

Performance and Finance Scrutiny Committee

10 March 2023 – At a meeting of the Performance and Finance Scrutiny Committee held at 10.30 am at County Hall, Chichester, PO19 1RQ.

Present: Cllr Montyn (Chairman)

Cllr Burrett, Cllr Condie, Cllr Elkins, Cllr Gibson, Cllr Kerry-Bedell, Cllr Linehan, Cllr McDonald, Cllr McKnight, Cllr Sparkes, Cllr Turley, Cllr Wall and Cllr Payne

Apologies were received from Cllr Baldwin, Cllr Boram, Cllr Britton and Cllr Hunt

Absent:

Also in attendance: Cllr Marshall and Cllr Waight

Part I

50. Declarations of Interest

50.1 In accordance with the code of conduct, the following personal interest was declared: -

50.2 Cllr Waight in respect of item 6, End of December 2022 (Quarter 3) Quarterly Performance and Resources Report, as a member of Worthing Borough Council.

51. Minutes of the last meeting of the Committee

51.1 Resolved – that the Minutes of the meeting held on 25 January 2023 be approved as a correct record and that they be signed by the Chairman.

52. Responses to Recommendations

52.1 Resolved – that the Committee notes the responses.

53. End of December 2022 (Quarter 3) Quarterly Performance and Resources Report

53.1 The Committee considered the End of December 2022 (Quarter 3) Quarterly Performance and Resources Report from the Chief Executive and Director of Finance and Support Services summarising the positions of finance, performance, risk, and workforce (copy appended to the signed minutes).

53.2 Summary of responses to members' comments and questions: -

- The lifespan of pothole repairs can depend on ground conditions and whether or not they are urgent fixes – **Action:** Director of Place Services to provide more detail
- The additional £4.5m in the Highways & Transport budget is for extra pressures in relation to drainage and pot holes, not Operation Watershed which has its own budget

- Congestion on the A27 is the responsibility of National Highways but the Council recognise the issues in relation to emissions and the economy
- Currently there is a statutory instrument in force allowing the Council to keep the Dedicated Schools Grant deficit off its balance sheet, however, if this provision is not extended, the Council will need to bring the deficit back onto the balance sheet which will have a significant impact on Council finances
- Unused non-ring fenced Covid grant money can be carried forward
- The Council is investing in children's homes and doesn't expect any to close
- Pooled funds are long-term investments and are always likely to incur short-term losses
- The relationship between slippage and underspend in the Capital Programme requires clarification – **Action:** Director of Finance and Support Services to provide clarification
- The Capital Programme is funded scheme by scheme taking in to account grants for various individual schemes
- The Council looks at the most cost-effective way to fund each capital project to allow flexibility - this may change over time
- There are a lot of capital programme schemes in the Learning & Skills portfolio showing as red that aren't mentioned in the summary - **Action:** Director of Finance and Support Services to rectify this in future reports
- The boundary between maintenance as part of revenue and investment in new capital facilities as part of capital projects involving special educational needs was unclear - **Action:** Director of Finance and Support Services to provide clarification
- Accelerated capital projects are schemes that have been brought forward - **Action:** Director of Finance and Support Services to clarify the difference between accelerated schemes and overspend in future reports
- There was a query as to why the Capital Programme budget had been accelerated - **Action:** Director of Finance and Support Services report back to the Committee
- Some revenue schemes can be funded by capital receipts
- Explanation of a one-off base budget was sought - **Action:** Director of Finance and Support Services to provide explanation
- All tenders for contracts worth over £500k must have at least 10% social value
- A request was made for details of the properties for which a one-off backdated rates rebate of £600k was received - **Action:** Assistant Director (Property and Assets) to provide details
- There was a query as to whether in-year staffing vacancies in the Leader's portfolio has had any impact on service delivery/performance – **Action:** Leader to investigate
- The decision - Worthing Public Realm Improvements (WPRI) Endorsement design and procurement Railway Approach Scheme – was now due to be taken in April 2023
- Under Key Performance Indicator (KPI) 24 the two Brownfield Land Release Fund bids announced referred to the Tannery, Chichester and the Barton's Primary School site, Bognor Regis

- There was a query as to whether mobile 4G connectivity was a possible alternative for broadband in rural areas – **Action:** Director of Place Services to investigate
- Project Gigabit is a government procurement process - the Council is trying to ensure West Sussex gets good coverage for areas that are hard to reach in terms of connectivity
- Planning permission for digital masts is being refused in the area covered by the South Downs National Park – **Action:** Director of Place Services to investigate
- A new Pulse Survey has been delayed as there was a Health & Wellbeing staff survey recently and an annual staff survey was being considered to replace the multiple pulse surveys each year, this would allow more time for analysis and actions to be implemented before the following survey
- There was a request for analysis of the days lost to sickness in Adults' and Children's Service – **Action:** Director of Human Resources & Organisational Development to provide
- Some staff had been off sick due to long Covid or other illnesses developing as a result of Covid
- There was a query as to whether a monetary figure could be put on days lost due to sickness as in some other authorities – **Action:** Director of Human Resources & Organisational Development to investigate
- It would be difficult to determine a salary as a benchmark figure for a KPI on Agency Matrix spend
- The number of apprentices would be boosted by those starting at the end of March 2023. It is recognised that the majority of current apprentices are employed by the Council already. In future, to encourage a younger workforce, and an apprenticeship first requirement would be used.
- The status of the KPI for rolling 12-month turnover percentage for permanent positions at HAY Grade (or equivalent) and above was queried - **Action:** Director of Human Resources & Organisational Development to investigate
- The number of mental health first aiders was increasing to help staff suffering from long-term anxiety, stress, depression and mental health

53.3 Resolved – that the Committee: -

- Welcomes the report
- Recognises issues around the deteriorating condition of the county's roads (these concerns would be passed to the Chairman of the Community, Highways and Environment Committee) and questioned how the extra budget provision would be spent
- Raises concerns over the continuing issues around the A27 and requests that the Leader lobbies the National Highways Agency about the needs of the community
- Requests that future performance and resources reports include more information on the Capital Programme
- Welcomes the extra workforce information provided in the report

- Requests that more thought and work is done on the financial implications of staff sickness absence with reference to the information provided by other similar councils

54. Smarter Working - Progress Report

54.1 The Committee considered a report by the Director of Place of Services (copy appended to the signed minutes).

54.2 Summary of responses to members comments and questions: -

- The Council's IT/Digital Strategy will ensure that staff have the right IT equipment to work remotely - IT is recognised as a key enabler of the Smarter Working Programme
- The Council has a duty of care for its staff and recognises all points in relation to flexible working
- Display Screen Equipment assessment checks are required to be carried out by staff at their home work stations
- Council staff can work flexibly – this is now included in job adverts
- Where staff live is no longer a barrier to employment and offers greater flexibility for both the Council and the employee. 100% remote working could be an option to consider in future
- All information and formal decisions taken by the Council are recorded and kept for the requisite time regardless of the increase in remote/hybrid working
- The Council was looking at options for Centenary House and Bridge House in Durrington

54.3 Resolved – that the Committee: -

- i. Is pleased with the progress of the Smarter Working Programme
- ii. Recognises IT as a key enabler of the Programme
- iii. Recognises that there are a number of components to smarter working and flexible working practices which will all be considered when taking the programme forward

55. Forward Plan of Key Decisions

55.1 The Committee considered extracts of the Forward Plan of Key Decisions (copies appended to the signed minutes).

55.2 Resolved – That the Committee notes the Forward Plan of Key Decisions.

56. Work Programme

56.1 The Committee considered its Work Programme (copy appended to the signed minutes).

56.2 Resolved – That the Committee notes the Work Programme.

57. Date of next meeting

57.1 The next meeting of the Committee will be held on 16 June 2023 at 11.00am at County Hall, Chichester.

58. Requests for Call-in

58.1 The Committee considered the call-in of the proposed decision by the Cabinet Member for Finance and Property concerning the Freehold Disposal of Marle Place, 171 Leylands Road, Burgess Hill, West Sussex, RH15 8HZ published on the Executive Decision Database on 13 February 2023 and in the Members' Bulletin on 15 February 2023.

58.2 The item was introduced by the call-in proposer, Cllr Condie, who gave the following reasons why he felt the decision should be changed: -

- Community interests had not been adequately taken into account
- There was no evidence or rationale in the County Council's view that the community had shown no interest in the site as there was interest from community groups to acquire a strip of garden and an outbuilding that are part of the site
- A request for the partial sale of the site was declined by the County Council even though the strip of garden and outbuilding were of little value and their sale would not delay the process
- Community groups were told that they could bid for the whole site on the open market, but the cost was prohibitive to them

58.3 Cllr Marshall, Leader, gave the following initial response saying that: -

- There had been a lot of correspondence with Cllr Condie since July 2022 on this matter
- The local council did not want to buy the site
- No community group had come forward to express interest in buying the site

58.4 Mr Edwards, Assistant Director (Property & Assets), added the following: -

- The County Council had publicised that it was looking to dispose of the site
- A number of visits to the site took place but when the costs and liabilities were understood potential bidders did not pursue the purchase
- Burgess Hill Town Council was aware of the disposal and had visited the site
- The County Council had looked at getting the best price from the sale of the site and found that if a small section was sold separately it would have a significant impact on the overall sale price therefore, in this case, it was felt that the best course of action was to dispose of the site as a whole

- Local organisations could have asked for the site to be declared as a Community Asset Transfer, but none had

58.5 Summary of responses to members comments and questions: -

- There was no restriction on the future use of the site, subject to planning permission
- There was a view that the sale decision was the best option for the site and that it would raise funds that could be used on council services
- The County Council had a priority in the Council Plan to help communities but a financial input was needed from community groups for matters that were not part of the Council's statutory services
- There had been consultation with community groups over the sale of the site since July 2022
- The County Council had been approached by a number of organisations, but many did not understand the liability of taking on the site e.g. statutory inspection work, then lost interest when they became aware of this
- The County Council did not have any use for the site itself
- The Park Centre, near Marle Place in Burgess Hill, was being offered as a Community Asset Transfer with the support of Burgess Hill Town Council – if taken up this will benefit the community but one bidder has withdrawn its interest due to financial liability issues

58.6 Resolved - that under Section 100(4) of the Local Government Act 1972, the public be excluded from the meeting for the following section of the item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I, of Schedule 12A, of the Act by virtue of the paragraph specified under the item and that, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

58.7 Summary of discussion held in private – the Committee: -

- Recognised the wider social value context of asset sales in general
- Suggested that when the sale was complete that the new landowner could be put in contact with any interested community groups – this was raised in relation to the partial sale of the community garden
- Supported the unrestricted usage sale of the asset

58.8 Summary of discussion held in public – the Committee:-

- Noted the communication and publicity undertaken with community groups ahead of the sale
- Recognised the need to make best use of resources and that the sale aligns with the key priorities of the Council Plan
- Supports the community engagement that takes place currently and supports this continuing in future for all asset disposals

58.9 Resolved – that the Committee supports the decision by the Cabinet Member for Finance and Property concerning the Freehold Disposal of Marle Place, 171 Leylands Road, Burgess Hill, West Sussex, RH15 8HZ

The meeting ended at 1.27 pm

Chairman