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9 March 2018

Our Ref O&S 20.03.18
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, 20 MARCH, 2018 AT 7.30 PM

Yours sincerely,



David Miley
Democratic Services Manager

Agenda **Part I**

| Item | Page |
|--|-------------------|
| 1. APOLOGIES FOR ABSENCE | |
| 2. MINUTES - 12 DECEMBER 2017 To take as read and approve as a true record the Minutes of the meeting of the Overview and Scrutiny Committee held on 12 December 2017. | (Pages 1 - 10) |
| 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, comments and questions from members of the public. Public participation requests received within the agreed time will be notified to Members as soon as practicable. Members of the public who have contributed to Task and Finish groups are invited to attend the meeting at which the report is presented. | |
| 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** (Pages 11 - 14)
REPORT OF THE ACTING CORPORATE LEGAL MANAGER
- To receive the quarterly update regarding the Regulation of Investigatory Powers Act.
- 9. DISTRICT WIDE SURVEY 2017 - KEY FINDINGS AND ACTIONS** (Pages 15 - 30)
REPORT OF THE CHIEF EXECUTIVE
- To advise the Committee of the key findings and action points arising from the 2017 District Wide Survey.
- 10. PERFORMANCE MANAGEMENT MEASURES FOR 2018/19** (Pages 31 - 38)
REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT
- To present the performance indicators (PIs) and associated targets for 2018/19 which were agreed by Executive Members in conjunction with the relevant Heads of Service.
- 11. KEY PROJECTS FOR 2018/19** (Pages 39 - 48)
REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT
- To present to the Committee the key projects to be delivered to support the Corporate Plan 2018/22.
- 12. GREEN SPACE MANAGEMENT STRATEGY** (Pages 49 - 82)
REPORT OF: THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES
- To provide an update on the proactive approach adopted in identifying and assisting interested parties to take on the management and maintenance of play areas listed for removal of formal play equipment and football pavilions identified for closure.
- 13. COMMON HOUSING ALLOCATION SCHEME - UPDATE**
REPORT OF THE HEAD OF HOUSING AND PUBLIC PROTECTION SERVICE
- To receive a verbal update regarding the Common Housing Allocation Scheme.
- 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
REPORT OF THE CHIEF EXECUTIVE 83 - 90)
- To consider the outcome of Overview and Scrutiny Committee resolutions.
- 16. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME** (Pages
REPORT OF THE CHIEF EXECUTIVE 91 - 102)
- To consider the issues that the Overview and Scrutiny Committee plans to review at future meetings and the activities of its sub-groups.
- 17. PROPOSED CREMATORIUM AT WILBURY HILLS PROGRESS UPDATE** (Pages
REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES 103 -
110)
- To provide an update regarding progress to lease land at Wilbury Hills for the development and operation of a crematorium and to request approval of the heads of terms with a view to submitting an application for outline planning permission.
- 18. OPTIONS FOR HOUSING INVESTMENT COMPANY** (Pages
REPORT OF THE DEPUTY CHIEF EXECUTIVE 111 -
122)
- To inform the Committee of the investigations that have been undertaken with regard to the potential options for investing in residential property on a buy to let or development basis.
- 19. EXCLUSION OF PUBLIC AND PRESS** (Pages
To consider passing the following resolution: 123 -
124)
- That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the said Act.
- 20. PROPOSED CREMATORIUM AT WILBURY HILLS PROGRESS UPDATE** 125 -
REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES 130
- To provide an update regarding progress to lease land at Wilbury Hills for the development and operation of a crematorium and to request approval of the heads of terms with a view to submitting an application for outline planning permission.
- 21. OPTIONS FOR HOUSING INVESTMENT COMPANY** 131 -
REPORT OF THE DEPUTY CHIEF EXECUTIVE 160
- To inform the Committee of the investigations that have been undertaken with regard to the potential options for investing in residential property on a buy to let or development basis.

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Public Document Pack Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD IN THE FOUNDATION HOUSE,
ICKNIELD WAY, LETCHWORTH GARDEN CITY
ON TUESDAY, 12TH DECEMBER, 2017
AT 7.30 PM

MINUTES

Present: *Councillors Councillor Cathryn Henry (Chairman), Councillor Steve Hemingway (Vice-Chairman), Ian Albert, Clare Billing, John Booth, Steve Deakin-Davies, Jean Green, Steve Jarvis, Michael Muir, Janine Paterson and Martin Stears-Handscomb (In place of Elizabeth Dennis)*

In Attendance: *David Scholes (Chief Executive), Rachel Cooper (Controls, Risk and Performance Manager) and Hilary Dineen (Committee and Member Services Officer)*

Also Present:

62 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bill Davidson, Elizabeth Dennis, Gerald Morris, Frank Radcliffe and Val Shanley.

Having giving due notice Councillor Martin Stears-Handscomb substituted for Councillor Dennis.

63 MINUTES - 19 SEPTEMBER 2017

RESOLVED: That the Minutes of the Meeting held on 19 September 2017 be approved as a true record of the proceedings and be signed by the Chairman.

64 MINUTES - 9 OCTOBER 2017

RESOLVED:

- (1) That the penultimate paragraph on page 3 of the Minutes of the meeting held on 9 October 2017 read:

“The Head of Leisure and Environmental Services advised that it would be difficult to have two client teams for one contract. The staff consultation process had started and a new client team would be implemented at least three months before the commencement of the contract and this team would be based at Buntingford which is the main base for the contractor. NHDC would be the administrative authority responsible for employing staff and managing the team.”

- (2) That, subject to the amendment in (1) above, the Minutes of the Meeting held on 9 October 2017 be approved as a true record of the proceedings and be signed by the Chairman.

65 MINUTES - 8 NOVEMBER 2017

RESOLVED: That the Minutes of the Meeting held on 8 November 2017 be approved as a true record of the proceedings and be signed by the Chairman.

66 NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Committee.

67 CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman welcomed Chief Inspector Julie Wheatley, who would be giving a presentation to this Committee;
- (2) The Chairman reminded those present that, in line with Council policy, the meeting would be audio recorded;
- (3) The Chairman informed Members that there was no sound amplification and asked Members to speak loudly and clearly;
- (4) 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.

68 PUBLIC PARTICIPATION

There were no presentations by members of the public.

69 URGENT AND GENERAL EXCEPTION ITEMS

No urgent or general exception items were received.

70 CALLED-IN ITEMS

Since the last meeting the Committee had considered a Call-In of the Shared Waste Contract – Selection of Options on 9 November 2017.

71 PRESENTATION BY CHIEF INSPECTOR JULIE WHEATLEY, HERTFORDSHIRE CONSTABULARY

Chief Inspector Julie Wheatley, Hertfordshire Constabulary, thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation regarding the work, challenges and finances of the Hertfordshire Constabulary in North Herts.

Chief Inspector Wheatley offered apologies for the Chief Constable and the Crime Commissioner, who both had to attend another engagement.

She informed Members that she had been the area commander for North Herts for the last three years and gave a summary of performance and issues as follows:

- Hertfordshire Constabulary had a good history of making savings since 2010/11;
- Current reserves were £48 million;
- Response in terms of local policing maintained;
- The Chief Constable and Police and Crime Commissioner had made a commitment to the continuation of neighbourhood policing and community support officers;

- Neighbourhood policing was key to the success of Hertfordshire Constabulary as it was the front line, face to face contact;
- £10.3 million had been invested in new areas of demand such as safeguarding, domestic abuse, missing persons and cybercrime;
- Since 2010/11 there had been an 11 percent reduction in Police Officers and a 17 percent reduction in staff;
- Hertfordshire was now recruiting for more officers and specials. However North Herts did not and never had a problem in retaining staff to work in the area;
- 30 percent of organisational resources were now working collaboratively with Beds, Cambs and Herts, which had generated approximately £12 million of savings per annum for Hertfordshire;
- Nationally crime was up by 3 percent, in North Herts crime had increased by 17 percent (approximately 789 offences);
- 1/3 of the reported crimes were domestic abuse for which North Herts had a really high outcome rate;
- There were no significant policing issues in North Herts
- Relationships between partners, including NHDC were good.

Members asked for clarification that North Herts remained one of the safest places in Hertfordshire.

Chief Inspector Wheatley confirmed that North Herts was and extremely safe place with the second lowest levels of recorded crime in Hertfordshire.

Members asked for information regarding reoffending and conviction rates and queried whether people trafficking was an issue in North Herts.

Chief Inspector Wheatley advised that they worked using integrated reoffender management which involves working with repeat offenders to try to prevent their reoffending, but where repeat offenders commit a crime the Constabulary would always seek to prosecute.

In respect of people trafficking, there had been three significant cases within North Herts.

The Chief Executive advised that there appears to be some significant patterns in Hertfordshire regarding people trafficking and modern day slavery. NHDC needed to be aware that such cases occurred in order to be more alert regarding safeguarding issues.

Members asked how NHDC and Hertfordshire Constabulary worked together and what processes were in place to facilitate close working.

Chief Inspector Wheatley advised that there were several levels of partnership working that involved many different agencies including:

Responsible Authorities Group – Strategic level meetings
Joint Action Group – Tactical/operational group
Individual case working and liaison.

Members asked what actions were being taken to address the 17 percent increase in crime in North Hertfordshire, how the issue of rough sleepers was being handled and whether there had been any increase in the level of hate crime in the area.

Chief Inspector Wheatley informed Members that of the increase in overall crime 335 offences related to violent crime which could range from a minor assault, such a touching to murder and part of this figure related to domestic abuse. The increase was partly due to the increase in recording of crime by the Police and most of this increase was about very low levels of assault.

Research had been undertaken and this increase could not be attributed to the night-time economy in Hitchin or any specific premises.

There had been an increase in shoplifting, however there had also been an increase in the outcome rate.

In respect of homeless people, the Police had worked closely with NHDC around safeguarding and referring people to relevant agencies and this work was continuing.

There had not been an increase in hate crime in the area and the incidents were generally low level. The Police had a hate crime officer who was working to raise awareness in Hitchin town centre and in schools.

A Member commented that the new regulations regarding GDPR and CCTV was having an impact on smaller organisations such as Parish Councils and asked whether there was any information available to guide these organisations

It was suggested that the Chief Executive include an item in MIS regarding this issue with information on where support can be obtained, such as the Council's CCTV Company and the Information Commissioner.

The Chairman asked whether there was anything that Councillors could do to add value or support the work of the Police.

Chief Inspector Wheatley advised that Councillor input was important regarding community engagement and how neighbourhood priorities were set.

It was suggested that Chief Inspector Wheatley forward any requests through the Committee and Member Services Officer and that, if required an informal session with Councillors, prior to a full Council meeting could be arranged.

The Chairman thanked Chief Inspector Wheatley for her presentation.

RESOLVED: That the Chief Executive be requested to include an item in MIS regarding the possible impact that the new regulations regarding GDPR and CCTV was having on smaller organisations such as Parish Councils and include information regarding where support can be obtained, such as the Council's CCTV company and the Information Commissioner.

REASON FOR DECISION: To provide information to organisations such as Parish Councils regarding where to receive help and guidance regarding the new regulations on CCTV.

72 REGULATION OF INVESTIGATORY POWERS ACT

RESOLVED: That the report entitled Regulation of Investigatory Powers Act – Quarterly Update be noted.

REASON FOR DECISION: To comply with best practice guidance and the Committee's terms of reference

73 SECOND QUARTER PERFORMANCE INDICATORS MONITORING REPORT 2017/18

The Controls, Risk and Performance Manager presented the report entitled Second Quarter Performance Indicator Monitoring Report and drew attention to the following:

Actions from September Meeting

Actions arising from the September meeting were in progress and any information requested at that time would either be included in a future report or circulated to Members.

LI 034 – Percentage of Housing and Public Protection Service Programmed Inspections Completed

The main reason for the programme of inspections being behind schedule was that the Licensing Team had been focussing on the review of and consultation on a number of key policies that require updating over the next 6 months.

The Service Manager remained confident that the inspection target would be met at year end.

Members expressed some concern that inspections of HMOs were not up to date.

The Chief Executive advised that the figures in relation to HMOs were quite small and that the Team were working to meet year end targets.

Members expressed an interest in looking at any policies that may be referred regarding HMOs.

NI 157e – Percentage of all Planning Applications determined within the relevant statutory or agreed time periods

Increased workload and staff turnover had affected performance, particularly over the summer months.

Two full time members of staff were now in post and further recruitment was taking place.

NI 192 – Percentage of Household Waste sent for Reuse, Recycling and Composting
NHDC remained in the top quartile, being ranked 9 out of 52 District Councils.

Members expressed concern that the introduction of a chargeable garden waste collection could reduce the amount sent for composting and the general reduction in the use of paper would likely reduce the recycling ratios. The aim to generally reduce the use of plastic packaging would also affect recycling rates.

The Controls, Risk and Performance Manager advised that these issues would be considered when providing information about national figures. Initial indications were that recycling rates were dropping nationally however, the main aim was to maintain NHDC's position in the top quartile.

Members considered that performance indicators regarding waste needed to be multi-dimensional, in order to monitor any changes, particularly in regard to garden waste. They asked that the Executive Member for Waste, Recycling and Environment be requested to set a separate target to monitor the level of green waste collected and that figures regarding garden waste be reported to this Committee for at least 12 months.

The Chief Executive advised that it was important to monitor trends over time and aim to anticipate what may improve performance change behaviours regarding recycling.

Performance Setting for 2018/19

Targets would be set in January 2018.

RESOLVED:

- (1) That the second quarter 2017/18 Performance Indicators be noted:
- (2) That the Forward Plan be monitored and any policies relating to Houses in Multiple Occupation (HMO) be referred to this Committee:
- (3) That the Executive Member for Waste, Recycling and Environment be requested to consider introducing a separate Performance Indicator Target regarding the amount of garden waste collected and that this be monitored closely;

- (4) That the Controls, Risk and Performance Manager be requested to include any Performance Indicator Monitoring figure regarding the collection of garden waste on every monitoring report for at least one year;

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider and comment on the Second Quarter Performance Indicator Monitoring Report.

74 SECOND QUARTER MONITORING REPORT ON KEY PROJECTS FOR 2017/18

The Controls, Risk and Performance Manager presented the report entitled Second Quarter Monitoring Report on Key Projects for 2017-18 and drew attention to the following:

Bancroft Gardens MUGA

As agreed at the last meeting of this Committee, the Bancroft Gardens MUGA had been removed from the report, as it was fully dependent on securing additional funding. This project would be added back into the report, once funding had been secured

Office Accommodation

There had been a lot of progress on this project with a few floors already having been snagged. The project was on target to handover in January 2018.

Community Facility at Hitchin Town Hall and District Museum

Members asked for an update regarding the Museum

The Chief Executive advised that negotiations regarding the acquisition of 14/15 Brand Street were continuing.

Community Leases

Royston Community Association had signed a 25 year lease regarding Coombes Community Centre.

In respect of the Grange, constitutional issues were being investigated and worked on.

Members asked for an update regarding St Michaels Mount and Walsworth Community Association

The Controls, Risk and Performance Manager advised that work was continuing and moving forward regarding these community centres.

Development of a Crematorium in North Hertfordshire

The project was marked as amber due to the decision to present a pre-planning application.

The pre-planning application had been submitted to Central Beds Council and the outcome was favourable

The outline planning permission was currently being prepared with a view to being submitted later in the year.

Consultation had begun with North Herts residents via the District Wide Survey.

Members queried whether there had yet been any response from Central Beds regarding the pre-application stage.

The Chief Executive advised that the pre application response had been very positive and that work was being undertaken towards submitting a full application.

Local Plan

The timetable set for the Local Plan was no longer achievable as the examination, that was initially due to end in December 2017 had been extended into March 2018.

Circulation of Report prior to the Meeting

The Controls, Risk and Performance Manager asked Members whether they still wished for this report to be circulated one month in advance of the meeting.

Members agreed that circulating the report was valuable, however a deadline should be set for Members to comment.

General Comments

A Member noted that a significant number of projects were behind schedule and that this demonstrated an issue about the process that the Council used to deal with matters.

Either there was not a satisfactory and efficient process or targets that were being set were unrealistic and unachievable.

The Chief Executive advised that there was an issue as to whether NHDC was in sole charge of a project or working with other parties.

Working with other parties could remove control over deadlines, but that did not mean that realistic deadlines should not be set.

Members discussed whether the recommendations of the Task and Finish Group on Larger Projects should be reviewed in order to assess whether those that had been accepted had the expected effect and whether those that had not been accepted would have made a difference.

They also considered whether the right staff were leading and managing projects and whether project managers should be employed to oversee specific projects.

Members suggested that the Chief Executive investigate whether other authorities employed people with specialist knowledge for specific projects.

They acknowledged that it was necessary on occasion to amend target dates and deadlines, but felt that the original dates should be retained and reported for reference.

Members asked that the Chief Executive present a list of lessons learnt from previous projects to the next meeting of this Committee so that the Committee can discuss this further.

RESOLVED:

- (1) That delivery against the key projects for 2017/18 be noted;
- (2) That the Controls, Risk and Performance Manager be requested to include a deadline for comment when circulating monitoring reports to Members prior to a meeting;
- (3) That the Chief Executive be requested to present a list of lessons learnt from previous projects to the next meeting of this Committee;

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider and comment on the Second Quarter Monitoring Report on Key Projects for 2017-18.

75 MEMBERS' QUESTIONS

No questions had been submitted.

76 **RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

The Chief Executive presented the report entitled Resolutions of the Overview and Scrutiny Committee and drew attention to the following:

Min 106 – Mar 17 – Performance Management Measures for 2017/18

The requested information had been circulated to Members

Min 16 – June 17 – Work Programme

A proposal regarding the suggested workshop would be developed and possible dates circulated to Members.

Min 100 – Mar 15 – Task and Finish Group Report on Parking

The District Wide Parking review was due to be considered by Cabinet

Members asked that the District Wide Parking review be considered by this Committee.

Min 50 – Sept 15 – Task and Finish Group on the Commercialisation of Council Services

A Cabinet Sub-Committee had been formed, which would be responsible for aspects of commercialisation.

Members were concerned that the Project Board had never reported back to Cabinet and therefore this Committee had not had a resolution.

The Chief Executive undertook to try to resolve this issue.

Min 103 – Mar 16 – Task and Finish Group on the Quality of Council Reports

Members were keen to trial a paperless committee as soon as it was practical to do so.

General Comments

Members noted that there were items in this report that had been reported over a number of years and asked that the Chief Executive consider all of the historic items with a view to providing a response or finding other ways in which to move forward and ultimately remove the item from the report.

RESOLVED:

- (1) That the actions resulting from the resolutions of the Overview and Scrutiny Committee be noted;
- (2) That the Overview and Scrutiny Committee consider any report regarding the District Wide Parking Review, expected to be available in January 2018;
- (3) That the Chief Executive be requested to identify a method by which Members could be advised of the outcome of the work of the Project Board on Commercialisation;
- (4) That the Chief Executive be requested to consider all of the historic items reported and either provide responses or suggest other ways in which these could be moved forward and removed from the report;
- (5) That the Democratic Service Manager be advised that the Overview and Scrutiny Committee would like to trial a paperless committee meeting as soon as this option is available.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to review and monitor the progress of resolutions made.

77 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

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

Work Programme

Members agreed that they wished to consider the Proposed Establishment of a Housing Company, due to be considered by Cabinet in January 2018 and the District Wide Survey, due to be considered by Cabinet in March 2018.

Members agreed that the proposed review of the Community Facility at Hitchin Town Hall and District Museum should be added to the list of work to be scheduled.

Review of Projects

Members expressed concern that any reviews of projects undertaken by this Committee may not be comprehensive, as they were restricted from considering financial details.

They considered whether regular meetings between the Chairmen of Finance, Audit and Risk Committee and Overview and Scrutiny Committee on a regular basis to discuss forthcoming work programmes would be helpful.

They also considered the merits of one Member from the Finance, Audit and Risk Committee being seconded onto the Overview and Scrutiny Committee and Visa Versa, when considering issues that may cross the boundaries of those committees.

Members asked that the Terms of Reference of this Committee be reviewed in order to clarify the position.

New Settlement

Members were keen to remain involved and updated regarding the discussions about a new settlement and questioned how this could be achieved.

The Chief Executive advised that the key issues being considered was the governance and delivery of infrastructure and planning

NHDC needed to consider whether the Government would require Local Authorities to work together in a different way.

Task and Finish Groups

Members also considered whether the scope of Task and Finish Groups were sufficiently detailed and specific in order to meet the challenges identified by the Committee and that it may be worthwhile reviewing the recommendations of Task and Finish Groups, after the process had been completed for a period of time, to assess whether they had produced the desired effect and whether those recommendations not accepted would have made a difference.

RESOLVED:

- (1) That the Overview and Scrutiny Committee Work Programme be noted;
- (2) That the Overview and Scrutiny Committee consider the following items from the Forward Plan:
 - (i) Proposed Establishment of a Housing Company – January 2018
 - (ii) District Wide Survey 2017 – March 2018.

Tuesday, 12th December, 2017

- (3) That the Chief Executive be requested to consider the Terms of Reference of the Overview and Scrutiny Committee in order to clarify that the Committee can consider finances when reviewing projects;
- (4) That consideration be given to how the Overview and Scrutiny Committee can remain involved and updated regarding the discussions about a new settlement;
- (5) That the proposed review of the Community Facility at Hitchin Town Hall and District Museum be added to the "Work to be Scheduled" list.
- (6) That the Scrutiny Officer be requested to consider a diary system and method by which the Overview and Scrutiny Committee could review the recommendations of Task and Finish Groups in order to assess whether they had produced the desired effects.

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

The meeting closed at 9.30 pm

Chairman

**OVERVIEW AND SCRUTINY
20 MARCH 2018**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

8

TITLE OF REPORT: REGULATION OF INVESTIGATORY POWERS ACT

REPORT OF: ACTING CORPORATE LEGAL MANAGER AND MONITORING OFFICER

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

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

2. RECOMMENDATIONS

2.2 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

16.1 Jeanette Thompson, (Acting) Corporate Legal Manager and Monitoring Officer.
Telephone 01462 474588. E-mail address anthony.roche@north-herts.gov.uk

James Ellis, Advisory and Litigation Solicitor and Deputy Monitoring Officer, Telephone
01462 474319. E-Mail address james.ellis@north-herts.gov.uk

17. BACKGROUND PAPERS

17.1 None

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**OVERVIEW AND SCRUTINY COMMITTEE
20 MARCH 2018**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

9

TITLE OF REPORT: DISTRICT WIDE SURVEY 2017 – KEY FINDINGS AND ACTIONS

REPORT OF THE CHIEF EXECUTIVE

EXECUTIVE MEMBER: COUNCILLOR LYNDA NEEDHAM, LEADER OF THE COUNCIL

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

To advise Cabinet of the key findings and action points arising from the 2017 District Wide Survey.

2. RECOMMENDATIONS

2.1 That Cabinet comment on and note the key findings and observations from the District Wide Survey.

2.2 That Cabinet note how the results will be used by Senior Management Team in conjunction with Executive Members, to inform the service planning process and to update relevant performance measures.

3. REASONS FOR RECOMMENDATIONS

3.1 To ensure that Cabinet is aware of the results and any trends from previous surveys and how the results will be used to inform future service delivery.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 The biennial District Wide Survey is one of the Council's key mechanisms for seeking the views and opinions of North Hertfordshire residents on a range of services and issues. The Leader of the Council with responsibility for consultation and the Senior Management Team, have been briefed on the key findings from the report.

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 14 September 2017.

7. BACKGROUND

- 7.1 The 2017 District Wide Survey was carried out in line with the Council's agreed Consultation Strategy. The survey is carried out every two years in order to capture residents' views and perceptions of services and facilities provided by the Council.
- 7.2 BMG Research, an independent research agency, was commissioned by the Council to carry out the research on our behalf. They conducted 1001 telephone interviews of North Hertfordshire residents between October and November 2017. The results were weighted by area, age, gender, working status and ethnicity to ensure they were representative of the North Hertfordshire population.
- 7.3 The question set remains largely consistent from one survey exercise to the next (with some minor variations) to allow benchmarking from year to year. Comparisons with previous results are made at appropriate points in the survey. Prior to 2011 the survey was carried out face to face rather than on the telephone and therefore those results are not directly comparable.
- 7.4 The results of the survey will be used by the Senior Management Team in conjunction with Executive Members to inform the Council's service delivery plan and service action plans and to update relevant performance measures.
- 7.5 The figures and tables in the report are extracted directly from the full research report prepared by BMG Research. As only a selection of the figures and tables appear in this report, the numbering is not always in sequential order.

8. RELEVANT CONSIDERATIONS

8.1 Overall satisfaction and perceptions of the Council

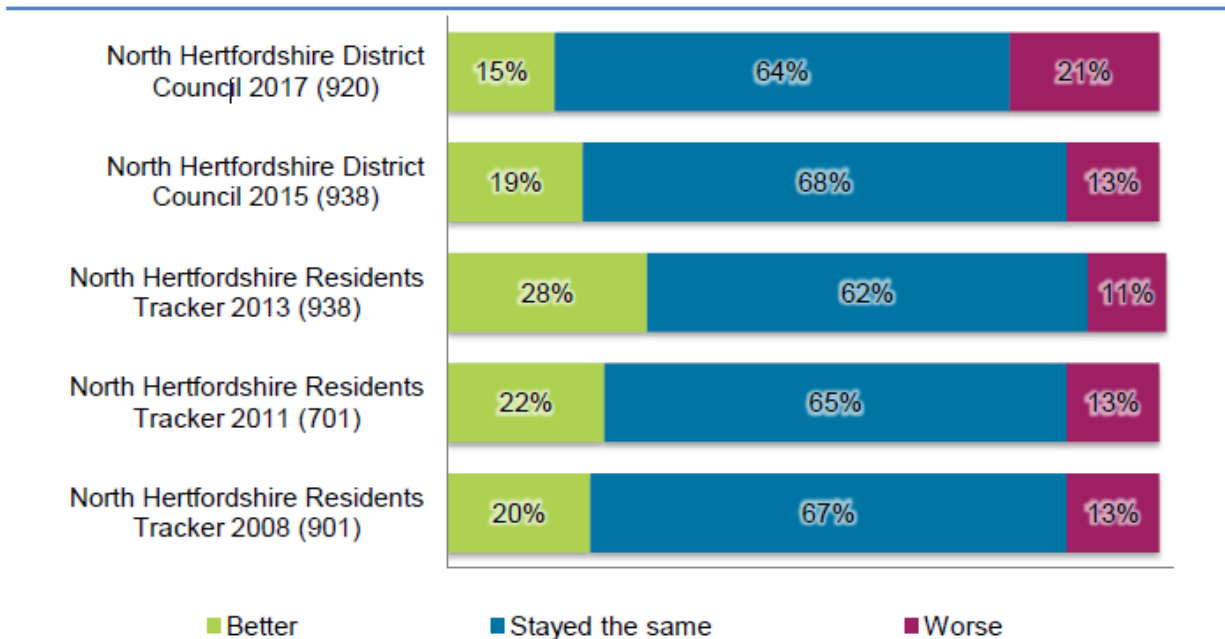
- 8.1.1 The vast majority of residents (95%) are satisfied with their area as a place to live, including 63% who are very satisfied. This compares favourably to the latest national telephone polling carried out by the Local Government Association (LGA) in October 2017, where the proportion expressing satisfaction with their local area was 82%, 13 percentage points lower than North Hertfordshire residents. There is limited variation in satisfaction with the areas as a place to live by area, although Royston residents are more likely than Southern Rural residents to state they are dissatisfied (5% cf. 1%).
- 8.1.2 When considering the performance of the Council, 75% of residents express satisfaction with the way the Council runs things. There has been a 7% drop in satisfaction since 2015 (82%). However this satisfaction level is still well above the latest LGA benchmark figure which is 65%. As also found in 2015, those who have seen a copy of the Council's Outlook magazine are more likely than those who have not, to be satisfied with the Council overall (77% cf. 69%). Southern Rural residents are most likely to state they are dissatisfied with the way the Council runs things, more so than those in Hitchin and Letchworth (20% cf. 12% and 11% respectively).

8.1.3 Those residents who expressed dissatisfaction with the way the Council runs things were invited to say how they feel the Council could improve the running of North Hertfordshire. These comments are coded into themes. The top themes are that dissatisfied residents feel the Council should:

- Listen / consult more (19%)
- Reduce planning permissions / stop building houses (18%)
- Improve refuse / recycling (incl timings / tip and recycle centre opening times) (16%)
- Improve communication (16%).

8.1.4 Residents were asked whether they think the way North Hertfordshire District Council runs things has got better, stayed the same, or got worse over the last two years. The proportion of residents who feel that the way the Council runs things has worsened in the last 2 years has increased significantly (21% cf. 13%). Residents in Hitchin are significantly more likely to say the way the Council runs things has got better than the total average (20% cf. 15%).

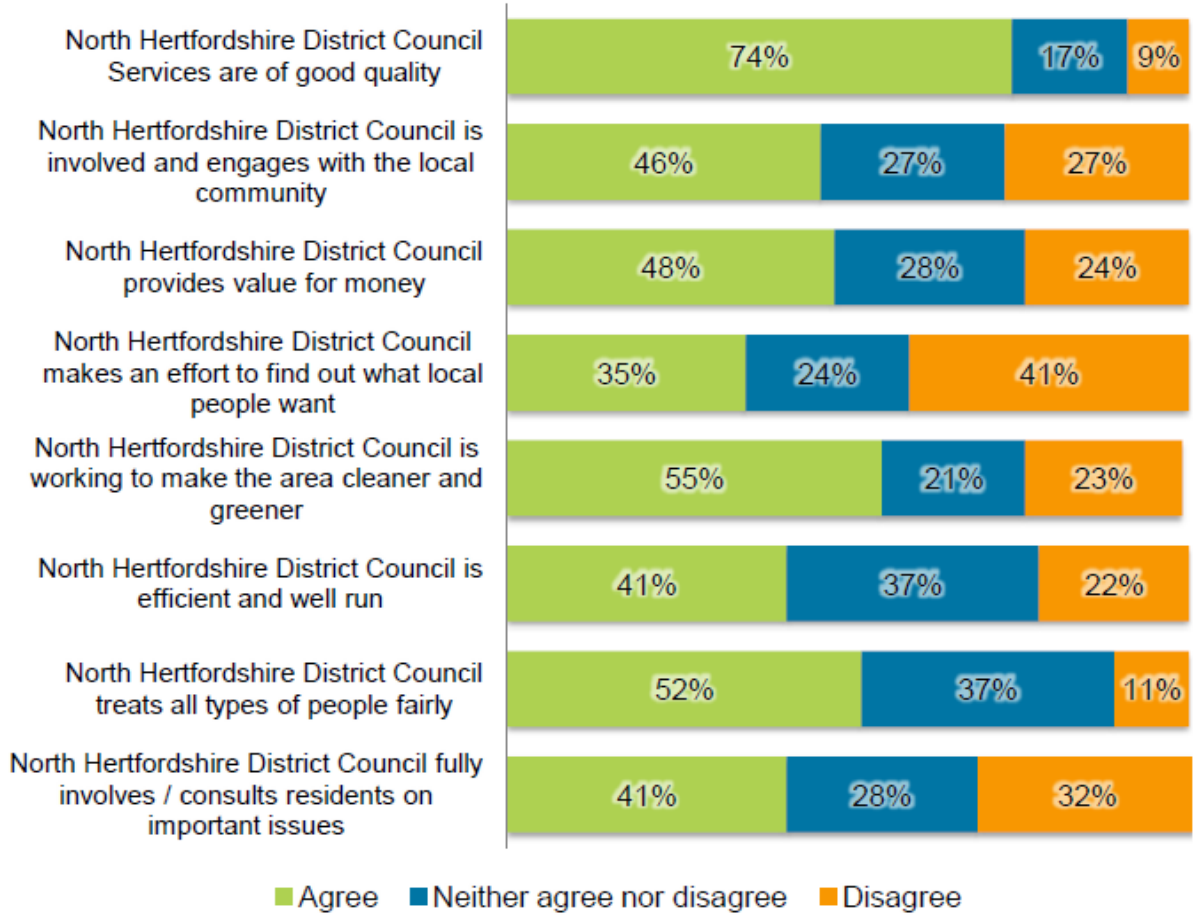
Figure 4: Thinking about the way North Hertfordshire District Council runs things, do you think it has got better, stayed the same or got worse over the last two years? (All valid responses)



Unweighted sample bases shown in parentheses

8.1.5 Residents were asked to what extent they agree or disagree with various perceptions of the Council. The highest proportion of residents agree that NHDC services are of good quality (74%). The lowest level of agreement is in relation to the statement NHDC makes an effort to find out what local people want (35%), and 41% disagree with this statement. Agreement that North Hertfordshire Council provides value for money at 48% is 2 percentage points below the October 2017 LGA Benchmark of 50%. There has been a significant decrease in agreement with every measure since 2015, with the biggest being a 13-point decrease in those who agreed that NHDC makes an effort to find out what local people want.

Figure 5: Agreement with key statements about North Hertfordshire District Council (All valid responses)



Unweighted sample base: 1001

8.1.6 Table 4 below shows residents living in Baldock and District are significantly more likely to agree that NHDC provides value for money. Those in Southern Rural share the lowest level of agreement in every measure compared to the other areas.

Table 4: Agreement with key statements about North Hertfordshire District Council by area (All valid responses)

| | Baldock & District (118) | Hitchin (264) | Letchworth (259) | Royston (150) | Southern Rural (210) |
|---|--------------------------|---------------|------------------|---------------|----------------------|
| Services are of good quality | 73% | 75% | 74% | 74% | 72% |
| Is involved and engages with the local community | 51% | 45% | 49% | 49% | <u>38%</u> |
| Provides value for money | 57% | 50% | 52% | 42% | <u>41%</u> |
| Makes an effort to find out what local people want | 37% | 34% | 37% | 34% | 34% |
| Is working to make the area cleaner and greener | 54% | 56% | 61% | 57% | <u>46%</u> |
| Is efficient and well run | 45% | 37% | 47% | 39% | 37% |
| Treats all types of people fairly | 56% | 50% | 53% | 54% | 50% |
| Fully involves / consults residents on important issues | 45% | 42% | 43% | 38% | 35% |

*For tables, figures significantly higher than the total are displayed in bold, whilst those significantly lower than the total are displayed underlined.

8.1.7 Observations on overall satisfaction: Overall satisfaction with the Council and with North Hertfordshire as a place to live remains very high and well above the national LGA Benchmark. However, there has been a significant drop in satisfaction with the way the Council runs things and a significant increase in those people who think that the way the Council runs things has worsened in the last two years. There are a number of factors which are likely to have contributed to the drop in satisfaction. The key ones are the impact of the Council having had to make ongoing savings of £6.6 million in the last seven years, meaning some unpopular and difficult decisions have had to be made. The survey was also carried out in October / November 2017, following a consultation on charging for green waste and a subsequent decision to introduce the charge on 16 October. While there is no direct evidence that this decision has impacted on satisfaction levels, there has been a sustained period of negative feedback both during and after the consultation period, particularly on social media, which may have adversely affected people's views of the Council. Similarly, other high profile projects such as the Local Plan and Hitchin Town Hall and Museum have generated sustained negative press interest. Despite this, it is worth putting the result into context, as the 75% of residents who are satisfied with the Council is well above the LGA national benchmark of 65%.

8.1.8 Observations on perceptions of the Council: With 41% of people disagreeing that the Council makes an effort to find out what local people want and 32% of people disagreeing that the Council fully involves or consults residents on important issues, this has the potential to have a serious impact on the Council's reputation and on resident satisfaction with services. However, the results do not necessarily mean the Council needs to increase the volume of consultation undertaken. The Council's agreed Consultation Strategy 2015-2020 emphasises the need to ensure that consultation opportunities are widely publicised and available via accessible means. As an example, the recent waste contract consultation was widely publicised via social media, website, press release and a flyer to all households. The survey was available online, but also paper copies were made available where people did not have access to the internet. One area of improvement also identified in the Consultation Strategy is around the need to publicise how we have utilised the feedback from consultations, including any suggestions or comments which are not adopted in the final policy or service change (you said we did approach), so that residents understand how they

have played a role in the process. It is worth pointing out that two of the most high profile recent consultations are around the Local Plan and introducing charging for green waste. Both consultations are sensitive or contentious and we are aware that some residents were not happy with the outcome of the consultations. This in itself could mean that while we have carried out adequate and appropriate consultation, people are unhappy with the ultimate decision taken, which could influence their views on consultation activity.

8.1.9 Agreement levels on all statements have dropped and Senior Management Team will need to consider how to address these issues, as part of the service planning process. Specifically on the low levels of agreement from Southern Rural residents, this could be explained in part by the timing of the survey in relation to local campaigns around proposed sites for development in the Local Plan.

8.2 Council services

8.2.1 Universal services: Satisfaction with the administration of Council Tax (82%) and the general waste and recycling collection (79%) is high. Satisfaction with street cleaning is slightly lower at 72%, however this is above the LGA benchmark of 70%. There are no significant variations in satisfaction with street cleansing or waste and recycling by geographical area. However, satisfaction with general waste and recycling collection at 79% is significantly lower than in 2015 (86%), and satisfaction with street cleaning has also dropped from 78% in 2015 to 72% in 2017.

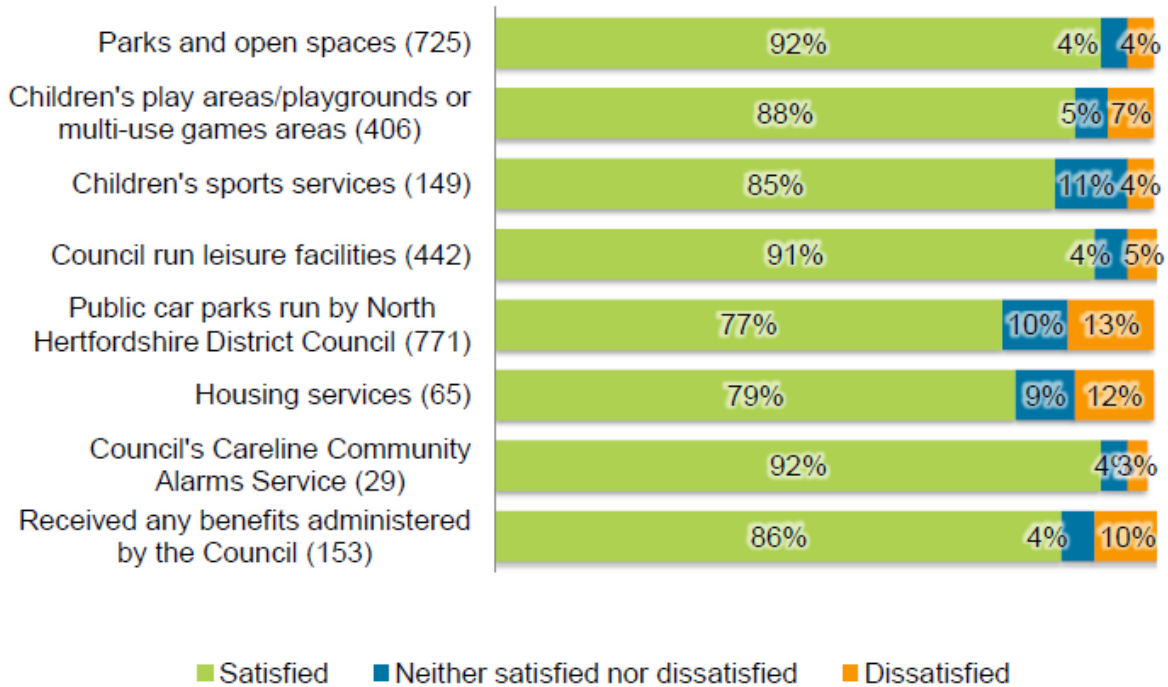
8.2.2 Usage of services: Residents were asked if they have used various services within the last year – see Figure 8 below. As per previous surveys, the most used services are public car parks (78%) and parks and open spaces (73%).

Table 6: Service use 2011-2017 (All valid responses)

| Service/facility | % users 2011 | % users 2013 | % users 2015 | % users 2017 | % point change 2015-17 |
|--|-----------------|-----------------|-----------------|-----------------|------------------------------|
| Parks and open spaces | 78% | 79% | 75% | 73% | -2% |
| Public car parks run by North Hertfordshire District Council | 77% | 78% | 78% | 78% | 0% |
| Council run leisure facilities | 55% | 48% | 46% | 44% | -2% |
| Children's Play Areas/ playgrounds or multi-use games areas | 41% | 46% | 41% | 40% | -1% |
| Children's sports services | 22% | 21% | 12% | 16% | +4% |
| Housing services | 6% | 4% | 5% | 7% | +2% |

8.2.3 Those people who indicated they had used a service were then asked to indicate how satisfied they were with that service. See Figure 9 below. Satisfaction is generally very high, with satisfaction levels being fairly consistent with 2015. In particular over 90% of users are satisfied with parks and open spaces, Council run leisure facilities and Carline's Community Alarms service.

Figure 9: Service satisfaction among users (Where used in the last year)



Unweighted sample bases in parenthesis

- 8.2.4 The majority of residents (57%) feel that waste and recycling collection is the most important service the Council provides. 15% said that housing services were the most important, followed by 10% who said parks and open spaces. These were also the three services cited (in the same order of importance) in 2015 and 2013.
- 8.2.5 **Observations on satisfaction with Council services:** Satisfaction with the waste and recycling service remains high at 79%, although this is 7 percentage points lower than in 2015. Satisfaction with street cleaning has also dropped from 78% in 2015 to 72% in 2017. With a new Waste, Recycling and Street Cleansing contract coming into force in May 2018, it is hoped the use of in-cab technology and real time reporting will introduce significant improvements for customers. It is also worth noting that as a percentage of waste collections, the level of complaints is very low, at 0.01% for April 2016 to March 2017.
- 8.2.6 Although 12% of residents are dissatisfied with the Council's housing services, this could be partly anticipated. Due to the nature of the service, some residents may not be satisfied with the advice given or options available, rather than the quality of the service itself. It should also be noted that the sample size was only 65 respondents. Dissatisfaction with public car parks run by NHDC was at 13% of users, but this could be expected in part due to the enforcement activity associated with this service.

8.3 Information and Communication

8.3.1 Respondents were asked how they normally obtain information about NHDC. The highest proportion of residents obtain information from the NHDC website (59%), followed by local newspapers (22%) and Outlook magazine (16%). The top three sources have consistently made up the top three since 2011, however for the first time local newspapers have become a more common choice for people to obtain information about NHDC than the Outlook magazine. Use of Outlook as an information source increases with age and local newspapers are mentioned more commonly by residents aged 55 and over. Using the Council website to obtain information is most commonly done by residents aged 25-34 (74%) and 35-44 (70%).

8.3.2 Residents were asked how well informed they feel about a range of issues. Approximately four in ten residents feel informed about how to get involved in local decision making (39%), what the Council spends its money on (39%) and being informed of how well NHDC is performing (41%). There have been significant drops in how well informed residents feel about these measures since 2015, see Table 13 below.

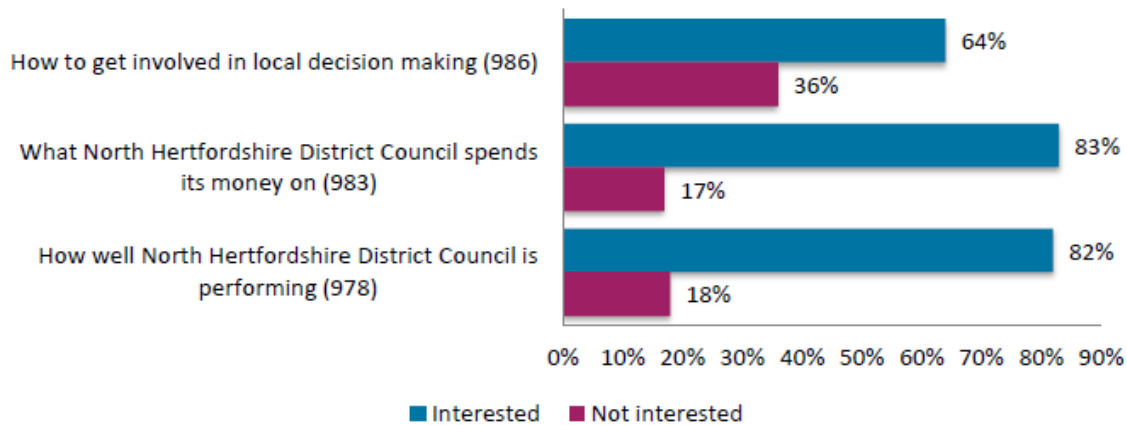
Table 13: Residents feeling informed 2008-2017 (All valid responses)

| | Informed 2008 | Informed 2011 | Informed 2013 | Informed 2015 | Informed 2017 | % point change 2015-17 |
|--|---------------|---------------|---------------|---------------|---------------|------------------------|
| How well NHDC is performing | 78% | 51% | 57% | 54% | 41% | -13% |
| What NHDC spends its money on | 79% | 52% | 54% | 55% | 39% | -16% |
| How to get involved in local decision making | 81% | 37% | 40% | 44% | 39% | -5% |

Those aged 75+ are significantly more likely to feel informed about how well NHDC is performing and how to get involved in local decision making, whilst those aged 16-24 are significantly more likely to feel uninformed about all three measures.

8.3.3 Residents were also asked how interested they were in being informed about the three measures. Over eight in ten residents were interested in being informed about how NHDC spends its money (83%) and how well they were performing (82%). Around two-thirds (64%) were interested about getting involved in local decision making. Those living in Hitchin are significantly more likely to want to be informed about what NHDC spends its money on compared to Letchworth residents (89% cf. 77%). Hitchin residents are also the most likely to want to feel informed about how well the Council is performing, with a higher result than the total average (86% cf. 82%).

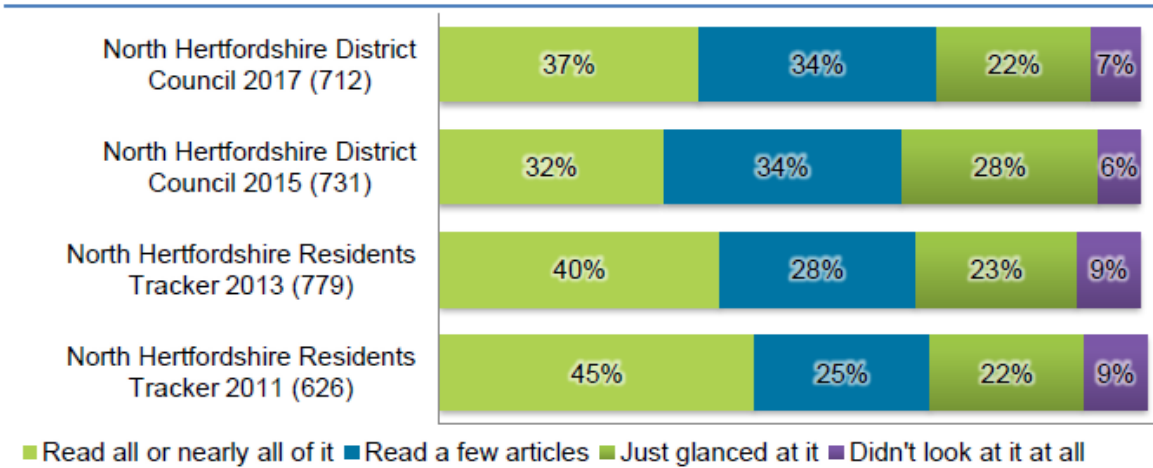
Figure 12: How interested are you in being informed of the following...?



8.3.4 Residents were asked about their opinions of Outlook magazine. Outlook is delivered to all households in the area three times a year. When asked whether they have seen or had a copy of Outlook delivered to their door, 72% of residents said yes. This has dropped from 78% in 2013 and 74% in 2015. Residents in Royston are significantly more likely to say that they have not received or seen a copy of Outlook (41%). This has increased by 7 percentage points since 2015. Those in Southern Rural are more likely than the total average to say they do receive Outlook (78% cf. 72%).

8.3.5 Among those who have seen or received a copy of Outlook significantly more residents said that they read all or nearly all of it than the previous year's finding (37% cf. 32%). Only 7% said they didn't look at it at all.

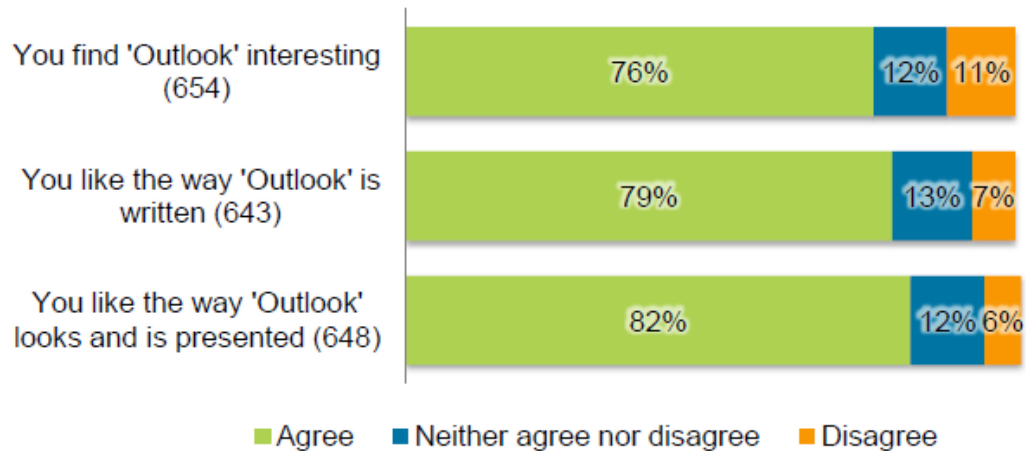
Figure 14: Interaction with Outlook among recipients (Where seen a copy of Outlook or had a copy delivered)



Unweighted sample bases in parenthesis

8.3.6 Feedback on the content and format of Outlook is positive. See Figure 15 below. The agreement level that Outlook is interesting at 76% is marginally higher than the 73% observed in 2015. Agreement that residents like the way Outlook is written is around the same (79% in 2017 and 80% in 2015), while agreement with liking the way Outlook is presented falls by 3 percentage points, however this isn't significant. By age group, 25-34 and 45-54 year olds are significantly less likely to find the magazine interesting (62% and 68%), while those 75 years and over are significantly more likely to agree in this regard (91%). 91% of 75 and overs and 88% of 65-74 year olds are in agreement that they like the way the magazine is written. This is compared to 59% of 25-34 year olds.

Figure 15: Views on Outlook content and formatting (Valid responses, those who have read some of Outlook)



8.3.7 **Observations on Information and Communication:** As highlighted in paragraph 8.3.1, the Council's website has become an increasingly important communications tool in the past few years. To reflect this, the Council completely redeveloped the old website in 2015 to ensure it is fit for purpose and meets customers' expectations. Further improvements are planned, including a Find My Nearest facility whereby residents will be able to look up essential services by using their postcode.

8.3.8 As stated in paragraph 8.3.2, only around four in ten residents feel informed about how to get involved in local decision making (39%), what the Council spends its money on (39%) and being informed of how well NHDC is performing (41%). There have been significant drops in how well informed residents feel about these measures since 2015. For the first time, residents were also asked how interested they were about receiving information and over 80% were interested in being informed about what the Council spends its money and how well it is performing. The Council does regularly publish information in Outlook magazine, the website, press releases, committee reports etc. on how it is performing, however Senior Management Team will need to consider whether there are any further ways of communicating this information effectively.

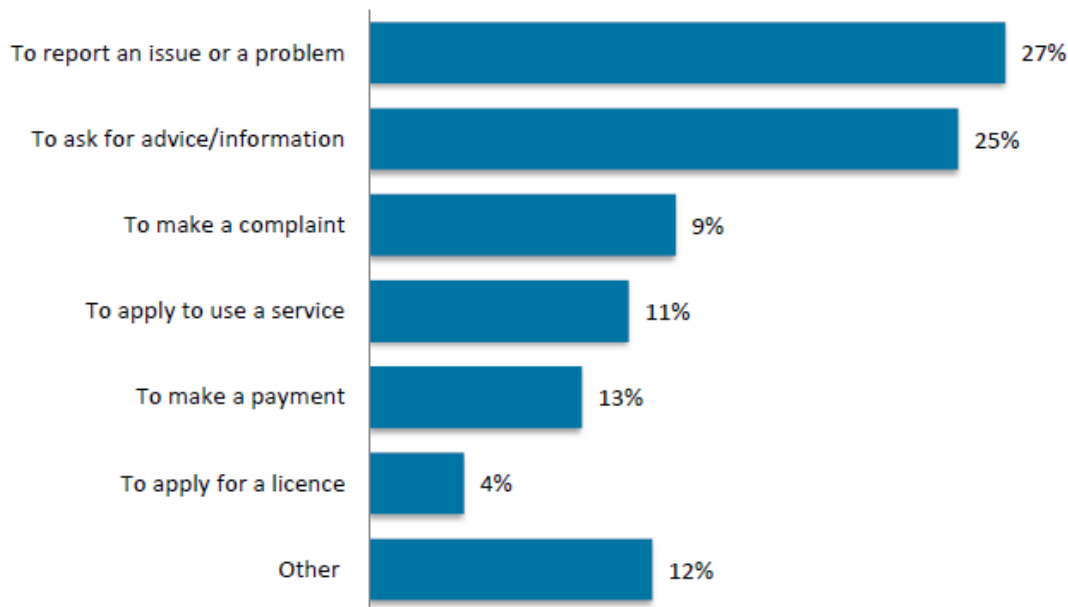
8.3.9 **Observations on Outlook magazine:** Although recall rates of residents who had seen Outlook magazine have dropped slightly, they are still high and above industry standards. Recall rates also vary according to how frequently a magazine is distributed, for example a survey in a London Borough where the magazine was issued fortnightly achieved an 83% recall rate, compared to a recall rate for Outlook of 72% which is distributed three times a year (at the time of the 2015 survey this was four times a year). In recent years the Council has altered its method of distributing Outlook

– from Royal Mail to door to door distribution. Unfortunately our suppliers advise this does usually have a small impact on distribution recall rates, however door to door distribution is significantly cheaper than Royal Mail. There are certain areas of the district, particularly Royston, with lower distribution recall than others and therefore this will be investigated with our distributors. However, it is worth noting that distributors all wear GPS tracking devices which show the roads they have been down, copies of which are made available to the Council. To date in the contract there have been no significant issues with non-delivery to streets in Royston.

8.4 Contact with the Council

- 8.4.1 In the last 12 months, 56% of residents have contacted NHDC – slightly higher than the 53% observed in 2015. Just over one in ten residents (11%) have contacted the Council five or more times in the past 12 months. Residents age 16-24 are the least likely to say they have contacted the Council in the last 2 months, with 72% saying they haven't done so.
- 8.4.2 Reporting an issue or problem is the most common reason for Council contact (27%), followed by to ask for advice / information (25%). These were also the most common reasons for contact in 2015. Figure 18 shows the reasons for contact.

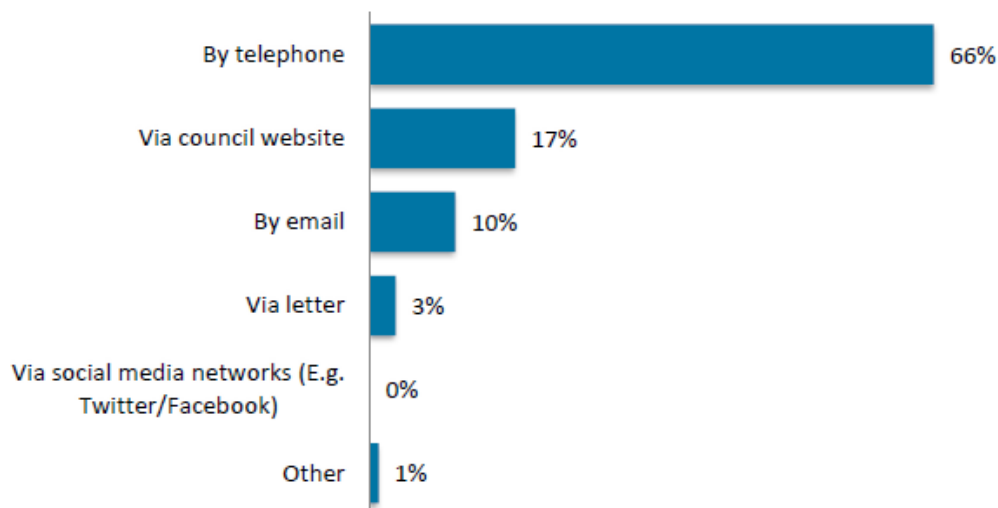
Figure 18: Which of these describes the reason why you made your most recent contact with the Council? (Where contacted the Council in the last 12 months)



Unweighted sample base: 549

- 8.4.3 The majority of residents contacted the Council by telephone (66%), similarly to the 2015 level (67%). While this has gone down since the 74% seen in 2013, this cannot by itself be seen as evidence of channel shift, as the question asked in 2015 was a single response one, whereas more than one response was possible in previous years. Figure 19 shows methods of contact.

Figure 19: How did you contact the Council? (Where contacted the Council in the last 12 months)



Unweighted sample base: 551

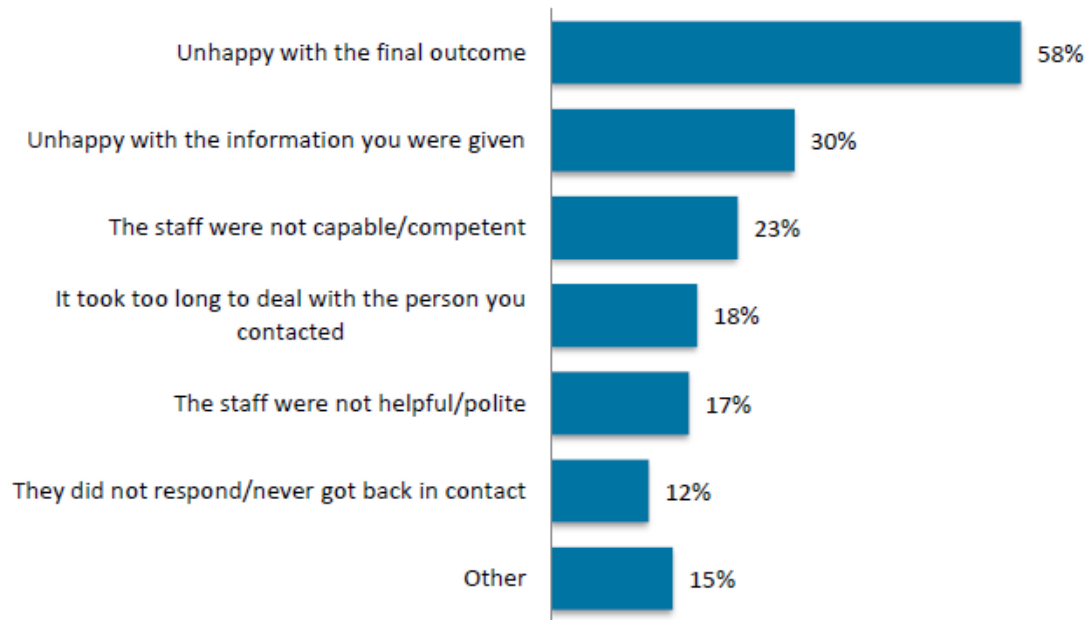
8.4.4 Table 16 shows the reason for contact by channel used. This shows that contact via the NHDC website is more commonly used for transactional activities such as making payments (14%), or applying to use a service (17%). Telephone contact is most commonly used for reporting an issue or problem (31%).

Table 16: Reason for Council contact by channel used (where contact made in the last 12 months)

| | In person | Telephone | Email | Council website |
|---------------------------------|-----------|------------|-----------|-----------------|
| To make a payment | 9% | 9% | 4% | 14% |
| To ask for advice/information | 24% | 25% | 25% | 27% |
| To report an issue or a problem | 14% | 31% | 17% | 22% |
| To make a complaint | 4% | 15% | 18% | 3% |
| To apply to use a service | 11% | 10% | 13% | 17% |
| To apply for a licence | 3% | 2% | 2% | 10% |
| Other | 34% | 9% | 22% | 8% |
| Unweighted Bases | 21 | 352 | 55 | 93 |

8.4.5 Residents were asked how satisfied they were with the level of service they received the last time they contacted the Council. 74% of residents indicated they were satisfied (75% in 2015) with 40% saying they were very satisfied (46% in 2015). Of the 22% of residents who said they were dissatisfied, 58% were unhappy with the final outcome while 30% said they were unhappy with the information given. See Figure 21 below for the full responses (please note the small sample size of 120 residents). Residents in Letchworth are significantly more likely to feel that the staff were not helpful/polite towards them when contacting the Council (32% cf. 17%). Southern Rural residents were significantly less likely to feel that the staff were not helpful or polite (4% cf. 17%).

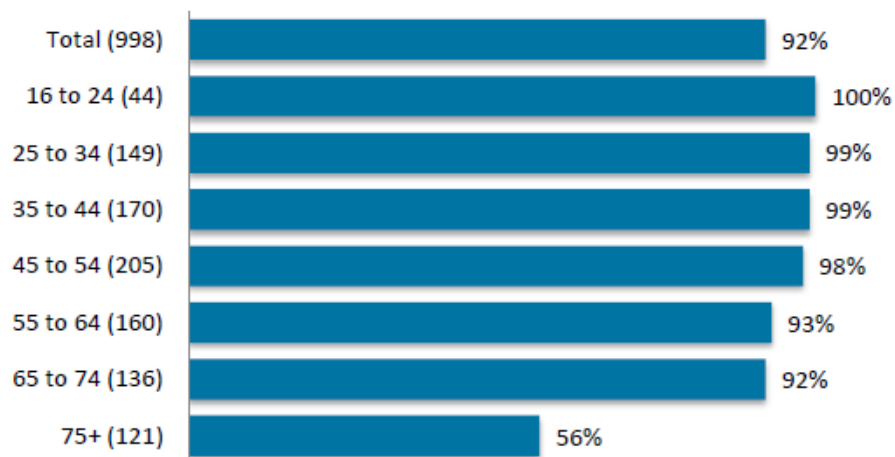
Figure 21: Why were you dissatisfied with the service you received the last time you were in contact with the Council? (Where dissatisfied with the service they received)



Unweighted sample base: 120

8.4.6 92% of residents indicated they have access to the internet. Analysis by age group shows that for all but one age group at least nine in ten have access, the exceptions being those aged 75+ (56%), although this proportion has seen a 10 percentage point increase since 2015.

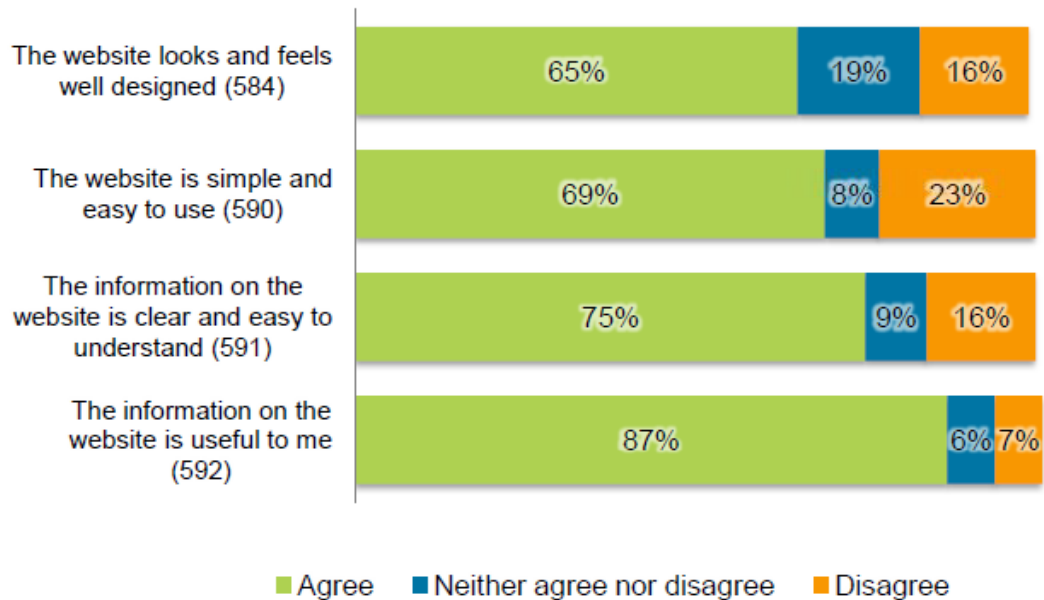
Figure 22: Do you have access to the Internet? (All valid responses)



Unweighted sample bases in parentheses

8.4.7 Six in ten (61%) of all respondents have visited NHDC's website over the last 12 months. Around three-quarters (73%) of residents aged 35-44 have visited the website in the last 12 months. The lowest proportion is those aged 75+ with just 30% visiting the website. Visitors to the website were then asked a series of questions about how they felt about different aspects of the site. Just under nine in ten visitors (87%) suggest that the information on the website is useful to them; 75% agree that it is clear and easy to understand, while 69% feel it is simple and easy to use. Almost a quarter of respondents (23%) disagreed that the website was easy to use. See Figure 24.

Figure 24: Visitor views on Council website (Where visited North Hertfordshire District Council's website)



Unweighted sample bases in parentheses

8.4.8 **Observations on contact with the Council:** Para 8.5.3 shows that telephone is by far the most popular form of contact with the Council, with 66% of people choosing to contact the Council in this way. As telephone contact is costly and often not the quickest and most convenient solution for residents, a Channel Shift project has been set up with the aim of driving people to use digital channels wherever possible. Initiatives being considered under the project include improving e-forms, introducing telephone automation and web chat facilities.

8.4.9 **Observations on Council website:** The results for the website are largely positive. The main area for attention is the 23% of respondents who disagreed that the website is simple and easy to use. There are some areas of the site which are maintained by third part providers, however both the committee and council meetings section of the site and the planning portal are due to be or have already been recently upgraded (or changed suppliers) and it is hoped that this may address previous issues with these parts of the site. A project is also underway to look at all of the e-forms on the site to check they are easy to use. Also to be implemented in 2018/19 is a new Find My Nearest facility which will allow residents to view key information about Council services relevant to them and their area on one page.

9. LEGAL IMPLICATIONS

- 9.1 Cabinet has under 5.6.1 of its terms of reference the function to prepare and agree to implement policies and strategies other than those reserved to Council. It oversees the provision of all the Council's services other than those reserved to the Council, and therefore can consider the outcome of the District Wide Service report.
- 9.2 There are no legal implications arising from this report. If actions are identified as a result of the findings of the District Wide Survey then the legal implications of those will be considered at the time.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no direct financial implications from this report. The cost of the research undertaken was funded from the existing budget provision for corporate consultation.

11. RISK IMPLICATIONS

- 11.1 The District Wide Survey is important for shaping the Council's Objectives. There is a risk however, that should this survey not be acted upon, that public satisfaction with the Council will reduce and this would have a negative impact on the Council's reputation. In order to reduce this risk, Heads of Service/Corporate Managers are prompted to address the outcome from the survey in their service planning.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its 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 report usefully highlights a few areas where satisfaction levels could be improved. Broadly though, the services that NHDC provides to residents are well received. Any mitigating actions may be incorporated into the formulation of the relevant Service Plans to improve service provision. These will be proportionate and reflect the authority's duty under the public Sector Duty. Identified service improvements may require an analysis of equality impact prior to the point of implementation.

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 Where actions are agreed to be followed up, those will form part of the relevant department's service action plan and any employee resources and training will be considered as part of that planning

15. APPENDICES

- 15.1 None.

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17. BACKGROUND PAPERS

- 17.1 The full report from BMG Research can be found under the 'publications and consultations' section of the NHDC website: www.north-herts.gov.uk/home/customer-services/publications-and-consultations/district-wide-survey
- 17.2 NHDC Consultation Strategy 2016-2020: www.north-herts.gov.uk/home/customer-services/publications-and-consultations/consultation-strategy-2016-2020

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| OVERVIEW AND SCRUTINY COMMITTEE 20 MARCH 2018 |
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| *PART 1 – PUBLIC DOCUMENT | AGENDA ITEM No. 10 |
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TITLE OF REPORT: PERFORMANCE MANAGEMENT MEASURES FOR 2018/19

REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT

EXECUTIVE MEMBER FOR POLICY, TRANSPORT AND GREEN ISSUES

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

1. EXECUTIVE SUMMARY

1.1 To present the performance indicators (PIs) and associated targets for 2018/19 which were agreed by Executive Members in conjunction with the relevant Heads of Service.

2. RECOMMENDATIONS

2.1 That Cabinet considers and formally approves the PIs and any associated targets that will be monitored throughout 2018/19 by Overview & Scrutiny.

3. REASONS FOR RECOMMENDATIONS

3.1 An approved range of indicators provides the Cabinet with assurance that service delivery in a number of key services will be monitored throughout 2018/19.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None considered.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 All Heads of Service were sent PI setting templates for 2018/19, to complete in association with the Executive Members. This is the second year of the new process agreed by Cabinet on 26 July 2016 following a task and finish group on the performance monitoring process.

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 1st February 2016.

7. BACKGROUND

- 7.1 The Overview & Scrutiny Committee has received quarterly reports on the Council's performance against a range of performance indicators. It also receives presentations from Executive Members on their service area, where performance of the service can be monitored and challenged in detail.
- 7.2 As part of the Corporate Business Planning Process, the performance measures to be collected and any associated targets are reviewed prior to the start of the next financial year. Heads of Service / Corporate Managers undertake the review in conjunction with Executive Members.

8. AMENDED PERFORMANCE MEASURES

- 8.1 The indicators listed in Table 1 are proposed as new indicators for 2018/19:

Table 1 – New Performance Indicators proposed for 18/19

| Code | Description | 2017/18 Target | 2018/19 Target | Comments |
|------|---|----------------|----------------|--|
| tbc | Rate of homelessness prevention | n/a | Data only | The Homelessness Reduction Act 2017 comes in to force on 3 April 2018. This introduces a new legal duty on all English local authorities to attempt to prevent homelessness whenever possible. As the impact of the new provisions is unknown, it is proposed to use 2018/19 as a baseline year in order to inform future performance targets. |
| tbc | Rate of homelessness relief | n/a | Data only | The Homelessness Reduction Act 2017 comes in to force on 3 April 2018. This introduces a new legal duty on all English local authorities to attempt to relieve homelessness whenever possible. As the impact of the new provisions is unknown, it is proposed to use 2018/19 as a baseline year in order to inform future performance targets. |
| tbc | Overall tonnage of Garden Waste Collected | n/a | Data only | It is proposed that no target is set for the 18/19 year in order for officers to establish some baseline data under the new waste contract. |

| Code | Description | 2017/18 Target | 2018/19 Target | Comments |
|------|---|----------------|----------------|---|
| tbc | Overall tonnage of Food Waste Collected | n/a | Data only | It is proposed that no target is set for the 18/19 year in order for officers to establish some baseline data under the new waste contract. |

8.2 The indicators listed in Table 2 are proposed changes to performance indicators for 2018/19

Table 2 – Amended Indicators for 18/19

| Code | Description | 2017/18 Target | 2018/19 Target | Comments |
|----------|--|----------------|----------------|--|
| MI LI015 | Number of visits to Leisure facilities | 1,354,000 | 1,385,000 | The proposed target figure represents a 1% increase on the expected 2017/18 year end performance. It also represents a 2.3% increase on the 2017/18 target figure. |
| NI192 | Percentage of Household Waste sent for reuse, recycling and composting | 60% | 55% | The 60% target has been aspirational and in the future this may be achieved. However, for 2017/18 the forecast is between 56%-57%, with the introduction of charging for green waste, the tonnage of garden waste in the first year is likely to reduce. Home composting and the use of the HWRC are likely options for residents that do not use our garden waste service. Once we can determine the trend, we will be able to provide more accurate forecasting, but based on our predicted take up, the proposed target is realistic. |

9. UNALTERED PERFORMANCE MEASURES

9.1 The following performance measures have not been changed from those reported in 2017/18:

Table 3 – Unaltered performance measures

| Code | Description | 2017/18 Target | 2018/19 Target | Reason |
|------|-------------------------------------|----------------|----------------|---|
| BV8 | Percentage of invoices paid on time | 99.6% | 99.6% | May look to revise once Integra 2 is embedded, but need time for implementation |

| Code | Description | 2017/18 Target | 2018/19 Target | Reason |
|------------|---|----------------|----------------|--|
| BV9 | Percentage of council tax collected in year | 98% | 98% | It is proposed to retain this target. There is considerable uncertainty over welfare benefit changes and the ability to now pay over twelve instalments |
| BV10 | Percentage of NNDR collected in year | 97% | 97% | It is proposed to retain this target. NNDR collection is quite volatile because of the effects of appeals especially in view of the new appeals process introduced in April 2017 |
| BV12 | Working days lost due to sickness absence per FTE employee | Data Only | Data Only | |
| BV12a | Working days lost due to short-term sickness absence per FTE employee | 3.5 days | 3.5 days | 3.5 days remains a challenging target for short-term absence. The year-end figure for 2016/17 was 3.61 days and the latest data for 2017/18 is just above the profiled target figure (December 2017 - 2.48 days against a target of 2.4). The increasing rates of flu this winter is likely to affect absence rates. |
| BV12b | Working days lost due to long-term sickness absence per FTE employee | Data Only | Data Only | |
| LI 034 | Percentage of Housing & Public Protection Service programmed inspections completed (cumulative performance) | 95% | 95% | This remains a challenging and relevant indicator |
| MI P&R 001 | Percentage of raised sales invoices due for payment that have been paid | 93% | 93% | May look to revise once Integra 2 is embedded, but need time for implementation. |

| Code | Description | 2017/18 Target | 2018/19 Target | Reason |
|---------|---|----------------|----------------|--|
| NI157ai | Percentage of major planning applications determined within the relevant statutory or agreed time periods. | 80% | 80% | Target to remain at 80%. |
| NI 157e | Percentage of all planning applications determined within the relevant statutory time period | 83% | 83% | Target to remain at 83%. |
| NI 191 | Kg residual waste per household | 360kg | 360kg | This is the start of a new contract and we would expect that with weekly collection of food waste, this figure should reduce, but this is difficult to predict at this stage. The forecast for 2017/18 is between 365-370kg, so the 2018/19 target will be an improvement if it is achieved. |
| DC001a | Number of planning applications taken to appeal due to 'non-determination' within the statutory time period, which were allowed | Data Only | Data Only | |
| DC002 | Number of planning applications where the fee has been refunded due to the application not being determined within 26 weeks | 0 | 0 | The target will remain as zero for fee returns. |
| LI032a | Number of allowed planning appeal decisions | Data Only | Data Only | |
| LI 035 | Number of households accepted by the Council as homeless | Data Only | Data Only | See new indicators to reflect the introduction of the Homelessness Prevention Act |
| LI037 | Percentage of customers satisfied with the services provided by the Housing & Public Protection Service | 90% | 90% | This remains a challenging and relevant indicator |

*Retail units are those with definitions A1 to A5 on the Use Classes Order:

- A1 Shops
- A2 Financial and Professional Services
- A3 Restaurants and Cafes
- A4 Drinking Establishments
- A5 Hot Food Take-Aways

10. DELETED INDICATORS

10.1 It is proposed that the following indicators be deleted .

| Code | Description | 2017/18 Target | 2018/19 Target | Comments |
|-------------|--|----------------|----------------|---|
| CP LI045 | Percentage of house building on brown field sites | Data only | Data only | Delete - Reported annually and included within the published Annual Monitoring Report. Historically, data is more than 2 years out of date. |
| LI041 | Number of new enterprises in North Hertfordshire | Data only | Data only | Delete - Reported annually and included within the published Annual Monitoring Report. Historically, data is more than 2 years out of date. |
| LI035a | Number of households living in temporary accommodation | Data only | Data only | See new indicators to reflect the introduction of the Homelessness Prevention Act |
| LI036 | Number of households who had potential homelessness prevented | Data only | Data only | See new indicators to reflect the introduction of the Homelessness Prevention Act |
| LI042 | Percentage of new enterprises surviving the first year | Data Only | Data Only | Delete - Reported annually and included within the published Annual Monitoring Report. Historically, data is more than 2 years out of date. |
| TC001 | Number of retail* units in use in Baldock town centre | Data Only | Data Only | Delete - Reported annually and included within the published Annual Monitoring Report. Historically, data is more than 2 years out of date. |
| TC002 | Number of retail* units in use in Hitchin town centre | Data Only | Data Only | Delete - Reported annually and included within the published Annual Monitoring Report. Historically, data is more than 2 years out of date. |
| TC003 | Number of retail* units in use in Letchworth Garden City town centre | Data Only | Data Only | Delete - Reported annually and included within the published Annual Monitoring Report. Historically, data is more than 2 years out of date. |
| TC004 | Number of retail* units in use in Royston town centre | Data Only | Data Only | Delete - Reported annually and included within the published Annual Monitoring Report. Historically, data is more than 2 years out of date. |

11. LEGAL IMPLICATIONS

11.1 There are no direct legal implications arising from this report. The Cabinet has remit (other than those functions specifically reserved to Full Council) under its Terms of Reference¹ to:

- prepare and agree to implement policies and strategies; and
- oversee the provision of all the Council's services.

This report seeks to confirm the provision and targets for such service matters to be agreed by Cabinet.

12. FINANCIAL IMPLICATIONS

12.1 There are no direct financial implications arising from this report. Where efficiencies or investments may make a difference to service levels these are indicated in the budget proposals so they can be taken into consideration when considering the budget for the forthcoming year

13. RISK IMPLICATIONS

13.1 There are no direct risk implications arising from this report. Risks to service delivery, and hence to performance levels, are reviewed and captured on Pentana, the Council's performance and risk management software.

14. EQUALITIES IMPLICATIONS

14.1 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.

14.2 Performance reporting provides a means to monitor whether the Council is meeting the stated outcomes of the district priorities, its targets or delivering accessible and appropriated services to the Community to meet different people's needs.

15. SOCIAL VALUE IMPLICATIONS

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

16. HUMAN RESOURCE IMPLICATIONS

16.1 There are no additional human resource implications.

¹ 5.6.1 & 5.6.15 Constitution 09.04.14
O&S(20.03.18)

17. APPENDICES

None

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19. BACKGROUND PAPERS

- 19.1 none

**OVERVIEW & SCRUTINY COMMITTEE
20 MARCH 2018**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

11

TITLE OF REPORT: KEY PROJECTS FOR 2018/19

REPORT OF THE HEAD OF FINANCE, PERFORMANCE AND ASSET MANAGEMENT

EXECUTIVE MEMBER FOR POLICY, TRANSPORT AND GREEN ISSUES

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

1. EXECUTIVE SUMMARY

1.1 To present to the Committee the key projects to be delivered to support the Corporate Plan 2018/22.

2. RECOMMENDATIONS

2.1 For the Committee to note the key projects, subject to capacity, that will be the key focus for the Council 2018/19.

3. REASONS FOR RECOMMENDATIONS

3.1 The Corporate Business Planning Timetable requires the key projects to be considered by this Committee. In addition, this Committee has a role in monitoring the delivery of these projects.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 There are no alternative options for this report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 Consultation has been undertaken by the relevant Lead Officer and Executive Member for these key projects. In addition, a number of the projects are included within the Capital Programme for 2018/19 that was considered by Full Council on 8 February 2018.

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 Committee reviewed the Corporate Business Planning Timetable in June 2014 and noted that it would remain for subsequent years. The final item on this timetable is for this Committee to “establish programme management arrangements and reporting times for the new plan”.
- 7.2 This report refers to the specific projects that support the delivery of the Council’s agreed Corporate Plan.

8. KEY PROJECTS 2018/19

- 8.1 The Corporate Plan 2018-22 identifies a number of key objectives for the District. Many of the projects listed, constitute “Business as Usual” and are achieved as part of normal service delivery. This includes work undertaken against a wide range of areas such as ongoing repair and maintenance to pavilions and footpaths, in accordance with allocated funding in the Capital programme for the Green Space Strategy. Other Business as Usual examples include the growth of the Careline service, which is monitored via Performance Management or Capital monitoring reports.
- 8.2 The key projects to be reported against for 2018/19 are included in Appendix A. Many of these projects are a continuation of those identified in the Corporate Plan 2017-21, generally larger capital schemes which span more than one financial year. There are some additional projects that have been identified and agreed through the Capital programme for 2018/19.
- 8.3 Appendix A includes the current plans and where available, key milestones for reporting progress. Where the projects span more than one year, the milestones will reflect only the actions which are to be achieved in the 2018/19 year. These will be subject to further review depending on the Council’s capacity. In addition to these indicative reporting details, and where no specific mention is made, updates will be provided to Executive Members and may be provided, where relevant, through the Members Information Service. A summary update on all the projects will be included in the quarterly report to this Committee. Progress against some will be monitored through the Capital monitoring reports to the Finance, Audit & Risk Committee and to Cabinet.
- 8.4 Detailed milestones to deliver the projects will be included in Service Plans and agreed with individuals through the Regular Performance Review process. Key milestones will be recorded on Pentana Performance and progress against the delivery of these is monitored through the Senior Management Team.

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 direct financial implications from this report. A number of these projects are included within the Council's agreed Capital and Revenue programme for 2018/19.
- 10.2 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
 - 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 considering the key projects for 2018/19 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 Where the key projects referred to in this report relate to the award of a public service contract, "Social Value" will be captured and reported in accordance with the Public Services (Social Value) Act 2012..

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 – Projects identified in the Corporate Plan 2018-22

16. CONTACT OFFICERS

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- 16.7 Jeanette Thompson, Acting Corporate Legal Manager. Contact Tel 474370 jeanette.thompson@north-herts.gov.uk

17. BACKGROUND PAPERS

17.1 None

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Projects identified in the Corporate Plan 2018/23 – 10 projects

| Description in Corporate Plan | Corporate Objective | Service Area | Milestones for Completion in 1819 Year | Due Date |
|---|-----------------------|-----------------------|---|------------|
| Leisure Portfolio | | | | |
| Delivering identified projects from the adopted Green Space Strategy (Report to Cabinet 24/01/2017) Construction of pathway and Roadway at Wilbury Hills Cemetery, Letchworth (£35,000) | Attractive & Thriving | Leisure & Environment | Completion of Works | March 2019 |
| Bankcroft recreation ground MUGA (£70,000) Subject to securing Sport England grant | Attractive & Thriving | Leisure & Environment | Completion of MUGA | March 2019 |
| Renovation of Play area, District Park, Great Ashby (£75,000) | Attractive & Thriving | Leisure & Environment | Completion of Works | March 2019 |
| Royston Leisure centre extension (£1,000,000) | Attractive & Thriving | Leisure & Environment | Assess feasibility of SLL business case. Obtain approval to proceed with Project | March 2019 |

| | | | | |
|--|-------------------|---|---|---|
| Complete the fit out and open the North Hertfordshire Museum and Community Facility (b/f from previous year) | Prosper & Protect | Leisure & Environment | Complete negotiations on possible acquisition of 14/15 Brand Street. Report to Cabinet on proposed way forward. Complete fit out of Museum. | March 2019 |
| Waste, Recycling & Environment Portfolio | | | | |
| Development of a Crematorium in North Hertfordshire (b/f from previous year) | Prosper & Protect | Leisure & Environment | Obtain outline planning permission from Central Beds and agree the Heads of Terms and Options Agreements with our nominated partner. | July 2018 |
| Planning & Enterprise Portfolio | | | | |
| Submission of a Local Plan for North Herts (Project spans more than 1 year) | Prosper & Protect | Corporate Strategy, Planning & Enterprise | Consultation on major modifications (timescale dependant upon Planning Inspectorate) Publication of Inspectors Report (timescale dependant upon Planning Inspectorate) Adoption of the new local plan report to Full Council (timescale dependant upon Planning Inspectorate) | Mid 2018 Late 2018 Early 2019 |

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| Housing & Environmental Health Portfolio | | | | |
|--|------------------------|--|--|---|
| Designating air quality management areas in Hitchin to address the improvement of the air quality – Stevenage Road and Paynes Park. (5 Year Plan) | Attractive & Thriving | Housing & Env Health | <ul style="list-style-type: none"> •Development of ECOstars scheme for business to reduce emissions from freight deliveries •Investigate options for extending and improving electric vehicle recharging facilities in the district •Anti-idling campaign to encourage drivers to switch off when stationary, including investigation of enforcement options •Review of on-street parking in air quality management areas •Participate in National Clean Air Day •Contribute development of Air Alert texting scheme with HCC and other partners | End March 2019 |
| Finance & IT Portfolio | | | | |
| Churchgate | Attractive & Thriving | | <p>Full Council approval obtained to principle of joint venture funded by the Council. Further work required to look at detail of proposals before reporting back to Full Council.</p> <p>Report to Cabinet March 2018 on Market management</p> | Mid/Late 2018 |
| Investigating a range of options to improve use of Council assets (b/f from previous year) | Responsive & Efficient | Policy & Community Services Finance Performance & Asset Management | <p>Report to Cabinet Shareholder Sub-Committee on potential options</p> <p>Obtain Cabinet approval to establish a Property Company</p> <p>Set up Property Company</p> | <p>15 March 2018</p> <p>31 Mar 2018</p> <p>Mid 2018</p> |

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OVERVIEW AND SCRUTINY COMMITTEE
20 March 2018

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

12

TITLE OF REPORT: GREEN SPACE MANAGEMENT STRATEGY

REPORT OF: THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES

EXECUTIVE MEMBER: COUNCILLOR JANE GRAY

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

- 1.1 On the 24th January 2017 Cabinet resolved that, prior to removing facilities identified in the Green Space Management Strategy (GSMS), the Council shall allow up to 1 March 2018 for interested parties to put forward sustainable proposals that would fund both the capital and revenue requirements to safely continue to provide such facilities.
- 1.2 This report updates Cabinet on the proactive approach adopted in identifying and assisting interested parties to take on the management and maintenance of the thirteen small play areas listed for removal of formal play equipment and the four football pavilions identified for closure as per the GSMS. The aim is to continue to meet the needs of the local community.
- 1.3 A proposal to manage three play areas has been received from Great Ashby Community Council. Possible solutions at nil cost to the Council have been found for an additional four play areas. It is proposed that the remaining six will have equipment removed and landscaped back to green space.
- 1.4 With regards to pavilions, Templars Football Club has provided an initial business case to refurbish and manage Bakers Close pavilion, Baldock. The business case needs further officer evaluation to determine if it is sustainable.
- 1.5 No business cases have been received for the remaining three pavilions and it is proposed that these are demolished and returned to green space.

2. RECOMMENDATIONS

- 2.1 A three month period of time is given for the evaluation of the business case submitted by Templars Football Club for the football changing pavilion at Bakers Close, Baldock.
- 2.2 That subject to the sustainability of the business case the decision to enter into a lease with Templars Football Club or to demolish the building be delegated to the Head of Financial Services.
- 2.3 The football changing rooms at St. Johns Road, Cadwell Lane and Walsworth Common, Hitchin be demolished and returned to green space.

- 2.4 That the Council enter into a contract with Great Ashby Community Council for them to fund the maintenance and replacement of equipment for the play areas at Chilterns, Cleveland Way and Merrick Close, Gt. Ashby.
- 2.5 The Council continues to maintain the play equipment at Rosehill, Hitchin up to April 2022 or an earlier date if a new play area is provided in the locality by an independent provider at nil cost to the Council. The existing Rosehill play area will then be decommissioned.
- 2.6 For Betjeman Road and Farrier Court play areas Royston, the Council allow a period of time of up to three months for confirmation of funding sources from third parties.
- 2.7 That the equipment be removed from play areas at Ivel Road Baldock, Dacre Road and Symonds Rd, Hitchin, Linnet Close, Jackmans Recreation Ground and Oaktree Close, Letchworth. Sites to be landscaped as green space and where appropriate include elements of natural play such as grass mounds, logs and benches.
- 2.8 The play area at Fairfield Crescent, Great Ashby will no longer be considered and managed as a formal play area. The existing facilities will be monitored and managed as part of the overall green space.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To enable the retention of the green space within the budgets available to the Council.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 To increase capital expenditure by up to £150,000 pa to retain and continue to directly maintain and invest in all NHDC's 47 equipped play areas.
- 4.2 To provide capital investment in the region of £350,000 in total to refurbish four football changing pavilions.
- 4.3 Not to make the estimated revenue savings of £28,000 pa by retaining all NHDC's 47 equipped play areas.
- 4.4 Not to make the estimated revenue saving of £7,900 pa by retaining all NHDC's football changing pavilions.
- 4.5 In order to ensure the GSMS meets the requirements of the Council's Medium Term Financial Strategy (MTFS) the alternative options listed above were rejected as per the Cabinet meeting of the 24th January 2017.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The GSMS as adopted by Cabinet in January 2017 underwent a period of consultation. This included three focus groups and wide publicity in the local press.
- 5.2 The communication plan at Appendix A details the agreed consultation process between January 2017 – March 2018. This included update reports to Overview and Scrutiny, reports to Area Committees, press releases and contact with local football leagues and clubs and community groups such as Parent Teacher Associations.

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 1st January 2018.

7. BACKGROUND

- 7.1 In January 2016 a Project Board was formed to review the GSMS. In November 2016 the findings of the Project Board were reported to Cabinet and resulted in the adoption of a new GSMS for the period 2017 – 2021 that protected green space and complied with the Council's MTFS.
- 7.2 This report has been written to seek Cabinet's approval for the implementation of actions for play areas and football changing pavilions as detailed in the Council's adopted GSMS.
- 7.3 The most relevant decision relating to this report is Cabinet's resolution 8.3 of the 24th January 2017:

'That it be noted that, prior to removing facilities identified in the Strategy, the Council shall allow up to 1 March 2018 for interested parties to put forward sustainable proposals that would fund both the capital and revenue requirements to safely continue to provide such facilities, and that a proactive approach be adopted in seeking community groups to take on facilities, including advertising that support would be offered to guide groups through the process, particularly through use of social media'

- 7.4 Appendix B lists other relevant committee discussions or decisions relevant to this report.

8. RELEVANT CONSIDERATIONS

8.1 Pavilions

- 8.1.1 As per the agreed actions in 7.3 above and the Council's adopted GSMS 2017-2021 pavilions identified as being beyond economic repair were closed (Bakers Close, Baldock, St. Johns Road, Cadwell Lane and Walsworth Common, Hitchin). Prior to removing pavilions there is a period of time until 1st March 2018 for interested parties to put forward sustainable proposals.
- 8.1.2 Officers have been very proactive in contacting and assisting interested parties take on the responsibility of pavilions. 8.3.1 provides a summary of actions taken and Appendix D provides full details.
- 8.1.3 The Sunday Football League made a formal complaint relating to the Council's proposed closure of pavilions to the Local Government Ombudsman. The Ombudsman found no fault with the Council and endorsed our method of consultation with the use of focus groups.

8.2 Play Areas

- 8.2.1 As per the agreed actions in the Council's adopted GSMS 2017-2021, Local neighbourhood play areas identified as lower usage had until 1st March 2018 for interested parties to put forward sustainable proposals (13 sites).

8.2.2 Officers have been very proactive in reaching out to a wide range of community groups, contacting over 130 individual groups. Officers have also been looking at alternative ways to retain play equipment at nil cost to the Council. Information signs have been placed at each of the thirteen affected play areas and a play area guide shown at Appendix C has been produced to assist community groups. Appendix D provides a time line of all the actions taken since November 2016. The table at 8.3.2 provides a summary of these actions.

8.3 Summary of Actions Taken

8.3.1 Pavilions

| Date | Action |
|------------|---|
| Nov 2016 | Received expression of interest from local group to refurbish Bakers Close pavilion as a social club. Later withdrawn. |
| Feb 2017 | Current users of football pavilions contacted seeking expressions of interest for asset transfer. |
| Feb 2017 | Received expression of interested from local group for use of Bakers Close pavilion as a base for beer festival. Later withdrawn. |
| Feb 2017 | Contacted Hertfordshire Football Association for interest in asset transfer of pavilions. They had no interest in pavilions for single pitch sites. |
| Feb 2017 | Met with Hitchin Sunday Football League to discuss their proposals for pavilions. |
| Feb 2017 | Produced detailed information sheet for maintenance and repairs required for pavilions. Sent to all interested parties. |
| Feb 2017 | Expression of interest received for Hitchin pavilions from Hitchin Town Youth FC. Later withdrawn. |
| April 2017 | Formal complaint received from Sunday Football League re closure of pavilions. |
| May 2017 | Received expression of interest from St. Johns FC to take on St. Johns pavilion. Later withdrawn |
| June 2017 | Received expression of interest from Albion FC to take on Cadwell pavilion. Later withdrawn. |
| Aug 2017 | Private company expressed interest in Bakers Close pavilion as fitness centre. Later withdrawn. |
| Sept 2017 | Local Government Ombudsman response to a complaint from Sunday Football League found no fault with Council and endorsed use of focus groups. |
| Nov 2017 | Met with Sunday football league. They were working on a business case to take on St. Johns & Cadwell pavilions. Later withdrawn. |
| Dec 2017 | Met with Templars FC who expressed interest in Bakers Close Pavilion. |
| Jan 2018 | Approached by Hitchin Lacrosse team re possibility of them taking on St. Johns & Cadewll pavilions. Later withdrawn. |
| Feb 2018 | Reminder email sent to interested parties re needs to submit business case by 1 st March 2018. |
| Feb 2018 | Received business case from Templars FC for Bakers Close pavilion. |

8.3.2 Play Areas

| Date | Action |
|-----------|--|
| Jan 2017 | Article in local paper requesting asset transfer of play areas. |
| Feb 2017 | Contacted 38 residents who expressed an interest in play areas seeking expressions of interest for asset transfer. |
| Feb 2017 | Contacted 46 PTA's and 85 community groups seeking expressions of interest for asset transfer. |
| Feb 2017 | Play area information sheet produced and on web site |
| Feb 2017 | Contacted Royston Town Council and North Herts Homes seeking interest in asset transfer. No interest. |
| Feb 2017 | Met with Gt. Ashby Council re options for play area. |
| Feb 2017 | Tweeted offer of support for community groups. |
| Mar 2017 | Articles in local papers requesting community groups to run play areas. |
| Mar 2017 | Contacted Town Centre managers for possible funding for play areas. No interest. |
| Mar 2017 | New sponsorship page produced and on web site. |
| Mar 2017 | Met with planning to discuss future options for new play areas. |
| Apr 2017 | Signs erected in 13 play areas seeking community management. |
| May 2017 | Met with resident who expressed interest in taking on Jackmans Recreation Ground play area. Later withdrawn. |
| May 2017 | Petition received to save Rosehill play area and reported to Cabinet. |
| Sept 2017 | Gt. Ashby Community Council agreed to take on 3 play areas and funding new equipment for those listed as minimal investment. |
| Oct 2017 | Contacted Hitchin Members with proposal for Rosehill play area. |
| Nov 2017 | Articles in local papers requesting community groups to run play areas. |
| Jan 2018 | Produced template for business case to take on play areas and sent to interested parties. |
| Feb 2018 | Reminder email sent to interested parties re needs to submit business case by 1st March 2018. |
| Mar 2018 | Received business case from two local District Councillors for the continued funding of Betjeman Road and Farrier Court play areas Royston |

8.4 Progress Made

8.4.1 Pavilions

There has been interest in the pavilions from nine different community groups and the Council has tried to support these groups. One has come forward with a business case to take on Bakers Close pavilion in Baldock. There have been no business cases submitted for the other pavilions. Table 8.4.3.1 provides full details.

- 8.4.1.1 Templars Football Club are long standing users of the Bakers Close site and have submitted the business case which is currently being evaluated by officers. In summary they intend to invest £88,500 to bring the building back into use. They intend to use the pavilion as a sporting base for their club. They also plan to make the changing facilities and club house available to other sporting clubs. To generate income they intend to operate a bar and host a range of entertainment including discos and live bands.

8.4.2 Play Areas

Interest was received from three different groups for the management of play areas and two have submitted business cases to provide funding for five play areas. Of the thirteen play areas listed for potential decommissioning sustainable solutions have been found for seven sites to continue to maintain them as play areas in the short to medium term. There were no business cases put forward for the remaining six sites. Full details of proposals are shown in the table at 8.4.3.2

8.4.3 The tables below identify progress made on site by site basis and contains officer recommendations for each site.

8.4.3.1 Pavilions

| Site | Progress | Officer Recommendations |
|--------------------------------------|---|---|
| Bakers Close Pavilion, Baldock | Four community groups expressed an interest in taking on the pavilion. Templars Football Club submitted the business case which is currently being evaluated by officers. | To allow three months to evaluate the business case. If found to be sustainable lease the building to Templars Football Club. If found not to be sustainable demolish the building. |
| St. Johns changing rooms, Hitchin | Four community groups expressed an interest in the pavilion. However no business cases provided. | To remove the pavilion and reinstate to green space. |
| Cadwell Lane changing rooms, Hitchin | Four community groups expressed an interest in the pavilion. However no business cases provided. | To remove the pavilion and reinstate to green space. |
| Walsworth changing rooms, Hitchin | No expressions of interest received for existing building. Aiming to secure section 106 money for new build in 2020/21. | To remove the pavilion and reinstate to green space. |

8.4.3.2 Play Areas

| Site | Progress | Officer Recommendations |
|------------------------|--|--|
| Generic | Seeking sponsorship of some of our larger play area sites, which may generate additional income. No offers yet received. | Continue to promote opportunities for sponsorship. |
| Betjeman Road, Royston | No interest from Royston Town Council. Business case received from two local District Councillors with two possible options to continue to fund NHDC's grounds contractor to maintain the play area. | Allow a period of time of up to three months for confirmation of funding sources from third parties. |
| Farrier Court, Royston | No interest from Royston Town Council. Business case received from two local District Councillors with two possible options to continue to fund NHDC's grounds contractor to maintain the play area. | Allow a period of time of up to three months for confirmation of funding sources from third parties. |

| Site | Progress | Officer Recommendations |
|--|---|--|
| Ivel Road, Baldock | No expressions of interest received. | Remove formal play equipment and return to green space. |
| Dacre Road, Hitchin | No expressions of interest received. | Remove formal play equipment and return to green space. |
| Rosehill, Hitchin | Lots of community support to retain play area. Officers have potentially found a long term sustainable solution to retain a children's play area for the residents of Rosehill. | The Council continues to maintain the play equipment at Rosehill, Hitchin up to April 2022 or an earlier date if a new play area is provided in the locality by an independent provider at nil cost to the Council. The existing Rosehill play area will then be decommissioned. |
| Symonds Rd, Hitchin | No expressions of interest received. | Remove formal play equipment and return to green space. |
| Jackmans Recreation Ground, Letchworth | Expression of interest received from community group to fund play area. Later withdrawn with no business case provided. | Remove formal play equipment and return to green space. |
| Linnet Close, Letchworth | Some community support to retain play area. No offers of funding. | Remove formal play equipment and return to green space. |
| Oaktree Close, Letchworth | No expressions of interest received. | Remove formal play equipment and return to green space. |
| Chilterns, Gt. Ashby | Gt. Ashby Community Council have agreed to take on responsibility of play area. They intend to continue to use NHDC's grounds contractor to maintain the play area. | Enter into a contract with Great Ashby Community Council to fund play area. |
| Cleveland Way, Gt. Ashby | Gt. Ashby Community Council have agreed to take on responsibility of play area. They intend to continue to use NHDC's grounds contractor to maintain the play area. | Enter into a contract with Great Ashby Community Council to fund play area. |
| Fairfield Crescent, Gt. Ashby | Play area reclassified as not having formal play equipment. Therefore not requiring daily inspections or other play area maintenance expenses. | Continue to maintain as green space. |
| Merrick Close, Gt. Ashby | Gt. Ashby Community Council have agreed to take on responsibility of play area. They intend to continue to use NHDC's grounds contractor to maintain the play area. | Enter into a contract with Great Ashby Community Council to fund play area. |

9. LEGAL IMPLICATIONS

- 9.1 Within Cabinet’s terms of reference are “to prepare and agree to implement policies and strategies other than those reserved to Council” and “to approve those major service developments or reductions which also constitute Key Decisions.” The Green Space Management Strategy falls within Cabinet’s remit and this project has been noted on the Council’s Forward Plan as a key decision.
- 9.2 The Council provides parks, recreation grounds and open spaces under its discretionary powers.
- 9.3 Where the Council proposes that play areas or pavilions may be ‘adopted’ by a third party, this would be achieved by granting that party a long lease which would include an obligation on the Tenant to maintain the play equipment and/or building.
- 9.4 Legal Services are currently developing a contract Great Ashby Community Council to fund the maintenance and replacement equipment for 3 play areas in Great Ashby.
- 9.5 If approved by Cabinet Legal services will produce a lease for Bakers Close pavilion, Baldock.

10. FINANCIAL IMPLICATIONS

- 10.1 With the proposal that 13 small play areas will no longer be funded by NHDC (either as a result of external funding or equipment removal) there will, subject to negotiations with the Grounds Maintenance contractor, be revenue savings.
- 10.2 The proposals for asset transfer / demolition of pavilions will also facilitate the achievement of revenue savings.
- 10.3 The GSMS Capital investment programme includes the £310k cost to decommission pavilions and equipped play areas. These costs could be funded by capital receipts under the Capital Receipts Direction.
- 10.4 The proposals for the management and development of Green Space as detailed in the GSMS conform to the requirements of the Council’s current MTFS in relation to capital and revenue investment.
- 10.5 **Summary of potential revenue savings:**

| Item | Est. revenue saving pa | Year | Comments |
|--|------------------------|---------|--|
| Close 4 pavilions identified as beyond economic repair | *£7,900 | 2017/18 | If not transferred to a third party would require £120k to demolish and return 4 pavilions to green space. |
| Transfer to third party or remove equipment from 13 play areas | **£26,400 | 2018/19 | If not transferred to a third party would require £130k to demolish and return to green space. |
| | **£2,200 | 2022/23 | |
| Total est. revenue savings | £36,500 | | |

- * Based on 2015/16 actuals
- ** Subject to contractual negotiations

11. RISK IMPLICATIONS

- 11.1 If a strategic approach is not adopted to reduce expenditure on green space there will be insufficient funds to maintain the current infrastructure and this will lead to a gradual decline in the entire green space infrastructure.
- 11.2 Those areas which are well used and valued by the community will be the first to wear out and require decommissioning, while other areas that are little used and have limited value will survive and continue to command ongoing revenue expenditure for maintenance despite their lower community value and use.
- 11.3 Where equipment is installed in parks and open spaces, it is important it is regularly inspected and maintained to prevent any injuries to users. NHDC should ensure appropriate procedures are in place prior to transferring play areas.
- 11.4 The risks associated with green space sustainability were reviewed in 2017 and updated on the Council's performance and risk management software.
- 11.5 Effective communication will help to mitigate any reputational risks associated with the Council's recommended approach.
- 11.6 Risk of ensuring closed pavilions are still monitored prior to demolition.

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 An impact assessment of the Green Space Strategy 2017–2021 was included in the January 2017 report to Cabinet and is shown at Appendix E.

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 None contained within this report.

15. APPENDICES

- 15.1 Appendix A: Communication plan
- 15.2 Appendix B: Relevant committee discussions or decisions
- 15.3 Appendix C: Play Area guide
- 15.4 Appendix D: Time line of actions
- 15.5 Appendix E: Impact assessment

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1 Green Space Management Strategy 2017-20

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**COMMUNICATION PLAN
OUTLINE TIMELINE FOR COMMUNICATIONS – GSMS**

| Timing | Action | Who is responsible? | Complete |
|---------------|--|----------------------------|-----------------|
| Jan 2017 | Article in local press seeking interested parties for asset transfer | Comms | Yes |
| Feb | Contact residents who expressed an interest in play areas | SG | Yes |
| Feb | Contact local football clubs advising of closure of pavilions and seeking interest in asset transfer | SG | Yes |
| Feb | Contact Herts FA seeking interest in asset transfer | SG | Yes |
| Monthly | Inform Chairman of Overview and Scrutiny Committee | SG | ongoing |
| Feb | Meet with Gt. Ashby Community Council re asset transfer of play areas | SG | Yes |
| Feb | Meet with Sunday Football League seeking interest in asset transfer | SG | Yes |
| Feb | Contact PTA's of all Schools in District seeking interest in asset transfer | SG | Yes |
| Feb | Produce information pack/toolkit for asset transfer of play areas | SG | Yes |
| Feb | Publish information pack/toolkit on a web page on NHDC website | SG | Yes |
| Feb | Contact community groups who may have an interest in asset transfer | SG | Yes |
| Feb | Press release | Comms | Yes |
| Feb | Social media | Comms | Yes |

| Timing | Action | Who is responsible? | Complete |
|---------------|--|----------------------------|-----------------|
| March/April | Erect notices in play areas seeking interest in asset transfer | SG | Yes |
| April | Contact local companies for sponsorship of play areas | SG | Yes |
| June | Article in Summer Outlook seeking interest in asset transfer | Comms | Yes |
| June/July | Social media | Comms | Yes |
| July | Progress report to Overview & Scrutiny | SG | Yes |
| Oct/Nov | Press release – last chance | Comms | Yes |
| Oct/Nov | Social media – last chance | Comms | Yes |
| Oct/Nov | Briefing note for Area Committees | SG | Yes |
| March 2018 | Progress report to Overview & Scrutiny | SG | |
| March | Report to Cabinet on any completed or proposed asset transfers | SG | |
| April | Erect removal of equipment notices at play areas not transferred explaining what will happen to the site | SG | |
| April/May | Remove equipment and landscape sites not transferred | SG | |
| March/April | Article in Spring Outlook promoting importance of green space | Comms | |

Relevant Committee discussions or decisions

| Committee | Date | Minute | Actions |
|---------------------------|----------|---|--|
| Cabinet | 22/11/16 | 88: Review of Green Space Management Strategy | That the findings of the Green Space Project Board be noted, and based on their recommendations, the production of a draft new Green Space Management Strategy for the period 2017–2021, which aligns with the principles of the Council's Medium Term Financial Strategy, be agreed. |
| Overview and Scrutiny | 17/01/17 | 85: Review of Green Space Management Strategy | That the Parks and Countryside Manager be requested to provide Cabinet, at the meeting to be held on 24 January 2017, with details of the demographics of the focus groups. |
| Cabinet | 24/01/17 | 102: Review of Green Space Management Strategy | That the draft new Green Space Management Strategy (GSMS) 2017 – 2021, as attached at Appendix A to the report, be formally adopted. Prior to removing facilities identified in the Strategy, the Council shall allow up to 1 March 2018 for interested parties to put forward sustainable proposals that would fund both the capital and revenue requirements to safely continue to provide such facilities. |
| Overview and Scrutiny | 15/02/17 | 92: Call-In of Decisions Made by Cabinet on 24 January 2017 – Review of Green Space Management Strategy | That the decisions made by Cabinet on 24 January 2017 regarding the Review of the Green Space Management Strategy not be referred back to Cabinet. Progress report be provided to Overview and Scrutiny in July 2017 and March 2018. |
| Overview and Scrutiny | 18/07/17 | 28: Information Note – Green Space Strategy | 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. |
| Southern Rural Area | 30/11/17 | 49: Information Note – Green Space Management Strategy | Members were supportive of the strategy, which would result in non-parished areas paying for the upkeep of play areas in the same way as Parishes do. They commented that funding was available from other organisations such as BIFFA and Section 106 funding. |
| Baldock and District Area | 04/12/17 | 40: Green Space Management Strategy – Progress: Information Note | That the Parks and Countryside Manager be requested to write to Committee Members with further details on progress in respect of the Business Case for Bakers Road pavilion and any expressions of interest by community groups to take over the Ivel Road play area. (Information provided) |

APPENDIX B

| Committee | Date | Minute | Actions |
|-----------------------|----------|---|--|
| Hitchin Area | 05/12/17 | 55: Information Note – Green Space Management Strategy | That the Parks and Countryside Development Manager be requested to investigate and take forward the ideas and suggestions made at the meeting held on 5 September 2017 (Minute 35 refers) and that of the relevant Cabinet meeting. (Information provided to show that ideas had been taken forward) |
| Letchworth Area | 06/12/17 | 35: Information Note – Green Space Management Strategy | Noted update report |
| Overview and Scrutiny | 20/03/18 | | Verbal update to be given at Cabinet meeting on the 27/03/18. |

Play Area Guide

Managing a play area

In order to ensure continued investment in its major play areas, the Council is looking for interested parties to put forward viable proposals that would fund both the maintenance and as required the replacement of the equipment for some small play areas.

These play areas include:

Dacre Road, Rosehill and Symons Rd play areas in Hitchin;

Jackmans Recreation Ground, Linnet Close and Oaktree Close play areas in Letchworth;

Ivel Road play area in Baldock;

Betjeman Road & Farriar Court play areas in Royston; and

Chilterns, Cleveland Way, Fairfield Crescent and Merrick Close play areas in Gt. Ashby

Firstly, if not already established you will need to form a legally recognised body such as a registered Friends of Group or Residents Association. Our Community Development team will be happy to assist you in this. Please contact our Community Manager, Stuart Izzard on 01462 474854 or email stuart.izzard@north-herts.gov.uk.

What we will do

The Council will transfer the play area to the group in the form of a 25 year lease. The lease will be legally binding and it is recommended that you obtain your own legal advice to ensure you are happy with it. The lease will stipulate what the Council expects from you and what you can expect from the Council.

The Council will continue to maintain the grass and any trees or shrubs that may be present along with litter picking the area and emptying the bins.

What you will do

In summary you will become responsible for the regular inspection and maintenance of the play area including the equipment, safety surfacing, litter bins, seat, fencing etc. You will also be responsible for the replacement of equipment as and when required.

You will need to take out your own public liability insurance. This [charity insurance page](#) provides useful information on insurance and other information of interest to community groups.

Inspections and risk assessments

The play area must remain open for general public use and the Council expects you to maintain it in a safe and clean condition for use.

Currently the Council inspects its play areas on a daily basis and you may wish to contact our grounds maintenance contractor for a quote to do this on your behalf. Our contractor can be contacted via andrew.mills@north-herts.gov.uk. We have found that these recorded daily inspections pay dividends in defending insurance claims. If you wish to do the inspections yourself The Royal Society for the Prevention of Accidents (RoSPA) can arrange suitable training. RoSPA can be contacted at enquiries@rospa.com.

APPENDIX C

Each year you will be required to undertake an independent risk assessment of the play area and send a copy to the Council. The Council will expect you to undertake any remedial work highlighted in the report. If any highlighted work identified as a risk to users is not undertaken, the Council may have no option but to remove the item of equipment; if there are regular failures, the Council will need to consider whether to terminate the lease.

The Council has negotiated a reduced rate with a specialist playground inspection company for these annual inspections and you may wish to take advantage of this service. The current charge is £50.00. If you prefer to make your own arrangements RoSAP will be able to provide a suitable list of companies.

Considerations when taking on a play area

The check list below is not exhaustive but identifies some of things that you will need to consider prior to taking on a play area:

| | |
|--|--|
| Becoming qualified to undertake play area inspections. | Retaining records of safety inspections. |
| Routine maintenance of the equipment such as replacement swing seats and chains. | Arranging public liability insurance. |
| How to respond to public / media enquiries | Training for routine maintenance for example how to safely replace a swing seat. |
| Who will paint the equipment | Arranging annual risk assessment |
| What to do if you find hazardous waste such as needles from drug users. | What contact number to have displayed at the play area in case of emergencies or complaints. |
| How to quickly make safe a dangerous item of play equipment. | How to clean noxious substances from play equipment e.g. dog mess, sick etc. |

Further help and information

This may all sound rather daunting but it is important to realise upfront what is involved in managing a play area. This information may help prevent future unexpected surprises.

If you google 'Community Playgrounds' you will see that a number of Councils have adopted a similar approach. You will also be able to contact a number of community groups that already manage play areas.

There are also a number of playground companies that will be able to offer help and guidance especial on funding opportunities for community playgrounds. Below is a brochure from Wicksteed Playgrounds that you may find of use.

If you wish to proceed with taking on the responsibility of your local play area, please contact Steve Geach, Parks & Countryside Development Manager, steve.geach@north-herts.gov.uk, or call 01462 474553.

Attachment

Size

[Wicksteed Playgrounds Funding Brochure](#)

1.02 MB

Time Line of Actions**Time line for asset transfer of pavilions and play areas**

VW: Vaughan Watson, Head Leisure & Environmental Services NHDC

SG: Steve Geach, Parks & Countryside Development Manager NHDC

AM: Andrew Mills, Service Manager Grounds Maintenance NHDC

JS: Joanna Softly, Communications Manager NHDC

MS: Marie Searle, Property Solicitor NHDC

TR: Tom Rea, Hitchin Planning Officer NHDC

DH: David Hill Strategic Planning and Enterprise Officer NHDC

SI Community Development Manager NHDC

CM: Clair Morgan Community Development Officer NHDC

LD: Les Davison Health & Safety Officer NHDC

FT: Fiona Timms, HCC insurance officer

DC: David Charlton, Senior Estates Surveyor

AL: XXXXX Hitchin Sunday Football League

GL: XXXXXX Hitchin Sunday Football League

JDS: XXXXXX Hitchin Town Youth

JOC: John O'Conner Grounds Maintenance Ltd

| Date | Person | Action |
|--------------------------------|---------------|---|
| 22 nd November 2016 | VW | A Mr XXXX contacted the Council with a request to use Bakers Close pavilion as a XXXX club. |
| 30 th November 2016 | VW / AM / SG | Showed Mr XXXX around Bakers Close Pavilion. He agreed to produce a business case. |
| 22 nd December 2016 | VW | Invited to meet with the Sunday Football League to discuss future of pavilions. |
| 17 th January 2017 | SG | Followed up invite for meeting with Sunday Football League. |
| 17 th January 2017 | AL | Advised he was ill but would come back us to arrange a meeting. |
| 25 th January 2017 | Mercury Paper | Article in paper requesting interested parties in running play areas to contact NHDC. |
| 26 th January 2017 | AM | Emailed GT. Ashby Community Council with list of dates to meet to discuss play areas. |
| 30 th January 2017 | SG | Draft reply to residents produced sent to Cllr Gray for approval |

| Date | Person | Action |
|--------------------------------|---------|---|
| 30 th January 2017 | SG | Emailed Legal and Community Development to meet to discuss asset transfer. |
| 31 st January 2017 | AM | Instructed JOC to contact all football clubs with covering letter about asset transfer of pavilions. |
| 1 st February 2017 | JOC | Confirmed letters sent to ten football clubs asking for expressions of interest for asset transfer. |
| 2 nd February 2017 | SG | Contacted Cllr Henry for a list of Gt. Ashby schools |
| 2 nd February 2017 | SG | Contacted 38 residents who expressed an interest in play areas asking for expressions of interest for asset transfer. |
| 2 nd February 2017 | SG | Contacted 44 PTA's asking for expressions of interest for asset transfer of play areas. |
| 2 nd February 2017 | VW | Received expression of interest from XXXX to use Bakers Close pavilion as a venue for Baldock beer festival and to make changing rooms available for footballers. |
| 2 nd February 2017 | SG / AM | Met with Mr XXXXX on site. He agreed to submit a business case. |
| 3 rd February 2017 | SG / AM | Met with Legal and Community development to discuss options for asset transfer of play areas. It was agreed a lease would be required. |
| 10 th February 2017 | SG | Produced draft information pack for community groups taking on play areas. |
| 13 th February 2017 | SG | Contacted Herts FA to see if they were interested in asset transfer of pavilions. |
| 13 th February 2017 | SG | Arranged a meeting with Sunday Football League on Monday 20 th February to discuss asset transfer of pavilions. |
| 15 th February 2017 | SG | Contacted Community Development for list of community groups who may be interested in asset transfer. |
| 15 th February 2017 | VW/SG | Presented information to Overview & Scrutiny call-in for Green Space strategy. Agreement reached to proceed with no referral back to Cabinet or Council. |
| 15 th February 2017 | SG | Emailed DC & MS draft heads of terms for play areas lease. |
| 16 th February 2017 | SG | Contacted 2 PTA's in Gt. Ashby asking for expressions of interest for asset transfer of play areas. |
| 16 th February 2017 | SG | Emailed 67 community groups/ resident associations seeking interest in asset transfer of play areas. |
| 17 th February 2017 | SG | Contacted Royston Town Council seeking interest in asset transfer of play areas. |
| 17 th February 2017 | SG | Contacted North Hertfordshire Homes seeking interest in asset transfer of play areas. |
| 17 th February 2017 | SG | Wrote to 18 community groups seeking interest in asset transfer of play areas. |

| Date | Person | Action |
|--------------------------------|--------|---|
| 20 th February 2017 | SG | Emailed AM re possible sponsorship of larger play areas. |
| 20 th February 2017 | SG | Emailed DC & MS draft heads of terms for pavilion leases. |
| 20 th February 2017 | SG | Sent draft play area notice to JS for approval. |
| 20 th February 2017 | SG/VW | Met with AL to discuss Sunday Football League taking on pavilions. SG to provide information on current cost. AL to produce business case |
| 20 th February 2017 | SG | Phone call from Hitchin Town Youth FC expressing interest in pavilions. They intend to email though questions. |
| 21 st February 2017 | SG | Emailed JS for information on expanding opportunities for sponsorship. |
| 21 st February 2017 | SG | Emailed JS with updated design for play area poster. JS approved poster. |
| 21 st February 2017 | SG | Emailed AL running costs of pavilions and work required to bring them up to standard. |
| 21 st February 2017 | SG | Sent adopted GSMS to print room for final grammar corrections prior to publishing on Web. |
| 21 st February 2017 | JS | Produced communication plan. |
| 21 st February 2017 | SG | Emailed Cllr Gray and Cllr Henry, copy of communication plan, information pack and funding brochure. |
| 21 st February 2017 | JS | Looking into routes for advertising for expanding sponsorship opportunities. |
| 21 nd February 2017 | GL | Replied to SG email thanking for financial information which the Hitchin Sunday Football League will consider. |
| 22 nd February 2017 | JS | Drafted press release for play areas, Cllr Gray approved. |
| 22 nd February 2017 | SG | Play area information sheet live on NHDC web site |
| 22 nd February 2017 | JDS | Emailed for more information on asset transfer of pavilions to Hitchin Town Youth. |
| 22 nd February 2017 | AM | AM received business plan from Mr XXXX to use Bakers Close pavilion as a XXXXXX club. |
| 23 rd February 2017 | MS | Finalised generic lease for pavilions |
| 23 rd February 2017 | SG | Emailed JDS at Hitchin Town Youth details on pavilions. |
| 23 rd February 2017 | SG | Emailed Cllr Gray & Henry link to NHDC's web information on managing play areas. |
| 23 rd February 2017 | JS | JS met with Comet paper to discuss play area press release. |
| 23 rd February 2017 | SG/AM | Met with Gt. Ashby Community Council re future of play areas. |
| 24 th February 2017 | AM | Emailed Mr XXXX for more information on plans for pavilion at Bakers Close. |
| 24 th February 2017 | AM | Received email from XXXXX of Baldock Beer festival. Will not be using site this year |
| 24 th February 2017 | JS | Tweeted offer of support to community groups wishing to take on play areas. |

| Date | Person | Action |
|--------------------------------|--------------|---|
| 27 th February 2017 | JS | Responded to 7 year old child on Face book who didn't want Rosehill play area to close. |
| 27 th February 2017 | VW/SG | Met with Cllr Hill & Cllr Hunter to discuss Royston play areas. |
| 27 th February 2017 | AM | Emailed Cllr Hill & Cllr Hunter maintenance costs. |
| 27 th February 2017 | FT | Emailed Cllr Hill & Cllr Hunter details on play area insurance. |
| 2 nd March 2017 | Comet paper | Article requesting community groups to run play areas. |
| 2 nd March 2017 | Royston Crow | Article requesting community groups to run play areas. |
| 8 th March 2017 | Comet online | Article about Rosehill play area. Council requesting community support. |
| 10 th March 2017 | SG | Ordered signs to be erected in play areas requesting community groups to run play areas. |
| 13 th March 2017 | SG | Emailed Hitchin, Letchworth & Royston Town Centre Mangers seeking funding for play areas. |
| 24 th March 2017 | SG | Sponsorship page put on web site. |
| 24 th March 2017 | SG | Contacted Planning to see if proposed Highover Farm development could provide a play area for Rosehill estate. |
| 27 th March 2017 | TR | Planning emailed confirming that potentially a development at Highover Farm could provide a new play provision for Rosehill at nil cost to the Council. |
| 5 th April 2017 | SG | Emailed David Hill, Business development officer link to sponsorship web page to circulate to businesses. |
| 5 th April 2017 | SG | Emailed Town Centre Mangers link to sponsorship web page to circulate to businesses. |
| 6 th April 2017 | DH | David Hill, Business development officer will publicise sponsorship to businesses he has in contacts list and include in a business newsletter. |
| 10 th April 2017 | SG | Requested AM to place order with JOC to erect play area signs at the 13 sites. |
| 13 th April 2017 | SG | Follow up email to Sunday Football League to see if they had any proposals for pavilions. |
| 13 th April 2017 | SG | Follow up email to Hitchin Town Youth to see if they had any proposals for pavilions. |
| 13 th April 2017 | SG | Suggested AM contact XXXXX for update on his plans for Bakers Close pavilion. AM agreed. |
| 21 st April 2017 | JOC | Signs erected in 13 play areas seeking community management of play areas. |
| 24 th April 2017 | N/A | Royston Town Council discussed play areas and resolved not to take on play areas. |
| 24 th April 2017 | SG | Emailed Gt. Ashby Community Council for update on them taking on play areas. |

| Date | Person | Action |
|-----------------------------|------------|---|
| 24 th April 2017 | SG | Reply from Gt. Ashby Community Council they are consulting on taking on some, all or none of the play areas. Results due in July 2017. |
| 25 th April 2017 | SG | Emailed planning about possible retention or new play area near Betjeman Rd play area funded by new development. |
| 25 th April 2017 | SG | Received email from a Mr XXX expressing interest in taking on Jackmans Rec play area |
| 25 th April 2017 | SG | Received Stage 1 complaint from Sunday Football League re closure of pavilons. |
| 26 th April 2017 | SG | Provided pre application advice to planning for new play area at Highover farm development that could serve existing Rose Hill residents. |
| 27 th April 2017 | SG | Responded to Stage 1 complaint from Sunday Football League. |
| 27 th April 2017 | SG | Spoke to Mr XXXXI and provided info on play area costs for Jackmans Rec. |
| 27 th April 2017 | SG | Contacted Stuart Izzard to set up meeting with Mr XXX to assist him form a community group for Jackmans play area. |
| 4 th May 2017 | SG | Sunday Football League make stage 2 complaint re closure of pavilons. |
| 5 th May 2017 | SG /AM /CM | Met with Mr XXXX. He is very interested in retaining Jackmans Playing Fields play and has a history of fund raising. AM to provide details of previous running cost. CM to provide details of local contacts. |
| 8 th May 2017 | SG | Met with Cllr Needham to explain proposal for Rosehill. |
| 12 th May 2017 | VW | Responded to Sunday Football League stage 2 complaint re closure of pavilons. |
| 26 th May 2017 | SG | Received expression of interest from St. Johns FC to take on St. John's pavilion. |
| 30 th May 2017 | SG | Provided St. John's FC costings of St. John's pavilion. |
| 30 th May 2017 | SG | Cllr Gray informed she had received a petition to save Rose hill play area. Sent to Committee Section. |
| June 2017 | | Summer outlook published with article on community |
| 5 th June 2017 | SG | Letter received objecting to the removal of play equipment from Rosehill play area |
| 7 th June 2017 | SG | Sent draft reply re Rosehill letter to Cllr Gray for approval |
| 7 th June 2017 | SG | Expression of interest received from Albion football club to retain Cadwell Lane Pavilion |
| 7 th June 2017 | SG | Provided Albion football club costings of Cadwell pavilion |
| 7 th June 2017 | SG/AM/CM | Mr XXXX emailed with positive proposals to take on responsibility of Jackmans Creamery play area. Arranged to meet on site 14/06/17. |

| Date | Person | Action |
|----------------------------|--------------|---|
| 13 th June 2017 | VW | Received email from XXXX not happy with stage 2 response to his complaint re closure of pavilions. Intend to complain to Ombudsman. |
| 14 th June 2017 | SG/AM/ CM | Met with Mr XXX He intends to form a community group and seek a 3 year sponsorship deal from local businesses for Jackmans play area. |
| 15 th June 2017 | SG | Provided Stuart Izzard contact details of groups expressing an interest in taking on pavilions. Stuart can assist with business case. |
| 16 th June 2017 | SI | Emailed Albion football club set up a meeting 19 th June 2017 on site to discuss business case. |
| 19 th June 2017 | SI | Albion FC failed to turn up for meeting. |
| 20 th June 2017 | SG | Emailed Cllr Hill & Hunter for update on their proposals for Royston play areas. |
| 22 nd June 2017 | SG | Received phone call from XXXX at St. John's FC advising me they were progressing with their business case. |
| 22 nd June 2017 | SG | Emailed Stuart Izzard to see if he could help support St John's FC. |
| 22 nd June 2017 | SG | Received email from local resident wanting to build a house on Dacre Road Play Area. Advised it was not for sale as a building plot. |
| 23 rd June 2017 | SG | Emailed Property Services to see if they could offer St. John's FC advice on maintenance of pavilions. |
| 23 rd June 2017 | SG | Emailed David Charlton re drafting a lease for St. John's pavilion. |
| 23 rd June 2017 | SG | Received email from Cllr Elizabeth Dennis requesting maintenance cost and capital spend for each play area over the past 5 years |
| 26 th June 2017 | SG | Emailed finance requesting spend on play areas. |
| 26 th June 2017 | SG | AM to provide Cllr Hill & Cllr Hunter details of maintenance cost for Betjeman & Farrier Court play areas. |
| 26 th June 2017 | SG | Emailed Cllr Elizabeth Dennis 5 year capital cost of play areas. |
| 26 th June 2017 | AM | Emailed Cllr Elizabeth Dennis 10 year revenue cost of play areas. |
| 14 th July 2017 | VW | Received email request for Baldock Town Youth FC to take on Bakers Close pavilion. |
| 18 th July 2017 | SG | Emailed Baldock Town Youth Stuart Izzards details to help them establish a business case. |
| 18 th July 2017 | SG | Presented update report to Overview & Scrutiny. |
| 19 th July 2017 | SG | Contacted St. John's FC to arrange to met to discuss their progress with taking on St. John's pavilion. Arranged to meet on Friday 21 st July. |

| Date | Person | Action |
|----------------------------|--------|--|
| 19 th July 2017 | SG | Emailed XXXXX for an update on his proposals for Bakers Close Pavilion. |
| 19 th July 2017 | SG | Received email from XXXXX saying he thought the Council wasn't interested in his proposal. |
| 20 th July 2017 | SG | Replied to XXXXXX saying AM was awaiting additional information from him. |
| 20 th July 2017 | AM | Emailed XXXXX explaining he needed a more detailed business case where the Council did not have to provide funding. |
| 21 st July 2017 | SG | Met with St. John's FC on site. They are not sure if they will have a football club next season but still keen to take on pavilion. |
| 24 th July 2017 | SG | Emailed St. John's FC additional information on current electrical checks for St. John's pavilion. |
| 24 th July 2017 | SG | Emailed Gt. Ashby Council for update on play area consultation. |
| 25 th July 2017 | VW | XXXXX provided a presentation to Cabinet on the petition of 450 local resident objecting the potential closure of Rosehill Play area. |
| 27 th July 2017 | SG | Received reply from Gt. Ashby Council will be discussing results of survey in Sept and get back to us. |
| 31 st July 2017 | SG | Agreed to set up meeting with Cllr Gray & Cllr Henry once results of Gt. Ashby were known. |
| 14 th Aug 2017 | SG | Received email from XXXXX wanting to use Bakers Close pavilion for fitness and rehabilitation classes. |
| 23 rd Aug 2017 | SG | Met with Cllr Martin Stears-Handsomb, Cllr Simon Harwood, Andrew Mills, Vaughan Watson and Cllr Gray to discuss options for Hitchin play areas. |
| 23 rd Aug 2017 | AM | Set up meeting with XXXXX to view Bakers Close pavilion |
| 25 th Aug 2017 | AM | Met with XXXXX to view Bakers close pavilion. XXXX to produce business case. |
| 4 th Sept 2017 | AM | Received email from XXXXXX requesting details on planning status of Bakers Close Pavilion. |
| 6 th Sept 2017 | AM | Provide XXXXXX contact in planning. |
| 11 th Sept 2017 | SI | Received email from The Albion FC. They are no longer interested in taking on Cadwell pavilion. |
| 21 st Sept 2017 | SG | Received email from GT. Ashby Council. They will take on 3 play areas scheduled for closure and fund replacement equipment at 4 retained sites listed as limited investment. |
| 21 st Sept 2017 | SG | Received draft Ombudsman response re Sunday football league. Ombudsman found no fault with the Council and endorsed the approach we had taken. |

| Date | Person | Action |
|---------------------------|--------|--|
| 4 th Oct 2017 | SG | Contacted Hitchin Councillors with proposal for Rosehill play area. |
| 16 th Oct 2017 | SG | Emailed St. John's FC for update on business case. |
| 16 th Oct 2017 | SG | Emailed XXXXX for update on his proposals for Jackmans play area. |
| 16 th Oct 2017 | AM | Met with Gt. Ashby Council to firm up proposals for transfer of play areas. |
| 17 th Oct 2017 | SG | Received email from XXXXX. He has found 2 other residents to form community group for Jackmans Rec play area. |
| 8 th Nov 2017 | SG/AM | Met with Sunday football league. They informed us that St. Johns FC were no longer interested in taking on St. Johns pavilion. However the Sunday League were working on a business case to take on St. Johns & Cadwell pavilions. |
| 9 th Nov 2017 | SG | Emailed St. Johns FC to confirm that they no longer were able to take on pavilion. They confirmed this was correct. |
| 17 th Nov 2017 | SG | NHDC Tweet for community groups to take on play areas |
| 20 th Nov 2017 | SG | On-line Comet article for community groups to take on play areas |
| 21 st Nov 2017 | SG | Received email from Sunday Football League saying they had an interested party to take on Bakers Close Pavilion and requested details. |
| 21 st Nov 2017 | SG | Provided Sunday League with requested details and asked what the intended use of the pavilion was. |
| 23 rd Nov 2017 | SG | Comet article in paper for community groups to take on play areas |
| 5 th Dec 2017 | SG | As requested emailed Baldock Cllrs with further updates on Bakers Close pavilion and Pryor Way play area. |
| 5 th Dec 2017 | SG | Received email from Committee services advising progress for Farrier Court play area should be identical to that for the Betjeman Road play area. |
| 5 th Dec 2017 | SG | Emailed XXX at Amber Health to see if there was any update on his proposals for Bakers Close Pavilion. |
| 5 th Dec 2017 | SG | Emailed XXX to see if still interested in Bakers Close pavilion. |
| 5 th Dec 2017 | SG | Emailed Sunday League asking for update on his proposals for Bakers Close pavilion. |
| 5 th Dec 2017 | AL | Replied to email saying he would contact them for an update. |
| 5 th Dec 2017 | SG | Emailed Baldock Town Youth for any update on their proposals for Bakers Close Pavilion. |
| 8 th Dec 2017 | SG | Received email from XXXX of Baldock Town Youth asking to meet to discuss Bakers Close pavilion some time next week. |

| Date | Person | Action |
|---------------------------|--------|--|
| 11 th Dec 2017 | SG | Replied to XXX with a suggested date for a meeting. |
| 11 th Dec 2017 | SG | Received email from XXXX at Baldock Town Youth saying can't make a meeting this week. |
| 11 th Dec 2017 | SG | Phone call from XXX at Baldock Templars FC who was contacted by Sunday League, wanting to arrange meeting to look inside Bakers Close Pavilion. Arranged for Mon 18 th Dec. |
| 11 th Dec 2017 | SG | Emailed Sunday League inviting them to meeting with Baldock Templars. |
| 11 th Dec 2017 | SG | Sent updated time line to Cllr Gray & Cllr Henry |
| 11 th Dec 2017 | SG | Received email from XXXX at Amber Health he hasn't made any progress with business case. |
| 12 th Dec 2017 | SG | Emailed Baldock Town Youth with dates next week for a meeting. |
| 12 th Dec 2017 | SG | Received email from Baldock Town Youth saying they may be able to meet next week. I emailed back saying let me know and I'll book a meeting room. |
| 14 th Dec 2017 | SG | As no reply from Baldock Town Youth did a follow up email to see if they were able to meet with us re Bakers Close pavilion. |
| 14 th Dec 2017 | SG | Emailed Cllr Hill to set up meeting with Vaughan and Cllr Gray to discuss Royston play areas. |
| 14 th Dec 2017 | SG | At Cllr Henry's request produced redacted timeline to be sent to members of OS |
| 15 th Dec 2017 | SG | Received reply from Baldock Town Youth they can meet us on Wed 20 th Dec to discuss Bakers Close pavilion. |
| 18 th Dec 2017 | SG/AM | Met with XXX of Baldock Templars FC to show him around Bakers Close Pavilion. He gave us a very draft proposal for the building. |
| 20 th Dec 2017 | SG/AM | Met with XXXX of Baldock Town Youth to hear his proposals for Bakers Close pavilion. Would like to demolish and rebuild on existing foundations but have no money. |
| 8 th Jan 2018 | SG | Emailed XXXX for update on his proposals for Jackmans Play area. |
| 10 th Jan 2018 | SG/AM | Phone call from XXXX of Baldock Templars FC wanting a second visit to Bakers Close Pavilion. |
| 10 th Jan 2018 | SG | Emailed Property Services for them to contact XXXX to arrange a visit to Bakers Close. |
| 10 th Jan 2018 | LD | NHDC's Health & Safety Officer advised no one enters Bakers Close Pavilion until a structural engineers report is undertaken on the safety of the building. |
| 10 th Jan 2018 | SG | Instructed Property Services to undertake a structural survey of Bakers Close Pavilion. |

| Date | Person | Action |
|---------------------------|--------|---|
| 10 th Jan 2018 | SG | Emailed XXXX at Templar FC to advise it was not currently possible to enter Bakers Close pavilion due to health and safety concerns. |
| 10 th Jan 2018 | SG | Follow up email to Cllr Hill to arrange a meeting with Vaughan and Cllr Gray. Asked for update on her proposals. |
| 10 th Jan 2018 | SG | Received email from Property Services advising there was no point in appointing a structural engineer for Bakers Clos. It was obvious the building was dangerous and would cost money to make safe. |
| 10 th Jan 2018 | SG | Received 2013 condition survey of Bakers Close pavilion and forwarded this to XXXX at Templars FC. |
| 11 th Jan 2018 | SG | Meeting arranged for Cllr Hill and Hunter to discuss play areas with Cllr Gray on Monday 15 th Jan. |
| 11 th Jan 2018 | SG | Follow up email to XXX at Sunday football league seeking update on their proposals for ST. John's and Cadwell pavilions. |
| 11 th Jan 2018 | AM | Approached by Hitchin Lacrosse team re possibility of them taking on pavilions. Due to meet on the 19 th Jan. |
| 17 th Jan 2018 | SG | Emailed Cllr Hunter & Hill template for business case to maintain Betjeman & Farrier Court play areas. |
| 18 th Jan 2018 | SG | Emailed Jackmans resident template for business case to maintain Jackmans Playing Field play area. |
| 18 th Jan 2018 | SG | Emailed Cllr Hunter & Hill contact details for costing of play ground repairs. |
| 19 th Jan 2018 | SG/AM | Met with Hitchin Lacrosse team at St. John's Rec. They are not interested but want Swinburne. |
| 19 th Jan 2018 | SG | Jackmans resident emailed saying he would phone on Monday to discuss his proposals for Jackmans play area. (No phone call) |
| 30 th Jan 2018 | SG | Received phone call from XXXXX at the Sunday Football League saying it was ridiculous that Templars FC were not allowed second access to Bakers Close pavilion for safety reasons and called our Health & Safety officer a jobs worth. |
| 31 st Jan 2018 | SG | Spoke to Nafees in property services who confirmed he was not happy for people to enter Bakers Close pavilion and even if the Council got an indemnity from Templars FC to enter the building the Council could still be liable if there was an accident. |
| 31 st Jan 2018 | SG | Received phone call from Jackmans resident who apologised he had not progressed his plans for Jackmans playing fields play area. Explained that we needed business case by |

| Date | Person | Action |
|---------------------------|--------|--|
| | | 1 st March 2018. |
| 1 st Feb 2018 | SG | Emailed Baldock Cllrs with an update on Bakers Close Pavilion & problems with access. |
| 2 nd Feb 2018 | SG | Provided Baldock Cllr's additional information as to why we could not enter Bakers Close pavilion. |
| 2 nd Feb 2018 | IC | Ian Couper spoke to SG and confirmed he wouldn't be happy with his staff entering Bakers Close Pavilion. |
| 5 th Feb 2018 | SG | Emailed Cllr Gray & Henry copy of time line. |
| 12 th Feb 2018 | SG | Received phone call from XXXX at Templars FC. He will provide a business case for Bakers Close by end of week. |
| 13 th Feb 2018 | SG | Received phone call from XXXX at Sunday football league still annoyed that NHDC would not allow Templars FC access into Bakers close Pavilion and NHDC were allowing this and other buildings to be destroyed whilst happy to fund a new bridge onto Walsworth Common. |
| 13 th Feb 2018 | SG | Received phone call from XXX of Sunday Football League apologising to me for previous call. I agreed to send him time line relating to Templars FC proposals for Bakers Close. |
| 14 th Feb 2018 | SG | Emailed Cllr Hill & Hunter to remind them deadline for submission of business cases for Royston play areas was 1 st March 2018. |
| 14 th Feb 2018 | SG | Emailed Jackmans resident to remind him deadline for submission of business case for Jackmans play areas was 1st March 2018. |
| 14 th Feb 2018 | SG | Emailed XXXX at Templars FC to remind him deadline for submission of business case for Bakers Close pavilion was the 1 st March 2018. |
| 14 th Feb 2018 | SG | Emailed XXXX at Sunday football league to remind him deadline for submission of business cases for St. John's and Cadwell Lane pavilions was the 1st March 2018. |
| 14 th Feb 2018 | SG | Emailed Baldock Town Youth to remind them deadline for submission of business case for Bakers Close pavilion was the 1st March 2018. |
| 14 th Feb 2018 | SG | Received email from XXX at Templars FC thanking me for all my help and confirming he would send a business case. |
| 26 th Feb 2018 | SG | Emailed Jackmans resident to remind him deadline for submission of business case for Jackmans play areas was 1st March 2018. |
| 26 th Feb 2018 | SG | Emailed Cllr Hill & Hunter to remind them deadline for submission of business cases for Royston play areas was 1st March 2018. |

| Date | Person | Action |
|---------------------------|--------|---|
| 26th Feb 2018 | SG | Emailed XXXX at Templars FC to remind him deadline for submission of business case for Bakers Close pavilion was the 1st March 2018. |
| 26th Feb 2018 | SG | Emailed XXX at Sunday football league to remind him deadline for submission of business cases for St. John's and Cadwell Lane pavilions was the 1st March 2018. |
| 26th Feb 2018 | SG | Emailed Baldock Town Youth to remind them deadline for submission of business case for Bakers Close pavilion was the 1st March 2018. |
| 26 th Feb 2018 | SG | Received email from XXX at Templars FC. Aim to submit business case for bakers Close this Wed. |
| 27 th Feb 2018 | SG | Received email from Jackmans resident. He has not been able to raise funds for Jackmans play area. |
| 27 th Feb 2018 | SG | Received email from XXX at Templars FC. Will drop off business case for Bakers Close in Council reception. |
| 28 th Feb 2018 | SG | Received email from Cllr Hill requesting how much it would cost NHDC to maintain Betjeman play area for another year. I resent her a copy of Junes email which detailed cost. |
| 28 th Feb 2018 | SG | Received a request from Cllr Hill to meet with Cllr Gray and I to discuss Royston Play areas. |
| 28 th Feb 2018 | SG | Received business case for Bakers Close from XXX at Templars FC. |
| 28 th Feb 2018 | SG | Emailed XXX at Templars FC asking how he was funding start up cost. |
| 28 th Feb 2018 | SG | Received email from XXX at Templars FC confirming he had the funds in the bank. |
| 28 th Feb 2018 | SG | Asked Finance and Property Services to work with Templars Football Club to ensure business case was sustainable. |
| 1 st Mar 2018 | SG | Met with XXXX and XXX who provided a business case to provide funding for Betjeman Road and Farrier Court play areas Royston. |
| 2 nd Mar 2018 | SG | Emailed XXX from Templars Fc advising him that Finance and Property Services were evaluating his business case. |

Impact Assessment

| | |
|--|--|
| 1. Name of activity: | Green Space Management Strategy 2017- 2021 |
| 2. Main purpose of activity: | To ensure the Council is best able to maintain sustainable green space to meet community needs, within available funding |
| 3. List the information, data or evidence used in this assessment: | Review of Green Space Management Strategy & Grounds Maintenance Contract Project board reports 1 – 7. Medium Term Financial Strategy 2016 – 2021, Cabinet Report 22nd November. Green Space Citizen Panel Focus Groups |

4. Assessment

| Characteristics | Neutral (x) | Negative (x) | Positive (x) | |
|-----------------|----------------|-----------------|-----------------|---|
| | | | | Negative |
| | | | | |
| | | | | Positive |
| | | | | The retention of all green space sites with limited investment ensures access to green space and the associated benefits is maintained. |
| | | | | Negative |
| | | | | |
| | | | | Positive |
| | | | | The proposal to provide a new football changing pavilion at Walsworth Common, Hitchin will mean the Council will have two fully DDA compliant football pavilions. |
| | | | | Negative |
| | | | | |
| | | | | Positive |
| | | | | |
| | | | | Negative |
| | | | | |
| | | | | Positive |
| | | | | |
| | | | | Negative |

APPENDIX E

| | | | | |
|--|--|--|--|--|
| sex, male or female, including issues around pregnancy and maternity | | | | If play areas do not transfer to third parties there would be the potential loss of equipment from up to 13 play areas. |
| | | | | Positive |
| | | | | If 13 play areas are transferred to third parties they would be managed at a more local level meeting the needs of local communities. |
| | | | | Negative |
| | | | | |
| | | | | Positive |
| | | | | |
| | | | | Negative |
| | | | | Young People:- If play areas do not transfer to third parties there would be the potential loss of equipment from up to 13 play areas. |
| | | | | Positive |
| | | | | Young People:- If 13 play areas are transferred to third parties they would be managed at a more local level meeting the needs of local communities. Teenagers / Adults:- The proposal to provide a new football changing pavilion at Walsworth Common, Hitchin will mean the Council will have two fully DDA compliant football pavilions. |
| | | | | Negative |
| | | | | |
| | | | | Positive |
| | | | | |

5 Results

| | Yes | No | |
|--|--------------------------|--------------------------|---|
| Were positive impacts identified? | X | <input type="checkbox"/> | With reduced funding the Green Space Strategy 2017 - 2021 best enables the Council to meet community needs for the retention of Green space and associated infrastructure most valued by our communities. |
| Are some people benefiting more than others? If so explain who and why. | <input type="checkbox"/> | X | |

APPENDIX E

| | | | |
|--|----------|--------------------------|---|
| Were negative impacts identified (what actions were taken) | X | <input type="checkbox"/> | NHDC's Community Development Team will work with local communities to help establish 'Friends of Local Play Area' groups. |
|--|----------|--------------------------|---|

6. Consultation, decisions and actions

If High or very high range results were identified who was consulted and what recommendations were given?

Opinion Research Services (ORS) was commissioned to under take three focus groups (one in Hitchin, one in Letchworth and one in Royston) with members of NHDC's Citizens' Panel to discuss the Green Space Management Strategy Review. The groups included a total of 29 people: they were recruited by ORS through its social research call centre, with quota controls to ensure a relatively proportional representation of different demographic and socio-economic groups.

Describe the decision on this activity

Where financially viable the recommendations of the Focus groups have been incorporated into the Green Space Strategy.

List all actions identified to address/mitigate negative impact or promote positively

| Action | Responsible person | Completion due date |
|--|--------------------|---------------------|
| Revised the current Green Space management Strategy to include a sustainable investment programme for green space for the period 2017 - 2021. Although negative impacts had been identified by the proposed closure of the pavilions, officers carried out extensive consultation and exploratory meetings but no community groups were identified as able to take on the running of the pavilions. | Stephen Geach | Jan 2017 |

When, how and by whom will these actions be monitored?

Annual review of Strategy by Head of Leisure and Environment

7. Signatures

Assessor

Name: **Stephen Geach**

Signature** Stephen Geach

Validated by

Name: **Reuben Ayavoo**

Signature** Reuben Ayavoo

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RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE: 20 March 2018

SECTION 1: COMMITTEE RESOLUTIONS

| Ref | Resolution | Response/Outcome | State of Play |
|-------------------|--|---|-----------------------------------|
| Min 111 Mar 17 | <p>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.</p> | | |
| Min 16 June 17 | <p>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</p> | | |
| Min 31 July 17 | <p>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.</p> | A meeting has been held with the Chairman and the Leader of the Council to scope a meeting. | Meeting to be scheduled |
| Min 28 July 17 | <p>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.</p> | Report Presented 20 March 2018 | Complete – 20 th March |

| | | | |
|-------------------|--|--|---|
| Min 32 July 17 | <p>Work Programme</p> <p>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;</p> <p>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;</p> <p>That the effectiveness of the Community Halls Strategy be added to the list of discussion topics for future meetings.</p> | <p>Noted by the Scrutiny Officer</p> <p>Presentation being made 20 March 2018</p> <p>This has been added to the work programme</p> | <p>In Progress</p> <p>Complete – 20th March</p> <p>Complete as added to work programme</p> |
| Sept 17 Min 41 | <p>Homelessness Reduction Act 2017</p> <p>That the Controls, Risk and Performance Manager be requested to include Homelessness Performance Indicators in reports to this Committee on a regular basis;</p> | <p>Noted and actioned by the Controls, Risk and Performance Manager</p> | <p>Complete</p> |
| Sept 17 Min 43 | <p>Performance Indicators</p> <p>That, in respect of NI191 and NI192, the Controls, Risk and Performance Manager be requested to investigate:</p> <p>(i) Whether there was a national downward trend and if so why;</p> <p>(ii) Whether NHDC was gradually slipping down the ranking nationally and if so why;</p> <p>(iii) What actions were being taken to address the situation.</p> | <p>Circulated to Members</p> | <p>Complete</p> |
| Sept 17 Min 44 | <p>Key Projects for 2017/18</p> <p>That the project entitled Bancroft Gardens MUGA be removed from the 2017/18 monitoring reports but be included in the 2018/19 monitoring reports:</p> | <p>Noted and actioned by the Controls, Risk and Performance Manager</p> | <p>Complete</p> |

| | | | |
|-------------------|--|---|---|
| Sept 17 Min 45 | Annual Safeguarding That the Communications Manager be requested to include all Members in future notifications that the in-house e-magazine Insight is available. | The Communications Manager has arranged for future issues of the e-magazine Insight to be sent to all Members | Complete |
| Sept 17 Min 48 | Work Programme That the Head of Finance, Performance and Asset Management be requested to prepare a report on the management of Council assets, using the example of community halls, paying particular regard to the maintenance and upkeep of buildings. | This will be presented to the June meeting. | In progress |
| Dec 17 Min 73 | Performance Indicators That the Executive Member for Waste, Recycling and Environment be requested to consider introducing a separate Performance Indicator Target regarding the amount of garden waste collected and that this be monitored closely That the Controls, Risk and Performance Manager be requested to include any Performance Indicator Monitoring figure regarding the collection of garden waste on every monitoring report for at least one year. | This request has been forwarded to the Member for Waste, Recycling and Environment. An update will be provided once a decision has been made The 2018/19 PI Monitoring report is being considered at this meeting. Noted and actioned by the Controls, Risk and Performance Manager | Complete Complete |
| Dec 17 Min 74 | Key Projects for 2017-18 That the Controls, Risk and Performance Manager be requested to include a deadline for comment when circulating monitoring reports to Members prior to a meeting. That the Chief Executive be requested to present a list of lessons learnt from previous projects to the next meeting of this Committee. | Noted and actioned by the Controls, Risk and Performance Manager See work programme report | Complete In progress – due June 2018 |

| | | | |
|------------------|--|---|---|
| Dec 17 Min 76 | <p>Resolutions Report That the Overview and Scrutiny Committee consider any report regarding the District Wide Parking Review, expected to be available in January 2018.</p> <p>That the Democratic Service Manager be advised that the Overview and Scrutiny Committee would like to trial a paperless committee meeting as soon as this option is available</p> | <p>This has been added to the list of items to be scheduled on the Work Programme report</p> <p>The Overview and Scrutiny Committee will be offered the opportunity to trail a paperless committee meeting. This is reliant on the application used to view agendas and reports going live, a reliable Wi-Fi connection, all Members to have a tablet and to be familiar with its use and use of the application. This is part of the Committee Services and IT work programme and the Committee will be consulted prior to a trial being arranged.</p> | <p>Complete for the purposes of this Resolutions report and added to the work programme.</p> <p>In progress – due June 2018</p> |
| Dec 17 Min 77 | <p>Work Programme That the Chief Executive be requested to consider the Terms of Reference of the Overview and Scrutiny Committee in order to clarify that the Committee can consider finances when reviewing projects;</p> | <p>The Constitution sets out the functions of the Overview & Scrutiny Committee in Section 6. In particular 6.2.7 sets out the scope of the Committee which is wide ranging. One of the main purposes is to scrutinise decisions of the Executive. In exercising those functions where financial considerations are material to the decision or activity in question then these can reasonably form part of the Committees deliberations.</p> | <p>Complete</p> |

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>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>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. This has been added to the list of items to be scheduled on the Work Programme report. It is suggested that this item now be removed from the Resolutions report</p> | Action transferred to work programme |

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| | <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> | | |
| <p>Min 50 Sept 15</p> | <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> <ol style="list-style-type: none"> 1. The Council should appoint a senior commercial manager to lead and coordinate its commercial activities; and to identify and develop new commercial opportunities. 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. 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. 4. The Council should explore the possibilities of property investment as a means of generating revenue. 5. The Council should use the expertise of its strategic partners to help manage its property portfolio. | <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>Cabinet received a 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; • 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>In progress</p> |

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| | <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> | <p>Cabinet has not yet responded to all of the recommendations of the Task and Finish Group.</p> <p>The first meeting of the Cabinet Sub Committee (Local Authorities Trading Companies Shareholder) met for the first time on the 15th March to consider both its role going forward and the establishment of a housing investment company. Further consideration will be given to the Council's overall commercialisation strategy and structural arrangements to resource an increased emphasis in commercial activities.</p> | |
| Min 103 Mar 16 | <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>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>New template – complete. Review scheduled June 2018</p> |

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| | <p>7: The Council should trial the introduction of paperless reports with a view to introducing paperless reports for all 49 councillors.</p> | <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>The use of the template will be reviewed after 12 month of use and any comments from members of the Committee will be welcomed.</p> | |
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| OVERVIEW AND SCRUTINY COMMITTEE 20 MARCH 2018 |
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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 2018/19

REPORT OF THE CHIEF EXECUTIVE

EXECUTIVE MEMBER: NOT APPLICABLE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 This report identifies potential items for inclusion in the Committee's work programme for 2018/19 and those to be scheduled for future meetings.

1.2 The list includes items previously agreed by the Committee as well as those that are required to be considered by the Constitution.

2. RECOMMENDATIONS

2.1 That the Committee notes and comments where appropriate on the work programme.

2.2 That the Committee agrees the list of proposed items for consideration at the meeting due to be held on 12 June 2018.

2.3 That the draft Annual Report be circulated to Members and that the Chairman of the Overview and Scrutiny Committee be authorised to approve the final version of the Annual Report prior to consideration by Council.

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. The Committee has expressed a wish to enter the process of policy development at an earlier stage and in order to achieve this, may consider items associated with service action plans.

4.2 It is however necessary to ensure that constitutional requirements are observed and that the Forward Plan continues to be monitored.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Committee is consulted about its work programme at every meeting.
- 5.2 The proposed workshop aimed at identifying how the Overview and Scrutiny Committee can ascertain effective methods of Overview and Scrutiny that result in added value and impact on decisions is in the process of being developed.

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.
- 6.2 The Committee is asked to review the Forward Plan at each regular meeting of the Committee.

7. BACKGROUND

- 7.1 The Committee decided that the regular presentations, on a rotational basis, by Executive Members had not previously enabled effective overview or scrutiny and therefore for the future Executive Members will be invited to attend to address a specific issue of interest to the Committee or to present a report that is being considered for constitutional reasons.
- 7.2 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.
- 7.3 The Committee will continue to use the Forward Plan; and meet the statutory obligations which have been delegated to the Committee when deciding issues to consider
- 7.4 The Committee have determined that consideration of agenda items should minimise additional burdens on staff resources and this would be achieved by requesting that, wherever possible, officers present documents already in existence rather than produce new documents specifically for this Committee.

8. RELEVANT CONSIDERATIONS

Work Programme

- 8.1 A work programme is set out at **Appendix A** for the Committee's consideration.

Forward Plan

- 8.2 The Forward Plan for 28 February 2018 is attached at **Appendix B**.

Other Topics

- 8.3 Other potential topics will be identified for consideration and advised at the next meeting. If the Committee wish to consider additional topics it may be wise to select two or three topics of interest and to prioritise them.
- 8.4 If items for consideration by the Committee are identified between meetings of the Committee, the Chairman will agree any amendments to the work programme.

New Settlement

- 8.5 The Committee had previously expressed interest in being updated and involved in the discussions regarding a new settlement.
- 8.6 The Head of Development and Building Control has suggested that the Committee nominate a Member of the Committee who will be invited to attend briefings with the Executive Member on this subject. That Member could then report back to the Committee and take any suggestions made by the Committee to the next briefing.
- 8.7 This solution would ensure that the Committee receives regular updates, without adding unduly to Officer workload. **Members' views are requested on this approach.**

List of Lessons Learnt from Projects

- 8.8 The Committee requested that the Chief Executive provide a list of lessons learnt from previous projects.
- 8.9 Given the broad ranging nature of discussion at the last meeting of the Committee regarding this item it is proposed that a workshop be organised with all Heads of Service, to which all Members of the Scrutiny Committee be invited, to allow an overview of lessons learned to be presented and then an interactive session and agreement on how best to report back to this Committee. Subject to Members availability it is proposed that this be organised so that a report will be presented to the next meeting on 6 June 2018.

Overview and Scrutiny Committee Annual Report

- 8.10 Work is underway on the Annual Report and a draft will be circulated to Members. As in previous years the report cannot be finalised until after the March meeting of this Committee and therefore it is recommended that the Chairman of the Committee is authorised to approve the final report for consideration at Council.

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 is able to set its own work programme. However the Committee must retain the capacity to undertake the statutory requirements included within its terms of reference.

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 practice. 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 resources. 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 off 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.

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 Heads 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.

15. APPENDICES

- 15.1 Appendix A – Programme for Committee Meetings
- 15.2 Appendix B – Forward Plan for 28 February 2018

16. CONTACT OFFICERS

16.1 David Scholes, Chief Executive 01462 474300
david.scholes@north-herts.gov.uk

Jeanette Thompson Acting Corporate Legal Manager 01462 474370
jeanette.thompson@north-herts.gov.uk

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

Reuben Ayavoo, Senior Policy Officer, 01462 474212
reuben.ayavoo@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 2018-19

| | |
|----------------|---|
| 12 Jun 2018 | <p>Presentation from the Leader of the Council</p> <p>Regulation of Investigatory Powers Act</p> <p>Corporate Objectives 2018/22</p> <p>Performance Indicators Report</p> <p>Key Projects Monitoring Report – Year End</p> <p>Information Note: Herts Waste Partnership Annual Report</p> <p>Resolutions Report</p> <p>Work Programme</p> |
| 24 Jul 2018 | <p>3Cs End of Year Update</p> <p>Corporate Plan 2018/22</p> <p>Resolutions Report</p> <p>Work Programme</p> |
| 18 Sep 2018 | <p>Regulation of Investigatory Powers Act</p> <p>Annual Review of Safeguarding</p> <p>Performance Indicators Report</p> <p>Key Projects Monitoring Report</p> <p>Resolutions Report</p> <p>Work Programme</p> |
| 11 Dec 2018 | <p>Crime and Disorder – method to be decided</p> <p>Regulation of Investigatory Powers Act – Annual Review</p> <p>Performance Indicators Report</p> <p>Key Projects Monitoring Report</p> <p>Resolutions Report</p> <p>Work Programme</p> |
| 22 Jan 2019 | <p>3Cs Half Year Report</p> <p>Resolutions Report</p> <p>Work Programme</p> |
| 19 Mar 2019 | <p>Leader of the Council Presentation</p> <p>Regulation of Investigatory Powers Act</p> <p>District Wide Survey</p> <p>Performance Indicators Report</p> <p>Key Projects Monitoring Report</p> <p>New Performance Indicators for 2019/20</p> <p>New Key Projects for 2019/20</p> <p>Resolutions Report</p> <p>Work Programme</p> |

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| | <p>To be Scheduled</p> <p>Task and Finish Group Report: Consultation and Engagement Effectiveness of the Community Halls Strategy</p> <p>Review of the Community Facility and District Museum at Hitchin Town Hall Project</p> <p>District Wide Parking Review</p> <p>Review of Annual MOU Grants</p> |
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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Forward Plan of Key Decisions – 28 February 2018

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 <u>may</u> be submitted to the Decision Maker | Procedure for requesting details of other documents |
|--|---------------------------------|--|------------------|---|---|---|---|
| Council Tax Resolution 2018/19 (24/11/17) | | Council Tax Setting Cttee. | 28 Feb 2018 | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Proposed establishment of a Housing Company (10/11/17) | | Cabinet Sub-Committee (Local Authority Trading Companies' Shareholder) | 15 Mar 2018 | Report | Anthony Roche anthony.roche@north-herts.gov.uk 01462 474588 | 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 |
| Third Quarter Revenue Monitoring 2017/18 (2/2/18) | Finance, Audit & Risk Committee | Cabinet | 27 Mar 2018 | Report; Budget Papers | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Third Quarter Capital Monitoring 2017/18 (2/2/18) | Finance, Audit & Risk Committee | Cabinet | 27 Mar 2018 | Report; Budget Papers | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Third Quarter Treasury Management Monitoring 2017/18 (2/2/18) | Finance, Audit & Risk Committee | Cabinet | 27 Mar 2018 | Report; Treasury Management Papers | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | 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 <u>may</u> be submitted to the Decision Maker | Procedure for requesting details of other documents |
|--|-------------------------------|-----------------------|-------------------------|--|---|--|--|
| Inflationary increase in off-street Car parking Tariffs for 2018/19 (23/2/18) | | Cabinet | 27 Mar 2018 | Report | Louise Symes louise.symes@north-herts.gov.uk 01462 474359 | Yes | via the Contact Officer named in Column 6 |
| Districtwide Survey 2017 (14/9/17) | | Cabinet | 27 Mar 2018 | Report | Sarah Kingsley sarah.kingsley@north-herts.gov.uk 01462 474552 | Yes | via the Contact Officer named in Column 6 |
| Green Space Management Strategy (13/12/17) | Overview & Scrutiny Committee | Cabinet | 27 Mar 2018 | Report | Steve Geach steve.geach@north-herts.gov.uk 01462 474553 | Yes | via the Contact Officer named in Column 6 |
| Arrangements for Management of Hitchin Market (19/1/18) | | Cabinet | 27 Mar 2018 | Report | Anthony Roche anthony.roche@north-herts.gov.uk | Yes | via the Contact Officer named in Column 6 |
| Wilbury Hills Cemetery, Letchworth GC – Crematorium Proposal (13/12/17) | Overview & Scrutiny Committee | Cabinet | 27 Mar 2018 | Report | Andrew Mills andrew.mills@north-herts.gov.uk 01462 474272 | Yes | via the Contact Officer named in Column 6 |
| North Hertfordshire Museum and Hitchin Town Hall – Acquisition of 14/15 Brand Street (28/2/18) | | Cabinet | 27 Mar 2018 | Report | David Scholes david.scholes@north-herts.gov.uk 01462 474300 | Yes | via the Contact Officer named in Column 6 |
| Council Constitution – Review (4/1/18) | | Council | 10 April 2018 | Report | Jeanette Thompson jeanette.thompson@north-herts.gov.uk 01462 474370 | Yes | via the Contact Officer named in Column 6 |
| Land at Clare Crescent, Baldock (14/9/17) | | Cabinet | 19 June 2018 | Report | David Charlton david.charlton@north-herts.gov.uk 01462 474320 | 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 <u>may</u> be submitted to the Decision Maker | Procedure for requesting details of other documents |
|---|---------------------------------|---|---------------------------------|--|--|--|--|
| Revenue Budget Outturn 2017/18 (16/2/18) | Finance, Audit & Risk Committee | Council (via Cabinet) | 18 July 2018 (via 19 June 2018) | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Annual Treasury Management Review 2017/18 (16/2/18) | Finance, Audit & Risk Committee | Council (via Cabinet) | 18 July 2018 (via 19 June 2018) | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Capital Programme Outturn 2017/18 (16/2/18) | Finance, Audit & Risk Committee | Council (via Cabinet) | 18 July 2018 (via 19 June 2018) | Report | Ian Couper ian.couper@north-herts.gov.uk 01462 474243 | Yes | via the Contact Officer named in Column 6 |
| Playing Pitch Strategy and Indoor Sports Strategy (19/9/17) | | Cabinet | 31 July 2018 | Report; Strategy Documents | Louise Symes louise.symes@north-herts.gov.uk 01462 474359 | Yes | via the Contact Officer named in Column 6 |
| Animal Licensing Policy (5/5/17) | | Cabinet (via Licensing & Appeals Committee) | 25 Sep 2018 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |
| Gambling Act Statement of Licensing Principles (23/2/18) | | Council (via Licensing & Appeals Committee) | 22 Nov 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) | 18 Dec 2018 | Report; Proposed Policy | Steven Cobb steven.cobb@north-herts.gov.uk 01462 474833 | Yes | via the Contact Officer named in Column 6 |

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OVERVIEW AND SCRUTINY COMMITTEE
20 March 2018

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

17

TITLE OF REPORT: PROPOSED CREMATORIUM AT WILBURY HILLS PROGRESS UPDATE

REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES

EXECUTIVE MEMBER FOR WASTE AND ENVIRONMENT

COUNCIL PRIORITY: ATTRACTIVE AND THRIVING / PROSPER AND PROTECT

1. EXECUTIVE SUMMARY

- 1.1 To provide Cabinet with an update regarding progress to lease land at Wilbury Hills for the development and operation of a crematorium and to request approval of the heads of terms with a view to submitting an application for outline planning permission.

2. RECOMMENDATIONS

- 2.1 To note progress made to date and approve the heads of terms for the proposed lease, option agreement and agreement for lease as set out in section 8 of this report and section 8 of the Part 2 report.
- 2.2 Subject to Cabinet approval under paragraph 2.1, to authorise the Head of Leisure and Environmental Services in consultation with the Council's Contracts Lawyer and Chief Finance Officer.
- 2.2.1 to complete the option agreement to reflect the heads of terms in this report; and
- 2.2.2 to complete the agreement for lease and lease in due course in the event that the prospective tenant exercises the option.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Following the previous report to Cabinet on the 28th March 2017, officers have progressed negotiations with the prospective tenant for the development of a Crematorium at Wilbury Hills.
- 3.2 Heads of Terms have now been negotiated to develop and operate a crematorium on behalf of the Council and, as part of this process, the Council will apply for outline planning permission. Officers are satisfied that the heads of terms present the best return for the Council in the circumstances, particularly as the prospective tenant was selected following a competitive process and the likely effect of competition from existing facilities.

3.3 Cabinet approval of the heads of terms will allow officers to complete the option agreement and apply for outline planning permission. If outline planning permission is granted, the prospective tenant may exercise the option to take the lease and then progress the development through to final design, construction and operation.

3.4 A new crematorium at Wilbury Hills would serve both North Herts and Central Bedfordshire residents and would benefit both communities as populations grow. It is important for the Council to ensure that new infrastructure is planned in order to meet the demands of future population growth. Strong housing growth is projected for Central Bedfordshire in particular.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 At this time, there are no alternative options for the location of a new Crematorium within the land ownership of North Herts. Therefore the only other alternative is to cease progress of this project.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 As part of the preparation for applying for outline planning permission, the Council consulted with the public and local funeral directors. Consultation involved questions within the District Wide Survey 2017, a specific survey of Central Bedfordshire residents using an online survey in 2017 and also a telephone survey of local funeral directors. The results from these consultations have informed the recommendations of this report and the Needs Analysis supporting the application for outline planning permission. See section 8.4 for details of the results.

6. FORWARD PLAN

6.1 This item was first identified on the forward plan in April 2013 and more recently returned to the Council's forward plan on 13th December 2017.

7. BACKGROUND

7.1 On the 27th September 2016 Cabinet resolved

7.1.1 *That Officers be authorised to consider options for collaboration with a private sector provider that could deliver a suitable crematorium, secure the future of Wilbury Hills as a site for burial and cremation, and achieves best value in respect of the use of Council land;*

7.1.2 *That Officers develop and conclude a selection process for the delivery of the project in collaboration with a private sector partner, the aim of this process being to receive and evaluate proposals from potential partners with a view to establishing which operator offers the Council the most beneficial model for collaboration; and*

7.1.3 *That Officers report further to Cabinet once the selection process has concluded, and in any event by no later than 31 March 2017, in order to obtain Cabinet's approval to enter into collaboration with the selected partner and complete the necessary legal documents.*

7.2 On the 28th March 2017 Cabinet resolved as follows and in particular resolved to grant authority to officers to progress and submit outline planning permission. From March 2017, officers have been negotiating heads of terms, developing legal documents and progressing the necessary reports, drawings and assessments to submit outline planning permission. Given the specific risks as set out in the part 2 report and additional work around establishing need for the purposes of planning, officers have been seeking to maximise the prospects of success for outline planning permission.

7.2.1 *That officers be authorised to progress and submit an outline planning application for the development of a crematorium at Wilbury Hills, such authorisation to include taking all steps required for a successful grant of permission;*

7.2.2 *That the project be allocated a budget of up to £50,000 to cover external consultants and other costs associated with the planning application;*

7.2.3 *That the Head of Leisure and Environmental Services, in consultation with the Leader of the Council, be authorised to carry out further negotiations to finalise the structure and detail of any potential agreement with the Proposed Operator, subject to Cabinet providing final approval in due course. In any event, the Head of Leisure and Environmental Services is requested to report back to Cabinet once the outcome of the outline planning application is known; and*

7.2.4 *That the cost of Officer time spent on this project moving forward be included in the Business Case, and that the latest Business Case and financial information be reviewed before deciding whether to proceed with this project.*

8. RELEVANT CONSIDERATIONS

Heads of terms and progress update

8.1 Lease

See section 8 (heads of terms for the lease) of the part 2 report.

8.2 Option agreement

- If outline planning permission is granted, the prospective tenant has the option to enter into an agreement to take a lease in accordance with the heads of terms.
- The option period is three years.
- The Council will apply for outline planning permission before 30th June 2018.
- If outline planning permission is granted and the tenant does not exercise the option, the tenant will meet the Council's costs to a maximum of £50,000.
- The Tenant will pay the Council an option fee of £5,000 on signing the option agreement.

8.3 Agreement for lease

- The prospective tenant will apply for detailed planning permission.
- The prospective tenant will take a lease in accordance with the heads of terms following the grant of detailed planning permission.
- Upon entering into the agreement for lease, the prospective tenant would have no liability for the Council's costs to obtain outline planning permission

8.4 Progress update

The Council has made considerable progress since this matter was last reported to Cabinet in March 2017. Brief details are set out below.

- A consultant has been appointed to progress the application for outline planning permission and all reports and assessments have been commissioned. Officers are ready to apply for outline planning permission if Cabinet approves the heads of terms. Officers will aim to make the application at the earliest possible time as all parties are keen to progress this development.
- Residents of North Herts and Central Bedfordshire have been consulted on their views regarding a new crematorium at Wilbury Hills. Overall the response was positive. Within North Herts, 59.85% of respondents confirmed that they are very likely or fairly likely to use the facility. Within Central Bedfordshire, 55.91% of respondents confirmed that they are very likely or fairly likely to use the facility.
- Funeral Directors within the District have been consulted, by telephone interview, on their views regarding a new crematorium at Wilbury Hills. Overall the response was positive. 60% indicated that they would use the facility.
- Legal documents have been developed in-house to reflect the heads of terms. This ensures that officers can complete the option agreement with the prospective tenant at the earliest possible time if Cabinet approves the heads of terms.
- Officers have responded to all the prospective tenant's pre-contract enquiries relating to the site.
- The proposal is for the new crematorium to have its own access via Arlesey New Road. This will allow cremations and burials to take place simultaneously and therefore allow the booking systems for cremations and burials to be managed independently.
- A timetable has been received from the prospective tenant showing practical completion in November 2020.

9. LEGAL IMPLICATIONS

- 9.1 Within Cabinet's terms of reference are "*to prepare and agree to implement policies and strategies other than those reserved to Council*" and "*to approve those major service developments or reductions which also constitute Key Decisions.*" This project has been noted on the Council's forward plan as a key decision.
- 9.2 As a burial authority under section 214 Local Government Act 1972 the District Council may provide and maintain cemeteries whether in or outside their area. Councils have a statutory duty to provide public health funerals (burial or cremation) under section 46 of the Public Health (Control of Disease) Act 1984. The role of public health funerals is to ensure that public health is protected when a person dies and no-one is able to make the funeral arrangements.
- 9.3 Section 4 of the Cremation Act 1902 confirms that the powers of the Council, as burial authority, to provide and maintain burial grounds or cemeteries also include the provision and maintenance of crematoria. A crematorium must also not be less than 200 yards from any dwelling house. This has been taken into account in the planning and design process.

- 9.4 Under section 3 of The Cremation (England and Wales) Regulations 2008 the Council must give the Secretary of State at least 1 month's notice before opening the Crematorium.
- 9.5 With respect to fees, section 9 of the Cremation Act 1902 confirms that the Council may demand payment of charges or fees for providing a cremation service and such charges or fees, and any other expenses properly incurred in or in connection with the cremation, shall be part of the funeral expenses of the deceased.
- 9.6 The Council is required to keep a table of fees for cremation services and must make this table available for public inspection.
- 9.7 The disposal of land by the Council is governed by Section 123 of the Local Government Act 1972. The power of the Council to dispose of land is subject to the proviso that, except with the consent of the Secretary of State, a council may not dispose of land (otherwise than by way of a short tenancy) for a consideration less than the best that can reasonably be obtained. A short tenancy for the purpose of this section is a tenancy for a term not exceeding 7 years.
- 9.8 The option agreement is only legally binding when both the Council and the prospective tenant have signed the agreement.

10. FINANCIAL IMPLICATIONS

- 10.1 See the financial implications section of the part 2 report for details on the rental income and indicative turnover rent.
- 10.2 Over time, the Cremation fees are likely to increase and the Council's income will, in turn, increase because the majority of the Council's income is projected to be a percentage of turnover.

11. RISK IMPLICATIONS

- 11.1 As with all projects, there is a risk to the target completion date should Cabinet decide to proceed. For example, the construction period may be longer than anticipated.
- 11.2 Additionally there is a risk in not achieving the projected turnover rent. However both parties are keen to develop a new community facility and work together to make it a success.
- 11.3 An application for outline planning permission may be refused. In this event, officers will consider the reasons for refusal and evaluate the viability of potential solutions.
- 11.4 Competition from existing facilities may have a detrimental effect on cremation fees. If cremation fees decrease, the Council's income may decrease because the majority of the Council's income is projected to be a percentage of turnover.
- 11.5 See the risk section of the part 2 report for further details of risks in connection with the application for outline planning permission.

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 adverse impacts generated by the actions contained within this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The proposal to construct a new Crematorium would not constitute a public contract because the arrangement would be land disposal. Therefore the consideration of 'social value' as required by the Public Services (Social Value) Act 2012 will not need to be applied.
- 13.2 Although the Public Services (Social Value) Act 2012 does not apply to the proposals in this report, officers consider that the development of a new crematorium would be welcomed by the community and boost economic activity within North Hertfordshire and Central Bedfordshire. Strong housing growth is projected for both areas and a new crematorium would help with the demands of a growing and more diverse population.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 None.

15. APPENDICES

- 15.1 None

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17. **BACKGROUND PAPERS**

17.1 None

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**OVERVIEW AND SCRUTINY COMMITTEE
20 MARCH 2018**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

18

TITLE OF REPORT: OPTIONS FOR HOUSING INVESTMENT COMPANY

REPORT OF THE DEPUTY CHIEF EXECUTIVE

EXECUTIVE MEMBER FOR FINANCE AND IT

COUNCIL PRIORITY : ATTRACTIVE AND THRIVING / PROSPER AND PROTECT

1. EXECUTIVE SUMMARY

- 1.1 The budget set by Full Council on 11 February 2016 included sums in the capital programme for 2017/18 and 2018/19 to provide housing at market rates. This report sets out the investigations that have been undertaken with regard to the potential options for investing in residential property on a buy to let or development basis.

2. RECOMMENDATIONS

- 2.1 That the Sub-Committee agrees that no further work will be undertaken to investigate buy to let investment options.
- 2.2 That the Sub-Committee authorises further work to be undertaken to investigate potential conversion/development opportunities, subject to future consideration of the business plan for specific proposals.
- 2.3 That the Cabinet be recommended to:

Approve the principle of setting up a wholly owned holding company and trading company for the purposes of letting existing and future assets as residential dwellings, with the Chief Finance Officer and Executive Member for Finance and IT delegated authority to determine the detail of the structure.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The outline business case has established that there is insufficient return on investment to pursue the originally conceived option of buying property on the open market within the District and then renting it out, so the recommended way forward is to explore the options for making best use of existing assets.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The alternative options for buy to let investment are set out in the outline business case. The Council could also choose not to invest in residential property and instead explore other avenues for investing its capital, for example commercial property or leisure facilities or property funds. However it is considered that there is merit in looking at specific buildings or sites on a site by site basis to establish whether there are opportunities for providing more housing whilst obtaining an acceptable return on investment. Those site by site considerations can include whether the Council seeks to deliver a scheme on its own, or in partnership with others.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 An initial briefing with the members of the Sub-Committee took place on 20 December 2017 in order to inform Members of the issues being considered and potential options being explored.

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 10 November 2017.

7. BACKGROUND

- 7.1 An article in Public Sector Executive magazine, October/November 2017 issue, referred to a survey of local authorities carried out by Solace which revealed one in four respondents had set up a wholly owned company and almost one in five had set up other types of joint ventures, in order to deliver housing development. A number of other respondents indicated that there were in the process of setting up a housing company or joint venture, or considering their options. The article estimated that there were in the range of 50 local authority housing companies in operation last year.
- 7.2 The budget set by Full Council on 11 February 2016 included sums in the capital programme for 2017/18 and 2018/19 of £550k and £2.3m respectively for provision of housing at market rents. The most recent budget set by Full Council on 8 February 2018 reprofiled that expenditure to £200k in 2017/18, £2.65m in 2018/19 and £150k in 2019/20.
- 7.3 At the time of the original budget allocation the Council projected a significant shortfall in its revenue budget which needed to be met by 2019/20. The model for housing investment under consideration therefore needed to be able to quickly convert capital investment into revenue income. That model was to buy existing housing within the District and let out to the private rental market. An external consultant was therefore instructed to investigate that model and develop an outline business case, based upon the assumption that the Council's revenue budget would continue to be very challenging. Whilst the outline business case was being developed the goalposts moved somewhat on the Council's financial projections for the next few years. In short the new waste contract and other savings/income opportunities improved the revenue position markedly. In light of that the Council does not need to generate income as quickly as initially envisaged and therefore is able to consider other options rather than the quick option of buying existing properties. Additionally, whilst the sums set out in 7.2 above are allocated in the capital programme the Council will need to generate capital receipts in order to deliver all of its existing (and any potential future) capital programme. An option to generate capital receipts could be housing development.

8. RELEVANT CONSIDERATIONS

Outline Business Case

8.1 The Outline Business Case is appended to the Part 2 report. In summary it shows that the return on investment would be marginal and less than other potential ways in which the Council could invest its capital. There are a number of reasons for this, including:-

- The cost of property in North Hertfordshire
- A mature rental market
- The cost of buying in the necessary expertise
- Small size of the likely property portfolio meaning costs are not spread/diluted

8.2 The findings of the Outline Business Case suggest that the Council should cease work on buying existing residential property on the open market for private rental and should instead focus on other housing options which could provide greater returns. Additionally the model of buying existing residential properties would not provide the community benefits of bringing new housing stock into circulation, whereas conversion/development options could provide new housing for the area.

Letting Existing Assets

8.3 Although purchasing existing residential properties for renting does not provide sufficient return to be an attractive investment option, the Council currently owns property which could potentially be rented out as residential lettings to generate income. The Council owns the bungalow adjacent to Town Lodge in Gernon Road. This property is vacant and could be rented out in order to generate an income, thereby ensuring the Council is obtaining value from its asset. Alternatively the site could be redeveloped as part of any proposals for the wider Gernon Road site. The Council also owns the current Careline offices in Harkness Court, Hitchin which will be vacated later this year when Careline relocate to the District Council Offices. Options have been explored for the conversion of the building to residential flats for letting on the private rental market.

Establishing a Trading Company

8.4 Where it carries out an activity that is primarily for a commercial purpose, the Council is required to do this through a trading company. In order to facilitate any future letting opportunities it is proposed that the Council sets up the relevant company structures now. Under the terms of the Council's Constitution, the setting up of a company requires a decision from Cabinet. It is proposed that a typical structure is adopted of a parent holding company with the potential for a number of separate trading companies operating in different markets. The proposed breakdown of responsibilities is attached at Appendix A. Initially the Council would set up the holding company and one trading company for letting residential property at market rent. Further work would need to be undertaken on the best mechanisms for the company to acquire the property and providing a return to the Council. This would be subject of a further report in due course.

Opportunities for development

- 8.5 In addition to letting existing assets the Council could explore options for developing its land holdings, where appropriate, either on its own or in partnership with others. These would need to be considered on a site by site basis and would be subject to individual business cases in due course. Any housing developed could be retained for letting through the trading company, or sold to generate a capital receipt, or a mixture of both.
- 8.6 Hertfordshire County Council, through its Herts Living Limited trading company, is entering into a joint venture with a private sector developer to deliver housing. As part of the procurement process the option for the District/Borough Councils to join the arrangement has been left open. It is understood that the successful partner will be announced in the middle of April 2018 and the Council could explore whether delivery of development through this joint venture might be an attractive proposition as part of its considerations of how to bring forward specific sites for development.

9. LEGAL IMPLICATIONS

- 9.1 The Cabinet Sub-Committee's terms of reference are concerned with the Council's actions as shareholder of local authority trading companies. It is within the spirit of the terms of reference for the Sub-Committee to consider the available options for commercial activities that necessarily would have to be undertaken via a local authority trading company. The Sub-Committee has within its terms of reference '*to represent the Council's interests as shareholder in wholly owned and other companies*' and '*to make recommendations to Cabinet on the investment, loans, resource arrangements and asset transfers to companies*'. Within this framework, it is also fitting for the Sub-Committee to make recommendations to Cabinet as to the creation of any such companies.
- 9.2 Section 1 of the Localism Act 2011 gives local authorities the power to do anything that individuals generally may do including power to do it for a commercial purpose or otherwise for a charge. This power is limited by section 4 of the Localism Act 2011 which provides that where a local authority does things for a commercial purpose pursuant to this power, the authority must do them through a company.
- 9.3 The Housing Act 1985 provides local authority tenants with a 'right to buy' in certain circumstances. Were NHDC to enter directly into a letting agreement with residential tenants then it would be at risk of the right to buy being exercised and the asset being acquired by the residential tenant. A wholly owned local authority company would not be subject to the right to buy, and this provides an additional reason why residential letting should take place via such a company.

10. FINANCIAL IMPLICATIONS

- 10.1 Whilst the Council has already received some legal and financial advice on the way the company will operate, there are likely to be some further revenue costs incurred in finalising the set-up (e.g. further professional advice). These costs will be met from the revenue funding that was allocated for this purpose. Whilst there will be future revenue costs of running the company, these will be met by the company and should be covered by the income that it generates, at least in the medium term. Where the company makes use of Council resources (e.g. loan financing, staff time) then this will be charged to the company and provide an income to the Council. When the company makes a profit this will be subject to Corporation Tax.

- 10.2 The majority of the expenditure that is expected to be incurred (e.g. property renovation, refurbishment and acquisition) will be capital. There is capital budget of up to £3m allocated for this purpose. The Council is getting towards a position where it will have used up its set-aside capital receipts, which means that it will need to borrow for capital investment in the future. Therefore any use of capital to generate an income should be assessed as though it was necessary to fund it from borrowing, which means incorporating interest and minimum revenue provision costs.
- 10.3 The Chartered Institute of Public Finance and Accountancy (CIPFA) and the Ministry of Housing, Communities and Local Government (MHCLG) have issued updated guidance on capital investments for a commercial purpose. This requires Authorities to consider the security and liquidity of any investments. In the context of a housing company this would include the extent to which the value of the investment can be secured against property, and the ease with which that property could be sold if required. For existing property, the liquidity is reasonably high. However, for property development, the liquidity could be very low (i.e. it would take a long time to sell).
- 10.4 It is also prudent for the Council to consider its investment in a housing company from a treasury management perspective. This would include the overall exposure to the housing market, given that the Council already holds a significant proportion of its cash in building society deposits. Any investment should also be compared to investment opportunities that already exist. For example, the Council could choose to invest in a property fund. Features of these funds include:
- They have similar entry and exit costs to buying and selling property (e.g. stamp duty), although they are more liquid
 - They provide a combination of income (historically they have been around 5% per year) and capital growth (or decline)
 - They are diversified across a wide range of property types and locations, which means that there would be little (or possibly no) investment in North Hertfordshire
 - They need to be held for a similar time period to property purchases (i.e. at least 5 years)

11. RISK IMPLICATIONS

- 11.1 The yield from property investments is subject to market conditions and can vary over time. If the company is primarily holding the property to generate income, then the capital value will not be too relevant. Whilst the capital value of property does tend to go up over time, this is not guaranteed and over a shorter time horizon there is definitely the potential for values to fall.
- 11.2 Current legislation and guidance does not put any significant limits on Authorities investing in property, especially of the type being looked at here. However this area has received a lot of attention and there is still the potential for legislation that would limit the way that Authorities can act.
- 11.3 The specific risks of any project would be considered as part of the business case for that particular project.

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. There are no equalities implications in this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report. However any building works undertaken to convert existing properties or develop new housing could be subject to the “go local” policy or Social Value Act requirements, depending on the value of those contracts. This would need to be considered at the time that specific proposals come forward.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The senior management restructure proposals currently being consulted on include a proposal for a Service Director – Commercial role, which would be responsible for the housing/property development company. Once in post the Service Director will be tasked with ensuring that the capacity and skills of staff to deliver the company’s objectives are met. The potential Directors of the company would be identified from across existing staff and their appointments would be subject of approval by the Sub-Committee acting as shareholder. Those staff would be provided with the necessary training and support to fulfil their role as director.

15. APPENDICES

- 15.1 Appendix A – Proposed Scheme of Delegation

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17. BACKGROUND PAPERS

- 17.1 None

PROPOSED SCHEME OF DELEGATION

| | Column A | Column B | Column C | Column D | Column E |
|--|---|-----------------------|---------------------------------------|--|-------------------|
| Activity | Cabinet | Cabinet Sub-Committee | Officers | PropCo Board of Directors | PropCo Management |
| Setting up of Company | Approval | | | | |
| Permitting the registration of any person as a shareholder of PropCo | | Approval | | Recommendation | |
| Appointment of directors of PropCo | | Approval | Recommendation for initial directors. | Recommendation | |
| Increasing the amount of PropCo's issued share capital | | Approval | | Recommendation | |
| Issuing any loan capital in PropCo or entering into any commitment with the Council with respect to the issue of any loan capital | Initial approval of maximum loan (£3 million) | | | Draw-down subject to Officer Delegated Authority decision from the Council side of the transaction | |
| Issuing any loan capital in PropCo or entering into any commitment with another Party with respect to the issue of any loan capital | | Approval | | Recommendation | |
| Passing any resolution for PropCo's winding up or presenting any petition for its administration | | Approval | | Recommendation | |
| Altering the name of PropCo | | Approval | | Recommendation | |

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|---|--|---|--|---------------------------------------|--|
| Adopting or amending the Business Plan of PropCo | | Approval | | Recommendation | |
| Undertaking action in accordance with the PropCo company's Business Plan including contract expenditure of PropCo within the parameters of the Business Plan | | | | Approval | |
| Taking any action outside the parameters of the Business Plans including but not limited to contract expenditure of PropCo outside the parameters of the Business Plans | | Approval | | Recommendation | |
| Changing the nature of PropCo's business or commencing any new business which is not ancillary or incidental to the PropCo company's business. | | Approval | | Recommendation | |
| Forming any subsidiary or acquiring shares in any other company or participating in any partnership or joint venture (incorporated or not). | | Approval | | Recommendation | |
| Amalgamating or merging with any other company or business undertaking | | Approval | | Recommendation | |
| Acquiring, disposing or agreeing to acquire or dispose of any asset, any interest in any asset (including the exercise of an option) or any other land or buildings | | Approval if not set out in Business Plans | | Approval if set out in Business Plans | |
| Making any loan or advance or giving credit (other than trade credit in the ordinary course) | | Approval if not set out in Business Plans | | Approval if set out in Business Plans | |
| Entering into any arrangement, contract or transaction outside the normal course of PropCo's Business or otherwise than on arm's length terms. | | Approval | | Recommendation | |

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|--|--|---|--|---|--|
| Giving notice of termination of any arrangements, contracts or transactions which are material in the nature of PropCo's Business, or materially varying any such arrangements, contracts or transactions. | | Approval | | Recommendation | |
| Declaring or paying any distribution in respect of profits, assets or reserves or in any other way reducing the reserves of PropCo. | | Approval | | Recommendation | |
| Approval of statutory accounts and appointment of auditors. | | Approval | | Recommendation | |
| Changing accounting and reporting policies. | | Approval | | Recommendation | |
| Negotiating and agreeing the terms of any material contracts. | | Approval | | Negotiation and recommendation | |
| Submission of any Planning Application (and material variation and s106 heads of terms) | | Approval if outside the contemplation of the Business Plans | | Approval if within the contemplation of the Business Plans | |
| Entering into contracts with external consultants | | | | Approval of appointment and terms for contracts | |
| Appointment and dismissal of staff | | | | Approval (subject to such delegations as determined by the Board) | |
| Appointment of asset valuers and approval of valuations | | | | Approval | |

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|---|--|---|--|---|--|
| Giving a guarantee, suretyship or indemnity to secure the liabilities of any person or assume the obligations of any person | | Approval over £500k | | Approval below £500k | |
| Write down of asset value | | | | Approval | |
| Writing off debts | | Approval if over £10k in aggregate | | Approval if under £10k in aggregate | |
| Commencing any claim, proceedings or other litigation brought by or settling or defending any claim, proceedings or other litigation brought against PropCo, except in relation to debt collection in the ordinary course of the business | | | | Approval | |
| Entering into any transaction or arrangement which is not on an arm's length basis | | Approval | | Recommendation | |
| Approval to procurement of outside the provisions of the Procurement Policy | | Approval if value above £50k | | Approval if value below £50k and recommendation if value above £50k | |
| Variation of Procurement Policy | | Approval | | Recommendation | |
| Terminating any agreements which are material to PropCo's business | | Approval | | Recommendation | |
| Disposing of a substantial part of the business and/or assets of PropCo (i.e. comprising in excess of 10% of the balance sheet surplus credit figure from time to time) | | Approval. Can also approve an increase to the % | | Recommendation | |

| | | | | | |
|---|--|-----------------------------------|--|----------------------------------|--|
| Entering into (or agreeing to enter into) any borrowing arrangement on behalf of PropCo and giving any security in respect of any such borrowing. | | Approval if outside Business Plan | | Approval if within Business Plan | |
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| OVERVIEW AND SCRUTINY COMMITTEE 20 MARCH 2018 |
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| *PART 1 – PUBLIC DOCUMENT | AGENDA ITEM No. 19 |
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TITLE OF REPORT: EXCLUSION OF PUBLIC AND PRESS

To consider passing the following resolution:

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the said Act.

[Note: The definition of Paragraphs 3 and 5 referred to above is as follows:-

- ”3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).”]
- “5. Information in respect of which a claim to legal privilege could be maintained in legal proceedings”

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of the Local Government Act 1972.

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