

Public Document Pack

8 September 2017

Our Ref Overview and Scrutiny 09/17
Your Ref.
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To: Members of the Committee: Councillor Cathryn Henry, Councillor Steve Hemingway, Councillor Ian Albert, Councillor Clare Billing, Councillor John Booth, Councillor Bill Davidson, Councillor Steve Deakin-Davies, Councillor Elizabeth Dennis, Councillor Jean Green, Councillor Steve Jarvis, Councillor Ben Lewis, Councillor Gerald Morris, Councillor Michael Muir, Councillor Janine Paterson, Councillor Frank Radcliffe and Councillor Valentine Shanley

Substitutes: Councillor John Bishop, Councillor Paul Clark, Councillor Simon Harwood, Councillor Terry Hone, Councillor Mike Rice, Councillor Paul Marment, Councillor Adrian Smith and Councillor Martin Stears-Handscomb

You are invited to attend a

MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

to be held in the

**FOUNDATION HOUSE, ICKNIELD WAY, LETCHWORTH
GARDEN CITY**

On

TUESDAY, 19TH SEPTEMBER, 2017 AT 7.30 PM

Yours sincerely,



David Miley
Democratic Services Manager

Agenda Part I

| Item | Page |
|--|--------------------|
| 1. APOLOGIES FOR ABSENCE | |
| 2. MINUTES - 18 JULY 2017 To take as read and approve as a true record the minutes of the meeting of this Committee held on the 18 July 2017 | (Pages 1 - 16) |
| 3. NOTIFICATION OF OTHER BUSINESS Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of the business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chairman will decide whether any item(s) raised will be considered. | |
| 4. CHAIRMAN'S ANNOUNCEMENTS Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest which requires they leave the room under Paragraph 7.4 of the Code of Conduct, can speak on the item, but must leave the room before the debate and vote. | |
| 5. PUBLIC PARTICIPATION To receive petitions and presentations from members of the public. | |
| 6. URGENT AND GENERAL EXCEPTION ITEMS The Chairman to report on any urgent or general exception items which required his agreement. At the time of printing the agenda, the Chairman had not agreed any urgent or general exception items. | |
| 7. CALLED-IN ITEMS To consider any matters referred to the Committee for a decision in relation to a call-in of decision. At the time of printing the agenda, no items of business had been called-in. | |
| 8. REGULATION OF INVESTIGATORY POWERS ACT REPORT OF THE CORPORATE LEGAL MANAGER AND MONITORING OFFICER To receive the quarterly update regarding the Regulation of Investigatory Powers Act. | (Pages 17 - 20) |

- 9. PROPOSALS REGARDING THE IMPLEMENTATION OF THE HOMELESSNESS REDUCTION ACT 2017** (Pages 21 - 64)
REPORT OF THE HEAD OF HOUSING AND PUBLIC PROTECTION
- To consider the proposals regarding the implementation of the Homelessness Reduction Act 2017 prior to consideration by Cabinet.
- 10. INFORMATION NOTE - NEW SETTLEMENT** (Pages 65 - 66)
INFORMATION NOTE OF THE HEAD OF DEVELOPMENT AND BUILDING CONTROL
- To update the Overview and Scrutiny Committee with regard work on the Council's aspiration for a new settlement.
- 11. FIRST QUARTER PERFORMANCE INDICATORS MONITORING REPORT 2017/18** (Pages 67 - 70)
To consider the Performance Indicator Monitoring Report for the first quarter of 2017/18.
- 12. FIRST QUARTER MONITORING REPORT ON KEY PROJECTS FOR 2017/18** (Pages 71 - 84)
REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT
- To consider the first quarter report regarding projects identified in the Corporate Plan.
- 13. ANNUAL SAFEGUARDING CHILDREN AND ADULTS AT RISK UPDATE (2016-17)** (Pages 85 - 92)
REPORT OF THE ACTIVE COMMUNITIES MANAGER
- To inform the Committee of the procedures in place that govern how staff and members deal with concerns about children and adults at risk in order to maintain our statutory duty to safeguard their welfare and the ongoing work being undertaken to ensure that these procedures are understood and followed throughout the organisation.
- 14. MEMBERS' QUESTIONS**
To receive and respond to any questions from Members either set out in the agenda or tabled at the meeting.
- 15. RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE** (Pages 93 - 100)
REPORT OF THE SCRUTINY OFFICER
- To consider the outcome of Overview and Scrutiny Committee resolutions.

**16. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME
REPORT OF THE SCRUTINY OFFICER**

(Pages
101 -
112)

To consider the issues that the Overview and Scrutiny Committee plans to review at future meetings and the activities of its sub-groups.

Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD IN THE FOUNDATION HOUSE, ICKNIELD WAY, LETCHWORTH
GARDEN CITY ON TUESDAY, 18 JULY, 2017 AT 7.30 PM

MINUTES

Present: *Councillors Councillor Cathryn Henry (Chairman), Councillor Steve Hemingway (Vice-Chairman), Ian Albert, Clare Billing, John Booth, Bill Davidson, Elizabeth Dennis, Jean Green, Steve Jarvis, Gerald Morris, Michael Muir and Frank Radcliffe*

N.B. Councillor Davidson left at 9.21 p.m.

In Attendance: *Councillor Michael Weeks (Chairman, Task and Finish Group on the Council's Management of Larger Projects) Norma Atlay (Strategic Director of Finance, Policy and Governance), Jo Dufficy (Customer Services Manager), Steve Geach (Parks and Countryside Development Manager), Brendan Sullivan (Scrutiny Officer) and Hilary Dineen (Committee and Member Services Officer)*

Also Present: *Councillors Julian Cunningham and Martin Stears-Handscomb. Two members of the public.*

17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Janine Paterson.

18 MINUTES - 6 JUNE 2017

RESOLVED: That the Minutes of the Meeting of the Committee held on 6 June 2017 be approved as a true record of the proceedings and be signed by the Chairman.

19 NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Committee.

20 CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman reminded those present that, in line with Council policy, the meeting would be audio recorded;
- (2) The Chairman informed Members that there was no sound amplification and asked Members to speak loudly and clearly and announce their names before speaking;
- (3) The Chairman drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question;
- (4) The Chairman advised that the requested discussion regarding New Settlements would be deferred to the next meeting of the Committee as the lead officer was on annual leave and felt that he could not leave this with another officer as it was still in the conceptual stage;

- (5) The Chairman advised that the Customer services Manager had, at short notice, provided a document regarding Channel Shifting that would be discussed later on the meeting.

21 PUBLIC PARTICIPATION

There were no presentations from members of the public.

22 URGENT AND GENERAL EXCEPTION ITEMS

No urgent or general exception items were received.

23 CALLED-IN ITEMS

Since the last meeting, no decisions had been called-in by the Overview and Scrutiny Committee.

24 TASK AND FINISH GROUP ON THE COUNCIL'S MANAGEMENT OF LARGER PROJECTS

The Committee considered the revised Task and Finish Group report on the Council's Management of Larger Projects and the Senior Management Team Comments regarding the recommendations contained in that report, which had been tabled.

Introduction by the Chairman of the Task and Finish Group

Councillor Michael Weeks, Chairman of the Task and Finish Group on the Council's Management of Larger Projects reminded Members that this Committee had, at the meeting held on 6 June 2017, asked the Task and Finish Group to reconsider some of the recommendation previously presented and that he would limit his comments to those deliberations.

Councillor Weeks stated that he stood by the statement made at the last meeting of this Committee, that he felt that the recommendations made by the Group should not be amended.

The Task and Finish Group as a whole had agreed to change the recommendations in line with the suggestions made by this Committee, despite this he, as Chairman, did not agree with the amendments to recommendations 4 and 9 and would be unable to support them going forward.

He presented each of the Recommendations as detailed below.

Comments of the Senior Management Team

The Strategic Director of Finance, Policy and Governance clarified the process relating to Task and Finish Groups and stated that the comments of the Senior Management Team (SMT) should be considered by this Committee alongside Task and Finish Group Recommendations so that the Scrutiny function was comprehensive and the recommendations to Cabinet were the result of full and detailed consideration of all aspects.

The Strategic Director of Finance, Policy and Governance clarified that the comments were tabled at the meeting because the Senior Management Team did not see the amended report until last week.

Members discussed what value and weight should be given to the comments from the Senior Management Team.

The Chairman advised that, in the past this Committee had taken a decision not to consider the comments of the Senior Management Team however they were submitted to Cabinet along with this Committee's referral. She had decided that the Committee should trial consideration of these comments to see if they affected or added value to the recommendations submitted to Cabinet.

There was some discussion regarding the SMT comments in that they appeared to be defensive responses that the Council was already doing the things suggested as well as they could, but did not acknowledge that that the aim of the Task and Finish Group had not been to level criticism, but to identify a process by which things could be improved and the Council could do better.

The Strategic Director of Finance, Policy and Governance presented the Senior Management comments on each of the Recommendations as detailed below.

Recommendation 1

This recommendation had not been amended and remained as:

"The Council needs to be more decisive about what it wants from larger projects and once it decides, it needs to get on with them."

SMT supported the position that the Council needed clear and expedient decision making furthermore, they advocated the concept of a 'design freeze' or a freeze on project scope in relation to other projects.

Members agreed that this Recommendation be put forward to Cabinet.

Recommendation 2

The Task and Finish Group had agreed with the suggested minor drafting changes to this Recommendation, which now read:

"The Council should not introduce unnecessary complexity into its invitations to tender because it is unclear about its preferred outcome. It should decide what it wants and then invite bidders to tender for it."

SMT supported the concept that the tender specifications should be made as clear as possible and not unduly complicated. The Council must however ensure that its contractual position was safeguarded and that the full requirements of the project were captured in the specification.

Members agreed that this Recommendation be put forward to Cabinet.

Recommendation 3

This recommendation had not been amended and remained as:

"The Council's financial information should be comprehensive and presented in the form of accounts so the extent of profits and losses can be easily understood."

SMT advised that reports regarding project proposals provided appropriate information, in for example business cases, to enable decision makers to take a properly informed decision.

When undertaking a project, the business case drew out the links to the Council's Corporate Objectives as well as considering the social benefit of the project alongside its monetary cost which required both numerical and narrative explanation.

Local Authority accounts were required to separate Capital and Revenue expenditure and were prepared on an income and expenditure basis rather than profit and loss.

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Where impacts were more difficult to assess, these would be incorporated into the Risk Logs which were continually updated throughout the life of the project. The Risk Logs include financial risks and additionally these are often incorporated in the Corporate Business Planning process.

Members commented that the Recommendation was about receiving comprehensive financial information and that this could be by way of a business plan that included financial information and a narrative regarding social and other benefits. It was important that the financial and social benefit information regarding a project was clear, accessible and able to be monitored by Members regularly.

It was suggested that projects should be reviewed after completion to monitor the benefits realised and again after the project had been completed and operational for some time to monitor that those benefits were still being realised.

Members agreed that the wording of this Recommendation be amended as follows and put forward to Cabinet.

“The Council’s financial information should be comprehensive and presented in the form of a business plan so the extent of profits and losses can be easily understood.”

Recommendation 4

The existing Recommendation read:

“When exception reports are produced by project boards, they should be circulated to all members of Council through the Members’ Information Service or by e mail.”

The proposed Recommendation would read:

“When exception reports are produced by project boards, they should be circulated to all members of Council through the Members’ Information Service or by e mail; and, unless they are confidential, made available to the public via the Council’s website.”

Councillor Weeks advised that he did not agree with the proposed amendment to this Recommendation.

He was of the opinion that most exception reports would be confidential, but if those that were not confidential were publicised, this would only serve to engender criticism and comments that would take officer time to address resulting in to slow down the project.

This would then go against the most important of observations made by the Task and Finish Group that, once decided upon, the Council must get on with projects.

SMT advised that the Council operated an Executive model of governance and NHDC’s accepted project management methodology sat within that framework.

Where projects required any decision making that was outside the scope of the project as defined by Council or Cabinet then an exception report was provided to the appropriate committee seeking the necessary authorisation.

Information on project delivery was provided to Members at key points in the progression of projects through MIS.

The Scrutiny Officer advised that not all non-confidential exception reports were considered by the sponsoring Committee and that there was a misconception that because Councillors know about something that meant that the general public also knew about it.

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The Strategic Director of Finance, Policy and Governance reassured Member that NHDC did its utmost to ensure that as little as possible was classified as confidential and that everything that could be made public was.

Members debated this Recommendation. Some Members agreed with Councillor Weeks regarding exception reports and stated that the purpose of these was to inform the Project Board and Project Executive so that they could take steps to address the problem, If exception reports were published as a matter of course, this would engender criticism and complaints on something that it was likely had already been addressed. They felt that, if non-confidential exception reports were considered by Cabinet then the documents were already in the public arena.

Other Members commented that the mere fact that an exception report was produced implied that there was a problem and this should be made clear. There was no reason to not subsequently provide an information note detailing how that problem was then overcome. There was a perception that the Council was secretive and making exception reports more accessible could help address these issues.

They acknowledged the risks associated with this Recommendation as detailed by Councillor Weeks.

Upon the vote it was agreed that the following recommendation be presented to Cabinet:

“When exception reports are produced by project boards, they should be circulated to all members of Council through the Members’ Information Service or by e mail; and, unless they are confidential, made available to the public via the Council’s website.”

Recommendation 5

This Recommendation had not been amended and remained as:

“Projects are constrained by the resources that the Council has available. Planning a substantial project on the basis that part of it will be done in a member of staff’s spare time allows no contingency. The Council should ensure that large projects are properly resourced. If adequate resources are not available, the project should not begin until they are.”

SMT agreed that projects needed to be adequately resourced and the Council did this through its project management arrangements and Corporate Business Planning Process.

There were a limited number of projects that could be resourced at any one time and work plans were finely balanced so that additional ad-hoc internal requests for “small projects” or external requirements from Government departments could impact on delivery timescales.

In some instances there could be ‘pinch points’ in terms of delivering a project or other work competing deadlines which meant that a member of staff may work additional hours. Where this occurs this was with the agreement of the member of staff and time off in lieu or overtime may be payable. Where additional/external resources were required these were sourced.

Members agreed that this Recommendation be put forward to Cabinet.

Recommendation 6

This Recommendation had not been amended and remained as:

“The Council needs to have clear, documented objectives before it embarks on projects.”

SMT agreed that the Council prepared a detailed planning brief with extensive public consultation. Project initiation documents captured the objectives of a project.

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In relation to the Churchgate Project, it was agreed by Full Council in February 2010 to enter into a contract with Simons for them to bring forward proposals to regenerate the area. The scheme was complex and involved ownership outside the control of the Council and the relocation of the market. Despite extensive efforts Simons were unable to bring forward a viable scheme which met the objectives within the contract period and in January 2013 Full Council declined to extend their contract.

Members commented that the ownership of Churchgate would have been known prior to starting the project and queried the SMT comments in this respect.

The Strategic Director of Finance, Policy and Governance advised that details regarding ownership were known before starting the project and that at the time Hammersmatch had indicated that they would be happy to do a deal with NHDC and/or Simons, however this changed as the project progressed.

Members agreed that this Recommendation be put forward to Cabinet.

Recommendation 7

This Recommendation had not been changed and remained as:

“Large scale projects should have a champion to drive them forwards.”

SMT agreed with this recommendation and advised that there was already a ‘champion’ in the Lead Member and the Project Executive.

Members discussed that not all previous projects with a Lead Member had been successful and that a Champion should drive the project forward not just adds it on as another responsibility.

Members agreed that this Recommendation be put forward to Cabinet.

Recommendation 8

This Recommendation had not been changed and remained as:

“The Council should be more flexible about membership of project boards.”

SMT advised that the Council operated Project Board membership in a flexible way to ensure that there was a balance on ‘inputs’ to the Board whilst keeping Boards to a manageable size.

On the Churchgate Project Board there were four elected Members one of whom was not an Executive Member.

The composition of Project Boards varied between projects and it should be recognised that in an Executive model Council there would be appropriate representation from the Executive on Project Boards.

Members agreed that this Recommendation be put forward to Cabinet.

Recommendation 9

The existing Recommendation read:

“The Council should improve its consultation and engagement with the public.”

The proposed Recommendation would read:

“The Council should ensure there is meaningful consultation with the public prior to it finalising its plans; and make sure it continues to engage with the public throughout the life of the project.”

Councillor Weeks advised that he did not agree with the proposed amendment to this Recommendation.

He was of the opinion that all projects should have a freeze point at which the decision was made and no further changes could be made and that continued engagement with the public could only serve to slow down the project.

This would again go against the most important of observations made by the Task and Finish Group that, once decided upon, the Council must get on with projects.

SMT advised that the Council always strived to undertake meaningful consultation and uses a variety of mechanisms to do so.

It was true that not all consultation was equally successful however the public acceptance of the outcome should not, in itself, be used to measure the success of the consultation.

In respect of Churchgate, the Council sought to use a tried and tested method of public engagement, which Simons had used successfully in other town centre schemes, to gather public opinion leading to development of a scheme for submission to the Local Planning Authority.

Members noted that at the previous meeting of this Committee there had been long discussion regarding how a project could be effectively moved forward whilst ensuring that the public felt that they were part of the process, but not a burden to the process.

The general feeling was that public participation was valuable and helped the Council to be transparent and open, but it had to be acknowledged that consultation would not continue indefinitely although engagement certainly should.

The suggestion that not continuing to engage with the public throughout the life of a project would reduce the level of criticism was clearly incorrect. The Council needed to engage more with people and accept that criticism would likely be part of that engagement.

In terms of the wording of the Recommendation it was generally felt that the original recommendation was woolly and didn't inspire effective engagement.

The proposed wording would improve engagement by making it meaningful and continuing engagement did not mean continually asking what people wanted, but rather keeping them informed of what was and would be happening.

Upon the vote it was agreed that the following recommendation be presented to Cabinet:

"The Council should ensure there is meaningful consultation with the public prior to it finalising its plans; and make sure it continues to engage with the public throughout the life of the project."

Recommendation 10

This Recommendation had been amended to read:

"The Council should be mindful of the disadvantages of the Competitive Dialogue process and think very carefully before using it again in future projects."

SMT advised that whilst the Competitive Dialogue process could have its limitations, there were circumstances where it was the most appropriate method of procurement and the Council should keep all options open.

In respect of the District Council Offices, at the time that this piece of work commenced Full Council considered it to be the most suitable procurement route given all of the circumstances.

Members agreed that this Recommendation be put forward to Cabinet.

Other Issues

In response to comments from Councillor Weeks that he felt that the report of the Task and Finish Group should not be amended by this Committee, the Chairman acknowledged the depth of work undertaken by the Task and Finish Group and clarified that recommendations were ultimately made to Cabinet from this Committee.

In order to recognise the areas of disagreement, namely Recommendations 4 and 9 and to ensure that Cabinet had the benefit of seeing the original and the amended recommendations, Cabinet would receive the Task and Finish Group Report, the comments of the Senior Management Team regarding those recommendations and the Minutes of the meeting held on 6 June 2017 and this meeting.

RECOMMENDED TO CABINET:

(1) That, with the exception of Recommendations 3, 4 and 9, the Recommendations contained in the Task and Finish Group Report on the Council's Management of Larger Projects be supported;

(2) That Recommendation 3 contained in the Task and Finish Group Report on the Council's Management of Larger Projects be amended to read:

"The Council's financial information should be comprehensive and presented in the form of a business plan so the extent of profits and losses can be easily understood."

(3) That Recommendation 4 contained in the Task and Finish Group Report on the Council's Management of Larger Projects be amended to read:

"When exception reports are produced by project boards, they should be circulated to all members of Council through the Members' Information Service or by e mail and, unless they are confidential, made available to the public via the Council's website."

(4) That Recommendation 9 contained in the Task and Finish Group Report on the Council's Management of Larger Projects be amended to read:

"The Council should ensure there is meaningful consultation with the public prior to it finalising its plans; and make sure it continues to engage with the public throughout the life of the project."

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider and comment on the Task and Finish Group report on the Council's Management of Larger Projects prior to consideration by Cabinet.

25 INFORMATION NOTE - CHANNEL SHIFTING

The Committee received an information note entitled Channel Shifting.

The Customer Services Manager introduced Channel Shifting as about trying to encourage customers to self serve by improving NHDC's digital offerings whilst recognising that there were customers who did not wish to or were unable to use this method of communication.

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Channel shifting had been around for some time and NHDC had already implemented a new website which had, as part of it, a self service portal that, although not yet fully functional, would give the customers the capability to log in online into an account in future.

The e-forms package enabled certain transactions and reporting functions to take place online.

There had been a very successful project in the Revenues Team, which had involved putting some of their processes fully on-line and completing them in that way. This had enabled the team to respond to enquiries that go directly to the back office almost immediately and process transactions very quickly.

Although channel shifting was referred to as a project, it had no end date as technology was constantly evolving and some of the technology being investigated was listed in Section 3 of the Information Note.

Research was also being undertaken regarding what other Council's were offering as well as considering what could be achieved with the resources and technology already in house.

Some examples of the technology being investigated in more detail were a service which would enable the customer to move seamlessly from the traditional telephone channel to the website, a system enabling customers to self scan documents and a digital newsletter that could be sent to a wide reaching number of customers to keep them updated.

It was important to note that the existing channels were being continued and this was about finding the most appropriate methods to help those customers that want to do things on-line.

Currently there were two officers whose job roles had changed so that they were now entirely involved with digital engagement and networking with other councils.

A project plan was being formulated to ensure that relevant discussions were being held with IT and Service Managers at the earliest opportunity in order to ensure a joined up corporate approach to channel shifting.

Members expressed some concern that there was no end date to the project, as NHDC needed to move forward with their digital communications as soon as possible and were concerned that the IT Department may not have sufficient staff and resources to undertake current works and queried whether this was feasible with the current staffing levels.

Members cautioned that any system should be easy to use and not require long and complicated passwords to use and that even digital communications should have a personal touch, such as the name of the person dealing with your request. It was also important that online information encouraged further digital communication by ensuring that the information given was comprehensive.

Members commented that digital systems required economies of scale to be cost effective and that purchasing lots of systems would result in the IT department constantly being required to connect different systems together.

Members asked for clarification about what success would look like and what measures and markers were used to gauge that success, what the response time was to respond to tweets and queried whether consideration was being given to how NHDC could work with other Councils regarding channel shifting.

The Customer Services Manager clarified that although the channel shifting project had no end date, as it was something that would be ongoing, due to changing technology and demands, however specific tasks within the project would have end dates.

The project was not fully dependent on IT to be successful and before a commitment was made to any external offering IT was being consulted to see if that capability was available in house.

Data was received regarding e-form and website usage as well as how people were accessing the website. It was recognised that, as more channels became available, this didn't mean that everyone would move from one to another. Page click data was also used to ensure that the most viewed pages of the website were updated and traditional channels of communication were also reviewed.

There was currently no formal response time for tweets as they were continually monitored, but they were generally responded to on the same day..

Councils were currently sharing information on the technologies being used, what was working well and what was less effective.

The Strategic Director of Finance, Policy and Governance advised that events or services that were outside of the norm, such as Bank Holiday bin collection dates, were tweeted and put on social media.

The aim was to give people a nudge to use digital methods and that consideration was being given to maximising the capabilities of existing systems rather than spending a lot of money on new systems.

Members asked that the background papers be circulated to all Members of this Committee.

RESOLVED: That the Customer Services Officer be requested to circulate the document entitled Channel Shift – Plan for Progress to all Members of this Committee by email;

REASON FOR DECISION: To keep the Overview and Scrutiny Committee apprised of the progress made regarding Channel Shifting.

26 INFORMATION NOTE- FULL YEAR REPORT ON COMMENTS, COMPLIMENTS AND COMPLAINTS (3CS)

The Committee received an information note entitled Full year report on Comments, Compliments and Complaints (3Cs).

The Customer Services Manager drew attention to the following:

- Over that last 3 years the total number of 3Cs had reduced, although there had been an increase in the last 12 months;
- The increase in complaints this year was due to a couple of planning applications;
- The increase in compliments this year was for the Leisure Centres where a new system had been installed, which made it easier for customers to leave feedback'
- There had been one finding of maladministration by the Ombudsman, but they noted that NHDC had already been remedied.

Members asked that the percentage of interactions resulting in compliments be included in future reports and commented that John O'Connors did not appear to have any compliments despite doing an excellent job and asked how compliments were captured for this contractor.

Members asked whether all complaints received were analysed to see if there was a specific problem that could be solved and whether any benchmarking against other Councils was undertaken.

The Customer Services Manager advised that complaints were analysed and reports regarding this were available to Service Managers who are required to update them with actions taken and lessons learnt. This system had resulted in improvements in service such as Waste.

Benchmarking against other Councils was not regularly undertaken as this was not always a like for like comparison, however some enquiries had been made of Three Rivers District Council and East Herts District Council and the number of complaints, the level of stage 1 resolution and the number of referrals to LGO were all very similar.

27 CORPORATE PLAN 2018 TO 2023

The Strategic Director of Finance, Policy and Governance presented the report entitled Corporate Plan 2018 to 2023 and reminded Members that the Corporate Plan informed the Corporate Business Planning Process.

This Corporate Plan was slightly different to previous Plans in that it recognised the day to day business of the Council, as it was increasingly likely that financial constraints would result in the emphasis for Council spend to be on day to day service delivery and it was important to be aware of the uncertainties that would affect the Council's financial position.

The Corporate Plan aimed to put the day to day roles into context at the start of the document and then move through each of the objectives.

A Member queried the discrepancy on Page 68 between the number of households that waste was collected from and the number of homes that Council Tax was collected from.

The Strategic Director for Finance, Policy and Governance advised that the Waste collection figure should be increased to match the Council Tax figure.

Members commented that there was little of substance about commercialisation and that simple outsourcing of services was not a form of commercialisation.

They expressed concern that, although generally crime rates were down, there was no recognition of the rise in Domestic Abuse and the actions being taken to address this problem. They felt that this aspect needed to be made clearer.

There was some discussion about protecting the environment and that initiative such as planting trees would help the environment and make the area more attractive.

In respect of grants to local community groups a Member commented that the revised Grants Policy was unhelpful and resulted in Councillors having to award grants for more than one year because of restrictions on groups applying in successive years.

Members noted that the biggest employers in the District were retail and hospitality and that people living in the District often worked in other towns. They considered that progressive steps were needed to encourage smaller business into the towns.

There was concern that there was no mention of the differences between parished and non-parished areas and the effect that this had on local finances and services.

Members generally did not like the document. They felt that the objectives read as if they were something that ought to be said, rather than a belief and the document as a whole felt disjointed, as though the different elements were not related, but squeezed together to make a document.

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They acknowledged that policy and finance were interdependent, but felt that the Plan was purely finance rather than policy led and that there should be some comment about what success would look like which would include some measurable targets.

RECOMMENDED TO CABINET: That Cabinet consider the comments of the Overview and Scrutiny Committee made in the discussion above regarding the Corporate Plan 2018 to 2013, in particular the following:

- (i) That the document as a whole felt disjointed;
- (ii) That more hard data should be included;
- (iii) That some specific and measurable targets should be included;
- (iv) That some detail be included regarding the differences between parished and non-parished areas;
- (v) That, whilst acknowledging financial constraints, the document should be more policy led.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to comment on the report entitle Corporate Plan 2018 to 2013 prior to consideration by Cabinet.

28 INFORMATION NOTE - GREEN SPACE STRATEGY

The Committee received an information note entitled Green Space Strategy.

The Parks and Countryside Development Manager informed Members that the Information Note included details of the actions taken since February 2017 and the progress made regarding play areas and pavilions.

The team had been very proactive in seeking those interested in taking on responsibility for the play areas which included placing signage at the relevant play areas and putting information on the NHDC website.

In respect of progress made he made the following comments:

Bakers Close, Baldock

Since the information note was produced another group had expressed interest in taking on the pavilion.

St Johns Changing Rooms and Cadwell Lane, Hitchin

The football clubs using the sites were keen to take on the buildings and work was being undertaken with Community Development and the clubs to produce business cases to check that this was a viable option.

This building was in a poor condition and had been deemed by the Council as beyond economic repair therefore a lot of work would be required to bring the building up to standard.

Walsworth Changing Rooms, Hitchin

No interest had been expressed in the existing building however it was the Council's intention, subject to securing Section 106 funding, to build a new pavilion on the site and make it the hub for football in Hitchin.

Play Areas

The Council had updated its sponsorship ethos and were seeking sponsorship for larger play areas, skate parks, flowerbeds and splash parks.

This could bring in additional income to the Council which could in turn offset some of the planned closures of the smaller play areas.

Betjeman Road and Farrier Court, Royston

Royston Town Council had met to discuss the two play areas in Royston and decided not to take them on. Royston Members were seeking alternative methods of funding them.

Ivel Road, Baldock

There had been no expressions of interest for this very small play area.

Dacre Road, Hitchin

There had been no expressions of interest.

Rosehill, Hitchin

This site had a lot of community support, including the submission of a petition, however there had as yet been no offers of funding.

Symonds Road, Hitchin

This was a very small site that had not received any expressions of interest.

Jackmans Recreational Ground, Letchworth

A community group had expressed interest and were very keen to take on the management of this play area. The group had sought sponsorship from businesses to fund the ongoing maintenance of the site.

Linnet Close, Letchworth

There had been some community support for this play area, but no offers of funding.

Oaktree Close, Letchworth

No expressions of interest had been received for this very small site.

Chilterns, Cleveland Way, Fairfield Crescent and Merrick Close, Great Ashby

Detailed talks had taken place with Great Ashby Community Council and they were currently undertaking a survey of local residents to ascertain what they want regarding play areas in the future. The result of this survey was due at the end of July which may then produce potential solutions for these play areas.

The Parks and Countryside Development Manager advised that he would present an update to this Committee in March 2018 prior to a report being presented to Cabinet.

In respect of those pavilions deemed as beyond economic repair, Members queried whether the agreements made with organisations regarding these would reflect this.

The Parks and Countryside Development Manager advised that the buildings deemed as beyond economic repair would be leased at a peppercorn rate.

Members noted that, even if a play area was closed, there would still be an expense for the Council for grounds maintenance of the area. They also commented that the costs for removal of pavilions could be given to organisations taking on these buildings.

The Parks and Countryside Development Manager confirmed that the Council had decided that, even if play equipment were removed the green space would be retained and maintained to a high standard.

If a third party took on responsibility for a play area, the Council would maintain the revenue expenditure that would have been spent if the equipment was removed by continuing to cut the grass, maintain trees etc. It would purely be the maintenance and upkeep of the play equipment that would transfer to the third party.

Tuesday, 18th July, 2017

In respect of pavilions, the Parks and Countryside Development Manager advised that the difficulty in giving third parties the money set aside for demolition was that, if that organisation did not continue, the pavilion would have to be demolished anyway.

Members commended the work undertaken and the innovative methods being used.

RESOLVED: That the Parks and Countryside Development Manager be requested to bring a further update regarding progress made in respect of play areas to the meeting of this Committee due to be held on 20 March 2018.

REASON FOR DECISION: To keep the Overview and Scrutiny Committee apprised of the progress made in respect of play areas, prior to consideration by Cabinet.

29 INFORMATION NOTE - CITIZENS ADVICE NORTH HERTFORDSHIRE - MAJOR FUNDERS

Prior to the item being discussed Councillor Henry declared a declarable interest in that she was a Citizens Advice North Hertfordshire Board Member. She advised that she would leave the room for the duration of the item.

The Vice-Chairman took the Chair.

The Committee received an information note entitled Citizens Advice North Hertfordshire – Major Funders.

A Member noted that Council funding for this organisation was for a limited time period and expressed concern at what would happen at the end of that period.

The Strategic Director of Finance, Policy and Governance clarified that Council had guaranteed funding for the three year period at which time it would be reviewed. Council had not made a decision as to whether it would or would not provide funding after this period.

The Scrutiny Officer reminded Members that the Council also supported organisations with benefits in kind as well as direct funding.

Councillor Henry returned to the room and took the Chair.

30 MEMBERS' QUESTIONS

No questions had been submitted.

31 RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Scrutiny Officer presented the report entitled Resolutions of the Overview and Scrutiny Committee.

He advised that the report was in two parts with the first part being resolutions made by the Committee and most of these were either concluded or in hand.

The second part related to recommendations of Task and Finish Groups for which some were still awaiting a response from Cabinet.

The Task and Finish Group report on Commercialisation of Council Services had been presented to Cabinet approximately two years ago and as a result a Project Board had been set up to report back on how the recommendations should be implemented however there had, as yet, been no response from Cabinet as to the progress made.

Tuesday, 18th July, 2017

A Member noted that there was rarely a positive response from Cabinet regarding Task and Finish Group reports and that all too often the recommendations were not commented on, even to reject them.

The Task and Finish Groups involved a lot of people putting in a lot of work, which then generated constructive ideas and, in the case of commercialisation, Cabinet appeared to be saying they would do the work again by setting up a project board.

The Council's progress on commercialisation had been minimal at a time when additional funding would help maintain services and it felt like the time spent on the Task and Finish Group had been wasted.

He questioned the value of continuing Task and Finish Groups.

There was some discussion about the work of the Council being piece meal and not cohesive and that this appeared to be due to policy being budget led rather than a strategic policy led view.

It was noted that staff numbers had significantly reduced and that this had an impact on the work and capabilities of the Council and had resulted in projects remaining incomplete and lack resources being used as a reason not to do things.

Members felt that without effective feedback, the Committee were unable to judge whether the recommendations were helpful or not.

It suggested that a letter be sent to the Leader of the Council asking for a response regarding the Task and Finish Group on Commercialisation recommendations and suggesting that the new role of Deputy Chief Executive be given responsibility for commercial operations, also to advise that the lack of feedback to recommendations meant that Task and Finish Groups and this Committee could not judge their effectiveness.

Upon further debate Members felt that a discussion would be more beneficial than a letter.

The Strategic Director suggested an externally facilitated workshop for Members of this Committee and Cabinet to ascertain effective methods of Overview and Scrutiny that result in added value and impact on decisions.

RESOLVED:

- (1) That the report entitled Resolutions of the Overview and Scrutiny Committee be noted:
- (2) That the Chairman of the Overview and Scrutiny Committee be requested to meet with the Leader of the Council and the Chief Executive to discuss holding an externally facilitated workshop for all members of the Overview and Scrutiny Committee and Cabinet to ascertain effective methods of Overview and Scrutiny that result in added value and impact on decisions.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to improve its Overview and Scrutiny in order to have added value and impact on decisions.

32 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The Scrutiny Officer presented the report entitled Overview and Scrutiny Work Programme and drew attention to the following:

Work Programme

A draft work programme was included at page 123 of the report.

Members agreed that the Committee should receive an update on the Common Housing Policy in September and that the effectiveness of the Community Halls Strategy be added as a discussion topic for a future meeting.

Review of the North Hertfordshire Museum and Community Facility at Hitchin Town Hall

Members felt that consideration should be given to how this review might be undertaken.

Task and Finish Groups

Members considered that, in light of the discussion regarding the effectiveness of Task and Finish Groups (Minute 31 refers) all planned Task and Finish Groups should be deferred until the previously discussed workshop had taken place.

RESOLVED:

- (1) That the Overview and Scrutiny Committee Work Programme be noted;
- (2) That all planned Task and Finish Groups be deferred until after the planned workshop on effective methods of Overview and Scrutiny (Minute 31 refers) has been held;
- (3) That the Head of Housing and Public Protection be requested to provide an update on the Common Housing Policy at the meeting if this Committee due to be held on 19 September 2017;
- (4) That the following be added to the list of discussion topics for future meetings:
 - (i) The effectiveness of the Community Halls Strategy.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to plan and carry out its workload efficiently and effectively.

The meeting closed at 10.28 pm

Chairman

**OVERVIEW AND SCRUTINY
19 SEPTEMBER 2017**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

8

TITLE OF REPORT: REGULATION OF INVESTIGATORY POWERS ACT

REPORT OF THE CORPORATE LEGAL MANAGER AND MONITORING OFFICER

COUNCIL PRIORITY : RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

This Report updates on the Council's current use of RIPA

2. RECOMMENDATIONS

2.1 That the content of the report be noted.

3. REASONS FOR RECOMMENDATIONS

3.1 To comply with best practice guidance and the Committee's terms of reference.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 None

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 Members are referred to previous Reports of the Corporate Legal Manager. Members will recall that the Codes of Practice state that elected Members should review the local authority's use of RIPA.

8. RELEVANT CONSIDERATIONS

Council's Use of RIPA

- 8.1 Members may recall that it was considered that the quarterly report to Overview and Scrutiny Committee should continue even though RIPA is not currently being used, as this provides a useful mechanism to ensure that the issue of RIPA remains in the consciousness of Members (and Officers).
- 8.2 There have been no further RIPA authorisations since the last Report to the Committee. There are currently no ongoing RIPA authorisations.

9. LEGAL IMPLICATIONS

- 9.1 The Overview and Scrutiny Committee's Terms of Reference and Council's Constitution at paragraph 6.2.7(r) states that it shall be entitled to consider reports relating to the authority's use of the Regulation of Investigatory Powers Act (2000) (RIPA).

10. FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications arising from this Report.

11. RISK IMPLICATIONS

- 11.1 It is important that the Council continues to operate in accordance with RIPA to ensure that it is able to effectively manage its reputational risk whilst also exercising its legitimate evidence gathering powers in connection with enforcement activity.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 The contents of this report do not directly impact on equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups. The commencement of improvements arising from the 'Protections of Freedoms Act' strengthens existing Human Rights Legislation, protecting individuals from inappropriate levels of covert surveillance, such as that used by some authorities, featured in the national media, regarding the enforcement of school catchment areas.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The officer involvement required to comply with these statutory obligations are factored into service plans and work plans

15. APPENDICES

- 15.1 None.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

- 17.1 None

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**OVERVIEW AND SCRUTINY COMMITTEE
19 SEPTEMBER 2017**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

9

TITLE OF REPORT: PROPOSALS REGARDING THE IMPLEMENTATION OF THE HOMELESSNESS REDUCTION ACT 2017

REPORT OF: HEAD OF HOUSING AND PUBLIC PROTECTION

EXECUTIVE MEMBER: CLLR BERNARD LOVEWELL

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT / ATTRACTIVE AND THRIVING

1. EXECUTIVE SUMMARY

- 1.1 The Homelessness Reduction Act 2017 (“HRA”) will place *significant* new legal duties on the Council regarding the prevention and management of homeless persons and households.
- 1.2 The Department of Communities and Local Government (DCLG) is providing the Council with additional funding in respect of these new legal obligations and this report seeks agreement on how best to deploy these resources.

2. RECOMMENDATIONS

- 2.1 That Cabinet approves the proposed measures (outlined in section 8.3) so as to enable the Council to prepare for the Homelessness Reduction Act 2017 and discharge its new duties as regards the prevention and relief of homelessness.
- 2.2 That Cabinet delegates to the Head of Housing and Public Protection, in consultation with the Executive Member for Housing and Environmental Health, the power to deploy any unallocated Flexible Homelessness Support Grant in order to best meet increased demand for homelessness services.
- 2.3 That Cabinet delegates to the Head of Housing and Public Protection, in consultation with the Executive Member for Housing and Environmental Health, the power to deploy new burdens funding when it becomes available.
- 2.4 That Cabinet agrees the housing services base budget for 2017/18 and beyond be amended so that the current annual allocation of £6,000 for project work be reallocated to support homelessness prevention activity.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To enable the Council, acting in its capacity as the Local Housing Authority (LHA), to deploy its resources to best effect in order to meet the legal obligations contained within the Homelessness Reduction Act 2017.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Cabinet could decide against the package of measures outlined in this report. However, it is highly unlikely the new legal responsibilities introduced by the Homelessness Reduction Act 2017 could be accommodated within the Council's existing resources.
- 4.2 The Cabinet could decide to assign existing and prospective resources in a different way than set out in this report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Cllr Bernard Lovewell, the Executive Member for Housing and Environmental Health, has been consulted and is supportive of the proposals contained within this report.
- 5.2 A number of workshops were held on 4th July 2017 regarding the key elements of the Homelessness Reduction Act 2017 and also its likely impacts as regards this Council. These workshops were open to Members, Officers, and partner organisations such as Hertfordshire County Council. The resultant information and suggestions contributed to the development of the options set out in section 8.3 below.
- 5.3 The Andy Gale Housing Consultancy (that has experience of similar legislation in Wales and also the Pathfinder LHAs in England) was engaged to provide independent advice on the implications of the HRA, vis-à-vis North Hertfordshire District Council, and how best it should respond to them. This advice was also used to inform the proposals detailed below, in section 8.3.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on the 16th May 2017.

7. BACKGROUND

- 7.1 The Homelessness Reduction Act 2017 represents the most significant change to homelessness legislation since the Housing (Homeless Persons) Act 1977, which first created the legal duty for councils to house homeless people who were judged to be in priority need. The HRA received Royal Assent on 27th April 2017 and it will be enacted on 1st April 2018.

- 7.2 The HRA amends Part VII of the Housing Act 1996, bringing in substantial new duties for English LHAs and amends many of the existing statutory duties in this area. The 2017 Act intends to provide everyone who is homeless (or at risk of homelessness) with access to assistance, irrespective of their 'priority need' status. There is also a much greater emphasis on prevention work, which is enshrined within a statutory framework for the first time.
- 7.3 By way of contrast, existing legislation is very much focused around the assessment of whether a person meets specific tests regarding homelessness - only those falling within defined categories of priority need are owed assistance by the Council. These are generally families and vulnerable people such as care leavers and people fleeing violence.
- 7.4 Additionally, the 2017 Act places a new duty on "specified public authorities" to refer people they believe may be homeless or threatened with homelessness to a local housing authority. Further details about what is meant by "specified public authorities" will be set out in regulations and is likely to include the police, hospitals, GPs, prisons, and schools amongst others.
- 7.5 More information on the main provisions of the Act is contained within Appendix 1.
- 7.6 The Council assists a large number of people through homelessness prevention and relief work. This includes mediation and tenancy/mortgage legal advice services (provided by via a local young person's charity, HYH and the Citizens Advice Bureau), accommodation and support plans for young people and care leavers with Hertfordshire County Council, and support for the local night-shelter in Hitchin, run by Stevenage Haven; Discretionary Housing payments and affordable credit union loans are also made available to sustain or obtain tenancies as well as general assistance with securing or maintaining accommodation.
- 7.7 The table below provides data on homeless cases managed by the Council over the past two years. The Council receives a consistently high level of contact from members of the public with housing related queries. These range from general housing advice regarding matters such as general tenancy advice to those who may be threatened with homelessness, or already homeless. Over the last two years there have been a fairly consistent number of homelessness applications at around 150 per year and typically 50%-60% of these households will be owed the main accommodation duty under the current legislation. The Council has been successful in preventing homelessness, helping over 160 households in 2016/17.

| Cases | 2015/16 | 2016/17 |
|--|----------------|----------------|
| Total number of approaches, including advice | 1102 | 945 |
| Number of households assisted | 905 | 759 |
| <i>Homelessness applications</i> | | |
| Total homelessness applications (decisions) | 140 | 152 |
| of which, households owed main duty | 90 | 76 |
| <i>Homelessness prevention</i> | | |
| Households prevented from homelessness | 136 | 164 |

7.8 Historically, the number of people sleeping rough in the district has been very low. When the Council undertook a recent survey in June 2017, seven individuals were found to be sleeping rough in the district. This had grown to 13 following a joint review with the Hertfordshire Constabulary and the Stevenage Haven in August 2017. The ongoing effects of welfare reform and a continuing scarcity of affordable housing mean that rough sleeping is unfortunately likely to remain a district wide challenge for the foreseeable future.

7.9 Currently, the Homelessness and Housing Advice Team comprises one manager and 5.8 full time equivalent front line officers. The operating environment is challenging – the ongoing impact of welfare reform coupled with difficulties accessing accommodation in the private rented sector has created a high demand for services; this situation is unlikely to improve in the short term.

8. RELEVANT CONSIDERATIONS

8.1 The Potential impact

8.1.1 Whilst it is difficult to predict, with precision, the actual impact of the new legislation, it is clear the HRA will impose significant new burdens on the Council's housing services:

- whilst the Council already has an active prevention programme, the HRA will extend the Council's legal obligations to prevent and relieve homelessness to a much wider cohort of clients, including rough sleepers;
- these new duties require extensive assessment of need, more intensive casework (and over an extended period of time) regardless of whether an applicant may be accepted as being owed a main homelessness duty;
- there are extensive new notification requirements and the right to request a review of Council decisions has been considerably extended.

8.1.2 Experience from similar legislation recently introduced in Wales suggests that homelessness applications to the Council are likely to *at least double*. Additional demand on services will doubtless arise from the new duty on public authorities to refer cases to the Council (see 7.4 above) and also from increased public awareness as a result of national publicity (from central government, media and homelessness charities).

8.2 Funding

8.2.1 The Council's current base budget supports housing and homelessness services to the value of XXXX (TBC).

8.2.2 There are two *new* sources of funding from central government to help the Council meet these new duties:

- *Flexible Homelessness Support Grant (FHSG)* - this has been provided for an initial period of two years and is ring-fenced as regards the prevention or management of homelessness. The Council's allocation is £124,459 for 2017/18 and £140,930 for 2018/19. The future of the FHSG has yet to be confirmed by the DCLG, however it is likely to become part of core funding arrangements beyond the initial two year period and future allocations are likely to be dependent upon the levels of success in preventing and relieving homelessness.
- The *transitional 'new burdens' funding* has been earmarked by the DCLG for a two year period, starting in 2018/19. The level of funding to the Council has not yet been announced; however, funding allocations are expected to be released toward the end of the calendar year; the Council's allocation is expected to be in the region of £50,000-£70,000 a year in each of 2018/19 and 2019/20. This funding is also likely to be ring-fenced for work to prevent or tackle homelessness.

8.2.3 The current housing services base budget includes £6,000 pa for both the funding of a joint housing post with other authorities and a similar arrangement for a shared environmental health co-ordinator post. These posts have either been suspended for terminated by partner organisations.

8.2.4 In addition to the proposals in this report, officers will continue to investigate all potential sources of funding to help meet the requirements of the new legislation. This includes the use of Discretionary Housing Payments and Commuted Sums arising from planning gain.

8.3 Proposed interventions

8.3.1 General approach

Given the inherent uncertainty concerning the actual impact of the HRA (and the future of associated governmental funding) it is proposed that the deployment of the resources set out 8.2.2, *et al*, is undertaken *flexibly*. Accordingly, the proposals below relate in an initial two year period, reflecting the duration of the *Flexible Homelessness Support Grant* and the *transitional 'new burdens' funding*. Nevertheless, throughout this period, the impact of the HRA, statutory guidance, case law, and emergent best practice will be analysed and the use of resources reviewed and amended as appropriate.

8.3.2 Increased in-house capacity

Due to the expected increase in referrals to the Council, it is recommended that in-house capacity is increased commensurately in order for the Council to discharge the homelessness prevention and relief duties contained within the HRA. This increased capacity is also recommended to extend to a dedicated officer with responsibility for sourcing and maintaining a supply of private rented sector accommodation – a critical homelessness prevention tool. The Council's performance regarding the prevention and relief of homelessness is likely to significantly influence the level of future homelessness funding from central government.

8.3.3 Management of rough sleeping

People who rough sleep (and may also engage begging and street drinking) often have complex personal histories, mental and physical health care needs, and dependency issues. Accordingly, it is recommended that the Council engages with rough sleepers, from a HRA perspective, via an appropriately experienced specialist organisation. A two year outreach service should feature support tailored to the individual needs of the client to ensure a successful transition from homelessness to a stable life in the community. Should the numbers of rough sleepers fall significantly during this period, a contract provision will enable underutilised capacity to be redirected to providing advice and/or support to single people who are threatened with homelessness.

8.3.4 Unassigned grant budget

A consistent point of advice from the appointed housing consultant and other Pathfinder LHAs was the capacity of the LHA to react quickly to new challenges. Accordingly, this report recommends that the remaining FHSG and the transitional new burdens funding be retained for *ad hoc* deployment as the need arises. Accordingly, it is suggested that these allocations are subject to Executive Member and Head of Service oversight.

9. LEGAL IMPLICATIONS

- 9.1 It is within the Terms of Reference for Cabinet to prepare and agree to implement policies and strategies other than those reserved to Council. This includes policies relating to housing matters including enabling and the provision of housing and homelessness.
- 9.2 Section 4 of the Homelessness Act 2002 confirms that North Hertfordshire District Council is the Local Housing Authority (LHA) under the Housing Act 1985 Section 1 (1).
- 9.3 The Homelessness Reduction Act 2017 amends Housing Act 1996 Part VII and places new duties on English local housing authorities.
- 9.4 The Homelessness Reduction Act will come into force in April 2018 through secondary legislation (which may or may not also make transitional provisions).
- 9.5 The new section 214A of the Housing Act 1996 also makes provision for the Secretary of State to issue 'one or more' statutory codes of practice, to which local housing authorities must have regard.

9.6 The appointment of a specialist outreach service for rough sleepers, if approved by Cabinet, would be subject to the Council's Contract and Procurement Rules.

10. FINANCIAL IMPLICATIONS

10.1 The Department for Communities and Local Government has yet to announce the grant conditions regarding FHSG or *transitional 'new burdens' funding* and so the financial implications of this report are based on a number of assumptions concerning their use.

10.2 The proposed allocations of the two years of confirmed FHSG revenue, as set out in paragraph 8.3 above, are presented in the table below:

| Intervention | Purpose | Approximate cost for two years | % of FHSG | Implementation and duration |
|---|--|--------------------------------|---------------|-----------------------------|
| Increased in-house officer capacity | To increase general front line capacity with increased focus on harnessing private rented sector housing opportunities | £186k | 70.2% | January 2018 for two years |
| Rough sleeper outreach project (probably via a contract to a specialist organisation) | Reduce incidences of rough sleeping | £70k | 26.4% | January 2018 for two years |
| Subtotal | | £256k | 96.6% | |
| Unassigned budget | | £9k | 3.4% | |
| Total FHSG | | £265k | 100.0% | |

10.3 It is also proposed that existing housing projects budget for £6,000 pa (see paragraph 8.2.3 above) is reallocated to support homelessness prevention activity.

10.4 There are no specific capital implications arising from this report.

11. RISK IMPLICATIONS

11.1 The introduction of the HRA has been recorded as a corporate risk (reference RR550) due to the potential demand pressures created by the new legislation with particular reference to the availability of Council resources (i.e. appropriately experienced Officers) and its impact on the ability to discharge its new statutory duties. NB: since the Act impacts on all LHAs simultaneously, recruitment and retention of skilled staff is likely to be a significant factor.

11.2 Increased homelessness and use of bed and breakfast (B&B) accommodation is also registered a corporate risk (reference TR60). B&B accommodation is used when all designated temporary accommodation is occupied; the risk concerns the negative impact on those homeless households placed in B&B as well as the potentially significant budgetary implications for the Council. The risk is currently mitigated by a series of interventions.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 Due to the expanded scope of the HRA, no adverse effect on equalities is anticipated, as the needs of each individual household will be considered and plans put in place that are unique to their needs. However, the impact and operation of the HRA will be monitored and reviewed periodically.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1 Should the proposals be agreed, the Council’s Human Resource policies will be consulted as appropriate.

15. APPENDICES

15.1 Appendix 1 – Powerpoint slides from Andy Gale Housing Consultant

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1 None

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North Hertfordshire Council Preparing for the Homelessness Reduction Act

Andy Gale

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07770221294

Homelessness Reduction Act

- * Royal assent given and biggest change in homelessness since the 1977 Act
- * Very likely to be enacted 1st April 2018
- * Amends existing homeless legislation rather than replacing it and not retrospective so applications up to 31st March under old framework
- * The Government wants all prevention of homelessness work to be carried out under a statutory duty triggered by a homeless application

North Herts Homelessness Figures

Excellent performance in managing homeless pressures

76 households owed a statutory duty 16/17 based on 150 applications. Down from **90** accepted cases 15/16 despite 'London fall out'

1.34 per 1000 compared to 2.54 England and 5.03 London

Temporary Accommodation up (end March 2017)

0 in Bed and Breakfast

24 in hostels

45 in social housing stock

1 other

70 households in TA in total

North Herts Prevention Figures

Prevention Performance in 2016/17

79 cases prevented to remain where they were

84 cases homelessness relieved by helping to find something else

163 cases in total giving a figure of 2.87 per thousand compared to all England figure of 8.59 per thousand

More work to be done on prevention leading up to the enactment of the HRAct

By how much are homeless applications likely to rise?

Wales 26% rise but North Herts could see applications double.
Why?

1. Higher pressures compared to Wales
2. Duty on specified public authorities to refer – most will trigger a homeless application. No such duty in Wales
3. Continuing impact of welfare reform and especially ending of private sector tenancies and uncertainty over impact of Universal Credit
4. Likely to be launched with a huge publicity campaign by Gov and charities
5. Plus code likely to stress, as it did in Wales, prevention work should be undertaken under a statutory homeless application - If in doubt it triggers an application

What do DCLG say they will do to help authorities to prepare?

- * A new team of Specialist Advisors has been recruited by DCLG to support councils. Should be in post by Sept 17
- * There will be an extensive training program for Councils and it is assumed the voluntary sector
- * DCLG will consult on, then issue anew Statutory Code of Guidance in early autumn
- * DCLG will extensively change the statistical return to Government

Where is the money to implement it?

The external funding you receive for homelessness:

1. Your standard Homelessness grant paid as a named line in Revenue Support Grant – £86,451 - 17/18
2. A share of £61 million transitional funding for 2 years. New burdens money to implement the Act - *likely to be ring fenced and £70K a year paid from early 2018*
3. From 1st April North Herts received a new ‘ring fenced’ grant for homelessness – The Flexible Homelessness Support Grant (FHSG) -£124K (17/18) £140K (18/19)*set against a projected spend of 13k*
4. Discretionary Housing Payment Fund – *more money for North Herts £217K in 16/17 has gone up to £283K in 17/18 and updated flexible guidance issued by DWP in Dec 16 on using it for preventing homelessness e.g. for rent deposits, rent in advance issued December 2016*

More information on the FHSG Grant

- * The TA Management Fee (£60 a week) paid by DWP through HB to local authorities for each placement in some types of Temporary Accommodation (mainly under a lease) will be replaced by a new grant with increased overall funding giving you greater flexibility in managing homelessness pressures
- * From April 2017 every Council has received the Flexible Homelessness Support Grant - <https://www.gov.uk/government/publications/flexible-homelessness-support-grant-2017-18-to-2018-19>
- * The HB/Housing Costs element will continue to be paid by DWP. This will move to standard Local Housing Allowance rates as Universal Credit rolls out.
- * £196 million 2017/18, and £617 Million over next 3 years

You could look to add other sources of money to the 'resources' pot

- Section 106 Affordable Housing Pot – May be able to be used to pay for staffing and revenue costs to access private rented accommodation
- If there is access to any supporting people funded 'floating support' service this could be re-commissioned or used to provide an intervention team to prevent targeted at AST or social housing tenants facing possession and cases at risk of homelessness from parents or relatives
- North Herts Private Sector Housing Team could support work with landlords to access to PRS for prevention

How should you use the Money

One big pot of money to prevent and Tackle Homelessness and for costs of managing TA. Use the expanded total Pot of Money to commission what you need:

- Extra Staffing
- Rent in Advance/Rent Deposits – (pay from DHP Grant)
- Rent Top Ups – DHP and Homeless Prevention Fund
- Rent Arrears ‘Deals’ – Homeless Prevention Fund (can’t use DHP for this)
- Prevention Fund for Prevention Actions
- Landlord Incentive Deals to access the PRS in the numbers required
- New accommodation schemes

Start to prepare now – need to change your structure?

- Look at your structure and start to consider changes now. The focus will be on prevention and less focus on some of the part 7 tests we currently apply
- Tests of Eligibility and Homelessness will still be up front as will be whether the applicant has met an interim accommodation duty on the basis that they might be eligible, might be homeless and might be in priority need
- However, the tests for whether a full and final TA accommodation duty is owed if an applicant is in priority need and not intentionally homeless is ‘parked’ to much later in the process until the outcome of the relief duty is known

Start to prepare now – need to change your structure?

3 Blocks of Work Structure model

Work Block 1 – Delivering the 3 assessment duties following a homeless application

- a) Assessment 1: Are you eligible and homeless or threatened with homelessness
- b) Assessment 2: Your housing needs, circumstances, any support needs and what accommodation would be suitable
- c) Assessment 3: Discussion re the steps reasonable for the Council and applicant to take then issue the PHP

Notification of duty owed or not and if owed the outcome of assessment 2 and assessment 3 – section 184 notification needed

Start to prepare now – need to change your structure?

Work Block 2 – Prevention and Relief Casework

Either specialisms for Prevention or Generic?

Specialisms: Section 21 and possession cases and social housing possession

Family friend exclusions

Relationship breakdown

Debt

Relief casework – Accommodation finding service working with you – Think ‘Personal shopper’ idea

Start to prepare now – need to change your structure?

Work Block 3: Accommodation Procurement and TA

Nature of TA changes – need short term, fast turnover whilst 6 months accommodation sourced

Less stage 2 TA needed to meet a main statutory duty as fewer will be owed that duty

Accommodation, accommodation, accommodation needed for singles and families

Use replacement management fee flexibly for top ups

Structure Post HRA Models

The Models to consider

Delivering the new Initial Assessment and casework

Model 1: Generic Options Team undertake Block 1 and Block 2

Pros – *Continuity, one case officer responsible beginning to end of application*

Cons – *May be get ‘bogged down’ in block 1 work leaving not enough time for block 2 prevention casework*

Model 2: A separate initial assessment and advice team for block 1 freeing up options caseworkers for block 2 prevention work

Pros – *More targeted resources to do the prevention and relief work*

Cons – *handover of case and personal plan from team 1 to team 2*

Structure Post HRA Models

Delivering the Prevention and Relief Duties Models:

Model 1: New duties only delivered by the Housing Options Team

Specialist Prevention work streams or generic one team for all prevention and relief work

Model 2: New duties split e.g. Single homeless 3rd sector body contracted to deliver prevention and Relief duties for singles (all or those not likely to be priority need)

Families with Housing Options who will make any decisions on ending duties, interim duty and accepting a final main duty

Structure Post HRA Models

The potential Role of commissioning the 3rd sector to deliver part of the new prevention and relief duties?

1. Taking applications?
2. Undertaking the new assessments and delivering the Personal Plan?
3. Accepting a prevention or relief duty?
4. Carrying out casework?
5. Accepting an interim accommodation duty?
6. Ending a duty where that is negative and issuing the statutory notification?

Start to prepare now

1. Think about how to recruit. Everyone trying to recruit at the same time!
2. Structure your prevention work – Free Toolkits available to help you. The objective should be to structure prevention casework with a formal ‘offer to resolve’ to any landlord, parent excluder
3. Develop now your pathway plans for the singles and families where their homeless problem is more than a roof
4. Trial the new duties – the assessment duty, the issuing of Personal Plan – Pilot different models and record the time it takes.
5. Look for ‘Psychologically informed Training’ and delivery in a psychologically informed environment. This will only work if the staff have the skills set to make it work

Start to prepare now

- * Need to get your partners on board as they will be critical for helping you to prevent homelessness
- * Statutory and voluntary sector partners need to be fully committed
- * Inform the Homeless Forum and plan joint working through it
- * Develop an implementation plan for the HRAct
- * Update your Homelessness Strategy and most importantly the action plan in early 2018 to reflect the new duties
- * Look at the IT implications

Getting used to a whole new way of working

- * The biggest complaint from local authorities is that they are “*drowning in paperwork and legal notification letters*”
- * Every case will be open longer and require more extensive casework
- * The way the Government are likely to measure success will be the % of those owed the new prevention and relief of homelessness duties where the outcome was positive

Getting used to new way of working

- **Will need a big change in mindset** - no longer one application and one statutory decision on that application (section 184)

Will need to get used to concept of one application and several statutory decisions with a requirement to keep going back to the application and assessment

- **33 working days decision target thrown out of the window** – a case could be open for 112 days or more or for months if you decide not to take the power to end the duty
- **Change in ‘mindset’ – Many parts of Part 7 assessment relegated in importance - IH and Non priority decisions**
- * **Intentional homelessness – a thing of the past? – just 1.4% of total decisions (9% and rising in England)**
- * **Not in priority need just 4.4% of decisions in Wales (17% E)**

Impact – Learning from Wales

- * Successful outcome – 65% for prevention duty and 45% for the relief duty in Wales. Main duty acceptances down 69%
- * High drop out rate – Wales nearly 10% where a duty was ended through withdrawal or contact lost. *Similar*
- * Up to 50% or more of those helped are single people many of whom would have previously just received the basic non priority advice duty – *Will this be replicated?*
- * Only 23% preventions were keeping people in the home they are in – means 77% require other accommodation – not sustainable
- * Intentionality decisions down to 1% (currently 9%) Not in P need 4% (currently 18%). TA down 20%

How will the HRA impact on the type and number of TA units needed?

Current TA Model

- *Emergency TA whilst assessment of homeless application*
- *Then if main duty accepted – longer term – Stage 2 TA (more likely to be self contained) until social housing or PRSO to end duty*

Post HRA TA Model

- The type and number of TA Units change
- Nature of TA changes – need short term, fast turnover whilst accommodation with reasonable prospect of being available for 6 months to end prevention or relief duty sourced
- Less stage 2 TA needed to meet a main statutory duty as fewer will be owed that duty
- Fewer applicants go into TA due to prevention duty
- More applicants leave TA due to more flexibility to end Relief duty
- But non TA accommodation, accommodation, and more accommodation needed to successfully end the Prevention or Relief duties

Implications for Housing Applications and the Allocation Policy

- * Definition of reasonable preference is likely to include those applicants owed the a prevention or relief duties.
- * Will this drive up lettings to the homeless and those threatened with homelessness
- * What preference – band/points level to give? Where would they sit in your banding system
 - a) Prevention duty likely PN not IH
 - b) Prevention duty not likely PN or likely IH
 - c) Relief duty likely PN not IH
 - d) Relief duty not likely PN or likely IH
 - e) Full final duty

Should we embrace the Act or come on board screaming and kicking?

Over to you – it won't work unless everyone is committed to making it work

- It won't build produce one more unit of accommodation
- It won't reverse welfare reform

But

- It finally puts a statutory framework to the good preventative work local authorities do
- It will better protect Options Services from council financial cuts as it prevention will be a statutory duty
- It puts prevention of homelessness at the centre of the legal framework
- If we make it work it will last for a generation or more

More rights balanced by more flexibility on how to end the duty

- * Application triggered on 56 day risk bringing people into the application process and receiving statutory help
- * If then homeless or threatened with homelessness there is a duty to real help – ‘the reasonable steps’ – real help that is ‘blind’ to whether they are or may be owed a main duty
- * Rights to real help set out in a personal plan that has been developed to reflect that applicant’s needs and circumstances
- * What is currently the main housing duty or intentional homeless duty will only apply if the applicant remains homeless at the end of the Relief duty

More rights balanced by more flexibility on how to end the duty

- * Therefore little point in making a decision on whether the main duty is owed (i.e. are they in priority need and not intentionally homeless) until you know the relief duty will be unsuccessful
- * Any suitable accommodation secured of any tenure with a reasonable prospect of being available for 6 months or more ends the prevention or relief duties –This recognises reality of housing supply in North Herts
- * Non cooperation with the help provided has a consequence as does refusing suitable accommodation made to resolve homelessness

New extended Advice Duty

Strengthened General Duty to provide an Advice Service

Much more prescriptive about the type of housing advice to be provided. The local authority must provide:

preventing homelessness

securing accommodation when homeless

What the rights are of homeless people

Set out the help that is available from the Council or other services in your area and how to access help

Must be tailored to meet the needs of specified groups

New extended Advice Duty

New extended advice duty is that your service must be tailored to meet the needs of vulnerable groups where there problems are 'more than just the need for a roof'

- Care leavers
- People released from prison or youth detention
- Former members of the regular armed forces
- Victims of domestic abuse
- People leaving hospital
- People suffering mental illness
- Any other group identified by the Local Authority as being at particular risk of homelessness

This is where the need to develop Pathway Plans comes in

Taking Homeless Applications

- ❖ Applications can be made in person or in writing or from a to be specified public authority
- ❖ Where the council has reason to believe that the applicant may be homeless or threatened with homelessness (TWH) within next 56 days (was 28 days)
- ❖ Then triggers enquires from the Council into whether the person is eligible and homeless or TWH within 56 days
- ❖ If they are a new duty to take reasonable steps to prevent their homelessness (if not yet out), or
- ❖ A new duty to take reasonable steps to resolve their homeless if the council is satisfied they are homeless

Duty to assess the applicants needs

If the Council is satisfied that the applicant is homeless or TWH within 56 days triggers a brand new duty to assess:

1. The circumstances causing homelessness
2. The housing needs of the applicant, and any household members
3. What accommodation would be suitable for the applicant to obtain or retain
4. Whether there are any support needs that should be addressed when considering what steps are reasonable to take.

The applicant must be notified in writing of the outcome of this assessment

Duty to issue a Personal Plan

Next the Council must discuss with the applicant and seek to agree:

- 1 The steps that the applicant should take to keep their accommodation or resolve their homelessness (depending on which duty is owed)
- 2 In deciding on the reasonable steps to take the Council must fully consider the assessment into the needs and circumstances that caused the problem and support needs
- 3 The reasonable steps must be confirmed in writing set out in a Personalised Plan
- 4 If the applicant doesn't agree the steps they can be 'imposed' but with a written justification
- 5 The plan and assessment must be kept under review until the duty ends

How long does the prevention or relief duty last?

- * Both the Prevention and the Relief Duties last for a minimum of 56 days unless any threat of homelessness is resolved, or the applicant accepts or refuses suitable accommodation, or in the case of the prevention duty they become homeless before 56 days ends
- * Prevention duty doesn't have to be ended after 56 days
- * Valid private rented section 21 notice cases the prevention duty remains until resolved or the tenant becomes homeless
- * Local connection does not apply during the prevention duty
- * Local connection can be applied at the relief duty stage
- * New type of referral – referral of the duty to relieve homelessness made to the Council where there is a local connection

Main ways the prevention or relief duty comes to an end

1. The Council decide that the applicant now has suitable accommodation with a reasonable prospect of at least 6 months. (This could be due to prevention work, or accommodation offered and accepted, or what the applicant has taken action themselves to find accommodation or to resolve any threat of homelessness)
2. 56 days has ended
3. The applicant has become homeless
4. The applicant has refused an offer of suitable accommodation The applicant has deliberately and unreasonably refused to cooperate with the actions they agreed to take
5. They have withdrawn their application or lost contact

| |
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| OVERVIEW and SCRUTINY 19 SEPTEMBER 2017 |
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| | |
|----------------------------------|---|
| *PART 1 – PUBLIC DOCUMENT | AGENDA ITEM No. 10 |
|----------------------------------|---|

TITLE OF INFORMATION NOTE: NEW SETTLEMENT

INFORMATION NOTE OF THE HEAD OF DEVELOPMENT & BUILDING CONTROL

EXECUTIVE MEMBER: COUNCILLOR DAVID LEVETT

1. SUMMARY

- 1.1 The purpose of this Information Note is to update the Overview and Scrutiny Committee with regard work on the Council's aspiration for a new settlement.

2. STEPS TO DATE

- 2.1 Full Council on 12th February 2015 passed a resolution requiring officers to explore the potential for a new settlement within the District to address long term housing needs for the future.
- 2.2 Officer meetings were then held with the Department of Communities and Local Government (DCLG) and the Homes and Communities Agency (HCA) leading to the securing of a grant to enable an initial piece of work to be undertaken through the HCA's Advisory Team for Large Applications (ATLAS).
- 2.3 ATLAS commissioned Mott MacDonald in January 2016 to undertake a desk-based assessment considering the potential of a new settlement with the District. The report entitled *North Hertfordshire New Settlement Study* reviewed the broader issues in respect of new settlements, including different settlement typologies and delivery vehicles. No judgements or recommendations as to the new settlement were presented but the report did recognise that the planning of a new settlement will represent a complex and lengthy process which is likely to take a number of years.
- 2.4 Full Council on 11th February 2016 approved as part of the Council's revenue investment proposals an on-going budget of £30,000 each year to enable the formulation of the Council's aims and ambitions with regard a new settlement.

3. INFORMATION TO NOTE

- 3.1 The ATLAS report recognised that the new settlement process will require a considerable amount of time and resources and will require the direct involvement of a broad range of stakeholders including infrastructure providers. The provision of a new settlement within the District therefore represents one potential option for providing for significant housing need over the longer term, any substantial contribution being for future Local Plan periods.

3.2 The North Hertfordshire New Settlement Study was published on the Council's website and also forms part of the evidence base for the submission Local Plan 2011-2031 as approved by Full Council on 11th April 2016. The submission Local Plan 2011-2031 references the Council's aspirations with regard to a new settlement in:

- Policy SP8: Housing
Over the plan period 2011-2031, housing growth will be supported across the district.
We will:
 - e. *Seek to provide long-term certainty by:*
 - i. *working with the Government and other relevant agencies to identify new settlement options with North Hertfordshire that can provide additional housing options in the period after 2026;*

4. NEXT STEPS

4.1 Following submission of the Local Plan to the Secretary of State (SoS) in June 2017 officers have undertaken further work on the new settlement and are currently looking to prepare a paper around the high-level estimates of future housing requirements for the District over the long-term to 2051.

4.2 This will seek to include consideration of factors which may produce a range of requirements for the above, potentially including (but not necessarily limited to):

- a. Published long-range, national-level population projections;
- b. Published subnational population and household projections which extend beyond the time horizon of the current local plan;
- c. 'Rolling forward' methodological assumptions in existing assessments of objectively assessed housing needs for the current local plan;
- d. Alternate scenarios influencing population and / or household formation such as Brexit or a major financial recession;
- e. The proposed introduction of a standardised methodology for the calculation of local plan housing targets as referenced in the Housing white Paper to be introduced from March 2018.

4.3 Further topic papers are also proposed, currently envisaged being around possible delivery models, viability and infrastructure.

4.4 Council officers are also maintaining contact with officers of the DCLG and the HCA and submitting grant applications for additional funding when available.

5. APPENDICES

5.1 None.

6. CONTACT OFFICERS

6.1 Ian Fullstone, Head of Development and Building Control
01462 474480 ian.fullstone@north-herts.gov.uk

7. BACKGROUND PAPERS

7.1 North Hertfordshire New Settlement Study:
<https://www.north-herts.gov.uk/files/hou6-north-hertfordshire-new-settlement-study.pdf>

7.2 Local Plan Examination Library
<https://www.north-herts.gov.uk/planning/planning-policy/local-plan/local-plan-examination/examination-library>



2017/18 First Quarter PI Data

In 2017/18, NHDC is reporting against **19** corporate performance indicators.

This report presents the **red and amber** performance indicators only and displays the latest month or quarter that officers have updated and activated on Covalent. The full report can be found on the intranet at the following location.

<http://intranet.north-herts.gov.uk/home/finance-and-procurement/performance-and-risk-management/performance-management>

Generally, performance indicator data is cumulative and represents performance between 1 April 2017 and 30 June 2017. The report will indicate if any performance indicator data relates to a different reporting period.



Key for the Report



Page 67

| Status | |
|--------|--|
| | Data value has met or exceeded the target figure |
| | Data value has not achieved the target figure but it is within the agreed tolerance range |
| | Data value has not achieved the target figure and it is outside the agreed tolerance range |
| | Data value is for information only and a traffic light status is not applicable |

| Direction of Travel | |
|---------------------|---|
| | Data value has improved compared with the same time last year |
| | Data value has deteriorated compared with the same time last year |
| | Data value has not changed compared with the same time last year |

| Status Summary | | Direction of Travel Summary | |
|----------------|----|-----------------------------|---|
| | 10 | | 9 |
| | 2 | | 7 |
| | 0 | | 3 |
| | 7 | | |

| Row No. | PI Code | Title | Last Update | Data Value | Target | Status | Direction of Travel | Commentary | | | | | | |
|---|-------------|---------------------------------|-------------|------------|--------|---|--|---|---------------|-------------|---------------------|------------|---------|---------------------|
| Executive Member for Waste Management, Recycling and Environment | | | | | | | | | | | | | | |
| 18 | NI 191 | Kg residual waste per household | June 2017 | 96kg | 90kg |  |  June 16 89kg | <p>The data value of 96kg does not yet take into account the recyclable elements from street sweepings (all street sweepings currently included in the residual waste figure). NHDC is awaiting the relevant figures from HCC prior to making the necessary adjustments. When officers make these adjustments, the current data value should improve.</p> <p>LG Inform Benchmarking Data: Latest Quarter - Three-Month Period Sample - Participating English district local authorities</p> <table border="0"> <thead> <tr> <th><u>Period</u></th> <th><u>NHDC</u></th> <th><u>Top Quartile</u></th> </tr> </thead> <tbody> <tr> <td>Q4 2016/17</td> <td>93.80kg</td> <td>48.20kg to 100.60kg</td> </tr> </tbody> </table> <p>NHDC ranked 9th out of 52 (Top quartile)</p> | <u>Period</u> | <u>NHDC</u> | <u>Top Quartile</u> | Q4 2016/17 | 93.80kg | 48.20kg to 100.60kg |
| <u>Period</u> | <u>NHDC</u> | <u>Top Quartile</u> | | | | | | | | | | | | |
| Q4 2016/17 | 93.80kg | 48.20kg to 100.60kg | | | | | | | | | | | | |

| Row No. | PI Code | Title | Last Update | Data Value | Target | Status | Direction of Travel | Commentary | | | | | | |
|---------------|-------------|--|-------------|------------|--------|---|---|--|---------------|-------------|---------------------|------------|--------|------------------|
| 19 | NI 192 | Percentage of household waste sent for reuse, recycling and composting | June 2017 | 59.14% | 62% |  |  | <p>The data value of 59.14% does not yet take into account the recyclable elements from street sweepings (all street sweepings currently included in the residual waste figure). NHDC is awaiting the relevant figures from HCC prior to making the necessary adjustments. When officers make these adjustments, the current data value should improve.</p> <p>LG Inform Benchmarking Data: Latest Quarter - Three-Month Period Sample - Participating English district local authorities</p> <table border="1"> <thead> <tr> <th><u>Period</u></th> <th><u>NHDC</u></th> <th><u>Top Quartile</u></th> </tr> </thead> <tbody> <tr> <td>Q4 2016/17</td> <td>52.54%</td> <td>52.06% to 63.22%</td> </tr> </tbody> </table> <p>NHDC ranked 11th out of 60 (Top quartile)</p> | <u>Period</u> | <u>NHDC</u> | <u>Top Quartile</u> | Q4 2016/17 | 52.54% | 52.06% to 63.22% |
| <u>Period</u> | <u>NHDC</u> | <u>Top Quartile</u> | | | | | | | | | | | | |
| Q4 2016/17 | 52.54% | 52.06% to 63.22% | | | | | | | | | | | | |

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**OVERVIEW & SCRUTINY COMMITTEE
19 SEPTEMBER 2017**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

12

TITLE OF REPORT: FIRST QUARTER MONITORING REPORT ON KEY PROJECTS FOR 2017-18

REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT

EXECUTIVE MEMBER - COUNCILLOR RAY SHAKESPEARE- SMITH

COUNCIL PRIORITY: ATTRACTIVE AND THRIVING / PROSPER AND PROTECT / RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

This monitoring report provides a first quarter update on the delivery of the key projects for 17/18, first identified to the Committee in March 2017.

2. RECOMMENDATIONS

2.1 That delivery against the key projects for 17/18 be noted and commented on by the Overview & Scrutiny Committee

3. REASONS FOR RECOMMENDATIONS

3.1 To enable achievements against the key projects for 2017/18 to be considered.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 There are not alternative options as this is a monitoring report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS





5.1 No external consultation has been undertaken in the preparation of this report as it is a monitoring report. Members will, however, be aware that a report setting out the key projects was brought to this Committee on 21 March 2017.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 This report provides details on the status of the key projects for 17/18. It does not include any projects initiated after the document was agreed and is not a full report on all the projects that the Council is undertaking.
- 7.2 This report summarises the status of each of the key projects. Overall, where the delivery has been solely down to the Council good progress has been made. The following symbols have been used to summarise progress.

| Status key | |
|---|---|
|  | Project Halted / funding not available. |
|  | Project behind original due date/ unlikely to hit original due date. |
|  | Project not due for completion in 2017/18 or has not reached due date |
|  | Project Completed. |

8. RELEVANT CONSIDERATIONS

- 8.1 At the Overview & Scrutiny committee meeting in July 2016, it was agreed that monitoring progress against key projects would take place on a more frequent basis and be reported quarterly.
- 8.2 The 1st Quarter monitoring report against key projects for 2017/18 is included in Appendix A.
- 8.3 Appendix A includes the original milestones for reporting progress which were reported to this Committee in March 2017 and progress made against those actions. In addition, updates may have been provided to Executive Members and where relevant through the Members Information Service. Progress against some, will also have been monitored through the Capital monitoring reports to the Finance Audit and Risk Committee and to Cabinet.
- 8.4 At the Overview & Scrutiny committee meeting in June 2017 it was agreed that the report should include reference as to whether Projects were Prince II. Therefore Appendix A shows whether the project is classified as Prince II, and includes, the date of the last Project Board meeting and whether any exception reports have been produced since the last monitoring report.

9. LEGAL IMPLICATIONS

- 9.1 No direct legal implications arise from this report. Legal implications for the projects listed in Appendix A are considered as part of those projects and will include (but are not limited to) governance, property, planning and contractual issues. Under the Local Government Act 2000 there is a legal requirement for Councils operating Executive arrangements to appoint an overview and scrutiny committee with remit to review decisions and other actions.
- 9.2 Overview and Scrutiny's terms of reference include at paragraph 6.2.7(s) of the Constitution "to review performance against the Council's agreed priorities and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or service areas". This report gives the Committee an opportunity to comment on progress made against the projects that have been identified for delivery against the Council's objectives.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no specific revenue implications.
- 10.2 The actions identified were resourced through the corporate business planning process cycle for 2017/18 that was undertaken in 2016/17. A number of these projects formed part of the Council's capital programme for 2017/2018..
- 10.3 The Council continues to face difficult spending decisions in view of the reduction in government support in future years and the availability of funding continues to impact on the projects that can be undertaken.

11. RISK IMPLICATIONS

- 11.1 The Lead Officer for each project is responsible for identifying any risks to the successful delivery of the Project.
- 11.2 Some of these major projects have been identified as Top Risks for the Council and these are monitored quarterly by the Finance, Audit & Risk Committee. These include:
- Local Plan
 - Hitchin Town Hall
 - Office Accommodation
 - Asset Management
 - Waste and Street Cleansing Contract Renewal

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 By reporting delivery against the key projects for 2017/18 this provides a means to monitor whether the council are meeting the stated outcomes of the district priorities, its targets or delivering accessible and appropriate services to the community to meet different people's needs. This assists the Council to fulfil a number of its obligations arising from the Public Sector Equality Duty.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There are no additional human resource implications arising from this monitoring report. The resources needed to deliver projects should be considered through the Corporate Business Planning process.

15. APPENDICES

15.1 Appendix A – First Quarter Monitoring against Key Projects for 2017/18

16. CONTACT OFFICERS

16.1 Rachel Cooper, Controls, Risk & Performance Manager, Tel 474606, email Rachel.cooper@north-herts.gov.uk

16.2 Ian Couper, Head of Finance, Policy & Governance Tel 474243; email ian.couper@north-herts.gov.uk

16.3 Howard Crompton , Head of Revenues, Benefits & I.T, Tel 474247, email Howard.crompton@north-herts.gov.uk

16.4 Ian Fullstone, Head of Development & Building Control, Tel, 474480, email ian.fullstone@north-herts.gov.uk

16.5 Kerry Shorrocks, Corporate Human Resources Manager, Tel, 474224, email kerry.shorrocks@north-herts.gov.uk

16.6 Vaughan Watson, Head of Leisure & Environmental Services, Tel 474641 email Vaughan.watson@north-herts.gov.uk

16.7 Anthony Roche, Corporate Legal Manager. Contact Tel 474588 Anthony.roche@north-herts.gov.uk

17. BACKGROUND PAPERS

17.1 None





NORTH HERTFORDSHIRE
DISTRICT COUNCIL







2017/2018 reporting against Projects identified in the Corporate Plan – as at 23/08/2017

For Q1 2017/2018 North Hertfordshire District Council is reporting against 16 Projects identified in the Corporate Plan 2017 - 21.




Key for the Report

| Status key | |
|---|---|
|  | Project Halted / funding not available. |
|  | Project behind original due date/ unlikely to hit original due date. |
|  | Project not due for completion in 2017/18 or has not reached due date |
|  | Project Completed. |



| Status | Qtr1 | 16/17 | Summary of Movement |
|---|------|-------|--|
|  | 1 | 3 | Bancroft Gardens MUGA |
|  | 7 | 9 | Crematorium |
|  | 5 | 5 | |
|  | 3 | 7 | Bancroft Gardens Play Area / North Herts Leisure Centre / Norton Common Wheeled sports provision |
| Total | 16 | 24 | |

- Where projects are carried over from 1617 their amber status is retained until they are complete – to ensure transparency



APPENDIX A


| Description in Corporate Plan | Corporate Objective | Portfolio | Milestones | Due Date | Status | Comments |
|--|-----------------------|-----------|--|-------------------------------------|---|--|
| Status – RED - 1 | | | | | | |
| Delivering identified projects from the adopted Green Space Strategy NOT Prince II | Attractive & Thriving | Leisure | Bancroft Gardens MUGA (Capital contribution of £24k towards £170k project) Remainder to be funded by S106 and external grant. Investigate options for funding of project | Original due date 31/03/2017 |  | Application being made to Sport England for the further £84k needed to fund the project. Consultation currently being undertaken with local residents on the project to support the application. Even if funding secured, project will not now commence in the 17/18 year. |
| Status – AMBER - 7 | | | | | | |
| Complete the fit out and open the North Hertfordshire Museum and Community Facility 76 Prince II Date of Last Project Board – 18 July 2017 Exception report since last Quarter – None | Prosper & Protect | Leisure | | Original due date 30 September 2015 |  | NHDC is still working on the purchase of 14 and 15 Brand Street. The matter is currently subject to further discussion. Fit out of the main museum building is substantially complete with only snagging remaining. Dates for the completion of the site fit out/object installation and the public opening are dependent on when NHDC finally purchases the land. Guided tours are currently being arranged to showcase the new facilities to Members and the Public. Due date amended to 30 September 2017 to monitor the progress made over the next three months |
| Delivering identified projects from the adopted Green Space Strategy NOT Prince II | Attractive & Thriving | Leisure | Replacement of Walsworth Common Access Bridge £175,000 | Original due date Mar17 |  | No quotes received in response to the original invitation to tender. Second process undertaken and a supplier appointed subject to contract. Construction period estimated as 12 weeks once work commences. |


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| <p>Delivering identified projects from the adopted Green Space Strategy</p> <p>NOT Prince II</p> | <p>Attractive & Thriving</p> | <p>Leisure</p> | <p>Renew pathways, Bancroft Recreation Ground, Hitchin £50,000</p> | <p>Original due date Mar 17</p> |  | <p>First phase of works completed. Contact awarded for second phase. Second phase of project managed by Groundwork Hertfordshire Now that works to install the new play area have been completed, the work to renew the pathways should commence in Autumn 17</p> |
| <p>Ensuring that the Council's office accommodation is redeveloped to increase financial and resource efficiency and making best use of green initiatives</p> <p>Prince II</p> <p>Date of Last Project Board – 01 August 2017</p> <p>Exception report since last Quarter – yes – relating to a change in colour of the internal curtain wall panels, transoms and mullions.</p> | <p>Prosper & Protect</p> | <p>Finance & IT</p> | <p>Milestones for 17/18</p> <p>Refurbishment works complete.</p> <p>Return of staff to DCO</p> <p>Explore opportunities to share accommodation with other partners</p> | <p>Original due date May 16</p> <p>Feb 2018</p> <p>Mar 2018</p> <p>Mar 2018</p> |  | <p>Much of the first fix work has been completed. The glazing work is almost complete in the six storey block along with the installation of the curtain walling panels.. We are working with colleagues in Careline and with Willmott Dixon with a view to Careline moving into the DCO when we return. The design work has been completed and we are now waiting for the final price. We have also signed off the final mechanical and electrical drawings, including the siting of control panels etc. Discussions with Heads of Service, Corporate Managers and Senior Managers about desk and other requirements is almost complete and will be followed by the drawing up of plans to ensure the return to the DCO is as smooth as possible. It will be a different working environment and officers will have the opportunity to review and improve how they work. Every desk that we can save will give us more options when it comes to the possibility of using the DCO to bring in income from external users and thereby boost our revenue stream.</p> <p>Estimated handover date 30 Jan 2018 with staff being moved back into the building Feb & Mar 2018.</p> |



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| <p>Implementing outcomes from our energy audits of Council assets</p> <p>NOT Prince II</p> | <p>Responsive & Efficient</p> | <p>Finance & IT</p> | <p>Outcomes from energy audit to be reviewed in light of solar panels not being viable. Office Accommodation project outcomes may overlap. Report to Asset management group</p> | <p>Original due date Apr16</p> |  | <p>Two opportunities have been identified within the DCO works to invest in changes that will reduce our energy consumption (i.e. LED lighting and Power Factor Correction). The LED lighting will provide a payback within 4 years, and the Power Factor Correction within 10 years. During the second part of 17/18 work will be carried out to review the opportunities in relation to solar power, however it is expected that any payback will be significantly in excess of 10 years due to changes in feed in tariffs. A business case will be put forward (as part of setting the capital budget) for any viable schemes.</p> |
| <p>Development of a Crematorium in North Bedfordshire - subject to approval by Cabinet March 2017</p> <p>NOT Prince II</p> | <p>Prosper & Protect</p> | <p>Waste, Recycling & Env</p> | <p>Obtain approval to proceed</p> <p>Negotiate and agree Proposal and lease documents.</p> <p>Submission of Outline Planning application.</p> | <p>Mar 2017</p> <p>Sept 2017</p> <p>Sept 2017</p> |  | <p>A Project Board has not been created yet. Heads of terms for the option agreement and lease have been agreed in principle and we are waiting for written confirmation of the agreed heads of terms, which are subject to Cabinet approval. We have received a draft option agreement and agreement for lease. Regarding the submission of planning permission, the consultants, Vincent and Gorbng, have been appointed to assist with the process. Jointly, it has been decided that we will commence the process with a pre planning application due to the length of time since the previous pre planning application in 2014 and the significant changes in the proposed scheme. Therefore, obtaining outline planning permission will be delayed by up to three months in order to benefit from an appraisal from Central Bedfordshire Council.</p> |





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| <p>Optimising use and management of the Council's assets, including consideration of long term lease 'transfer' or similar to increase community involvement in the provision of community and social opportunities</p> <p>NOT Prince II</p> <p>Page 79</p> | <p>Responsive & Efficient</p> | <p>Various</p> | <p>Implement the two recommendations arising from the SIAS audit of Community halls;</p> <ul style="list-style-type: none"> - Report to Cabinet, reporting that officers have failed to reach agreement (and therefore implement agreed CH policy) in regard to renewal of two CA leases and seek agreement how to progress | <p>Original due date June 2016</p> |  | <p>Coombes Community Centre - Terms agreed, lease drawn up by legal and sent to the Community Centre. They are getting their solicitor to review. We are currently chasing them to complete final sign off. Completion now estimated as October 2017.</p> <p>St Michael's' Mount – Successful application to the Capital Grants Panel, subject to them signing the lease. Meeting held on 14th July 2017 to negotiate the lease.</p> <p>There are still some repairing responsibilities that the Trustees appear unwilling to accept. If the Trustees give their “in principle” agreement to sign, officers would look to get a signed lease in place as soon as possible, although the Trustees and their solicitor are likely to want to undertake due diligence. Therefore, a reasonable deadline for lease completion will be December 2017/January 2018.</p> <p>Walsworth Community Association – Successful application made to community capital fund. Agreement to lease is linked to this. Meeting with Trustees to be arranged in the next month. There are a number of issues with the building which concern the Trustees and which need further investigation (and possibly expenditure by NHDC) Current estimate is that this will not be completed until April / May 2018 at the earliest.</p> <p>Grange – Leases signed 04/08/2017</p> |
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| Status – GREEN - 5 | | | | | | |
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| <p>Renewing our waste and street cleansing contracts, continuing to provide an efficient and effective service</p> <p>Prince II Date of Last Project Board – 22 Jun 2017 Exception report since last Quarter – None</p> <p>Page 80</p> | <p>Attractive & Thriving</p> | <p>Waste, Recycling & Env</p> | <p>Tenders returned</p> <p>Inter Authority agreement signed</p> <p>Contract Award</p> <p>Contract Commencement</p> | <p>July 2017</p> <p>July 2017</p> <p>Sept 2017</p> <p>May 2018</p> |  | <p>Following the publication of the OJEU in April 2017, the councils are now working in partnership to conduct the evaluation of the tender responses throughout August 2017. A Public consultation is also due for completion by the end of August. The final award of contract to the preferred contractor will be known following the outcomes of the Cabinet and Executive processes for both EHDC and NHDC in August and September 2017. This will also include the adoption of the optional services bespoke to the individual councils. On completion of the Cabinet and Executive processes for contract award, it will also be necessary to gain both authorities approval of the final IAA for the joint contract in September and October 2017.</p> <p>The authorities will work together to form one joint shared client team of EHDC and NHDC officers to manage the contract and ensure the two different customer contact centre delivery approaches are achieved as intended.</p> <p>The new shared client team will work with the successful contractor through the mobilisation period to establish the new contract range of services, depot and IT to ensure the contract commences on time in May 2018.</p> |

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| <p>Submission of a Local Plan for North Herts</p> <p>Not Prince II</p> <p>Page 11</p> | <p>Prosper & Protect</p> | <p>Planning & Enterprise</p> | <p>Submission of local plan for examination</p> <p>Public Examination (timescale dependant upon Planning Inspectorate)</p> <p>Inspectors Report (timescale dependant upon Planning Inspectorate)</p> <p>Adoption of the new local plan (timescale dependant upon Planning Inspectorate)</p> | <p>Spring 2017</p> <p>Autumn 2017</p> <p>Early 2018</p> <p>Spring 2018</p> |  | <p>Following the Full Council resolution on 11 April 2017, the Local Plan was submitted to the Planning Inspectorate on 9 June 2017. Milestone dates post submission are out of NHDC's control, as they are subject to the Planning Inspectorate's timetable. Therefore, the relevant due dates might change.</p> <p>Dates and a venue for the independent examination of our Local Plan will be announced in due course once the Inspector has completed an initial appraisal of the Plan</p> |
| <p>Working with health partners to optimise opportunities for older people to remain living independently but well supported at home, and for children/young people to be offered opportunity to increase activity to prevent longer term ill-health</p> | <p>Responsive & Efficient</p> | <p>Housing & Env Health</p> | <p>Deliver and report progress against projects agreed for funding under the 'District Offer'</p> <p>Deliver and report progress against projects agreed for funding under Community Sport Activation Fund</p> | <p>Jun. Sep, Dec, Mar</p> <p>Jun and Dec</p> |  | <p>All progress reports completed on time. Programme spans more than one financial year.</p> <p>17-Jul-2017 Figures from the 18-month report to Sport England for the Get Active North Herts programme:</p> <p><u>Unique Participants</u> Total participants reached in 18 months (as at 30 June 2017) – 4,636 Sport England target for year 2 (due 31 December 2017) – 2,089</p> <p><u>Throughput</u> Total throughput in 18 months (as at 30 June 2017) – 36,270 Sport England target for year 2 (due 31 December 2017) – 51,976</p> |

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| NOT Prince II | | | | | | Officers anticipate that both target figures will be achieved at the end of 2017, as the relevant schemes are extremely popular and demand remains high. |
| Investigating a range of options to improve use of Council assets NOT Prince II | Responsive & Efficient | Various | Obtain Cabinet approval to establish a Property Company Set up Property Company | 31 Mar 2018 |  | A report is currently being prepared for the Cabinet Sub-Committee (Local Authority Trading Companies Shareholder) to seek decisions in relation to the set-up and registration of the property company |
| Jackmans central play area renovation (£75,000). NOT Prince II | Attractive & Thriving | Leisure & Environment | | Mar 2018 |  | Consultation period ended July 2017. Contractor then to be appointed with works to start in Feb/ March, taking one month to complete. |
| Status – COMPLETE - 3 | | | | | | |
| Delivering identified projects from the adopted Green Space Strategy NOT Prince II | Attractive & Thriving | Leisure | Bancroft Gardens Play Area £ 75,000 | Throughout 2016/17 |  | Commenced project May 2016, Public Consultation took place Sep/Oct. Project completed 16 June 2017 |
| Redeveloping and improving the North Herts Leisure Centre to ensure it is fit for purpose and offers greater opportunities to meet latent customer demand | Responsive & Efficient | Leisure | Teaching pool completion | Original due date Feb17 Actual completion date 7 Jul17 |  | Work at the Leisure Centre is now complete. Final handover took place on 7 July. The official opening ceremony is due to take place in October 2017. |

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| <p>Prince II Date of Last Project Board – 18 August 2016 Exception report since last Quarter – None</p> | | | | | | |
| <p>Delivering identified projects from the adopted Green Space Strategy</p> <p>NOT Prince II</p> | <p>Attractive & Thriving</p> | <p>Leisure</p> | <p>Norton Common wheeled sports provision improvements £154,000</p> | <p>Original due date Mar17</p> <p>Actual completion date 23/08/2017</p> | <p></p> | <p>A consultation event with stakeholders took place on the 5th December following which the contractor was appointed. At first quarter project value increased to £170K, all funded by section 106 contributions. Final design agreed after further consultation and order placed with the supplier. Work completed, with official handover to take place Friday 25 August.</p> |

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**OVERVIEW AND SCRUTINY COMMITTEE
19 SEPTEMBER 2017**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

13

TITLE OF REPORT: ANNUAL SAFEGUARDING CHILDREN AND ADULTS AT RISK UPDATE (2016-17)

REPORT OF THE ACTIVE COMMUNITIES MANAGER

EXECUTIVE MEMBER FOR POLICY, TRANSPORT AND GREEN ISSUES (INC. CHILDREN'S CHAMPION) AND EXECUTIVE MEMBER FOR HOUSING AND ENVIRONMENTAL HEALTH

COUNCIL PRIORITY : PROSPER AND PROTECT

1. EXECUTIVE SUMMARY

The Council has robust procedures in place that govern how staff and members deal with concerns about children and adults at risk in order to maintain our statutory duty to safeguard their welfare. Work is ongoing to ensure that these procedures are understood and followed throughout the organisation.

2. RECOMMENDATIONS

- 2.1 That the Overview and Scrutiny Committee receive and comment on the annual report of progress made against the Council's fulfilment of the statutory duty to maintain an effective safeguarding function with regard to children.
- 2.2 That the Overview and Scrutiny Committee receive and comment on the annual report of progress made against the Council's fulfilment of the statutory duty to maintain an effective safeguarding function with regard to adults at risk.
- 2.3 That the Overview and Scrutiny Committee agree that sufficient and robust processes are in place at NHDC for application and review of safeguarding processes, and that an annual review and presentation to this committee should continue.

3. REASONS FOR RECOMMENDATIONS

The recommendation(s) contained within paragraph 2.1, 2.2 and 2.3 are made due to this being the best course of action that can be accommodated within the approved budget and officer resources, that will fulfil our statutory and lawful obligations but also ensure that a regular, corporate review exists.

4. ALTERNATIVE OPTIONS CONSIDERED

None applicable.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

The Executive Member for Policy, Transport and Green Issues (inc. Children's Champion) has been consulted and is satisfied with the content of the report. The Executive Member for Housing and Environmental Health have been consulted and is satisfied with the content of the report.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 Section 11 of the Children Act 2004 places a duty on all statutory agencies working with children and young people to 'safeguard and promote their welfare'. The duty means that key people and bodies must make arrangements to ensure their functions are discharged with full regard to the needs to safeguard and promote the welfare of children. This also includes responsibility to monitor sufficient arrangements in services they contract out to others.

7.2 The Care Act 2014 came into effect on 1st April 2015 and places a statutory duty on local authorities to provide services to meet the needs of adults who require care and support. A duty to establish a Safeguarding Adults Board in every local authority area was introduced and a duty placed on Districts Councils and other local organisations to cooperate fully with the board. This duty involves both referring concerns and providing information when requested to assist with investigations. District Council representation is maintained on both the Hertfordshire Safeguarding Adults Board and Hertfordshire Districts Safeguarding Group.

7.3 Our statutory function remains that of referring concerns to the relevant agency for necessary action. When making a formal referral, the Council should receive notification as to whether the referral has met the threshold or not. An officer who had significant dealings with the victim could be asked to contribute to a case conference. Where this is not the case, we would rarely be informed of further action.

8. RELEVANT CONSIDERATIONS

8.1 Prevalence of referrals made by NHDC:

Changing prevalence of referrals rarely correspond to an actual change in the numbers of people experiencing abuse. Referral prevalence is more commonly influenced by opportunities that raise awareness of the potential for abuse amongst individuals, such as high profile national cases such as Jimmy Saville or local developments in training and information.

It is misleading to compare our referral prevalence with other organisations or local authorities due to the differences in the types of services provided and the varying size of the organisations.

8.2 Between April 2016 and March 2017 NHDC referred 3 children and 2 adults to Hertfordshire County Council (HCC) regarding concerns that there was a significant risk of abuse. In addition to this, 5 referrals were made regarding victims of domestic abuse, 4 of which had children present in the household. NHDC also deemed 9 families with children to be intentionally homeless, which results in an automatic referral to HCC for the children.

There was no significant change in the number of referrals between the last twelve month period and any other year for which we hold data.

8.3 Both the Hertfordshire Safeguarding Children's Board and Adults Board collate county wide data on referral rates by District from all sources. They have also reported no significant changes in referral rates.

8.4 Actions completed April 2016 to March 2017:

- A Safeguarding Support Officer was employed in September 2016 providing a dedicated resource. The role focuses on organising training, raising the profile of safeguarding across the organisation, managing the corporate safeguarding database, representing NHDC at local meetings and maintaining up to date procedures.
- A corporate database of all referrals and incidents is now maintained allowing us to cross reference cases where there are multiple concerns and respond to requests for information from outside agencies.
- A dedicated safeguarding email account was established for internal use ensuring referrals are responded to in a more timely manner.
- Level 2 safeguarding adults training was delivered to all Designated Safeguarding Officers. This has to be refreshed every two years.
- Level 1 safeguarding children's training was delivered for any new starters and as a refresher for all housing staff. This has to be refreshed every three years.
- The Safeguarding Support Officer now represents NHDC on the Local multi-agency safeguarding forum for North Herts and Stevenage. Previously we had not been represented on this group and were missing an opportunity to share information with other organisations in North Herts.
- Full attendance at the Hertfordshire District Safeguarding group was maintained ensuring we met with the nine other Councils and the adults and children's boards four times in the year.
- New starter documents were updated so that all staff receive a safeguarding briefing note on their first day.

- A corporate safeguarding group was established providing all Designated Safeguarding Officers and Prevent leads an opportunity to meet twice a year. This is a recommendation in Section 11 of the Children Act 2004.
- An audit of our practices was completed with the Hertfordshire Safeguarding Adults Board. We received good assurances that our policies and procedures are compliant and are working to complete any identified actions.
- Following the national Football Association allegations into child abuse in football, we responded to a request from by the Hertfordshire Safeguarding Children's Board for information about the safeguarding practices employed by our leisure contractors and the means by which these are monitored.
- A safeguarding article now features in every monthly Insight, the internal magazine for staff and Councillors.
- Posters, leaflets and guidance on recognising and responding to signs of child sexual exploitation were sent to every taxi driver, B & B's, hotel, licensed premises and HMO.
- A credit card sized leaflet containing key facts about how to recognise and respond to child abuse has been produced and circulated to all staff and Councillors.

8.5 Work planned for April 2017 to March 2018:

- Level one safeguarding adults and safeguarding children training will be delivered for new staff or those requiring their 3 year refresher.
- Mental Capacity Act training will be delivered. This will assist staff handling adults at risk referrals to determine if the adult has sufficient mental capacity to decline their information being shared.
- Level 2 safeguarding children training will be delivered to all Designated Safeguarding Officers requiring their 2 year refresher.
- Our basic level e-learning package Safeguarding Children and Adults is being updated. In September 2017 we will be recommending to the Senior Management Team that this becomes mandatory training for all staff.
- A domestic abuse policy and procedure is being written to capture the good work already being undertaken. Training has recently been delivered on domestic abuse.
- All Designated Safeguarding Officers will be receiving training from Operation Tropic covering modern day slavery and human trafficking.

9. LEGAL IMPLICATIONS

9.1 The terms of reference for Overview and Scrutiny Committee include to Overview and Scrutiny Committee paragraph 6.2.7(y) "Consider reports relating to the authority's safeguarding responsibilities".

9.2 The relevant legislation includes the Children Act 2004, the key points of which are:-

- Section 11 places a statutory duty on key people and bodies – including district councils to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children.
- Section 10 outlines the duty to promote inter-agency cooperation between named agencies (including district councils).
- Section 13 gives district councils representation on, and participation in, Local Safeguarding Children's Boards (LSCBs).

- 9.3 Other relevant legislation is The Care Act 2014 came into effect on 1st April 2015 and places a statutory duty on local authorities to provide services to meet the needs of adults who require care and support. A duty to establish a Safeguarding Adults Board in every local authority area was introduced and a duty has been placed on District Councils alongside other local organisations to cooperate fully with the board.
- 9.4 The key responsibility for safeguarding in Hertfordshire lies with the County Council and it is important to remember that it is not the responsibility of any District Council Member, employee, volunteer or contracted service provider to determine whether abuse is being experienced, or has taken place, or indeed the nature of any abuse.

The role of the member, employee, volunteer or contracted service provider is to inform and report concerns, not to investigate or judge. A District Council is not responsible for investigating any safeguarding incidents or allegations, involving children, young people or vulnerable adults, but provides the local 'eyes and ears' to enable a route to report any concerns.

10. FINANCIAL IMPLICATIONS

- 10.1 Ongoing training for staff will be funded from existing budgets. However it should be noted that there are increased training needs for both staff and members in response to the national agenda e.g. Child Sexual Exploitation, Prevent, domestic abuse which may place additional pressure on learning and development budgets. A corporate training budget is held by Learning and Development and can be bid for should individual services not have the capacity to meet the costs of their training needs.
- 10.2 Following a restructure of the Active Communities Team, the post of Safeguarding Support Officer has been funded through existing budgets therefore not requiring additional resources.
- 10.2 There are no capital implications.

11. RISK IMPLICATIONS

- 11.1 Progress on implementing and reviewing "Policies for Safeguarding Children and Safeguarding Adults at Risk of Harm" is tracked on the risk register via risk entry RR278. The latest assessment of the identified risks, completed in March 2017, scored the Impact as being "High" but the Likelihood as being "Low".
- 11.2 NHDC's safeguarding policies and procedures outline the various steps taken by North Herts District Council to reduce the risk to employees, children and adults at risk accessing our services, including procedures for safe recruitment, learning and development for employees and reporting procedures for employees with concerns.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 Due to their age, development and dependency on adults including in the delivery of services, children are vulnerable and therefore often more open to abuse. They have a legal right to be protected and for organisations to take appropriate action to prevent and report suspected abusive behaviour. The Equality Act supports the Children Act 2004 to provide this protection to vulnerable children.
- 12.3 Equally, adults who are more vulnerable, either through decreased mental capacity/age related dementia, learning difficulties, or their personal domestic situation i.e. changing from one residential care home to another, have a legal right to be protected and for organisations to take appropriate action to prevent and report suspected abusive behaviour.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The Human Resources role in safeguarding is, in the main, covered by processes contained in the Recruitment and Selection Policy and the Disclosure Barring Service Employment Checks Policy. HR also assist with learning and development and there are no additional human resource implications to this report.

15. APPENDICES

None

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

None

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RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE: 19 SEPTEMBER 2017

SECTION 1: COMMITTEE RESOLUTIONS

| Ref | Resolution | Response/Outcome | State of Play |
|-------------------|---|--|------------------------|
| Min 106 Mar 17 | Performance Management Measures for 2017/18 That the Chief Executive advise Members of the Committee of the exact percentage of Council Tax collected in year (BV9) and the procedures used to collect outstanding amounts | Passed to the Chief Executive for action | Pending |
| Min 111 Mar 17 | Resolutions Report: Task & Finish Groups That Chairman be authorised to look into the issue of actions taken following Task and Finish Groups and report back to this Committee on her conclusions. | The state of play with the last three Task and Finish Groups has been set out in Section 2 of this report. The Committee has decided to hold a workshop on the effectiveness of Overview and Scrutiny in NHDC. | In hand |
| Min 16 June 17 | Work Programme That the Chairman, Chief Executive and Scrutiny Officer be requested to develop the outline for a workshop that would enable Members to identify issues and topics for discussion at future meetings of this Committee; That the Head of Development and Building Control be requested to formulate a discussion paper regarding the Strategy for a New Settlement to be presented at the next meeting of this Committee; | A meeting has been arranged for 26 September 2017. This item is on the agenda for September's meeting. | In hand In hand |

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| <p>Min 24 July 17</p> | <p>Task and Finish Group on the Council’s Management of Larger Projects <i>Recommended to Cabinet:</i> That, with the exception of Recommendations 3, 4 and 9, the Recommendations contained in the Task and Finish Group Report on the Council’s Management of Larger Projects be supported;</p> <p>That Recommendation 3 contained in the Task and Finish Group Report on the Council’s Management of Larger Projects be amended to read: “The Council’s financial information should be comprehensive and presented in the form of a business plan so the extent of profits and losses can be easily understood.”</p> <p>That Recommendation 4 contained in the Task and Finish Group Report on the Council’s Management of Larger Projects be amended to read: “When exception reports are produced by project boards, they should be circulated to all members of Council through the Members’ Information Service or by e mail and, unless they are confidential, made available to the public via the Council’s website.”</p> | <p>Cabinet will consider the report at its meeting on 26 September 2017</p> | <p>Pending</p> |
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| | <p>That Recommendation 9 contained in the Task and Finish Group Report on the Council’s Management of Larger Projects be amended to read:</p> <p>“The Council should ensure there is meaningful consultation with the public prior to it finalising its plans; and make sure it continues to engage with the public throughout the life of the project.”</p> | | |
| Min 25 July 17 | <p>Channel Shifting</p> <p>That the Customer Services Manager circulate the document entitled Channel Shift – Plan for Progress to all Members of this Committee by email,</p> | This has been circulated. | Complete |
| Min 27 July 17 | <p>Corporate Plan 2018-23</p> <p>Recommended to Cabinet: That Cabinet consider the comments of the Overview and Scrutiny Committee made in the discussion above regarding the Corporate Plan 2018 to 2013, in particular the following:</p> <p>(i) That the document as a whole felt disjointed;</p> <p>(ii) That more hard data should be included;</p> <p>(iii) That some specific and measurable targets should be included;</p> <p>(iv) That some detail be included regarding the differences between parished and non-parished areas;</p> <p>(v) That, whilst acknowledging financial constraints, the document should be more policy led.</p> | <p>Cabinet:</p> <ul style="list-style-type: none"> • rejected Recommendations (i), (ii), (iii) and (v) • accepted recommendation (iv) • changed the sub-heading regarding disadvantaged people • authorised the Executive Member for Policy, Transport and Green issues to agree any minor typographical or re-drafting amendments to the document prior to its submission to Council; and • Recommended to Council that the Corporate Plan 2018 to 2023, be adopted. <p>Council adopted the Corporate Plan on 31 August</p> | Committee to note |

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| Min 28 July 17 | Green Space Strategy That the Parks and Countryside Development Manager bring a further update regarding progress made in respect of play areas to Committee's meeting on 20 March 2018. | Noted by the Parks and Countryside Development Manager | In hand |
| Min 31 July 17 | Resolutions Report for July 2018 That the Chairman of the Overview and Scrutiny Committee meet with the Leader of the Council and the Chief Executive to discuss holding an externally facilitated workshop for all members of the Overview and Scrutiny Committee and Cabinet to ascertain effective methods of Overview and Scrutiny that result in added value and impact on decisions. | A meeting has been arranged for 26 September 2017. | In hand |
| Min 32 July 17 | Work Programme That all planned Task and Finish Groups be deferred until after the planned workshop on effective methods of Overview and Scrutiny (Minute 31 refers) has been held; That the Head of Housing and Public Protection provide an update on the Common Housing Policy at the meeting if this Committee due to be held on 19 September 2017; That the effectiveness of the Community Halls Strategy be added to the list of discussion topics for future meetings. | Noted by the Scrutiny Officer Officers have advised that an update on this item would be more timely later in the year so it has been added to the agenda for the Committee's meeting in March. Noted by the Scrutiny Officer | In hand In hand In hand |

SECTION 2: RECOMMENDATIONS OF TASK AND FINISH GROUPS

| Ref | Resolution | Response/Outcome | State of Play |
|-------------------|---|---|---------------|
| Min 100 Mar 15 | <p>Task and Finish group Report on Parking</p> <p>Recommendations</p> <p>1: The Council should review its policies to ensure adequate provision of parking for town centre residents.</p> <p>2. The Council should consider outsourcing the management and maintenance of its car parks, or sharing the costs with another authority, provided there is a good business case for doing so.</p> <p>3. The Council should consider acquiring land in order to provide new car parks when there is a need and a good business case for doing so.</p> <p>4: The Council should keep the problem of verge parking under review.</p> <p>5. The Council’s Parking Strategy should contain a section on parking for rail commuters.</p> <p>6. The Council should review the opening hours of its car parks.</p> <p>7. In order to do so, the Council should gather sufficient data about the usage of car parks, particularly at times when there is no charging, so it can make an informed decision about opening hours.</p> | <p>Cabinet resolved that that, taking into account the Senior Management Team’s comments set out at Paragraph 7.3 of the report, Recommendations 1 to 9 contained in the Report of the Scrutiny Task and Finish Group on Parking be supported and progressed at appropriate times in the future.</p> <p>A parking review is under way.</p> | Pending |

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| | <p>8. The Council should talk to its local MPs to see if they can facilitate a dialogue with Network Rail and the train operating companies about provision of more parking around stations in North Herts.</p> <p>9. The Council should review its policy on season tickets, including ways of boosting their sales. This could include better publicity; making sure the process of buying them is as straightforward as possible; using alternative outlets such as shops; and allowing season tickets to be transferable in some circumstances.</p> | | |
| Min 50 Sept 15 | <p>Task and Finish Group on the Commercialisation of Council Services</p> <p>The Task and Finish Group made 9 recommendations which were considered by Cabinet on 10 November 2015. Its recommendations were:</p> <p>1. The Council should appoint a senior commercial manager to lead and coordinate its commercial activities; and to identify and develop new commercial opportunities.</p> <p>2. The Council should appoint a high level commercial board comprised of councillors, officers and others with commercial experience. The board can advise the Cabinet about the feasibility of commercial opportunities and review the performance of existing ones.</p> | <p>Cabinet considered its recommendations in November 2015 and:</p> <ul style="list-style-type: none"> • accepted recommendations 3 and 6; and • established a Project Board to advise Cabinet on these and the other recommendations. <p>The Project Board was scheduled to report to Cabinet in June 2016. It has yet to do so. Cabinet did, however, receive a progress report on the work of the Project Board on 28 March 2017. At that meeting Cabinet:</p> <ul style="list-style-type: none"> • endorsed the establishment of a housing company and the progression of proposals to create a new North Hertfordshire Crematorium; • | Pending. |

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| | <p>3. The Council should pursue income generation opportunities where it has the skills, experience and resources to do so. These should be compatible with the Council’s strategic objectives, and at a level of risk which would not threaten the Council’s core services in the event of an enterprise’s failure.</p> <p>4. The Council should explore the possibilities of property investment as a means of generating revenue.</p> <p>5. The Council should use the expertise of its strategic partners to help manage its property portfolio.</p> <p>6. The Council should review its assets register to understand whether any of them could be used for property development or other commercial purposes.</p> <p>7. Commercial activities should bear the true cost - but no more than that – of any support they receive from the Council.</p> <p>8. The Council should review its training programmes for senior and other key staff to include more commercial training, networking and mentoring activities.</p> <p>9. The Council should have a scheme that recognises officers who make useful commercialisation proposals or make significant contributions to their success.</p> | <ul style="list-style-type: none"> • endorsed the establishment of a Cabinet sub-committee to deal with share holder functions relating to both of these as well as commercial activities related to its Building Control, CCTV and North Hertfordshire Homes. This change was subsequently agreed by Council in April; and • supported the development of commercial activities where they contribute to the financial sustainability of the Authority and provided services to the residents of North Hertfordshire. <p>Cabinet has not yet responded to all of the recommendations of the Task and Finish Group.</p> | |
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| <p>Min 103 Mar 16</p> | <p>Task and Finish Group on the Quality of Council Reports: Recommendations</p> <p>1: The Council should review its report template and consider adopting the features of the alternative report template in Annex 1.</p> <p>2: Reports should clearly state their purpose.</p> <p>3: Reports should include timelines showing financial and timetable changes for projects.</p> <p>4: The Council should be mindful of the burden of producing reports and consider doing so only when decisions are required. Reports should not be used to brief members unless there is a compelling reason for it.</p> <p>5: The Council should introduce a document management system to enable proper tracking, management and storage of documents.</p> <p>6: There is a need for training to encourage both plainer English and for officers to better understand the purpose of reports.</p> <p>7: The Council should trial the introduction of paperless reports with a view to introducing paperless reports for all 49 councillors.</p> | <p>Cabinet considered the report at its meeting in June 2016 and:</p> <ul style="list-style-type: none"> • accepted recommendations 2, 3, 5 and 6; • accepted recommendation 1 to review the Council’s report template but did not undertake to adopt the features of the template annexed to the TFG report; • accepted recommendation 4 with the caveat that there are circumstances, such as when it is a legal requirement, when it is appropriate to use Council reports to brief members; • accepted recommendation 7 with the caveat that Members still retain an option to receive paper copies of reports. <p>The Council’s report template and accompanying guide have since been reviewed and amended. The revised report template was introduced from the start of the civic year 2017/18.</p> <p>The Committee is due to receive a report on the implementation of the recommendations at a future meeting</p> | <p>Pending</p> |
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| OVERVIEW AND SCRUTINY COMMITTEE 19 SEPTEMBER 2017 |
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| PART 1 – PUBLIC DOCUMENT | AGENDA ITEM No. 16 |
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TITLE OF REPORT: OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME FOR 2017/18

REPORT OF THE SCRUTINY OFFICER

EXECUTIVE MEMBER: NOT APPLICABLE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

The Committee's work programme for 2017/18 is set out below.

2. RECOMMENDATIONS

It is recommended that the Committee:

- comments on the attached work programme for Committee meetings;
- holds the annual Crime and Disorder Scrutiny Committee meeting in December; and
- gives the Chairman the authority to vary the Committee's agenda for future meeting if any changes are necessary.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To allow the Committee to set its work programme and operate effectively.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Committee has varied its approach to overview and scrutiny over the years. For most of this time, its agenda has usually been centred on the Forward Plan, Constitutional requirements and other regular topics. The Committee has resolved to widen its agenda so it can enter the process of policy development earlier.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Committee is consulted about its work programme at every meeting. It also held a workshop on 19 April 2017 to discuss the best way forward.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The Committee has decided to consider a wider range of topics as potential agenda items and look at those topics earlier in the policy development process. By doing so it hopes to be able to influence policy making at an earlier stage.
- 7.2 Alongside this, the Committee will continue with some elements of the traditional approach to setting its agenda by using the Forward Plan; and meeting the statutory obligations which have been delegated to the Committee to look at safeguarding, RIPA and crime and disorder.
- 7.3 The Scrutiny Officer will review some extra sources of information to identify possible agenda items to assist the Committee in its new approach - essentially to look at issues earlier while there is still time to say something meaningful about them to Cabinet.
- 7.4 There will still be six regular meetings a year. The Committee will probably add only one extra item per meeting. Some extra officer time will be needed to produce an information note and attend the Committee; but this should be offset by the time saved by other officers not having to produce reports or briefing for Executive Members and not having to attend the Committee. The net effect of the new approach on officer time should be minimal.

8. RELEVANT CONSIDERATIONS

- 8.1 A work programme is set out at **Appendix A** for the Committee's consideration. The Forward Plan for 22 August 2017 is attached at **Appendix B**.
- 8.2 The Crime and Disorder Scrutiny Committee usually takes place at the Committee's meeting in December and it is recommended that it does so again this year. Last year the Police and Crime Commissioner (PCC) for Hertfordshire and the Chief Inspector for North Hertfordshire attended. The Committee may wish to consider who to invite this year.
- 8.3 The Scrutiny Officer will review other potential topics and give a verbal update to the Committee to ensure the information is as up to date as possible. The Committee is advised to add one extra topic per meeting to its agenda. In doing so it may be wise to select two or three topics of interest and to prioritise them in case officers are unavailable to attend.
- 8.4 In July, the Committee asked for an update on the Common Housing Allocation Scheme (CHAS) at this meeting. This will now come in March because further changes to the CHAS are very likely to go before Cabinet in March 2018 which will allow the Committee to receive an update on current CHAS activity and to examine the adoption of the updated CHAS.
- 8.5 As there are significant gaps between the meetings of the Committee, there may be items which are identified after the Committee has met or items which need to be moved to other meetings. The Committee is therefore asked to give the Chairman the authority to agree any changes to future agenda where necessary.

Scrutiny Workshop and the Task and Finish Group Programme

- 8.6 The Committee decided to hold a workshop involving the Cabinet to consider the value that scrutiny has to the Council and how it might be improved. It has not been possible to arrange a preliminary meeting between the Chairman of the Overview and Scrutiny Committee, the Leader of the Council and the Chief Executive until 26 September so there is no progress to report to this meeting.
- 8.7 The Committee's Task and Finish Group programme has been deferred until the Committee has held its workshop. **Consultation and Engagement** is the next topic.

9. LEGAL IMPLICATIONS

- 9.1 Under Section 6.2.5 of the Constitution the Committee is responsible for setting its own Work Programme.
- 9.2 Section 6.2.7 (u) of the Constitution allows the Committee "to appoint time limited task and finish Topic Groups to undertake detailed scrutiny work report back to the Overview and Scrutiny Committee to make recommendations to the Cabinet."
- 9.3 The legal implications at paragraphs 9.1 and 9.2 reflect that the Committee has some latitude in the Constitution to set its own work programme. However there are three important further considerations to take into account in relation to the content of the report. Firstly, the Committee must retain the capacity to undertake the statutory requirements included within its terms of reference. Secondly, the quarterly revenue and capital monitoring reports are constitutionally the responsibility of the Finance, Audit and Risk Committee to review. It would not be an effective use of time to also report on these to the Overview and Scrutiny Committee. Thirdly, any substantive change to the Committee's approach which required a change in the Council's Constitution would require approval by Full Council, as only Full Council can approve substantive changes to the Constitution.
- 9.4 Paragraph 6.2.4 of the Council's Constitution states that "It is the responsibility of the Head of Paid Service to ensure appropriate officer support for the Overview and Scrutiny Committee" [underlining added for emphasis]. The proposals may require more support than is considered appropriate given the size and capacity of the Council workforce.

10. FINANCIAL IMPLICATIONS

- 10.1 The scope of the options presented in section 7 and 8 could be quite wide, depending on how they are applied in practise. As detailed in the Human Resources implications (section 14), there could be significant impacts on Officer time in terms of writing reports, analysing information and attending Committee meetings. The number of Officers has reduced over recent years in line with funding pressures, and this makes it unlikely that this could be absorbed within current workloads. Even if it could be absorbed, it would limit the time that Officers could spend on other activities. From a financial perspective this could reduce the amount of time that can be spent on identifying and delivering cost reductions, income generation and project management.
- 10.2 Whilst not significant, for Officers below Senior Management level there is a Committee Attendance Allowance that is payable at £24.20 per Officer per meeting. This is in addition to providing Time of in Lieu.

11. RISK IMPLICATIONS

- 11.1 Effective scrutiny of decisions and processes can help reduce the risk of making an incorrect decision. However this should always be balanced against the potential impacts of over-scrutiny which could lead to decisions not being made, or not being made at the right time.
- 11.2 Members of the Committee will always be reliant on Officers to summarise information so that there is a manageable amount to scrutinise. The proposals require the Scrutiny Officer to screen the additional information suggested in sections 7 and 8. It may be difficult for the Scrutiny Officer to ensure that this screening is both concise and captures all the relevant information. There is a risk that this could make the scrutiny less effective.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no direct equality implications arising from the report. However the impact on the additional reporting to the committee may affect the ability of officers to discharge their deliver of services to the diverse community of North Hertfordshire.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The change of approach suggested is likely to have a significant impact on Officer time in terms of reprioritisation of projects or their scope or their timetable and resources. Delivery of service plans to achieve the Council’s agreed Corporate plan objectives is the responsibility of the Head of Service. Projects often require significant support service contributions as well. There would also be additional resources for report writing, collecting and analysing information and attending Committee meetings.
- 14.2 The number of Officers actually in employment at the beginning of the financial year has reduced over the years of austerity from an FTE in 2008/9 of 367 to an FTE of 274 in 2017/18 due to the years of acute funding pressures. This makes it unlikely that these proposals could be absorbed within current workloads.

15. APPENDICES

- 15.1 Appendix A – Programme for Committee Meetings
- 15.2 Appendix B – Forward Plan for 22 August 2017

16. CONTACT OFFICERS

16.1 Brendan Sullivan, Scrutiny Officer, 01462 474612;
Brendan.Sullivan@north-herts.gov.uk

Anthony Roche, Corporate Legal manager 01462 474588
Anthony.roche@north-herts.gov.uk

Ian Couper, Head of Finance, Performance & Asset Management, 01462 474243
ian.couper@north-herts.gov.uk

Reuben Ayavoo, Policy Officer, 01462 474212
Reuben.avayoo@north-herts.gov.uk

Kerry Shorrocks, Corporate Human Resources Manager, 01462 474224
Kerry.shorrocks@north-herts.gov.uk

17. BACKGROUND PAPERS

17.1 None

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PROGRAMME FOR COMMITTEE MEETINGS 2017-18

| | |
|----------------|---|
| | |
| 12 Dec 2017 | <p>Crime and Disorder Committee Meeting</p> <p>RIPA update (information item)</p> <p>Performance Indicators Report (information item)</p> <p>Key Projects Monitoring Report (information item)</p> <p>Committee Resolutions Update Report</p> <p>The Committee's Work Programme</p> |
| 16 Jan 2018 | <p>Committee Resolutions Update Report</p> <p>The Committee's Work Programme</p> |
| 20 Mar 2018 | <p>Presentation from the Leader of the Council</p> <p>Update on the Green Space Strategy</p> <p>Common Housing Allocation Scheme</p> <p>RIPA update (information item)</p> <p>Performance Indicators Report (information item)</p> <p>Key Projects Monitoring Report (information item)</p> <p>Overview and Scrutiny Committee Annual Report</p> <p>Committee Resolutions Update Report</p> <p>The Committee's Work Programme</p> |
| | <p>To be Scheduled</p> <p>Task and Finish Group Report: Consultation and Engagement</p> <p>Effectiveness of the Community Halls Strategy</p> |

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Forward Plan of Key Decisions – 22 August 2017

The Forward Plan contains brief details of Key Decisions that the Council is likely to take over the next four month period and beyond. You will also find details of contacts who can provide further information and hear your views. **Please note that the dates of some of the decisions may change from month to month, please check with Committee Services on 01462 474403 before deciding to attend a meeting.**

| Decision required | Overview and Scrutiny | Decision Maker | Date of Decision | Documents to be submitted to Decision Maker | Contact Officer from whom documents can be requested | Confirmation that other documents <u>may</u> be submitted to the Decision Maker | Procedure for requesting details of other documents |
|--|---------------------------------|-----------------------|--------------------------------|---|---|---|---|
| Corporate Plan 2018 to 2022 (3/3/17) | Overview & Scrutiny Committee | Council (via Cabinet) | 31 Aug 2017 (via 25 July 2017) | Report | Norma Atlay norma.atlay@north-herts.gov.uk 01462 474297 | Yes | via the Contact Officer named in Column 6 |
| Medium Term Financial Strategy 2018-2023 (3/3/17) | Finance, Audit & Risk Committee | Council (via Cabinet) | 31 Aug 2017 (via 25 July 2017) | Report | Ian Couper nian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| First Quarter Revenue Monitoring 2017/18 (27/6/17) | Finance, Audit & Risk Committee | Cabinet | 26 Sep 2017 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| First Quarter Treasury Management Monitoring 2017/18 (27/6/17) | Finance, Audit & Risk Committee | Cabinet | 26 Sep 2017 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| First Quarter Capital Monitoring 2017/18 (27/6/17) | Finance, Audit & Risk Committee | Cabinet | 26 Sep 2017 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Proposals for deployment of the Flexible Homeless Support Grant (16/5/17) | | Cabinet | 26 Sep 2017 | Report | Martin Lawrence martin.lawrence@north-herts.gov.uk 01462 474250 | Yes | via the Contact Officer named in Column 6 |
| Council Tax Reduction Scheme 2018/19 (28/7/17) | | Cabinet | 26 Sep 2017 | Report | Howard Crompton howard.crompton@north-herts.gov.uk 01462 474247 | Yes | via the Contact Officer named in Column 6 |

APPENDIX B

| Decision required | Overview and Scrutiny | Decision Maker | Date of Decision | Documents to be submitted to Decision Maker | Contact Officer from whom documents can be requested | Confirmation that other documents may be submitted to the Decision Maker | Procedure for requesting details of other documents |
|---|---------------------------------|---|-------------------------|--|--|---|--|
| Award of Joint Waste & Recycling Contract with East Herts District Council (5/5/17) | | Cabinet | 16 Oct 2017 | Report | Vaughan Watson vaughan.watson@north-herts.gov.uk 01462 474641 | Yes | via the Contact Officer named in Column 6 |
| Second Quarter Revenue Monitoring 2017/18 (28/7/17) | Finance, Audit & Risk Committee | Cabinet | 21 Nov 2017 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Second Quarter Treasury Management Monitoring 2017/18 (28/7/17) | Finance, Audit & Risk Committee | Cabinet | 21 Nov 2017 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Second Quarter Capital Monitoring 2017/18 (28/7/17) | Finance, Audit & Risk Committee | Cabinet | 21 Nov 2017 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Review of the Council's Byelaws (5/5/17) | | Council | 23 Nov 2017 | Report | Anthony Roche anthony.roche@north-herts.gov.uk 01462 474588 | Yes | via the Contact Officer named in Column 6 |
| Corporate Business Planning – Draft Budget 2018/19 (28/7/17) | Finance, Audit & Risk Committee | Cabinet | 19 Dec 2017 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Street Trading Policy 2018 (5/5/17) | | Cabinet (via Licensing & Appeals Committee) | 19 Dec 2017 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |
| Street Collection Policy (22/8/17) | | Cabinet (via Licensing & Appeals Committee) | 19 Dec 2017 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |
| House to House Collection Policy (22/8/17) | | Cabinet (via Licensing & Appeals) | 19 Dec 2017 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk | Yes | via the Contact Officer named in Column 6 |

APPENDIX B

| | | Committee) | | | 01462 474833 | | |
|---|---------------------------------|---|-------------------------------|--|---|---|--|
| Decision required | Overview and Scrutiny | Decision Maker | Date of Decision | Documents to be submitted to Decision Maker | Contact Officer from whom documents can be requested | Confirmation that other documents may be submitted to the Decision Maker | Procedure for requesting details of other documents |
| Sex Establishment Policy (22/8/17) | | Cabinet (via Licensing & Appeals Committee) | 19 Dec 2017 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |
| Setting of Council Tax Base for 2018/2019 (28/7/17) | | Council Tax Setting Cttee. | 11 Jan 2018 | Report: Tax Base Calculation | Howard Crompton howard.crompton@north-herts.gov.uk 01462 474247 | Yes | via the Contact Officer named in Column 6 |
| Council Tax Reduction Scheme 2018/19 (28/7/17) | | Council (via Cabinet) | 18 Jan 2018 (via 19 Dec 2017) | Report | Howard Crompton howard.crompton@north-herts.gov.uk 01462 474247 | Yes | via the Contact Officer named in Column 6 |
| Corporate Business Planning 2018/19 Budget Setting (28/7/17) | Finance, Audit & Risk Committee | Council (via Cabinet) | 8 Feb 2018 (via 23 Jan 2018) | Report; Budget Papers | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Taxi Licensing Policy (5/5/17) | | Cabinet (via Licensing & Appeals Committee) | 27 Mar 2018 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |
| Animal Licensing Policy (5/5/17) | | Cabinet (via Licensing & Appeals Committee) | 27 Mar 2018 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |
| Scrap Metal Licensing Policy (22/8/17) | | Cabinet (via Licensing & Appeals Committee) | 27 Mar 2018 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |
| Section 40 Localism Act – Adoption of a revised Pay Policy (22/8/17) | | Council | 10 April 2018 | Report | Kerry Shorrocks kerry.shorrocks@north-herts.gov.uk 01462 474224 | Yes | via the Contact Officer named in Column 6 |

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