accordance with the existing work programme and officers' guidance regarding the meetings at which the most up-to-date information could be reported to the committee; the work programme also included the list of portfolio holders under scrutiny
- d) requested any relevant comments or changes to the proposed work programme for 2022/23.

RESOLVED that the work programme 2022/23 be noted, subject to the following addition:

- Citizens Panel Review – June 2023.

67. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

68. Strategic Risk Register - Quarterly Review

Colleen Warren, Financial Services Manager:

- a) provided members with the revised Strategic Risk Register as attached at Appendix A
- b) invited members' questions and comments.

RESOLVED that the Strategic Risk Register as at the end of the second quarter 2022/23 be noted.