

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**



13 March 2020

Our Ref    Cabinet 24.03.20  
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To:    Members of the Cabinet:

Councillor Martin Stears-Handscomb, Leader of the Council (Chair)  
Councillor Paul Clark, Deputy Leader of the Council, Executive Member for Planning and Transport (Vice-Chair)  
Councillor Ian Albert, Executive Member for Finance and IT  
Councillor Judi Billing MBE, Executive Member for Community Engagement  
Councillor Elizabeth Dennis-Harburg, Executive Member for Recycling and Waste Management  
Councillor Gary Grindal, Executive Member for Housing and Environmental Health  
Councillor Keith Hoskins MBE, Executive Member for Enterprise and Co-Operative Development  
Councillor Steve Jarvis, Executive Member for Environment and Leisure

Deputy Executive Members: Councillors Ruth Brown, Ian Mantle, Sam North, Helen Oliver, Sean Prendergast, Carol Stanier and Kay Tart.

**NOTICE IS HEREBY GIVEN OF A  
MEETING OF THE CABINET**

to be held in the

**COUNCIL CHAMBER, COUNCIL OFFICES, GERNON ROAD,  
LETCHWORTH GARDEN CITY**

on

**TUESDAY, 24TH MARCH, 2020 AT 7.30 PM**

Yours sincerely,

Jeanette Thompson  
Service Director – Legal and Community

**\*\*MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING\*\***

## **Agenda**

### **Part I**

<b>Item</b>		<b>Page</b>
<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b>	
<b>2.</b>	<b>MINUTES - 28 JANUARY 2020</b> To take as read and approve as a true record the Minutes of the meeting of the Committee held on the 28 January 2020.	(Pages 7 - 20)
<b>3.</b>	<b>NOTIFICATION OF OTHER BUSINESS</b> Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II 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 Chair will decide whether any item(s) raised will be considered.	
<b>4.</b>	<b>CHAIR'S ANNOUNCEMENTS</b> <u>Climate Emergency</u> Members are reminded that this Council has declared a Climate Emergency. This is a serious decision and means that, as this is an emergency, all of us, officers and Members have that in mind as we carry out our various roles and tasks for the benefit of our District.  <u>Declarations of Interest</u> 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 Chair 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, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
<b>5.</b>	<b>PUBLIC PARTICIPATION</b> To receive petitions, comments and questions from the public.	
<b>6.</b>	<b>ITEMS REFERRED FROM OTHER COMMITTEES</b> Any Items referred from other committees will be circulated as soon as they are available.	(Pages 21 - 24)

- |     |   |                         |
|-----|---|-------------------------|
| 7.  | <b>APPROVAL OF A NEW DEVELOPMENT AGREEMENT FOR THE JOHN BARKER PLACE AREA OF HITCHIN</b><br>REPORT OF THE SERVICE DIRECTOR – REGULATORY   | (Pages<br>25 - 54)      |
|     | To consider entering into a new Development Agreement for the John Barker Place area of Hitchin.  |                         |
| 8.  | <b>GREENSPACE STRATEGY 2021 - 2026 - SCOPING DOCUMENT</b><br>REPORT OF THE SERVICE DIRECTOR – PLACE   | (Pages<br>55 - 70)      |
|     | To introduce the process associated with the renewal of the Greenspace Strategy.  |                         |
| 9.  | <b>ENVIRONMENTAL CRIME VEHICLES</b><br>REPORT OF THE SERVICE DIRECTOR LEGAL AND COMMUNITY   | (Pages<br>71 - 76)      |
|     | To confirm the leasing of two Ultra Low Emission Vehicles (ULEV). This will ensure that the Authority provides vehicles that are suitable for the Environmental Crime Officers to undertake their duties as well as supporting the Council's commitment to reducing its carbon footprint. |                         |
| 10. | <b>STRATEGIC PLANNING MATTERS</b><br>REPORT OF THE SERVICE DIRECTOR – REGULATORY  | (Pages<br>77 - 92)      |
|     | To receive a report which identifies the latest position on key planning issues affecting the District.   |                         |
| 11. | <b>WALLINGTON NEIGHBOURHOOD PLAN</b><br>REPORT OF THE SERVICE DIRECTOR – REGULATORY   | (Pages<br>93 - 100)     |
|     | To consider the application to designate a neighbourhood planning area for Wallington (part of Rushden and Wallington Parish).  |                         |
| 12. | <b>NHDC PARKING STRATEGY - DRAFT PARKING OPERATIONAL GUIDELINES</b><br>REPORT OF THE SERVICE DIRECTOR – REGULATORY  | (Pages<br>101 -<br>182) |
|     | To consider the Draft Parking Operational Guidelines 2019 – 2031.   |                         |
| 13. | <b>INFLATIONARY INCREASE IN CAR PARKING TARIFFS 2020-21</b><br>REPORT OF THE SERVICE DIRECTOR - REGULATORY  | (Pages<br>183 -<br>204) |
|     | To agree the proposed car parking tariffs in North Hertfordshire District Council's off street car parks.   |                         |
| 14. | <b>DISTRICT WIDE SURVEY 2019 - KEY FINDINGS</b><br>REPORT OF THE COMMUNICATIONS MANAGER   | (Pages<br>205 -<br>220) |
|     | To advise Cabinet of the key findings and action points arising from the 2019 District Wide Survey.   |                         |

- |     |   |                         |
|-----|---|-------------------------|
| 15. | <b>CORPORATE PEER CHALLENGE REPORT</b><br>REPORT OF THE CHIEF EXECUTIVE AND THE DEPUTY CHIEF<br>EXECUTIVE   | (Pages<br>221 -<br>246) |
|     | To consider the peer team's feedback report.  |                         |
| 16. | <b>INFORMATION TECHNOLOGY STRATEGY 2020-2025</b><br>REPORT OF THE SERVICE DIRECTOR – CUSTOMERS  | (Pages<br>247 -<br>286) |
|     | To seek Cabinet approval for the adoption of the I.T. Strategy.   |                         |
| 18. | <b>THIRD QUARTER REVENUE MONITORING 2019/20</b><br>REPORT OF THE SERVICE DIRECTOR - RESOURCES   | (Pages<br>287 -<br>298) |
|     | To inform Cabinet of the summary position on revenue income and expenditure forecasts for financial year 2019/20, as at the end of the third quarter. |                         |
| 19. | <b>INVESTMENT STRATEGY (INTEGRATED CAPITAL AND TREASURY)<br/>         THIRD QUARTER REVIEW</b><br>REPORT OF THE SERVICE DIRECTOR – RESOURCES          | (Pages<br>299 -<br>328) |
|     | To update Cabinet on progress with delivering the capital and treasury strategy for 2019/20 as at the end of December 2019.                           |                         |
| 20. | <b>LAND AT MEADOW WAY, THERFIELD</b><br>REPORT OF THE INTERIM PROPERTY CONSULTANT   | (Pages<br>329 -<br>336) |
|     | To declare land surplus to District Council's requirements and available for sale.  |                         |
| 21. | <b>LAND ADJACENT TO 1 NORTH END, KELSHALL, HERTS</b><br>REPORT OF THE INTERIM PROPERTY CONSULTANT   | (Pages<br>337 -<br>344) |
|     | To declare land surplus to District Council's requirements and available for sale.  |                         |
| 22. | <b>LAND ADJACENT TO 9 NORTH END, KELSHALL, HERTS</b><br>REPORT OF THE INTERIM PROPERTY CONSULTANT   | (Pages<br>345 -<br>352) |
|     | To declare land surplus to District Council's requirements and available for sale.  |                         |
| 23. | <b>REVIEW OF CARELINE OPERATIONS</b><br>REPORT OF THE SERVICE DIRECTOR – CUSTOMERS  | (Pages<br>353 -<br>356) |
|     | To advise Cabinet of the potential for an expansion of the Careline Service.  |                         |



**24. EXCLUSION OF PRESS AND PUBLIC**

To consider passing the following resolution:

That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the said Act (as amended).

**25. REVIEW OF CARELINE OPERATIONS** 357 -  
**REPORT OF THE SERVICE DIRECTOR – CUSTOMERS** 364

To advise Cabinet of the potential for an expansion of the Careline Service.

**26. APPLICATION TO ACCEPT A BELOW EU THRESHOLD QUOTATION** 365 -  
**NOT AT THE LOWEST PRICE RULE 17.8 A):** 386  
**REPORT OF THE SERVICE DIRECTOR – COMMERCIAL**

Appointment of Property Agent for the Sale of Development Land at Preston.

**27. BUSINESS CONTINUITY PLANNING** 387 -  
**REPORT OF THE CHIEF EXECUTIVE AND DEPUTY CHIEF EXECUTIVE** 392

To consider a report regarding Business Continuity Planning.

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## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### CABINET

MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, GERNON ROAD,  
LETCWORTH GARDEN CITY  
ON TUESDAY, 28TH JANUARY, 2020 AT 7.30 PM

### MINUTES

**Present:** *Councillors: Martin Stears-Handscomb (Chair), Councillor Paul Clark (Vice-Chair), Ian Albert, Judi Billing, Elizabeth Dennis-Harburg, Gary Grindal, Keith Hoskins, Steve Jarvis, Ian Mantle, Sam North and Carol Stanier.*

**In Attendance:** *Councillor David Levett (Chair of the Overview and Scrutiny Committee), David Scholes (Chief Executive), Anthony Roche (Deputy Chief Executive), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Steve Crowley (Service Director - Commercial), Ian Fullstone (Service Director - Regulatory), Nigel Smith (Strategic Planning Manager), Geraldine Goodwin (Revenues Manager), Christopher Robson (Senior Estates Surveyor), Peter Lapham (Interim Property Consultant), Jamie Sells (Service Manager - Waste and Recycling), Reuben Ayavoo (Policy and Community Engagement Manager), Claire Morgan (Community Engagement Team Leader) and Hilary Dineen (Committee, Member and Scrutiny Manager).*

**Also Present:** *At the commencement of the meeting approximately 4 members of the public.*

#### 74 APOLOGIES FOR ABSENCE

*Audio recording – Session 1 – 20 seconds*

Apologies for absence were received from Councillors Ruth Brown and Kay Tart.

#### 75 MINUTES - 17 DECEMBER 2019

*Audio Recording – Session 1 – 32 seconds*

It was proposed by Councillor Martin Stears-Handscomb, seconded by Councillor Paul Clark and:

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 17 December 2019 be approved as a true record of the proceedings and be signed by the Chair.

#### 76 NOTIFICATION OF OTHER BUSINESS

*Audio recording – Session 1 – 47 seconds*

There was no other business notified.

## 77 CHAIR'S ANNOUNCEMENTS

*Audio recording – Session 1 – 51 seconds*

- (1) The Chair welcomed those present at the meeting;
- (2) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question;
- (4) The Chair reminded those present that the Council had declared a Climate Emergency and had not only set up a Cabinet Panel on the Environment, but were also beginning to work on issues within the organisation.

## 78 PUBLIC PARTICIPATION

*Audio recording – Session 1 – 2 minutes 37 seconds*

There were no presentations by members of the public.

## 79 ITEMS REFERRED FROM OTHER COMMITTEES

*Audio recording – Session 1 – 2 minutes 41 seconds*

### 6a ITEM REFERRED FROM LETCHWORTH COMMITTEE: 7 JANUARY 2020 – GRANT POLICY REVIEW

**RESOLVED:** That the referral from the Letchworth Committee meeting held on 7 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

### 6b ITEM REFERRED FROM SOUTHERN RURAL COMMITTEE: 8 JANUARY 2020 – GRANT POLICY REVIEW

**RESOLVED:** That the referral from the Southern Rural Committee meeting held on 8 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

### 6c ITEM REFERRED FROM HITCHIN COMMITTEE: 14 JANUARY 2020 – GRANT POLICY REVIEW

**RESOLVED:** That the referral from the Hitchin Committee meeting held on 14 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

### 6d ITEM REFERRED FROM ROYSTON AND DISTRICT COMMITTEE: 15 JANUARY 2020 – GRANT POLICY REVIEW

**RESOLVED:** That the referral from the Royston and District Committee meeting held on 15 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

**6e ITEM REFERRED FROM BALDOCK AND DISTRICT COMMITTEE: 27 JANUARY 2020 – GRANT POLICY REVIEW**

**RESOLVED:** That the referral from the Baldock and District Committee meeting held on 27 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

**6f ITEM REFERRED FROM FINANCE, AUDIT AND RISK COMMITTEE: 20 JANUARY 2020 – REVENUE BUDGET**

**RESOLVED:** That the referral from the Finance, Audit and Risk Committee meeting held on 20 January 2020 regarding the Revenue Budget be considered with Item 17 (Minute 90 refers).

**6g ITEM REFERRED FROM FINANCE, AUDIT AND RISK COMMITTEE: 20 JANUARY 2020 – INVESTMENT STRATEGY**

**RESOLVED:** That the referral from the Finance, Audit and Risk Committee meeting held on 20 January 2020 regarding the Investment Strategy be considered with Item 18 (Minute 91 refers).

**6h ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 21 JANUARY 2020 – FAIR COLLECTION POLICY**

**RESOLVED:** That the referral from the Overview and Scrutiny Committee meeting held on 21 January 2020 regarding the Fair Collection Policy be considered with Item 13 (Minute 86 refers).

**6i ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 21 JANUARY 2020 – GARDEN WASTE SERVICE**

**RESOLVED:** That the referral from the Overview and Scrutiny Committee meeting held on 21 January 2020 regarding the Garden Waste Service be considered with Item 10 (Minute 83 refers).

**6j ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 21 JANUARY 2020 – DRAFT DEVELOPER SPD**

**RESOLVED:** That the referral from the Overview and Scrutiny Committee meeting held on 21 January 2020 regarding the Draft Developer SPD be considered with Item 10 (Minute 88 refers).

**80 STRATEGIC PLANNING MATTERS**

*Audio recording – Session 1 – 3 minutes 34 seconds*

The Executive Member for Planning and Transport presented the report entitled Strategic Planning Matters together with the following appendices:

- Appendix A – Host Authorities Joint Technical Response on London Luton Airport Expansion Statutory Consultation – October 2019;
- Appendix B – NHDC Response on London Luton Airport Expansion Statutory Consultation – October 2019.

The Executive Member for Planning and Transport advised of the following updates to the report including:

NHDC Local Plan

- The Local Plan Inspector had advised that there would be further hearings regarding the NHDC Local Plan and these were likely to take place during the weeks commencing 16 and 22 March 2020;
- Housing figures had been reduced to approximately 14,000, although the sites remained the same.

St Albans Local Plan

- This had been found to be unsound.

The following Members asked questions and took part in the debate:

- Councillor Steve Jarvis.

**RESOLVED:**

- (1) That the report on strategic planning matters be noted.
- (2) That the submissions in Appendices A and B be noted.

**REASON FOR DECISIONS:** To keep Cabinet informed of recent development on strategic planning matters and progress on the North Hertfordshire Local Plan.

**81 BALDOCK, BYGRAVE AND CLOTHALL NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION**

*Audio recording – Session 1 – 7 minutes 50 seconds*

The Executive Member for Planning and Transport presented the report entitled Baldock, Bygrave and Clothall Neighbourhood Plan – Regulation 16 Consultation.

**RESOLVED:** That public consultation for the Baldock, Bygrave and Clothall Neighbourhood Plan be approved.

**REASON FOR DECISION:** To enable public consultation on the proposed submission Baldock, Bygrave and Clothall Neighbourhood Plan 2019 – 2031 before the neighbourhood plan is submitted for examination by an independent examiner.

**82 STATEMENT OF COMMUNITY INVOLVEMENT - DRAFT FOR PUBLIC CONSULTATION**

*Audio recording – Session 1 – 8 minutes 52 seconds*

The Executive Member for Planning and Transport presented the report entitled Statement of Community Involvement – Draft for Public Consultation together with the following appendices:

- Appendix A – Revised draft Statement of Community Involvement for public consultation – January 2020;
- Appendix B – Equalities Impact Assessment for the revised draft Statement of Community Involvement – January 2020.

The Strategic Planning Manager advised that the draft Statement of Community Involvement stated sites of 500 or more whilst the Constitution stated sites of 100 or more and these documents needed to be aligned.

**RESOLVED:**

- (1) That the Council's current Statement of Community Involvement be revised and replaced having regard to the factors outlined in this report;
- (2) That the revised draft Statement of Community Involvement (SCI), attached as Appendix A to this report, be noted and approved for a six-week public consultation.

**REASON FOR DECISIONS:** Officers consider that the SCI should be updated to reflect changes in legislation, technology and Regulations.

**83 GARDEN WASTE SERVICE**

*Audio recording – Session 1 – 13 minutes 7 seconds*

The Executive Member for recycling and Waste Management presented the report entitled Garden Waste Service.

Councillor David Levett, Chair of the Overview and Scrutiny Committee, presented the referral from the Committee meeting held on 21 January regarding the Garden Waste Service. He advised that the Committee supported the recommendations in the revised report.

The following Members took part in the debate:

- Councillor Judi Billing.

**RESOLVED:**

- (1) That the concessionary rates principles as proposed in para 8.2 be agreed;
- (2) That the decision regarding whether the implementation of Direct Debits is practicable for August 2020 be delegated to the Service Director - Place, in consultation with the Executive Member for Recycling and Waste Management.

**REASONS FOR DECISIONS:** To deliver objectives set out in the Councils plan and to implement the recommendations in 2020/21.

**84 COMMUNITY GRANTS POLICY REVIEW**

*Audio recording – Session 1 – 21 minutes 46 seconds*

The Executive Member for Community Engagement presented the addendum report entitled Community Grants Policy Review together with the following appendices:

- Appendix 1 - Draft Grant Policy Review;
- Appendix 2 - Draft Grant Policy Review – with comments from Area Committees;
- Appendix 3 - Final Grant Policy amended following consultation;
- Appendix 4 - Terms of Reference for the District Wide Community Facilities Capital & Revenue Grant Panel;
- Appendix 5 - Policy with comments from all Area Committees.

The Chair drew attention to the referrals from the Area Committee (6a – 6e) and Appendix 5 which summarised the comments made by the Area Committee.

**RESOLVED:**

- (1) That, subject to the following, the updated Community Grant policy and criteria be approved:
  - (i) That the heading in the table at Paragraph 3.1 of the Policy be amended to read “Eligible and Not Eligible”;
  - (ii) That it be made clear in the table at Paragraph 3.1 of the Policy that event hosted by community organisations and charities would be eligible;
  - (iii) That Paragraph 4.3 of the Policy be amended to read;  
“Community grant applications are considered at the relevant Committee or Panel and a listing of application deadlines is published on the Councils website.”
  - (iv) That Paragraph 6.2 of the Policy be amended to read:  
“The Council will require details of how the grant was spent and the provision of receipts within 1 year of the decision and that this be reported back to the relevant Committee or Panel.”
- (2) That the updated Terms of Reference for the District Wide Community Facilities Capital and Revenue Grant Panel be approved

**REASON FOR DECISIONS:** The awarding of grant funding awards to organisations, charities and voluntary groups, and the use of grant budgets devolved to Area Committees allows the Authority to further its aims and overarching Priorities of the Council and District.

**85 CLIMATE CHANGE STRATEGY 2020-2025**

*Audio recording – Session 1 – 29 minutes 20 seconds*

The Executive Member for Environment and Leisure presented the report entitled Climate Change Strategy 2020-2025 together with the following appendices:

- Appendix 1 – Climate Change Strategy;
- Appendix A - Completed Actions;
- Appendix B - Proposed Actions.

The following Members took part in the debate:

- Councillor Paul Clark;
- Councillor Martin Stears-Handscomb;
- Councillor Sam North.

Councillor Martin Stears-Handscomb proposed a further recommendation that the Policy and Appendices be kept under review and updated as required.

**RESOLVED:**

- (1) That Cabinet the amended Climate Change Strategy and accompanying appendices, which sets out the Council’s strategic priorities to reduce the organisation’s impact on the environment be approved;
- (2) That the following documents be adopted and updated as required:
  - Appendix 1 Climate Change Strategy 2020 -2025;
  - Appendix A – Completed Actions;
  - Appendix B – Proposed Actions.
- (3) That the Strategy and Appendices be kept under review and updated as required



**REASON FOR DECISIONS:** In 2019, the Council passed a motion to declare a Climate Emergency, in this motion the Council pledged their commitment to achieve a target of zero carbon emissions by 2030. The revised strategy sets out how the council will do this.

## 86 FAIR COLLECTION POLICY

*Audio recording – Session 1 – 36 minutes 10 seconds*

The Executive Member for Finance and IT presented the report entitled Fair Collection Policy together with the following appendices:

- Appendix 1 - Fair Collection Policy;
- Appendix 2 - Stop the Knock;
- Appendix 3 - Penham Excel Ltd - Information Leaflet;
- Appendix 4 - Penham Excel Ltd - Vulnerability Policy;
- Appendix 5 - Penham Excel Ltd - Vulnerability Policy Notes;
- Appendix 6 - Council Tax Protocol;
- Appendix 7 - Equality Impact Assessment;
- Appendix 8 - Standard Financial Statement.

Councillor David Levett, Chair of the Overview and Scrutiny Committee presented the referral from the meeting of the Committee meeting on 21 January 2020 regarding the Fair Collection Policy.

He advised that the Committee recommended to Cabinet that the Draft Fair Collection Policy be adopted.

### **RESOLVED:**

- (1) That the Fair Collection Policy at Appendix 1 be adopted;
- (2) That the Council Tax Protocol at Appendix 6 2 be approved and adopted;
- (3) That it be noted that the Council now uses the Standard Financial Statement developed by the Money & Pension Service.

### **REASONS FOR DECISIONS:**

- (1) To incorporate existing practices used for the collection of money owed to the Council into an overarching policy;
- (2) To confirm the Council's practices and procedures especially those relating to potentially vulnerable customers.

## 87 COUNCIL TAX PREMIUMS & DISCOUNTS ON EMPTY PROPERTIES

*Audio recording – Session 1 – 40 minutes 52 seconds*

The Executive Member for Finance and IT presented the report entitled Council Tax Premiums & Discounts on Empty Properties together with the following appendices:

- Council Tax Premiums Discounts on Empty Properties – Addendum;
- Appendix 1 – Summary of consultation responses;
- Changes to Council Tax Premiums, Discounts on Empty Properties - Appendix 1 – Addendum.

The Executive Member for Finance and IT proposed recommendations 2.1.2 and 2.2.

The Service Director – Customers explained that there was a balance to be struck between the intention of the proposal to encourage empty properties to be brought back into occupation and charging too much.

The following Members took part in the debate:

- Councillor Martin Stears-Handscomb.

**RESOLVED:**

- (1) That in accordance with Section 11B of the Local Government Finance Act 1992 as amended by Section 2 of the Rating (Properties in Common Occupation) & Council Tax (Empty Dwellings) Act 2018, that from 1 April 2020 a 100% Premium is levied on all properties empty for more than two years;
- (2) That under Section 11A of the Local Government Finance Act 1992, amended by Section 11 of the Local Government Finance Act 2012, the Council creates a locally defined Council Tax Discount of 100% for the first fifty-six days that a property is unoccupied and substantially unfurnished and does not fall into any Council Tax Exemption Class, and zero % for any period after fifty-six days.

**REASONS FOR DECISIONS:**

- (1) To support the principle of getting unoccupied properties back into occupation whilst also considering the implications of collection.
- (2) To provide more time to turn around empty properties and reduce the number of small value Council Tax bills produced.

**88 DRAFT DEVELOPER CONTRIBUTIONS SPD**

*Audio recording – Session1 – 10 minutes 27 seconds*

The Executive Member for Planning and Transport presented the report entitled Draft Developer Contributions SPD together with the following appendix:

- Appendix A - Draft Developer Contributions SPD.

Councillor David Levett, Chair of the Overview and Scrutiny Committee presented the referral from the meeting held on 21 January 2020 regarding the Draft Developer Contributions SPD.

He advised that the Committee recommended to Cabinet that:

- (1) That the draft Developer Contributions SPD, attached as Appendix A to this report, be endorsed and approved for a six-week public consultation;
- (2) That Officers be instructed to conduct a review a to consider the feasibility of introducing a Community Infrastructure Levy for residential sites of 10 units or less.

The Executive Member for Planning and Transport proposed that the words “of ten units or less” be removed from recommendation 2.2.

**RESOLVED:**

- (1) That the draft Developer Contributions SPD, attached as Appendix A to this report, be endorsed and approved for a six-week public consultation;
- (3) That Officers be instructed to conduct a review to consider the feasibility of introducing a Community Infrastructure Levy for residential sites.

**REASONS FOR DECISIONS:**

- (1) To allow the Developer Contributions SPD to be progressed so that it may be
  - (i) adopted at the same time as, or shortly after, any future decision to adopt the new Local Plan and
  - (ii) taken into account in relevant planning decisions.
- (2) To determine whether there is scope to introduce a levy for small sites which are not normally subject to requests for contributions but which, collectively, result in additional burdens upon local infrastructure.

**89 PROPERTY ACQUISITION & DEVELOPMENT STRATEGY**

*Audio recording – Session 1 – 50 minutes 26 seconds*

The Executive Member for Enterprise and Cooperative Development presented the report entitled Property Acquisition & Development Strategy together with the following appendices:

- Appendix A - Property Acquisition & Development Strategy;
- Appendix B - Property Scrutiny Group (PSG): Terms of Reference;
- Appendix C - Asset Criteria;
- Appendix D - Scoring Matrix;
- Appendix E - Statutory Powers & Provisions.

The Senior Estates Surveyor advised that this was a framework document which included the guiding principles and governance principles.

**RECOMMENDED TO COUNCIL:** That the Property Acquisition & Development Strategy, including Appendices be approved

**REASONS FOR DECISION:**

- (1) To give effect to the Property Acquisition & Development Strategy so NHDC has in place a clear basis for pursuing property opportunities that are for the purposes of its functions or the benefit, improvement or development of its area.
- (2) To put in place a framework of robust and practical guiding principles that apply governance and rigorous appraisal to property acquisition and development decisions by NHDC, in order to safeguard the necessary capital expenditure and taxpayers' resources.

**90 REVENUE BUDGET 2020/21**

*Audio recording – Session1 – 52 minutes 57 seconds*

The Executive Member for Finance and IT presented the addendum report entitled Revenue Budget 2020/21 together with the following appendices:

- Appendix A - Financial Risks;
- Appendix B - Savings and Investments;
- Appendix C - General Fund Estimates;
- Appendix C - General Fund Estimates (addendum).

The Leader of the Council introduced the referral from the Finance, Audit and Risk Committee meeting held on 20 January 2020 regarding the Revenue Budget and drew attention to the recommendations to Cabinet.

The following Member took part in the debate:

- Councillor Sam North.

**RESOLVED:**

- (1) That the decrease in the 2019/20 working budget of £187K, as detailed in table 6 be approved;
- (2) That the carry-forward of £88K of budget into 2020/21, as detailed in table 6 be approved.

**RECOMMENDED TO COUNCIL:**

- (1) That the transfers from reserves to the General Fund as detailed in 8.4.3 to 8.4.4 be approved;
- (2) That the forecast savings target for future years be noted and the approach to balancing the budget, as detailed at Paragraph 8.9.4 be confirmed;
- (3) That the position on the Collection Fund and how it will be funded be noted;
- (4) That the position relating to the General fund balance and that due to the risks identified a minimum balance of £2.45 million is recommended be noted;
- (5) That the saving and investments as detailed in Appendix B be approved;
- (6) That a net expenditure budget of £15.124m, as detailed in Appendix C be approved;
- (7) That a Council Tax increase of £5 for 2020/21 for a band D property, with other increases pro rata for this (as per the Medium Term Strategy) be approved.

**REASON FOR DECISIONS:**

- (1) To ensure that all the relevant factors are taken into consideration when arriving at the proposed Council Tax precept for 2020/21;
- (2) To ensure that Cabinet recommends a balanced budget to Full Council on 6 February 2020.

**91 INVESTMENT STRATEGY (INTEGRATED CAPITAL AND TREASURY)**

*Audio recording – Session 1 – 1 hour 2 minutes 6 seconds*

The Executive Member for Finance and IT presented the report entitled Investment Strategy (Integrated Capital and Treasury) together with the following appendices:

- Appendix A - Investment Strategy;
- Appendix A1- Full Capital Programme;
- Appendix A2- New Capital Schemes.

**RECOMMENDED TO COUNCIL:**

- (1) That the Investment Strategy (as attached at Appendix A), including the capital programme and prudential indicators be adopted:
- (2) That the four clauses in relation to the Code of Practice on Treasury management (as detailed in paragraphs 8.11 to 8.16) be adopted.

**REASONS FOR DECISIONS:**

- (1) To ensure that the capital programme meets the Council's objectives and officers can plan the implementation of the approved schemes;
- (2) To ensure the Council's compliance with CIPFA's code of practice on Treasury Management, the Local Government Act 2003, statutory guidance from the Ministry of Housing, Communities and Local Government and the CIPFA Prudential Code. As well as determining and managing the Councils risk appetite in respect of investments.

**92 LAND ADJACENT TO 1 NORTH END, KELSHALL, HERTS**

*Audio recording – Session 1 – 1 hour 7 minutes 2 seconds*

It was proposed by Councillor Keith Hoskins (Executive Member for Enterprise and Cooperative Development), seconded by Councillor Steve Jarvis and:

**RESOLVED:** That the item entitled Land Adjacent to 1 North End, Kelshall, Herts be deferred.

**REASON FOR DECISION:** To enable consideration at the appropriate time.

**93 LAND ADJACENT TO 9 NORTH END, KELSHALL, HERTS**

*Audio recording – Session 1 – 1 hour 7 minutes 46 seconds*

It was proposed by Councillor Keith Hoskins (Executive Member for Enterprise and Cooperative Development), seconded by Councillor Steve Jarvis and:

**RESOLVED:** That the item entitled Land Adjacent to 9 North End, Kelshall, Herts be deferred.

**REASON FOR DECISION:** To enable consideration at the appropriate time.

94 ROYSTON TOWN HALL ANNEXE SITE

*Audio recording – Session1 – 1 hour 8 minutes 5 seconds and Session 2 – 9 seconds*

Councillor Carol Stanier declared a declarable interest in that she was a Member of Royston Town Council. She advised that she would speak under the Councillor speaking rights and then leave the room and take no part on the debate or vote.

Councillor Stanier moved to the public speakers chair.

The Executive Member for Enterprise and Cooperative Development presented the addendum report entitled Royston Town Hall Annexe Site together with the following appendix:

- Appendix A - Location Plan of Royston Town Hall.

Councillor Carol Stanier informed Members that:

- Royston Town Council had a repairing lease on the annexe;
- They currently used the building, which held the Clerk's office and meeting rooms;
- It was unclear how the Clerk could continue without access to the office;
- The meeting rooms increased revenue for the Town Council therefore removing these rooms would reduce income;
- The office and meeting rooms were in regular use;
- The annexe was old and underutilised and the Town Council was reluctant to spend money on a building that they did not own;
- Any development of the site should include an office and meeting rooms for Royston Town Council.

Councillor Stanier left the room.

The Part 2 report was considered, following which the meeting returned to Part 1 and it was:

**RESOLVED:**

- (1) That redevelopment options to replace the existing annexe building and redevelop for alternative uses be noted;
- (2) That following full negotiations with interested parties, including Royston Town Council, terms of any agreed transaction and form of development should be presented to the Cabinet for approval;

**REASONS FOR DECISIONS:**

- (1) To provide additional rental income for the District Council.
- (2) To reduce ongoing maintenance costs for this property
- (3) To bring a valuable town centre asset into full economic use.

**95 EXCLUSION OF PRESS AND PUBLIC**

*Audio recording – Session 1 – 1 hour 15 minutes 18 seconds*

**RESOLVED:** That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

**96 ROYSTON TOWN HALL ANNEXE SITE**

*Audio recording – This part of the meeting was not audio recorded*

The Part 2 Report was considered following debate of the Part 1 report, but prior to any decisions on the Part 1 report.

Members considered the Part 2 report entitled Royston Town Hall Annexe Site and the associated appendix.

A detailed discussion took place following which it was:

**RESOLVED:** That the contents of the Part 2 Report entitled Royston Town Hall Annexe Site be noted.

The meeting closed at 9.30 pm

Chair

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# Agenda Item 6

## **Referrals from Other Committees**

- 6a Item referred from Letchworth Committee: 7 January 2020 – NHDC Parking Strategy Draft Parking Operational Guidelines
- 6b Item referred from Southern Rural Committee: 8 January 2020 – NHDC Parking Strategy Draft Parking Operational Guidelines
- 6c Item referred from Hitchin Committee: 14 January 2020 – NHDC Parking Strategy Draft Parking Operational Guidelines
- 6d Item referred from Royston and District Committee: 15 January 2020 – NHDC Parking Strategy Draft Parking Operational Guidelines
- 6e Item referred from Baldock and District Committee: 27 January 2020 – NHDC Parking Strategy Draft Parking Operational Guidelines.
- 6f Item referred from Finance, Audit and Risk Committee: 16 March 2020 – Risk and Opportunities Management Update
- 6g Item referred from Finance, Audit and risk Committee: 16 March 2020 – Third Quarter Revenue Monitoring 2019/20
- 6h Item referred from Finance, Audit and Risk Committee: 16 March 2020 – Third Quarter Investment Strategy (Capital and Treasury) Review 2019/20

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**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**6a – 6e - ITEMS REFERRED FROM AREA COMMITTEES REGARDING THE NHDC  
PARKING STRATEGY DRAFT PARKING OPERATIONAL GUIDELINES**

*Links to the following referrals have been included for completeness and transparency purposes. The comments made by each of the Area Committees have been summarised in Appendix D to the report being considered.*

**6a ITEM REFERRED FROM LETCHWORTH COMMITTEE: 7 JANUARY 2020 - NHDC  
PARKING STRATEGY DRAFT PARKING OPERATIONAL GUIDELINES**

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=148&MId=2354&Ver=4>

**6b ITEM REFERRED FROM SOUTHERN RURAL COMMITTEE: 8 JANUARY 2020 - NHDC  
PARKING STRATEGY DRAFT PARKING OPERATIONAL GUIDELINES**

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=153&MId=2353&Ver=4>

**6c ITEM REFERRED FROM HITCHIN COMMITTEE: 14 JANUARY 2020 - NHDC  
PARKING STRATEGY DRAFT PARKING OPERATIONAL GUIDELINES**

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=147&MId=2355&Ver=4>

**6d ITEM REFERRED FROM ROYSTON AND DISTRICT COMMITTEE: 14 JANUARY  
2020 - NHDC PARKING STRATEGY DRAFT PARKING OPERATIONAL  
GUIDELINES**

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=152&MId=2356&Ver=4>

**6e ITEM REFERRED FROM BALDOCK AND DISTRICT COMMITTEE: 27 JANUARY  
2020 - NHDC PARKING STRATEGY DRAFT PARKING OPERATIONAL  
GUIDELINES**

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=141&MId=2357&Ver=4>

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**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: APPROVAL OF A NEW DEVELOPMENT AGREEMENT FOR THE JOHN BARKER PLACE AREA OF HITCHIN**

REPORT OF: THE SERVICE DIRECTOR REGULATORY

EXECUTIVE MEMBER: COUNCILLOR GARY GRINDAL

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITIES: BUILD THRIVING AND RESILIENT COMMUNITIES /  
SUPPORT THE DELIVERY OF GOOD QUALITY AND AFFORDABLE HOMES

**1. EXECUTIVE SUMMARY**

- 1.1 The Westmill area of Hitchin, in which John Barker Place is located, is the third most deprived in the district.
- 1.2 North Hertfordshire Homes (or 'settle Group' as they are now known) and the Council committed to a Development Agreement in 2013, with the aim of regenerating John Barker Place.
- 1.3 Against a backdrop of progressive austerity measures and reduced access to capital funding for registered providers, delivery of the affordable homes and new shops stalled.
- 1.4 settle has recently gained planning consent for a new regeneration scheme at John Barker Place that includes 129 homes, two new shops and a new play area. settle will project manage the scheme on a day-to-day basis.
- 1.5 The regeneration scheme features as a priority in the Council Plan 2020-2025 and this report recommends the Council enters in to a new Development Agreement with settle to support their delivery of the new scheme.

**2. RECOMMENDATIONS**

- 2.1. That notice is served on settle to terminate the Development Agreement that was signed in 2013, with immediate effect.
- 2.2. That the newly proposed Development Agreement, at Appendix B, be approved.
- 2.3. That authority is delegated to the Executive Member for Housing and Environmental Health, in conjunction with the Service Director - Regulatory, to agree minor changes to the new Development Agreement.

- 2.4. That a lease on the identified Council owned land at Swinburne Avenue, Hitchin, is granted to settle on the lease heads of terms attached to this report (please see Appendix C).

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The newly proposed Development Agreement (DA) includes a package of measures that support settle's regeneration scheme for John Barker Place (JBP), which is situated in one of the most deprived areas of the district.
- 3.2 The existing DA is not considered to be fit for purpose as it relates to historic planning approvals and former Council priorities. This view is supported by settle.

### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Council could decide against agreeing the new DA, or not participating at all in any JBP regeneration scheme with settle. Either of these actions would lead to a risk of the project stalling further. This action would also be inconsistent with the Council's commitment to support the JBP regeneration scheme, as set out in the recently published Council Plan 2020-2025.

### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Cllr Gary Grindal, the Executive Member for Housing and Environmental Health, has been consulted and is supportive of the recommendations contained in this report.
- 5.2 As a local housing partner and party to the proposed DA, settle is supportive of the recommendations contained in this report.

### **6. FORWARD PLAN**

- 6.1 This report contains a recommendation on a Key Executive decision that was first notified to the public in the Forward Plan on the 1 July 2019.

### **7. BACKGROUND**

- 7.1 The recently published 2019 English Indices of Deprivation (the official measure of relative deprivation in England) indicate the Westmill area, in which JBP is located, is the third most deprived in the district. In a county context, it is amongst the most deprived 10% of neighbourhoods in Hertfordshire.
- 7.2 The Council agreed to support settle's JBP regeneration project in both January 2013 and July 2013 (please see Appendix A for the resolutions from both Cabinet meetings).
- 7.3 A DA for the regeneration project was produced to protect and support the interests of both parties; since this was agreed in 2013, settle has delivered its commitments for a new Westmill Community Centre and a relocated Multi-Use Games Area. Against a backdrop of progressive austerity measures and reduced access to capital funding for regeneration, delivery of the affordable homes and new shops stalled.

- 7.4 settle has now come forward with plans and capacity to deliver a new regeneration scheme at JBP and the DA signed in 2013 is no longer fit for purpose. The Cabinet recommended on 30 July 2019:

*That officers be authorised to assess the suitability of the existing DA and review if an alternative agreement is required for settle's new scheme.*

*Should a new DA be required, officers should negotiate its terms with settle and return to the Cabinet for it to be considered and decided.*

- 7.5 settle's newly proposed development now consists of 129 homes, to be delivered over three phases; the first comprising 37 units, the second phase totalling 46 units and the third also 46 units. Alongside the homes and replacement shops, a new fully equipped play area is being brought forward in phase three.
- 7.6 The first two phases include 49 units of retirement living accommodation to enable existing tenants from the adjacent existing Westmill Lawns Scheme to relocate, as there are longer-term remedial works required that could not be undertaken whilst the building is occupied. This also applies to 12 of the tenants in general needs flats in Freemans Close, who will also be relocated under phase two of the project.
- 7.7 settle submitted a full planning application that detailed the delivery of phases one and two, whilst outlining phase three (planning reference: 19/01416/HYA). A second application was also submitted by settle for an additional play area, located on Council owned land in Swinburne Avenue, Westmill to ensure continuity of provision throughout the duration of the works (planning reference: 19/01748/FP). The Council's Planning Control Committee subsequently approved both applications on 23 January 2020.
- 7.8 Within North Hertfordshire, the Common Housing Register demonstrates a high demand for affordable housing, including retirement living accommodation. With an ageing population across the district, there is an identified need for retirement accommodation in new housing supply, alongside affordable homes.
- 7.9 The project features specifically as a priority in the Council Plan 2020-2025, under the objective "Support the delivery of good quality and affordable homes". The regeneration scheme has also been included in a partnership plan between settle and the Council that identifies how both parties may work together to meet housing local needs.

## **8. RELEVANT CONSIDERATIONS**

- 8.1. Following extensive negotiations with settle, the following provisions are proposed in the newly drafted DA:
- a) **Subject to the grant of a new lease of the site by the Council to settle, settle shall deliver a new play area on Swinburne Avenue Hitchin, before the existing play area on the Site is decommissioned**

This will ensure continuity of provision (which the planning permission cannot do) for the local community throughout the duration of the building works. Phase three of the project includes a further play area on-site, so there will be two equipped play areas on completion. The up-front and ongoing costs of both play areas will be funded by settle, in line with the arrangements for the existing play area.

- b) settle will use all reasonable endeavours to deliver a regeneration scheme on the Site with 100% affordable housing, totalling 129 residential units across the three phases of development referred to in Annex A within 10 years from the date of this Agreement**

The new homes will provide modern, fit for purpose retirement accommodation for rent. They will also replace existing bedsit provision with self-contained apartments and enable a wider range of housing choice in the neighbourhood, with additional rented and shared ownership homes. The existing 49 units at Westmill Lawns will still be retained (although not necessarily in use) pending the review described in (g) below.

The existing 12 units at Freemans Close will be demolished to allow the phase three building to take place. The first two phases deliver 83 units; although 22 of these have been designated as open market housing in settle's planning application, they have confirmed they are planning to convert these to affordable housing, most likely shared ownership.

In addition, settle has confirmed their intention to deliver a further 46 affordable units in phase three, reaching an overall total of 129 units.

- c) Should less than 100% affordable housing be delivered (subject as mentioned in Annex A) and/or the three phases are not completed within 10 years of the date of this agreement, settle agree to pay the Council within 14 days of demand a premium equivalent to the sum of £133.2k (index linked in accordance with the Retail Prices Index from the date of the grant of the lease to the date of service of the Council's demand) as consideration for the grant of the lease of the play area at Swinburne Avenue**

It is proposed for the lease to have a contractual term of 20 years at a peppercorn rent on the delivery of 129 new and improved affordable housing units. This will have a positive impact in helping the Council meet local housing need.

- d) settle agree to discharge a previous condition for redevelopment of the St Andrews House, Hitchin site on the Site (condition 3 of planning permission 12/01271/1)**

This is a separate condition that formed part of the previous DA and it concerns delivery of 4 x two-bedroom houses as part of the scheme.

- e) settle have agreed an 'open book' approach to the Project and have shared relevant financial information with the Council and commit to doing so on an ongoing basis**



settle has confirmed that as a mixed-use scheme with extensive communal spaces, the development carries high costs. With many of the homes being delivered at genuinely affordable social rents, long term revenue receipts are low. settle plan to part fund the project through limited Homes England grants and private sector borrowing.

Accounting for this, settle have demonstrated that the project would not meet usual investment criteria. In agreeing to the DA, they have committed to sustaining the regeneration costs over the long term through the charitable housing association's surpluses, recognising the strong local need and wider community benefits identified in the original project objectives. settle have agreed to continue to regularly share financial information in confidence with the Council as the development goes forward.

Funding by the Council would be capped at the amount detailed below, in section (f), and settle would take on all the risk associated with any cost increases. The provision of this open book information would provide indications on how phase three could be delivered (e.g. the percentage of affordable units). Given the significant regeneration involved and the associated costs, it is difficult to envisage any scenario where settle would not be able to justify they require the contribution from the Council.

- f) The Council will pay settle a capital contribution of £1.096m upon practical completion of the dwellings within phases 1 and 2 (as referred to in Annex A) of the Project, practical completion to be evidenced by the issue of a certificate to that effect by the employer's agent or architect (or other relevant consultant appointed for that purpose) appointed by settle in connection with the Project**

The Council originally agreed this capital contribution to bridge a known funding gap in 2013, on the basis of bringing forward the regeneration scheme including community facilities and affordable housing, which may not have occurred otherwise.

It has been held in the Council's budget since, including that for 2020/21. Whilst the regeneration scheme's funding gap has grown significantly, negotiations with settle have continued with the same sum. To further incentivise performance from settle, the payment would only be made when the homes detailed in phases one and two are completed and handed over.

The units in Phase 2B are designated market sale under the planning permission, however settle has confirmed all 22 units will be affordable units, most likely shared ownership. This means that 83 affordable housing units would be delivered in the first two phases, a significant increase on the 39 agreed in 2013.

The Council receives commuted sum payments from developers for affordable housing in the event these units cannot be provided on site. The capital budget for 2020/21 assumes that £270k of the £1.096m will be funded from commuted sums. Indications are that this could be higher, potentially around £480k. This would reduce the amount the Council would need to fund from its own capital reserves.

- g) The vacated Westmill Lawns site will be jointly reviewed in order to assess the viability of any shared commercial and/or accommodation opportunities**

Westmill Lawns, the existing retirement scheme, will be vacated upon completion of the new homes without the need to otherwise relocate the residents. This is due to major works which cannot be achieved with residents in situ. settle have agreed to review immediate options for the vacant site and buildings with the Council, including possible joint future commercial opportunities that would enable wider housing choice in Westmill, or even another form of affordable housing.

**h) With reference to both settle and the Council's ambitions regarding climate change, settle agree to incorporate reasonable carbon reduction and efficiency measures in to the detailed design for the Project**

settle is committed to incorporate measures including EV charging points, energy efficient heating and fabric systems, along with tree planting for broader ecological and aesthetic benefit.

- 8.2 The DA has a proposed duration of ten years. This provides focus for delivery of the project within a reasonable timeframe. This also allows for the sequencing of certain aspects of the project in order to allow tenants to stay in their existing homes while construction work is completed on the new homes and to support the existing shops to remain open to serve the neighbourhood
- 8.3 The DA has been prepared with settle colleagues and they are progressing to approval, subject to the Council's confirmation of its decision, simultaneously with this report.

## **9. LEGAL IMPLICATIONS**

- 9.1 Cabinet's terms of reference include (at paragraph 5.6.15 of the Council's Constitution) "To oversee the provision of all the Council's services other than those functions reserved to the Council". The recommendations contained in this report are Executive functions and are therefore not matters reserved to Council.
- 9.2 The DA that was agreed in 2013 can be terminated by either party giving at least three-months' notice. settle have confirmed their agreement to the waiving of this notice period for the new DA to take effect as soon as possible.
- 9.3 The Council entered in to a Deed of Covenant with North Hertfordshire Homes Limited (as settle were then) in 2003. This determined that the Council would be entitled to a 'clawback' where North Hertfordshire Homes sold any land or housing that was part of the stock transfer. This allowed clawback to be suspended where that funding was to be used for the future provision of social housing or community benefit. The detailed provisions of this were further clarified in a protocol that followed the creation of Rowan Homes in 2011. There is no restriction on how much funding can be applied to each unit as long as more than the amount applied is spent.
- 9.4 Since the land at Swinburne Avenue, Hitchin is held as public open space, the Council has advertised the proposed lease of part of its land at Swinburne Avenue, Hitchin in the local newspaper in accordance with section 123(2A) of the Local Government Act 1972.

- 9.5 “Paragraph 14.6.7 of the Council Constitution grants the Service Director: Commercial delegated authority in relation to granting, negotiating and settling terms of leases where the premium does not exceed £500,000 provided that in respect of any matter where the premium exceeds £50,000 the decision shall be made in consultation with the Executive Member for Finance and IT.
- 9.6 The lease proposed by the heads of terms shown in Appendix C contains a proposal to charge a premium of £133,200 (subject to indexing) to the tenant. The lease terms could therefore be approved in accordance with paragraph 14.6.7 of the Constitution rather than by Cabinet. However, this report recommends Cabinet approves the lease heads of terms instead. The rationale is that the lease forms a component of the wider regeneration scheme and programme at JBP. It is considered sensible and prudent for the lease to be considered for approval by Cabinet alongside the wider regeneration scheme in order to provide better understanding of the lease’s context, rather than being considered in isolation and separate from the wider scheme

## **10. FINANCIAL IMPLICATIONS**

- 10.1 The Council’s potential capital contribution of £1.096m is available in the approved budget for 2020/21. The budget assumes that £270k of this is funded via commuted sums, but this could be higher at around £480k. The Council’s Investment Strategy determines that it will seek to make use of third-party funding (including commuted sums) before using its own capital reserves. As the funding has been in the capital programme for some time, it will be funded from capital receipts. However, that still means that other capital spend will need to be funded from borrowing. Therefore, the notional revenue cost (i.e. the interest and minimum revenue provision that will be incurred on other schemes) is around £50k per year (based on £270k funded from commuted sums).
- 10.2 The current balance of suspended clawback that can be applied to this scheme is £2.21m. Whilst there is notionally an element of re-provision within the scheme, the Westmill Lawns site will remain at the end of phase three (pending a subsequent review). It is therefore considered that the additional units at that point would justify the use of suspended clawback in line with the deed of covenant and protocol.
- 10.3 The Council can choose to use its capital reserves to fund capital spend on assets owned by another party. The Council should consider the value for money that it gets from the funding it provides. The majority of the spend on phases one and two potentially relates to an element of the re-provision of existing housing and improvements to the general environment. This has benefits to the residents directly affected as well as more widely, but it is impossible to evaluate. Upon settle delivering phases one and two as 100% affordable housing, that would equate to 22 additional units (6 one-bedroom and 16 two-bed). A contribution of £1.096m would equate to an average of £50k per additional unit. If settle delivered all three phases as affordable, that would equate to £16k per additional unit. Any ongoing provision or redevelopment on the Westmill Lawns site would be in addition to this and add further to the value for money.
- 10.4 settle will pay the Council £133.2k (index linked as set out in the lease heads of terms) for the lease on the Swinburne Avenue land in the event the scheme does not deliver 129 units of affordable housing within 10 years of the date of the signing of the lease.

- 10.5 The base premium figure outlined in paragraph 10.4 of this report represents a figure agreed between the Council and settle in relation to the specific context of the JBP regeneration scheme. The base premium figure does not therefore have universal or market-wide application and does not necessarily represent the market value of the Council's land off Swinburne Avenue, Hitchin which is proposed to be leased
- 10.6 settle will provide two play areas as part of the regeneration scheme and will also take responsibility for the associated maintenance. This will meet a known need (as per current Green Space Management Strategy) that the Council is currently unable to meet without external funding.

## **11. RISK IMPLICATIONS**

- 11.1 As the 2013 DA is still in place, it technically commits both parties to a scheme that is no longer viable. This is misleading and could result in reputational damage for the Council.
- 11.2 If the existing DA is not reviewed or replaced, it may lead to a risk of the project stalling further, losing the additional affordable housing and the improvements to the neighbourhood.
- 11.3 There is a risk the regeneration project does not progress to completion or does not deliver 100% affordable housing. These risks are mitigated by:
- the conditional payment of the capital contribution of £1.096m to settle upon completion of phases one and two
  - The lease incorporating a condition obliging settle (as tenant) to pay a premium to the Council (as landlord) for the lease of the land off Swinburne Avenue if settle does not deliver 129 units of affordable housing within 10 years of the date of the lease.
  - The Stock Transfer Agreement from 2003, with reference to disposals.
- 11.4 settle has confirmed the potential £1.096m capital contribution from the Council is a vital component in the funding package for the whole regeneration scheme. There is a risk the scheme may not be delivered as proposed, or in its entirety, if this funding is not provided.

## **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 proposed regeneration of the JBP area of Westmill, including the delivery of 129 affordable housing units, has the potential to advance the equality of opportunity of all current and prospective residents. Paragraph 7.8 notes a specific need to support the growing needs of residents, including older people.

### **13. SOCIAL VALUE IMPLICATIONS**

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

### **14. HUMAN RESOURCE IMPLICATIONS**

- 14.2 There are no anticipated staffing implications arising as a result of the recommendations contained in this report.

### **15. APPENDICES**

- 15.1 Appendix A – JBP Cabinet resolutions from 2013
- 15.2 Appendix B – Proposed Development Agreement for John Barker Place
- 15.3 Appendix C – Lease heads of terms for land at Swinburne Avenue, Hitchin

### **16. CONTACT OFFICERS**

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## **17. BACKGROUND PAPERS**

- 17.1. English Indices of Deprivation: <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>
- 17.2. Decisions from 23 Jan 2020 Planning Control Committee (items 87 and 88):  
<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=151&MId=2247&Ver=4>

## **Appendix A – JBP Cabinet resolutions from 2013**

### **29 January, 2013: RESOLVED:**

- (1) That officers be authorised to enter into negotiations to produce a Development Agreement for the regeneration of John Barker Place, Westmill, Hitchin;
- (2) That the commitment of £1.096m be agreed for this scheme from the Council's budget for affordable housing, subject to the availability of capital funds;
- (3) That the proposal to use £865k from the Community Benefit Fund to finance a new Community Centre be supported; and
- (4) That it be agreed in principle that, subject to other regulatory approvals, the Community Centre can be rebuilt adjacent to its present location and the current building be subsequently demolished.

### **30 July, 2013: RESOLVED:**

- (1) That officers be authorised to enter into the Development Agreement for the regeneration of John Barker Place, Westmill, Hitchin, as attached at Appendix B to the report;
- (2) That the proposal to use the new amount of £1.327M, from the Community Benefit Fund, to finance a new Community Centre and development of the surrounding area, be supported;
- (3) That the Council acquires ownership of the remaining area surrounding the Community Centre from North Hertfordshire Homes (NHH) for the sum of £1;
- (4) That the transfer of the Multi-Use Games Area (MUGA) from its current location, on NHH owned land, to Council owned land on the site of the existing Community Centre, be agreed;
- (5) That a waiver of the Council's Contract Procurement Rules, in relation to the appointment of a contractor for the regeneration project, be approved; and
- (6) That authority be delegated to the Chief Executive, in consultation with the relevant Portfolio Holder, to agree minor changes concerning any aspect of the regeneration scheme, providing they do not materially alter the agreed scheme.

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**Appendix B – Proposed Development Agreement for John Barker Place**

Dated

**Development Agreement**

between

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

and

**SETTLE GROUP**

## CONTENTS

### CLAUSE

Background .....	1
Key objectives for the project .....	1
Principles of collaboration .....	1
Commitments .....	4
Escalation .....	4
Intellectual property .....	4
Term and Termination.....	5
Variation .....	5
Status .....	5
Confidentiality .....	5
Governing law and jurisdiction .....	6

### ANNEX

ANNEX A .....	THE PROJECT
ANNEX B .....	DEVELOPMENT AGREEMENT COMMITMENTS

THIS AGREEMENT is dated

The parties to this Development Agreement are:

- (1) **NORTH HERTFORDSHIRE DISTRICT COUNCIL** of Council Offices, Gernon Road, Letchworth Garden City, SG6 3JF (**The Council**).
- (2) **SETTLE GROUP** a society registered under the Co-operative and Community Benefit Societies Act 2014 with registration number 30003R whose registered office is at Blackhorse Road, Letchworth Garden City, SG6 1HA (**settle**).

## **BACKGROUND**

1.1 The Council and settle have agreed to work together on the regeneration project detailed in Annex A to this Agreement (the Project).

1.2 The parties wish to record the basis on which they will collaborate with each other on the Project.

## **2. KEY OBJECTIVES FOR THE PROJECT**

2.1 The parties shall work together in order to deliver the Project to achieve the key objectives set out in Annex A to this Agreement (Key Objectives).

## **3. PRINCIPLES OF COLLABORATION**

3.1 The parties agree to adopt the following principles when carrying out the Project (**Principles**):

- (a) Collaborate and co-operate. Establish and adhere to the governance structure set out in this Agreement to ensure that activities are delivered and actions taken as required;
- (b) Be accountable. Take on, manage and account to each other for performance of the respective roles and responsibilities set out in this Agreement;
- (c) Be open. Communicate openly about major concerns, issues or opportunities relating to the Project;
- (d) Learn, develop and seek to achieve full potential. Share information, experience, materials and skills to learn from each other and develop effective working practices, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;
- (e) Adopt a positive outlook. Behave in a positive, proactive manner;
- (f) Adhere to statutory requirements and best practice. Comply with applicable laws and standards including data protection and freedom of information legislation;
- (g) Act in a timely manner. Recognise the time-critical nature of the Project and respond accordingly to requests for support;

- (h) Manage stakeholders effectively;
- (i) Deploy appropriate resources. Ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this Agreement; and
- (j) Act in good faith to support achievement of the Key Objectives set out in Annex A and comply with these Principles.

#### **4. COMMITMENTS**

4.1 The individual Agreement commitments highlighted in Annex B shall be delivered by the identified party, with the conditions being met in each case

#### **5. ESCALATION**

5.1 If either party has any issues, concerns or complaints about the Project which is set out in Annex A, or any matter in this Agreement, that party shall notify the other party and the parties shall then seek to resolve the issue by a process of consultation. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Head of Delivery (settle) and the Strategic Housing Manager (Council), which shall decide on the appropriate course of action to take. If the matter cannot be resolved within 30 days of referral to them, the matter may be escalated to the Development Director (settle) and Director of Regulatory Services (Council) for resolution.

5.2 If either party receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the Freedom of Information Act 2000) in relation to the Project, the matter shall be promptly referred to the Head of Delivery (settle) and the Strategic Housing Manager (Council). No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the Project, unless required as a matter of law, without the prior approval of the Development Director (settle) and Director of Regulatory Services (Council).

#### **6. INTELLECTUAL PROPERTY**

6.1 The parties intend that notwithstanding any secondment any intellectual property rights created in the course of the Project shall vest in the party whose employee or agent created them (or in the case of any intellectual property rights created jointly by employees or agent of both parties in the party that is lead party noted in clause 5 above (for the part of the Project that the intellectual property right relates to)).

6.2 Where any intellectual property right vests in either party in accordance with the intention set out in clause 6. 1 above, that party shall grant an irrevocable licence to the other party to use that intellectual property for the purposes of the Project.

#### **7. TERM AND TERMINATION**

7.1 This Agreement shall commence on the date of signature by both parties and shall expire on completion of the Project or after 10 years from the date of signature, whichever is sooner.

7.2 Either party may terminate this Agreement by giving at least six months' notice in writing to the other party.

## 8. VARIATION

8.1 This Agreement, including the Annexes, may only be varied by written agreement by both parties.

## 9. STATUS AND ARBITRATION

9.1 This Agreement is intended to be legally binding. The parties enter into the Agreement intending to honour all their obligations.

9.2 Except as otherwise provided in clause 5.1, any dispute arising out of or in connection with this Agreement, including any question regarding its existence, validity or termination, or the legal relationships established by this Agreement, shall be referred to and finally resolved by arbitration under the Rules of the London Court of International Arbitration, which Rules are deemed to be incorporated by reference into this clause.

9.3 This clause shall be without prejudice to the rights of any party to seek any injunctive or similar relief from the courts to protect its Intellectual Property, confidentiality obligations or other rights of any description.

9.4 Each party acknowledges that in entering into this Agreement it does not rely on, and shall have no remedies in respect of, any representation or warranty (whether made innocently or negligently) that is not set out in this Agreement.

9.5 Each party agrees that its only liability in respect of those representations and warranties that are set out in this Agreement (whether made innocently or negligently) shall be for breach of contract.

9.6 Nothing in this clause shall limit or exclude any liability for fraud.

## 10. CONFIDENTIALITY

10.1 Each party undertakes that they shall not at any time use, divulge or communicate to any person, except to its professional representatives or advisers or as may be required by law or any legal or regulatory authority, any confidential information concerning the Projector affairs covered by this Agreement which may have or may in future come to its knowledge and shall use his reasonable endeavours to prevent the publication or disclosure of any confidential information concerning such matters.

## 11. GOVERNING LAW AND JURISDICTION

11.1 This Agreement shall be governed by and construed in accordance with English law and, without affecting the escalation procedure set out in clause 5, each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

Signed for and on behalf of

**North Hertfordshire District Council**

Signature: .....

Name: .....

Position: .....

Date: .....

Signed for and on behalf

**settle Group**

Signature: .....

Name: .....

Position: .....

Date: .....

## **Annex A - The Project**

### **Project overview**

The regeneration of the site owned by settle known as John Barker Place Hitchin ("the Site"), including the construction by settle of new housing units and shops.

The following Key Objectives shall be subject to minor variations that may arise as a result of the requirements of the Local Planning Authority.

### **The Key Objectives**

- Grant of planning permission for and subsequent –construction by Settle of the following residential dwellings:

**Phase 1 – 37 x 1 Bedroom Retirement Flats**

**Phase 2A – 12 Retirement Flats**

**Phase 2A – 12 Affordable Apartments**

**Phase 2B – 22 Open Market Apartments**

**Phase 3 – 46 homes, outline in planning application**

- The construction by settle of two new shops (a supermarket and take-away) that will replace the existing units on the Site and be built at the corner of John Barker Place and Mattocke Road.
- Although the planning decision contains reference to market housing, settle's objective is the scheme is 100% affordable (subject to the usual mortgagee exclusion provisions which will enable settle to charge the units on a MV-STT valuation basis).

## **Annex B – Development Agreement commitments**

- a) Subject to the grant of a new lease of the site by the Council to settle, settle shall deliver a new play area on Swinburne Avenue Hitchin, before the existing play area on the Site is decommissioned
- b) settle will use all reasonable endeavours to deliver a regeneration scheme on the Site with 100% affordable housing, totalling 129 residential units across the three phases of development referred to in Annex A within 10 years from the date of this Agreement
- c) Should less than 100% affordable housing be delivered (subject as mentioned in Annex A) and/or the three phases are not completed within 10 years of the date of this agreement, settle agree to pay the Council within 14 days of demand a premium equivalent to the sum of £133.2k (index linked in accordance with the Retail Prices Index from the date of the grant of the lease to the date of service of the Council's demand) as consideration for the grant of the lease of the play area at Swinburne Avenue
- d) settle agree to discharge a previous condition for redevelopment of the St Andrews House, Hitchin site on the Site (condition 3 of planning permission 12/01271/1)
- e) settle have agreed an 'open book' approach to the Project and have shared relevant financial information with the Council and commit to doing so on an ongoing basis
- f) The Council will pay settle a capital contribution of £1.096m upon practical completion of the dwellings within phases 1 and 2 (as referred to in Annex A) of the Project, practical completion to be evidenced by the issue of a certificate to that effect by the employer's agent or architect (or other relevant consultant appointed for that purpose) appointed by settle in connection with the Project
- g) The vacated Westmill Lawns site will be jointly reviewed in order to assess the viability of any shared commercial and/or accommodation opportunities
- h) With reference to both settle and the Council's ambitions regarding climate change, settle agree to incorporate reasonable carbon reduction and efficiency measures in to the detailed design for the Project



## **Appendix C – Lease heads of terms for land at Swinburne Avenue, Hitchin**

### **LEASE HEADS OF TERMS**

#### **Subject to Contract. Without Prejudice**

**Landlord:** North Hertfordshire District Council (“NHDC”), Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire SG6 3JF

**Tenant:** settle Group, Blackhorse Road, Letchworth Garden City SG6 1HA [To include successors in title].

**Property:** Part of Land West of Swinburne Avenue, Hitchin, Hertfordshire forming part of Title Number HD1991. Indicated by area edged red on Plan 1.

**Rent:** Peppercorn.

**Contractual Term:** 20 years.

**Premium:** Refer to Schedule B of this Lease.

**Permitted Use:** Children’s public play and recreation area only. Tenant shall comply with all matters identified in Title Register HD1991. Tenant shall not cause, permit or suffer any nuisance or annoyance to the owners or occupiers of any nearby property.

**Plan 1:** Plan entitled “*Plan 1 - Land West of Swinburne Avenue, Hitchin, Hertfordshire*” which is annexed to this Lease. Plan 1 indicates the following:

- Property & Lease demise - area edged red.
- Landlord’s adjacent property – area edged blue.
- Proposed new pathway from Swinburne Avenue – area shaded yellow.

**Outgoings:** Tenant shall pay all rates, taxes and outgoing in respect of the Property and its use.

**Security of Tenure:** Lease contracted-out of security of tenure provisions of Landlord and Tenant Act 1954, Part 2.

**Repairs:** Tenant shall keep the Property and any buildings, structures, equipment, fixtures and chattels installed or constructed at the Property in good, serviceable, neat, tidy, safe and healthy condition. This obligation extends to all play apparatus and equipment, kerbing,

landscaping, matting or other surfacing installed or constructed at the Property. Tenant shall keep all grass, plants and trees on the Property properly cut and maintained. Tenant shall not lop or remove any trees without the prior written consent of Landlord and shall promptly notify the Landlord of any dangerous, diseased or defective trees.

Tenant shall keep pathway from Swinburne Avenue to the Property indicated by the yellow shading on Plan 1 in serviceable and hazard-free condition, to include removing any hazardous surface defects, ice, dirt or obstructions.

**Inspection:** Tenant shall inspect the Property and pathway indicated by the yellow shading on Plan 1 at least once every calendar month and instigate a programme of management and maintenance to ensure the terms of the Lease are adhered to. Such programme to include removal of all graffiti at the Property.

**Signs:** Tenant shall erect such signs and take such steps as necessary to advertise to the public that the Land may not be used as of right and is for use only with the express permission of Tenant. Tenant shall maintain the aforementioned signs in good condition and shall replace them if they are removed or damaged.

**Charging, Sub-Letting & Assignment:** Tenant shall not charge, sub-let, assign or part with or share possession of this Lease or the Property other than as permitted by this Lease.

**Alterations:** Tenant shall not install or construct at the Property any buildings, structures, equipment, fixtures and chattels without the prior written consent of Landlord. This obligation extends to all play apparatus and equipment, kerbing, landscaping, matting or other surfacing. All alterations shall be carried out and completed to the Landlord's reasonable satisfaction.

The Tenant is permitted to carry out those Works listed in Schedule A to this Lease, subject to Tenant obtaining all other necessary consents and permissions. The Works listed in Schedule A shall be carried out and completed to the Landlord's reasonable satisfaction.

**Insurance:** Tenant shall keep Property and all items installed and constructed at the Property fully insured.

**Public Liability Insurance:** Tenant shall obtain and keep in force in respect of the Property an insurance policy covering public liability for injury to persons or property as requested by Landlord and for a minimum sum at date of this Lease of £10,000,000 (Ten Million Pounds).

**Indemnity:** Tenant to indemnify the Landlord from and against liability in respect of all loss, damage, actions, proceedings, claims, costs and expenses arising from any breach of any Tenant covenants in this Lease, or any act or omission of Tenant, any licensee or any other person on the Property with the authority of any of them. Such indemnity to include all loss, damage, actions, proceedings, claims, costs and expenses relating to matters identified in Title Register HD1991.

**Yield Up:** Before determination of the Contractual Term (howsoever determined), Tenant shall remove from the Property and suitably dispose of all buildings, structures, equipment, fixtures and chattels, including all play apparatus and equipment, kerbing, landscaping, matting and other surfacing installed or constructed at the Property, together with any other items at the Property that the Landlord requests be removed. Before determination of the Contractual Term (howsoever determined), Tenant shall re-instate any damage caused to the Property and return the Property to grass, to the Landlord's reasonable satisfaction. Tenant shall yield up the Property with vacant possession and in accordance with the Tenant's covenants in this Lease. Tenant is encouraged to consider re-using or recycling as many materials as possible following their removal from the Property.

**Determination of Lease:** Landlord may determine this Lease by forfeiture at any time without prior notice if Tenant:

- (a) in the reasonable opinion of the Landlord, fails to use the Property for the Permitted Use; or
- (b) in the reasonable opinion of the Landlord, fails to comply with its other obligations in this Lease.

Determination in this manner does not prejudice the Landlord's right to payment of the Premium or any other right under or in connection with this Lease.

**Rights Excepted and Reserved from Lease to Landlord for the benefit of the land edged blue in Plan 1 and for the benefit of any neighbouring or adjoining property in which Landlord owns or acquires an interest during the term:**

Include:

- (a) rights of light, air, support and protection to the extent those rights are capable of being enjoyed at any time during the Contractual Term.
- (b) the right to use and to connect into Service Media at, but not forming part of, the Property which are in existence at the date of this Lease or which are installed or constructed during the Contractual Term.
- (c) the right to install and construct Service Media at the Property to serve any part of the area outlined blue in Plan 1 (whether or not such Service Media also serve the Property), and the right to re-route any Service Media mentioned in this clause.
- (d) at any time during the term, the full and free right to develop or maintain any part of the land outlined blue in Plan 1 (other than the Property) and any neighbouring or adjoining property in which the Landlord owns or acquires an interest during the term as the Landlord may think fit.
- (e) the right to erect scaffolding at the Property or on the land outlined blue in Plan 1 and attach it to any structure on the Property in connection with any of the Reservations.
- (f) the right to build on or into any boundary enclosure of the Property in connection with any of the Reservations.

- (g) the right to re-route any means of access to or egress from the Property to change the areas over which the Rights mentioned in clauses (a), (b) and (c) of "Rights Granted by Landlord to Tenant for the benefit of the Property" are exercised.
- (h) the right to re-route and replace any Service Media over which the Right mentioned in clause (d) of "Rights Granted by Landlord to Tenant for the benefit of the Property" is exercised.
- (i) the right to enter the Property:
  - to repair, maintain, install, construct, re-route or replace any Service Media or structure relating to any of the Reservations;
  - to inspect the state and condition of the Property; and
  - for any other purpose mentioned in or connected with this Lease, the Reservations and the Landlord's interest in the Property or the land edged blue on Plan 1.

**Rights Granted by Landlord to Tenant for the benefit of the Property:**

- (a) right to install and construct a pathway from Swinburne Avenue to the Property following the route indicated by the yellow shading on Plan 1.
- (b) right, in conjunction with the public, to use the pathway described in (a) for the purposes of pedestrian access to and egress from the Property.
- (c) right to lay underground electrical cabling under pathway described in (a) for the sole purpose of providing power supply to single infra-red CCTV camera to be installed at the Property.
- (d) right to use any Service Media with the area edged blue on Plan 1 that belong to the Landlord and serve (but do not form part of) the Property which are in existence at the date of this Lease or are installed or constructed during the Contractual Term.
- (e) right to enter the area edged blue on Plan 1 so far as is reasonably necessary to carry out any works to the Property required or permitted by this Lease.

**Registration of Lease:** Tenant shall register this Lease with HM Land Registry.

**Landlord Costs:** Tenant shall pay to the Landlord the following Landlord costs in cleared funds prior to signing the Lease:

- Cost of drawing up Lease: Estimated at £1,000.
- Cost of placing a public notice in local newspaper for two consecutive weeks informing public of proposed Lease disposal of open space: £233.20.

## **SCHEDULE A**

### **Tenant Works**

The Landlord consents to the Tenant installing and constructing the following items at the Property, subject to Tenant obtaining all other necessary consents and permissions. The works shall be carried out and completed to the Landlord's reasonable satisfaction.

- Placing and erecting children's play apparatus to a maximum height of 4 metres, comprising:
  - Multiplay with slide;
  - Cradle and chair two-person swing;
  - Mini basket swing;
  - Four-way springer;
  - Spica;
  - Standing seesaw;
  - Carousel swing;
  - Roundabout;
  - Cableway;
  - Balancing mushrooms;
  - Stilts course;
  - Balancing beam with rope;
  - Play panels; and
  - Musical orb.
- Placing and installing bonded rubber mulch safety surfacing or matting underneath aforementioned children's play apparatus.
- Ground excavation for aforementioned children's play apparatus to a maximum depth of 900 millimetres.
- Installation of single infra-red CCTV camera supported on 5 metre high pole overlooking play area only.
- Construction of 1 metre high galvanised steel boundary fencing.

The Landlord consents to the Tenant installing and constructing a pathway from Swinburne Avenue to the Property following the route indicated by the yellow shading on Plan 1. This consent is granted subject to Tenant obtaining all other necessary consents and permissions. The pathway shall be completed to the Landlord's reasonable satisfaction. Tenant shall make good any damage caused by the installation and construction of the pathway as soon as reasonably practicable.

**SCHEDULE B**  
**Premium and Indexing**

**Definitions**

**1.1**

**“Base Figure”:**

Means the Index figure for the month which is two months preceding the date the Lease is signed.

**1.2**

**“Base Premium”:**

£133,200 (One Hundred and Thirty Three Thousand, Two Hundred Pounds).

**1.3**

**“The Condition”:**

Following the Tenant’s application for planning approval (reference: 19/01416/HYA), that was granted planning permission on 23<sup>rd</sup> January 2020, the Tenant shall Deliver 129 (One Hundred and Twenty-Nine) brand new residential affordable housing units in accordance with the planning permission.

**1.4**

**“Default Interest Rate”:**

4% above the Bank of England Base Rate applicable at the Trigger Date. If the Bank of England ceases publication of the Base Rate, then an equivalent interest rate to the Base Rate will be substituted by the Landlord acting reasonably.

**1.5**

**“Deliver”:**

Means the Tenant of this Lease (or successors in Title) hands over the affordable housing units to the Landlord of this Lease by the Trigger Date in accordance with the Condition.

**1.6**

**“The Increase”:**

Means the amount, if any, by which the Index for the month which is two months preceding the Trigger Date exceeds the Base Figure.

#### **1.7**

**“The Index”:**

Means the “All Items” index figure of the Index of Retail Prices published by the Office for National Statistics or any successor authority or office or any such replacement index.

#### **1.8**

**“Premium”:**

The Base Premium plus the amount that bears the same proportion to the Base Premium as the Increase bears to the Base Figure. The Premium shall not at any time be lower than the Base Premium.

If the Condition is not discharged in full by the Tenant (or successors in Title) by the Trigger Date to the Landlord's reasonable satisfaction, the Premium shall become payable on the Trigger Date and shall be paid to the Landlord in full and in cleared funds within 21 working days following the Trigger Date. If the Payment is not received by the Landlord in full and cleared funds within this time, the outstanding Premium becomes payable by the Tenant to the Landlord as a debt due to the Landlord from the Tenant. Compound interest will be payable on a daily basis at the Default Interest Rate for the period commencing 21 working days following the Trigger Date until payment of the Premium is received in full and cleared funds by the Landlord.

#### **1.9**

**“Trigger Date”:**

Means either:

- (a) The date coinciding with the tenth anniversary of the date of the Lease; or
- (b) If earlier than the date in (a), the date on which the Lease is terminated by either party to the Lease (Landlord or Tenant) for whatever reason,

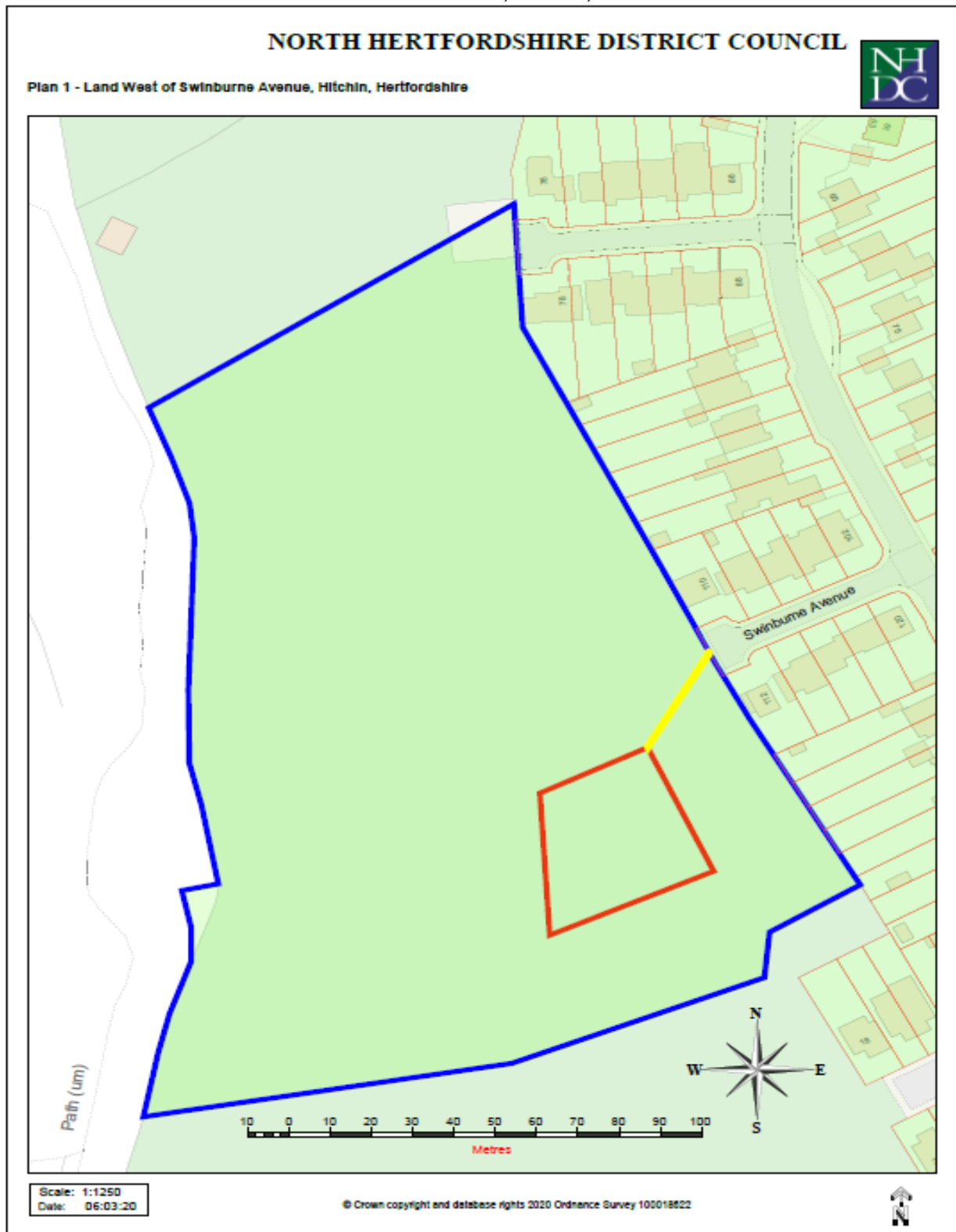
but the Trigger Date shall only be effective if the Condition has not been previously discharged in full by the Tenant to the Landlord's reasonable satisfaction.

**Determination of Disputes**

Any dispute arising out of or in connection with this Lease, including any question regarding its existence, validity or termination, or the legal relationships established by this Lease, shall be referred to and finally resolved by arbitration under the Rules of the London Court of International Arbitration, which Rules are deemed to be incorporated by reference into this clause. The arbitrator will award the costs of arbitration according to his or her discretion.



Plan 1 – Land West of Swinburne Avenue, Hitchin, Hertfordshire



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**CABINET  
24 MARCH 2020**

**\*PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: GREENSPACE MANAGEMENT STRATEGY 2021 – 2026 SCOPING

REPORT OF: THE SERVICE DIRECTOR - PLACE

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR ENVIRONMENT AND LEISURE

COUNCIL PRIORITY: RESPOND TO CHALLENGES TO THE ENVIRONMENT

## **1. EXECUTIVE SUMMARY**

- 1.1 The Green Space Management Strategy (GSMS) is intended to give focus and direction towards the future management of development and maintenance of the Parks and Public Open Spaces owned by North Herts District Council.
- 1.2 The GSMS will provide support and direction to Members of the Council, Officers, External Organisations and residents regarding the future direction of the Authorities Greenspace both in the short and medium terms.
- 1.3 It Aims :-
  - To identify sustainable and affordable principals for the short and medium term
  - To identify current influences upon Greenspace and make proposals to manage them
  - To identify previous achievements and propose new projects and aspirations
  - To contribute and provide input into solutions in response to the pressures of development as identified within the Council's Local Plan. To enable the Council to have clear policies on adoption of any new residential developments
  - To suggest alternatives that could have a beneficial environmental impact
  - To encourage positive use of our Parks and Open Spaces by everyone
- 1.4 To report to Cabinet in December 2020 with the final draft GSMS for consideration and adoption

## **2. RECOMMENDATIONS**

- 2.1 Cabinet notes that Officers are commencing a process of review, to develop the next Greenspace Management Strategy from 2021 to 2026
- 2.2 To consider and approve the scoping document as attached at Appendix A

## **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The existing GSMS is due to expire in March 2021 and the replacement document will provide the future strategic direction for the Greenspaces of North Herts.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The only alternative option is not to develop a future GSMS. However, this would have a negative impact upon Greenspace in the Medium to Long Term as there would be no agreed strategic direction or financial commitment which in turn would have consequences to the Council's Medium Term Financial Strategy.

#### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 The Executive Member for Environment and Leisure and PLB have been consulted on this proposed process.
- 5.2 A process of consultation is highlighted within the scoping document which includes the use of the Citizens Panel, results from the District Wide Survey and Member Workshops

#### **6. FORWARD PLAN**

- 6.1 This report was included within the Forward Plan on the 11<sup>th</sup> December 2019

#### **7. BACKGROUND**

- 7.1 The existing GSMS is due to expire on the 31<sup>st</sup> March 2021 and the Scoping Document sets out the context under which the subsequent GSMS will be delivered.
- 7.2 The scoping document has been produced to guide the process and to support the production of the Greenspace Management Strategy (GSMS) for the District of North Herts District Council (NHDC). The plan will cover a period of 2021 to 2031 with regards principals and future vision. However the action plan associated with the GSMS will cover a period of 2021 – 2026 so as to enable an opportunity of review pending future economic circumstances.
- 7.3 The GSMS is intended to give focus and direction towards the future management of development and maintenance of the Parks and Public Open Spaces owned by North Herts District Council. Initially the GSMS will provide clear logical processes for the future management of our Parks and Open Spaces while identifying longer term principals that will underpin NHDC's future approach to this service area.
- 7.4 It is intended to undertake a structured engagement process with stakeholders to ensure that they are fully aware of this process. Engagement will be encouraged and there will be opportunities to feed into the new GSMS in a constructive and timely manner. Therefore this document is intended to initiate this process.

#### **8. RELEVANT CONSIDERATIONS**

- 8.1 The GSMS will need to consider the following broader issues –
- Medium Term Financial Strategy
  - Local Plan – impact of proposed developments
  - Environmental issues (wilding of verges, tree planting, use of pesticides, local nature reserves etc.)
  - Future provision of services within our Greenspaces. (Play areas, pavilions etc.)

- 8.2 To ensure a clear and logical process is undertaken for the review of the GSMS as shown in Appendix A and the following timeline:-

Activity	End date
Presentation at PLB	January 2020
Cabinet Approval for commencement of GSMS project	March 2020
Development of draft GSMS in accordance with MTFS and Root and branches financial review	June/July 2020
Public and Member engagement/consultation	August/September 2020
Revision following consultation and production of final draft	November 2020
Presentation to Cabinet for adoption	December 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." 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 provide parks, recreation grounds and open spaces under its discretionary powers.
- 9.3 However elements such as Burials and Allotments are statutory functions.
- 9.4 Discretionary services are subject to binding contracts with third party providers and in some cases other public bodies. Changes to service specifications or early termination of contracts may incur costs. Such costs must form part of any business case that falls within the scope of the fundamental review as referred to in paragraph 10.1 below.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 There is forecast to be a need for the Council to generate income or reduce its costs by around £1.1m per year by the end of 2023/24. It is planned that this will be achieved primarily via a fundamental review of discretionary services and services delivered in excess of the statutory requirement. The total revenue spend on green space is budgeted to be £2.1m in 2020/21, and the vast majority of this is on discretionary services (the exceptions are listed in 9.3 above). This demonstrates the need for the Green Space Management Strategy to be mindful of the extent to which existing provision and the inherent costs therein are considered a priority when compared with other services.
- 10.2 As part of the development of the capital budget for 2020/21 and beyond, an estimate was made of the capital spend required to maintain and develop green space provision over a 10 year period, which totals £1,615,000.00. For a number of years the Council has had capital receipts which it can spend on replacing and developing its assets, which significantly reduces the cost of capital investment compared with the need to fund it by borrowing. Based on current forecasts it is expected that the core capital programme over 10 years can be funded from existing capital reserves and new capital receipts. However there is an opportunity cost whereby that capital funding could have been used to generate income which would help to address the revenue funding shortfall detailed above.

- 10.3 In relation to new developments, the strategy will need to consider the revenue and capital costs of taking on new green space over the short, medium and long-term. This will need to be balanced against the value to the community and District that they provide.

## **11. RISK IMPLICATIONS**

- 11.1 The risks associated with Greenspace sustainability are regularly reviewed and updated on the Council's Performance and Risk Management Software.

- 11.2 The following are some of the risks that need to be addressed:-

- Financial Risks (Capital and Revenue)
- Customer expectations
- Reputation
- Environmental impact

## **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 GSMS 2021 – 2026 will be undertaken as part of the review process. Any alterations to service provision will be identified within the assessment alongside any mitigating actions.

## **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 It is proposed that The GSMS review is undertaken within existing resources, however it will have significant resource implications for the existing team and should the demands become unmanageable, and the employment of consultants cannot be ruled out.

## **15. APPENDICES**

- 15.1 Appendix A – Greenspace Management Strategy Scoping Document

## **16. CONTACT OFFICERS**

- 16.1 Andrew Mills, Service Manager Greenspace  
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- 16.2 Kerry Shorrocks, Corporate Human Resources Manager  
[Kerry.shorrocks@north-herts.gov.uk](mailto:Kerry.shorrocks@north-herts.gov.uk) ext. 4224
- 16.3 Ian Couper, Service Director Resources  
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**17. BACKGROUND PAPERS**

- 17.1 Existing Greenspace Management Strategy 2017 - 2021

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## **Greenspace Strategy 2021 – 2026**

# **Scoping Document**

## **Contents**

- 1 Introduction
- 2 Background
- 3 Review of Progress
- 4 Strategy Outline
- 5 Project Timeline

## **1. Introduction**

This document has been produced to guide the process and to support the production of the Greenspace Management Strategy (GSMS) for the District of North Herts District Council (NHDC). The plan will cover a period of 2021 to 2031 with regards principals and future vision. However the action plan associated with this GSMS will cover a period of 2021 – 2026 so as to enable an opportunity of review pending future economic circumstances.

The GSMS is intended to give focus and direction towards the future management of development and maintenance of the Parks and Public Open Spaces owned by North Herts District Council. Initially the GSMS will provide clear logical processes for the future management of our Parks and Open Spaces while identifying longer term principals that will underpin NHDC's future approach to this service area.

It is intended to undertake a structured engagement process with stakeholders to ensure that they are fully aware of this process. Engagement will be encouraged and there will be opportunities to feed into the new GSMS in a constructive and timely manner. Therefore this document is intended to initiate this process.

This document has been broken down into numbered sections. Sections 2, 3 provide background information, context and a review of current issues. Section 4 outlines the aims and objectives of the final GSMS and how it is intended that this document will be used. Section 5 is a summary of the project timeline.

Consideration will be given to recognising the key influences upon the existing service. This will include the impact and implications of the following documents

- The Local Plan
- Greenspace Infrastructure Plan
- Medium Term Financial Strategy
- Playing Pitch Strategy
- Tree Strategy
- Site specific Greenspace Action Plans

## 2. Background

The Greenspace associated with the GSMS for North Herts District Council is located primarily within the four urban areas of Royston, Letchworth, Baldock and Hitchin.

Key partners we provide a service to, as part of the Greenspace provision, are Settle and Herts Highways.

The service is delivered under a single contract with John O'Conner Grounds Maintenance Ltd

The contract with John O'Conner Grounds Maintenance Ltd was renewed in 2017 for a term of 10 years with the option of a mutual break clause at year five in 2022 if either party wishes at that time to invoke the option

The contract covers an area of 2,950,000 square metres, which is maintained under the terms of the existing contract.

Development and projects are supported via partnerships with Countryside Management Services at Herts County Council for the rural and environmental areas and Groundwork for assistance in the urban locations. Both are critical partners without whom, significant elements of the service area, we would be unable to provide.

### Functions of the Greenspace Service

<b>Statutory Services:</b> Burials and Burial Grounds Litter Collection Allotment management Management of Land Licenses Rivers – management of ordinary water courses, ditches and culverts	
<b>As well as these non statutory services:</b> Planning and development of the Greenspace Management Strategy (GSMS) Floral Displays Seating and Benches Management of splash pads Maintenance of formal equipped playgrounds Outdoor sports provision Delivery of the SLA with Settle Delivery of the agency agreement with Herts Highways Tree Maintenance (NHDC & HCC)	Maintenance of Closed Churchyards Maintenance of Parks and Open Spaces Development and maintenance of Woodlands Development and maintenance of Local Nature Reserves Multi Use games areas

Key tasks are –

- Grass cutting
- Shrub border maintenance
- Maintenance of litter bins
- Hard Surfaces
- Cemeteries including burials
- Hedges
- Paddling Pools and Splash Pads
- Play Grounds
- Rivers and Culverts
- Outdoor sports provision – football, rugby, cricket, tennis, bowls
- Allotments
- Maintenance of Trees & woodlands
- Management of local nature reserves

### **3. Review of Progress**

#### **Customer Satisfaction**

Over the past 10 years the customer satisfaction of the Greenspace has decreased from 93% in 2013 to 92% in 2017.

Our resident's expectations regarding the quality of service are high. The GSMS need to deliver the Greenspace needs within the financial constraints of the Council.

#### **Finance**

The previous GSMS provided £755,000.00 of capital investment to maintain and improve our Greenspace infrastructure. The proposed future capital program has identified a further £1,615,000.00 over the next 10 years and this strategy will reaffirm our approach for the future.

In addition the GSMS has supported numerous developments and secured significant levels of S106 contributions for specific projects such as the Muga at Bancroft Recreation Ground, the skate park at Norton Common and play ground improvements at Priory Memorial Gardens in Royston. The future GSMS intends to meet this purpose in future and therefore supports the Local Plan accordingly.

#### **4. Greenspace Strategy 2021 – 2026 Outline Approach**

##### **Objective**

The objective of the GSMS will be to provide support and direction to Members of the Council, Officers, External Organisations and residents regarding the future direction of the Greenspace both in the short and medium terms.

It Aims:-

- 1 To identify sustainable and affordable principals for the short and medium term
- 2 To identify current influences upon Greenspace and make proposals to manage them
- 3 To identify previous achievements and propose new projects and aspirations
- 4 To contribute and provide input into solutions in response to the pressures of development as identified within the Council's Local Plan. To enable the Council to have clear policies on adoption of any new residential developments
- 5 To suggest alternatives that could have a beneficial environmental impact
- 6 To encourage positive use of our Parks and Open Spaces by everyone

Therefore the GSMS will be contained within the following framework of headings and sub headings:-

- What is the Vision and Aim of the Greenspace Management Strategy from 2021 – 2026
- What does the GSMS include and exclude
- What is the current situation? (Where have we come from?)
- What are the key principals that are adopted currently?
- What are the current key influences within our Greenspaces?
  - Public Satisfaction – District Wide Survey – Citizens Panel
  - Awards for quality - Greenflag
  - Collaboration – CMS & Groundwork
  - Events – Fairs and Circuses, Land Licences
  - Health, fitness and well being – Outdoor sports, football, exercise equipment, outdoor gym
  - Supporting Nature – Environment – LNR's, grazing, mowing regimes
  - Community Involvement - Volunteers
  - Skills Development – Apprentice opportunities, Princess Trust
  - Sustainability – LNR's, affordability, public perception
  - Strategic Planning – Local Plan, Luton Airport Expansion, S106 opportunities, maintaining provision to meet changing demands

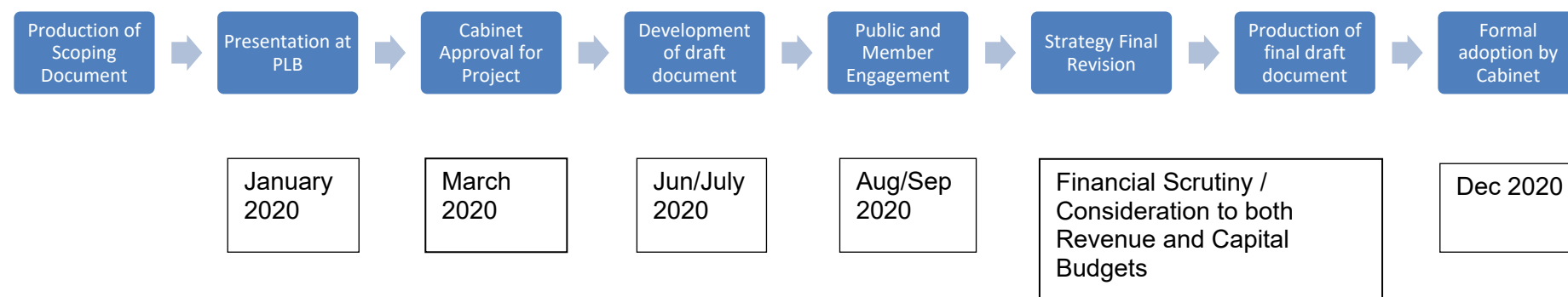
What new key principals do we want to adopt for the future? (Where are we going, what is our direction of travel?) The key elements for consideration are:-

- Local Plan - Planning – S106 – Sustainable Urban Drainage Systems (SuDs) land managed by third parties, housing associations and potential income generation
- Play Ground provision
- Wet play provision – ongoing maintenance costs (Splash pads/Paddling pools)
- Allotments – Letchworth site leases have expired

- Cemeteries – future of District Wide provision
- Rivers and Culverts – Pixbrook, Norton Common, St Mary's Balancing Tanks
- Trees – Replacement of lost trees, new locations
- Drinking Fountains – review of success of existing including costs, do we want/need more
- Environmental Sustainability – LNR's – future Greenspace Action Plans, mowing regimes

Conclusions and outcomes including action plan

## 5. Greenspace Management Strategy Project Timeline



### Stakeholders

Members	Police
Colleagues	Heritage Foundation
Residents	Town Centre Managers
Contractors - John O'Conner's	Royston Town Council
Herts Highways	Parish and Community Councils
Settle	Friends of Groups
Groundwork and Countryside Management Services	





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**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: ENVIRONMENTAL CRIME VEHICLES**

REPORT OF: THE SERVICE DIRECTOR – LEGAL & COMMUNITY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR COMMUNITY ENGAGEMENT

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: RESPOND TO CHALLENGES TO THE ENVIRONMENT

**1. EXECUTIVE SUMMARY**

- 1.1 To confirm the leasing of two Ultra Low Emission Vehicles (ULEV). This will ensure that the Authority provides vehicles that are suitable for the Environmental Crime Officers to undertake their duties as well as supporting the Council's commitment to reducing its carbon footprint.

**2. RECOMMENDATIONS**

- 2.1. To approve the leasing of two Ultra Low Emission Vehicles (ULEV) for the Environmental Crime Officers, and to note the financial implications of these and how this will be managed.

*Recommendation in respect of \*Council motion 11/7/2019<sup>1</sup>*

- 2.2 That in future (in respect of implementation of the above motion\*) only proposals by the Council not to lease or purchase (ULEV) need to be presented to Cabinet for approval (subject to a value for money being assessed and any increased costs being managed in line with the financial regulations).

**3. REASONS FOR RECOMMENDATIONS**

- 3.1. To ensure that Environmental Crime Officers are able to carry out their work duties effectively and safely and to support the Council's commitment to reducing its carbon emissions.
- 3.2. To support the Full Council motion passed on 11<sup>th</sup> July to only lease or purchase ULEVs when the replacement of any council owned, or leased vehicle is due.

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<sup>1</sup> <https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=136&MId=2207&Ver=4> see item 32 decision

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. There is no alternative option. It is no longer possible to lease an appropriate vehicle that is within the current budget. There is very little difference in the leasing costs between those ULEV and non-ULEV models identified as being suitable. Therefore, a similar increase in budget would be required, irrespective of vehicle selected, to accommodate an overall increase in leasing and associated costs.

#### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1. The Executive Member for Community Engagement and the Executive Member for Environment and Leisure have been consulted. Both are in support of increasing the budget and leasing a ULEV compliant vehicle which supports the ULEV motion passed in July 2019 and the Climate Emergency motion in May 2019.

#### **6. FORWARD PLAN**

- 6.1 This report does not contain a recommendation on a key Executive decision; it was, however, first notified to the public in the Forward Plan on the 11 December 2019.

#### **7. BACKGROUND**

- 7.1. The current vehicles lease expired on the 12<sup>th</sup> December 2019. This has been extended by six months until 12<sup>th</sup> June 2020 to enable a comprehensive review of identifying and ordering a suitable replacement vehicle.

#### **8. RELEVANT CONSIDERATIONS**

- 8.1 The Council has two Environmental Crime Officers who are responsible for the investigation and enforcement of environmental crime issues, such as fly-tipping, abandoned vehicles and dealing with unauthorised encampments within the district. The duties of these officers include significant patrolling across North Hertfordshire often in remote and very rural areas.
- 8.2 Due to the nature of the work, officers are often required to access poorly maintained and unpaved roads, such as bridleways public tracks and agricultural land/terrain, in order to conduct their investigations. Therefore, a key vehicle specification requirement in order for them to conduct their investigations is to have four-wheel drive with good ground clearance that enables them to deal with challenging terrain and all-weather conditions.
- 8.3 Following a motion presented to Full Council on 11 July 2019, it resolved;
- a. The Council undertakes to only lease or purchase Ultra Low Emission Vehicles (including Electric Vehicles and Plug in Hybrids PHEVs) when the replacement of any council owned or leased vehicle is due. This also includes any company cars used by officers;
  - b. The Council also undertakes to encourage all of its contractors to adopt similar measures;

- c. That the implementation of these undertakings shall be subject to agreement by the Cabinet.
- 8.4 The Community Safety team have conducted a thorough review of vehicles on the market and, subject to the requested increase in budget, are confident that a ULEV that meets the business requirements can be obtained.
- 8.5 This analysis demonstrates that the premium between standard (non- ULEV) and ULEV vehicles can be relatively small. The improved fuel efficiency of the ULEV is expected to reduce this difference further. To avoid Cabinet having to consider all new vehicle purchases or leases, recommendation 2.2. asks Cabinet to only require non-ULEV purchases and leases to be reported in future (i.e. it is assumed that all future vehicles will be ULEVs). The value for money for each lease/purchase will be assessed.

## **9. LEGAL IMPLICATIONS**

- 9.1. The Council Constitution delegates to the Chief Executive, the Deputy Chief Executive and the Service Directors as set out in 14.6.4 (ii) (General Authorisations), the authority to 'Enter(ing) into contracts to carry out works and/or for the supply of goods and services within approved budgets'.
- 9.2. At Full Council on 11 July 2019 it resolved that the implementation of the undertakings in the motion outlined in 8.3 should be subject to the agreement of Cabinet.
- 9.3. The Council's Constitution delegates Cabinet as set out in 5.6.8 'To monitor quarterly revenue expenditure and agree adjustments within the overall budgetary framework'.
- 9.4. There are no other legal implications arising from the report.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. The existing budget is £7,700 per annum. In each year this budget funds the leasing costs of two vehicles. Each time the vehicle lease ends and new leases start it also funds the additional one-off costs required for modifications (e.g. signwriting, installation of amber lights) and any costs to pay for repairs and/or damage not covered by the lease agreement or the Council's insurance.
- 10.2. Lease vehicle costs have increased since the current vehicles were leased over three years ago. The lease vehicle costs alone for a non-ULEV replacement would be about £7,700 for the two vehicles. The premium for the ULEV vehicles is relatively low at approximately £400 per vehicle.
- 10.3. Based on the current ULEV leasing costs and an estimate of one-off costs that will be incurred, it is forecast that there will be an overspend on this budget of £3k in 2020/21. This will be reported as part of the Quarter 1 budget monitoring report (for 2020/21). The additional ongoing costs will be included in the budget-setting process for 2021/22 onwards.

- 10.4. There are no specific capital implications or any other financial implications arising from the report. Although by procuring a ULEV compliant vehicle it is quite possible that the Authority will make some savings on running/fuel costs. However due to the nature of the Environmental Crime Officers role at this stage it is difficult to predict what the level of this saving will be.

## **11. RISK IMPLICATIONS**

- 11.1. There is a risk that a delay in this decision could result in a period where officers are without lease vehicles which will have a significant impact on the service. The current leasing company is unwilling to allow the Authority to further extend the leasing arrangement of the current vehicles after June 2020. The Management Support Unit, who procure and manage the Council's fleet vehicles, have advised that there is a minimum 10-week 'lead-in' period to obtain new lease vehicles.

## **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 equalities implications pertaining to this report.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1. The Council purchases its lease vehicles through the 'Crown Commercial Fleet Portal Framework'. Under the framework there is the option to select a local dealership for delivery and where possible this option is selected in order to comply with the Council's 'Go Local' policy and support local businesses. The leasing of low emission vehicles will also provide the added social value benefit in the form of environmental benefits. Further specific social value criteria, set to NHDC requirements, is not possible due to use of the government framework and its accompanying standard terms and conditions.

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1. There are no additional human resource implications related to this report.

## **15. APPENDICES**

- 15.1 None

## **16. CONTACT OFFICERS**

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## **17. BACKGROUND PAPERS**

- 17.1. Minutes from Full Council 11 July 2020 where Council resolved to only lease or purchase Ultra Low Emission Vehicles

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=136&MId=2207&Ver=4>

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<b>CABINET</b> <b>24 March 2020</b>
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<b>*PART 1 – PUBLIC DOCUMENT</b>
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**TITLE OF REPORT: STRATEGIC PLANNING MATTERS**

REPORT OF: THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

CURRENT COUNCIL PRIORITY: ATTRACTIVE AND THRIVING / PROSPER AND PROTECT

NEW COUNCIL PRIORITY: RESPOND TO CHALLENGES TO THE ENVIRONMENT /  
ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY / SUPPORT THE  
DELIVERY OF GOOD QUALITY AND AFFORDABLE HOMES

**1. EXECUTIVE SUMMARY**

- 1.1 This report identifies the latest position on key planning issues affecting the District.

**2. RECOMMENDATIONS**

- 2.1. That the report on strategic planning matters be noted.
- 2.2. That the submissions in Appendices A and D be noted and endorsed by Cabinet.
- 2.3. That Appendices B and C be noted by Cabinet.
- 2.4. That Cabinet endorse the use of Conservation Area Character Statements for Graveley, Great Wymondley, Hexton, Hinxworth, Kimpton Bottom, Kimpton Village, Lilley, Pirton, Weston and Willian together with the Technical Notes for Ayot St Lawrence and Gustard Wood as material considerations in decision making for planning applications and in the preparation of Neighbourhood Plans

**3. REASONS FOR RECOMMENDATIONS**

- 3.1. To keep Cabinet informed of recent development on strategic planning matters and progress on the North Hertfordshire Local Plan.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. None

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1. The Executive Member for Planning and Transport and Deputy have been briefed on the matters set out above. The Local Plan Project Board is regularly consulted and updated upon matters affecting the ongoing Local Plan Examination.

## **6. FORWARD PLAN**

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

## **7. BACKGROUND**

- 7.1. Members will be aware of, and familiar with, many of the issues surrounding the strategic planning matters referred to in paragraph 1.1 above. This report is intended to provide Members with the current positions on these matters. As with previous reports, only those matters where there has been substantive new information or change are reported upon.

## **8. RELEVANT CONSIDERATIONS**

### ***Other Plans and Examinations***

- 8.1. **Central Bedfordshire** – The Council have [submitted a number of technical papers](#) to the examination with more to follow by the end of April 2020. It is anticipated that the Inspectors will set out the next steps in the examination after this point.
- 8.2. **South Cambridgeshire** – An Issues and Options consultation on the [Greater Cambridge Local Plan](#), produced jointly by Cambridge City Council and South Cambridgeshire District Council closed on Monday 24 February 2020. An officer response was submitted and is attached at Appendix A of this report. This identifies that North Hertfordshire has yet to begin planning for the period beyond 2031 – the Greater Cambridge Plan is proposed to cover the period to 2040 – but that this longer time horizon may result in the identification of issues that need to be considered by both authorities under the Duty to Co-operate.
- 8.3. A further joint officer response was submitted by East Hertfordshire, North Hertfordshire, Stevenage and Welwyn Hatfield. This reflects the working arrangements that exist between these authorities following an award of monies from MHCLG in 2018 to explore joint planning opportunities. This response is attached at Appendix B and makes broadly the same points as North Hertfordshire's own response.
- 8.4. **Stevenage** – A [Community Infrastructure Levy \(CIL\) for Stevenage](#) was adopted by their Full Council in January 2020. This will come into effect for planning permissions granted on or after 1 April 2020 and sets rates of between £40 and £100 per square metre of qualifying development. This could have implications for the provision of infrastructure in the town and upon which (future) residents of North Hertfordshire may rely. Officers will monitor the implementation of the Stevenage CIL.

- 8.5. **Welwyn Hatfield** – Consultation began on [a revised preferred strategy for the Council's new Local Plan](#) on 10 February 2020. This runs until 1 April 2020. The revised preferred strategy identifies a number of new sites for potential allocation and proposes to delete some sites for the submitted Plan. It stops short of the Inspector's previous request to ensure that sufficient sites are identified to meet the Council's housing needs in full. [The Inspector has written to the Council](#) on this matter outlining that there is no provision in the relevant legislation for the Council to replace all or part of the submitted plan with revised proposals during the examination.
- 8.6. Officers are reviewing the consultation material. If required, a consultation response will be prepared in consultation with the Executive Member and reported to a future meeting.
- 8.7. **St Albans** – The Inspectors examining the new Local Plan [wrote to the Council](#) following the first week of hearing sessions in January 2020. This letter expressed serious concerns in relation to the legal compliance and soundness of this Plan. Further hearing sessions that had been planned for February 2020 were cancelled. A further letter from the Inspectors that will set out their thoughts in more detail is expected.

#### ***North Hertfordshire Local Plan***

- 8.8. At the previous meeting of Cabinet, the Executive Member for Planning and Transport reported that further hearings regarding the Local Plan would take place and these were likely to take place during the weeks commencing 16 and 23 March.
- 8.9. These sessions were subsequently confirmed and eligible participants were advised. The Local Plan Project Board agreed the Council's statements for these sessions which were submitted under existing delegated powers granted in April 2017 by Full Council. These statements, along with those received from third parties, have been published on the Council website.
- 8.10. On Thursday 12 March 2020, the Planning Inspectorate issued new guidance on Local Plan examinations and coronavirus (Covid-19). This advice did not require the immediate cancellation of sessions. However, it also recognised that alternate arrangements would need to be made if significant numbers of people were unable to appear.
- 8.11. On Friday 13 March the Inspector decided to postpone the sessions to a later date. This followed close liaison with the Council. The Inspector's note is attached at Appendix C.
- 8.12. As set out in that document, it is not possible to say at this time when the hearings will now be held. However, they will be rearranged as a priority once circumstances allow. Any further updates will be posted at [www.north-herts.gov.uk/localplan](http://www.north-herts.gov.uk/localplan).

### ***Neighbourhood Plans***

- 8.13. A referendum on the Preston Neighbourhood Plan was held on 5 March 2020. 91% of votes were in favour of the Plan. A separate report will be prepared for the Executive Member to 'make' the Plan under existing delegated powers. The Preston Neighbourhood Plan will then form part of the statutory Development Plan and will be used in relevant decisions. Following the referendum and pending being 'made' the Plan will be used as a material consideration in relevant decisions.
- 8.14. Consultation on the Baldock, Bygrave and Clothall Neighbourhood Plan began on 12 February 2020 and closes on 25 March 2020. A response will be prepared in consultation with the Executive Member and reported to a future Cabinet meeting.
- 8.15. The proposed designation of a Neighbourhood Planning Area for Wallington is subject to a separate report to this meeting.

### ***Conservation Area Character Statements***

- 8.16. Reasons for the production of Conservation Area Character Statements were given in section 8.4 of the Strategic Planning Matters Report to Cabinet on 31st October 2019 when the first group of Character Statements were endorsed. A second group of Character Statements were endorsed by Cabinet on 17th December 2019.
- 8.17. Work on the 33 Conservation Area statements has been carried out in phases and this report relates to the final phases 6, 7 and 8. Cabinet is therefore asked to note that the Conservation Area Character Statements for Graveley, Great Wymondley, Hexton, Hinxworth, Kimpton Bottom, Kimpton Village, Lilley, Pirton, Weston and Willian together with Technical Notes for Ayot St Lawrence and Gustard Wood have been completed and to endorse their use as material considerations in decision making and neighbourhood planning. These statements are available to view on the [Council's website](#).
- 8.18. There are two Conservation Areas where only a small part lies within North Hertfordshire. These are Ayot St Lawrence which lies mainly within St Albans City and District and Gustard Wood which lies mainly within Welwyn Hatfield Borough Council. Rather than preparing a Character Statement, a Technical Note has been prepared solely for the area that lies within North Hertfordshire.
- 8.19. As part of the project a Summary Report is being prepared by the consultants which will identify any further work such as boundary reviews or more detailed appraisal work that may be required. The outcome of the Summary Report including any further work proposed will be reported to Cabinet at a later meeting.

### ***Government Announcements***

- 8.20. The Council's response to the Government's [Future Homes consultation](#) is attached as Appendix D to this report. In summary this asks that local Councils retain the powers to require new development to meet energy performance targets through the planning system.
- 8.21. The Government's [Housing Delivery Test results](#) for local authorities were released on 13 February 2020. These show that North Hertfordshire delivered 45% of the required number of homes in the three years to 1 April 2019.

- 8.22. As a consequence, the Council must update [the Action Plan first approved by Cabinet](#) in June 2019. It is presently intended to bring an updated Action Plan to Cabinet for consideration in June.
- 8.23. The Council must also engage the 'presumption in favour of sustainable development' set out in national policy when determining planning applications. The Council has operated under this presumption for a number of years due to the absence of a five-year housing land supply until such time as any new Local Plan is approved and adopted.

### ***London Luton Airport***

- 8.24. Following the conclusion of the Statutory consultation for the proposed airport expansion, no detailed response to the representations made has been published. Officers of the host authorities still meet regularly with LLAL (London Luton Airport Limited) and workstreams are continuing funded through the Planning Performance Agreement.
- 8.25. LLAL has confirmed that their original target date for the Development Consent Order to be submitted to the Planning Inspectorate of Spring/Summer this year has slipped. No new date has been published, it is anticipated that the new timetable and approach to the application will be shared by LLAL at the London Luton Airport Regional Forum (attended by the Leader) in June.

### ***Other transport, planning and infrastructure matters***

- 8.26. As previously reported, Hertfordshire County council are consulting on the [Hertfordshire Draft Rail Strategy](#) until 30 March 2020. The Rail Strategy is a supporting document for the adopted Local Transport Plan (LTP4) and sets out the County council's aspirations for developing the rail network in Hertfordshire at both the strategic and local level.
- 8.27. Officers are in the process of preparing a response in consultation with the Executive Member and Deputy for Planning and Transport. A copy of our response will be appended to a future Cabinet report.
- 8.28. **North & Central Hertfordshire Growth Transport Plan** – the [public engagement exercise on this document closes on 30 March 2020](#). The North Central Growth & Transport Plan (NCGTP) is a new transport strategy prepared by HCC to help direct and plan transport improvements and investment in Stevenage and North Hertfordshire, developed in line with forecast development to 2031. Officers will prepare a response in consultation with the Executive Member and Deputy for Planning and Transport to be reported to a future Cabinet meeting.

- 8.29. In Late January the Secretary Of State for Transport announced the preferred route Option for the [eastern section](#) of the **East West Rail (EWR) project** between Bedford and Cambridge. The preferred route will be linking existing stations in Bedford and Cambridge with communities in Cambourne and the area north of Sandy and south of St. Neots. The work to develop the preliminary Strategic Outline Business Case is being commissioned by the EWR Company with a view to being complete before the end of 2020. The output of the work being commissioned will inform the next step in ensuring that the Eastern Section of the EWR project is realised. Officers will keep Members informed on any further updates regarding this project.
- 8.30. On 4 February 2020, Stevenage's planning committee resolved to grant outline planning permission for the 'North of Stevenage' site identified in their Local Plan. This adjoins land proposed for development within North Hertfordshire's own new Local Plan, known as 'NS1'.
- 8.31. Luton Borough Council have launched Judicial Review proceedings against Central Bedfordshire's decision to grant planning permission for a new road linking the M1 to the A6 around the north of Luton.

## **9. LEGAL IMPLICATIONS**

- 9.1. Under the Terms of Reference for Cabinet, the Constitution states that it may exercise the Council's functions as Local Planning Authority and receive reports on strategic planning matters, applications for, approval/designation, consultation/referendums revocations (or recommend revocation) of neighbourhood plans and orders, (except to the extent that those functions are by law the responsibility of the Council or delegated to the Service Director: Regulatory).
- 9.2. The preparation of statutory plans is guided by a range of acts and associated regulations including the Planning and Compulsory Purchase Act 2004 (as amended) and the Localism Act 2011. All local planning authorities are bound by a statutory Duty to Co-operate on cross-border planner matters.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. There are no new financial implications arising from this report. The costs of preparing the Local Plan and running the examination are reviewed on a regular basis, and are reported through the quarterly revenue monitoring reports to Cabinet.
- 10.2. The general costs of preparing Supplementary Planning Documents, responding to consultations on neighbouring authorities' Plans, neighbourhood plans and Government consultations and the other activities identified in this report are met through existing revenue budgets or benefit from external funding or other arrangements to recover costs.
- 10.3. The Government has confirmed for 2019/20 that funding is available for local planning authorities (LPAs) in respect of neighbourhood planning. LPAs can claim £20,000 once a date has been set for a referendum following a successful examination. Area designation funding has not been available for the last years to the Council as it has already designated more than five areas.

- 10.4. The financial risks associated with planning were reviewed and updated as part of the budget-setting cycle for 2019/20. Risks are identified in relation to potential additional costs associated with progressing the Plan or any future challenge to it.

## **11. RISK IMPLICATIONS**

- 11.1. Sustainable Development of the District and the Local Plan are both Cabinet Top Risks. The Sustainable Development of the District has a sub-risk that covers the risks arising from the duty to co-operate with neighbouring authorities.

## **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 not considered to be any direct equality issues arising from this report. Future individual schemes or considerations may well be subject to appropriate review to ensure they comply with latest equality legislative need. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

## **13. SOCIAL VALUE IMPLICATIONS**

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

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1. There are no new human resource implications arising from the contents of this report. Workload and vacancies are monitored on an on-going basis. Following the approval of the budget for 2020/21 a new Principal Planning Officer post has been created within the Strategic Planning team. A recruitment exercise will be carried out in the spring.

## **15. APPENDICES**

- 15.1. Appendix A – Response to the Greater Cambridge Local Plan consultation
- 15.2. Appendix B – Joint north-east Hertfordshire councils’ response to the Greater Cambridge Local Plan consultation
- 15.3. Appendix C – Inspector’s note on NHDC Examination hearings
- 15.4. Appendix D – Response to the Future Homes consultation

## **16. CONTACT OFFICERS**

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## **17. BACKGROUND PAPERS**

- 17.1. None





24 February 2020

Cambridge City Council - Planning Policy  
Team  
South Cambridgeshire District Council –  
Planning Policy Team

Our Ref:  
Your Ref:

Contact Officer : Clare Skeels  
Direct Line : 01462 474424  
E-mail : [clare.skeels@north-herts.gov.uk](mailto:clare.skeels@north-herts.gov.uk)

By email only

Dear Councillors Thornburrow and Hawkins

**Greater Cambridge Local Plan (Regulation 18: Issues and Options 2020)**

Thank you for the opportunity to comment on the first stage of the new Greater Cambridge Local Plan for Cambridge and South Cambridgeshire.

The consultation document clearly sets out the options for the area in the coming years and notes that it is envisaged that the Greater Cambridge Local Plan will plan for development up to 2041. At this stage, North Hertfordshire District Council does not wish to make any detailed comments about the options that have been put forward in the current consultation document.

North Hertfordshire District Council is currently preparing a Local Plan for the period up to 2031. In a Memorandum of Understanding signed in October 2016, it was agreed that there are no significant strategic cross boundary issues which would affect proposed development in the period up to 2031. However, North Hertfordshire has not yet started planning for development in the period up to 2041 and it maybe that cross boundary issues will emerge in planning for development post 2031 in North Hertfordshire and the Greater Cambridge area.

Our current Plan examination has required challenging decisions about the expansion of this District's towns and villages. We recognise that continuous, incremental growth may not be an appropriate strategy in the future.

This Council has already resolved to fully explore options for a new settlement in the longer term. We are also aware that a number of authorities in Hertfordshire are likely to be constrained in their ability to meet future development needs. This could result in further outward pressure for growth.

The District Council would welcome further discussions about potential longer term cross boundary issues as the Greater Cambridge Local Plan and the North Hertfordshire plans progress.

Yours sincerely

Clare Skeels  
Senior Planning Officer, Strategic Planning Team

North Hertfordshire District Council, Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF

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Planning Policy Team, Cambridge City Council  
Planning Policy Team, South Cambridgeshire District Council

By email only

24 February 2020

Dear Sir / Madam,

**North-east Hertfordshire Councils response to the Greater Cambridge Local Plan  
(Regulation 18: Issues and Options 2020)**

Thank you for the opportunity to comment on the first stage of the new Greater Cambridge Local Plan for Cambridge and South Cambridgeshire.

This is a jointly agreed officer response on behalf of East Hertfordshire, North Hertfordshire, Stevenage and Welwyn Hatfield councils (NE Herts). It is to be read alongside any individual responses submitted by these authorities.

The NE Herts authorities have recently been planning to the early 2030s. These Plans are either recently adopted (East Herts and Stevenage) or at an advanced stage of examination (North Herts and Welwyn Hatfield).

Under current Government requirements, Plans in this area will need to be reviewed by the mid-2020s to roll forward their current time horizons.

The NE Herts authorities secured funding from MHCLG in 2018 to begin progressing joint working on planning. We are also considering, with other authorities in Hertfordshire and beyond, how best to respond to the challenges of future growth and plan-making. This includes exploring the potential for joint plans in response to the increased emphasis on strategic planning matters in the revised National Planning Policy Framework.

Your consultation document clearly sets out the options for the area in the coming years. We note that it is envisaged that the Greater Cambridge Local Plan will plan for development up to 2041. At this stage, the NE Herts authorities do not wish to make any detailed, collective comments about the options that have been put forward in the current consultation document.

However, the NE Herts authorities have not yet started planning for development in the period up to 2041 and it may be that cross boundary issues will emerge in planning for development post-2031 for the NE Herts authorities (or any other joint Hertfordshire geography) and Greater Cambridge areas.

The current round of plans in north-east Hertfordshire have required challenging decisions about the expansion of the area's towns and villages. At least some of our authorities are likely to be constrained in their ability to meet future development needs beyond the early 2030s.

The NE Herts authorities would therefore welcome further discussions about potential, longer- term cross boundary issues as the Greater Cambridge Local Plan progresses and there is greater clarity on any emerging arrangements for future planning in our own area(s).

If you would like to discuss any of the issues raised in this letter in more detail, please contact me using the details provided below.

Yours sincerely

*Nigel Smith*

Nigel Smith  
Strategic Planning Manager, MRTPI  
North Hertfordshire District Council

01462 474847

[Nigel.smith@north-herts.gov.uk](mailto:Nigel.smith@north-herts.gov.uk)

*On behalf and with the agreement of officers from East Hertfordshire, North Hertfordshire, Stevenage and Welwyn Hatfield councils*

## Examination of the North Hertfordshire Local Plan

### Hearings postponed

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Both the Council and I have been monitoring carefully the situation and advice in relation to the coronavirus (COVID-19). It is my role to make every effort to ensure that the examination of the local plan is not unnecessarily disrupted or delayed during this difficult time. However, it is also my role to ensure that the risk of spreading Covid-19 is minimised and to keep everyone attending the hearing sessions safe.

A number of people wishing to participate in the hearing sessions have voiced concerns about attending. In the present circumstances, that is entirely understandable. To ensure that everyone with a right to be heard can attend hearings safely, and to make sure that the examination proceeds as efficiently as possible given the circumstances, I have decided, in close liaison with the Council, that the hearing sessions currently scheduled for 16 March to 26 March, and on 7 and 8 April, should be cancelled and postponed to a later date.

You will appreciate that I am presently not able to give an indication of when the hearings will now take place. Both I and the Council will continue to monitor the situation and the advice provided. Once it is clear to me that holding the hearings would not risk spreading Covid-19 and that it is safe to proceed, I will ask the Council to make the necessary arrangements. I will issue a new timetable for the hearings at that point, and participants will be contacted directly.

This is a very fluid situation, with advice being kept under continuous review, so please ensure that you check the examination webpage regularly for any updates. My Programme Officer, Mrs St John Howe, will be happy to help if you are unsure about the latest developments or if you would like any assistance.

During this pause in the examination, I will not be accepting any further written representations or other material, unless I specifically request it.

*Simon Berkeley*

Inspector

13 March 2020

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6 February 2020

Future Homes Consultation,  
Ministry of Housing, Communities &  
Local Government

Contact Officer: Nigel Smith  
Direct Line: 01462 474847  
E-mail: [nigel.smith@north-herts.gov.uk](mailto:nigel.smith@north-herts.gov.uk)

By email only

Dear Sir / Madam,

### **Future Homes Standard consultation**

Thank-you for providing the District Council with the opportunity to comment on this matter. North Hertfordshire does not wish to comment on many of the detailed, technical matters contained in the consultation. However, the District Council would like to respond on the interaction between the building regulations proposed to be imposed at a national level and local planning policies.

North Hertfordshire District Council has declared a Climate Change Emergency. The measures proposed by the Government in this consultation are a welcome step towards addressing this matter. However, Councils should not be prevented from achieving reduced carbon emissions from new buildings on an accelerated timetable where this benefits from local support and is considered feasible.

North Hertfordshire is a buoyant housing market. National planning policies already provide clear guidance on how local plans should be tested to ensure proposals are justified and viable. Subject to these tests being satisfied, authorities should remain empowered to pursue locally led policies on this matter. This also enables Councils to make an informed choice where viability (or other) considerations require a balance to be struck between enhanced energy efficiency and other, competing demands such as affordable housing or infrastructure contributions.

In this context, North Hertfordshire objects to proposals to commence the amendment to the Planning and Energy Act 2008. We additionally consider that the current 19% 'ceiling' on energy efficiency measures secured through the planning system (over and above Part L requirements) should be removed.

It is further considered prudent for Councils to retain powers to introduce measures through the planning system should the Government's currently proposed timetables not be achieved for any reason. This would ensure local councils retained the necessary powers to deliver locally led, meaningful reductions in emissions in the event the proposed tightening of building regulations (or any step towards it) is not realised as presently anticipated.

In the above context, the District Council also has particular concerns with the conclusion of the accompanying impact assessment that:

*...the [development industry] system as a whole is sufficiently robust to be able to absorb unanticipated costs [arising from the proposed standards] in other ways. For example, developers have options to renegotiate their Section 106 or make changes to planning permissions to absorb these costs.*

There should be sufficient headroom in the significant majority of cases for developers to accommodate both improved building efficiency and appropriate, locally-tested planning contributions towards affordable housing and infrastructure provision without impacting upon scheme viability. The Government should not be encouraging the development industry to retrospectively chip away at critical infrastructure contributions secured through the planning system.

We trust that these comments will be taken into account in deciding how to proceed on this matter.

Yours sincerely,

Cllr Paul Clark  
Deputy Leader and Executive Member for Planning & Transport



**CABINET  
24 MARCH 2020**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: WALLINGTON NEIGHBOURHOOD PLAN**

REPORT OF: THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

CURRENT COUNCIL PRIORITY: ATTRACTIVE AND THRIVING / PROSPER AND PROTECT

NEW COUNCIL PRIORITY: RESPOND TO CHALLENGES TO THE ENVIRONMENT / SUPPORT THE DELIVERY OF GOOD QUALITY AND AFFORDABLE HOMES

**1. EXECUTIVE SUMMARY**

- 1.1 This report outlines the application to designate a neighbourhood planning area for Wallington (part of Rushden and Wallington Parish) and seeks delegated authority to approve the neighbourhood planning area once public consultation has taken place and subject to no significant objections being received.

**2. RECOMMENDATIONS**

- 2.1. That Cabinet notes the application to designate a neighbourhood planning area for Wallington.
- 2.2. That, subject to no significant objections being received by March 25, Cabinet delegate authority to the Executive Member for Planning and Transport in consultation with the Service Director – Regulatory to designate the applied for neighbourhood planning area for Wallington.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1. To make a timely decision which allows Rushden and Wallington Parish Council to prepare a neighbourhood plan for Wallington.

**4. ALTERNATIVE OPTIONS CONSIDERED**

Alternative options for the neighbourhood planning area

- 4.1. Whilst it is usual for whole parish council areas to be designated as a neighbourhood planning area, the Parish Council have carefully considered the area which it considers is the most appropriate for neighbourhood planning purposes.

- 4.2. The District Council has the power to amend the area applied for prior to designating the neighbourhood planning area. This might include considering whether it is preferable to designate the whole of the parish council area or an alternate boundary within it. Officers consider that the area applied for by the Parish Council is an appropriate one for the purposes of neighbourhood planning and this option is not recommended.
- 4.3. Alternative options may be put as part of the public consultation.

Alternative options for this decision

- 4.4. Where Cabinet approval for a neighbourhood planning area is required, officers would normally allow the consultation period to run in its entirety and consider the responses prior to presenting a report. However, this application must be determined within 13 weeks of first being publicised. The next scheduled meeting of Cabinet in June would fall outside of this period which, in this case, expires on May 27 2020).
- 4.5. Cabinet could hold a special meeting prior to May 27 2020 to consider the application and consultation responses as opposed to delegating the decision to the Executive Member in consultation with the Service Director. This option is not currently recommended for the reasons set out in this report.
- 4.6. Alternately, Cabinet could make no decision and allow the 13-week period to expire at which point the area applied for is deemed 'approved' by default. However, this would not represent a pro-active approach to neighbourhood planning and this option is not recommended.
- 4.7. Should significant objections be received or alternative proposals put forward through the consultation be considered more appropriate a further decision would be required.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1. The Executive Member for Planning and Transport, their Deputy and local ward member have been informed that the application to designate a neighbourhood planning area had been received.
- 5.2. Consultation with key stakeholders, including statutory consultees, adjoining Parish Councils and any local organisations, developers, landowners and individuals registered with an interest in Rushden and Wallington started on 26 February and will conclude on 25 March 2020.

## **6. FORWARD PLAN**

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

## **7. BACKGROUND**

- 7.1. The Localism Act 2011 introduced formal neighbourhood planning. This includes the neighbourhood plan, which allows local communities to shape development in their area. If a neighbourhood plan is prepared, examined and receives a majority vote in a referendum it becomes part of the statutory development plan for that neighbourhood and is used when determining planning applications, alongside the district's local plan.

- 7.2. The Neighbourhood Planning Regulations 2012 set out the statutory process an organisation must follow when preparing a neighbourhood plan. The first stage in the process requires the relevant body to formally request that the local planning authority designate their proposed neighbourhood area.
- 7.3. The Neighbourhood Planning (General)(Amendment) Regulations 2015 have amended the way in which the local planning authority must determine an application for the designation of a neighbourhood planning area. Once a local planning authority has received an application, it must publicise it for not less than four weeks after the application is published on its website and invite comments. If appropriate, the local planning authority is also required to bring it to the attention of people who live, work or carry on business in the area. Once the application has been publicised, the local planning authority must determine the application within thirteen weeks.

## **8. RELEVANT CONSIDERATIONS**

- 8.1. Rushden and Wallington Parish Council submitted an application to designate part of the parish around Wallington as a neighbourhood planning area in February 2020. The application and a map of the proposed neighbourhood planning area is attached as Appendix A.
- 8.2. For most Parish Councils there is a presumption that a whole parish council area will be designated as a neighbourhood planning area and such applications are approved under existing delegated powers. However, Parish Councils can choose a smaller more focussed area for neighbourhood planning.
- 8.3. The Parish Council in their application have set out the reasons for designating only part of the Wallington ward of the Parish as a neighbourhood planning area rather than the whole parished area. As the Parish Council has applied for a neighbourhood planning area which does not include the whole parish area, the application has been subject to public consultation.
- 8.4. Consultation for the neighbourhood planning area started on 26 February and will end on 25 March 2020. The application has been published on the Council's website and letters or emails have been sent to statutory consultees, adjoining Parish Councils and any local organisations, developers, landowners and individuals registered with an interest in Rushden and Wallington.
- 8.5. Local planning authorities must make a decision on a neighbourhood planning area within 13 weeks of first publicising the application. This timescale unfortunately does not allow a report to be considered at the next Cabinet which is scheduled for June 2020. In the interest of making a timely decision, approval is sought for the Executive Member for Planning and Transport and the Service Director – Regulatory to make a delegated decision to approve a neighbourhood planning area for Wallington.
- 8.6. At the time of writing this draft report, no representations have been received. An update will be included in the final report and a verbal update provided at Cabinet to inform the decision. At this stage, officers consider it unlikely that the proposal will generate significant opposition. A delegation of powers is sought to allow confirmation of the area should this prove to be the case.

## **9. LEGAL IMPLICATIONS**

- 9.1. Under the Terms of Reference for Cabinet, the Constitution states that it may exercise the Council's functions as Local Planning Authority and receive reports on strategic planning matters, applications for, approval/designation, consultation/referendums revocations (or recommend revocation) of neighbourhood plans and orders, (except to the extent that those functions are by law the responsibility of the Council or delegated to the Service Director: Regulatory).
- 9.2. The Localism Act 2011 provided a new statutory regime for neighbourhood planning. The Neighbourhood Planning (General) Regulations 2012 (as amended) make provisions in relation to that regime. It does amongst other things set out the Council's responsibility (as the Local Planning Authority) in assisting communities in the preparation of neighbourhood development areas, plans and order and to take plans through a process of examination and referendum.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. There are no new financial implications arising from this report.
- 10.2. Currently there is funding available for neighbourhood plans where a successful examiners report has been received and a date set for a referendum. The Government has not confirmed whether funding for neighbourhood planning will continue in 2020/21. If the Wallington Neighbourhood Plan progresses to an examination and a referendum in the future, there may be a financial implication for the District Council.

## **11. RISK IMPLICATIONS**

- 11.1. Sustainable Development of the District and the Local Plan are both Corporate Risks.

## **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 not considered to be any direct equality issues arising from this report. Future individual schemes or considerations may well be subject to appropriate review to ensure they comply with latest equality legislative need. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

## **13. SOCIAL VALUE IMPLICATIONS**

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

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1. There are no new human resource implications arising from the contents of this report.

## **15. APPENDICES**

- 15.1. Appendix A – Application and map of the proposed Wallington neighbourhood planning area.

## **16. CONTACT OFFICERS**

- 16.1 Ian Fullstone, Service Director of Regulatory  
01462 474480 [ian.fullstone@north-herts.gov.uk](mailto:ian.fullstone@north-herts.gov.uk)

### **Contributors**

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## **17. BACKGROUND PAPERS**

- 17.1. None

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**From:** [kateheath@rushdenandwallingtonpc.co.uk](mailto:kateheath@rushdenandwallingtonpc.co.uk) [<mailto:kateheath@rushdenandwallingtonpc.co.uk>]  
**Sent:** 20 January 2020 09:59  
**To:** Planning.policy  
**Cc:** clerk; [REDACTED]  
**Subject:** Application for Wallington Neighbourhood Plan - for the attention of Planning Policy

Dear Sir or Madam,

**Neighbourhood Plan for Wallington Ward of Rushden and Wallington Parish Council**

I am writing on behalf of Rushden and Wallington Parish Council to give notice that we wish to make an application under Part 2 (5) (1) of The Neighbourhood Planning (General) Regulations 2012 for the designation of a Neighbourhood Area for the Wallington Neighbourhood Plan.

This application is accompanied by a map identifying the area to which the application relates, being the majority of the Wallington Ward. Wallington Ward is outlined in red. Please note that the Neighbourhood Plan Designated Area is shaded in both light and dark pink. We expect that much of our focus will be on the dark pink area.

This area is considered appropriate to be designated as a Neighbourhood Area for the following reasons:

- To identify appropriate areas for future development.
- To protect the village from unsuitable development in the future.
- To set out design guidelines for the village of Wallington, in the light of its designation as Category B – “Suitable for infill development” in NHDC’s draft Local Plan.

The designated area includes Wallington Common and various outlying farms and dwellings in addition to the built core of the village. It does not include the settlements of Redhill and Shaw Green, each of which is split between at least two Wards and/or Parish Council areas. We have excluded these settlements in order to protect their ability to have a coherent neighbourhood plan of their own should the need arise in future.

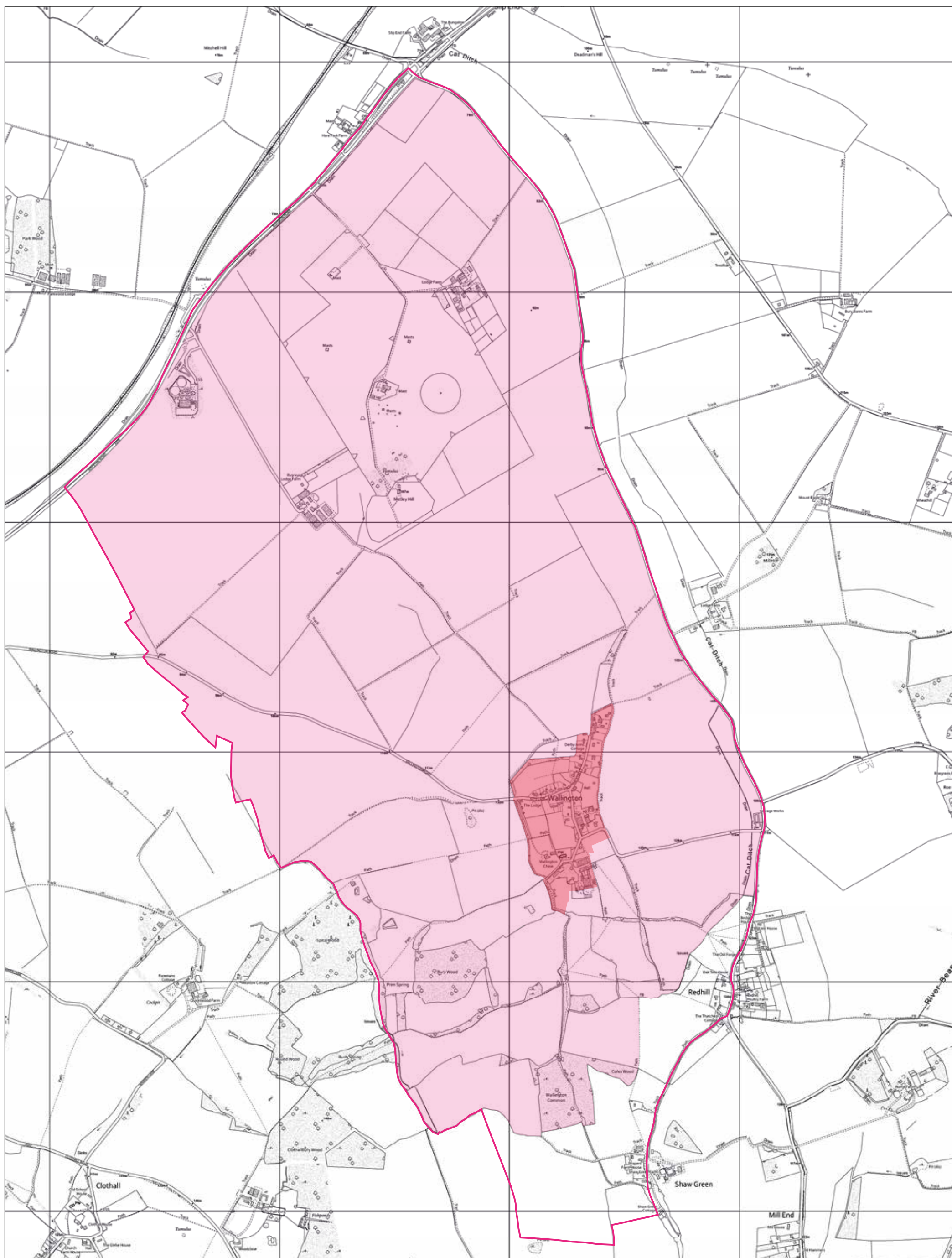
Rushden and Wallington Parish Council is the relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act, being the Parish Council for the entire area applied for.

Yours faithfully,

Kate Heath

Parish Councillor and Neighbourhood Plan Coordinator  
[REDACTED]







**CABINET**  
**24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: NHDC PARKING STRATEGY DRAFT PARKING OPERATIONAL GUIDELINES**

REPORT OF THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER FOR PLANNING & TRANSPORT: COUNCILLOR PAUL CLARK

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: BUILD THRIVING AND RESILIENT COMMUNITIES / RESPOND TO CHALLENGES TO THE ENVIRONMENT / ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY /

**1. EXECUTIVE SUMMARY**

- 1.1 The purpose of the Draft North Hertfordshire District Council Parking Operational Guidelines 2019 – 2031 is to detail how the Council proposes to implement the policy framework set out in the adopted North Hertfordshire District Council Parking Strategy 2019 – 2031 (January 2019). The document outlines the necessary guidance and assessment criteria to be followed to enable officers to deliver the Strategic Action Plan, as well as review and update the guidelines as required throughout the life of the Parking Strategy. This would be in consultation with the Executive Member and Deputy for Planning and Transport and their Deputy to reflect changes in parking trends and ensure that these are aligned with the Council's priorities.
- 1.2 This report seeks the approval of the Council's Parking Operational Guidelines 2019 - 2031, as well as agreement of the associated Parking Issues Reporting Pack at Appendix A, B and C respectively.

**2. RECOMMENDATIONS**

- 2.1 That Cabinet adopt the North Hertfordshire District Council Parking Operational Guidelines attached at Appendix A.
- 2.2 That Cabinet agree the Parking Issues Reporting Pack attached at Appendix B and C to be included as an annex to the Parking Operational Guidelines.
- 2.3 That Cabinet note the summary of comments on the draft Parking Operational Guidelines and officer responses attached at Appendix D.

- |     |   |
|-----|---|
| 2.4 | That Cabinet recommends that delegated authority is given to the Executive Member for Planning and Transport to approve minor amendments and format changes to the draft Parking Operational Guidelines as required in consultation with the Service Director - Regulatory. |
| 2.5 | That officers proceed with the work associated with the key projects listed in the Parking Strategy Strategic Action Plan using the Parking Operational Guidelines to implement the policy framework.   |

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The draft Parking Operational Guidelines will provide the necessary guidance and assessment criteria for the Parking Strategy policy framework for managing parking across the District in an effective and efficient way that accords with the Council's Corporate Objectives and its Medium-Term Financial Strategy.

### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Due to the concerns raised previously by Members and stakeholders regarding the apparent lack of guidance within the Parking Strategy on how the policies would be implemented, not producing a Parking Operational Guidelines document was not considered a suitable alternative option.

### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Regular meetings have been held with the Executive Member and Deputy for Planning and Transport to ensure that the draft Parking Operational Guidelines and Parking Issues Reporting Pack aligns with the adopted Parking Strategy and the documents are representative of the Council.
- 5.2 The above draft documents were presented to Baldock and District Committee, Hitchin Committee, Southern Rural Committee, Letchworth Committee and Royston and District Committee in January 2020. All comments received and officer responses can be found in Appendix D.
- 5.3 Contact was made with town centre managers in the towns, Royston Town Council, Hertfordshire County Council and the Garden City Heritage Foundation in early January 2020 to seek their views and comments as they were involved with the stakeholder engagement project of the Parking Strategy. All comments received and officer responses can be found in Appendix D.
- 5.4 Parish Councils were contacted in January 2020 to inform them of the draft documents and were given the opportunity to make comment. All comments received and officer responses can be found in Appendix D.

## **6. FORWARD PLAN**

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on the 6 December 2019.

## **7. BACKGROUND**

- 7.1 The Council's role with regard to on-street car parking is one of management and enforcement of all on-street parking restrictions in the District. This management and enforcement role also includes the off-street car parks that the Council owns and/or manages. NHDC is also the local planning authority responsible for parking standards for new developments.
- 7.2 In respect of on-street parking (public roads and streets) enforcement, the Council acts on behalf of Hertfordshire County Council (as the Highway Authority) under the terms of an agency agreement between the two authorities. The Council's agreement with Hertfordshire County Council (HCC) does not include the implementation of other on-street parking controls that are intended to address safety or public amenity issues. Any parking initiatives that the Council may wish to introduce that may impact on the highway will require the agreement of HCC as the Highway Authority.
- 7.3 The Council's parking policies must comply with the law (particularly the Traffic Management Act 2004); and have regard to the Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions, issued in 2014.
- 7.4 The Council adopted the NHDC Parking Strategy in January 2019. The focus of the Strategy is to provide the Council's policy framework for managing parking across the District. It sets out how parking issues are currently dealt with and identifies several objectives and proposed actions for which future investment may be required. These objectives are reflected in the overall policy framework which covers four areas:
- *Management and resources to deliver the strategy*
  - *Management of on and off-street parking within town centres*
  - *Management of parking within residential and non-town centre areas*
  - *Management of parking at new developments*

The Strategy also seeks to embrace new technologies in making provision for electric vehicle charging in new developments and the potential to install public on-street charging points. The adopted Parking Strategy can be viewed on the Council's website at: <https://www.north-herts.gov.uk/home/parking/parking-strategy>

- 7.5 There will be a number of ongoing parking challenges that the Council will need to address in future years, and careful management will be required to ensure that new parking provision and controls are aligned with the Council's economic, social, planning and transport priorities. It is often the detailed way in which parking policies are applied at the very local, street-by-street, level which requires the most careful consideration and generates most debate.
- 7.6 In order to enable officers to deliver the policies and Strategic Action Plan in the Strategy, reference is made to the preparation of a separate document 'North Hertfordshire District Council Parking Operational Guidelines'. This document is to be read alongside the Parking Strategy and outlines the necessary guidance and assessment criteria to be followed.
- 7.7 The draft Parking Operational Guidelines and Parking Issues Reporting Pack have been reviewed by the following committees:
- Letchworth Committee: Tuesday, 7<sup>th</sup> January 2020 (Agenda Item 45)
  - Southern Rural Committee: Wednesday, 8<sup>th</sup> January 2020 (Agenda Item 23)
  - Hitchin Committee: Tuesday, 14<sup>th</sup> January 2020 (Agenda Item 56)
  - Royston and District Committee: Wednesday, 15<sup>th</sup> January 2020 (Agenda Item 41)
  - Baldock and District Committee: Monday, 27<sup>th</sup> January 2020 (Agenda Item 38)

All committees supported the recommendations put forward in this report.

- 7.8 All comments received have been summarised together with officer comments in Appendix D. The referrals from each of the Area Committees have been included in the Cabinet agenda for completeness (See Item 6).

## **8. RELEVANT CONSIDERATIONS**

### *The Draft Parking Operational Guidelines*

- 8.1 The draft Parking Operational Guidelines document follows the structure of the Parking Strategy Document and is broken down into three sections:

#### Section 1: Introduction, Context and Objectives

Section 1 outlines the purpose of the document, the national and local policies that should be considered in conjunction with the document and the objectives of the Parking Strategy and Parking Operational Guidelines.

#### Section 2: Policy Framework and Operational Guidelines

Section 2 outlines the detail of how the Council proposes to implement the policy framework set out in the Parking Strategy and states the necessary guidance and assessment criteria to be followed to enable officers to review and update the guidelines as required throughout the life of the Parking Strategy.

### Section 3: Appendix

The Appendix includes the Parking Issues Reporting Pack.

8.2 As well as enabling the Council to approach parking issues in a fair and consistent manner, new opportunities to manage the parking stock across the District and generate additional income have been included in the draft Parking Operational Guidelines. These include:

- Other Services in Council Car Parks: In line with modern car park operations, there is potential for other services to be provided in off-street car parks in the District. Where appropriate some of these services may benefit car park users and the Council will consider opportunities on a case-by-case basis. The full criteria that the Council will use to consider providing other services and temporary uses within its car parks are set out in Policy 7.
- Sale of Residents Permits within Off-street Carparks: Policy 2 states that the Council will ensure that there is suitable off-street parking provision available in our car parks that meet user needs. This may include investigating the viability of introducing a resident's permit.
- Charging for On-street Parking: whilst on-street parking in town centres is generally free, this is an anomaly given that off-street parking for the same duration is generally charged. The Council will consider the case for on-street charging on a case by case basis. The Parking Operational Guidelines now includes a number of categories the Council may consider implementing charges for, such as parking bay suspension requests from utility companies. The full criteria are set out in Policy 9.
- Employee Parking Schemes: The Council may consider proposals from employers and other organisations such as the BIDs representing employers in any of the town centres in the District for an employee parking scheme. The criteria for an employee parking scheme are set out under Policy 17.
- Sale of Permits to Non-residents in Controlled Parking Zones: The Council recognises that where CPZ's were previously designed to favour residents and exclude commuters or employees and have been successful, this has in some cases resulted in under-utilised road space where there is very little use of the available on-street space during the day. In several CPZ zones the take up of permits is low due for example to sufficient off-street parking on driveways and the net effect is increased cost to the Council to manage these zones, due to lower than required income to cover costs and spare space in locations where demand for parking would be high if left unrestricted. There is potential to sell permits to non-residents such as commuters in each zone on a managed basis. A decision on selling non-residential permits in underutilized zones will be based on the criteria set out under Policy 23.

### Parking Issues Reporting Pack

- 8.3 The Parking Issues Reporting Pack has been developed to introduce a formal structure for the reporting of parking issues to North Hertfordshire District Council and for making requests for measures to control parking on the public highway across the District.
- 8.4 The pack includes an overview of the legal process that the Council must follow in order to introduce a new Traffic Regulation Order, and the information that the applicant will need to include before they submit their case evidencing a genuine parking issue. This process will assist the Council with understanding the reported issue and, where needed, allow a priority to be given when compared to other requests.
- 8.5 It is anticipated that adopting this structured approach to reporting parking issues will help streamline the Work Programme and ensure that only essential schemes are progressed which will ensure a more effective use of Council resources. The ability and timeframe of the Council to implement any requests will be dependant upon workload and resources.

### Summary of key issues

- 8.6 The main issues from the consultation with the Area Committees and key stakeholders are summarised below and the more detailed comments including officer responses are set out in appendix D.
- Concerns over the possibility of introducing parking charges for evenings, Sundays and Bank Holidays;
  - Concerns over the length of time required for the applicant to keep a log of parking issues in order to use the Parking Issues Reporting Pack;
  - Concerns that the Parking Issues Reporting Pack is not user friendly.

How these issues have been addressed in the documents are set out under the officer comments at appendix D.

- 8.7 The delivery of the Strategy, associated Action Plan and the Operational Guidelines are very much reliant on the efficient use of available resources. In delivering this Strategy the Council will face the challenge of delivering value for money while maintaining and developing the parking function/service so that it remains, and is seen to be, fair, efficient, effective and responsive to change and where possible should cover the cost of providing the service. Opportunities for third party funding (directly or through grants) must also be explored where considered appropriate, for example as a part of investigating improvements to the Council's multi-storey car parks, there may be opportunities for some joint funding from town centre management as part of the BIDs and other relevant stakeholders (See Financial Implications Section 11 below).
- 8.8 It will therefore be important that this Parking Operational Guidelines document, alongside the Parking Strategy remains a living document which adapts to emerging issues and provides a flexible approach to identify opportunities to review the actions and ensure that they become deliverable in the future in the light of the available resources (both financial and staffing).

- 8.9 The use of the Parking Issues Reporting Pack as set out at Appendix B and C, will help streamline the Officers' Work Programme and ensure that only essential schemes are progressed which will enable a more effective use of Council resources. This will form an annex to the Parking Operational Guideline. In light of the comments raised it is proposed that the pack is trialled, and any necessary amendments are made in consultation with the Service Director – Regulatory and the Executive Member and Deputy for Planning and Transport.

## **9. LEGAL IMPLICATIONS**

- 9.1 Under the Terms of Reference for Cabinet Paragraph 5.6.1 of the Constitution states that the Cabinet can prepare and agree to implement policies and strategies other than those reserved to Council.
- 9.2 Under the Responsibilities for Functions-Summary Paragraph 14.3 of the Constitution states that decisions about executive functions may be taken by Officers.
- 9.3 Specific legal implications of the policies within the adopted Parking Strategy and draft Parking Operational Guidelines will need to be considered as the projects commence within the Action Plan, such as the requirement for any new and revised Traffic Regulation Orders to implement changes to on and off-street parking arrangements. Any parking initiatives that are likely to impact on the highway will need to be undertaken in consultation with Hertfordshire County Council as the Highway Authority and other relevant statutory undertakers as required in the Traffic Management Act 1984 (and subsequent revisions).
- 9.4 Should on-street charging proposals come forward then the requirements of the Traffic Management Act 1984 (and subsequent revisions) will need to be considered. This may require a review of the agreement between the Council and Hertfordshire County Council regarding Decriminalised Parking Enforcement.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 The Draft Operational guidelines have been prepared by officers and funded through existing budgets.
- 10.2 The main financial commitments arising from the delivery of the Strategic Action Plan in the adopted Parking Strategy for next financial year are as follows (subject to Corporate Business planning considerations):
- Completing the Letchworth and Royston Parking Reviews and addressing issues relating to existing Traffic Regulation Orders (TRO), such as the review of the off-street TROs and any associated implementation of lines and signs. There is an existing Town Wide Parking review reserve of £347k, and an additional one-off amount of £89k in the lines and signs 20/21 maintenance budget for this work. It should be noted that the signs and lines maintenance budget is £25k annually. The town wide budget is an annual budget of £65k.

- Undertaking necessary reviews and feasibility work associated with the wider actions. At present there is £53k of Growth Area Funding within the revenue budget and £285K of funds within the capital budget that has been put forward as a capital bid for 2020/2021 to fund the projects identified in the Action Plan that will require further investigation, feasibility studies and funding for implementation such as the pay-on-foot trial. Outside of these budgets future actions will require capital/revenue bids as part of the annual budget setting process, unless third party funding, either through grants or direct funding, can be secured.
- 10.3 Feasibility and review works are intended to help identify efficiencies or where investments can be justified to improve the service to the customer and be financially justified. Identifying financial and risk implications will form part of the feasibility/review works.
- 10.4 It is the intention for the Parking Strategy and draft Operational Guidelines to ensure that the car parking charges are efficient and cover the cost of the service (e.g. providing, enforcing and maintaining car parking) and where available and appropriate to fund contributions towards other related parking initiatives and transport services identified through the Parking Strategy and the NHDC Transport Strategy. This would also be subject to approval through the relevant budgetary control processes. Charges will also be set to manage demand and encourage moving away from car use.

## **11. RISK IMPLICATIONS**

- 11.1 Adoption of the draft Operational Parking Guidelines will provide the Council with the opportunity to proceed with short-term and mid-term projects as set out in the Strategic Action Plan to improve parking across the district within the context of a new policy framework.
- 11.2 “The Parking Service” and “Implementation of Parking Strategy” are already identified as risks on the Council’s Risk Register, although these risks will be reviewed comprehensively and reassessed to reflect the adopted Strategy following adoption of the Operational Parking Guidelines. Currently, officers have assessed “Implementation of the Parking Strategy” as a Medium risk in terms of both Impact and Likelihood.
- 11.3 Some of the main risks associated with the Operational Parking Guidelines and the Strategic Action Plan include:
- The management of member and customer expectations in terms of delivery of the actions;
  - Income estimates or costs associated with new payment methods are significantly different from those estimated;
  - Improvements to multi-storey car parks and other initiatives do not improve usage and contribute to the vibrancy of the town centres;



- Budget constraints mean that suggested priorities cannot be progressed in line with the Strategic Action Plan; and
- There will be insufficient staff resource to deliver the action plan either on time or to the quality required.

11.4 The review of risk implications associated with each specific action and the related approach to managing these risks, will form part of the delivery process and officers will update the Risk Register accordingly.

11.5 There will be a number of ongoing budgetary and parking challenges facing the Council over the lifetime of the Strategy, and it will therefore be important that the Parking Strategy and the draft Parking Operational Guidelines remains a living document which adapts to emerging issues and provides a flexible approach to identify opportunities to review the actions and associated risks to ensure that they become deliverable in the future in accordance with available resources.

## **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 not considered to be any direct equality issues arising from this report. The guidelines provide clarity, consistency and transparency of approach for all users and officers. Any individual schemes or consideration that arises from the Strategy will be subject to appropriate review to ensure they comply with the Public Sector Equality Duty. NHDC has a process for the reporting of parking issues for those who are experiencing issues.

## **13. SOCIAL VALUE IMPLICATIONS**

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

## **14. HUMAN RESOURCE IMPLICATIONS**

14.1 There are limited resources available to be able to deliver the Parking Strategy, Action Plan and Work Programme. However, the NHDC Parking Operational Guidelines and Parking Issues Reporting Pack will provide a structured process to determine which parking controls should be prioritised. It is anticipated that this will provide additional capacity for the Parking Projects Officer to deliver the Parking Strategy Action Plan and Work Programme.

- 14.2 Resourcing and training requirements will need to be considered for any changes to the Car Park Management System, new internal processes and the introduction of any technological changes. It is noted that the intention is for the service to be self-financing with the revenue received from on and off-street parking.

## **15. APPENDICES**

- 15.1 Appendix A – Draft North Hertfordshire District Council Operational Guidelines
- 15.2 Appendix B – Parking Issues Reporting Pack 1 – User Guide
- 15.3 Appendix C – Parking Issues Reporting Pack 2 – Application Form
- 15.4 Appendix D – Draft North Hertfordshire District Council Operational Guidelines Comments and Officer Responses

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**17. BACKGROUND PAPERS**

17.1 [Cabinet Report – 29 January 2019 – NHDC Parking Strategy Review](#)

17.2 [North Hertfordshire District Council Parking Strategy 2019-2031 and associated Strategic Action Plan](#)

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# **North Hertfordshire District Council Draft Parking Operational Guidelines 2019-2031**

**December 2019**



# CONTENTS

## SECTION 1: INTRODUCTION, CONTEXT AND OBJECTIVES

Introduction  
Policy Context  
Objectives

## SECTION 2: POLICY FRAMEWORK AND OPERATIONAL GUIDELINES

### **Management and resources**

Policy 1 - Management and Resources

### **Town centres**

Policy 2 - Off-street Car Park Capacity in Town Centres

Policy 3 - Physical Improvements and Maintenance of Car Parks

Policy 4 - Off-Street Car Park Management System

Policy 5 - Off-street Car Park Tariff Reviews

Policy 6 - Charging for Evenings, Sundays and Bank Holidays

Policy 7 - Other Services in Council Car Parks

Policy 8 - On-Street Parking Provision

Policy 9 - Charging for On-street Parking

Policy 10 - Parking for Disabled Badge Holders

Policy 13 - Powered Two-Wheeler and Bicycle Parking

Policy 16 - Electric Vehicle Charging in Town Centres

Policy 17 - Employee Parking Schemes

### **Residential and Other Non-Town Centre Areas**

Policy 18 - Commuter Parking

Policy 19 - Identifying On-Street Parking Problem Areas and Potential Solutions

Policy 20 - Small-Scale Parking Improvements

Policy 21 - Review of Existing Controlled Parking Zones

Policy 22 - On-Street Disabled Badge Holder Parking Bays

Policy 23 - Sale of Permits to Non-residents in Controlled Parking Zones

### **Parking at New Developments**

Policy 24 - Parking at New Development and Existing Controlled Parking Zones

Policy 25 - Electric Vehicle Charging in New Developments and On-street

Appendices:

Appendix A - North Hertfordshire district Council Parking Issues Reporting Pack –  
Part 1: User Guide

Appendix B - North Hertfordshire district Council Parking Issues Reporting Pack –  
Part 2: Application Form

**Note:** these documents form part of Operational Guidelines and are available as separate documents





## **SECTION 1: INTRODUCTION, CONTEXT AND OBJECTIVES**

### **Introduction**

This document should be read in conjunction with the adopted North Hertfordshire District Council Parking Strategy 2019-2031<sup>1</sup>. The main focus of the strategy document is to provide the Council's policy framework for managing parking across the District. It sets out how parking issues are currently dealt with and identifies a number of objectives and proposed actions for which future investment may be required.

The detail of how the Council proposes to implement the policy framework set out in the Parking Strategy is contained within this document and details the necessary guidance and assessment criteria to be followed to enable officers to review and update the guidelines as required throughout the life of the Parking Strategy in consultation with the Executive Member for Transport to reflect changes in parking trends, and ensure that these are aligned with the Council's priorities.

### **Policy Context**

The Council's parking policies must comply with the law (particularly the Traffic Management Act 2004); and have regard to the Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions, issued in 2014. This Guidance states that enforcement authorities should design their parking policies with particular regard to:

- managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists);
- improving road safety;
- improving the local environment;
- improving the quality and accessibility of public transport;
- meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car; and
- managing and reconciling the competing demands for kerb space.

The Council's role with regard to on-street car parking is one of the management and enforcement of all on-street parking restrictions in the District. This management and enforcement role also includes the off-street car parks the Council owns and/or

manages mainly in town centres. North Hertfordshire District Council (NHDC) is also the local planning authority responsible for parking standards for new development.

In respect of on-street parking (public roads and streets) enforcement, the Council acts on behalf of Hertfordshire County Council (the Highway Authority) under the terms of an agency agreement between the two authorities. The Council's agreement with Hertfordshire County Council (HCC - i.e. the Highway Authority) does not include the implementation of other on-street parking controls (i.e. Traffic Regulation Orders – TROs) that are intended to address safety or public amenity issues.

As well as complying with relevant legislation the Parking Strategy must also be read alongside the County Council's Local Transport Plan (LTP4), the NHDC Transport Strategy, the emerging North Central Hertfordshire Growth Transport Plan, Town Centre Strategies, the Local Development Framework and other relevant supporting documents to provide the full picture on how a balance can be struck between environmental protection, economic growth, accessibility, health improvement and social inclusion.

There is also a range of national, regional and local policy that is relevant to the Parking Strategy. Some of the key aims and objectives of these policies are set out below:

1. The National Planning Policy Framework (NPPF) 2018 sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced with reference to setting parking standards and policies at paragraphs 105 – 107. The NPPF must be taken into account in preparing the development plan, and is a material consideration in planning decisions.
2. The Secretary of State for Transport also issued in 2016 Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions, which sets out the policy framework for Civil Parking Enforcement. It explains how to approach, carry out and review parking enforcement.
3. Countywide policy on parking is set out in the Local Transport Plan 4 (LTP4), which was adopted by Hertfordshire County Council (HCC) in May 2018. The Local Transport Plan adopts a transport user hierarchy policy which gives priority to more sustainable modes of transport such as walking, cycling and public transport. Policy 4 of the LTP4 stresses the importance of parking as a traffic demand management tool.

*The County Council considers greater traffic demand management to be essential in the county's urban areas in the next five years to achieve modal shift and improve sustainable travel provision. This can only currently be achieved efficiently and effectively through parking restrictions and charging applied to on-street, off-street and potentially at workplace parking. The county council will work with the district and borough councils and other key stakeholders to develop locally appropriate strategies.*

4. The main principles of the County's transport vision have been replicated in the NHDC Transport Strategy, published in October 2017 as supporting evidence to the Submission Local Plan.
5. The NHDC Proposed Submission Local Plan contains parking standards and refers to the NHDC Supplementary Planning Document (SPD) *Vehicle Parking at New Developments*. The emerging Local Plan also identifies several transport related policies which will affect North Hertfordshire's town centres:
  - Parking is one tool that can be used to influence travel demand and mode of travel. It is now recognised and accepted that, in most locations, demand management through parking is most appropriate at the trip destination (for example commercial, leisure and retail parking).
  - The locations of parking areas should ensure that they create safe and secure places to leave and access vehicles.

## **Objectives**

Based on the above background, policy and the available information on parking in the District, the core objectives of the Parking Strategy and the Operational Guidelines are proposed as follows:

1. To manage the volume and type of on- and off-street parking in a balanced approach to meet NHDC, HCC and national policy objectives, including the need to achieve mode shift away from private car use and to help support the vitality of town centres.
2. To ensure that the quantity and type of on-street parking provision and kerbside space is managed and enforced to seek to balance the current and future demands of residents, businesses and visitors.
3. To keep under review the effectiveness of on-street restrictions within the District, and to work with HCC where safety and congestion is or could be an issue.
4. To ensure that Council-owned car parks are maintained to an appropriate standard, that there is sufficient space to meet demand and to aid traffic circulation.
5. To operate the car parking service with an efficient and effective use of available resources and within the financial constraints and objectives set by the Council.

These objectives are reflected in the overall policy framework and operational guidelines set out in section 2 of this document.

## **SECTION 2: POLICY FRAMEWORK AND OPERATIONAL GUIDELINES**

The guidelines set out in this section are in relation to where there is reference made to further guidance specified in the relevant policies within the adopted Parking Strategy. These include the following policies:

- Policy 4 - Off Street Car Park Management System
- Policy 5 - Off-street Car Park Tariff Reviews
- Policy 6 - Charging for Evenings, Sundays and Bank Holidays
- Policy 9 - Charging for On-street Parking
- Policy 16 - Electric Vehicle Charging in Town Centres
- Policy 17 - Employee Parking Schemes
- Policy 18 - Commuter Parking
- Policy 19 - Identifying On-street Parking Problem Areas and Potential Solutions
- Policy 20 - Small Scale Parking Improvements
- Policy 23 - Sale of Permits to Non-residents in Controlled Parking Zones
- Policy 24 - Parking at New Development and Existing Controlled Parking Zones

Where considered useful the Council has also set out further guidance for other policies not specified in the above list, or repeated the criteria already specified in the Parking Strategy these include:

- Policy 1 - Management and Resources
- Policy 2 - Off-street Car Park Capacity in Town Centres
- Policy 3 - Physical Improvements and Maintenance of Car Parks
- Policy 7 - Other Services in Council Car Parks
- Policy 8 - On-Street Parking Provision
- Policy 10 - Parking for Disabled Badge Holders
- Policy 13 - Powered Two-Wheeler and Bicycle Parking
- Policy 21 - Review of Existing Controlled Parking Zones
- Policy 22 - On-Street Disabled Badge Holder Parking Bays
- Policy 25 - Electric Vehicle Charging in New Developments and On-street

## Management and resources

### Policy 1 - Management and Resources

*In order to deliver this Parking Strategy the Council is committed to finding the most efficient and effective use of resources to implement improvements and manage the parking services on a day to day basis.*

To do this the North Hertfordshire District Council will seek to (but is not limited to):

1. Ensure effective enforcement of on and off-street parking across the District in accordance with North Hertfordshire District Council's Parking Strategy.
2. Implement a process to enable the Parking Services Team to report parking issues and Traffic Regulation Order (TRO) inconsistencies for inclusion in the NHDC Parking Work Programme.
3. Enhance the Parking section of the NHDC website to facilitate self-service for service users to reduce waiting times and enable instant information for parking services.
4. Signpost customers wishing to report a parking issue to the Parking Issues Reporting Pack to allow priority to be given to parking controls that meet the criteria as set out within the guidance notes. (Appendix A and B)
5. Where there is a justified parking issue which meets the criteria set out in the Parking Issues Reporting Pack, the issue will be investigated by the Parking Projects Officer and recommendations will then be discussed and reviewed with relevant Senior Officers in consultation with the Executive Member for Planning and Transport and agreed schemes will then be added to the NHDC Parking Work Programme.
6. Review the Councils approach to continuing with town-wide parking reviews for Baldock, Hitchin, Letchworth, Royston and the larger settlement of Knebworth based on available resources and ongoing parking pressures. Parking reviews will be undertaken on a periodic rolling programme; with no more than one parking review taking place at any one time.
7. Work jointly with Hertfordshire County Council as Highways Agency and liaise regularly to review the NHDC Parking Work Programme to facilitate joint working, where possible.
8. NHDC will undertake regular inspections of council-owned car parks to ensure they remain fit for purpose in line with any service agreements with third parties. (Further information is outlined in Policy 3 – Physical Improvements and Maintenance of Car Parks).
9. Regularly maintain Pay and Display charging machines to ensure they are in good working order.
10. Investigate and utilise technology and software subject to a suitable business case to increase internal operational capacity and convenience for parking services users, such as pay by phone, issuing of virtual permits and, introducing other forms of payments for parking sessions.
11. Review the management of the service in line with changes in legislation, the Council's priorities and against NHDC Mid Term Financial Strategy.

## Town Centres

### Policy 2 - Off-street Car Park Capacity in Town Centres

*The Council will periodically review the level of off-street car parking capacity in each of the town centres. The Council will aim to manage the overall level of capacity in line with policy objectives for town centre vitality, while seeking to minimise environmental impacts, recognising the need for encouraging sustainable travel and adapting to new technology and trends in parking. The Council will consider the balance required between short and longer-stay parking needs in its reviews.*

*The Council will manage its off-street car parks in a financially responsible manner. Where appropriate, the Council will work with other off-street parking operators to seek to ensure that the combined car parking capacity in town centres meets policy objectives and is financially sustainable.*

To ensure that there is suitable off-street parking provision available in our car parks that meet user needs, the Council will (but is not limited to):

1. Support the objectives of the Town Centre Strategies to protect the vitality, social and environmental amenity of the towns.
2. Consider parking provision in the context of the Local Transport Plan (LTP4) and Transport Strategy objectives, to create towns where walking, cycling and public transport are encouraged and support strategies to address climate change and air quality.
3. Improve the ease of use of all parking facilities, i.e. the customer experience, and ensure a smooth transition to new technologies.
4. Provide information for users and decision makers to aid the management of parking.
5. Work in partnership with relevant stakeholders where appropriate.
6. Review on a regular basis, the location of car park spaces in the car parks and whether they continue to meet the demands of user needs and in line with the Town Centre Strategies.
7. Introduce a procedure to enforce all users of car parks to either take a Pay and Display ticket or use cashless parking system to enable the Council to better understand their usage.
8. Manage off-street car parks in a financially responsible manner. Where appropriate, the Council will work with other off-street parking operators to seek to ensure that the combined car parking capacity in town centres meets policy objectives and is financially sustainable.
9. Investigate the option of introducing various types of permits including residents permits within NHDC off-street carparks.

### **Policy 3 - Physical Improvements and Maintenance of Car Parks**

*The Council will prepare and periodically review a programme of physical improvements for its car parks, in conjunction with relevant stakeholders where appropriate and subject to funding availability.*

Some of the general areas that the Council may consider to include in the car park improvement work plan are (but not limited to):

1. Continuing to engage the services of Stevenage Borough Council through a Service Level Agreement to undertake regular site inspections and maintenance of NHDC off-street car parks.
2. To investigate physical improvements to the council multi-storey car parks to encourage usage by reviewing access and signage to car parks, and engaging with town centre management to improve safety.
3. To regularly review the management plan to tackle anti-social behaviour and vandalism in the multi-storey car parks.
4. To utilise technology to improve town centre traffic management and car park usage to direct users through signage advising on the location and capacity of each car park.
5. Further investment in lighting and security measures in the most popular evening car parks.

Some of the specific issues that the Council may consider to include in the car park improvement work plan are:

6. The Lairage multi-storey car park in Hitchin is accessed from the top and exited at the bottom. Car park users have no way of knowing whether spaces are available in lower levels. A bay monitoring system to inform drivers in advance of the number of available spaces would address this problem.
7. Vehicular signage to the Lairage multi-storey car park needs to be improved with a more prominent sign on Old Park Road adjacent to the Waitrose sign. It is also recommended that clear pedestrian signage is installed on Paynes Park to indicate the presence of a car park.

### **Policy 4 – Off-Street Car Park Management System**

*The Council will continue to assess the most appropriate off-street parking management systems and payment mechanisms on a case-by-case basis.*

The Council will evaluate its car park management systems and replace these as necessary, subject to the appropriate business case. There is likely to be different solutions for different car parks and on-street locations, and flexibility is required in a fast-changing field of technology.

In evaluating alternative systems, the Council will consider but not limited to the following:

1. The user interface and likely user benefits.
2. User adoption and ongoing support from service provider.
3. 24/7 access and customer support from service provider.
4. Ability to cater for different users e.g. disabled, staff, permit, visitor and season ticket holders.
5. The resourcing cost.
6. Whole life investment and maintenance costs versus potential income stream.
7. Flexibility for future change.
8. Practical application in the location and possible highway impacts.
9. Integration with other council systems.
10. Data collection and Management Information potential.
11. Payment collection and revenue processing.
12. Parking inventory management.
13. Software integration with Variable Message Signage systems, barrier gate equipment and payment machines.
14. Enforcement management.
15. Instant reporting of incident, maintenance and parking issues.

## **Policy 5 – Off-street Car Park Tariff Reviews**

*The Council will review tariffs and season tickets on an annual basis in accordance with its Medium Term Financial Strategy to determine an appropriate level of inflationary change.*

*The Council will also undertake a more detailed review of its tariffs and season tickets structure at reasonable intervals.*

This review will consider but not be limited to the following:

1. Usage and demand for car parks within towns as a whole.
2. Differences in demand for parking within car parks.
3. Differences in demand for parking between days and times of the day, if required.
4. Economic vitality and viability of town centres.
5. Tariffs and timings used in other private car parks within towns.
6. Tariffs and timings used in other nearby towns.
7. Tariff rebate or discount schemes.
8. Short stay tariffs should reflect the key objectives of Town Centre Strategies with specific regard to supporting duration of stay.
9. Long stay tariffs should remain higher than return local bus or rail fares in order to encourage alternative modes of travel to town centres.
10. The practicalities of implementing tariff increases depending on the types of parking management system in operation.
11. Other issues such as the need to prevent unnecessary circulating traffic due to big tariff differences between on- and off-street parking, and between different car parks.



12. Other financial considerations such as the rate of inflation, cost of managing the parking service and cost of implementing new tariffs.
13. The potential for, and the practicality of, linking parking charges to vehicle emissions.

As part of this process the Council will monitor the usage of its car parks and undertake discussion with the relevant town centre managers and organisations to understand the impact of proposed tariff changes.

The Council will charge for replacement lost, stolen or damaged parking permits, the charge will be levied to cover administration costs only. The level of charge will be reviewed alongside other parking charges.

### **Policy 6 - Charging for Evenings, Sundays and Bank Holidays**

*The Council will consider charging for parking for evenings, Sundays and Bank Holidays. Any review will be carried out in consultation with relevant stakeholders, and implementation of evening and Sunday and Bank Holiday charging will consider (but not limited to):*

1. Demand for evening, Sunday and Bank Holiday parking,
2. The economic circumstances of town centres at the time and the options of phasing in such charges, for example on a trial basis in certain car parks and in incremental steps.
3. Resource implications for managing car parks outside current charging hours, as well as;
4. Impact on surrounding streets and the cost associated with having to undertake any reviews of existing Traffic Regulation Orders and/or Parking Place Orders within these streets.

### **Policy 7 - Other Services in Council Car Parks**

*The Council will consider opportunities for providing other services and temporary uses within its car parks. In some cases, services may be provided by third parties and in all cases, consideration will be given to the appropriateness of the service provided and/or the use as well as the implications for use of the car park and town centre generally.*

Services could include (but not limited to):

1. Advertising on tickets, ticket machines or elsewhere.
2. Promotion or marketing initiatives.
3. Other events associated with town centre promotion or activities.
4. Other appropriate commercial activities.

Each proposal will be considered on an individual basis and where considered necessary must be accompanied by:

- Evidence of appropriate insurance cover with a minimum of £5,000,000 public liability insurance (depending on the nature of the event a higher limit if indemnity may be required).
- Evidence of relevant permissions (including submission to the North Herts Safety Advisory Group, if applicable.)
- A risk assessment to be approved by the appropriate service area within the Council and
- Will be expected to adhere to the relevant NHDC standard terms and conditions.

The Council will seek to consider charging for the service or for the temporary use of its car parks. The agreed charge will be dependent on:

- How many parking bays the proposed service or event require,
- The duration, and
- The administration resource of the relevant NHDC staff (e.g. parking services, parking enforcement, environmental health).

Any application for the use of the Councils car parks are to be submitted to [parking.services@north-herts.gov.uk](mailto:parking.services@north-herts.gov.uk)

## **Policy 8 - On-Street Parking Provision**

*In consultation with relevant stakeholders the Council will review provision of on-street parking as and when circumstances change in town centres. Consideration will be given to the overall quantum and balance in duration of stay of on-street parking spaces. The Council will aim to manage the overall level of capacity in line with policy objectives for town centre vitality, while seeking to minimise environmental impacts, recognising the need for encouraging sustainable travel and adapting to new technology and trends in parking. The Council will also consider during the design and enforcement of on-street controls the needs of bus operations.*

*The Council will seek to continue to pursue a general policy of very short-stay parking in core streets, short and medium stay parking in peripheral streets and medium to longer stay parking in streets further out from the centre, subject to provision not conflicting with other demands or giving rise to safety, access or amenity concerns.*

From time to time there may be a need to review the provision of on-street parking in town centres on a case by case basis. Cases in which the Council may review On-Street Parking Provision are (but not limited to):

1. Servicing, emergency vehicles and buses have reported difficulty accessing key destinations;
2. There is a frequent build up of circulating traffic searching for on-street parking which creates congestion;

3. Making provision for other more sustainable modes of travel, such as bus, pedestrian or cycle priority schemes; or where
4. Parking issues are reported via the Parking Issues Reporting Pack (Appendix A and B) and the relevant criteria are met.

## **Policy 9 - Charging for On-street Parking**

*The Council will seek to consider the case for on-street parking charges on a case-by-case basis in consultation with relevant stakeholders. Consideration will also be given to appropriate parking management and payment mechanisms.*

Key issues the Council will seek to consider, but not be limited to, are:

1. The economic vitality and viability of town centres and the implications of introducing on street charging.
2. The cost of implementing and managing on-street charging.
3. Appropriate tariffs for on-street charging relative to off-street parking charges.
4. Appropriate charging times and days for on-street parking.

The following examples of categories of on street charging areas will be considered in conjunction with the above:

- Core shopping streets with the lowest duration of stay and highest turnover of spaces.
- Next to core shopping streets with short to medium stay duration.
- Longer stay on the edges of town centres, with specific regard to the potential for parking migrating to non-town centre areas.
- Longer stay elsewhere e.g. for employee, commuter, or education users.
- Bays with Electric Vehicle charging points.
- Requests for parking suspensions/reserving a parking bay.
- Requests for a parking dispensation notice.

## **Policy 10 - Parking for Disabled Badge Holders**

The Council will maintain its policy of providing free parking for Disabled Badge Holders both on-street and off-street in a variety of locations around town centres for a maximum of three hours on-street and the maximum stay in accordance with the respective off-street car park tariff. Where circumstances change (for example associated with a new car park management system, development proposals or demand for more pedestrian priority) the views of relevant stakeholders will be sought on future provision for Disabled Badge holders. Areas the Council may consider but not be limited to are:

1. Where demand justifies it, the Council will also seek to identify and provide parking space for mobility scooters.

2. Pedestrian priority measures will be designed with the needs of Disabled Badge holders' parking needs as a key consideration.
3. The guidance in NHDC Supplementary Planning Document Vehicle Parking at New Development document will be adhered to.

### **Policy 13 - Powered Two-Wheeler and Bicycle Parking**

*The Council will consider, as part of reviews or changes in town centres, how appropriate parking facilities for powered two wheelers and bicycles can be provided. The most appropriate mechanism for delivering improvements is via the NHDC Transport Strategy or Town Centre Strategies and/or new development proposals, and the principle of small-scale provision at a variety of locations in town centres is the starting point.*

To encourage the use of powered two-wheeler and bicycle use to deliver environmental improvements the Council will seek to maintain:

1. Provision for powered two wheelers and bicycles will continue to be made in off-street car parks.
2. Opportunities for increasing provision, particularly for cycle parking will be made where they can be identified in accordance with the Councils emerging Local Cycling & Walking Infrastructure Plan (LCWIP).

### **Policy 16 - Electric Vehicle Charging in Town Centres**

*The Council will consider the case for electric vehicle charging points in off-street car parks and review the use of existing bays. The Council may offer discounted or free parking to electric vehicles whilst being charged for a limited period to encourage their take-up, although over time these bays will revert to standard tariffs.*

*The Council, in conjunction with Hertfordshire County Council as Highway Authority will also consider the case for on-street electric vehicle charging points where this is regarded as viable, practical and necessary.*

An Electric Vehicle Strategy is currently under preparation which will outline the Council's approach to electric vehicle (EV) charging provision in town centres. The criteria the Council may include but not limited to is as follows:

1. A percentage or quota of current bays both on and off street being converted to EV charging points based on government guidance and demand.
2. Providing a mix of fast to ultra-rapid charge points depending on whether the parking bay is very short stay or long stay.
3. Providing discounted parking tariffs for EV vehicles to encourage their adoption within the district.
4. Providing incentives to encourage EV parking for taxis.

## **Policy 17 - Employee Parking Schemes**

*The Council will consider proposals from employers and other organisations such as the BIDs representing employers in any of the town centres in the district for an employee parking scheme.*

The following criteria for an employee parking scheme could involve (but not limited to):

1. Discounted season tickets being eligible in a defined parking area of one or more car parks that have been identified to be under-utilised during weekdays. The BID/sponsor would reimburse NHDC with a block payment for this allocation of parking spaces and any associated implementation costs.
2. The BID/sponsor would manage the application and selection process. NHDC would continue to be responsible for issuing the season tickets and enforcement of the car parks.
3. The discounted season tickets would be issued (and regularly reviewed) on the basis of a set of eligibility criteria to be administered by the BID/sponsor and agreed by NHDC:
  - Beneficiaries must demonstrate that they work in the town centre (rail commuters excluded).
  - Beneficiaries must demonstrate that their income does not exceed a threshold value to be determined and justified by the BID.
  - Priority should be given to employees on the basis of a set of criteria reflecting NHDC transport policy priorities, such as (a) disability, (b) car sharing, (c) low vehicle emissions, and (d) priority to users who do not live within 10 minutes' walk of an hourly bus or rail service.
4. The discounted season ticket scheme should only be introduced where it is accompanied by a multi-modal Travel Plan produced by the BID/sponsor and covering the town centre employers with a stake in the BID.
5. The discounted season ticket price must not be lower than the bus and rail fares from the town centre employment catchment (the boundary of the core employment catchment can be determined from the Travel Plan data, and daily return fares are to be used as a benchmark).

## **Residential and Other Non-Town Centre Areas**

### **Policy 18 - Commuter Parking**

*The Council will consider measures to manage commuter parking demand and supply through a combination of demand management, parking controls and additional commuter parking capacity.*

The Council recognises that there are still some areas of the District that suffer from excessive amounts of long stay parking that is a problem, and identified areas that will need attention over the course of the current Parking Strategy. The continued growth in commuter parking around stations is the most pressing issue in several areas. The following objectives summarise the Council's priorities in dealing with on-street parking problems:

- Where residents compete for road parking space in their own streets with other groups (local workers, commuters etc.) new schemes will give greater priority to residents.
- Where local businesses compete for road parking space in their local industrial areas with other groups, (commuters etc.) new schemes will give greater priority to local businesses.

Ultimately the problem of commuter parking is one of demand and supply where some of the factors, such as rail season ticket prices, lie outside the control of the Council. The approach to dealing with commuter parking demand in the medium-term will differ in the four towns and Knebworth and will be reviewed as part of the town-wide parking reviews outlined under Policy 1.

### **Policy 19 - Identifying On-Street Parking Problem Areas and Potential Solutions**

*The Council will continue to implement measures to manage on-street parking in accepted problem areas, subject to funding availability and according to a regularly updated and prioritised programme of work.*

The Council has limited resources, and needs to make efficient use of these. Consequently it will only investigate parking problems where there is clear evidence of the issue and of public support for dealing with it. This will also enable the Council to prioritise amongst different problems.

The core method of providing evidence of a problem is a parking survey, and guidance on carrying these out is provided in the Parking Issues Reporting Pack (Appendix A and B). As most reported problems relate to residential parking issues, the surveys are aimed at these, but can be adapted for other issues. In addition photographs of issues will also assist the investigation.

Once provided with satisfactory information to this effect, the Council will seek to investigate and take action where necessary according to the following initial appraisal:

- Where residents, with no off-street parking provision, are regularly prevented from parking in their streets or reasonable walking distance from their homes by commuters, local workers, students or other long-stay parkers.
- Where businesses are impeded in their daily activities, by parked vehicles associated with commuters, local workers, students or other long-stay parkers.
- Where the local Area Committee, Hertfordshire County Council and Hertfordshire Police are agreed that action needs to be taken to reduce the risk of accidents.
- Where the Council, Hertfordshire County Council and Hertfordshire Police are agreed that action needs to be taken to prevent regular significant queuing and congestion as a result of obstructive parking.
- Where the Council, Hertfordshire County Council and Hertfordshire Police are agreed that pedestrian, cycle or passenger transport routes are regularly impeded by obstructively parked vehicles.

In deciding the best approach to take to removing undesirable long-stay parking the Council will seek to consider but not be limited to the following:

1. The possible amount of non-residential parking and the amount of residential or operational business parking competing for road space.
2. The likely availability of off-street parking.
3. Locations where long-stay parking is impeding private accesses and junctions
4. Locations where non-residents' parking is causing other concerns, such as verge parking, blocking pedestrian routes, causing highway safety concerns or preventing safe and convenient access especially for cyclists, buses, servicing and/or emergency vehicles.
5. Locations where additional on-street charged parking, including long-stay commuter bays, can be accommodated safely.
6. The extent to which other parking generators influence demand (e.g. local businesses, schools and other organisations).
7. The potential for other issues such as speeding to become more prominent when parking is removed.
8. Whether removing non-residential parking will lead to a clear and unacceptable worsening of parking conditions elsewhere.
9. If a Controlled Parking Zone (CPZ) is implemented what are the resource implications for the Council, including an estimate of permit take up by local residents/businesses and the potential for paid on-street parking to cover implementation and management costs.
10. The views of Local Councillors, Hertfordshire County Council and Hertfordshire Constabulary on the above as well as initial views on the best method to addressing problems including whether a CPZ is appropriate.

## **Policy 20 - Small-Scale Parking Improvements**

*The Council will keep under review an implementation programme, subject to funding and resources availability, of small-scale parking improvements in locations where parking is hindering service and emergency vehicle access or public transport operations or is having other significant impacts.*

Some criteria that the Council may consider but not be limited to are:

1. Parking is hindering service and emergency vehicle access.
2. Parking is hindering public transport operations.
3. Parking is impacting the safety of pedestrians or other road users.
4. Parking is affecting traffic conditions and is increasing congestion.
5. Parking is impacting on the local environment.

As resource is limited, all small-scale parking improvement suggestions will be assessed by the Parking Project Officer to recommend an order of priority to be reviewed and approved by Senior Managers in consultation with the Executive Member for Planning and Transport and relevant organisations, such as Hertfordshire County Council.

Both Hertfordshire County Council and North Hertfordshire District Council have distinct priorities and motivations for taking the lead in implementing parking relating Traffic Regulation Orders (TROs).

North Hertfordshire District Council is likely to take the lead in:

1. The provision of parking for various users through the introduction of minor controls, or more extensive controlled parking zones. For example, Resident Parking Schemes are considered in areas, often near railway stations or town centres, which experience persistent parking problems with commuters, shoppers and others who do not live or have businesses on typically residential streets.
2. The management of parking to meet wider, corporate objectives as set out in the adopted Parking Strategy, such as the provision of disabled parking in town center's and management of pavement parking where considered appropriate in accordance with legislation
3. Obstruction to a driveway or dropped kerb pedestrian crossing point, or if the issue relates to parking on existing restrictions.

Hertfordshire County Council is likely to take the lead in:

- The promotion of parking controls to tackle potential / perceived highway safety issues.
- Parking controls to accompany planned highway improvements, including those required by third-party developers.

The County Council can exercise their duties by proposing a TRO when it is deemed expedient to address the following statutory purposes:

- (a) For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising



- (b) For preventing damage to the road or to any building on or near the road
- (c) For facilitating the passage on the road or any other road of any class of traffic (including pedestrians)
- (d) For preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
- (e) (Without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot
- (f) For preserving or improving the amenities of the area through which the road runs
- (g) For any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

## **Policy 21 - Review of Existing Controlled Parking Zones (CPZ)**

*The Council may as and when circumstances require, review an existing CPZ in order to determine whether it remains 'fit for purpose'. In consultation with relevant stakeholders, a programme for amending such CPZs will then be drawn up where it is considered appropriate to do so.*

The circumstances for which the Council may consider reviewing existing Controlled Parking Zones may include (but not limited to):

1. As part of a scheduled town-wide parking review.
2. The Council is notified of an issue via the Parking Issues Reporting Pack process.
3. The uptake of a residents parking scheme is undersubscribed or oversubscribed.
4. There is a justified significant change in parking behaviour on street to warrant a review.

As resource is limited, all CPZ review suggestions will be assessed by the Parking Project Officer to recommend an order of priority to be reviewed and approved by Senior Managers in consultation with the Executive Member for Planning and Transport and relevant organisations, such as Hertfordshire County Council.

## **Policy 22 - On-Street Disabled Badge Holder Parking Bays**

*Applications for on-street Disabled Badge Holder parking bays will be directed towards Hertfordshire County Council where applications will be assessed on case-by-case basis and the assessment will focus on eligibility criteria as well as site specific circumstances.*

Considerations will include but not be limited to the following:

1. The availability and distance from the applicant's destination of off and on street parking.
2. The ability of the applicant to walk or otherwise manoeuvre to the nearest parking provision, possibly via confirmation from a medical professional.
3. Whether a formal or informal parking bay is the most appropriate course of action.
4. Site specific safety or amenity issues for other road users.
5. The views of Local Councillors, Hertfordshire County Council and Hertfordshire Constabulary.

It should be noted that on-street disabled parking bays with an associated sign can be legally enforced. These are usually near shopping centres, stations and public buildings. Disabled parking bays installed on residential roads to assist blue badge holders to park close to their homes tend to be advisory and are usually respected by most drivers. It is to be noted that disabled parking bays are for the use of any driver displaying a disabled badge and cannot be reserved for a specific resident where the street is public highway.

### **Policy 23 - Sale of Permits to Non-residents in Controlled Parking Zones**

*The Council may consider selling permits to non-residents in Controlled Parking Zones. A decision on whether to sell permits to non-residents will be made based on evidence of available spare capacity and in consultation with relevant stakeholders including Hertfordshire County Council as Highway Authority.*

A decision on selling non-residential permits in CPZs will be based on but not be limited to consideration of:

1. The likely demand for non-residential parking in a Zone or part of a Zone.
2. The level of permit take up and use by residents compared to number of properties eligible.
3. The extent that permit take up varies between streets within the Zone and whether specific streets or lengths of streets can be identified as preferred locations for non-residents parking.
4. The availability of space for non-resident parking based on daytime observation survey and especially at morning/evening peak demand times.
5. The extent that spare space should be kept available for visitors/deliveries to residents.
6. The extent that space is required for parking in accordance with any permitted limited waiting, disabled or loading space in some Zones.
7. The amount of dropped kerb and other site specific circumstances that may dictate the actual amount of space available.
8. The price of competing long stay non-residential parking.
9. All other highway user considerations.

Non-residents permits may be offered in combination with season tickets for allocated bays in car parks or as stand-alone permits. Non-resident permits will be sold on a first come, first served basis and a list of applicants will be retained by the Council as a live waiting list. Where initial applications and subsequent waiting lists exceed supply, priority will be determined based on local needs. Where there is limited off-street commuter parking, the priority should be the provision of managed commuter parking.

Non-residents that are sold permits eligible for CPZs will be required to comply with the terms and conditions of use. This requires strict observation of any requirement to park vehicles in specific named streets or part of streets.**Parking at New Developments**

#### **Policy 24 - Parking at New Development and Existing Controlled Parking Zones**

*The Council will continue to adopt and periodically review their Supplementary Planning Document Parking Standards at New Development on parking policy and standards for new development. The Council will consider the need for including residents of new developments in existing CPZs on a case by case basis.*

As general guidance, considerations will include but not be limited to the following:

1. The amount of off-street parking provided formally or informally in the new development.
2. The extent to which the parking standards used in the new development comply with the 'Parking Standards at New Development' guidance.
3. Measures to encourage more sustainable modes of travel.
4. The availability of existing road space for additional residential parking.
5. Any constraints on a development site that may have restricted the provision of parking (e.g. need to retain Listed Buildings).
6. The potential for imposing a limit on the amount of permits provided per household for new developments.
7. Any other issues for example Planning Conditions or Legal Agreements that may prevent or restrict the issuing of permits.
8. Costs for amendments to traffic regulation orders, signs, lines and other administrative work required to add eligible properties to CPZ's from new developments should be met in full by developers.
9. Any guidance on parking provision at new developments needs to be based on car ownership trends, measured to encourage more sustainable modes of travel, new and advancing technologies including the provision of charging facilities at both origin and destination points for electric vehicles as well as changes in government legislation
10. Further information on provision of Electric Vehicle Infrastructure can be found in the NHDC Air Quality Planning Guidance document.

#### **Policy 25 - Electric Vehicle Charging in New Developments and On-street**

*All new development should provide active and passive off-street provision for electric vehicles in accordance with the guidance in the NHDC Air Quality Planning Guidance document. The Council will review its Supplementary Planning Document Parking Standards at New Development at appropriate times to reflect where appropriate changing requirements including advice from Hertfordshire County Council.*

The Council, in conjunction with Hertfordshire County Council as Highway Authority, will also consider the need and viability of on-street charging points. These could

potentially be funded by developer contributions, either in the form of planning obligation payments from new developments or the Pollution Damage Costs compensation mechanism included within the *NHDC Air Quality Planning Guidance* document for Major Scale Developments. Grant funding and business arrangements with private companies specialising in the provision of EV charging infrastructure would also represent a means of provision of on-street charging.

An Electric Vehicle Strategy is currently in development which will outline the Council's approach to electric vehicle charging provision in new developments and on-street. The criteria the Council may include, but not be limited to, is as follows:

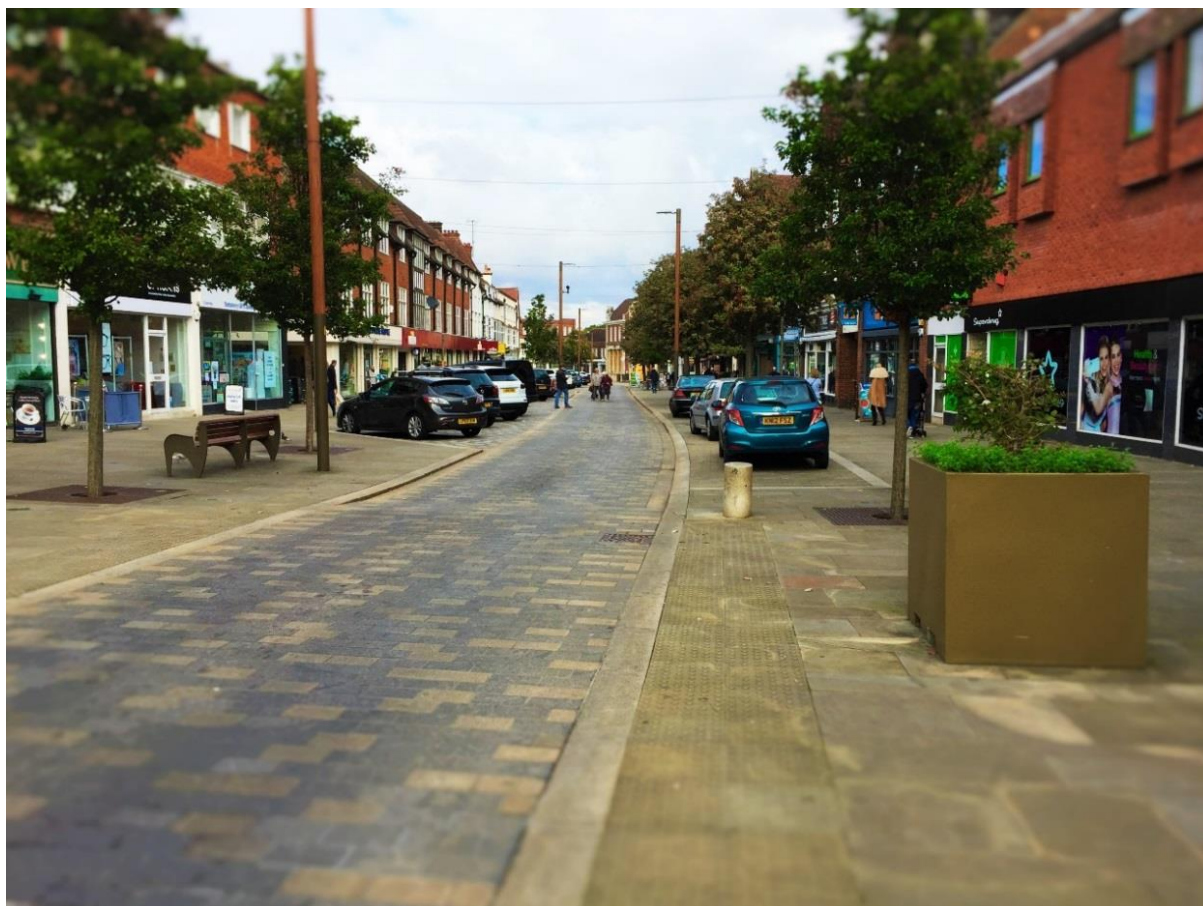
1. Determining the most appropriate EV charging units based on local conditions and infrastructure.
2. Recommendations on how to promote/ facilitate EV uptake amongst those reliant on on-street parking.
3. Involvement of local communities via the Parking Issues Reporting Pack (Appendix A and B).

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<sup>i</sup> North Hertfordshire Parking Strategy 2019-2031 adopted by Full Council on 29 January 2019 and can be viewed at: <https://www.north-herts.gov.uk/home/parking/parking-strategy>

# North Hertfordshire District Council Parking Issues Reporting Pack

## Part 1 - User Guide



**Version 1 - November 2019**

DRAFT

## Part 1 - List of Contents

Section 1	-	Introduction
Section 2	-	What are parking controls?
Section 3	-	When might parking controls be needed?
Section 4	-	Responsibility for promoting new parking controls
Section 5	-	Considering the request
Section 6	-	The Traffic Regulation Order process
Section 7	-	Information required

## Further Information

Should you require assistance or further information to complete this pack, please contact North Hertfordshire District Council:

Phone:



01462 474000

E-mail:



[transport@north-herts.gov.uk](mailto:transport@north-herts.gov.uk)

Write to:



North Hertfordshire District Council  
PO Box 10613, Nottingham, NG6 6DW

## Section 1 - Introduction

This Parking Issues Reporting Pack is a guide for reporting parking issues to North Hertfordshire District Council and for making requests for measures to control parking on the public highway. Parking, where a vehicle is typically left unattended for a period of time, is often the main source of complaint, however waiting, stopping and loading / unloading is also covered within this pack.

This Part 1 provides an overview of the parking control measures that are typically applied, when they are likely to be considered and the process by which they are brought into effect. Having read this information, if a valid parking issue remains that needs to be reported then Part 2 provides details of the information that needs to be submitted to North Hertfordshire District Council in order for the request to be considered further.

It should be noted that North Hertfordshire District Council receive a large number of requests for parking controls which will invariably outweigh the resources available to progress them. There is therefore no guarantee that parking related schemes will be chosen for progression, nor that any chosen schemes will be progressed in priority order.

Traffic Regulation Orders, the legal document that gives effect to many parking control measures, is referred to throughout this pack. For ease, this has been abbreviated to TRO or TROs.

Hertfordshire County Council as Highways Authority permits North Hertfordshire District Council to produce TRO's on its behalf under an agency agreement.

## Section 2 - What are parking controls?

Parking control is a generic term used in this pack for measures that control where and when vehicles wait (park), stop or load / unload on the public highway. More specifically they may form one or a combination of the more commonly used measures outlined in this section.

**Waiting restrictions.** These are indicated by yellow lines at the side of the road and a yellow time plate located on lamp columns or posts at the edge of the pavement. Where there are yellow lines on the road the waiting restrictions apply to the whole of the public highway, up to the centre of the road and also include adjoining verges, footways and cycleways:

- **Double yellow lines.** These lines prohibit parking 24 hours a day, everyday of the year. Sign plates are no longer required unless the restrictions are in force during certain months of the year only e.g. March through to September.
- **Single yellow lines.** These lines prohibit parking for less only apply on certain days of the week only. Sign plates are required to indicate the details of the restriction.





There are exemptions for parking on double or single yellow lines. Drivers may wait on yellow lines as long as is reasonably necessary to load and unload bulky goods or to pick up or drop off passengers.

Exemptions also apply to:

- Blue Badge holders displaying a valid badge
- Emergency service vehicles
- Statutory undertakers vehicles

**Yellow kerb markings.** These indicate that there are loading restrictions in force that prohibit a vehicle from stopping to load / unload. Double blips indicate that the restriction is in force at all times, single blips for specified times of the day or days of the week. There are no exemptions to wait while the restriction is in force. Blue badge holders are not allowed to wait where there are loading blips.



**Verge and Footway restrictions.** Where there are no waiting restrictions in force on the road that would also apply to adjoining public verges and footways, a prohibition can be introduced separately by way of signing that prohibits parking on verges and footways for the times and durations shown on the signs.



**Clearways / Bus Stop Clearways.** A clearway prohibits stopping at all times along a main carriageway or may restrict stopping except for certain vehicle types such as buses. At a bus stop a no stopping except buses clearway restriction is marked by a thick solid yellow line within a bus stop cage marking, and has a sign showing the times of the restriction that can be less than 24 hours a day.



**School zig-zag markings.** School zig-zag markings are covered by a TRO which prohibits waiting and loading / unloading of passengers typically between the hours of 8am to 5pm Monday to Friday on school days, or as otherwise shown on the accompanying sign. These restrictions are in place to maintain road safety for children and parents around the entrance to the school.



**Prohibition of waiting by Goods Vehicles and Buses.** Signs give effect to a TRO prohibiting waiting (but not loading) by any goods vehicle with a maximum gross weight as indicated on the signs. The TRO may also refer to buses, either in addition to, or in place of goods vehicles. Restrictions are normally applied overnight and at weekends as an environmental measure, in zones or on individual roads.



**Parking Places.** Parking places are indicated by white dashed lines on the road with an accompanying road sign adjacent to the bay. Drivers must park within the limits of the marked out bay.



**Resident Parking Zone.** A resident parking zone is an area where parking is controlled to benefit residents and visitors. During controlled hours you need a parking permit to park. Different Resident Parking Zones have different operational hours and days.

**Other types of parking places include:**

- Limited waiting bays
- Loading only bays
- Disabled badge holders only
- Bus Stops (buses only)
- Taxi ranks



### Section 3 - When might parking controls be needed?

The public highway can consist of a carriageway, footpath, pavement and grassed verge and in law nobody has any right to do anything on the highway except to pass and re-pass (i.e. to travel along the road or footway).

Parking on the highway, however wide, is an obstruction and an enforceable offence. No driver has a legal right to park on the road, though in reality such are the demands of modern life that on-street parking on most roads is condoned where the degree of obstruction is relatively small.

In the first instance, before parking controls are considered, issues relating to parking that causes a road safety concern or an obstruction, including parking on footways, should be referred to Hertfordshire Constabulary for them to advise whether the matter can be addressed through enforcement action. Hertfordshire Constabulary can be contacted on their non-emergency telephone number 101 or via their website [www.herts.police.uk](http://www.herts.police.uk)

The Highway Code is the official guide that all drivers are required to abide by. Knowing and applying the rules contained in the Code could significantly reduce road casualties.

The following are two sections of the Code that relate to parking:

#### 242

You **MUST NOT** leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction of the road.

#### 243

**DO NOT** stop or park

- Near a school entrance
- Anywhere you would prevent access for Emergency Services
- At or near a bus or tram stop or taxi rank
- On the approach to a level crossing or tramway crossing
- Opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- Near the brow of a hill or hump bridge
- Opposite a traffic island or (if this would cause an obstruction) another parked vehicle
- Where the kerb has been lowered to help wheelchair users and powered mobility vehicles
- In front of an entrance to a property
- On a bend
- Where you would obstruct cyclists' use of cycle facilities (except when forced to do so by stationary traffic)

It is often when the demand for parking outweighs the opportunities available that the above guidelines get impinged upon, with the likely result being an adverse effect on the normal operational use of the highway. This is typically when a request is made for controls to address a resulting issue.



Parking controls are therefore typically required to uphold and improve road safety and to prevent obstruction of the highway. Other reasons include:

- Protecting visibility at junctions and pedestrian crossings
- Maintaining access (including emergency access) along narrow streets
- Increasing the turn over of use of short stay parking spaces in town centres to meet parking demand
- Maintaining bus route access and keeping bus stops clear of parked cars
- Increasing road safety for children around schools
- Maintaining disabled parking provision in town centre areas
- Managing commuter parking through the use of permits in areas surrounding the town centres and railway stations
- Preserving or improving the amenities of the area through which the road runs

#### **Section 4 – Responsibility for promoting new parking controls**

Traffic Authorities are receiving increasing demands relating to the management of roads, requiring consideration of placing both negative and permissive parking measures on the highway by way of TROs. Both will place controls on where and when parking (waiting), stopping and loading / unloading can occur with negative measures placing prohibitions and permissive measures providing controlled on-street parking and loading / unloading provision.

Under The Road Traffic Regulation Act 1984, the Traffic Authority for all roads in Hertfordshire (except motorways and trunk roads) is Hertfordshire County Council (Hertfordshire County Council), with North Hertfordshire District Council carrying out certain functions through delegated agency agreements including enforcement of most parking controls.

Both Hertfordshire County Council and North Hertfordshire District Council have distinct priorities and motivations for taking the lead in implementing parking relating TROs.

#### **North Hertfordshire District Council is likely to take the lead in:**

- The provision of parking for various users through the introduction of minor controls, or more extensive controlled parking zones. For example, Resident Parking Schemes are considered in areas, often near railway stations or town centres, which experience persistent parking problems with commuters, shoppers and others who do not live or have businesses on typically residential streets.
- The management of parking to meet wider, corporate objectives as set out in the adopted Parking Strategy, such as the provision of disabled parking in town center's and management of pavement parking where considered appropriate in accordance with legislation
- Obstruction to a driveway or dropped kerb pedestrian crossing point, or if the issue relates to parking on existing restrictions.

### Hertfordshire County Council is likely to take the lead in:

- The promotion of parking controls to tackle potential / perceived highway safety issues.
- Parking controls to accompany planned highway improvements, including those required by third-party developers.

The County Council can exercise their duties by proposing a TRO when it is deemed expedient to address the following statutory purposes:

- for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising
- for preventing damage to the road or to any building on or near the road
- for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)
- for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
- (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot
- for preserving or improving the amenities of the area through which the road runs
- for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

If the issue remains following consultation with the Police and / North Hertfordshire District Council then a new parking control measure may need to be considered by Hertfordshire County Council.

Please note that it is unlikely for issues that occur wholly on private roads to be considered. However these, plus any that occur partially on private roads, maybe considered if there is a knock-on effect to the use of the public highway.

## Section 5 – Considering the request

On receipt of the completed pack (Part 2), the contact details supplied in Section 2 of Part 2 will be used to acknowledge receipt (e-mail will be used if supplied).

The information in the completed pack will then be **reviewed** to determine whether:

- The location has already been reported to North Hertfordshire District Council. In this case, the new information supplied will be used to supplement the previous request(s).
- The location is already in the process of being considered. It maybe that parking controls are being considered or already in the process of being promoted, either directly to address the reported issue or that will indirectly address it as part of a wider proposal.

If this is a new request that will not be addressed by an on-going or impending process, the information in the pack will then be **verified** during up to three visits by North Hertfordshire District Council at the times when the issues have been reported to occur.

If the reported issue is not verified through observations during the visits, or the issue is better addressed by other means e.g. through enforcement action, then the initiator of the request will be advised accordingly.

Requests that are verified and deemed suitable will be discussed with the respective North Hertfordshire District Councillors and the Executive Member for Planning and Transport.

NHDC has a modest budget towards producing TRO's which is funded through parking income and S106 funding. Additionally, since the beginning of April 2012, Hertfordshire County Council has introduced Highways Locality Budgets (HLBs) across the entire county as part of its Herts Local Programme of Projects. HLBs provide each County Councillor with a budget to fund highway projects within their respective Electoral Division and represents a commitment to giving local people more say and control over local services. A proportion of the HLB budget can be used to consider new parking control requests.

It should be noted that North Hertfordshire District Council receive a large number of requests for parking controls which will invariably outweigh the resources available to progress them. There is therefore no guarantee that parking related schemes will be chosen for progression, nor that any chosen schemes will be progressed in priority order.

Parking control requests are prioritised on:

- safety
- traffic conditions
- environment and economy
- how people will benefit from the new proposals.

It is likely that no information will be given at this time regarding the timescale to consider the request further, other than the request will be held on a list for consideration of future progression should funding become available.

## **Section 6 - The Traffic Regulation Order process**

The majority of parking controls require a Traffic Regulation Order (TRO), and if an opportunity becomes available to start the process, it should be noted that starting the process does not guarantee the eventual outcome of new parking controls being introduced. In addition to the promoted measures being installed, it is not uncommon for measures to be altered, deferred or cancelled at any stage in the TRO process.

It is understandable that there could be a perception that 'it is a simple case of turning up and painting the lines' when a request is made to control parking. In reality, to promote a TRO requires a mandatory legal process to be followed, that is lengthy and requires both significant resources and time to complete. As a guide, promoting new parking controls at a single location could cost upwards of £5,000 and take between 6 and 18 months to complete.

The very nature of parking controls mean that those who currently park in the proposed controlled area will be affected and opposition to the process is likely to be encountered, especially in residential areas.

The TRO process is designed to engage both statutory stakeholders and the surrounding local community. This is to ensure that those potentially affected have an opportunity to participate into the consultation process and for any feedback to be used to develop any resulting proposal.

Once the request for new parking controls has been received and verified, and funding has been allocated to commence the TRO process, it is typical for the TRO process to progress as follows:

#### **Initial Consultation –**

Officers will undertake the initial consultation, referred to as the informal consultation. This will usually involve a letter and plan showing a potential scheme being issued to the properties fronting the proposal, as well as obtaining the views of statutory consultees, such as Hertfordshire County Council as Highway Authority, Local Councillors and the Emergency Services. The aim of the informal consultation is to identify whether there is community support for the introduction of the proposal, or if applicable, refine the proposal to take account of any feedback.

Based on the feedback received to the informal consultation, in liaison with the respective NHDC Councillors and the Executive Member for Planning & Transport, a decision will be made on whether a draft scheme will be prepared. The potential scheme at the initial consultation is based upon the information provided in the application.

#### **Draft Scheme –**

Where the informal consultation has identified a potential scheme, and the respective North Hertfordshire District Councillors supports progressing the scheme further, a draft scheme will be prepared for formal advertising. Once a draft scheme has been submitted for advertising, it is not possible to extend the proposal or make it more prohibitive without re-starting the informal consultation again.

#### **Advertising –**

Any proposed scheme **MUST** be consulted on and advertised. In addition to the initial, informal consultation, the advising stage, referred to as the formal consultation, invites formal comment from statutory consultees and from other interested parties e.g. local residents and businesses.

A notice is advertised in the local newspaper containing details of the proposed TRO and stating a 21 day period within which formal representation can be made. During this period, the notice is also displayed on site notices mounted in any roads that are affected. All relevant documentation, including a copy of the Draft TRO, associated plans, Statement of Reasons and copy of the notice can be viewed at the North Hertfordshire District Council office during normal office hours and on the Council website.

Objections to the proposals and comments of support must be made during this period in writing to the postal or email addresses specified in the notice.

All objections must be considered. Any objections and contentious issues are then reported to and considered by relevant officers in liaison with the respective North Hertfordshire District Councillors and the Executive Member for Planning & Parking, with a recommendation given to the delegated officer. When considering the objections, the delegated officer must decide whether to (a) allow the scheme to proceed as advertised, (b) modify the scheme, or (c) abandon it.

Any recommended modifications can only lessen the advertised proposal e.g. shorten restrictions or make them less prohibitive. Extended or more prohibitive restrictions would need to be re-advertised.

### **Implementation –**

Once agreement has been reached the scheme will then be implemented. This usually requires the installation of signs and lines appropriate to the proposal.

### **Making the TRO –**

To coincide with the installation of the signs and lines as necessary, the TRO can then be formally sealed providing all standing objections have been considered. This is done by way of a further notice advertised in the local newspaper.

### **Commencement –**

Enforcement of the new restrictions can commence following notification of the making the TRO.

Invariably the introduction of new parking controls will be viewed with differing opinions; with varying levels of either support or opposition, and often an individual's view of any problem will understandably be formed on how they are affected by the proposal. It therefore may not be possible to conclude the process with an outcome that meets with overall public acceptance or that fully meets the desired outcome of the initial request made in the pack.

The proposal needs to consider the potential impact on current parking trends, and therefore if appropriate the proposal will try to seek the optimum balance between addressing the perceived issue whilst maximising any remaining areas for safer on-street parking. Furthermore, the knock-on effect to nearby areas that displaced parking may cause will also be considered, and whilst it is not possible to precisely predict where parking will be displaced, 'blanket' parking restrictions over a wider area are unlikely to be considered unless designed to address a specific issue.

## **Section 7 – Information required**

The information required by North Hertfordshire District Council in order for the request to be considered further is outlined in **Parking Issues Reporting Pack Part 2 – Application Form**



# **North Hertfordshire District Council Parking Issues Reporting Pack**

## **Part 2 – Application Form**



**Version 1- November 2019**



## Parking Issues Reporting Pack

DRAFT

## Parking Issues Reporting Pack

### Part 2 - List of Contents

Section 1	-	Completing this reporting pack
Section 2	-	Contact details of the person reporting the parking issue
Section 3	-	Details of the parking issue being reported
Section 4	-	Timing and frequency of the parking issue being reported
Section 5	-	Log of Evidence
Section 6	-	Any further information
Section 7	-	Suggested solution to the reported parking issue
Section 8	-	Details of others that support this request
Section 9	-	Endorsements
Section 10	-	Declaration

### Further Information

Should you require assistance or further information to complete this pack, please contact North Hertfordshire District Council:

Phone:



01462 474000

E-mail:



[transport@north-herts.gov.uk](mailto:transport@north-herts.gov.uk)

Write to:



North Hertfordshire District Council  
PO Box 10613, Nottingham, NG6 6DW



## Parking Issues Reporting Pack

### Section 1 – Completing this reporting pack

Part 1 – User Guide outlines the comprehensive processes that need to be followed.

To assist these processes it is essential that North Hertfordshire District Council gathers as much detailed information as possible. Completing this pack will help us understand the reported issue and, where needed, allow a priority to be given when compared to other requests. It is therefore important to complete each of the following sections in full wherever possible.

The location of the request could be made available for public viewing although the personal details will remain confidential.

Please complete this form using a blue or black ballpoint pen and ensuring that all information provided is legible. Completing the form in CAPITAL letters is preferable where space permits.

**Please feel free to use and attach additional sheets to provide further information to the space provided in each section of this form.**

### Section 2 - Contact details of the person reporting the parking issue

*If this issue is being reported by more than one person, please complete this section for the person who will act as the main contact for any future correspondence, and add the details of any others involved with this report in Section 8.*

*Please note that your name, postal address and at least one contact telephone number or e-mail address is required. Failure to supply this information may prevent the matter being considered further.*

Name:

Postal address:

Postcode:

Daytime telephone:

Evening telephone:

Mobile telephone:

E-mail address:



## Parking Issues Reporting Pack

The information provided in this Parking Issues Reporting Pack will be processed in accordance with the Data Protection Act 2018. The information is held by North Hertfordshire District Council for the purpose of logging requests for new parking controls. Under the Freedom of Information Act / Environmental Information Regulations your personal details will not be passed to any third party without your prior consent.

**Are you reporting this issue in an official capacity e.g. as a Councillor or a Police Officer, or on behalf of an organisation e.g. a Resident Association?**

Yes / No  
(delete as applicable)

If Yes, please state:

### Section 3 - Details of the parking issue being reported

**Location of reported issue:**

*Please write an exact location of where the reported issue occurs e.g. High Street junction with North Road or along a particular section of 'named' road.*

**Town / Village:**

## Parking Issues Reporting Pack

### Description of reported issue:

*Please write an exact description of how the parking occurs and what issue this is reported to cause e.g. parking occurs close to the junction which blocks visibility to oncoming traffic.*

*Please use the following page to provide a sketch to help describe the issue.*

**To the best of your knowledge, are all the roads subject to this report part of the Public Highway (roads that are maintained at public expense?)**

Yes / No / Don't Know  
(delete as applicable) \*

If No, do you know who owns the road(s):

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\* - further information on which roads are maintained at public expense (public highway) can be found at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx>

## Parking Issues Reporting Pack

Sketch of the reported parking issue:

A large rectangular area intended for a sketch of the reported parking issue. The area is mostly blank, but it is covered by a large, light gray, diagonal watermark that reads 'DRAFT' in all capital letters.

## Parking Issues Reporting Pack

### How do you classify the reported parking Issue?:

Please tick the category that best suits the reported issue. If you feel more than one category applies, please tick more than one box and then provide an additional score of 1, 2, 3 etc with 1 being the highest concern, 2 the secondary concern, and so on.

Category:	Category applies (please tick ✓)	Where more than one category applies, please mark 1, 2, 3 etc to indicate the order in which you prioritise each category (1 being the highest concern)
Safety <i>e.g. the potential for collision between road users is increased.</i>		
Congestion <i>e.g. normal traffic flows are obstructed.</i>		
School Access <i>e.g. access in and out of school is obstructed.</i>		
Commuter Parking <i>e.g. parking is a result of users of a nearby town centre or railway station.</i>		
Residents Parking <i>e.g. on-street parking needs to be controlled that gives priority for parking to local residents.</i>		
Access <i>e.g. access for delivery vehicles, refuse vehicles and emergency vehicles is blocked or impeded.</i>		
Impact on Existing Zone <i>e.g. where there has been a significant change caused by a change in a nearby land use/activity and the restrictions require review or the zone reaching over capacity.</i>		



## Parking Issues Reporting Pack

### Section 4 – Timing and frequency of the parking issue being reported

**When does the parking occur, for how long and how often?:**

Days of the week:

Duration	Reported issue occurs (please tick ✓ one box only)	Additional information <i>e.g. parking only occurs on a Saturday when there are football matches on the nearby playing fields.</i>
Everyday		
Monday to Friday only		
Weekends only		
Other <i>e.g. Saturday only.</i>		

Times of the day:

Duration	Reported issue occurs (please tick ✓ one box only)	Additional information <i>e.g. parking only occurs between 9am and 11am on a Saturday when there are football matches on the nearby playing fields.</i>
24 hours a day		
Daytime only <i>e.g. 8am to 6pm.</i>		
Evenings only <i>e.g. 6pm to 10pm.</i>		
Overnight <i>e.g. 8pm to 8am.</i>		
At school times <i>e.g. Monday to Friday around 9am and 3pm.</i>		
Other <i>e.g. only between 9am and 11am on a Saturday.</i>		

## Parking Issues Reporting Pack

How frequent:

Frequency	Reported issue occurs (please tick ✓ one box only)	Additional information
Constant <i>e.g. it happens all the time.</i>		
Regular <i>e.g. it happens most of the time.</i>		
Varies <i>e.g. there maybe weeks between the issues occurring.</i>		

Additional information:

### How long have you been aware of the issue?

*If this is 'for as long as I can remember' or 'for as long as we have been living here' then please try to quantify this with an actual timescale e.g. for ten years.*

### Are you aware of a change locally that may have resulted in this parking issue?

*e.g. a nearby car park has closed or a new business has opened that attracts parking.*

Yes / No  
(delete as applicable)

If Yes, please provide details:

### If this is a likely result of a change locally, do you know whether this is a temporary change that may end and return the parking to its previous levels?

Not applicable / Yes / No... Don't Know  
(delete as applicable)

If Yes, please provide details:

## Parking Issues Reporting Pack

### Section 5 - Log of Evidence

To support your request we require a detailed log of evidence to consider the reported issue.

Please use the log below to collate evidence over a period **of at least four weeks**, to log the dates and times the issue occurs, the observed cause and resulting issue.

'Issue' – this could include visibility issues between vehicles, or vehicles and pedestrians, parking that obstruct dropped kerbs for pedestrians, driveways or garages, or that hampers deliveries. Could also include the perceived source of the parking issue e.g. school related or commuters.

'Users affected' - please highlight the type of road users that are impacted by the reported parking issue. There could be high numbers of children, elderly pedestrians, and cyclists etc that are more vulnerable than others.

An example of how to complete this log is shown in italics at the top of the following table:

NB: When describing issues in the log, please ensure that no individual is specifically named. The location and number of cars at the time of reporting is sufficient.

Date	Time	Description	Issue	Users affected
<i>26/04/2019</i>	<i>8am to 6pm</i>	<i>Parking on the junction. 4 cars on the southern side and 2 cars and a van on the northern side.</i>	<i>Parked vehicles are difficult to pass and you are forced into oncoming traffic. Very hard to see traffic on the main road when trying to exit the junction.</i>	<i>Large vehicles, including emergency service and delivery vehicles.</i>

## Parking Issues Reporting Pack

Evidence log continued:

Date	Time	Description	Issue	Users affected

## Parking Issues Reporting Pack

Evidence log continued:

Date	Time	Description	Issue	Users affected

Page 161

### Photographs of the reported parking issue:

Photographs are very useful to help demonstrate a reported parking issue. If photographs are available please supply these with the completed pack electronically (please note that file sizes will need to be kept to a minimum to transfer electronically). Alternatively, photos can be supplied as hard copies (e.g. paper prints).

## Parking Issues Reporting Pack

## Section 6 – Additional Information

In order to assist your application, please complete the table below detailing how many properties in the area highlighted in your application do and do not have off-street parking.

	Number
Number of properties in street with off-street parking	
Number of properties in street without off-street parking	
Capacity of the street for on street-parking (e.g. number of potential parking spaces)	

Please use the space below to write any further information on the reported parking issue.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

## Parking Issues Reporting Pack

### Section 7 - Suggested solution to the reported parking issue

Before suggesting a possible solution, please provide the following information:

**Have you tried to address this issue before with other authorities?**

*e.g. have you contacted the Police regarding obstructions.*

Yes / No  
(delete as applicable)

If Yes, what was the outcome:

*e.g. has enforcement been attempted and the issue has re-occurred.*

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**Have you raised this issue before with North Hertfordshire District Council?**

Yes / No  
(delete as applicable)

If Yes, what was the outcome:

*e.g. was the request rejected or only partially addressed.*

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**Will this solution likely to have further impact on adjacent/other roads/routes?**

Yes / No  
(delete as applicable)

If Yes, please provide further information:

*e.g. if a Controlled Parking Zone is proposed, what other roads in the immediate vicinity would be affected by the displacement of vehicles?*

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The information provided in Part 1 – User Guide outlines the typical parking controls that could be applied to place controls on where and when vehicles can wait (park), stop or load / unload, to address the issue reported. If you have your own suggestions on how this issue could be addressed, please write your suggestion(s) below and include a sketch to help describe your idea(s).

Please note that should this request be considered, an independent assessment will be carried out by North Hertfordshire District Council and if considered necessary in consultation with Hertfordshire County Council as the Highway Authority and the Police -any suggestion(s) made below will be fully considered although any resulting measures promoted may vary:



## Parking Issues Reporting Pack

### **Suggested solution:**

*e.g. single yellow lines are needed to restrict parking during the day for a certain period or/and a resident parking permit scheme is required, or double yellow lines are needed to prevent parking 'at any time' at the junction.*





## Parking Issues Reporting Pack

**Sketch of the suggested solution:**

## Parking Issues Reporting Pack

### Section 8 - Details of others that support this request

Those listed below support this request and agree with the suggested solution (where applicable) –

#### Notes:

1. **You must attempt to seek support from all properties fronting where the proposed parking solution is suggested, plus a minimum of five properties beyond in any direction.**
2. **The completed pack cannot be returned until you have at least 80% of the consulted properties indicating their support (at least one indication per property).**
3. **Addresses shown that are not directly at the location of the proposal must be accompanied by an explanation of how their support is relevant to the issue.**

*The information provided in this Parking Issues Reporting Pack will be processed in accordance with the Data Protection Act 2018. The information is held by North Hertfordshire District Council for the purpose of logging requests for new parking controls. Under the Freedom of Information Act / Environmental Information Regulations your personal details will not be passed to any third party without your prior consent.*

*If you consent to your personal information and comments being made public, should we receive a request under the Freedom of Information Act / Environmental Information Regulations for copies of the information, please indicate below.*

Name	Address	Signature	If applicable, I support the suggested solution included in Section 7 (please tick below)	I consent to my personal information and comments being made public (please tick below).



### Parking Issues Reporting Pack

Name	Address	Signature	If applicable, I support the suggested solution included in Section 7 (please tick below)	I consent to my personal information and comments being made public (please tick below).



### Parking Issues Reporting Pack

Name	Address	Signature	If applicable, I support the suggested solution included in Section 7 (please tick below)	I consent to my personal information and comments being made public (please tick below).



## Parking Issues Reporting Pack

**Are you aware of others who may oppose any course of action?**

Yes / No / Don't Know  
(delete as applicable)

If Yes, please indicate the level of  
opposition expected:

.....

.....

.....

.....

### Section 9 - Endorsements

Before returning this completed pack you **must** contact the relevant District Councillor and Town / Parish Council to seek their initial feedback on the reported issue.

Contact details can be obtained at the following links on our website:

<https://democracy.north-herts.gov.uk/mgMemberIndex.aspx?bcr=1>

<https://www.north-herts.gov.uk/home/council-and-democracy/councillors/your-councillors>

#### **Councillor Feedback:**

**Name of Councillor:**

.....

**Feedback:**

.....

.....

.....

**Date:**

.....

#### **Town / Parish Council Feedback:**

**Person contacted:**

.....

**Feedback:**

.....

.....

.....

**Date:**

.....



## Parking Issues Reporting Pack

### Section 10 - Declaration

The information contained in this Parking Issues Reporting Pack is true to the best of my knowledge and belief:

**Name (print):** \_\_\_\_\_

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Please ensure that the pack is completed in full and contains as much detail as possible. Please check that all information is legible before it is returned, with all attachments and supporting information, to:

North Hertfordshire District Council  
PO Box 10613  
Nottingham  
NG6 6DW

Or if completed electronically or in a scanned format, to [transport@north-herts.gov.uk](mailto:transport@north-herts.gov.uk)

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#### *North Hertfordshire District Council Use Only*

*Date Parking Issues Reporting Pack received:* \_\_\_\_\_

*Electoral Division where issue relates:* \_\_\_\_\_

**Summary of comments received at Area Committee Meetings in January 2020 including further written comments received by Royston Town Council, Letchworth Garden City Heritage Foundation, Weston Parish Council, Knebworth Parish Council and Letchworth BID to the draft NHDC Parking Operational Guidelines.**

Policy #	Comment	NHDC Officer response
<b>Southern Rural Committee</b>		
Policy 5	The deletion of point 7 on page 42 of the report as the resourcing cost was covered in point 5 on page 42 of the report.	Point 7 has been deleted.
Policy 6	Add 'if required' to the end of point 3 on page 42 of the report.	Point 3 has been amended to include 'if required'.
Policy 5	The deletion of 'and at least once during the life of NHDC parking strategy' under Policy 5 – Off-street Car Park Tariff Reviews on page 42.	Point noted, this forms part of the agreed policy contained in the adopted Parking Strategy. This refers to undertaking at least one full detailed review during the life of the Strategy and does not preclude other reviews from being undertaken in order to assess parking demand across the town centres.
<b>Royston Town Council</b>		
General	Members believe that parking arrangements work well in Royston and would not like to see them amended greatly.	Noted.
Policy 2	Members agreed that identifying more off street parking areas within Royston for short term free parking would be beneficial.	Noted. However, point 5. in Policy 2 states that NHDC will ensure that on-street and off-street parking should cover the cost of providing the service.
Policy 6	Members disagreed fundamentally with policy 6. There should not be parking charges for evenings, Sundays and Bank Holidays in Royston. There are no buses that run during these times and so members of the public have little alternative but to drive and park.	Noted; Officers are of the view that the policy remains appropriate given the life of the Strategy, in that it proposes to review these issues in consultation with relevant Members and key stakeholders. As the document states: 'any review will be carried out in consultation with relevant stakeholders'. This would include consulting Royston Town Council.
Policy 13	Members welcomed policy 13 – more provision of cycle parking as part of the parking review.	Noted.
Policy 16 and 25	More electric charging points would be beneficial.	Noted. Officers are currently working on an EV Charging Strategy, and the guidelines at Policies 16 and 25 will be updated accordingly to reflect this.
<b>Hitchin Committee</b>		
General	Fines should be proportionate to the parking offence.	Penalty Charge Notices (PCNs) are set under current guidance set out within the Traffic Management Act 2004

General	Implementing residential Electric-Vehicle charging points.	Officers are currently developing an Electric Vehicle Strategy. Once this work is completed, Policies 16 and 25 of the NHDC Parking Operational Guidelines will be updated to reflect this.
Parking Issues Reporting Pack	What would happen after a member of public had reported a parking issue.	Officers follow an internal process to review all parking issues submitted and will notify the member of public reporting the issue whether it will be taken forward on the NHDC Parking Work Programme. This process will be made clear on the Council's website.
Parking Issues Reporting Pack	Ways in which the Parking Reporting Pack would be publicised to the public.	Officers are currently working with NHDC Communication team to promote the pack subject to agreement by Cabinet to adopt the Guidelines and the Parking Pack. This will include an item in Outlook, and on the NHDC website and also informing the Parishes and Members through MIS.
Parking Issues Reporting Pack	Concerns over the requirement to keep a log of the parking issue for four weeks.	Noted; Officers are of the view that four weeks should be the minimum time to fully understand how the parking issue may change over time including at evenings and weekends. This timeframe also enables standardisation so that parking issues reported can be compared to determine their severity level and priority level on the Parking Work Programme.
Policy 4	Concerns over cashless parking.	This policy affords the Council the opportunity to investigate alternative payment mechanisms to keep abreast of changing technologies and customer demand. The intention is to provide a range of payment options to the customer.
Policy 6	Charging for parking at weekends, evenings and on Bank Holidays and the affect that this may have on the economy of the town. It was important that there was a district-wide consultation on the potential possibility of charging weekends, evenings and on Bank Holidays.	Noted; officers are of the view that the policy and assessment criteria remain appropriate given the life of the Strategy, in that it proposes to review these issues in consultation with relevant Members and key stakeholders. 'Relevant stakeholders' are referenced in the adopted Parking Strategy and would include the relevant ward and parish councillors, relevant organisations involved in town centre management, Hertfordshire County Council and Hertfordshire constabulary. This does not preclude other local stakeholders from being consulted such as other car park operators.
Policy 6	The need to increase public transport services after a certain time especially in the evening.	This falls outside of the scope of the Parking Operational Guidelines but is covered in Hertfordshire County Council's Hertfordshire Local Transport Plan (LTP4).
Policy 8	The time limit imposed on on-street parking and the possibility of increasing this especially on Hermitage Road.	Noted; The Parking Operational Guidelines allows the flexibility to look at on-street parking on a case by case basis.
<b>Letchworth Garden City Heritage Foundation</b>		
Policy 1	We would appreciate if sufficient resources could be made available to review TROs and CPZs, particularly linked to Letchworth Garden City Station, as promoted in the later policies	Noted; completion of the current town-wide parking review of Letchworth is a short-term goal on the strategic action plan within the NHDC Parking Strategy. This includes reviewing some of the parking issues in streets in close proximity to the railway station.



Policy 2	We would suggest that there is an depth review that sets out a clear parking strategy, something that has been looked at recently and not published.	The NHDC Parking Strategy was adopted in January 2019 and as stated in Policy 2, will periodically review the level of off-street parking capacity in town centres.
Policy 2	It is essential that at the heart of this is the need to combine alternative modes of travel, in line with Herts County Council policy, and how the Council can help facilitate this, for example by supporting improvements to buses and the station forecourt, as well as pedestrian and cycle links. Car parking should be considered against the needs of the town as a whole and as part of a multi modal approach, which can support the vitality of the town centre.	This falls outside of the scope of this document. However, the Parking Strategy recognises the need to manage the volume and type of on and off-street parking in a balanced approach to meet more sustainable modes of transport whilst helping to support the vitality of the town centres. This is listed as one of the Parking Strategy objectives. The Council is working together with the Heritage Foundation and HCC in developing a Sustainable Travel Town which accords with the policies in LTP4.
Policy 3	Part of the reason that car parks and in particular the multi storey car park are underutilised is that they are unstaffed and unappealing. If the multi storey was made to be a safer, more usable and an attractive place, it would be far better used and could serve a greater range of activities, including long term commuter parking.	Noted. The Council has an ongoing maintenance programme to ensure that its car parks are safe and fit for purpose. The Council is also investigating other types of payment and permit options to improve usage. The Council is also working together with the Letchworth Bid, the LGCHF, the Garden Square Shopping Centre and the Hertfordshire LEP to consider options to encourage more visitors to the town centre.
Policy 3	The Council should look at how this could be facilitated (e.g. pedestrian access on to Gernon Road), better staffing and upgrading, to ensure that this asset is better used to the benefit of business and the local community.	Noted. This is outside the remit of this document and forms part of the work associated with the review of the Letchworth Town Centre Strategy and the Bid to HCC to consider making Letchworth a Sustainable Travel Town.
Policy 3	The answer is not to close these facilities, which solely means that those who perpetrate the anti-social behaviour win, and the local community loses.	Noted. The Council has policies in place to deal with anti-social behaviour in our car parks. The Council is also investigating other types of payment and permit options to improve usage as a means of controlling anti-social behaviour.
Policy 5	Any increases in the car parking tariffs will be to the detriment of local businesses and those members of the community that are less well off and need to access the town centre.  As with all town centres, Letchworth Town Centre is feeling the effects of a shift in shopping habits and the role of town centres. This places many businesses at risk and it is essential that the Council support these by encouraging visitors to the town by a range of transport modes. Increases to the parking fees will be harmful to the vibrancy and vitality of the town centre, which Council's policies	The criteria as set out in Policy 5 do not preclude the Council from taking into consideration all users of the town centre. Any Signiant tariff review would involve consultation with key stakeholders including local businesses.

	otherwise support. We would therefore be concerned about further increases to parking charges.	
Policy 6	There has been significant investment in the leisure offer for the town centre, which relies on evenings and weekends. To extend the charging hours could only be harmful to these businesses, particularly when competing businesses in for example Stevenage Leisure Park provide free car parking and easy station access. Inevitably, there would also be an impact on local residents as people would seek to park in residential areas to avoid charges, as this would be outside CPZ time restrictions, causing disturbance and parking issues for residents in the evenings and Sundays. We would therefore strongly object to any extension of car parking charging hours.	Noted; officers are of the view that given the life of the strategy the policy remains appropriate; in that it proposes to review these issues in consultation with relevant stakeholders.
Policy 9	Letchworth has retained much of its service provision, e.g. banks and building societies and this is in part to the ability for customers to park for a short period on Leys Avenue, Gernon Road and Eastcheap. These quicker visits also help to sustain a number of businesses and to introduce charging would be harmful to the local economy and also to the detriment of the local community. This would also introduce a street clutter in Letchworth that the Foundation invested heavily to reduce.	Noted; Officers are of the view that the policy is appropriate in that it refers to careful consideration on a case by case basis and in consultation with relevant Members and key stakeholders.
Policy 10	We are of the view that there is an opportunity to review the location of disabled and loading bays with local stakeholders and users to check that these are in the correct locations.	Noted; this doesn't preclude the Council from reviewing the locations of disabled parking bays as required. The Council is currently working with HCC regarding the current restrictions for disabled parking in the town centre.
Policy 16	We have provided an electric car charging point in the town centre and would support further provision.	Noted; Officers are currently developing an Electric Vehicle Strategy. Once this work is completed, the NHDC Parking Operational Guidelines will be updated to reflect this.
Policy 17	As many employees in the town centre rely on their cars and are on lower incomes, we support the provision of subsidised parking for these people. Many of these employees are forced to park on street and a scheme of this nature could improve problems associated with this.	Noted.

Policy 18	It is disappointing that the Council is not looking at this issue in the round. The problem of commuter parking is in part due to demand and supply as indicated in the guidelines, but there is a failure to recognise that the problem is also linked to poor provision of safe and convenient non-car modes. In particular bus provision is poor and not suited for many commuters, cycle lanes are patchy and there can be problems of safe cycle parking, which means that most commuters have no option other than to use their cars and try to park nearby. Therefore, a more strategic approach is necessary to ensure that alternative modes of transport are supported, in addition to car parking.	The Parking Strategy recognises the balance that needs to be struck between parking and more sustainable modes of transport. It is acknowledged that a more strategic approach could be taken. The Parking Strategy covers the period 2019 - 2031 and it is recognised that Strategy and its associated Operational guidelines should be kept under review during this period as technological and transport patterns change over time.
Policy 19	We welcome the aspiration to address parking issues, but this should be in the context of comments made regarding Policy 18. We would welcome a comprehensive review of the CPZ linked to the town centre and station. There are significant problems on certain roads, such as Bedford Road, and the current CPZ in places can appear piecemeal. We would therefore recommend a comprehensive review of the CPZ for Letchworth.	Noted; completing the town-wide parking review of Letchworth is a short-term goal on the strategic action plan within the NHDC Parking Strategy. This includes reviewing some of the parking issues in streets in close proximity to the railway station.
Policy 21	We would welcome a review of the Letchworth CPZ to ensure that roads presently affected by daily on-street parking are addressed, but also a more strategic approach is taken including an understanding of the bigger picture regarding parking habits, the implications of putting some roads in the CPZ and the promotion of alternative travel modes.	Noted; while completing a town-wide parking review of Letchworth is a short-term goal on the strategic action plan within the NHDC Parking Strategy, and broader more comprehensive review taking into account other sustainable modes of travel would form part of a longer term project arising out of the sustainable travel town initiative.
Policy 23	We would object to this proposal. The CPZ has been created because of problems arising from on-street parking and not as a fee income generator. There are important amenity, safety and environmental reasons for restrictions on certain streets and selling spaces with the residents gaining no benefit from it, would be harmful at a number of levels and places the question why restrictions were imposed in the first place. This measure will only encourage car use, clog up residential	Noted; Preparatory work for a commuter parking strategy is scheduled as part of the short-term goals within the NHDC Parking Strategy.

	streets and create conditions prejudicial to the visual and environmental amenity for residents. We are therefore of the view that this is unacceptable and are strongly against this recommendation.	
Policy 24	<p>The Council's parking policies must reflect the aspirations of the County Council to promote modal shift. Therefore, car parking should be considered against encouraging of alternative modes of transport, discouraging additional car use, which creates issues for the wider highways network. Car parking standards should reflect this approach and become less rigid, encouraging innovation and alternative approaches. Therefore, different models should be accepted by the Council, where if alternative sustainable travel solutions are proposed or exist, there should be an encouragement of reduced car parking or the use of parking lots that can be re-purposed in the future, should car usage decline.</p> <p>Town centre developments should have the potential for reduced or zero car parking provision, particularly if the Council takes a more strategic approach to the provision of public transport and cycling, as well as maximising the use of the car parks, with spaces having a dual purpose (for example daytime shoppers and workers, evening residents).</p>	Noted. The Parking Strategy recognises the need to manage the volume and type of on and off-street parking in a balanced approach to meet more sustainable modes of transport whilst helping to support the vitality of the town centres. This is listed as one of the Parking Strategy objectives. The Council is working together with the Heritage Foundation and HCC in developing a Sustainable Travel Town which accords with the policies in LTP4.
Policy 25	We support the provision of additional car charging points in the street, but would wish to seek to ensure that this is not harmful to the quality and character of important Letchworth street scenes and does not lead to the loss of trees and hedges. We would be very happy to contribute to further discussions and consultations and if you would like to discuss this further, please do contact me.	Noted.
<b>Baldock and District Committee</b>		
Parking Issues Reporting Pack	The reporting pack seemed over complicated and not user friendly.	Officers are in the process of developing an online version of the reporting pack to address user issues raised.

Parking Issues Reporting Pack	There should be an easier way to feed back information. Some problems only affected very small areas and this was not the way to provide solutions.	The Parking Issues Reporting Pack provides the most robust solution to enable members of the public to report a parking issue and have their say as to which parking measure they would like implemented. Adopting this process provides a higher likelihood of the parking measure being implemented after the formal consultation has taken place, as consensus has been sought from those who are likely to be impacted by it before the legal process of implementing a Traffic Regulation Order begins. Regardless of the size of a parking issue, a legal process has to be followed in order to implement a Traffic Regulation Order.
Parking Issues Reporting Pack	There should be a facility to upload photographs.	Officers are in the process of developing a facility to enable applicants to submit their application online which also enables photos to be uploaded.
Parking Issues Reporting Pack	If people can only complete part of the reporting pack it should not invalidate the information given.	Applicants are encouraged to complete the full application in order to provide sufficient information to Officers to be able to review and understand the parking issue. The parking issue will also be compared to other parking issues reported to assess whether there is a genuine parking issue and determine its priority level on the Parking Work Programme.
General	There did not seem to be any connectivity between the document and the Local Plan.	The Parking Strategy and the Operational guidelines have been prepared taking into consideration national and local policy including making reference to policies in the submission Local Plan, the Hertfordshire LTP4 and the NHDC Transport Strategy. The Parking Strategy covers the period 2019 - 2031 to accord with the Local Plan, and it is recognised that the Strategy and its associated Operational guidelines should be kept under review during this period as technological and transport patterns change over time and not least because of the implications of major development opportunities and any resultant policies or strategies.
<b>Weston Parish Council</b>		
General	<p>Weston Parish Council are concerned that the emphasis of the proposals is towards making parking as difficult and inconvenient as possible. In an ideal world where people work close to where they live and there is good inexpensive and frequent public transport this may be acceptable. In reality Hertfordshire does not deliver this.</p> <p>In these guidelines, there is no recognition that residents in Weston, an other villages for that matter, have no alternative other than to use private cars. This is unlikely to change anytime soon because the NHDC Local</p>	Due to the concerns raised by Members and stakeholders regarding the apparent lack of guidance within the NHDC Parking Strategy. The NHDC Parking Operational Guidelines have been developed to provide the necessary guidance and assessment criteria on how the policies would be implemented. Policies 18 - 25 are applicable to all residential areas, including Weston. Alongside this, s Parking Issues Reporting Pack has been developed in order to provide the public with a formal structure to report parking issues. Although the Parking Strategy and Operation Guidelines reference the Hertfordshire Local Transport Plan (LTP4), public transport falls out of the scope of this document.

	Plan is providing more houses than work opportunities and it accepts that there will be an increased commuting need and when the Plan gets implemented. Equally the HCC Transport Plan makes no provision for better public transport in rural areas. The upshot of this is that rural residents in particular need to be able to park at transport hubs and in town centres. It is the lack of convenient cheap parking that encourages us to shop online or at out of town venues.	
Policies 19 and 20	Your parking should include the creation of car parks with plentiful provision of charging points for electric cars; this would encourage the move towards electric and reduce the appetite for on street parking that causes grief to local residents.	Officers are currently developing an Electric Vehicle Strategy. Once this work is completed, the NHDC Parking Operational Guidelines will be updated to reflect this.
Policy 24	Weston (Parish Council) believes that this policy is not in line with the NHDC Local Plan 2011 - 2018 parking policy; T2; Parking and Appendix 4: Car Parking Standards. Weston Challenged the adequacy standards during the Local Plan consultation and we feel that NHDC guidelines should ensure that these albeit inadequate, parking provisions are enforced. We would like to see NHDC planning refusing applications to turn garages in new builds to living accommodation unless an equal amount of suitable 'on site' parking is provided.	Policy 24 in the Parking Strategy and the Operational guidelines recognise the need to review parking standards alongside new developments as parking patterns, technology, and more sustainable modes of transport changes over time. Depending on the evidence base and the outcome of any review this could result in the need to review the policy in the Local Plan and would need to follow the correct statutory requirement.
<b>Knebworth Parish Council</b>		
Parking Issues Reporting Pack	We would also like specific information on how to use the Parking Issues Reporting Pack referenced throughout the consultation document, as we have significant existing (parking) issues.	Noted; Parking Projects Officer can provide support to facilitate this.
Policy 1	we welcome Knebworth's inclusion in bullet point 6 to review the specific approach across the settlement and request that this is prioritised, noting the limited resources but considering the above context of Knebworth's position described above and current lack of significant solutions for commuter management.	Noted.
Policy 2 -17	We have assumed that apply to towns only.	Policies 2-17 also apply to Knebworth.

Policy 18 and 19	We note Knebworth will be considered settlement-wide under Policy 1 but wish to note the importance of these policies on commuter parking and on-street parking given the above context. Consideration for Knebworth needs to factor in the additional loads placed on it from surrounding villages (current and Local Plan driven growth). This requires that the Council works with neighbouring authorities to determine demand and solutions, namely Stevenage Borough Council (Bragbury End) and Welwyn & Hatfield Borough Council (Woolmer Green).	Noted. Policies 18 and 19 are also applicable to Knebworth.
Policy 24	Knebworth is scheduled for significant Local Plan new developments and the implementation of suitable parking solutions via planning policies and their enforcement on developers will be critical to the success of both traffic management in Knebworth as well as the impact on the built environment. Our Neighbourhood Plan team have gathered evidence from around the district of good and bad examples of implementation. We therefore ask the Council to work specifically with the Parish Council, Neighbourhood Plan team and the respective land owners at the appropriate time to review the adequacy of solutions.	Noted.
<b>Letchworth BID</b>		
General	What research did they do with local businesses/BIDs to build this policy?	Consultation was undertaken with key stakeholders including BID managers in preparing the Parking Strategy.
Policy 2	Are they looking at increasing or decreasing the amount of parking?	Any new management system that the Council may look to implement would require a full review of current car park usage together with a business case before any decisions are made. As per point 6 of Policy 2, any review would be in partnership with key stakeholders.
Policy 5	What is the revenue raised currently by NHDC in parking charges (and fines) annually, and how is that money utilised on the carparks/ parking spaces currently provided? and what revenue are they projecting for this new policy?	Parking revenue is reported as part of the Council's budget process, these are reported on a quarterly basis to the Council's Cabinet. The parking income where possible should cover the cost of the parking service so as to ensure that the car parks are maintained and the parking function/service is retained, is seen to be, fair, efficient, effective and responsive to change, i.e. in the case of keeping abreast of new technological changes.
Policy 5	The council will benefit short term, until majority of customers get fed up and go elsewhere.	It is in the Council's interest to ensure the ongoing vitality and viability of its town centres.



Policy 5	The local council from where we have just moved from Huntingdon DC increased parking fees in the town centre car parks from 1 hour to 2 hours minimum at £1.60 rising in increments with vehicle registration recognition so you cant pay forward a ticket anymore either. It has seriously damaged the footfall to the towns trade was down considerably. Although evenings, Sunday & BH are still free at the moment. It will kill the town if implemented.	Noted. See comment above regarding Sunday and evening charging.
Policy 5	How will they assess fees against the average income? (or, if not, how do they build fees?)	The Council will use the criteria as set out in Policy 5 to review tariffs.
Policy 5	Will the fees be flat-rate per hour?	The Council will use the criteria as set out in Policy 5 to review tariffs.
Policy 5	Will they take into account the types of business in the area? or will it be a blanket charge across all areas?	As set out in Policy 5, the Council will monitor the usage of its car parks and undertake discussion with the relevant town centre managers and organisations to understand the impact of proposed tariff changes.
Policy 5	What is the goal behind this new policy? Is it to sustain/support public transport (more sustainable modes of transport)? If so, what improvements will be made to these locally to support customers and businesses?	The Policy seeks to strike the balance between making provision for visitors to the town centre, both by private car and also by encouraging alternative modes of transport to ensure the vitality of town centres.
Policy 5	How do they balance this against the potential benefit/detriment to businesses?	As set out in Policy 5, the Council will monitor the usage of its car parks and undertake discussion with the relevant town centre managers and organisations to understand the impact of proposed tariff changes.
Policy 5	Are they looking at changing the charges more flexibly, not necessarily just as an increase but possibly decreasing charges where appropriate?	As set out in Policy 5, the Council will monitor the usage of its car parks and undertake discussion with the relevant town centre managers and organisations to understand the impact of proposed tariff changes.
Policy 5	I would like to know what research they have done with local businesses (which I'm sure we are all pretty aware is none!) and how they have, and will, take this into account when setting out these prospective new charges too. We all know that town centres are evolving and entertainment is becoming a huge part of what drives people into towns, especially at weekends etc....these plans could really scupper that for Letchworth.	<p>Consultation was undertaken with key stakeholders including BID managers in preparing the Parking Strategy.</p> <p>As set out in Policy 5, the Council will monitor the usage of its car parks and undertake discussion with the relevant town centre managers and organisations to understand the impact of proposed tariff changes.</p>
Policy 5	I can only see this as a money grabbing exercise. I will want to see all the above and justification for it. Especially with so many out of town facilities now that have free parking.	As set out in Policy 5, the Council will monitor the usage of its car parks and undertake discussion with the relevant town centre managers and organisations to understand the impact of proposed tariff changes.



Policy 6	Most evening entertainment takes longer than the 3hr restriction most of our car parks hold during chargeable hours (especially cinema/meal) so would make an impact on our evening trade eventually. The NHDC car parks are full on “uncharmable” days.	The introduction of Sunday and evening charging is an option for consideration which would be in accordance of the criteria set out in Policy 6.
<b>Royston and District Committee</b>		
General	There was support for the positive environmental proposals i.e. sustainability.	Noted.
Parking Issues Reporting Pack	Whether keeping the log of parking issues over a four week period could be reduce to two weeks;	Noted; Officers are of the view that four weeks should be the minimum time to fully understand how the parking issue may change over time including at evenings and weekends. This timeframe also enables standardisation so that parking issues reported can be compared to determine their severity level and priority level on the Parking Work Programme.
Parking Issues Reporting Pack	Whether an introductory note could be added to the Parking Reporting Pack in order to provide members of the public with an explanation of what they should and should not expect from the reporting pack;	Noted; this is already included in the text within Part 1 of the Parking Issues Reporting Pack. It also outlines the role of NHDC and Hertfordshire County Council.
Parking Issues Reporting Pack	Whether a contact number could be added to the reporting pack to enable members of the public to contact the department in case there was a need for clarification or explanation;	Noted; there is already a telephone number and email address in Part 1 of the Parking Issues Reporting Pack
Policy 2	In relation to item 8 under Policy 2 on page 44 of the report, users of Council car parks in Royston were, at present, not required to take and display a Pay and Display ticket during the ‘Free after 3pm’ period;	Noted; In order to understand car park usage this procedure will be implemented across all NHDC car parks.
Policy 5	Each town and each individual car park was different and this should be respected when considering charges	As set out in Policy 5, the Council will monitor the usage of its car parks and undertake discussion with the relevant town centre managers and organisations to understand the impact of proposed tariff changes. The Strategy recognises that each of its towns have different characteristics and environments. Any review in tariffs will recognise this.
Policy 6	The added financial cost of Parking Enforcement Officers working at weekends, evenings and Bank Holidays as a result of the proposed changes to the charging period would negate any benefit;	Noted; resource implications are covered in Point 3 of Policy 6.
Policy 6	Charging for parking at weekends, evenings and on Bank Holidays would have a negative effect and exasperate existing problems on residential roads;	The criteria set out in Point 4 of Policy 6 addresses this concern.
Policy 19	The possibility of implementing dedicated parking in the town centre	Noted.

	for residents living in properties without parking;	
Policy 23	It was a good initiative to sell non-resident permits especially on streets such as Victoria Crescent, Baldock Street and London Road or streets that were situated near the train station;	Noted.
Policy 23	Existing zones could be extended to incorporate nearby roads not covered;	Noted.
<b>NHDC Officer comments</b>		
Policy 2	Point 7. Does this relate to things like “free after 3pm” in some carparks in Royston where driver can park without a ticket? If it does, have we considered the environmental impact of trying to get everyone to take a ticket?	Noted; the Council also operates a cashless parking system which has also been referenced in this point. The cashless parking system does not require the customer to display a ticket.
Policy 2	Options to consider various types of permits including resident permits.	Noted; an additional point (point 10) has been added to policy 2.
Policy 3	Point 2. We currently do resurfacing and lines on a needs basis.	Noted; This point has been removed. Regular site inspections and maintenance is already covered within point 1.
Policy 3	Point 3. A lot of work has already gone into addressing anti-social behaviour in the multi-storey carparks. Measures that help to deter criminal activity and anti-social behaviour are regularly reviewed.	Noted; the wording for this point has been amended to acknowledge that there is a management plan already in place. Points 2 and 5 highlight that additional investigations will be undertaken to further enhance the management plan.

<b>CABINET</b> <b>24 MARCH 2020</b>
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<b>*PART 1 – PUBLIC DOCUMENT</b>
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**TITLE OF REPORT: INFLATIONARY INCREASE IN CAR PARKING TARIFFS 2020-21**

REPORT OF: SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER FOR PLANNING & TRANSPORT: COUNCILLOR PAUL CLARK

CURRENT COUNCIL PRIORITY: PROSPER AND PROTECT

NEW COUNCIL PRIORITY: ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY

**1. EXECUTIVE SUMMARY**

- 1.1 This report requests that Cabinet agrees the proposed car parking tariffs in North Hertfordshire District Council's off street car parks in order to effectively manage their use, and in accordance with the Council's fees and charges policy as set out in the Medium Term Financial Strategy (MTFS) 2020-25, which was agreed by Full Council on 12 September 2019.

**2. RECOMMENDATIONS**

- 2.1 That Cabinet agrees to adopt the proposed off-street car park tariffs for 2020/21 as set out in Tables 1 to 5 at Appendix A.
- 2.2 That Cabinet agrees to the proposed increase in season tickets prices of 4%, for 2020/21, as set out in Table 6 at paragraph 9.3 of this report, for each of its long stay car parks in Hitchin, Letchworth Garden City and Royston.
- 2.3 That Cabinet agrees to the proposed increase in business permit prices of 4%, for 2020/21, as set out in Table 7 at paragraph 9.4 of this report, for its car park at St. Martins Road in Knebworth.
- 2.4 That Cabinet agrees not to increase the charges for resident permits, visitor permits, business permits or visitor tickets for resident permit zones for 2020/21.
- 2.5 That Cabinet agree that the proposed tariff changes, as recommended in paragraphs 2.1 to 2.3 above, are implemented as soon as practicable, and that officers in consultation with the Executive Member and Deputy for Planning and Transport proceed with the implementation as required.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To implement an increase in car parking tariffs and season ticket prices in order to effectively manage their use and in accordance with the Council's fees and charges policy as set out in its Medium Term Financial Strategy (MTFS).

### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 See Section 8 of the report.

### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 The Executive Member and Deputy for Planning and Transport has been involved in discussions and kept informed on the matters set out above. The Executive Member for Enterprise has also been informed.
- 5.2 Town Centre and BID Mangers for each of the towns, Royston Town Council and, Knebworth Parish Council were informed and invited to offer their views on the proposed tariff options as set out in Section 8 of the report. Comments received from these organisations will be verbally reported to Cabinet.

### **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 6 December 2019.

### **7. BACKGROUND**

- 7.1 The Council's approved Medium-Term Financial Strategy for 2020-25, set a budget assumption that the Council should increase parking fees and charges annually by 2%. It made it clear that parking charge levels are mainly set to manage demand and reflective of the cost of alternative parking locations. The budget estimates for 2020/21 include the expectation that income from parking will increase by 2%. Any variance of this would be reported through budget monitoring processes.
- 7.2 Paragraph 5.6.30 of the Council's Constitution, states *'it is for cabinet to determine charges for car parking'*. The proposals for car parking tariffs and season ticket increases are set out sections 8 and 9 below.

### **8. CAR PARKING TARIFF PROPOSALS**

- 8.1 Parking Tariffs were last increased in May 2018. The inflationary budget estimate for car parking charges, including parking tariffs (i.e. pay-as-you-use) and season tickets is that they will increase by £37.5k in total.
- 8.2 It is considered that an overall 2% increase can be justified in the context of managing demand, the cost of alternative locations and encouraging use of public transport. Therefore, three options were considered:

Option One:

- 8.2.1 To apply the 2% inflationary increase across all tariffs across all car parks in each of its towns and Knebworth. This resulted in a marginal increase in the tariffs ranging between 2p to 5p which is not conducive to a customer focused cash payment system and was dismissed.

Option Two:

- 8.2.2 To achieve the overall inflationary budget estimate by:
- (i) applying an increase to the 2 hour tariff band and rounding this up to the nearest 10p in all car parks across the four towns and Knebworth; and
  - (ii) applying an increase to the after 3:00pm tariff in all Hitchin Car Parks rounded up to the nearest 10p, except the Lairage Multistorey Car Park. The after 3 pm incentive can be confusing for visitors as it is the same rate for 1, 2 and 3 hour parking, it is therefore suggested to make this a flat rate, with the exception of Bancroft which will retain the 1 hour tariff and proposes an increase of the 2 to 3 hour tariff after 3pm to accord with the other car parks in Hitchin. It is also suggested to retain the current after 3pm tariffs in the Lairage MSCP to encourage continued usage of this car park.
  - (iii) applying an increase to the 3 hour tariff band at the Twitchell Car park in Baldock and rounding up to the nearest 10p given this is a long stay car park; and
  - (iv) applying a 4% increase to the cost of season tickets across all the Council's long stay car parks and to the cost of business permits in the car park at Knebworth.
- 8.2.3 The above tariff proposals would be applied to all NHDC car parks in Baldock, Hitchin, Letchworth Garden City, Royston and Knebworth as shown in Tables 1 to 5 at Appendix A. It is intended to retain the subsidised full 'free after 3pm' policy in all Royston car parks and to retain the off-peak incentives after 3pm.
- 8.2.4 These proposals would be in accordance with the Council's policy in terms of:
- supporting the economic vitality of the town centres by retaining the 2018/19 1 hour charge across the District;
  - adopting a consistent approach across all car parks within each town whilst respecting their separate identities; and
  - resisting increases in longer stay charges to protect the economic vitality of the town centre to allow visitors to continue to stay longer.
- 8.2.5 It is also suggested that the current 1 hour and 2-hour tariff after 3pm be merged into one tariff for ease to the customer in the Lairage MSCP, given that both these tariffs are the same. The rate will remain unaltered at £1.10 for 0-2hour parking.

Option Three

- 8.2.6 Consideration could have been given to the possibility of introducing evening and Sunday charging, however it was considered that this should be part of a wider policy review.

- 8.3 This report to Cabinet is concerned with presenting a tariff structure that seeks to manage car park usage and reflect inflationary cost pressures as determined by the budget estimates for 2020/2021 and its implementation as soon as possible in the new financial year. Following discussion with the Executive Member and Deputy for Planning and Transport it is the officer recommendation that Cabinet consider and agree the tariff increases as proposed at *Option Two above*, and the further suggestion to merge the 1 and 2 hour tariff at the Lairage MSCP Car Park after 3pm as out in paragraph 8.2.5 above. These proposed tariff increases are set out in Tables 1 to 5 for each town at Appendix A attached to this report.

## 9. SEASON TICKETS, BUSINESS PERMITS AND RESIDENT PERMIT ZONES

- 9.1 Over the last few years, the Council has increased season ticket prices in each of its long stay car parks in Hitchin, Letchworth and Royston in accordance with the adopted MTFs.
- 9.2 Following discussion with the Executive Member and Deputy Planning and Transport and in accordance with managing demand, maintaining differentiations between pay-as-you-use and season ticket prices and the Council's Medium Term Financial Strategy (MTFS), it is proposed to increase Season Ticket prices in the Council's long stay car parks in Hitchin, Letchworth and Royston and business permits in the St. Martin's Road car park in Knebworth by 4% in 2020/21. This proposed increase would increase income from season tickets and business permits by approximately £11,800, assuming demand remains unchanged. This proposed price increase is expected to maintain use of the long stay car parks by season ticket holders, as they will still be receiving a reasonable discount over full day pay-as-you-use charging.
- 9.3 Table 6: Proposed Season Ticket Increases for 2020/21

Hitchin, Letchworth and Royston In all valid off-street parking places identified in the North Hertfordshire District Council (Off-Street Parking Places) Order 2014	Existing Season Ticket charges 2019/20	<b>New Season Ticket charges 2020/21</b>
One Month	£82.00	<b>£85.00</b>
Three Months	£203.00	<b>£211.00</b>
Six Months	£376.00	<b>£391.00</b>
Twelve Months	£697.00	<b>£725.00</b>

- 9.4 Table 7: Proposed Business Parking Permit Increases for 2020/21

St. Martins Road Car Park, Knebworth – identified in the North Hertfordshire District Council (Of Street) (Knebworth) (Amendment) Order 2012	Existing Business Permit Charge 2019/20	<b>New Business Permit Charge 2020/21</b>
Six months	£150.00	<b>£156.00</b>
Twelve months	£250.00	<b>£260.00</b>

- 9.5 Following discussion with the Executive Member and Deputy for Parking and Transport there is no proposal to increase resident, business or visitor permits and visitor ticket books for each of the Council's resident permit parking zones across the District for 2020/21. A review will be undertaken once the current work programme on resident permit parking zones has been completed. This could include the introduction of non-resident permits in some zones as set out in Policy 23 of the adopted NHDC Parking Strategy. This option is also referenced in the Parking Operational Guidelines which forms a separate report to this meeting of Cabinet.

## **10. LEGAL IMPLICATIONS**

- 10.1 Under the Terms of Reference for Cabinet, paragraph 5.6.30 of the Constitution states that the Cabinet should by way of resolution determine charges for car parking.
- 10.2 The proposed tariff changes will be required to be published as a Notice of Variation to the North Hertfordshire District Council (Off-Street Parking Places) Order 2014, the North Hertfordshire District Council (Off Street Parking Places) (Baldock) No.2 Order 2014 and to the North Hertfordshire District Council (Off- Street) (Knebworth) (Amendment) Order 2012 in the local papers under Section 35C of the Road Traffic Regulation Act 1984 and in compliance with Section 25 of part V of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Such Notice of Variation will give a minimum of 21 days notice of when the new parking tariffs will be implemented. Site notices will be displayed in all affected car parks.

## **11. FINANCIAL IMPLICATIONS**

- 11.1 The budget for 2020/21, approved by Full Council in February 2020, includes estimated income from inflation to the Council of £37,500.
- 11.2 The Council's policy with regard to parking fees and charges is that an inflationary increase of 2% will be applied annually. This is for modelling purposes and the actual increase is considered each year. For 2020/21 the forecast increase in income is approximately £28k from pay-as-you-use income charges and approximately £12k from the sale of car park season tickets.
- 11.3 The approach taken and assumptions made in estimating the financial impact of the proposed pay-as-you-use tariff structure, as laid out in Tables 1 to 5 at Appendix A, are explained in the body of this report. While the actual impact on parking activity from the proposed tariff structure is unknown, the income estimates derived are in line with the income expectation in relation to ad-hoc parking charges within the approved budget for 2020/21. The intended retention of the full 'free after 3pm' policy in all Royston car parks is estimated to have an adverse impact of approximately £13k on the total income estimate, but this will continue to be subsidised by an annual contribution from Royston First BID, Royston Area Committee and County Councillor Hertfordshire Locality Budgets.
- 11.4 There is a budget set-aside for the cost of publishing the notices, advertising the increased car parking tariffs and season ticket prices in the local press, amending tariff boards and making adjustments to the car park payment machines and to the current Traffic Regulation Order.

## **12. RISK IMPLICATIONS**

- 12.1 The risks to car parking income have been considered, including the impact of the 2020/21 tariff review. Following assessment, the recommendations have been made whilst acknowledging that there is a financial risk that the review of tariff structure might not produce the estimated income and could contribute to a continuing / increasing downward trend in parking sales, as observed in 2019/20. Car parking usage and income is continually monitored throughout the year, including as part of the regular revenue monitoring reports to the Senior Management Team.

## **13. EQUALITIES IMPLICATIONS**

- 13.1 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.
- 13.2 There are no direct equality issues arising from this report. There is a range of charging/payment options which will still remain available to cater for the widest needs of local car park users. The realignment of the tariffs seeks to improve turnover and usage throughout day thereby supporting the town centre businesses and benefit the economy of North Hertfordshire. Amidst the slight increases, resident permits, visitor permits, business permits or visitor tickets for resident permit zones remain the same and the after 3pm subsidy in Royston continues for their benefit.

## **14. SOCIAL VALUE IMPLICATIONS**

- 14.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at Paragraph 13.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 There are no new human resource implications arising from the contents of this report. Officers will be responsible for implementing the new tariffs.

## **16. APPENDICES**

- 16.1 Appendix A - Proposed 2020/2021 Tariff Increases for NHDC Off-Street Managed Car Parks

## **17. CONTACT OFFICERS**

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### ***Contributors***

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## **18. BACKGROUND PAPERS**

- 18.1 North Hertfordshire District Council Parking Strategy 2019 - 2031(adopted January 2019)

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## APPENDIX A

### Proposed 2020/2021 Tariff Increases for NHDC Off- Street managed Car Parks

[Note: grey highlighted rows show proposed increases, all other tariffs remain unaltered]

**Table 1: Hitchin**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
Bancroft	Standard tariffs	1	£1.10	£1.10
		2	£2.20	£2.30
		3	£3.00	£3.00
		3+	£5.00	£5.00
	Post 3pm Tariffs	1	£1.10	£1.10
		2-3	£1.30	£1.40
Biggin Lane	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1-3	£1.30	£1.40
Christchurch	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1-3	£1.30	£1.40
Lairage MSCP	Standard tariffs	1	£1.10	£1.10
		2	£1.10	£1.20
		3	£2.20	£2.20
		4	£2.20	£2.20
		All Day	£4.40	£4.40
	Post 3pm Tariffs	Up to 2	£1.10	£1.10
		3	£1.30	£1.30
Portmill East	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1 - 3	£1.30	£1.40

Portmill West	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1 to 3	£1.30	£1.40
St Mary's Square	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1- 3	£1.30	£1.40
Woodside	Standard tariffs	1	£1.10	£1.10
		2	£2.20	£2.30
		3	£3.00	£3.00
		All Day	£5.00	£5.00
	Post 3pm Tariffs	1	£1.10	£1.10
		2 -3	£1.30	£1.40

**Table 2: Letchworth Garden City**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
Hillshott		1	£0.70	£0.70
		2	£1.40	£1.50
		3	£2.40	£2.40
		3+	£4.90	£4.90
LMSCP Short Stay		1	£0.70	£0.70
		2	£1.40	£1.50
		3	£2.40	£2.40
		4	£4.40	£4.40
LMSCP Long Stay		1	£0.70	£0.70
		2	£1.40	£1.50
		3	£2.40	£2.40
		3+	£4.90	£4.90
Norton Common Bowling Club		2	£0.00	£0.00
		4	£1.70	£1.70
		5	£4.70	£4.70

Norton Common Swimming Pool		2	£0.00	£0.00
		4	£1.70	£1.70
		5	£4.70	£4.70
Letchworth Town Hall		1	£1.10	£1.10
		2	£1.90	£2.00
		3	£3.20	£3.20
		4	£4.90	£4.90

**Table 3: Royston**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
Angel Pavement	Standard tariffs	1	£0.60	£0.60
		2	£1.40	£1.50
		3	£3.70	£3.70
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
Civic Centre	Standard tariffs	1	£0.60	£0.60
		2	£0.70	£0.80
		3	£1.10	£1.10
		3+	£3.40	£3.40
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
		3+	£0.00	£0.00
Market Place	Standard tariffs	1	£0.60	£0.60
		2	£1.40	£1.50
		3	£3.70	£3.70
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00

Princes Mews	Standard tariffs	1	£0.70	£0.70
		2	£1.40	£1.50
		3	£4.90	£4.90
		3+	£7.40	£7.40
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
		3+	£0.00	£0.00
Priory Gardens	Standard tariffs	1	£0.60	£0.60
		2	£1.40	£1.50
		3	£3.70	£3.70
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
The Warren	Standard tariffs	1	£0.60	£0.60
		2	£1.20	£1.30
		3	£1.80	£1.80
		3+	£3.80	£3.80
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
		3+	£0.00	£0.00

**Table 4: Baldock**

<b>Car Park</b>		<b>Duration / hours</b>	<b>Current Tariff</b>	<b>Proposed Tariffs</b>
<b>The Twitchell</b>		3	£1.10	<b>£1.20</b>
		3+	£1.60	£1.60

**Table 5: Knebworth**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
St Martin's Road		0.5	£0.30	£0.30
		1	£0.60	£0.60
		2	£1.40	£1.50
		3	£2.10	£2.10
		4	£4.20	£4.20

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# CABINET

24 MARCH 2020

## \*PART 1 – PUBLIC DOCUMENT

### ADDENDUM TO AGENDA ITEM 13 - INFLATIONARY INCREASE IN CAR PARKING TARIFS2020-21

#### UNDER SECTION 5 – CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

1. At para 5.2, reference is made to providing an update to Cabinet regarding comments received from the mentioned external organisations. These are summarized as follows:
  - (i) No comments have been received from Hitchin BID manager
  - (ii) No objection to the proposed tariff increases have been received from Baldock or from the Letchworth Bid Manager.
  - (iii) No objections have been received from RoystonFirst Bid and they will continue to subsidise the free after 3pm policy in the Royston Car Parks.
  - (iv) The Royston Town Council have objected to the proposed increases but have not provided any grounds for their objection.
  - (v) The Knebworth Parish Council, have made no comment on the proposed tariff increases; however, the Parish Council would like to subsidise the first 30mins tariff band for 2020/21 as free parking to the customer.
2. In discussion with the Executive Member and Deputy Member for Planning & Transport it is suggested that the 30minute Tariff at St. Martin's Road Car Park in Knebworth be amended as £0.00 in Table 5 at Appendix A to address the Knebworth Parish Council request at 1(v) above.
3. Further discussion has also taken place with the Deputy and Executive Member regarding the 1 and 2 hour tariff band at the Lairage Long stay car park in Hitchin. Given that usage has increased in this car park and it functions more as a long stay car park it is suggested that the 1 and 2 hour tariff be merged as one tariff band and set at the proposed new tariff rate of £1.20 for up to 2 hours. It is also suggested that the 3 and 4 hour tariff band be merged as the rate is the same and remains unchanged as part of this proposed tariff increase. These suggested amendments will make it simpler for visitors using the car park. It is therefore suggested that Table 1 at Appendix A be amended to reflect this.
4. For ease it is suggested that Appendix A be amended to reflect these proposed additional amendments and submitted as a complete Table as Appendix A (1) for Cabinet to consider. All proposals are shown in bold font.
5. It is therefore suggested that under **Section 2 RECOMMENDATIONS** that recommendation 2.1 be amended as follows:
  - 2.1 *That Cabinet agrees to adopt the proposed off-street car park tariffs for 2020/21 as set out in the Tables 1 to 5 at Appendix A (1) as amended in light of paragraphs 2 and 3 of this addendum note.*

## 6. CONTACT OFFICERS

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## APPENDIX A(1)

### Proposed 2020/2021 Tariff Increases for NHDC Off- Street managed Car Parks

[**Note:** grey highlighted rows show proposed increases, all other tariffs remain unaltered and bold italics shows further proposals as per addendum Report]

**Table 1: Hitchin**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
Bancroft	Standard tariffs	1	£1.10	£1.10
		2	£2.20	£2.30
		3	£3.00	£3.00
		3+	£5.00	£5.00
	Post 3pm Tariffs	1	£1.10	£1.10
		2-3	£1.30	£1.40
Biggin Lane	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1-3	£1.30	£1.40
Christchurch	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1-3	£1.30	£1.40
Lairage MSCP	Standard tariffs			
		Up to 2	£1.10	£1.20
		Up to 4	£2.20	£2.20
	Post 3pm Tariffs	All Day	£4.40	£4.40
		Up to 2	£1.10	£1.10
		3	£1.30	£1.30
Portmill East	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1 - 3	£1.30	£1.40

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
Portmill West	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1 to 3	£1.30	£1.40
St Mary's Square	Standard tariffs	1	£1.30	£1.30
		2	£2.40	£2.50
		3	£4.00	£4.00
		4	£5.50	£5.50
	Post 3pm Tariffs	1- 3	£1.30	£1.40
Woodside	Standard tariffs	1	£1.10	£1.10
		2	£2.20	£2.30
		3	£3.00	£3.00
		All Day	£5.00	£5.00
	Post 3pm Tariffs	1	£1.10	£1.10
		2 -3	£1.30	£1.40

**Table 2: Letchworth Garden City**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
Hillshott		1	£0.70	£0.70
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		3+	£4.90	£4.90
LMSCP Short Stay		1	£0.70	£0.70
		2	£1.40	£1.50
		3	£2.40	£2.40
		4	£4.40	£4.40
LMSCP Long Stay		1	£0.70	£0.70
		2	£1.40	£1.50
		3	£2.40	£2.40
		3+	£4.90	£4.90

Norton Common Bowling Club		2	£0.00	£0.00
		4	£1.70	£1.70
		5	£4.70	£4.70
Norton Common Swimming Pool		2	£0.00	£0.00
		4	£1.70	£1.70
		5	£4.70	£4.70
Letchworth Town Hall		1	£1.10	£1.10
		2	£1.90	£2.00
		3	£3.20	£3.20
		4	£4.90	£4.90

**Table 3: Royston**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
Angel Pavement	Standard tariffs	1	£0.60	£0.60
		2	£1.40	£1.50
		3	£3.70	£3.70
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
Civic Centre	Standard tariffs	1	£0.60	£0.60
		2	£0.70	£0.80
		3	£1.10	£1.10
		3+	£3.40	£3.40
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
		3+	£0.00	£0.00
Market Place	Standard tariffs	1	£0.60	£0.60
		2	£1.40	£1.50
		3	£3.70	£3.70
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00



Princes Mews	Standard tariffs	1	£0.70	£0.70
		2	£1.40	£1.50
		3	£4.90	£4.90
		3+	£7.40	£7.40
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Priory Gardens	Standard tariffs	1	£0.60	£0.60
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		2	£0.00	£0.00
		3	£0.00	£0.00
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		3	£1.80	£1.80
		3+	£3.80	£3.80
	Post 3pm Tariffs	1	£0.00	£0.00
		2	£0.00	£0.00
		3	£0.00	£0.00
		3+	£0.00	£0.00

**Table 4: Baldock**

<b>Car Park</b>		<b>Duration / hours</b>	<b>Current Tariff</b>	<b>Proposed Tariffs</b>
<b>The Twitchell</b>		3	£1.10	<b>£1.20</b>
		3+	£1.60	£1.60

**Table 5: Knebworth**

Car Park		Duration / hours	Current Tariff	Proposed Tariffs
St Martin's Road		0.5	£0.30	£0.00
		1	£0.60	£0.60
		2	£1.40	£1.50
		3	£2.10	£2.10
		4	£4.20	£4.20



**CABINET  
24 MARCH 2020**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: DISTRICT WIDE SURVEY 2019 – KEY FINDINGS**

REPORT OF: THE COMMUNICATIONS MANAGER

EXECUTIVE MEMBER: LEADER OF THE COUNCIL

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

**1. EXECUTIVE SUMMARY**

- 1.1 To advise Cabinet of the key findings and action points arising from the 2019 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 that the results will be considered by Senior Management Team in conjunction with Executive Members, to inform the service planning process and future consultation activity.

**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. The results will also be shared at a staff briefing.

## **6. FORWARD PLAN**

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on 1 November 2019.

## **7. BACKGROUND**

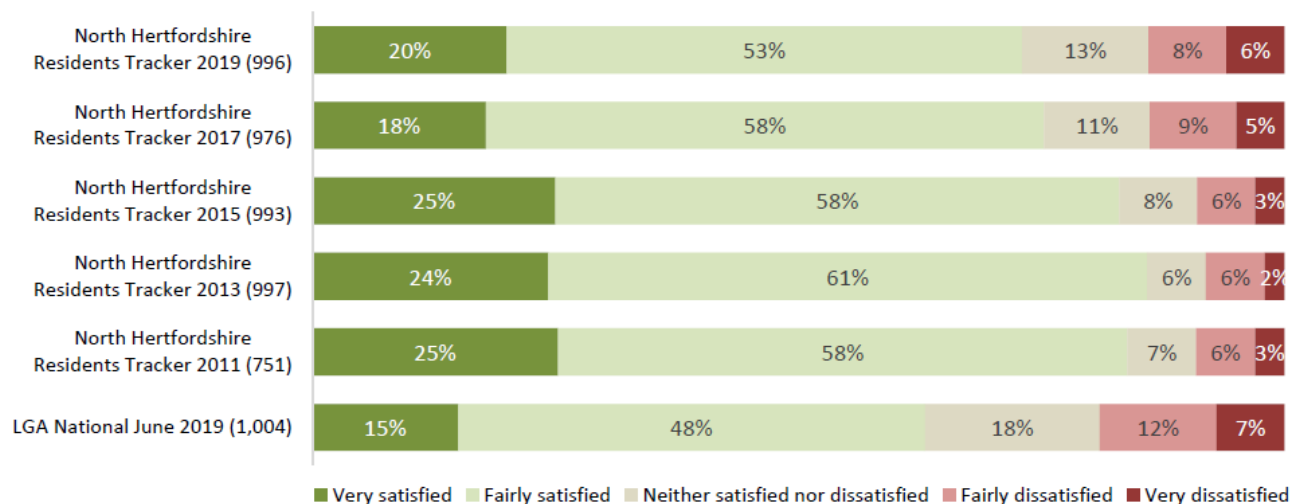
- 7.1 The 2019 District Wide Survey was carried out in line with the Council's agreed Consultation Strategy 2015-2020. The survey is carried out every two years in order to capture residents' views and perceptions of services and facilities provided by the Council.
- 7.2 Opinion Research Services, an independent research agency, were commissioned by the Council to carry out the research on our behalf. They conducted 1000 telephone interviews of North Hertfordshire residents between 7 October 2019 and 19 January 2020. Quota controls were used to ensure a representative sample. The returned sample was subsequently weighted by tenure, working status, ethnic group, age and gender to achieve results which are broadly 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. Comparisons with national figures are, in the main taken from the Local Government Association national survey, which is carried out three times a year with around 1,000 British adults by telephone.
- 7.4 The results of the survey will be considered by the Senior Management Team in conjunction with Executive Members to help inform the Council's service delivery plan and service action plans and to plan potential future consultation activity.
- 7.5 The figures and tables in the report are extracted directly from the full research report prepared by Opinion Research Services. 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 About your Local Area / Overall Satisfaction**

- 8.1.1 The vast majority of residents (92%) are satisfied with their local area as a place to live. This compares favourably to the latest LGA benchmark from June 2019, where satisfaction was 80%, 12 percentage points lower than in North Hertfordshire.
- 8.1.2 Overall satisfaction with the way the Council runs things has decreased from 76% in 2017 to 73% in 2019. However, satisfaction is still well above the LGA national benchmark from 2019, where satisfaction was 63%. See Figure 2 for comparisons since 2011.

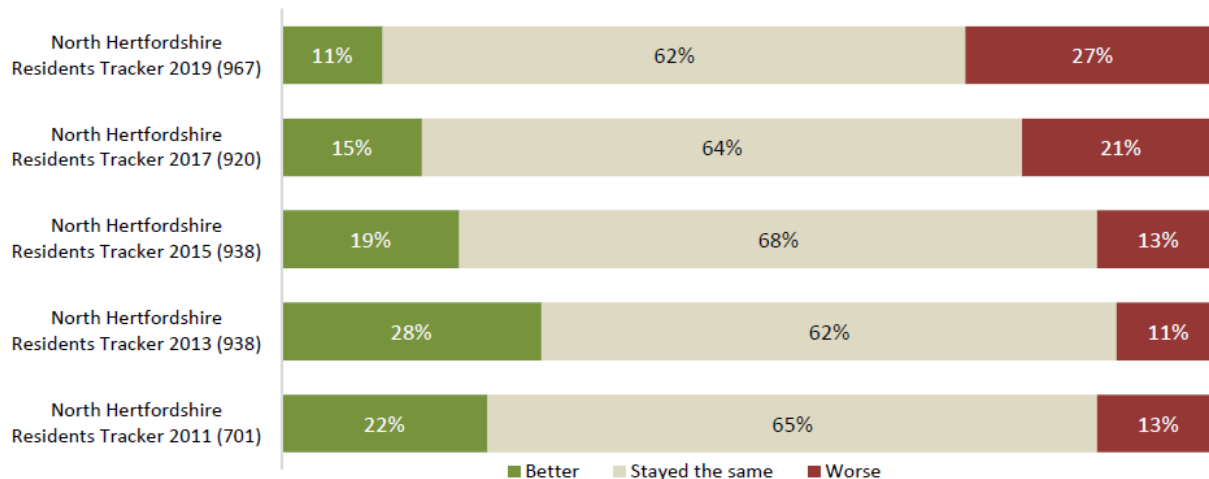
Figure 2: Overall, how satisfied or dissatisfied are you with the way North Hertfordshire District Council runs things?



Base: All Residents (Number of residents shown in brackets)

8.1.3 11% of residents think that the way NHDC runs things has got better over the last two years, a significant decrease since 2017 (15%). Figure six shows comparisons since 2011.

Figure 6: 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?



8.1.4 Those residents who expressed dissatisfaction with the way the Council runs things, were invited to comment on 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:

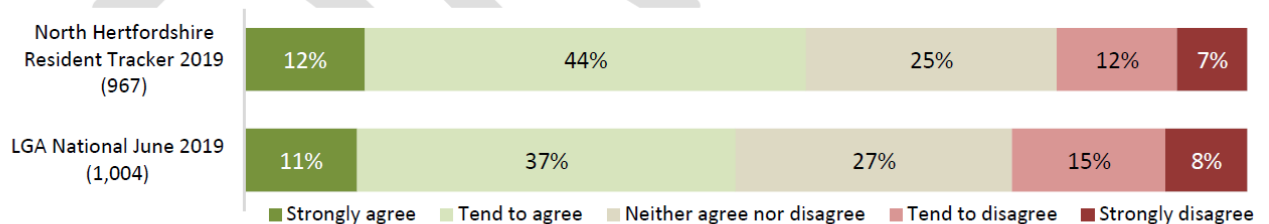
- Improve refuse / recycling collections (37%)
- Make improvements to the area / community (33%)
- Stop wasting money (25%)
- Listen / consult more (23%)

- Improve communication (19%)
- Improve the planning process (17%)

A further top theme was road / pavement maintenance e.g. potholes, cited by 19%, however this is not an NHDC function. It should be noted that only 175 residents answered the supplementary question about how the Council could improve the running of North Hertfordshire.

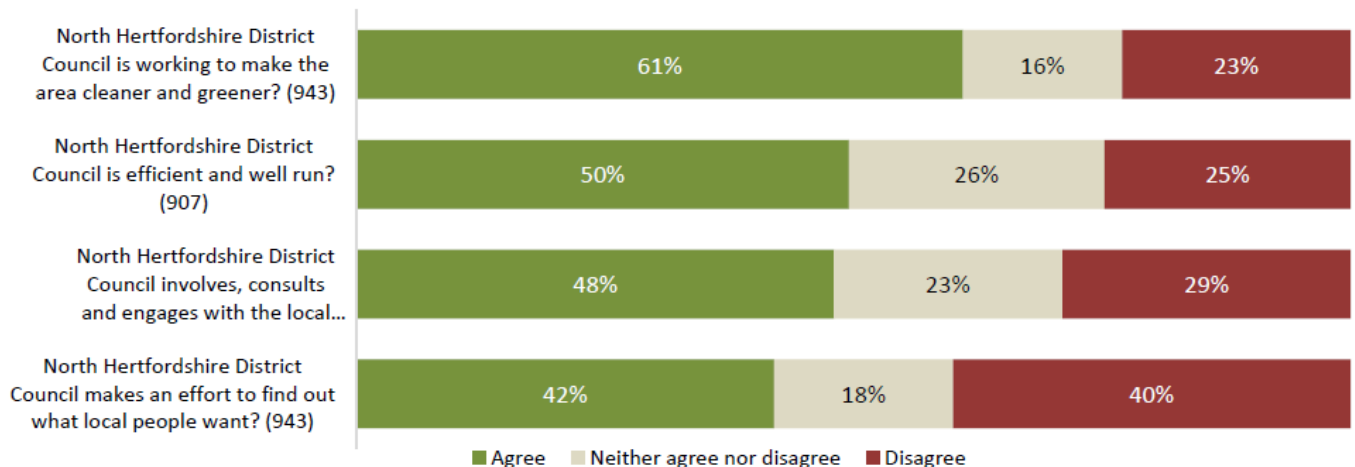
8.1.5 Figure 4 shows that over half (56%) of residents agree that the Council provides value for money, while 19% disagree. Overall agreement that the Council provides value for money is higher than the national LGA figure of 48%.

Figure 4: To what extent do you agree or disagree that North Hertfordshire District Council provides value for money?



8.1.6 Residents were asked about a number of statements regarding the Council and their agreement levels with those statements recorded. 61% of residents agree that NHDC is working to make the area cleaner and greener, while just under one quarter (23%) disagree. Half of residents (50%) agree that NHDC is efficient and well run, while one quarter (25%) disagree. See figure 8.

Figure 8: Do you agree, disagree or neither agree nor disagree with the following...?



8.1.7 There has been a significant increase in the number of residents agreeing with the four statements since 2017 as can be seen in table 7.

Table 7: Do you agree, disagree or neither agree nor disagree with the following...North Hertfordshire District Council...?

Statements	Agreed % 2008	Agreed % 2011	Agreed % 2013	Agreed % 2015	Agreed % 2017	Agreed % 2019	% change 2017 to 2019
Involves, consults and engages with the local community (932)	n/a	55%	56%	53%	46%	48%	+2%
Makes an effort to find out what local people want (943)	n/a	49%	48%	48%	35%	42%	+7%*
Working to make the area cleaner and greener (943)	70%	69%	72%	67%	55%	61%	+6%*
Efficient and well run (907)	58%	52%	53%	51%	41%	50%	+9%*

Base: (Number of residents in 2019 is shown in brackets)

**8.1.8 Observations on Overall Satisfaction:** Overall satisfaction with North Hertfordshire as a place to live remains very high and well above the national LGA Benchmark. However, residents' satisfaction with the way the Council runs things has dropped by 3 percentage points and a significant increase in those who think things have got worse over the last 2 years, in terms of how the Council runs things. Issues with the Council's waste and recycling contract in 2018 and the knock on reputational impact are likely to have contributed to the drop in satisfaction, as well as on-going year on year budget savings having to be made. Despite this, satisfaction with the Council is 10 percentage points higher than the national average figure of 73%.

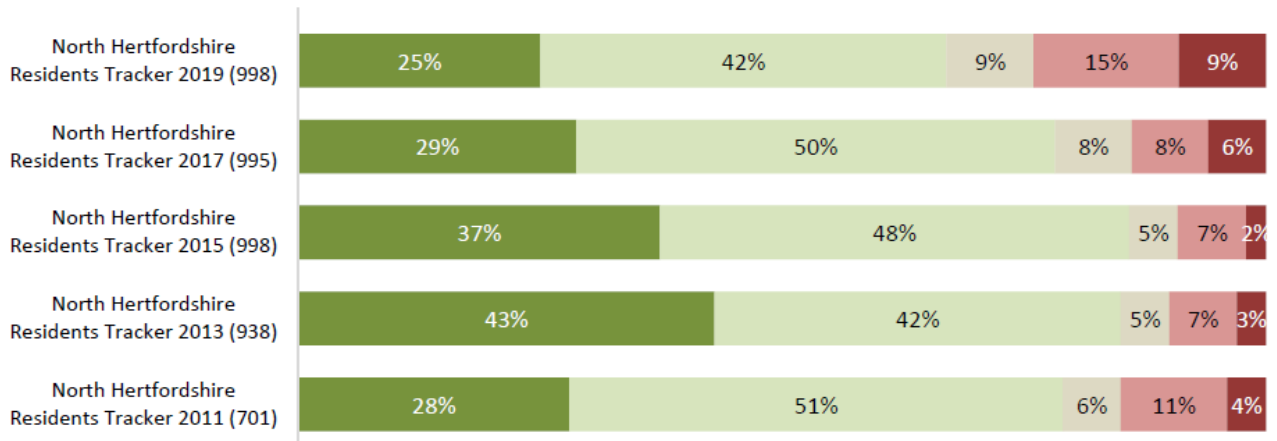
8.1.9 Table 7 shows that there has been an increase in agreement level in people who think NHDC makes an effort to find out what local people want and involves, consults and engages with the local community. This increase could be related to the joint administration's new objective of being a more welcoming and inclusive council. Table 7 also shows an increase in agreement that the Council is working to make the area cleaner and greener, in line with the joint administration's objective to respond to challenges to the environment.

## 8.2 Council Services

- 8.2.1 Over two-thirds (67%) of residents are satisfied with general waste and recycling collection, dropping from 79% in 2017, while around one quarter (24%) are dissatisfied. Satisfaction is below the national figure of 74%, although the LGA data is for waste collections (not recycling) only. Figure 12 shows satisfaction levels since 2011. Satisfaction peaked in 2013 at 85%. This was at a time when the Council introduced recycling of plastics at the kerbside, increasing residents' opportunity to recycle.

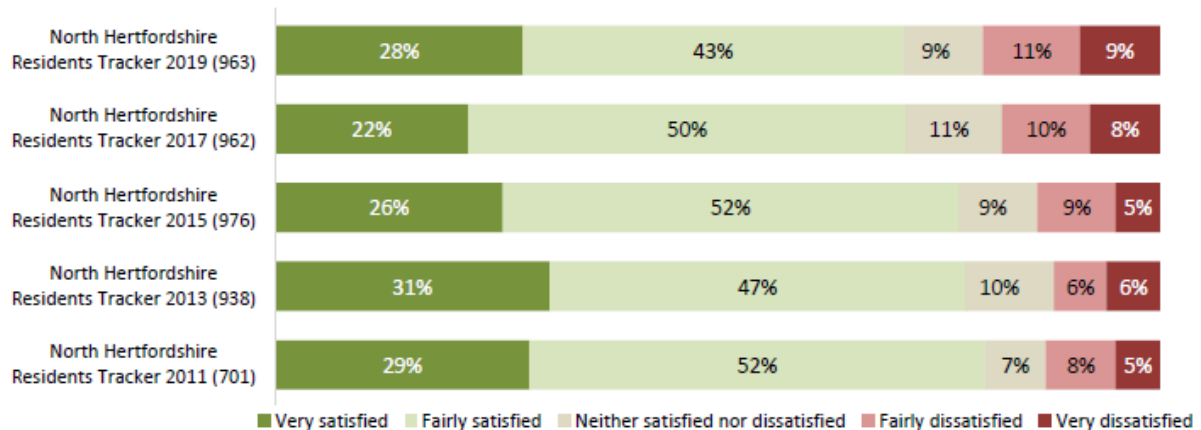
Figure 12: Are you satisfied or dissatisfied or neither satisfied nor dissatisfied with the following...?

### General waste and recycling collection



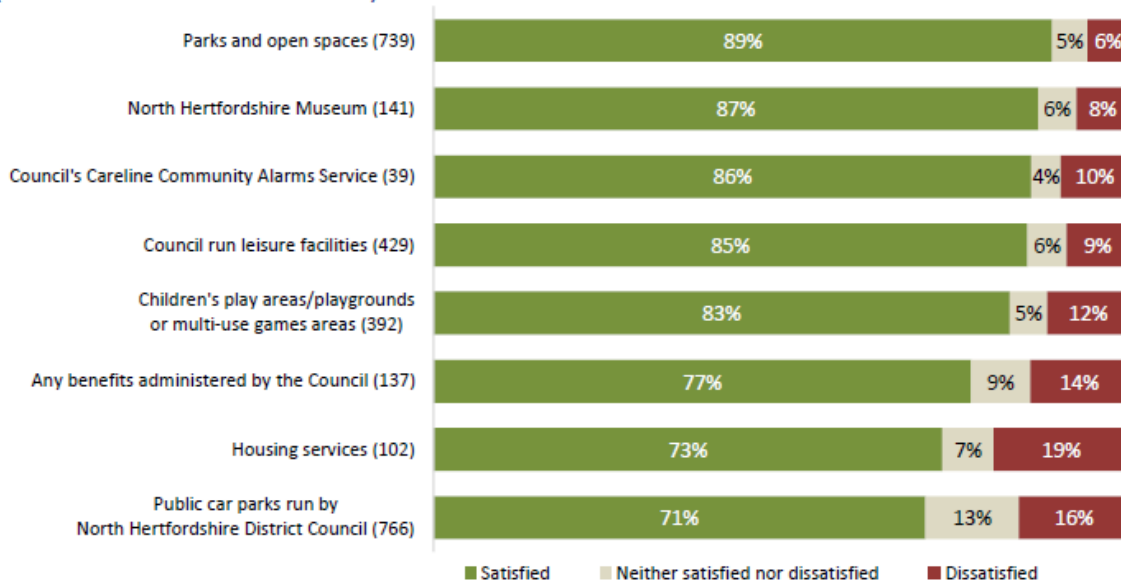
- 8.2.2 71% of residents are satisfied with the Council's street cleaning, which is in line with the national average of 70%, while one fifth (20%) are dissatisfied. Overall satisfaction with street cleaning has remained level since 2017, although it has seen a general decline since 2011. See figure 12 below:

### Street cleaning



- 8.2.3 Residents were asked if they had used a number of Council services in the last year. Figure 13 shows that 78% of residents have used public car parks run by NHDC in the last year, while 75% have used parks and open spaces. 44% had used council run leisure facilities, while 40% have used children's play areas / playgrounds, multi-use games areas.
- 8.2.4 The proportion of residents who have used housing services run by NHDC in the last year, has risen significantly from 7% in 2017 to 11% in 2019.
- 8.2.5 Residents who had used council services were subsequently asked about their satisfaction with those services. Satisfaction levels can be seen in Figure 14 below.

**Figure 14: Are you satisfied or dissatisfied or neither satisfied nor dissatisfied with the following:**  
Base: (Number of residents shown in brackets)



- 8.2.6 While satisfaction with services such as parks and open spaces (89%), North Hertfordshire Museum (87%), Careline (86%), leisure facilities (85%) remains high, there has been a significant decrease in levels of satisfaction for all areas, as show in table 11.

Table 11: Are you satisfied or dissatisfied or neither satisfied nor dissatisfied with the following:  
(satisfaction of services 2011 – 2019)

Service/facility	Satisfied % 2011	Satisfied % 2013	Satisfied % 2015	Satisfied % 2017	Satisfied % 2019	Percentage % Change 2017 to 2019
Parks and open spaces (739)	89%	93%	93%	92%	89%	-3%
Children's play areas / multi-use games areas (392)	87%	90%	90%	88%	83%	-5%
Council's Careline Community Alarms Service (39)	-	100%	100%	92%	86%	-6%
Council run leisure facilities (429)	92%	90%	91%	91%	85%	-6%
Public car parks run by North Hertfordshire District Council (766)	75%	76%	77%	77%	71%	-6%
Housing Services (102)	79%	76%	77%	79%	73%	-6%

Base: (Number of residents in 2019 is shown in brackets)

8.2.7 Waste and recycling collection was selected by 52% of residents as the most important service the Council provides, followed by housing services (19%) and parks and open spaces (10%). These were also the three services cited (in the same order of importance) in 2017, 2015 and 2013.

### Observations on Council Services

8.2.8 Due to issues at the start of the new waste contract in 2018 and also the introduction of a charge for garden waste collections, the decrease in satisfaction with waste and recycling collection was to a large extent to be anticipated. Given that performance levels are now at a business as usual level and that we are into the second year of charging for garden waste, it is hoped that satisfaction levels will improve when the survey is repeated in 2021. However, the reputational impact of previous performance issues may last longer than the actual issues themselves.

8.2.9 Although Table 11 shows a drop in satisfaction of six percentage points for Council run leisure facilities, the figure remains high and our own data shows excellent performance. Stevenage Leisure Ltd (SLL) undertake national quality schemes with the NBS and Quest and recent results show an increase in satisfaction at both Hitchin and Letchworth facilities. At Hitchin, the scores for overall customer satisfaction out of five with visit (4.82) and swimming experience (4.72) are well above the wet site averages (4.29 and 4.26 respectively). At North Herts Leisure Centre, the scores for overall customer satisfaction with visit (4.87) and swimming experience (4.53) are both above the mixed site averages (4.35 and 4.29 respectively). In February 2020, North Herts Leisure Centre also won the NBS Award for 'Overall High Score' and 'Customer Satisfaction'.

8.2.10 Table 11 shows satisfaction with Careline's Community Alarm's service has dropped from 92% in 2017 to 86% in 2019. However, the sample size is very small. Also Careline's own customer satisfaction data showed that 99.8% of customers would recommend Herts Careline to a friend or relative and 99.5% of customers say the help they receive from Herts Careline Control Room Operators is 'excellent' or 'good.'



8.2.11 Table 11 shows a decrease in satisfaction of five percentage points for children's play areas / multi use play areas from 88% in 2017 to 83% in 2019. One possible reason for this drop in satisfaction could be due to the Council's adopted Green Space Strategy (2018), where following consultation, the decision was made to rationalise the number of playgrounds which the Council maintains, opting to only maintain those which had higher use.

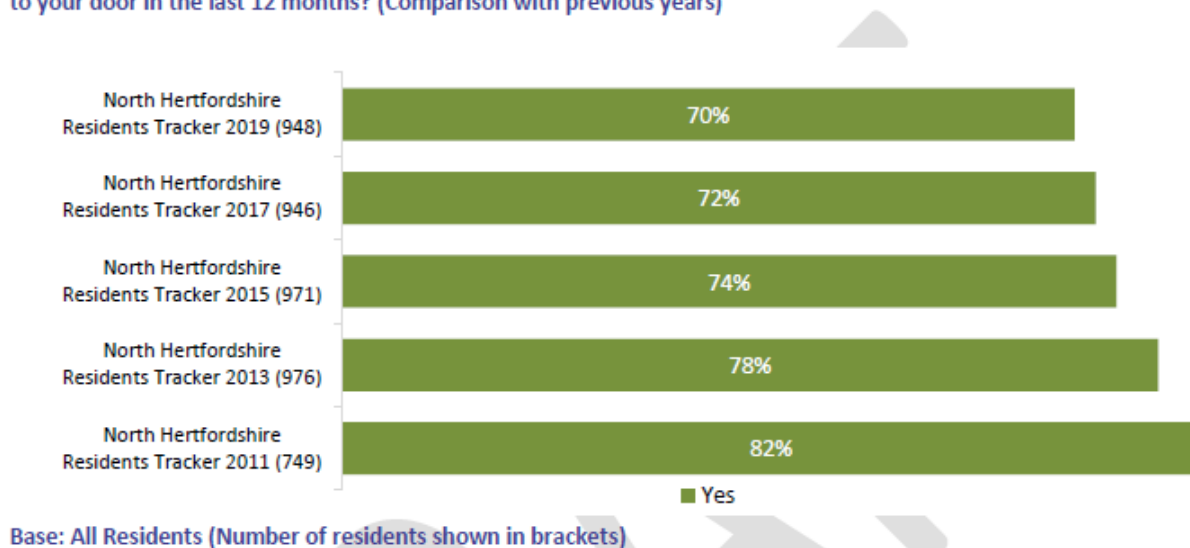
8.2.12 Paragraph 8.2.4 shows an increase in residents who had used the Council's housing services in the last year from 7% in 2017 to 11% in 2019. This increase could potentially be in large part because of the introduction of the Homeless Reduction Act 2017, which came into force in April 2018 and which compels all local authorities to offer its housing service to everyone, not just those where an accommodation duty exists.

### 8.3 Information and Communication

8.3.1 Residents were asked where they normally obtain information about the Council. 74% of residents said the Council's website, followed by 16% who said local newspapers, leaflets etc, 15% said contact with Council staff, 12% said Outlook magazine and 9% said social media.

8.3.2 70% of residents had seen or had a copy of the Council's Outlook magazine in the last 12 months, this has decreased by 2% since 2017 and by 10 percentage points since 2011 (82%). See Figure 17.

Figure 17: Have you seen, or had a copy of 'Outlook', North Hertfordshire District Council's community news magazine to your door in the last 12 months? (Comparison with previous years)



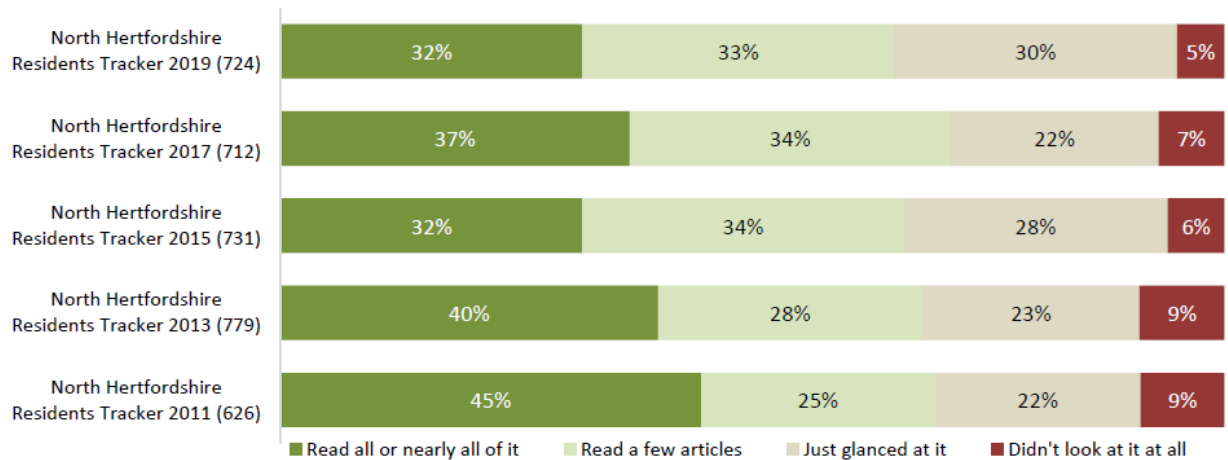
8.3.3 Table 13 shows that residents in Hitchin (78%) are significantly more likely to have seen or had a copy of Outlook magazine delivered to their door in the last 12 months, whereas Royston residents (58%) are significantly less likely to have seen or had a copy of Outlook.

Table 13: Residents who have seen, or had a copy of 'Outlook' by Ward area in the past 12 months:

	Total	Baldock and District	Hitchin	Southern Rural	Letchworth	Royston
Yes	70%	74%	78%	65%	71%	58%
Base	948	135	265	155	247	146

8.3.4 Figure 19 shows that the proportion of residents who have read all or nearly all of Outlook (32%) has decreased significantly since 2017 (37%).

Figure 19: Would you say you have...?



8.3.4 83% of residents like the way Outlook looks and is presented, 77% like the way it is written and 67% find Outlook interesting.

8.3.5 Since the last survey in 2017, we have introduced an email bulletin service @NorthHerts. 10% of residents said they were signed up to the e-bulletin service. Of those residents, 79% like the way the e-bulletins are written, and 81% find the information in them is useful to them. 74% agreed that the topics were of interest to them.

8.3.6 **Observations on Outlook magazine:** Although the proportion of residents who can recall seeing Outlook has declined, under the current Outlook distribution contract, the distributors all wear GPS trackers which show the roads which they have walked down, allowing the contractor to identify any gaps and rectify any missed delivery reports. We can therefore be confident that a much higher proportion of the district has been covered by distribution of Outlook than the results indicate. It also needs to be taken into account that it is industry best practice to check distribution recall within a couple of days of delivery, whereas some residents, depending on when they answered the survey will not have seen an issue of Outlook for several months. The Communications Manager is not aware of any specific issues related to Outlook delivery in Royston, however the contractor has been made aware of the results and copies of the trails for Royston will be requested.

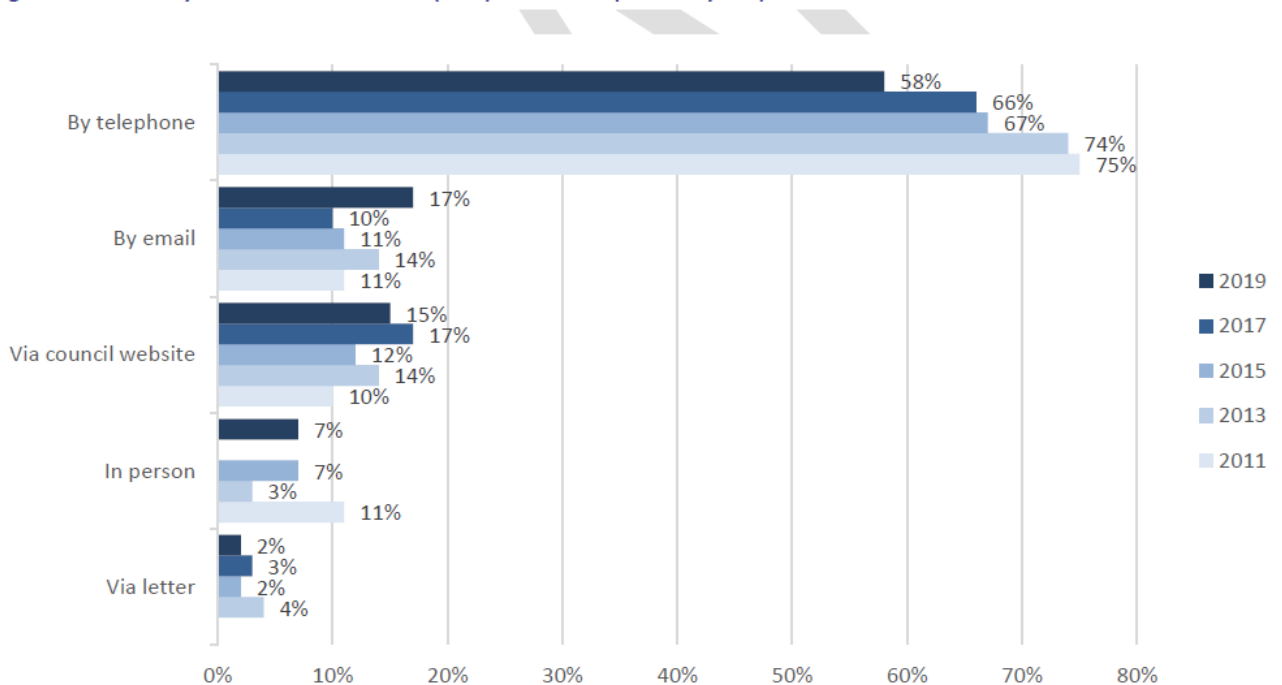
## 8.4 Contact with the Council

8.4.1 Over half of residents (52%) said they have contacted the Council in the last year. Of those, the main reasons for contact were:

- 34% to report an issue or problem
- 17% to ask for advice / information
- 13% to make a payment
- 12% to make a complaint
- 12% to apply to use a service

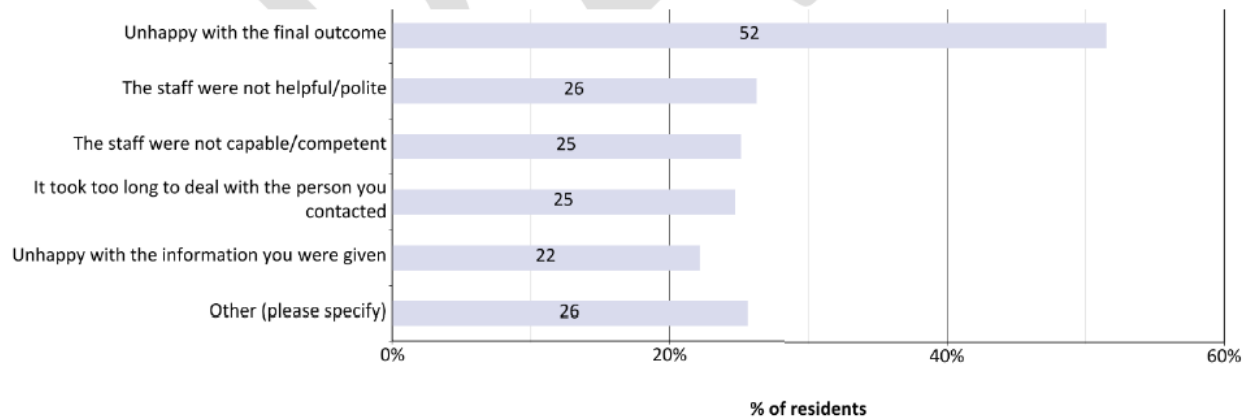
8.4.2 The most popular way to contact the Council was by telephone (58%), with email the second most popular method at 17% and 15% through the Council website. Figure 26 shows the changes in means of contact since 2011.

Figure 26: How did you contact the Council? (Comparison with previous years)



8.4.3 70% of residents said they were satisfied with the service they received last time they contacted the Council, with 38% saying they were very satisfied. 24% of residents were dissatisfied. Of the residents who were dissatisfied, more than half (52%) said they were unhappy with the final outcome. Figure 28 shows reasons for dissatisfaction.

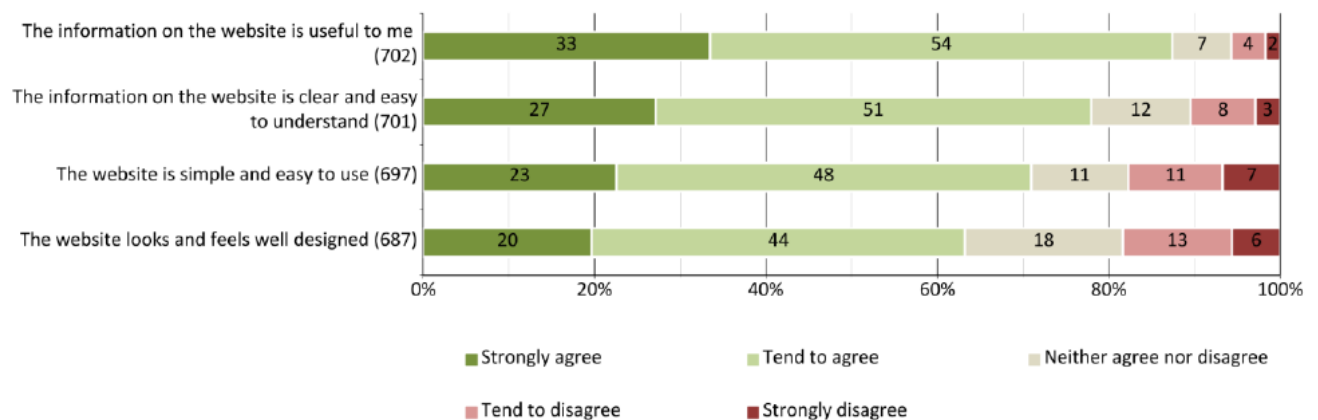
Figure 28: Why were you dissatisfied with the service you received the last time you were in contact with the council?



Base: All Residents who have contacted the council and were dissatisfied with the contact they received (133)

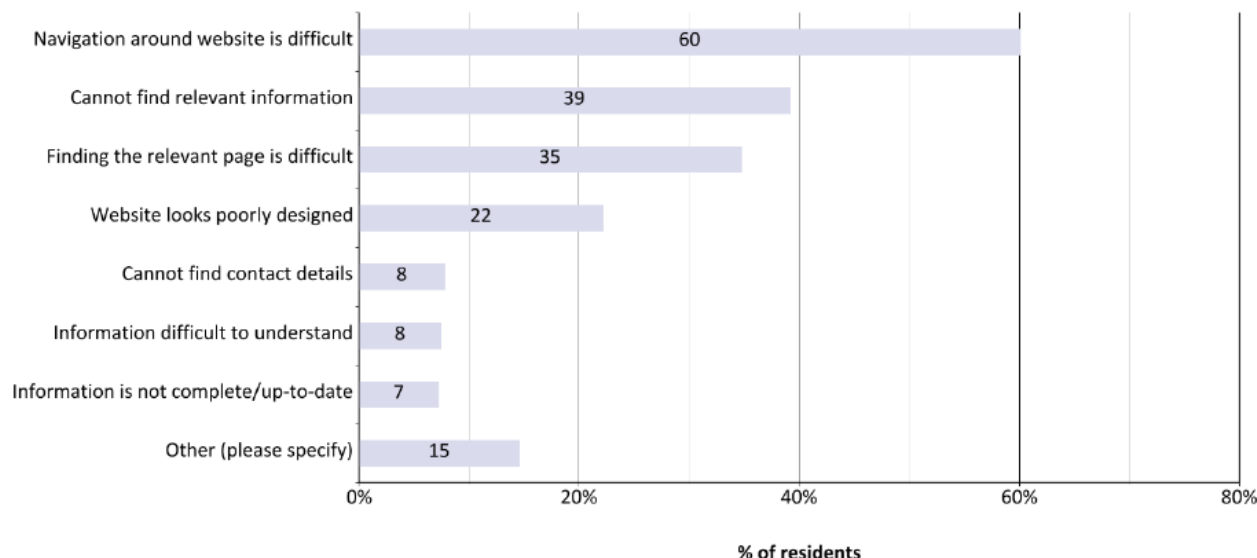
8.4.5 71% of residents said they had visited the Council's website within the last year. When asked about the website, 87% of residents think that the information on the website is useful to them, 87% think the information on the website is clear and easy to understand, while 71% think the website is simple and easy to use. 63% of residents think that the website looks and feels well designed. Figure 32 shows agreement levels with statements about the Council's website.

Figure 32: Thinking about the council's website, do you agree, disagree, or neither agree nor disagree with the following?



8.4.6 Residents who disagreed with any of the statements in Figure 32, were subsequently asked if there were any specific issues which they had experienced with the website. The key issues were on navigating the site and finding the information they wanted. Figure 33 shows specific issues with the site.

**Figure 33: What specific issues did you have with the Council's website?**



**Base: All residents who have had issues with North Hertfordshire District Council's website (166)**

- 8.4.7 Observations on Contact with the Council:** Paragraph 8.4.1 shows that of those residents who had contacted the Council in the last 12 months, 12% contacted us to make a complaint. However the number of complaints we received in 2018/19 only equates to 1% of the total contacts into the Customer Service Centre. The complaints figure includes complaints made directly to our contractors.
- 8.4.8 Observations on Council website:** Overall opinions on the website are positive, however views on navigation and design will be taken into account during 2020/21 when a project to review the existing website, including design and content will be undertaken.

## **9. LEGAL IMPLICATIONS**

- 9.1** The 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.
- 9.2** The Cabinet under 5.6.15 of its terms of reference oversees the provision of all the Council's services other than those functions reserved to the Council, therefore can consider the outcome of the District Wide Service report.
- 9.3** There are no legal implications arising from this report. If any actions are identified as a result of the findings of the District Wide Survey 2019, 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 Conducting the District Wide Survey is an important tool for shaping the Council's Objectives. If the results of the survey are not acted upon, there is a risk that public satisfaction with the Council will reduce, leading to a negative impact on the Council's reputation. In order to mitigate this risk, Service Directors and Corporate Managers use the results as part of the Service Planning process, enabling the Council to address any areas of concern.

## **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 report highlights areas where satisfaction levels could be improved. Broadly though, the services that NHDC provides to residents are well received as noted at 8.1.7. Any mitigating actions may be incorporated into the formulation of the relevant Service Plans to improve service provision, where appropriate. These will be proportionate and reflect the authority's duty under the public Sector Duty. Any identified service improvements may require an analysis of equality impact prior to implementation.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1. As the recommendations in the report relate to a contract below £50,000 the "go local" policy has not been applied due to the specialist nature of the contract and no suitable local providers being able to undertake the work.

## **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

## **16. CONTACT OFFICERS**

- 16.1. Sarah Kingsley, Communications Manager [sarah.kingsley@north-herts.gov.uk](mailto:sarah.kingsley@north-herts.gov.uk); Ext 4552
- 16.2. Rachel Cooper, Controls, Performance and Risk Manager [rachel.cooper@north-herts.gov.uk](mailto:rachel.cooper@north-herts.gov.uk) Ext 4606
- 16.3. Kerry Shorrocks, Corporate Human Resources Manager [Kerry.shorrocks@north-herts.gov.uk](mailto:Kerry.shorrocks@north-herts.gov.uk) Ext 4224
- 16.4. Reuben Ayavoo, Policy and Community Engagement Manager [reuben.ayavoo@north-herts.gov.uk](mailto:reuben.ayavoo@north-herts.gov.uk) Ext 4212

16.5. Yvette Roberts, Legal Officer [Yvette.roberts@north-herts.gov.uk](mailto:Yvette.roberts@north-herts.gov.uk) Ext 4310

16.6. Shah Mohammed, Group Accountant [shah.mohammed@north-herts.gov.uk](mailto:shah.mohammed@north-herts.gov.uk) Ext 4240

**17. BACKGROUND PAPERS**

17.1. The full research report from Opinion Research Services can be found at [www.north-herts.gov.uk/districtwidesurvey](http://www.north-herts.gov.uk/districtwidesurvey)

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<b>CABINET</b> <b>24 MARCH 2020</b>
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<b>*PART 1 – PUBLIC DOCUMENT</b>
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**TITLE OF REPORT: CORPORATE PEER CHALLENGE REPORT**

REPORT OF: THE CHIEF EXECUTIVE AND THE DEPUTY CHIEF EXECUTIVE

EXECUTIVE MEMBER: LEADER OF THE COUNCIL AND DEPUTY LEADER

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

**1. EXECUTIVE SUMMARY**

- 1.1 The Council recently undertook a Corporate Peer Challenge (CPC) between 21 and 24 January 2020, where we were visited by a peer team supported by the Local Government Association. The peer team met with a large number of staff and councillors, as well as external stakeholders such as contractual partners, neighbouring authorities and members of our community. The peer team has produced a feedback report, which is attached at Appendix A.

**2. RECOMMENDATIONS**

- 2.1. That the content of the Corporate Peer Challenge report and its recommendations be noted.
- 2.2. That the Chief Executive, Deputy Chief Executive, Leader of the Council and Deputy Leader be requested to develop an action plan responding to the Corporate Peer Challenge report, to be reported to the next scheduled meeting of Cabinet.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1. To ensure that the Council responds to the matters identified within the CPC report, ensuring that the benefits of the CPC process are realised.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. The 'do nothing' option of not creating an action plan to follow up on the report has been discounted, as the Council committed to undertake the CPC and should therefore seek to gain benefit from that process.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1. All staff and councillors who took part in the CPC were invited to attend the feedback session on the final day. That presentation has been made available to all staff and councillors (including those who had not taken part). Executive Members and the Leadership Team have received the feedback report and been given the opportunity to raise any questions or clarifications.

## **6. FORWARD PLAN**

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

## **7. BACKGROUND**

- 7.1. The Local Government Association offers a number of services to authorities, one of them is the CPC and all authorities are encouraged to undertake them every four to five years. It has been a number of years since North Herts last had one. The CPC took place between 21 and 24 January 2020.
- 7.2. The CPC is designed by the Local Government Association to provide a robust and effective improvement tool managed and delivered by the sector, for the sector. Peers are at the heart of the peer challenge process and consist of councillors and senior officers from other District/Borough Councils who provide a 'practitioner perspective' and 'critical friend' challenge. The CPC was at no additional cost to the Council.
- 7.3. All CPC's look at five core areas for good performance (see page 4 of the feedback report). Additionally we asked that they look at two other areas, decision making by the Planning Control Committee and conducting effective scrutiny.
- 7.4. To prepare for the CPC the Council developed a background briefing document which set out our assessment of how the Council performs in certain key areas identified by the LGA.
- 7.5. The approach taken in the CPC is set out in section 3 of the feedback report and is therefore not repeated here.

## **8. RELEVANT CONSIDERATIONS**

- 8.1. The CPC feedback report covers a range of areas and identifies both the Council's strengths and also areas where it could improve or change approach. In general terms the report is very positive and a fair assessment of the organisation, identifying a number of positive traits including:-
- strong working relationships internally and with partners;
  - positive performance and delivery of services;
  - prudent management of finances;

- Good staff morale, recognising the improvements generated by a number of recent initiatives;
- Service innovation and willingness to try new approaches.

8.2. The areas for improvement include:-

- A clear perception that the Council is risk averse;
- A lack of clarity around future ambitions or direction for the District;
- Taking a corporate and strategic approach to transformation;
- A number of specific recommendations regarding the operation of the Planning Control Committee (section 4.6);
- A number of specific recommendations regarding the operation of the Overview and Scrutiny Committee (section 4.7).

8.3. The expectation of any CPC is that an action plan is developed within three months to respond to the recommendations from the peer team. There appear to be three main themes arising from the CPC which will form the basis of the action plan, with specific actions against those themes

1. Developing an ambitious place narrative to shape our future agenda
2. Developing an internal transformation programme, reimagining the customer experience
3. Progressing the already agreed organisational development programme (called Shaping our Future) to link points 1 and 2 and ensure the Council is able to deliver on its programme.

8.4 The peer team identified the use of reserves to fund the place narrative work and transformation programme and this will be looked at in the development of the action plan, considering capacity of the organisation currently. Use of the General Fund reserves for discreet, time limited, projects that will positively benefit the organisation is possible although using reserves to fund ongoing costs is of course not possible. The resourcing of any work will be considered as part of the development of the action plan.

## **9. LEGAL IMPLICATIONS**

- 9.1. Cabinet's terms of reference include at paragraph 5.6.13 "To consider the reports of external review bodies on key aspects of overall service delivery".
- 9.2. The CPC is a voluntary process and therefore there is no legal obligation to either host a CPC or act upon the recommendations. However it is best practice to undertake a CPC and having done so, to act upon the issues identified.
- 9.3. The CPC makes various recommendations relating to the Council's Constitution. These are matters for Full Council to determine in accordance with paragraph 4.4.1(p) of the Council's constitution and will be the subject of a separate report to Council.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. The recommended minimum level of reserves referred to in the CPC feedback report only applies to General Fund reserves, and this minimum has been set after considering the level of other specific revenue reserves. The Investment Strategy that was approved by Council in February, and this showed the need to use capital reserves to fund the currently planned capital programme, and indeed there would be a need for future borrowing. As stated in paragraph 8.4 above reserves must not be used for ongoing revenue costs, however time limited projects that positively benefit the Council could be funded. There would be a very high level of risk in following a strategy that aimed to have reserves at the minimum recommended level, even if the Council was in a position where there was a clear plan as to how to balance funding and expenditure in the medium term. Instead it is recommended by the Chief Finance Officer that a more prudent target level of reserves is considered, and that any spend on time limited projects should not take reserves below that level. The potential financial implications of the proposed action plan will be assessed as the plan develops.
- 10.2. The Peer Review, alongside many other services and support, is included within the Council's annual subscription to the Local Government Association. For 2019/20 this cost was £12,540.

## **11. RISK IMPLICATIONS**

- 11.1. The CPC feedback report identifies that staff, partners and citizens frequently describe the Council as risk averse. The revised Risk Management Framework is intended to assist in moving the Council to a position of being 'risk aware' and focused on significant risks. This is an important part of the ongoing push to develop commercial income generating projects, but to move away from being 'risk averse' there would also be a need for a general shift in the level of risk that the Council is prepared to take.

## **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 equalities implications in this report.

## **13. SOCIAL VALUE IMPLICATIONS**

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

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1. As identified in paragraph 8.4 above there are potential staffing resource implications of some of the recommendations in the CPC feedback report and these will be considered in the development of the action plan.

## **15. APPENDICES**

- 15.1. Appendix A – Corporate Peer Challenge Feedback Report

## **16. CONTACT OFFICERS**

- 16.1. Anthony Roche, Deputy Chief Executive  
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## **17. BACKGROUND PAPERS**

- 17.1. NHDC Peer Review Position Statement

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# Corporate Peer Challenge **North Hertfordshire District Council**

*21 – 24 January 2020*

Feedback Report

## 1. Executive Summary

North Hertfordshire is the second largest district in Hertfordshire at 145 square miles and is polycentric with four main settlements; Hitchin, Baldock, Royston and the world's first Garden City, Letchworth. In addition to the main settlements there are some 40 surrounding villages and hamlets. Staff, partners and citizens identify with these settlements, with less of a focus on North Hertfordshire as an identifiable 'place'.

Residents enjoy and strongly value the surrounding rural areas which are predominately green belt. North Hertfordshire was described on more than one occasion as green and leafy and with the proximity to London, Cambridge and nearby Stevenage making North Hertfordshire an extremely well-connected commuter hub and location for business.

The four settlements are the focus for economic growth, housing and employment with several established international businesses located in the district. The Hertfordshire Local Enterprise Partnership (LEP) has recently relocated to Letchworth and is working closely with Letchworth Garden City Heritage Foundation to develop a strategy for its economic future in partnership with local businesses.

The council are working from a Local Plan dating back to 1996. The revised Local Plan 2011 – 2031 is on a trajectory to be adopted in the summer of this year and was originally submitted in June 2017 with a detailed examination in public starting later that year in November. The Local Plan proposes significant housing growth of 14,000 homes of which many are sited in the green belt. This level of growth will understandably be difficult to accept for the community and members of the council.

Since the May 2019 elections the council administration has moved from long standing Conservative control to 'no overall control' with a new joint administration formed through Labour & Cooperative and Liberal Democrat members. The new administration operates through an executive model with a mix of Labour & Cooperative and Liberal Democrat cabinet positions with deputy arrangements fulfilled by the opposite party held by cabinet. The administration is in transition from being in a long period of opposition. The recently elected councillors have positively added more diversity to the administration. Third elections will take place during May 2020, followed by a two-year period before the next election takes place.

The administration is taking the council forward on the back of a period of unprecedented change which has seen budget cuts of £11m whilst being in the first cohort of authorities to receive zero revenue support grant. The administration has developed a new corporate plan, renamed the 'council plan', which includes a refreshed vision and corporate objectives. Staff and partners described how the culture and work environment is shifting positively and the council is moving forward. The administration has committed to increasing engagement with communities and are introducing three new cabinet panels to include increased community engagement. The council is also now a member of the Cooperative Councils Innovation Network and is working towards operating to a cooperative set of values. The administration is keen to work with partners to achieve



positive community outcomes and to ensure social and affordable homes are delivered. The peer team encourage NHDC to align all its resources, policies and capacity to achieve these priorities.

Staff and partners spoke strongly about the Leader of the council and the Chief Executive, citing them both as consistently easy to work with, supportive and with a strong working relationship. Partners like working with North Hertfordshire District Council (NHDC) and the existing relationships could support further constructive partnership working. The council does, however, need to look beyond the county of Hertfordshire for good practice and innovation and should be bold and brave in its future networking and learning.

The peer team described the council as being at a junction. Staff, partners and citizens were unclear of the council's ambition or future direction. Staff talked about the future being more about achieving operational efficiency (which is an important contributing factor to achieving a balanced budget) but spoke much less about the council's role in place shaping and providing leadership as the anchor organisation to lead growth and the building of new communities (despite this objective being in the council plan).

Performance and delivery of public services is positive, despite the financial backdrop. Balanced budgets have been modelled as part of the Medium-Term Financial Strategy process and are now progressing into a planning stage to ensure there is a viable solution to the known future budget gaps of £1.1m. There are significant financial reserves well above the section 151 officers recommended minimum. The level of reserves provides the council with options for funding future transformation capacity.

Morale was reported as being good and staff feel engaged and supported. The culture is changing, and staff are looking forward. The new office work environment is seen as positive alongside the implementation of technology that assists staff with agile and flexible working. New people-focused strategies were described as positive, for example the staff awards for role-modelling the council's new behaviours.

Service innovation and a willingness to try new approaches was evident throughout discussions with staff, including the use of 'ChatBots' and artificial intelligence to support customer service delivery. The peer team found that despite the positive deployment of technology and creative approaches this appeared to be driven bottom up and not part of an overall strategy or vision for an agreed corporate target operating model. The current approach was considered as opportunistic and lacked an overall strategy and corporate approach. This current approach to service delivery may result in positively reducing operational spend, although at the risk of a potentially fragmented and inconsistent customer experience and no corporate approach. It is therefore crucial for the council to take an integrated corporate approach to transformation which is clearly articulated top down and programme managed.

Staff, partners and citizens frequently described the council as risk averse and believe that more value and positive outcomes can be achieved. The peer team, therefore, recommends that NHDC defines its approach to risk within the context of the council being

more outward facing and ambitious for its place and communities, as well as being aligned to the council plan.

Developing a clear narrative for place and developing an outward facing ambition for North Hertfordshire will help the council broaden the focus from service delivery to place shaping. Taking a corporate and strategic approach to transformation will ensure all resources and effort is focused on achieving an agreed set of outcomes. There is now an opportunity to move from a culture of evolution to a more 'step change' revolution. The council is in a good position to meet and lead on current and future challenges.

## **2. Key recommendations**

There are a range of suggestions and observations within the main section of the report that will inform some 'quick wins' and practical actions, in addition to the conversations onsite, many of which provided ideas and examples of practice from other organisations. The following are the peer team's key recommendations to the council:

1. Broaden the council's focus to an ambitious place shaping agenda.
2. Align all your resources, policies, capacity to achieve your priorities.
3. Develop a narrative for place.
4. Use reserves to fund internal and external transformation capacity.
5. Take a corporate approach to transformation – top down and programme managed.
6. Use external partnerships to benefit North Hertfordshire.
7. Best practice needs to look beyond the Hertfordshire area.
8. Be brave.

## **3. Summary of the Peer Challenge approach**

### **The Peer Team**

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and agreed with you. The peers who delivered the peer challenge at North Hertfordshire District Council were:

- Lead Chief Executive Peer - Rose Rouse, Chief Executive, Eden District Council
- Lead Member Peer - Councillor Mohammed Iqbal, Pendle Borough Council
- Lead Member Peer - Councillor Mark Cory, Colchester Borough Council
- Officer Peer - Mike Hill, Corporate Director, South Cambridgeshire District Council
- Officer Peer - Richard King, Former Director of Place and Community, Lichfield District Council
- Peer Challenge Manager - James Mehmed, Local Government Association

## Scope and focus

The peer team considered the following five questions which form the core components looked at by all Corporate Peer Challenges. These are the areas we believe are critical to councils' performance and improvement:

1. Understanding of the local place and priority setting: Does the council understand its local context and place and use that to inform a clear vision and set of priorities?
2. Leadership of Place: Does the council provide effective leadership of place through its elected members, officers and constructive relationships and partnerships with external stakeholders?
3. Organisational leadership and governance: Is there effective political and managerial leadership supported by good governance and decision-making arrangements that respond to key challenges and enable change and transformation to be implemented?
4. Financial planning and viability: Does the council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
5. Capacity to deliver: Is organisational capacity aligned with priorities and does the council influence, enable and leverage external capacity to focus on agreed outcomes?

In addition to these questions, you asked the peer team to provide feedback on:

- Decision making by our planning committee, pre and post Local Plan period.
- How to conduct effective scrutiny with clear outcomes to benefit the political process.

## The peer challenge process

It is important to stress that this was not an inspection. Peer challenges are improvement focussed and tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared for the peer challenge by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing. The team then spent 4 days onsite:

4

- Spoke to 95 people including a range of council staff together with councillors and external partners and stakeholders.
- Gathered information and views from attending 50 meetings, visits to key sites in the area and additional research and reading.
- Collectively spent more than 190 hours to determine their findings – the equivalent of one person spending more than 5 weeks in North Hertfordshire District Council.

This report provides a summary of the peer team's findings. It builds on the feedback presentation provided by the peer team at the end of their on-site visit on 24<sup>th</sup> January 2020. In presenting feedback to you, they have done so as fellow local government officers and members, not professional consultants or inspectors. By its nature, the peer challenge is a snapshot in time. We appreciate that some of the feedback may be about things you are already addressing and progressing.

## 4. Feedback

### 4.1 Understanding of the local place and priority setting

The four main settlements in North Hertfordshire form a natural focus point and are adjoined by 40 surrounding villages and hamlets.

Staff and members refer to places and communities, as opposed to a North Hertfordshire identity or geography. Partners referred to some places within the district as the “jewel in the crown” for Hertfordshire. Councillors and staff understand the unique identity of towns and villages and understand the communities concerns over growth and potential impact on the green belt and natural environment.

Within NHDC, external ‘place’ and ‘communities’ were spoken about much less than internal service delivery, internal transformation and organisational performance which were all frequently raised. The peer team recognise that the focus has been on service delivery to deliver a balanced budget and achieve required savings. An example was the implementation of a new waste contract. Despite a turbulent start to the contract and on-going customer service challenges, the savings to the council have been significant. It is however time to further shift this focus towards a more people and place-based approach.

There is strong community engagement to inform council priorities and decisions. Area committees and ‘Town Talks’ are used to engage the community. Although ‘Town Talks’ were seen as a positive engagement mechanism they tend to focus on operational / service delivery matters and are reactive to residents’ issues. The peer team recommend realigning the meetings to inform strategic direction, policy shaping and decision making and to proactively take council and place-based issues out to local communities.

The Leader of the Council and Chief Executive are fully engaged in the Hertfordshire Growth Board and the North, East and Central Herts authorities joint strategic planning group. Working as part of these two groups has enabled detailed work and information on place to inform strategic decision making on economic growth and housing.

Despite a good understanding of place, there was no evidence of a strategic needs analysis to inform the council plan and policy shaping.

Whilst speaking to staff, partners and councillors, there was very limited evidence of looking outwards at best practice. There was some evidence of looking across Hertfordshire for best practice but little reference to researching or comparing / benchmarking outside of the region or more broadly nationally. NHDC would benefit from visiting other councils’ that have achieved or are some way working towards the objectives and outcomes NHDC is seeking to deliver, such as place shaping, large scale housing development and commercial development.

Place-shaping could be accelerated and supported by maximising the opportunity of working in closer partnership with the Hertfordshire Local Enterprise Partnership (LEP). The Hertfordshire Growth Board has the LEP as an active partner at pan-Hertfordshire level and it would be advantageous to work more closely with the LEP (and BID Town Centre Managers) on a local place-based strategy, maximising available skills, expertise and funding. A partner summarised well the opportunity that exists in North Hertfordshire ... “You need an ambitious growth plan, bite the bullet and go for transformation of your place ... demonstrate your ambition to show you want something bigger and better for your businesses and residents”.

The peers believe NHDC is well placed to take on this agenda and need to be brave in their endeavours.

## **4.2 Leadership of Place**

The Council Leader and Chief Executive are consistently seen as positive and held in high personal regard by a broad range of partners and peers. Partners like working with NHDC and speak highly about working with councillors and senior leadership.

Partners state “there are a lot of things to like about the way NHDC do business” and suggest that everyone is “missing opportunities”.

Staff and partners were unable to describe the future ambition and identified more closely with operational transformation. A clear narrative for place is needed to support partners and staff in understanding how they can better contribute towards outcomes and assess strategically how resources can be deployed for maximum impact. Partners felt there was a shared ambition for the place and are keen to put their energies into developing a shared narrative and so make a difference and deliver something that everyone can be proud of.

Peers were unable to identify a clear unique selling point (USP) for North Hertfordshire and felt that place assets were not being exploited or communicated in a way that could enhance community benefits. Councillors should be leading the way as brand ambassadors. Throughout the peer challenge process there was little evidence of this and much opportunity for councillors to be ‘selling’ the district and promoting what is good about North Hertfordshire.

The administration is seeking to lead place shaping through increased engagement with communities. Recent membership of the Cooperative Council's Innovation Network is a step towards wanting to reshape the council's relationship with communities, working in equal partnership with local people to co-create, co-produce and strengthen communities.

This means a repurposed role for NHDC that will challenge traditional models of top down governance and service delivery with local leadership, co-operation, and a new approach built on values of the co-operative movement: collective action, co-operation, empowerment and enterprise.

The peer team held a focus group with a small group of North Hertfordshire citizens. Representation was distributed across the four main settlements in North Hertfordshire. The group was highly engaged and spoke freely and objectively about their experience of NHDC, from an operational service delivery perspective and about their views on the future of their respective communities. The meeting was insightful and provided the following summary which is indicative of how the community are feeling at present:

- The stance on climate change was viewed as positive and more needs to be done.
- Transport is a key factor in connecting rural communities to jobs and services.
- It is not always clear how to engage in consultation processes.
- More needs to be done to make consultation accessible to the broader community.
- More opportunity to engage on consultation topics using digital solutions.
- Attracting London overflow was seen as a threat and an opportunity.
- Concern over villages becoming commuter dominated and just 'community shells' with less community cohesion. How do villages stay vibrant?
- High level of awareness of the need for much more affordable and social housing.

The Citizen Panel were clear that NHDC is a good council. This is demonstrated by NHDC's performance across a range of areas including:

- Performing above the mean for the percentage of household waste sent for reuse and recycling compared to CIPFA nearest neighbours.
- Spending above the mean on cultural services.
- Experience less households on the housing waiting list compared to the mean for CIPFA nearest neighbours.

Citizens shared their experience of the council being open to constructive feedback and the feeling that NHDC is making a big effort to do the right thing. Some positive interventions made by NHDC were not well publicised, the citizens felt that advertising and signs could be used in parks stating that NHDC has enabled the improvement or funded the development. More can be done to actively inform citizens of the work NHDC has delivered and how their council tax is being invested.

The citizen panel want NHDC to be the champion of what citizens want. They want there to be more representation from citizens and ensure the differences in places, main settlements and villages are recognised in policy making. Housing, transport and employment near new homes are important to citizens.

Peers were informed of an example that while Hitchin Market has suffered reduced footfall, it is seen as historically important and valued by the community. As a result, NHDC investment was directed to the market, knowing that the outcome was less about financial returns and more about delivering social and economic value, maintaining the facility for the community and small businesses to ensure the market did not diminish.

Area committees and 'Town Talks' provide a good basis for community engagement. However, peers heard that these are currently used by citizens exclusively to raise service delivery / operational issues. Although this feedback is helpful in terms of driving service improvement, there is an opportunity to refocus these over the next year to better engage citizens in and inform policy shaping. The citizen panel formed for the peer challenge was a good example of how citizens can inform policy making. They had a lot to say with ideas on what is needed going forward. The relatively new cabinet panel on environment provides a positive mechanism for formulating policy, community participation and could attract specialist resources from the community. Other councils' embarking on a similar approach have cited examples of specialist resources that are located within the community such as academics and environmental consultants who are willing to input into local climate strategies.

### 4.3 Organisational leadership and governance

The internal culture and direction of NHDC was consistently described as evolving, improving and moving forward. There was genuine feedback indicating officer and member relationships are improving, which staff see as positive.

Staff described how they were feeling more empowered and freer to perform in a way that is more productive for NHDC. The Council Leader was described as having an 'open door' and actively encourages staff to drop by and see him to discuss any aspect of their work. While this is a positive, there equally needs to be clarity about the roles and responsibility of officers and members.

The culture of NHDC has shifted towards employee engagement, wellness and being more supportive. People strategy projects and policies are having a positive impact. The challenge will be sustaining the positive work to date and ensuring that the people strategy that has recently expired and emerging organisational development strategy can continue to support NHDC's performance and developing culture. In this regard, the new organisational values and behaviours are positive and visible around the building. However, these were perceived to be complex and as having been developed with little staff engagement. As yet they do not appear to be embedded in the organisation's culture. There is an opportunity to involve staff more in the development of the new organisational development and people strategy.

NHDC was described by peers as being 'at a junction point' and if more emphasis is made on place-shaping and being more outward facing, both strategic plans will need to be fully aligned to that direction of travel.

Learning and development was discussed least. Peers understand that a career development survey was conducted in 2019 to understand individual employee appetite, to feed into succession planning and regular one to ones. There are regular performance reviews (RPR) in place. Peers identified an opportunity to use the RPR process to gather information on career development (as done by other councils) and



see career aspirations and personal development as an ongoing conversation as people's circumstances, positions and aspirations frequently change.

In sections 4.6 and 4.7 of this report the peer team highlight the requirement for members to undertake specific learning, development and training to assist with roles on committees. There is an established corporate budget to fund specific and general learning and development needs. While peers see this as positive, the emphasis must be on all learning and development being aligned to the emerging organisational development plan and council plan delivery.

It is recommended that the emerging organisational development strategy identifies the future skills and behaviour requirements and identifies how those skills and capabilities will be developed across the workforce, either in job design, specific learning interventions or other approaches to ensure skills acquisition keeps up with pace and change of organisational priorities. As an integral component of future organisational performance, it is recommended that there is an increased focus on management and political oversight of learning & development (for both officers and members) with regular reporting and assessment of impact and readiness e.g. being ready to cope with future increased planning applications post-Local Plan.

NHDC has an established mechanism for staff engagement and internal communication. There is a top-down grouping of management meetings from leadership team, senior management, senior management group and staff briefings that are held regularly where all staff are invited to attend. The peer team recommends that there is a focused period of time where all staff have the opportunity to understand the direction of the council and the council plan and ensure there is an increased outward-focus for the organisation to help staff to make the shift to understanding the place-shaping agenda and NHDC's role in facilitating curation of place. Staff reflected that they would like to see more of the Chief Executive and leading more of the internal communication forums.

Existing forums between the Trade Union were seen as effective and support a close working relationship between Trade Union and employer representatives over organisational change. There was positive recognition for recent employee policies that have been implemented, including the increased focus on people and the 2019 Christmas shutdown which was positively received by staff members.

NHDC has a proactive relationship with internal audit, where the senior leadership objective is to maintain an open and honest approach to internal audit processes and therefore be receptive to issues, identification of weaknesses and areas for improvement.

NHDC enjoys the benefits that come from being a member of a shared internal audit service across 8 other Hertfordshire councils. The partnership supports shared learning across member councils and facilitates regional benchmarking. There is an established annual cycle that starts each December where all service directors are engaged to create an assurance map, indicating to audit where to focus on for the forthcoming year.

Plans will be agreed through sign off processes involving the chair of audit committee with senior management team sign off in February 2020.

There was evidence of an established performance management framework in place. Performance Indicators (PI's) are reviewed each January and set by Executive members and service directors. Historically there is good practice involving the review of PI's for continued reporting, although there is less forward looking and horizon scanning for the introduction of new PI's. There are not too many corporate PI's and some measures such as homelessness targets are not included. Peers were informed that there was robust challenge at Overview & Scrutiny (O&S) on setting PI targets.

In March of each year new PI targets and project PI's are shared with O&S. O&S monitor the corporate PI's as well as significant projects. There is a strong thread running through projects ensuring all are linked to a corporate objective. Quarterly updates go to O&S using a traffic light system on an exception report basis. O&S only see amber or red indicators, plus homelessness and waste performance. The peer team were surprised that only low / negative PI's were debated at O&S and those reports were shared publicly. Publishing positive performance alongside amber and red performance would provide the public with a rounded summary of performance, allowing NHDC to outwardly celebrate what is being delivered to agreed performance levels. Peers believe that if amber and red PI's were seen alongside green PI's at O&S there is a greater opportunity to debate how those officers supporting green PI's can transfer some of their learning and skills to amber and red PI areas.

Peers understand that the full performance report is sent to councillors one month before O&S to provide the opportunity for requesting the appropriate lead executive member and officer to attend O&S to be accountable for questioning. This opportunity has never been requested and should be used in order to strengthen the debate and challenge at O&S.

#### **4.4 Financial planning and viability**

NHDC has delivered £11m of budget savings since 2010 and was in the first group of authorities to receive zero revenue support grant. The recommended level of reserves (£1.96m) are far exceeded with general fund reserves at circa £8m as at 31 March 2019.

There was a strong theme from across a broad range of people taking part in the peer challenge process citing the council, members and officers are risk averse. The lack of a clear definition on risk appetite is likely to be contributing to a culture of risk aversion. The peer team recommends that NHDC defines its approach to risk within the context of the council being more outward facing and ambitious for place, as well as being aligned to the council plan.

There were some examples where staff cited an over cautious approach to risk was being employed. Peers questioned if commercial plan business cases were taking into

account non-cash benefits such as increased social value / outcomes, affordable homes, zero carbon homes and not just solely on financial returns.

With reserves at four times the recommended minimum, the council should invest some reserve budget into funding the transition to the new council plan and making early investment in capacity to deliver place shaping and transformation, inside and outside the council.

NHDC has a positive external auditor opinion relating to controls and measures. NHDC received an unqualified opinion in relation to the 2018/19 annual accounts and value for money conclusion.

NHDC has a Medium-Term Financial Strategy (MTFS) and is balanced through making future savings (although not all required savings have yet been identified). Identifying how those savings will be made is part of the next stage of moving the MTFS from a forecast to a plan. NHDC is considering reviewing current service delivery models, statutory / discretionary services, the capital programme and increasing commercial activity generating income from assets and other business opportunities. Peers questioned whether a statutory / discretionary service and base-budget review is the priority for delivering transformation. The team recommend that starting with the customer and aligning the council plan objectives with the MTFS is a more appropriate point to initiate the design of and impact on services.

To increase focus and capacity for undertaking further commercial activity, an investment has been made in setting up a commercial team. The commercial team will seek to make property investment and have a capital fund ready to invest. The team are also working on developing a commercial culture and seeking to increase staff knowledge, skills and awareness of commercialisation. A commercial workshop for senior managers was taking place whilst the peer team were on-site. The investment in the commercial team was perceived as a positive example of realigning resources to generate revenue. However, there is a strong need to ensure there is an agreed risk framework shared between officers and members in order to maximise performance and outcomes and ensure this team begins to deliver benefits.

There was evidence of a framework in place for political oversight of financial management. Councillors informed the peer team of participation in budget workshops, providing the opportunity for all councillors (cross-party) to engage in the budget planning process. Cabinet review the feedback and proposals generated through the budget planning process. Given the recent change in administration and allocation of portfolios, there is a learning curve for portfolio holders to ensure they are fully engaged and skilled in the service and financial business to provide the robust challenge to members and officers. Peers heard that officers are actively supporting new portfolio holders through the provision of technical guidance which was viewed as positive.

Service managers receive monthly budget monitoring reports from the finance team. Significant variances are reported to the senior management team and cabinet as necessary, demonstrating a framework for escalation and reporting. Service managers

are expected to manage overspending and work in partnership with finance officers to explore the rationale for overspend and work through strategies to bring spending back in line with agreed budgets. There are established thresholds and control measures in place where cabinet will be alerted to variances over £25k. Peers were content that there are appropriate measures and oversight in place to support good financial management.

#### **4.5 Capacity to deliver**

Staff described a period of feeling unsettled as a result of an organisational wide restructuring exercise. Post restructure this has improved and staff describe the organisation as being more streamlined and leaner. There was positive recognition that the last staff survey and office move led to improved staff morale, well-being and a more people focused culture. Flexible working is embraced positively, supported by improved IT and policies.

Staff consistently described the change in organisational culture as positive and evolving and are enthusiastic about the future. The culture was described as more people focused, with an increased attention on wellbeing and health. The current people strategy expires this year and there are steps in place to develop a new people strategy, supported by an organisational development plan which is in very early stages of discussion.

There has been a positive attempt to engage staff and their future contribution through the implementation of a career development survey. The organisation has a clear map of who is seeking career development, enabling resources to be targeted at growing skills and capacity. Emerging themes from the new people strategy are workforce planning, succession planning and the development of an organisational development plan. These were seen as important enablers of future organisational performance.

Most member and officer relationships are positive. Staff reported a positive change with the new Council Leader, where many staff described feeling more trusted and empowered. The Leader's door is open to staff to discuss any issue they wish to raise.

NHDC is willing to try new ways of working and will seek to innovate on a case by case basis, appraising opportunities as they arise. A positive example included working with the University of Hertfordshire to place two graduates to deploy their capacity and expertise in information technology and artificial intelligence. Although the introduction of new technologies was viewed as positive, the peer team recommend that the council ensure this approach fits within the strategic context and is sustainable after the resources have left their placement.

The feedback from partners was consistently positive, with partners citing examples of how they work together with the council, or to deliver contracted out services. NHDC has a mixed approach to service provision, with some services delivered in-house by NHDC staff, contracted out services, partnerships and shared services. NHDC adopts

an approach which is merit based where opportunities are assessed to examine the best outcome and value for money and are not led or constrained by one model, offering flexibility.

The peer team observed transformation being delivered 'bottom up' in the organisation, and therefore not part of a strategic, joined-up corporate plan. Some of the work was described to peers as being less visible and not joined up, which could potentially create issues for other service areas if there are dependencies between services and functions.

NHDC would benefit from an agreed target operating model (TOM) which would support an overall approach to how operational services are delivered. This approach could go some way to support delivering further efficiencies in order to reduce spend and contributing to reducing the future budget gap. A TOM would also enable a framework for investing in technologies, applications and systems as well as identify the skills and resources needed to maintain associated operations and service delivery. A TOM would support closing the gap between customer experience, ensuring that services have a common look and feel, supporting customers to navigate around services with more independence and decreasing more costly and avoidable demand.

Operating more corporately will require a more programme managed approach to transformational projects ensuring there is join up and managed risks, issues and dependencies. Project and programme management resourcing and planning could be improved as peers identified that resources and timescales were often underestimated, resulting in projects being delayed and staff having to manage the pressure of delivering day-to-day operational requirements whilst taking projects forward. There is an opportunity to use some of the council's reserves to fund capacity and accelerate delivery. There may be some cases where funding early delivery saves the council money, as an invest to save initiative.

As NHDC drive forward the council plan and consider being more ambitious with place-shaping there is a need to ensure there is a correct balance of resources and skills in place to support working differently. The peer team recommend that the organisational development plan addresses the future skills needs and supports staff, managers and leaders in building the required place-shaping capacity at a strategic level.

NHDC is carrying vacancies and finds some roles difficult to recruit to. Staff made an observation that some roles in each functional area have a similar skill set although access for flexible resourcing is limited and reinforced by the functional structure. The peer team suggest that there could be a pooling of roles with generic, flexible skills that could move around the organisation where the work dictates. This pool could operate as a corporate transformation resource pool and be assigned to projects through a programme management approach. One positive outcome of this approach is the development of corporate transformational capacity which becomes knowledgeable about NHDC's operations, adding some potential resilience and succession for future heads of service roles.

#### **4.6 Decision making by NHDC planning committee, pre and post Local Plan period.**

NHDC determines planning applications from its current 1996 Local Plan. A revised 2011 – 2031 Local Plan is on course to be adopted in the summer of 2020. A new Local Plan was first submitted in June 2017 with an examination in public commencing later that year in November. The examination is still in progress and NHDC continues to respond positively to questions and issues raised by the inspector, often within very challenging timescales.

With large volumes of housing growth destined for the green belt, there is a high risk of objection from impacted communities. The peer team were informed that during earlier consultation of the Local Plan, some 8500 representations were received and large numbers of the public (circa 400 – 500) attended a related consultation meeting.

It is therefore pivotal the planning committee performance is robust, effective, open and transparent in determining planning applications.

Current committee members believe planning officers are extremely knowledgeable, informative and professional with a good recent record on appeals. There is good joined up working between planning policy and development control.

One factor adversely impacting a delay to planning committee decision-making is the practice of issues and questions not being raised until the committee meeting. This results in deferment of decision-making whilst additional information or clarity is obtained to inform the committee. Changing this practice so that issues are raised with officers as soon as possible will provide greater efficiency and speed up planning application decision-making.

The peer team were informed that there are no corporately-arranged site visits for committee members, resulting in ad-hoc, independent visits. The peer team see this as unsafe practice and recommend there are pre-arranged, accompanied visits to inform the understanding of planning applications.

The current planning committee practice of allowing call-ins from Councillors based on “public interest” needs to stop as the practice is too vague and is not a material planning consideration. Failure to do so leads to increased risk of challenge and appeal from planning applicants.

Post May 2020, external training for targeted member development should be scheduled to support a base level of skill and confidence in committee practice. The size of the planning committee was perceived to be too large and should be subject to review and reduce in size to either 9 or 11 members.

For the same reasons cited for O&S in section 4.7, the finish time of planning committees should also be reviewed.

## **Recommendations:**

### Ensuring robust decisions on complex strategic scale applications in light of an organised local community.

Have planning training provided by an external trainer with broad experience, to aid understanding of the National Planning Policy Framework (NPPF) and what are material planning considerations.

Submit 'issues paper' to the planning committee early in the process so officers are aware of the concern's members want addressing. This will ultimately lead to less deferments.

Arrange specific training for the Chair and Vice Chair of planning committee as they have a key role, and this will support the development of a strongly led committee.

Lessen the number of call-ins by tightening up criteria for a call-in. Give reasons related to material planning considerations only, not simply in the "public interest" which is too vague and raises objectors' expectations for refusal.

Consider starting meetings earlier. Members and officers are not performing at their best at late night meetings after a full day's work and there is an increased risk of challenge from applicants if it was perceived that an application had been rushed because of a long meeting.

### Alternative or additional committee process

Consider reducing the size of the planning committee.

Issues paper to committee on strategic applications to ensure issues are identified early in the process rather than waiting until the planning committee for decision.

Produce supplementary report to table on evening of the planning committee that updates members on changes / updates since publication of report. Currently there is a verbal update at committee which is time that could be saved.

### Confidence in the Council's statutory consultees advice in light of opposing specialist views

Have specialists at planning committee for example, highways officers where there are highways issues.

Strong and clear legal advice can help.

#### Working relationships within the committee

Strong chairmanship of committee required, especially post Local Plan.

Call ins only on specific planning considerations.

#### Ensuring reports to planning committee are effectively written, to ensure members know what the key issues are for applications

Highlight in bold the key material planning considerations.

Location plan to show wider context.

Training will help understanding of the key points.

#### Ensuring decisions are made in accordance with the Council's priorities, integrating new developments into existing communities and ensuring they are as carbon friendly as possible

Have up to date council plan and supplementary planning documents.

Cabinet member or Leader to speak in support of applications at planning committee where the specifics would amount to a material planning consideration.

### **4.7 How to conduct effective scrutiny with clear outcomes to benefit the political process.**

The peer challenge timetable permitted a small group of peers to observe an Overview & Scrutiny (O&S) meeting taking place on the evening of Tuesday 21 January 2020.

NHDC has a high degree of self-awareness that O&S has not historically been as effective as it potentially could be. The administration was open to suggestions on how O&S could be improved, as they strive for improvement, wanting the best from the process ensuring the executive is robustly held to account and O&S add early value to policy development.

In addition to observing a live O&S meeting councillors peers were able to discuss O&S effectiveness with a broad range of members.

The administration is in the process of implementing three cross-party cabinet panels and is keen to ensure from the outset these do not adversely impact the role of O&S.



## Recommendations:

- Executive members should lead at O&S and be visibly accountable for decisions and performance. Current O&S practice often involves officers being the primary accountable person. Cabinet Executive Members should be the primary accountable person for scrutiny and be well briefed by officers to enable objective responses to scrutiny questions, with officers accompanying members to respond to technical questions at the invitation of the committee.
- The meeting observed by peers had a very large number of agenda items. Each agenda item was allocated a target time allowance, which potentially limit the amount of scrutiny by time rather than risk and complexity of issue. Future meetings would benefit from taking a longer-term view of the key issues for the district (not just focussing on the next immediate meeting), fewer, more targeted agenda items, and be focused on key areas informed by performance reports and a forward work plan. Fewer agenda items will support more allocated time for meaningful scrutiny and related debate.
- The current membership of O&S was considered to be too large and would benefit from reducing from 15 members to 11 or 9.
- Given the volume of new councillors with the council, only four members (plus one reserve) of O&S have received formal training. It is recommended that all O&S members undertake formal training to ensure a robust base of skills and expertise can be deployed in the O&S environment. The LGA has a Leadership Essentials Programme for Chairs of O&S and also has developed 'A Councillors workbook on scrutiny' which is available via this link - [https://www.local.gov.uk/sites/default/files/documents/11%2064\\_Scrutiny%20for%20councillors\\_03\\_1.pdf](https://www.local.gov.uk/sites/default/files/documents/11%2064_Scrutiny%20for%20councillors_03_1.pdf)
- Use the task and finish programme to support early engagement and involvement with policy making.
- It was helpful to observe a live O&S meeting from a public gallery seating area. The council chamber was not conducive to supporting an effective meeting. On many occasions it was unclear who was speaking and the acoustics were poor. If the O&S membership was reduced a smaller meeting room could be used, improving effectiveness of the meeting. It is recommended that finish times should be agreed in the constitution and meetings end promptly at those times. There was a concern around individual personal effectiveness, accessibility, external public perception and health & safety / personal welfare of both members and officers from such excessively long and late meetings. Rather than late meetings, it was noted that working members at another council have chosen to bring meeting start-times forward to 5.20 p.m. to fit in with their professional commitments. Combined with good agenda-planning and an effective forward work-plan, this will avoid excessively late finishes.

- The administration intends the cabinet panels should not adversely impact current or future O&S activities. Peers recommend clarification of the governance arrangements between O&S and cabinet panels.
- Ensure the O&S forward work plan includes scrutiny of external partners and contractors as a contribution to the leadership of 'place'.

## 4. Next steps

### Immediate next steps

We appreciate the senior managerial and political leadership will want to reflect on the findings within this report in order to determine how the organisation wishes to take things forward.

To support you in your improvement journey the Peer Team have identified a number of key recommendations, some of which you may already have in hand. We welcome your response to these recommendations within the next three months through the development of an action plan.

Your LGA Principal Adviser - Rachel Litherland, [rachel.litherland@local.gov.uk](mailto:rachel.litherland@local.gov.uk) will be in contact to assist the council going forward and to provide additional support, advice and guidance on any areas for development and improvement and will be happy to discuss this.

In the meantime, we are keen to continue the relationship we have formed with the council throughout the peer challenge. We will endeavour to provide signposting to examples of practice and further information and guidance about the issues we have raised in this report to help inform ongoing consideration.

### Follow up visit

The LGA Corporate Peer Challenge process includes a follow up visit. The purpose of the visit is to help the council assess the impact of the peer challenge and demonstrate the progress it has made against the areas of improvement and development identified by the peer team. It is a lighter-touch version of the original visit and does not necessarily involve all members of the original peer team. The timing of the visit is determined by the council. Our expectation is that it will occur within the next 2 years.

### Next Corporate Peer Challenge

The current LGA sector-led improvement support offer includes an expectation that all councils will have a Corporate Peer Challenge or Finance Peer Review every 4 to 5 years. It is therefore anticipated that the Council will commission their next Peer Challenge before 2025.

**CABINET  
24 MARCH 2020**

**\*PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: INFORMATION TECHNOLOGY STRATEGY 2020-2025

REPORT OF THE SERVICE DIRECTOR - CUSTOMERS

EXECUTIVE MEMBER: COUNCILLOR IAN ALBERT

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: BUILD THRIVING AND RESILIENT COMMUNITIES

**1. EXECUTIVE SUMMARY**

- 1.1 To seek Cabinet approval for the adoption of the I.T. Strategy.

**2. RECOMMENDATIONS**

- 2.1. That Cabinet adopts the I.T. Strategy
- 2.2. That authority to make amendments to the Strategy in light of changing technology or business requirements be delegated to the Service Director – Customers in consultation with the Executive Member for Finance & IT.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To enable the Council to move forward with its planning for IT development and expenditure over the next five years.
- 3.2 To ensure the Service is modern, fit for purpose and able to adapt to and support the ever-changing software solutions, and hardware that service departments are required to use.
- 3.3 To prioritise the work on Artificial Intelligence (AI) and Robotic Process Automation (RPA) to improve the service to customers and make efficiencies.
- 3.4 To ensure the IT Infrastructure has the highest levels of security to ensure it is protected against the ever-increasing Cyber and Virus Security threats.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. The Strategy presented is considered to be the best option having considered many different possible options during its preparation.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Consultation has taken place with the Council's Senior Management Team, the Executive Member for Finance & I.T, and Deputy Executive Member for Finance & I.T. Members of the MOD.GOV Group were invited to respond.

## **6. FORWARD PLAN**

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on 7 February 2020.

## **7. BACKGROUND**

- 7.1. The first I.T. Strategy for the period 2015-2020 was approved and adopted by Cabinet on 29 September 2015. This is now in need of updating in view of advances in technology, greater threats from cyber crime and a revision of the Council's Strategic Objectives.
- 7.2. Since the original I.T Strategy was adopted in 2015, there has been and continues to be a large increase in Cyber Security attacks, making this a high priority moving forward.
- 7.3. Since the last I.T. Strategy was adopted, there have been advances in technology, particularly around AI and RPA, which can provide a platform for the Council to improve access to services for customers, make processing quicker and make savings resulting from fewer customer contacts.
- 7.4. The Council has made a start on this work and is currently working on a Channel Shift Strategy and Business Case for the implementation of AI and RPA, which will be presented to Cabinet later in the year. Implementation of this will be a high priority for the IT Team and the wider Council moving forward and may require a review of the Strategy in due course to reflect this.
- 7.5. Prior to the introduction of the original I.T. Strategy, the Council had a General Fund Reserve for I.T. from which purchases were made to replace obsolete kit. This was removed in 2014 and the I.T. Service is now required to make capital bids for equipment replenishment each year. This Strategy sets out, as far as is possible, the expected capital spend on equipment for the next five years and explains the policy now to retain (sweat) assets for a much longer period than previously.
- 7.6. During the life cycle of the current I.T Strategy, Cloud hosting or even Full Managed Services (SaaS) has been very prevalent and adopted within several service areas with the latest department being HR with the new I-Tent Payroll solution.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 The new Strategy needs to ensure that the Service is fit for purpose for the next five years and that it concentrates on working with users to ensure that systems are secure and that the objectives of user departments and the Council are met.

8.2 Priorities for the next five years include:

- Continuation of the work to support the Channel Shift initiative
- Implementation of Customer and Councillor Portals
- Ensuring that systems remain secure
- Ensuring equipment is refreshed and kept up-to-date
- More work to mitigate against potential data protection breaches
- Ensuring that solutions are environmentally friendly

8.3 There is particular emphasis on developing solutions that sit on Smart Phones, Androids Tablets and IOS technologies which will promote self-help for customers and thereby create efficiencies. The integration of GIS mapping into solutions will also make it easier for customers to report matters such as fly-tipping, missed bins etc. and promotes greater use of mobile working.

8.4 I.T. is clearly a quickly developing industry in both Hardware and Software solutions so it is with some difficulty that accurate predictions can be made five years in advance. Almost certainly there will be advances in technology during the life of this Strategy of which the Council will likely take advantage and consequently this is a document that will need to be updated.

## 9. LEGAL IMPLICATIONS

9.1. Section 5.6 of the Council's constitution states:

*The Cabinet may exercise the following functions:*

***By Resolution***

*5.6.1 To prepare and agree to implement policies and strategies other than those reserved to Council.*

## 10. FINANCIAL IMPLICATIONS

10.1. Any I.T. implementation has to be supported by a fully costed business case and it is therefore for service departments to ensure that any developments are fully funded.

10.2. The capital costs associated with the replacement of hardware are detailed within the Strategy as far as it is possible to predict.

## 11. RISK IMPLICATIONS

11.1. The Strategy sets out the service requirements and philosophy adopted by the I.T. Service in addition to its commitment to support colleagues in meeting their business needs. As such this provides clarity on what is required by service departments when considering any projects where I.T. is concerned.

11.2. The Strategy also covers the on-going needs to mitigate against the risks of cyber attacks and the need to ensure that the Council manages its data to ensure compliance with data protection legislation.

## **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 ability for faster and more simplified logging in access will potentially improve access to council services for customers. The added flexibility of accessing services outside of office hours may also increase the interaction to the benefit of residents.

## **13. SOCIAL VALUE IMPLICATIONS**

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

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1. There are no Human Resources implications to this report.

## **15. APPENDICES**

- 15.1. I.T Strategy
- 15.2. I.T Strategy Appendix 1 – I.T Structure
- 15.3. I.T Strategy Appendix 2 – I.T Team Responsibilities
- 15.4. I.T Strategy Appendix 3 - Corporate I.T. Risks

## **16. CONTACT OFFICERS**

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## **17. BACKGROUND PAPERS**

- 17.1. None



**NORTH HERTFORDSHIRE DISTRICT  
COUNCIL**

**INFORMATION TECHNOLOGY STRATEGY**

**2020 - 2025**

# INDEX

1	Introduction	Page 3
2	Background	Page 3
3	The Team	Page 4
4	Team Ethos	Page 4
5	Where the Service is Now	Pages 7-8
6	Priorities Moving Forward	Pages 8-21
7	Risks	Pages 21-22
8	Conclusions	Pages 22-23
Appendix 1	I.T. Structure	
Appendix 2	I.T. Team Responsibilities	
Appendix 3	Corporate I.T. Risks	



## **1 INTRODUCTION**

- 1.1 **The aim of this Information Technology (I.T.) Strategy is to establish priorities for the future development of, and investment in, an information technology-based environment which will support the Priorities for the District, the business needs of the Council, its Members and Officers and provide improved access for the public to on-line services.**
- 1.2 The I.T. Strategy will create an environment that provides the means to:
- create effective and efficient business systems and processes
  - communicate and collaborate with colleagues at anytime and anywhere
  - support colleagues to meet their business objectives
  - operate in a well-supported and secure environment

## **2 BACKGROUND**

- 2.1 In the last fourteen years, the Council as a whole has reduced its revenue expenditure by some £17.7M and the implementation of new technology to streamline processes and reduce the number of staff required to deliver services has contributed towards this total. This has been achieved through a combination of implementing propriety software solutions and writing in-house software solutions and Applications, which work on Android and Smart Phone devices.
- 2.2 There is little sign that this trend will stop and the list of major projects for the Authority for 2019/2020 required I.T. involvement in 21 out of 26 projects listed.
- 2.3 In addition, the Team is at the forefront of seeking new solutions to further reduce costs and improve productivity, for example Artificial Intelligence (AI) and Robotic Process Automation (RPA) will capture data at source from electronic forms and populate back end databases. It is also capable of automating mundane manual processes, which will free up officer time. This will save both time and help eradicate errors from being made with double keying of information. This work promotes the Council's stated aim to bring about channel shift migration and promote more self help and use of on-line forms by customers freeing up more staff time and increasing output.
- 2.4 The use of I.T. has never been more critical to the day-to-day operations of the Council, so much so that hardly any service provided by the Council does not rely on technology in some shape or form to deliver its objectives.
- 2.5 The same can be said of the vast majority of the Council's customers who increasingly expect to be able to find information, order and pay for services and report incidents 24 hours a day.
- 2.6 The Team works against the background of stringent security requirements from the Cabinet Office, which are often at variance with the stated aims of the Ministry for Housing, Communities and Local Government around more flexible working. These requirements, which also show little sign of abating, represent a considerable challenge.
- 2.7 In setting out the strategy for the I.T. Service for the next five years it has to be recognised that this is a rapidly changing environment and priorities have to be regularly reassessed as new requirements are imposed on user departments and technological advances are made. This is therefore a document that will need to be kept under review and updated at appropriate times.

### **3 THE TEAM**

- 3.1 The structure is shown at Appendix 1.
- 3.2 The Cabinet Member with responsibility for Information Technology is the Executive Member for Finance & I.T., Councillor Ian Albert. He is supported by the Deputy Executive Member for Finance & I.T., Councillor Sam North.
- 3.3 Direct line management responsibility rests with the Service Director – Customers, Howard Crompton.
- 3.4 Overall operational management of the Team rests with the Information Communications Technology Manager, Victor Godfrey who keeps in touch with I.T. industry developments, in Information Compliance and Technology and considers their value to the Council. He regularly liaises with customers and acts as the Authority's software licence controller to ensure that all software loaded on to the Council's network is properly and adequately licenced in line with the agreed Capital and Review budgets.
- 3.5 The Council is fortunate that it has highly skilled and experienced I.T. staff, which work in three Teams; Technical Services and Cyber Security, Business, Information Compliance & Asset Management and Network & Infrastructure.
- 3.6 Details of the Teams and their responsibilities are set down in Appendix 2.
- 3.7 The Council has taken the innovative approach to employ a Computer Science Graduate and a Computer Science work place student to enhance the capacity of the Team and to concentrate in particular on the development of AI, RPA and App Development. If successful, the Council will look to continue with this approach, which will give rise to opportunities to develop these technologies and branch out into iOS (Apple) App developments.
- 3.8 The skills and experience within the Team make it well placed to deliver the work programme envisaged for the next five years.

### **4 TEAM ETHOS**

- 4.1 The I.T. Mission Statement enforces the commitment to support the Council's strategic priorities of:
- Be a more welcoming and inclusive council
  - Build thriving and resilient communities
  - Respond to challenges to the environment
  - Enable an enterprising and co-operative economy
  - Support the delivery of good quality and affordable homes
- 4.2 The Team's Mission Statement is:
- To work with customers to implement, develop and maintain technology solutions that will help them to achieve their service aims and objectives, improve access for the public and the Council's strategic priorities.*
- 4.3 The Team's objective is to enable customers to develop and implement solutions and work with customers to seek solutions that meet their needs, with the final decisions being taken

by the customer having confirmed with the Information Communications Technology Manager that the solution is compatible with the Council's network infrastructure and with any security requirements. The Team will provide help and advice for customers to make informed choices on the best solutions available to them, which could include in-house developments as well as proprietary products.

- 4.4 Service Departments with the assistance of the I.T. Information and Business Manager will be responsible for ensuring that a fully costed Business Case is produced, which meets corporate and/or business needs and for ensuring that any benefit realisation is monitored and met.
- 4.5 The intention will always be whenever possible to find solutions to business needs, not obstacles to prevent those solutions.
- 4.6 Customers are responsible for appointing system controllers for application systems run by them to maintain the systems, create users, allocate security levels, create passwords, produce output etc. that can be managed from the user interface.
- 4.7 I.T. will be responsible for database administration and any output that requires programming or system development skills.

#### **Help Desk**

- 4.8 Help Desk support for customers has been greatly enhanced by the implementation of Spiceworks, which is an application that enables the Help Desk to track the progress of calls and which also automatically advises customers of any change in status of their calls. This has reduced the number of "progress chasing" calls to the Help Desk, freeing up resources to actually deal with the content of the calls.
- 4.9 Help Desk hours have been extended to 07:45 a.m. to 17:00 p.m. which is complemented by the "Out of Hours" service for any major problems that may occur outside of the hours covered by the Help Desk.
- 4.10 The service intends to continue to promote reporting of Help Desk calls directly by customers through Spiceworks, so that the customers are able to track the progress of their calls without recourse to I.T. staff directly. 91.5% of calls are now being reported via the electronic reporting App and via the on-line Helpdesk Portal to the Help Desk.
- 4.11 The table below shows the I.T. Help Desk incidents over the last 4 years and how they have stayed around 6,000 to 6,500 per annum until 2019/2020, which saw a significant increase, due user confusion relating to the migration of Windows 10. A more normal frequency of reported incidents equates to an average of between 24 and 26 calls logged per day. The number of Service Requests has increased in the last two years which is due to all I.T. in-house work now also being logged:

<b><u>Type</u></b>	<b><u>2016/17</u></b>	<b><u>2017/18</u></b>	<b><u>2018/19</u></b>	<b><u>2019/20 to 12/02/2020</u></b>
Incidents	6,608	6,186	6,531	7,488
Service Request	1,472	1,442	1,532	1,831
Feature Requests	86	71	198	54
Information Requests	262	344	292	333
<b><u>Totals</u></b>	<b>8,428</b>	<b>8,043</b>	<b>8,553</b>	<b>9,706</b>

4.12 For clarity definitions of the above are:

- **Incidents** – A request to fix something that is not working for whatever reason
- **Service Requests** – A request for a service, product or feature that is available to other NHDC customers
- **Features** - Projects, upgrades, products or features that are not yet provided but have a business need and/or would enhance business capability if they were researched, developed and provided
- **Information Request** – I've got a question

4.13 There has been growth over the years for both Service and Feature request which is due to the amount of system changes and upgrades for departmental solutions. I.T. staff often work outside of core hours, upgrading the core infrastructure with security patches to the network so there is no detriment to the day to day services being provided.

4.14 One factor which can often cause increase in Incidents being reported is when new departmental applications or upgrades are rolled out throughout the Council. This supports the view that such applications should be thoroughly tested by departments before being released into LIVE databases and this should be part of any User Acceptance Testing (UAT) plan.

4.15 The Team has developed an on-line survey, which asks customers, who have used the Help Desk for their feedback in order to improve future service delivery. Survey responses are usually very positive.

#### **Prioritisation of Project Work**

4.16 Work will be prioritised based on the project's support for one of the following;

- strategic objectives
- requirements from legislative changes
- invest to save projects
- audit requirements etc.
- the amount of effort required by the Team compared with the expected impact.

4.17 This helps the Team to give realistic feedback to customers on when resources for any particular project are likely to be available and how long it is likely to take to bring the project to a conclusion.

4.18 Statistics on the number of customer-led projects over the last 2 years are;

#### **1<sup>st</sup> April 2018 to 31 March 2019**

Total projects	58
Total completed	41
Total still open	17

#### **1<sup>st</sup> April 2019 to 28 February 2020**

Total projects	64
Total completed	49
Total still open	15

4.19 These figures do not include the I.T. led projects, which form part of the I.T. Service Plan each year and typically number more than 20 such projects each year.

- 4.20 Often these projects, whether customer-led or initiated by I.T. will take many months to complete and require a substantial amount of pre-planning and research. Service Teams are encouraged to identify such projects at the earliest opportunity, include them in their Service Plans and advise I.T. as soon as possible of their likely involvement.

## **5 WHERE THE SERVICE IS NOW**

### **5.1 The Team currently manages and maintains:**

- Just over 300 different applications from large Corporate Solutions like IWorld, Idox, Integra 2, down to SID telephone directory which is an in-house written application.
- Dell Network Switches and WatchGuard Firebox Firewalls
- Servers and Types:
  - There are 6 Physical Dell PowerEdge XC730xd on the LIVE site and 5 x Dell PowerEdge XC730xd Servers running within the Live Service hosting 215 Virtual Servers
- Desktops – Currently there are 362 Dell Workstations
- Laptops - There are currently 26 Laptops in operation
- Tablets – As at 13 February 2020 there are 133 Tablets in use across the authority.

### **5.2 The replacement value for all the hardware is nearly £1M**

### **5.3 The Council moved to virtualisation technology in 2007 using Virtualisation XenServer and more recently (2015) moved to Nutanix (Hyper Converged)/Hyper-V whilst also investigating cloud services as an alternative. These will be replaced in 2020/2021 as part of the planned and financed hardware refresh.**

### **5.4 This period has also seen a large move towards Officers using their own personal devices for home working. This is not possible where staff access sensitive Department for Works and Pensions data, in which case only Council provided equipment can be used. There has been a major review of Laptop devices in the last 18 months which has seen the requirements for this type of technology drop from 149 down to the current level of 26. With Android Tablet technology coming to the forefront of the business world, the I.T. Service has started to pilot this technology, which also includes Tablet Mobile Device Management (MDM) which controls the device, sets profiles, restricts customers loading any Application they choose and allows for the Tablet to be remotely monitored or wiped if lost or stolen.**

### **5.5 In the last three years the Team has had many notable achievements, too many to document in full. The following gives a flavour of these:**

#### **2017/2018**

- Relocation of offices back to Town Lodge from the DCO
- Migration of Plantech to Uniform with Idox
- Phase 2 of the Mitel Phone System
- GDPR – Data Protection Preparation
- Relocation of Joint Waste Team to Buntingford Depot

#### **2018/19**

- Refurbishment of the DCO and relocation of all staff back from Town Lodge
- Relocation of Careline into the DCO and on to the Council's network
- MOD.Gov paperless Committee Project

- AV equipment – Council Chamber
- I.T. Restructure

## **2019/20**

- Self Serve - In-house App development
- Windows 10 upgrade
- Upgrade of Information@Work
- Outbound Mail Contract
- De-commissioning of Town Lodge, Letchworth Museum and 25 Gernon Road (Print Room)

- 5.6 In recent years the I.T. Service has been subject to soft market testing for outsourcing and has been through an extensive review to business case stage to test whether it should enter into a Shared Service arrangement with East Hertfordshire District Council and Stevenage Borough Council. In both instances, it was not considered cost effective to go down either of these two routes.
- 5.7 In line with the Council's Medium Term Financial Strategy, the Council will explore options for Outsourcing and Shared Services where these can show financial benefits to the Council with no reduction in quality to the current services being delivered.
- 5.8 Aligned to this, the I.T. Service has undertaken work on behalf of other Councils, which has generated around £112K in income in the last five years. The service will continue to offer its services externally provided this does not affect service delivery to in-house customers.
- 5.9 The I.T. Service will also look to utilise the extra capacity of the server room at the DCO and within the DR server room at Unit 3 with a view to "renting" rack space to other external organisations.
- 5.10 Since March 2018, the Careline I.T. Service and DR have been migrated into the main core network and infrastructure which saved on costs for external support.
- 5.11 In summary, the service is now in a position where it has established its new virtual server farm at the DCO, restructured the Team in September 2018 to be better focussed on its primary objectives, established a stable infrastructure, re-organised its Help Desk function, established a process to prioritise projects and complied with the latest Government Security standards and is well placed to move forward with its programme for the next five years to provide technological solutions to improve service delivery to customers and reduce costs to the Council.

## **6 PRIORITIES MOVING FORWARD**

- 6.1 Key priorities for this Strategy to address in the next five years in no order of priority include but are not restricted to the following:

### **6.1.1 Areas for new development**

- Artificial Intelligence (AI) and RPA technology
  - AI and RPA technology is now being used across the world proving that there are huge benefits for customers finding answers to their queries quicker. This will also free up staff time that can either be utilised in other areas of priority work or be taken as efficiencies.

- Channel Shift
  - The government's Digital Programme is continuing to encourage Local Authorities to join up their services to make them seamless. This will form a major strand of work over the life of this strategy and will involve the development of a Channel Shift Strategy and fully costed Business Case.

Channel Shift is a specific project being led by the Service Director - Customers. Considerable work has been done to promote this in particular by the provision of on-line forms and on-line payments. There is much work still to do.

I.T. will work with user departments to:

- Develop an on-line customer portal for customers to access services and information specific to them
- Implement the use of AI to automate certain processes and develop chat box technology to assist customers to access information quickly and accurately
- Develop with customers on-line forms for both the capture of data and updating of back office systems
- Find solutions where possible for data captured by existing on-line forms to update back office systems
- Support the on-going enhanced functionality of the on-line payment system
- Support the implementation of on-line reporting applications along the "My Council" model
- Write App's for Android and iOS tablet usage, which support better access to services for customers. Examples are an App to enable dictated text to be transmitted over a secure line directly into the Council and an App to allow internal customers to report Help Desk calls from their mobile phones
- Implement propriety App's for example to report noise nuisance

There are clear benefits for the Council and customers by taking this approach:

- Reductions in the number of customer contacts with Officers can result in either cashable efficiencies through a reduction in staff levels or non-cashable efficiencies by better use of the resources.
  - Updating of back office systems from information supplied directly by customers will reduce the risk of inputting errors
  - It will result in faster processing times benefitting customers in having their queries dealt with faster and the Council by updating systems and producing bills, invoices etc. in quicker time
  - It will give customers the flexibility to report changes, make payments etc. at a time that suits them
  - Allowing customers to complete all their business with the Council from a single log-in
- Cloud and Hosted services
    - The authority will continue to explore options available for all new projects to ascertain if there are any financial savings where cloud and hosted services can be used. The Council has already moved some of its services into the cloud which benefits and complements flexible working. For Local Authorities, we can only use cloud services that are approved by the Crown Commercial Services (CCS) G-Cloud Framework
  - Cyber Security



- Cyber security represents one of the biggest risks facing any public authority and the I.T. Team has made this a top priority. It's extremely important that the I.T. Department keeps abreast and works closely with other Local Authorities across the District to keep up-to-date with new cyber threats. We have agreed within the HertsLink Group to setup a sub regional Hertfordshire Warning Advice Reporting Point (WARP) which works closely with the National Cyber Security Centre (NCSC). This is vitally important work to keep our infrastructure and data secure
- Infrastructure, software and equipment
  - This complements and supports the work mentioned above regarding Cyber Security. Although this is on-going work and very much part of the "business as usual", it is so important that it needs to be emphasised in the strategy moving forward. This involves ensuring regular patching, refreshing of hardware once it has reached end of life, ensuring that software is properly licenced and up-to-date and keeping up-to-date with industry developments
- Environmental implications
  - Environmental implications will continue to be at the forefront when procuring new equipment. The trend within the industry is for continuous improvements in this area and the level of carbon emissions is taken into consideration with any procurement
- Disaster Recovery
  - The disaster recovery site at Unit 3 is relatively new, having been established in December 2016. This coincided with the move from the DCO to facilitate its refurbishment and enabled the Careline disaster recovery to be relocated from the old Committee Room 3 to the new site at Unit 3. It has yet to be used in a live corporate environment and it is tested every quarter. It is used by Careline every month when their office based servers are being patched. It is essential, as an insurance policy, that this facility is always readily available should it ever be needed
- Project Management
  - The procurement and implementation of business solutions are the responsibility of User Departments. The I.T. team will provide guidance and developers to implement chosen solutions. All purchases of software and hardware have to be approved by the I.T. Manager or his/her nominated representative to ensure compliance and compatibility with licencing, infrastructure and security requirements
- The Council's Strategic Priorities
  - I.T., like the rest of the Council will continue to work to and provide solutions that complement the Council's strategic priorities. This will involve ensuring that any business case for new technology has a strategic fit with the Council's priorities
- Supporting Flexible Working and Accessibility for Members and Officers
  - There have been huge strides made in the last eight years to provide the infrastructure and promote flexible working. We now have around 80% of officers with a home working capability, which has helped to reduce the number of staff occupying the DCO resulting in the freeing up of the 2<sup>nd</sup> floor for commercial letting. The intention is to implement Office 365, which will enable users to access the network via a tablet or other remote device and to share documents and communicate with each other remotely and in real time. (Collaboration). It is also intended to implement video conferencing to complement the conference calling



facilities already available in the DCO. This will result in less travelling for Officers, further reducing the carbon footprint

- Information Compliance – GDPR (Data Protection Act 2018)
  - The implementation of GDPR in 2018 was a big challenge for the Council. This was less in terms of actual compliance but more around being able to document that we were compliant. The challenges moving forward are around being able to “police” continuing compliance with GDPR and the Data Protection Act 2018 and to embed within the culture of the organisation the need to delete data once its intended use has been completed, in line with the Retention Schedules. Automated disposal solutions are in use in a number of the Council's core application systems and work will continue to ensure that these are effectively used and where no such solutions are available.

6.1.2 In establishing its priorities for the next five years, the following has to be taken into consideration where appropriate:

- Does the solution support the Council's priorities?
- Does the solution meet customer requirements?
- Can the solution be accommodated on the Council's network?
- Does the solution meet the Cabinet Office security requirements both current and future?
- Does the solution meet legislative requirements particularly around data retention and management?
- Is it more cost effective to devise the solution in-house, through a propriety application or outsource the solution?

6.1.3 Channel shift and the development of AI and the use of robotics is high on the Council's agenda and investment will be required to ensure a successful implementation, which will improve service delivery, ensure that customers get information more quickly and generate savings for the Council.

6.2 In addition, arrangements have to be put in place to manage and refresh existing assets to ensure that they are fit for purpose:

#### **Infrastructure, Software and Equipment**

6.2.1 The current Infrastructure was procured over four years ago and there is a Capital investment to upgrade the Servers, SAN and Storage Blades within the 2019/20 budgets, however this will be moved to 2020/2021 financial year, because of the need to migrate to Windows 10.

6.2.2 The Council has a Microsoft Enterprise Agreement (MEA) which runs until March 2022, which allows the Council to upgrade to all the latest Microsoft Solutions that are currently within our MEA. The intention is to migrate to Office 365 and then carry out a further review of all the software Applications that use Microsoft Office Products with a view to utilising the latest versions of Microsoft Office to enable even more flexible working.

6.2.3 As part of the RM3733 Framework Agreement the Council entered into a fixed price contract for various Microsoft Solutions including Office 365, Windows Operating System etc. under a 3-year contract. The contract was entered into in December 2018 protecting the prices from the Microsoft 18% price increase in January 2019..

- 6.2.4 During 2018/19, the Council took the opportunity to review the number of licences it requires, bearing in mind the reduction in the Council's workforce and within any new contract will be looking to further reduce licences and costs by using Open Source solutions.
- 6.2.5 For example, the Council has 20 Microsoft Project Licences at a cost of £10k p.a. In line with the intention to utilise Open Source solutions wherever possible, the Team has evaluated a free product called Project Libre and other such solutions will be sought and implemented wherever possible.
- 6.2.6 The table below shows the projected I.T. spend for the next five years to refresh equipment in line with the intention to sweat assets for the longest possible period and the aim to decrease the number of laptops in favour of Desktop and Tablet devices where appropriate.

#### NHDC FUTURE ICT INVESTMENT COSTS 2020-21 TO 2024-25

		2020/21 £	2021/22£	2022/23£	2023/24£	2024/25£	Total £
<b>Infrastructure</b>	Dell Servers	65,000				70,000	135,000
	New Blade Enclosure	32,000				40,000	72,000
	Replacement SAN	110,000				115,000	225,000
	Core Backbone Switch					35,000	35,000
	Data Switch Upgrade	15,000				18,000	33,000
	Cabinet Switches - 4 Floors		18,000			18,000	36,000
	Security - Firewalls	13,800		14,000		16,000	43,800
	Back-up Diesel 40 KVA Generator (DCO)	20,000			25,000		45,000
	40 KVA UPS Device or Battery Replacement		10,500		12,000		22,500
	<b>Total: Infrastructure</b>	<b>255,800</b>	<b>28,500</b>	<b>14,000</b>	<b>37,000</b>	<b>312,000</b>	<b>335,300</b>
<b>PC's, Laptops, Thin Clients</b>	PC's - Refresh Programme	17,250	17,250	17,250	17,250	23,000	92,000
	Additional PC's - Support Home Working	10,500	12,937	10,500	12,937	15,000	61,875
	Laptops - Refresh Programme	6,000	6,000		5,000		17,000
	Tablets - Android Devices	12,000	15,000	18,000	12,000	16,500	73,500
	Other						0
	<b>Total: PC's, Laptops, Thin Clients</b>	<b>45,750</b>	<b>51,187</b>	<b>45,750</b>	<b>47,187</b>	<b>54,500</b>	<b>189,875</b>
<b>Storage</b>	Additional Storage	25,000		12,500			37,500
	Back-up Storage	13,000		13,000		14,000	40,000
	DR Hardware Refresh Inc UPS Battery Pk				55,000		55,000
	<b>Total: Storage</b>	<b>38,000</b>	<b>0</b>	<b>25,500</b>	<b>55,000</b>	<b>14,000</b>	<b>118,500</b>
<b>Software</b>	MS EA + SQL Licence Costs	122,730	122,730	130,000	130,000	130,000	635,460
	<b>Total: Software</b>	<b>122,730</b>	<b>122,730</b>	<b>130,000</b>	<b>130,000</b>	<b>130,000</b>	<b>635,460</b>
<b>Other</b>	Virtualisation						0
	Crystal Reports						0
	Security Authentication - Tokens	15,500		12,000		17,500	45,000
	<b>Total: Other</b>	<b>15,500</b>	<b>0</b>	<b>12,000</b>	<b>0</b>	<b>17,500</b>	<b>27,500</b>
		<b>477,780</b>	<b>202,417</b>	<b>227,250</b>	<b>269,187</b>	<b>528,000</b>	<b>1,306,635</b>

- 6.2.7 The Council supplies its Officers with a mixture of desktop PC's, laptops and tablets. Requirements differ from Officer to Officer depending on the nature of their work, whether they are home workers and whether they supply any of their own equipment.
- 6.2.8 The Council encourages home working staff to use their own equipment where possible. This is in accordance with the Ministry for Housing, Communities and Local Government's strategy "Bring Your Own Device" (BYOD). Under existing rules this is not possible for staff in Revenues & Benefits who access Department for Works and Pensions (DWP) data as there is a requirement for this to be accessed only on Council owned equipment.
- 6.2.9 The Council will continue to provide equipment to those working at home who do not have or choose not to use their own equipment or who are affected by the DWP requirements; however this is restricted in terms of its accessibility to certain web sites, the use of personal email and the ability to download data or applications. The Council provides equipment to 105 staff for homeworking purposes.
- 6.2.10 There is a clear cost saving for the Council in promoting BYOD as there is no requirement to provide equipment and many Officers welcome the fact that they do not have to have two sets of equipment in their houses.
- 6.2.11 Laptops are provided to staff who generally work in several locations, however these are more expensive than desktop PC's, have a shorter shelf-life and are not recommended for prolonged daily use. For those reasons, the preference is to supply desktop PC's both in the District Council Offices and for those staff requiring Council equipment at home. The implementation of Citrix allows any Officer to access their network account from any desktop PC linked to the network or any home based desktop PC loaded with the Citrix client software, which generally negates the need for laptops unless there is a specific need to work in multiple locations.
- 6.2.12 I.T. will work with and discuss the individual requirements of Officers when it comes to the provision of equipment, including specialist equipment recommended by the Health & Safety Officer or Occupational Health Advisors. The intention would not be to prevent the allocation of a laptop, where this would be the difference between an Officer being able to work at home or not.
- 6.2.13 As part of the strategy to move to more "paperless" meetings, there are currently 133 tablets issued to both Members and Officers across the authority to support mobile working and Paperless Meetings.
- 6.2.14 The provision of Citrix and its thin client technology has allowed the Council to "sweat" its desktop PC and laptop assets considerably longer than before Citrix was introduced. Typically now a desktop PC will last around eight or nine years before replacement, rather than three years previously. This is however, dependent on there being no de-supporting of operating systems requiring the purchase of new hardware (i.e. Windows XP, Windows 7 etc.) Laptops generally require replacement after 3 years. The intention would be to carry on with these refresh periods. Mobile devices such as tablets need to be refreshed every 2-3 years as the battery packs start to lose holding the charge in these periods.

- 6.2.15 Nevertheless, with 362 Workstations and 26 laptops plus the expected increase in tablet provision, a refresh programme is necessary and the following replacement costs are expected in the next five years:

Year	Desktop PC's - Office	Desktop PC's – Home	Laptops	Tablets
2020/2021	£17,250	£10,500	£6,000	£12,000
2021/2022	£17,250	£12,937	£6,000	£15,000
2022/2023	£17,250	£10,500		£18,000
2023/2024	£17,250	£12,937	£5,000	£12,000
2024/2025	£23,000	£15,000		£16,500
<b>Totals</b>	<b>£92,000</b>	<b>£61,875</b>	<b>£17,000</b>	<b>£73,500</b>

- 6.2.16 The Council uses the following Government Frameworks and various Lots for procuring Hardware and Software:

- Crown Commercial Services - CCS
- Herts County Council – Supply Services (In-Tend)
- Pro 5
- ESPO
- G-Cloud

- 6.2.17 The intention is to continue using Framework Agreements where possible to ensure that the Council is obtaining best value for money with its I.T. procurements.

- 6.2.18 Any specialist software, not available through a Framework Agreement will continue to be procured in line with the Council's Financial Regulations.

- 6.2.19 To further ensure value for money, the Council will continue to use Open Source software, where this meets the requirements of customers. There at least 33 examples of the use of Open Source software currently in use.

- 6.3 The Strategy needs to address the environmental implications of the use of technology on a day-to-day basis.

### **Environmental Implications**

- 6.3.1 The Council has always taken the environmental implications of its on-going I.T. Strategy seriously. The Council's declaration of a climate emergency in May 2019 has created a clearer focus by the Council generally to meet the objective of becoming carbon neutral by 2030. Even before May 2019, the environmental implications of any I.T. developments and procurements were assessed before proceeding and this will continue to be the case. In recent years the virtualisation and reduction in the number of servers has resulted in potential energy savings of £5,791 per annum. The savings in Co2 used amounts to:

- **Non Virtual** – 163,986 kWh = 88,139 kg CO2 = 88 Tonnes Co2
- **Virtual Server Estate** – 84,096 kWh = 45,200 kg CO2 = 45 Tonnes Co2

- 6.3.2 This is almost a 50% reduction in CO2. The average CO2 emissions per household are 5.5 Tonnes.

- 6.3.3 Whilst the new server room at the DCO is too small to come under the provisions of the Eco Design and Energy Saving Products Directive, it was designed to maximise the most efficient use of the air conditioning units.
- 6.3.4 Halogen gas is no longer used for fire suppression in the server rooms and this has been replaced by the more environmentally friendly FM200 which is a clean agent product.
- 6.3.5 In addition, policies such as promoting BYOD and paperless meetings also have considerable environmental implications.
- 6.3.6 The technology adopted by the Council to facilitate home and remote working adds considerably to the reduction in the Council's carbon footprint by reducing the amount of travel that Officers have to complete in getting to and from the Council Offices.
- 6.3.7 The Council has implemented call conferencing facilities and will be implementing video conferencing into all but the smallest meeting rooms in 2020/2021 to further reduce the need for officers and Members to travel into the DCO to attend meetings.
- 6.3.8 The Council has recently renewed all the Multi Functional Devices (Printer-Copier) and the carbon footprint has reduced by 1.2 tonnes of CO<sub>2</sub>e, or 23%:
- **Old Devices** – 1,874.6 kWh = 5.2 tonnes of CO<sub>2</sub>e
  - **New Devices** – 1,441.1 kWh = 4.0 tonnes of CO<sub>2</sub>e
- 6.3.9 The Council purchases energy saving devices (servers, desktops, monitors, tablets, & laptops) when procuring equipment and will continue to do so.
- 6.3.10 The Council uses a specialist I.T. Disposal Company called Ecosystems who are ADISA ISO9001, ISO14001 and ISO27001 accredited in accordance with the UK & EU WEEE Directive for all disposals.
- 6.4 There are a number of functions, which could be considered as “business as usual” but because of their importance to the delivery of the I.T. Service, they need to be considered in this Strategy going forward:

#### **Disaster Recovery & Business Continuity**

- 6.4.1 The I.T. Disaster Recovery strategy, which forms part of the wider Council Business Continuity Planning is to download data from the LIVE environment across a dedicated 10Gb data link into the secure data centre at Unit 3.
- 6.4.2 As the DCO is connected via a Virgin Media Broadband link, Unit 3 has got a dedicated BT Broadband link installed in the event of Virgin Media data loss in Letchworth.
- 6.4.3 Typically, it will take 4-5 hours to get the DR services up and start the recovery of the priority systems and the same time to restore them to the network following resolution of the disaster. Consequently, unless the network is likely to be out of commission for more than 2 days, it was not worth invoking any Disaster Recovery provision.
- 6.4.4 In 2017 the Council built its own Disaster Recovery Centre based on the Cabinet Office, PSN security standards, which has CCTV, door entry system, fire suppression system (FM200), heat sensors, 6 hour UPS system, air condition system and text alerts.
- 6.4.5 The Main LIVE Data Centre (at the DCO) is supported by a 12 hour UPS system which is also supported by a 24x7 Diesel Generator which automatically starts and stops on power

loss. The DR Services are fully tested every quarter and the diesel generator is started every month.

- 6.4.6 The Disaster Recovery Centre is supported by a six hour stand-by Uninterrupted Power Supply to deal with spikes or loss in power.

### **Project Management**

- 6.4.7 The I.T. Team has a number of Prince2 Foundation and Practitioner qualified staff, who can manage projects of various sizes and complexity. Prince2 criteria will generally be used to manage projects but a common sense approach is adopted to determine the degree of compliance depending on the complexity, cost and potential risk associated with any project.
- 6.4.8 I.T. Project Managers will be allocated to projects based on an assessment of the complexity, associated risk and likely duration of the project based on an initial business case submitted by the customer.
- 6.4.9 Priority for implementation of projects will be determined by the criteria adopted at 4.16 above.
- 6.4.10 All acquisitions will be subject to the Council's Procurement Rules.
- 6.4.11 I.T. hardware and software must be purchased through the ICT Manager or his/her designated deputy to ensure compliance with licencing requirements and to ensure that the Council's asset register, which contains costs of items and Insurance values, is kept up-to-date.
- 6.5 The I.T. Strategy needs to support the Council's Strategic Priorities and all projects are reviewed to ensure that these priorities are being met.

### **The Council's Strategic Priorities**

- 6.5.1 As previously stated, the I.T. Mission Statement enforces the commitment to support the Council's strategic priorities of:
- Be a more welcoming and inclusive council
  - Build thriving and resilient communities
  - Respond to challenges to the environment
  - Enable an enterprising and co-operative economy
  - Support the delivery of good quality and affordable homes
- 6.5.2 Significant numbers of customer-led projects intended to meet these priorities require I.T. involvement and this is a major consideration when prioritising projects.
- 6.5.3 Customers have a role to play in ensuring that I.T. is involved at the earliest possible stage to evaluate any possible I.T. solution to ensure that it can be supported on the Council's network and meets all security requirements.
- 6.5.4 The final decision on any implementation will be that of the user department provided the criteria around network compatibility and security are met. I.T. will support customers in making that decision.



- 6.5.5 I.T. will contribute to the strategic priorities by ensuring that optimum value for money is achieved by maximising the life of assets, developing solutions in-house when this is the most cost effective option, assessing the environmental implications of any I.T. procurements and supporting applications which promote channel shift and self-help through the Council's web site.
- 6.5.6 I.T. can also be used to contribute towards the Council's strategic objectives in the following ways:
- By continuing to use technology to reduce costs with the continuing support of customers
  - By exploring emerging technology to reduce costs and improve customer service
  - By continuing to work with the Communications and Customer Services Teams to develop the web site and implement more on-line forms to promote self-help by customers and on-line services
  - By continuing to work with customers to deliver technological solutions that deliver what customers want
  - By continuing to support flexible and remote working to provide staff with the solutions that work best for them
  - By continuing to develop solutions for Members that best meet their needs
- 6.6 I.T. has supported the various office accommodation moves in the last nine years and although the moves themselves have been completed, there continues to be challenges in ensuring that the provision of I.T. within the Council's buildings meets the requirements of users.

#### **Office Accommodation**

- 6.6.1 I.T.'s on-going involvement in this will be:
- To support the Office Accommodation Strategy ensuring that as part of the refurbishment, access to the Council's network is available from fixed and hot desks, touch down points and through Wi-Fi provision in the newly refurbished Council Offices
  - To be in a position to offer a Managed Service to prospective third party occupants of part of the newly refurbished Council Offices, should the Council decide to offer this
  - To promote the take up of more flexible and home working through the provision of equipment and applications, which support this
  - Subject to approval of a viable business case being established, supporting the Strategic Priority to "Respond to challenges to the environment" by providing more video conferencing equipment to help reduce the need to travel to meetings and facilitate face-to-face meetings with home workers.
  - Maintenance of the hearing loop facility installed in the Council Chamber for those who are hard of hearing
- 6.6.2 The refurbishment of the Council Offices and recent changes in legislation has given an ideal opportunity to provide an audio visual facility for the recording of meetings, which can be made available on the web site to promote more openness in the decision making process and help with any matters of doubt over what was said at any particular meeting. The Council has installed 4 x 90" screens in the Council Chamber for the display of maps and documents during meetings, which will be especially helpful to the Planning Committee.
- 6.6.3 Two portable audio devices are available for the recording of meetings, which take place away from the Council Chamber.

- 6.7 Associated with the provision of technology in the office environment is the need to support flexible working for Officers and accessibility for Members.

**Supporting Flexible Working and Accessibility for Members**

- 6.7.1 Flexible Working including home working is now well established within the Council.
- 6.7.2 There are currently 332 staff employed by the Council and 306 of these have a home working capability.
- 6.7.3 Utilisation of this is consistent with an average of 86 staff logged in from home at any one time.
- 6.7.4 To support the Office Accommodation Strategy and in particular the wish to free up space within the Council Offices to enable this to be let to third parties, further provision of flexible and home working needs to be encouraged, whilst not deviating from the Council's stated position that this is entirely optional for staff that qualify, and provided that the needs of the business are met.
- 6.7.5 There are a number of staff who have a home working capability but do not use this on an "as able" basis but more a "fixed" date basis. Rather than work at home when diaries allow, there is a tendency to work at home at a fixed time, say every Wednesday. At the same time, they retain a desk within the Council Offices.
- 6.7.6 There is a need for the Council to be clearer in its policy intention in this regard, but more home working could be encouraged by I.T. investigating the possibility of better conference calling functionality. There are dedicated conference calling units in all the large meeting rooms across the DCO.
- 6.7.7 Following the recommendations of the Overview & Scrutiny Task and Finish Group on the use of Citrix, I.T. will continue to work with Members to identify I.T. solutions, which meet their individual requirements.
- 6.7.8 The practice of auto-forwarding emails is not permissible in accordance with the Information Security Policy and PSN security requirements.
- Failure to comply with the Public Sector Network accreditation will put the Council's business access to Government data at risk.
  - Failure to comply with Data Protection requirements, particularly around the retention of personal data.
  - Difficulties in complying with Freedom of Information requests.
  - Requirement for Members to reply from their own personal email accounts.
- 6.7.9 I.T. will continue to work with Members to enable them to access their Council email accounts directly from a mobile device such as a mobile phone or tablet without the need to go through the dual authentication process. This will be achieved by using the functionality within Microsoft 365, which will allow access to Microsoft Exchange (Outlook) via the cloud. Biometric technology to access devices rather than the use of passwords will be implemented. This will remove the need to auto-forward emails.
- 6.8 I.T. is a fast changing landscape with new technology being developed on a daily basis. It is vital that our I.T. Team keep up-to-date with these developments and that will continue to be an important aspect of the I.T. Strategy going forward



### **Assessing Emerging Technology**

- 6.8.1 Keeping up-to-date with emerging technology is a key skill of I.T. professionals and this Council is well advanced in terms of identifying and implementing technology that will support and improve the services that the Council delivers.
- 6.8.2 It is essential that this continues and that the Council has the flexibility to approve expenditure where this can be used on an “invest to save” basis to implement technology, which will in the short, medium or longer term realise cash savings.
- 6.8.3 Primary responsibility for this rests with the ICT Manager and other members of the Team will support this by recognising opportunities when they arise.
- 6.8.4 The use of Cloud technology is an area that will need careful consideration. Whilst this is commonly now used by many businesses, there are restrictions as far as Local Authorities are concerned in terms of security requirements and cost.
- 6.8.5 Current Cabinet Office security standards make it difficult for Councils to utilise Cloud Technology for the storage of personal or sensitive data. This data can only be held in the Cloud where the supplier has been approved by the Crown Commercial Services (G-Cloud). However, this does not preclude using other Cloud technology for data that is not personal or sensitive. The potential benefits of this technology make it essential that its use even for personal and sensitive data using the Crown Commercial Services (G-Cloud) is properly researched, evaluated and if feasible, implemented.
- 6.8.6 The cost implications also need careful consideration. In addition to any storage fees for using a Cloud facility, there are the additional communication costs of sending and retrieving the data, which have to be weighed up against the cost of storage on-site.
- 6.8.7 The majority of uptake for Cloud storage for data that is not sensitive, personal or confidential to date has been adopted by larger Authorities, where volumes make it more cost effective as part of their Document Management and Business Continuity of storage of data.
- 6.8.8 The cost to have a Live Streaming 1G Data Link from an Amazon Azure Hosts Cloud back to a physical building will be in the region £28k p.a. at today's prices. It will also require an additional link for resilience which again is in the region of £28k p.a. based on a 3-year contract. Total estimated costs for 3 years will be around £168k. These costs have come down considerable in the past 2-3 years.
- 6.8.9 I.T. is progressing a Web Map Layers project to enhance the Corporate Web services and various App's which are being written by the in-house ICT Team. This will allow pictures and coordinates to be available if required to support calls and enquiries from the public.
- 6.8.10 The GIS system will be used to provide digital mapping not only to Services within NHDC, but also to partners and to customers. The integration of GIS mapping into solutions will make it easier for customers to report matters such as fly-tipping, missed bins etc. and promote greater use of mobile working. The Council is working with some Parish Councils to produce Digital Map Overlays.
- 6.8.11 Other emerging technology that will be assessed includes:
- Additional Shareware Software Solutions

- New emerging Desktop and Tablet Technologies

6.8.12 This is of course an area that is constantly reviewed and will continue to be so.

6.9 The importance of Information Management was highlighted during the lead up to the implementation of GDPR in May 2018.

### **Information Management**

6.9.1 Information Management is a key area for the Council to tackle requiring the cooperation of both Officers and Members.

6.9.2 To achieve this, the following needs to be addressed:

- Unnecessary retention of data
- Management of documents to prevent multiple copies of the same document being retained
- Better access to documents using tablets for Officers who require access away from their desktops
- Better enforcement of the use of encrypted emails for sending personal and sensitive data

6.9.3 The Council retains vast amounts of data both within its major application system such as Revenues and Benefits, Planning, Environmental Health & Licencing, etc. and also within network drive folders managed by individual Officers and a small number of Members.

6.9.4 Failure to retain this data in accordance with the Data Protection Act 2018, can lead the Council open to enforcement action (enforcement notices, audit, penalty notices and prosecution). This also makes complying with Freedom of Information and Subject Access Requests more difficult to manage and puts a strain on the Council's data storage capacity. Previously recorded and monitored as a Risk, compliance with the Freedom of Information Act, Environmental Information Regulations and the Local Government Transparency Code still generates large numbers of requests placing high demand on the Team. Effective implementation of processes, procedures and working arrangements has allowed the risk to be managed down to Business as Usual. However, the unnecessary retention of documents (whether physical or electronic) remains a risk and has a significant and increasing storage cost implication for the Council.

6.9.5 There is reluctance amongst some Officers to delete obsolete data on a "you never know when it may come in useful" basis or for purposes of possibly justifying a particular action some time in the future, or because the task never gets to the top of their "to do" list. This is a practice that the Information Team will be targeting to reverse.

6.9.6 I.T. has introduced space quotas within Outlook and on the G: and H: Drives. Work has also taken place using Active Navigation to remove duplicate copies of documents on the network. As Information@Work is used more and more for the storage of information, its built-in Destruction Module can also be utilised to manage the deletion of documents as they pass their retention period.

6.9.7 To improve this still further, it is intended to develop and implement the following:

- Roll out to the remaining service areas of the Council's Document Management System, Information@Work

- Set each folder type with destruction dates within the Destruction Module within Information@Work which relates to the Retention Schedule.
- Continued use of Active Navigation to identify duplicate and obsolete documents within the network drives
- Development of applications to be used as project libraries for project based work
- Continued roll-out of Email Encryption software to all customers
- Ensure that the Data Retention Schedules are complied with

6.9.8 The roll out of Information@Work to the entire organisation will also assist with out-going mail contractor DSI to ensure that any mail is automatically stored with Information@Work at the point it is sent for printing.

6.9.9 The Council needs to work towards a position where duplicate data is removed and retained in a more controlled environment such as project folders using the Information@Work solution rather than the G: and H: Drives. Pilot schemes are currently being deployed to assess the achievability of these aims.

6.9.10 The Council has moved a long way in protecting emails and data with encryption and over the past 18 months has been working with organisation of the new TLS encryption service between Mail Exchange Servers. There are currently 171 companies listed with this functionality, which is growing daily.

6.9.11 There also has to be better management of the requirement to agree Data Sharing Protocols in accordance with the Council's Data Assurance Policy where data is shared with third parties. This is a requirement built into all new business cases supporting the exchange of data in any form with third parties.

6.9.12 I.T. will work with the Council's Data Protection Officer to ensure that processes and technology are in place to reduce the risk of any Data Protection breach.

## 7 RISKS

7.1 The Council, along with most businesses today is highly dependent on its I.T. delivery and consequently there are risks associated with the management of any I.T. Service. These can be divided between risks to the delivery of the service and those linked to the service itself.

### 7.2 Risks to the delivery of the service

<b><u>Risk</u></b>	<b><u>Probability</u></b>	<b><u>Impact</u></b>	<b><u>Mitigation</u></b>
Heavy work loads	2	3	Staff encouraged to work flexibly and work loads are reviewed regularly
Staff retention	2	3	Restructure recently completed. Every effort made to ensure work is shared evenly in terms of complexity and variety
Failure to keep up-to-date with the changing environment	1	3	Senior Managers have access to industry publications. I.T. Manager attends HertsLink meetings. Staff regularly attend Microsoft training events
Cyber Security	1	3	Ensuring that all patches on servers and firewalls are kept up-to-date. Keeping up-to-date with alerts and industry improvements

### 7.3 **Risks linked to the Service**

There are a number of I.T. related Risks on the Council's Risk Register, which are regularly reviewed and updated. The risks identified are:

- Risks relating to Data Protection
- Security through the Public Service Network (PSN)
- Cyber Risks

7.4 Full details of these risks are identified at Appendix 4.

## 8 **CONCLUSIONS**

8.1 The intention is to deliver benefits through the use of technology for stakeholders:

### 8.1.1 **For Customers**

- By developing on-line self help solutions, available 24 hours per day
- By making it easier to access information through the web site
- By making accessible, safe and secure services available
- By developing Applications promoting services which are scalable for mobile devices
- By supporting Customers to develop solutions, which improve service delivery to customers
- By making it easier to pay for services on-line
- Make the systems more reliable, easier to use, quick and responsive

### 8.1.2 **For the Council**

- By using technology to reduce costs and deliver value for money – effective, efficient and economic I.T. solutions
- By using technology to make Officers more productive
- By managing data to reduce the risks of non-compliance with Data Protection requirements
- By procuring hardware and software solutions at the best prices
- By utilising in-house skills where appropriate
- By promoting environmentally friendly solutions
- By making it easier for customers to pay for services on-line
- By providing profitability i.e. commercialisation, offering rack space to outside organisations etc?

### 8.1.3 **For Members**

- By supporting equipment that best meets the business needs
- By providing or developing solutions that better use technology such as paperless meetings, Members App, I.T. Helpdesk, Learning Management System (Growzone)
- By providing support to Members where required

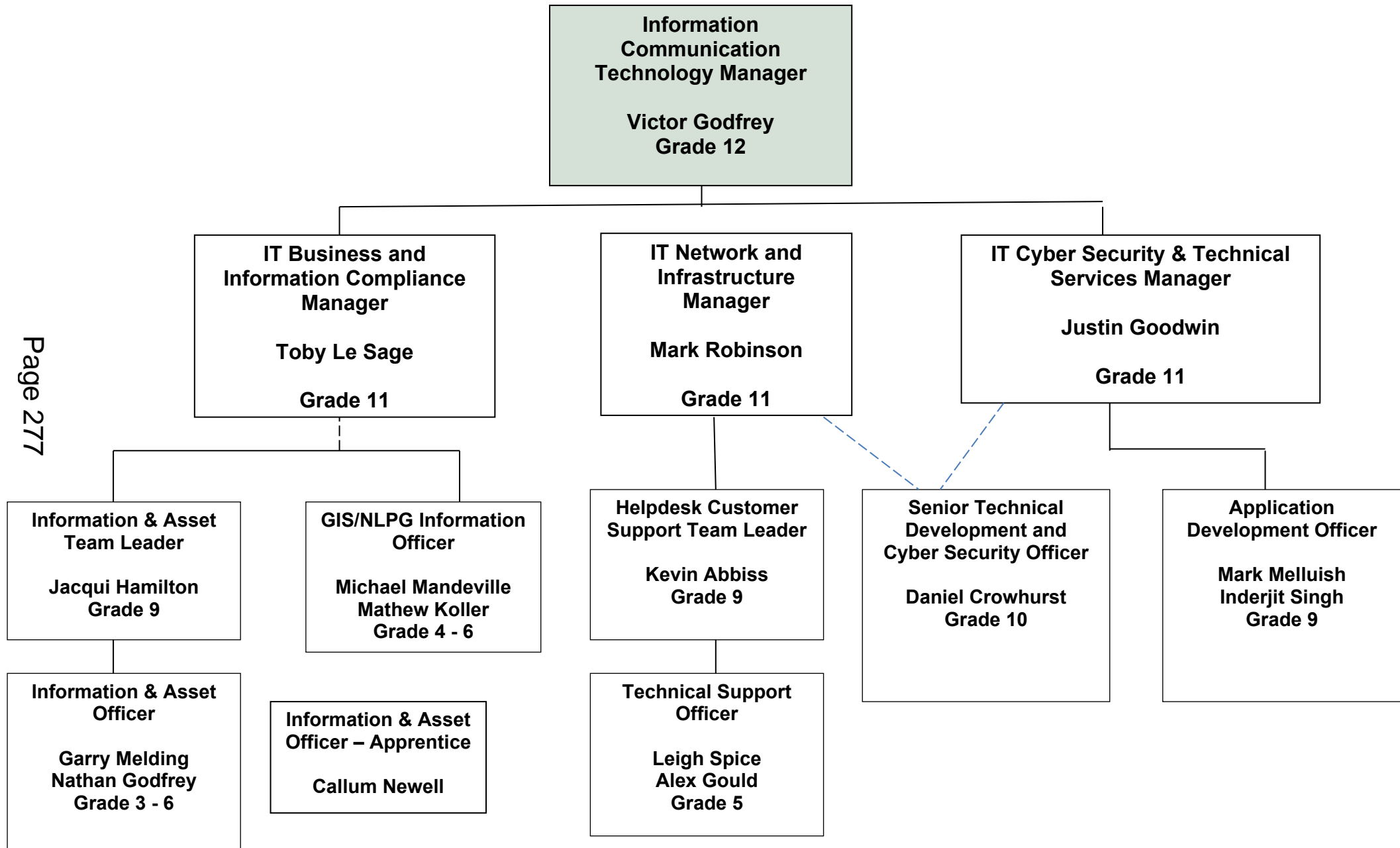
### 8.1.4 **For Officers**

- By working with Customers to develop solutions that benefit their services
- By providing equipment that best meets their business needs
- By promoting better use of flexible working

- By improving data storage capabilities to make it easier to manage data
- By providing the degree of I.T. support required to enable other services to become more profitable, changing the ways in which we can seek external partners/deliver services differently
- By increasing the ability of I.T. to configure and support in-house solutions.

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## North Hertfordshire District Council Customers – ICT



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## **1 Technical Services & Cyber Security Team**

- 1.1 The IT Cyber Security & Technical Services Manager is responsible for the day-to-day operational development and support of patch management of new releases from vendors into the corporate software solutions. This role liaises with Business Managers across the authority to develop efficient ways of working with technology with writing interfaces between the core business solutions and writing App's for mobile devices and Smart Phones.
- 1.2 A key responsibility of the Technical Services & Cyber Security Manager is to ensure all Firewalls are patched to the highest levels to ensure any potential Cyber attack is blocked to protect the network & Infrastructure. To support this a key action for the Technical Services & Cyber Security Manager in 2020/2021 is to work with an external cyber security vendor to achieve Cyber Essentials & Cyber Essentials + accreditation.
- 1.3 The team possesses specialist software development skills, which have been responsible for a considerable number of application development projects and database administration work, which have enhanced and maintained the Council's many application systems. Over the last three years this has streamlined interfaces between core applications and developed, amongst others the following App's; IT Helpdesk, HR Recruitment, Staff Information Directory, Room Booking System and Burials Management System.
- 1.4 The Team will continue to seek to develop in-house solutions where appropriate. This will depend on the availability of proprietary solutions, how long a solution will take to develop and whether it is likely to require constant upgrades depending on the volatility of on-going legislation relating to it.

## **2 Network & Infrastructure Team**

- 2.1 The Network & Infrastructure Team has a high level of in-depth knowledge of network infrastructure hardware from Servers, Data Switches and Storage solutions and software which form the backbone of the Council's network data services.
- 2.2 The Helpdesk Team takes the lead with first and second line support calls to the Help Desk and configuring new PC's, Laptops and Tablets which is complemented by the senior staff in the team with advanced knowledge and skills for third line support.
- 2.3 The team is responsible for the day-to-day running and supporting of the entire Network Infrastructure which includes ensuring security and new patches are tested and loaded.
- 2.4 This year the team is leading with the Windows 10 project as Windows 7 is de-supported in January 2020. This is a large project as we have to conform to PSN security standards requiring testing every core software system to ensure it runs under Windows 10.
- 2.5 As part of the Microsoft Enterprise Agreement the Council receives a number of Microsoft Training Vouchers each year which is used by the Network Infrastructure & Asset Management Team to attend Microsoft Technical Training courses to ensure their skills are kept up to date with the latest industry developments.

### 3 **Business, Information Compliance & Asset Management Team**

3.1 The IT Business and Information Compliance Manager's role is to advise and ensure information management is complied with in line with the General Data Protection Regulation & Data Protection Act 2018, Freedom of Information Act 2000 and Environmental Information Regulations 2004. The role has responsibility for the Asset Management and controls for all the IT hardware and works with Service Managers to develop Data Sharing Protocols for the sharing of personal and/or confidential data with external organisations and internal departments.

3.2 The Team takes the lead on developing and supporting new business cases with service managers to support all new IT projects. The team also focus on and police data retention compliance within the Council and advises on information management generally, including the management Council's corporate document management system.

3.3 The Team is also responsible for managing all Freedom of Information and Data Protection requests from booking in each request, sending the request to appropriate service manager to giving legislative advice to senior managers before responding formally back to requesters within the appropriate time frames. The statistics below show that there has been an increase year on year:

	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
FOI Request	630	666	781	921
Subject Access Request (SAR)	19	17	18	37
DP Requests	Not Kept	106	135	181

3.4 The Team is responsible for assisting users in developing Data Sharing Agreements and compiling Data Protection Impact Assessments as appropriate.

3.5 The Business and Information Compliance Team is also responsible for ensuring all hardware assets are registered and kept up to date on the Asset Data Base and all new equipment is adequately PAT (Portable Appliance Testing) tested. Quarterly asset audits are carried out by the team.

3.6 The Team also specialises in application of the National Land and Property Gazetteer, Local Land and Property Gazetteer and the Council's Graphical Information System.

3.7 The Business and Information Compliance Team will also play a key role in delivery of the Mission Statement by working with Service Directors and Senior Managers to advise on possible solutions for their business needs.

3.8 The Business and Information Compliance Team attend regular Data Protection and FOI training events to ensure their skills and knowledge are up-to-date with legislative changes. The team are also all PAT qualified so they carry out a support function to ensure that all new hardware is tested and labelled accordingly to show the equipment has passed the Electrical Test. The Team is also responsible for ensuring that all home working hardware is audited and recalled for PAT testing within the legislative timescales.


# IT Risk Register Entries

Generated on: 28 February 2020



<b>Risk Code</b>	CR62	<b>Risk Title</b>	Cyber Risks
<b>Risk Owner</b>	Howard Crompton	<b>Updated By</b>	Vic Godfrey
<b>Year Identified</b>	2014	<b>Corporate Priority</b>	Responsive and Efficient
<b>Risk Description</b>	<p><b>As a result of:</b></p> <ul style="list-style-type: none"> <li>- Computer virus</li> <li>- Malware</li> <li>- Ransomware</li> <li>- Computer hacking</li> <li>- Action by Staff/Member (e.g. opening a malicious link)</li> <li>- Malicious tampering of computer records</li> <li>- Information being sent to the wrong recipient</li> <li>- Loss or damage to server room</li> </ul> <p><b>There is a risk of:</b></p> <ul style="list-style-type: none"> <li>- Systems being interrupted or damaged</li> <li>- Data being corrupted or erased</li> <li>- Personal data being stolen</li> <li>- Breach of the Data Protection Act 2018</li> </ul>		
<b>Opportunities</b>	- Safe and effective use of Information Technology		
<b>Consequences</b>	<p>The consequences of these risks include:</p> <ul style="list-style-type: none"> <li>- Loss of reputation</li> <li>- Ability to provide services is disrupted</li> <li>- Revenue streams are reduced</li> <li>- Additional costs to investigate and test following repair/restoration</li> <li>- Claims for compensation if a third party suffers a financial loss</li> <li>- Fines from the Information Commissioner</li> </ul>		
<b>Work Completed</b>	<ul style="list-style-type: none"> <li>- Information Security policy in place, which applies to staff and Members use of IT systems</li> <li>- Email encryption software (EGress) implemented</li> <li>- Introduced new software (Clearswift and Bloggs) to enhance the checking of threats attempting to attack via the firewall</li> <li>- All data centres have fire suppressing systems and are located in secure areas</li> <li>- Disaster recovery in place at a remote site (Unit 3)</li> <li>- Basic computer insurance provides limited cover for damage to equipment and reinstatement of data (although it does not cover payment of any fines or compensation to third parties)</li> <li>- Business Continuity Plans in place</li> <li>- Ransomware attack resulting in the write-off of IT hardware and infrastructure identified as a financial risk for 2019/20 (Low/£200k)</li> <li>- Data Protection/FOI SIAS internal audit</li> <li>- Controls in place to ensure any third party providers adhere to NHDC security requirements</li> <li>- Annual PEN Test completed autumn 2018 and PSN Accreditation renewed January 2019</li> <li>- SIAS audit of Cyber Security (March 2018) provided Moderate overall assurance</li> <li>- Implemented specific cyber roles/responsibilities within the ICT team to strengthen resources and approach (September 2018)</li> <li>- Implemented the recommendations from the SIAS audit of Cyber Security</li> <li>- Reviewed findings of the 2018 penetration test and worked through the minor improvements identified</li> <li>- In 2019, the requirement for Members to be registered as Data Controllers with the ICO was removed</li> <li>- SIAS audit of Cyber Security (August 2019) provided Satisfactory overall assurance and the report made five recommendations (four medium priority and one low priority)</li> </ul>		


# IT Risk Register Entries

<b>Ongoing Work</b>	<ul style="list-style-type: none"> <li>- Anti-virus/malware software in place and automatic updates are performed to servers and all PCs/laptops/tablets</li> <li>- Email Filter monitoring</li> <li>- Web Filter monitoring</li> <li>- Firewalls continually reviewed and updated</li> <li>- Reviewing firewall log files</li> <li>- Microsoft patches kept up to date</li> <li>- Annual PEN Test will be undertaken in December 2019 and PSN Accreditation will be renewed January 2020 (Annual PEN Test to commence following the relevant tender process)</li> <li>- Regular advice and reminders issued to users</li> <li>- LMS training available (e.g. annual DPA 2018)</li> <li>- Control/security systems enable potential threats to be identified, investigated and managed accordingly</li> <li>- Regular reminders to all staff and Members are sent by the Service Director - Customers about the need to be vigilant about opening emails from unknown sources</li> <li>- Attending MHCLG Cyber Pathfinder Training Scheme events (next one due in late 2019 in Cambridge)</li> <li>- Implementing the recommendations from the SIAS audit of Cyber Security (August 2019), including the forthcoming release of a new Cyber Security mandatory training package</li> </ul>		
<b>Current Impact Score</b>	3	<b>Current Likelihood Score</b>	2
<b>Overall Risk Score</b>	8	<b>Current Risk Matrix</b>	
<b>Date Reviewed</b>	30-Sep-2019	<b>Next Review Date</b>	30-Mar-2020
<b>Latest Note</b>	01-Oct-2019 Risk reviewed and updated by Vic Godfrey on 30 September 2019. NHDC continues to assess and improve its cyber security arrangements, although this remains a challenging and evolving process. The requirement for Members to be registered as Data Controllers with the ICO was removed in 2019 and the Risk Description has been amended accordingly. No change made to the overall risk score.		


## IT Risk Register Entries

<b>Risk Code</b>	RR304	<b>Risk Title</b>	Data Protection Act 2018
<b>Risk Owner</b>	Howard Crompton	<b>Updated By</b>	Vic Godfrey
<b>Year Identified</b>	2005	<b>Corporate Priority</b>	Responsive and Efficient
<b>Risk Description</b>	<p>As a result of:</p> <ul style="list-style-type: none"> <li>- Action by individuals (e.g. use of the email system is the predominant cause of breaches)</li> <li>- CCTV systems not being fully compliant</li> <li>- Retention of out of date information on IT systems and in hard copy</li> <li>- Inappropriate use/disclosure of personal information</li> <li>- Fraudulent use of data</li> <li>- Loss or theft of portable devices</li> </ul> <p>There is a risk that:</p> <ul style="list-style-type: none"> <li>- There could be breaches of the Data Protection Act 2018 (the UK's implementation of the General Data Protection Regulation)</li> </ul>		
<b>Opportunities</b>	<ul style="list-style-type: none"> <li>- Ensuring compliance with legislation and appropriate handling of personal data</li> <li>- Reduced disk storage requirements, leading to reduced costs</li> </ul>		
<b>Consequences</b>	<ul style="list-style-type: none"> <li>- Inappropriate use/disclosure of personal information</li> <li>- Fraudulent use of data</li> <li>- Enforcement/Information Notice being served by the Information Commissioner</li> <li>- Penalties under the General Data Protection Regulation, i.e. 4% of annual global turnover or €20 million, whichever is greater</li> <li>- Loss of reputation and customer confidence/trust</li> </ul>		
<b>Work Completed</b>	<ul style="list-style-type: none"> <li>- Information Security and Internet/Email user policy prevents staff sending emails to their home address</li> <li>- Incident Register in place</li> <li>- Data protection policy in place</li> <li>- NHDC creates its own data sharing protocols on a case-by-case basis; data sharing agreements are in place with all relevant external organisations</li> <li>- Information security policy adopted on the 02 February 2011 and it is reviewed on a regular basis</li> <li>- Purchased Active Navigation software, which highlights duplicate records and out of date information/documentation held on the network and recommends appropriate filing systems for stored information</li> <li>- EGress email encryption software replaced with Clearswift Email Encryption for the corporate wide encrypted and secure sending of personal, confidential and sensitive information outside of the authority</li> <li>- USB encrypted pens are monitored by GIF Software</li> <li>- All NHDC CCTV systems are fully data compliant</li> <li>- ICT has ownership of all CCTV devices within the authority buildings, which also includes displayed signage and extraction of data when requested via a Subject Access Request (SAR)</li> <li>- Software in place to redact images if there is a request for CCTV images (the amount of time required to redact images manually was lengthy/costly)</li> <li>- Network log-in screens detail terms/conditions of use</li> <li>- NHDC data protected on portable devices</li> <li>- Financial risk identified for 2019/20:</li> <li>-- Fines for breaches of the EU General Data Protection Regulation by the Council or by NHDC outsourced providers when handling and storing data originally collected by NHDC (Low/£500K)</li> <li>- SIAS audit of Data Protection and Freedom of Information (December 2016) provided moderate overall assurance</li> <li>- Officer seconded to the Information Team to help with preparations for the General Data Protection Regulation</li> <li>- Auto-forwarding of emails was switched off on 26 June 2017, in line with the high priority SIAS audit recommendation</li> <li>- Presentation to Senior Managers Group (November 2017)</li> <li>- Implemented the recommendations from the SIAS audit of Data Protection and Freedom of Information (December 2016)</li> </ul>		

# IT Risk Register Entries

	<ul style="list-style-type: none"> <li>- Full information audit completed, including gap analysis and review of processes/procedures, and agreed actions implemented to ensure compliance with the General Data Protection Regulation</li> <li>- Member information/training sessions</li> <li>- SIAS audit of General Data Protection Regulations (July 2018) provided Satisfactory overall assurance</li> <li>- Designated Data Protection Officer in place</li> <li>- Information Security Policy published</li> <li>- Developed strategy for officers/Members to use BlackBerry Apps to deliver better services at reduced cost across the authority</li> <li>- Completed required changes to documentation, e.g. fair processing notices</li> <li>- Implemented the recommendations from the SIAS audit of General Data Protection Regulations (July 2018)</li> <li>- Requirement for Members to register as a Data Controller with the ICO removed in 2019 (previously, if requested by Members, officers did this on their behalf, including payment of the fee)</li> </ul>		
<b>Ongoing Work</b>	<ul style="list-style-type: none"> <li>- Mandatory annual training via e-learning; completion by staff monitored and escalation processes in place</li> <li>- Regular reminders to staff and Members on the use of email</li> <li>- The use of email quotas forces individuals to review the data they are keeping</li> <li>- Continue to implement/monitor the Active Navigation tool</li> <li>- Information Team works with service areas to ensure all departments are keeping documents in line with their retention schedules</li> <li>- Annual review of CCTV in Operation notices to ensure they are up to date and fully displayed (all areas covered by cameras, including meeting rooms)</li> <li>- Monthly tests of all CCTV data extraction processes are carried out</li> <li>- ICT control and monitor regularly data storage and retention in off site facility</li> <li>- Identified DPA breaches reported to the ICO if required; so far, the ICO has not instigated any formal action</li> <li>- Ongoing communication with officers and Members to raise awareness</li> <li>- Regular officer meetings to review/discuss DPA 2018 issues</li> <li>- Implementation of new systems/databases require the completion of Privacy Impact Assessments and if required, Data Processing Agreements</li> <li>- Draft "GDPR Operational" SIAS audit report received, which provides Satisfactory overall assurance; awaiting publication of the final report</li> </ul>		
<b>Current Impact Score</b>	3	<b>Current Likelihood Score</b>	2
<b>Overall Risk Score</b>	8	<b>Current Risk Matrix</b>	
<b>Date Reviewed</b>	30-Sep-2019	<b>Next Review Date</b>	30-Mar-2020
<b>Latest Note</b>	03-Oct-2019 Risk reviewed and updated by Vic Godfrey on 30 September 2019. The recently received draft "GDPR Operational" SIAS audit report provided Satisfactory overall assurance and it did not highlight any significant findings (two Medium and two Low priority recommendations). No change made to the overall risk score.		

## IT Risk Register Entries

<b>Risk Code</b>	RR493	<b>Risk Title</b>	IT Disaster Recovery
<b>Risk Owner</b>	Howard Crompton	<b>Updated By</b>	Vic Godfrey
<b>Year Identified</b>	2013	<b>Corporate Priority</b>	Responsive and Efficient
<b>Risk Description</b>	<p>As a result of a:</p> <ul style="list-style-type: none"> <li>- Cyber attack</li> <li>- Power failure in Letchworth</li> <li>- Problem with the broadband service provider</li> </ul> <p>There is a risk that:</p> <ul style="list-style-type: none"> <li>- There is a total loss of IT network services</li> </ul> <p>NHDC has now developed an in-house fully functional Disaster Recovery solution, which enables IT to be able to bring services back online within 4 hours.</p>		
<b>Opportunities</b>	- Effective DR arrangements ensure the ongoing provision of IT network services		
<b>Consequences</b>	<ul style="list-style-type: none"> <li>- Business continuity arrangements become ineffective</li> <li>- Increased time required to recover from events</li> <li>- NHDC unable to deliver its services</li> </ul>		
<b>Work Completed</b>	<ul style="list-style-type: none"> <li>- In 2014/15, the in-house IT Technical Team built a fully functional DR solution, which enables them to bring back online core services within 4 hours instead of the 4 days with the HP DR Service in London</li> <li>- Within the 2015/16 IT Service Plan, IT carried out two rehearsals to recover data, which tested positively and well within the 4 hours</li> <li>- To compliment the new DR service, IT have installed an additional 100Meg Broadband Service, which is provided by BT, to ensure there is also resilience in the event of any issues with the Virgin Media Broadband Services; this will ensure there is connectivity available to home workers</li> <li>- The new DR Site at Unit 3 is now fully functional with its own Data Centre, BT Broadband DR link and a 12-hour UPS system</li> <li>- The Data Centre has been built in accordance with PSN security requirements, which means it has FM200 Gas Protection, CCTV, Building Alarm and Heat Monitoring and alerts systems provided by Trend</li> <li>- Careline DR now relocated to Unit 3</li> <li>- Diesel generator relocated to the DCO</li> <li>- Implemented and tested relevant infrastructure required for Careline's move to the refurbished DCO</li> </ul>		
<b>Ongoing Work</b>	<ul style="list-style-type: none"> <li>- IT continue to be responsible for disaster recovery of corporate systems relating to infrastructure failures resulting from general failures or any environmental interventions such as fire, flooding etc.</li> <li>- Depending on the nature of the failure, users will continue to be responsible, as the system owners, for working with their suppliers where systems are down for other reasons, such as software failures due to bugs, upgrade failures etc.</li> <li>- Rehearsals are carried out quarterly, which are documented in accordance with the SIAS Audit</li> <li>- There are six IT staff who receive alerts and Property Services, which is a 24x7 service</li> <li>- The latest rehearsal identified the need to enhance our current disaster recovery arrangements, which requires establishing a disaster recovery loop (by adding further back-up at one further site, i.e. Hitchin Town Hall)</li> <li>- Following Brexit considerations, increasing the diesel generator run time at the DCO from two to 12 days, in order to improve the resilience of the IT network (using available Brexit funding)</li> </ul>		
<b>Current Impact Score</b>	2	<b>Current Likelihood Score</b>	1
<b>Overall Risk Score</b>	3	<b>Current Risk Matrix</b>	 <p>Likelihood</p> <p>Impact</p>
<b>Date Reviewed</b>	05-Feb-2020	<b>Next Review Date</b>	29-Jan-2021

## IT Risk Register Entries

<b>Latest Note</b>	05-Feb-2020 Risk reviewed by Vic Godfrey on 5 February 2020. In view of the effective DR arrangements that the Council has implemented over a number of years, Vic agreed to reduce the Impact score to Medium. The risk entry will remain active in view of the plans to increase the diesel generator run time at the DCO and to establish a disaster recovery loop (by using three sites), which will enhance our arrangements further.
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**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: THIRD QUARTER REVENUE MONITORING 2019/20**

REPORT OF: THE SERVICE DIRECTOR - RESOURCES

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR FINANCE AND IT

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY

**1. EXECUTIVE SUMMARY**

- 1.1. The purpose of this report is to inform Cabinet of the summary position on revenue income and expenditure forecasts for financial year 2019/20, as at the end of the third quarter. The forecast variance is a £262k decrease on the net working budget of £15.083million for 2019/20, with an ongoing impact in future years of a £33k increase and requests to carry forward budget totalling £254k to fund specific projects in 2020/21. Within these summary totals there are several budget areas with more significant variances, which are detailed and explained in table 3. The report also provides an update on;
- the progress with the delivery of planned efficiencies (paragraph 8.3)
  - the use of budget approved to be carried forward from 2018/19 (paragraph 8.4)
  - performance against the four key corporate 'financial health' indicators (paras 8.5-8.7)
  - the overall forecast funding position for the Council and factors that may affect this (paras 8.8 - 8.13)

**2. RECOMMENDATIONS**

- 2.1. That Cabinet note this report.
- 2.2. That Cabinet approves the changes to the 2019/20 General Fund budget, as identified in table 3 and paragraph 8.2, a £262k decrease in net expenditure.
- 2.3. That Cabinet approves the changes to the 2020/21 General Fund budget, as identified in table 3 and paragraph 8.2, a £287k increase in net expenditure (ongoing + Carry Forwards).

**3. REASONS FOR RECOMMENDATIONS**

- 3.1. Members are able to monitor, make adjustments within the overall budgetary framework and request appropriate action of Services who do not meet the budget targets set as part of the Corporate Business Planning process.

#### 4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. Budget holders have considered the options to manage within the existing budget but consider the variances reported here necessary and appropriate

#### 5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Consultation on the budget monitoring report is not required. Members will be aware that there is wider consultation on budget estimates during the corporate business planning process each year.

#### 6. FORWARD PLAN

- 6.1. The report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on the 6<sup>th</sup> December 2019.

#### 7. BACKGROUND

- 7.1. Council approved the revenue budget for 2019/20 of £15.251million in February 2019. As at quarter 3 the working budget has decreased to £15.083million. Table 1 below details the approved changes to this budget to get to the current working budget:

**Table 1 - Current Working Budget**

	<b>£k</b>
Original approved budget for 2019/20	15,251
Quarter 3 2018/19 Revenue Monitoring report – 2019/20 budget changes approved by Cabinet (March 2019)	25
2018/19 Revenue Outturn Report – 2019/20 budget changes approved by Cabinet (June 2019)	521
Quarter 1 2019/20 Revenue Monitoring report - 2019/20 variances approved by Cabinet (July 2019)	(239)
Playgrounds report - delaying the removal of play equipment from two playgrounds in Royston until the 31st March 2020 – additional expenditure approved by Cabinet (July 2019)	4
Waste Collection from Multi Occupancy Properties report – retention of weekly residual waste collection service – variation to contract approved by Cabinet (July 2019)	68
Quarter 2 2019/20 Revenue Monitoring report – 2019/20 variances approved by Cabinet (December 2018)	(360)
Revenue monitoring included within 2020/21 budget report – 2019/20 variances approved by Cabinet (January 2020)	(187)
<b>Current Working Budget</b>	<b>15,083</b>

- 7.2. The Council is managed under Service Directorates. Table 2 below confirms the current net direct resource allocation of each Service Directorate in 2019/20 and how this has changed from the allocations published in the quarter two monitoring report.

**Table 2 – Service Directorate Budget Allocations**

	<b>Working Budget at Q2</b>	<b>Changes approved at Q2</b>	<b>Changes approved in 2020/21 budget report</b>	<b>Other Budget Transfers</b>	<b>Current Net Direct Working Budget</b>
<b>Service Directorate</b>	<b>£k</b>	<b>£k</b>	<b>£k</b>	<b>£k</b>	<b>£k</b>
Chief Executive	1,884	(78)	0	1	1,807
Commercialisation	(607)	144	0	0	(463)
Customers	3,528	(20)	10	26	3,544
Legal & Community	2,304	6	(54)	6	2,262
Place	4,776	(226)	13	0	4,563
Regulatory Services	1,230	(217)	(119)	(27)	867
Resources	2,515	31	(37)	(6)	2,503
<b>TOTAL</b>	<b>15,630</b>	<b>(360)</b>	<b>(187)</b>	<b>0</b>	<b>15,083</b>

## 8. RELEVANT CONSIDERATIONS

- 8.1. Service Managers are responsible for monitoring their expenditure and income against their working budget. Table 3 below highlights those areas where there are forecast to be differences. An explanation is provided for each of the most significant variances, which are generally more than £25k. The final column details if there is expected to be an impact on next year's (2020/21) budget:

**Table 3 - Summary of significant variances**

Budget Area	Working Budget £k	Forecast Outturn £k	Variance £k	Reason for difference	Carry Forward Request £k	Estimated Impact on 2020/21 £k
Brexit Grant	52	0	(52)	NHDC have received Brexit resilience funding from Central Government totalling £52k. At the present time there is still uncertainty around the impact of Brexit. Several potential projects and measures are being looked at to minimise risk and provide resilience but spend is not expected to be incurred until 2020/21 and it is therefore requested that the unspent budget is carried forward into 2020/21.	52	0
Investment Interest	(372)	(418)	(46)	Level of investment balances are higher than budgeted due to slippage in the capital programme to 2020/21.	0	0
Apprenticeships	97	57	(40)	The apprentice budgets have been monitored closely to ensure any salary underspends can be used to recruit additional apprentices. In 2019/20 three additional apprentices have been recruited with their salaries funded from underspend. It has now been established that there will be an underspend of £40K. There is therefore enough funding to recruit two more apprentices. Allocation of those places and recruitment will get underway as soon as possible, but the posts are not expected to be recruited to until 2020/21. The budget is therefore requested to be carried forward into 2020/21.	40	0

Budget Area	Working Budget £k	Forecast Outturn £k	Variance £k	Reason for difference	Carry Forward Request £k	Estimated Impact on 2020/21 £k
Rental Income for Phone Masts on DCO	0	(83)	(83)	A lump sum of back-dated rent extending back to 2013 of £75k was received from Vodafone in relation to their lease of part of the DCO roof top for their phone mast. There was a Landlord and Tenant dispute which meant the rent invoices had to be suspended and rent receipts had to be rejected until an agreement had been reached. The annual rent agreed is now just over £8k; however, legislation may result in the future rental value to reduce.	0	(8)
Regulatory Directorate Staff Costs	716	624	(92)	Various vacancies within Environmental Health and Planning Services have resulted in underspends on staff costs in 2019/20. The majority of vacancies have now been recruited to, with the remaining vacancies to be advertised in 2020/21.	0	0
PCN Income	(665)	(702)	(37)	A full complement of CEOs and concentration of enforcement where more parking breaches are committed, to ensure management of the traffic network and road safety, have resulted in PCNs issued at a higher volume compared to the previous year.	0	0
Local Plan	210	136	(74)	At the time of setting the 2019/20 budget, it was anticipated that the Local Plan would be adopted in 2019/20, which the budget reflected. The inspector however identified further queries in July and August 2019 and further hearings have been set for March 2020. The plan will not be adopted until 2020/21. It is requested that the underspent budget is carried forward into 2020/21 to cover the remaining stages of this project.	74	0
Community Infrastructure Levy	87	0	(87)	A further decision on the preferred approach to developer contributions was postponed due to the delays associated with the Local Plan. In January 2020, Cabinet resolved that officers be instructed to conduct a review to consider the feasibility of introducing a CIL for residential sites. It is anticipated that the review will report in the second half of 2020. It is requested that the unspent budget is carried forward into 2020/21 to cover any costs arising from this review or	87	0

Budget Area	Working Budget £k	Forecast Outturn £k	Variance £k	Reason for difference	Carry Forward Request £k	Estimated Impact on 2020/21 £k
				its recommendations.		
Planning Application Income	(950)	(820)	+130	The uncertainty around the next steps of the Local Plan and the national situation with regards to Brexit are believed to have impacted upon the level of income; either through uncertainty with regard the timescale for sites to progress or through uncertainty around house prices and mortgage rates.	0	0
Careline Net Direct Trading Expenditure	(306)	(288)	+18	The main area of overspend is maintenance costs. Maintenance costs are not being fully funded by the service users due to restrictions placed on increasing the weekly service user charge (which is currently £3.25) by HCC. Moving to a full cost recovery model is currently being reviewed.	0	19
Trade Waste Income	(952)	(923)	+29	The management of commercial waste services requires regular marketing to maintain the existing client base. Vacancies within the team and increased pressure on staff resources have meant proactive marketing has not been possible. This has therefore resulted in a reduction in forecast income. A review is proposed for 2020/21	0	0
Museum Equipment Purchases	5	38	+33	For the Museum to open on time, and hence secure funding from the Heritage Lottery, expenditure was required on several items of equipment. This includes the production and installation of graphics in the reception area, upgrading various features, and installing spotlights.	0	0
Homelessness - Temporary Accommodation Expenditure	0	80	+80	£80k is the projected spend on temporary accommodation. £70k is the contribution NHDC gets back from the DWP for any households in temporary accommodation	0	80

Budget Area	Working Budget £k	Forecast Outturn £k	Variance £k	Reason for difference	Carry Forward Request £k	Estimated Impact on 2020/21 £k
Temporary Accommodation Income	0	(70)	(70)	that receive housing benefit. The £10k variance is because not all households would have received housing benefit, therefore no contribution will be received from Central Government. There is also a cap on how much can be claimed, so if the cost of temporary accommodation exceeds the cap, there will be a shortfall in income.	0	(70)
<b>Total of explained variances</b>	<b>(2,078)</b>	<b>(2,369)</b>	<b>(291)</b>		<b>253</b>	<b>21</b>
Other minor balances	17,161	17,190	+29		+1	+12
<b>Overall Total</b>	<b>15,083</b>	<b>14,821</b>	<b>(262)</b>		<b>254</b>	<b>33</b>

8.2. Cabinet are asked to approve the differences highlighted in the table above (a £262k decrease in spend), as an adjustment to the working budget (recommendation 2.2). Cabinet are asked to approve the estimated impact on the 2020/21 budget (£287k increase in budget, which includes the request to carry forward £254k of budget from 2019/20 to 2020/21 (recommendation 2.3).

8.3. The original approved budget for 2019/20 (and therefore working budget) included efficiencies totalling £610k, which were agreed by Council in February 2019. Any under or over delivery of efficiencies will be picked up by any budget variances (table 3 above). However, there can be off-setting variances which mean that is unclear whether the efficiency has been delivered. Where this is the case, this will be highlighted. The current forecast at quarter three is that all the efficiencies approved in February last year will be delivered.

8.4. The working budget for 2019/20 includes budgets totalling £689k that were carried forward from the previous year. These are generally carried forward so that they can be spent for a particular purpose that had been due to happen in 2018/19 but was delayed into 2019/20. At quarter two it was projected that £74k of carry forward budget would not be spent. At quarter three, it is forecast that a total of £161k of the budget carried forward will not be spent in the current financial year. The increase of £87k relates to:

- Community Infrastructure Levy. The £87k budget carried forward will not be spent in this year, as highlighted and explained in table 3 above. The unspent budget is requested to be carried forward again into 2020/21.

- 8.5. There are 4 key corporate 'financial health' indicators identified in relation to key sources of income for the Council. Table 4 below shows the income to date and forecasts for the year. A comparison is made to the original budget to give the complete picture for the year. Each indicator is given a status of red, amber or green. A green indicator means that they are forecast to match or exceed the budgeted level of income. An amber indicator means that there is a risk that they will not meet the budgeted level of income. A red indicator means that they will not meet the budgeted level of income. Currently two of the indicators are green, one is amber, and one is red.
- 8.6. The amber status for Land Charges income was reported at quarter one and is based on the actual income to date. Whilst the income budget may still be achieved from an increase in activity over the remainder of the year, there is a risk that the budgeted level of income may not be met.
- 8.7. The actual income to date for planning application fees is increased by the reversal in the current year of the £335k accounting adjustment posted at the end of 2018/19. Income receipts received in the first three quarters of the year in respect of planning applications totalled £627k, which is below the budget expectation. The red status at quarter three therefore indicates that the budgeted level of income will not be met and the forecast outturn has been reduced by £130k, which is highlighted and explained in table 3 above. As in 2018/19, an accounting adjustment will be posted at the end of 2019/20 to ensure that the reported income total reflects only the income received from planning applications resolved in this financial year, in accordance with accounting policy. The accounting adjustment does not affect the cash the Council receives.

**Table 4 - Corporate financial health indicators**

Indicator	Status	Original Budget £k	Actual income to date £k	Forecast income for the year	Projected Variance £k
Planning Application Fees (including fees for pre-application advice)	Red	(950)	(962)	(820)	+130
Land Charges	Amber	(164)	(114)	(164)	0
Car Parking Fees	Green	(1,809)	(1,414)	(1,885)	(76)
Parking Penalty Charge Notices	Green	(532)	(560)	(702)	(170)

#### **FUNDING, RISK AND GENERAL FUND BALANCE**

- 8.8. The Council's revenue budget is funded from the following main sources; Council Tax, New Homes Bonus and Retained Business Rates income. The Council was notified by Central Government in February 2019 of the amount of New Homes Bonus it could expect to receive in 2019/20 and planned accordingly.



- 8.9. Council Tax and Business Rates are accounted for in the Collection Fund rather than directly in our accounts, as we also collect them on behalf of other bodies. Each organisation has a share of the balance on the Collection Fund account. At the end of the third quarter, it is forecast that there will be a small deficit on the Council Tax Collection Fund. With regards to Business Rates, while income collected in year is in line with original estimates, an overall deficit position is projected due to the adjustment for the final prior year outturn, as detailed and explained in the quarter one revenue monitoring report.
- 8.10. The actual gain from Hertfordshire being a Business Rate pilot in 2019/20 will be dependent on the overall Business Rates collected across Hertfordshire, as well as within North Hertfordshire. Monitoring of the expected gain is being coordinated by Hertfordshire County Council. These forecasts will be a guide only as Business Rate income can be subject to significant fluctuations, particularly across 10 billing authorities. The final position will therefore not be known until after the end of the current year.
- 8.11. The Council also receives compensation in the form of a grant from Central Government for business rate reliefs introduced, which goes into our funds rather than the Collection Fund. In 2018/19 NHDC received grant totalling £1.435m and the current expectation for 2019/20 is £1.922m. We are holding the grant received in a reserve to fund the repayment of deficits recorded in future years. Some of the amount held in reserve will therefore be used in this year to fund the required contribution to the Collection Fund of £58k in respect of the position for 2018/19 and is included in table 5 below.
- 8.12. The recommendation to transfer to the General Fund several amounts currently held in earmarked reserves was approved by Full Council at its meeting in February. The release of the reserves will therefore increase the General Fund balance at the end of the year, as shown in table 5 below.
- 8.13. Table 5 summarises the impact on the general fund balance of the position at quarter three detailed in this report.

**Table 5 – General Fund impact**

	<b>Working Budget £k</b>	<b>Q3 Projected Outturn £k</b>	<b>Difference £k</b>
<b>Brought Forward balance (1<sup>st</sup> April 2019)</b>	<b>(7,862)</b>	<b>(7,862)</b>	<b>-</b>
Net Expenditure	15,083	14,821	(262)
Funding (Council Tax, Business Rates, NHB)	(15,319)	(15,319)	0
Contribution to Funding Equalisation Reserve	68	68	0
Contribution to Collection Fund	58	58	0
Funding from Reserves (including Business Rate Relief Grant and transfer of reserves as approved at Full Council in February 2020)	(58)	(405)	(347)
<b>Carried Forward balance (31<sup>st</sup> March 2020)</b>	<b>(8,030)</b>	<b>(8,639)</b>	<b>(609)</b>

8.14. The minimum level of General Fund balance is determined based on known and unknown risks. Known risks are those things that we think could happen and we can forecast both a potential cost if they happen, and percentage likelihood. The notional amount is based on multiplying the cost by the potential likelihood. The notional amount for unknown risks is based on 5% of net expenditure. There is not an actual budget set aside for either of these risk types, so when they occur they are reflected as budget variances (see table 3). We monitor the level of known risks that actually happen, as it highlights whether there might be further variances. This would be likely if a number of risks come to fruition during the early part of the year. We also use this monitoring to inform the assessment of risks in future years. The notional amount calculated at the start of the year for known risks was £1,203k, and by the end of quarter three a total of £257k has come to fruition. The identified risks realised in the third quarter relate to;

- Recycling services. Increase in net cost due to the reduction in sales price received for paper recyclates collected, as highlighted in the addendum to the Revenue Budget Report 2020/21 presented to Cabinet in January. £13k
- Housing Services. Use of temporary accommodation, highlighted in table 3 above. £10k
- Housing Services – legal costs for successful defence of an appeal to a housing decision. £3k.
- Planning Services – reduction in planning application income, as highlighted in table 3 above. £130k.

**Table 6 – Known financial risks**

	£'000
<b>Original allowance for known financial risks</b>	<b>1,203</b>
Known financial risks realised in Quarter 1	(17)
Known financial risks realised in Quarter 2	(84)
Known financial risks realised in Quarter 3	(156)
<b>Remaining allowance for known financial risks</b>	<b>946</b>

## **9. LEGAL IMPLICATIONS**

9.1. The Cabinet has a responsibility to keep under review the budget of the Council and any other matter having substantial implications for the financial resources of the Council. Specifically, 5.6.8 of Cabinet's terms of reference state that it has remit "*to monitor quarterly revenue expenditure and agree adjustments within the overall budgetary framework*". By considering monitoring reports throughout the financial year Cabinet is able to make informed recommendations on the budget to Council. The Council is under a duty to maintain a balanced budget and to maintain a prudent balance.

## **10. FINANCIAL IMPLICATIONS**

10.1. Members have been advised of any variations from the budgets in the body of this report and of any action taken by officers.

## **11. RISK IMPLICATIONS**

- 11.1. As outlined in the body of the report. The process of quarterly monitoring to Cabinet is a control mechanism to help to mitigate the risk of unplanned overspending of the overall Council budget.

## **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. For any individual new revenue investment proposal of £50k or more, or affecting more than two wards, a brief equality analysis is required to be carried out to demonstrate that the authority has taken full account of any negative, or positive, equalities implications; this will take place following agreement of the investment.

## **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. Although there are no direct human resource implications at this stage, care is taken to ensure that where efficiency proposals or service reviews may affect staff, appropriate communication and consultation is provided in line with HR policy.

## **15. APPENDICES**

- 15.1. None.

## **16. CONTACT OFFICERS**

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**17. BACKGROUND PAPERS**

17.1. None.

**CABINET  
24 MARCH 2020**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: THIRD QUARTER INVESTMENT STRATEGY (CAPITAL AND TREASURY) REVIEW 2019/20**

REPORT OF THE SERVICE DIRECTOR - RESOURCES

EXECUTIVE MEMBER: FINANCE AND I.T.

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY

**1. EXECUTIVE SUMMARY**

- 1.1 To update Cabinet on progress with delivering the capital and treasury strategy for 2019/20, as at the end of December 2019.
- 1.2 To update Cabinet on the impact upon the approved capital programme for 2020/21 – 2024/25. The current estimate is a decrease in spend in 2019/20 of £4.082million and an increase in spend in future years of £3.831million. The most significant individual change relates to reprofiling the budget for Providing Housing at Market Rents.
- 1.3 To inform Cabinet of the Treasury Management activities in the first nine months of 2019/20. The current forecast is that the amount of investment interest expected to be generated during the year is £0.418million. This is an increase of £0.046M from the value reported at the second quarter.

**2. RECOMMENDATIONS**

- 2.1 That Cabinet notes the forecast expenditure of **£1.804million** in 2019/20 on the capital programme, paragraph 8.2 refers.
- 2.2 That Cabinet approves the adjustments to the capital programme for 2019/20 onwards as a result of the revised timetable of schemes detailed in table 2, increasing the estimated spend in 2020/21 and beyond by **£3.831million**.
- 2.3 That Cabinet notes the position of the availability of capital resources, as detailed in table 3 paragraph 8.6 and the requirement to keep the capital programme under review for affordability.
- 2.4 Cabinet is asked to note the position of Treasury Management activity as at the end of December 2019.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 Cabinet is required to approve adjustments to the capital programme and ensure the capital programme is fully funded.
- 3.2 To ensure the Council's continued compliance with CIPFA's code of practice on Treasury Management and the Local Government Act 2003 and that the Council manages its exposure to interest and capital risk.

### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Options for capital investment are considered as part of the Corporate Business Planning process.
- 4.2 The primary principles governing the Council's investment criteria are the security of its investments (ensuring that it gets the capital invested back) and liquidity of investments (being able to get the funds back when needed). After this the return (or yield) is then considered, which provides an income source for the Council. In relation to this the Council could take a different view on its appetite for risk, which would be reflected in the Investment Strategy. In general, greater returns can be achieved by taking on greater risk. Once the Strategy has been set for the year, there is limited scope for alternative options as Officers will seek the best return that is in accordance with the Investment Strategy.

### **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Consultation on the capital expenditure report is not required. Members will be aware that consultation is incorporated into project plans of individual capital schemes as they are progressed.
- 5.2 There are quarterly updates with the Authority's Cash Manager, Tradition and regular meetings with Treasury advisors (Link).

### **6. FORWARD PLAN**

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on the 6th December 2019.

### **7. BACKGROUND**

- 7.1 In February 2019, Council approved the Integrated Capital and Treasury Strategy for 2019/20 to 2022/23. This was a change from having a separate Capital Programme and Treasury Strategy. The change was in response to guidance from the Ministry for Housing, Communities and Local Government (MHCLG) and the Chartered Institute of Public Finance and Accountancy (CIPFA). To be consistent with the strategy (and the guidance), the monitoring reports for Capital and Treasury are also integrated.
- 7.2 The Medium Term Financial Strategy for 2019 to 2024 confirmed that the Council will seek opportunities to utilise capital funding (including set aside receipts) for 'invest to save' schemes and proposals that generate higher rates of return than standard treasury investments. This is one way the Council will allocate resources to support organisational transformation that will reduce revenue expenditure.

7.3 Link Asset Services Ltd were first contracted to provide Treasury advice for the financial year 2012/13 and this arrangement has been extended until 2022/23. The service includes:

- Regular updates on economic and political changes which may impact on the Council's borrowing and investment strategies
- Information on investment counterparty creditworthiness
- Technical updates
- Access to a Technical Advisory Group.

## 8. RELEVANT CONSIDERATIONS

8.1 The Council has £114.5 million of capital assets that it currently owns. This is unchanged from the second quarter report. The Investment Strategy set out the reasons for owning assets that are not for service delivery, including an assessment of Security, Liquidity, Yield and Fair Value. There have been no changes in relation to these since the Strategy was set.

### Capital Programme 2019/20

8.2 The full capital programme is detailed in Appendix A and shows the revised costs to date, together with the expected spend from 2019/20 to 2022/23 and the funding source for each capital scheme.

8.3 Capital expenditure for 2019/20 is estimated to be **£1.804million**. This is a reduction of **£4.082million** on the forecast in the Mid-Year Review report (reported to Cabinet on 17th December 2019). The decrease in spend in 2019/20 is largely due to the reprofiling of projects into 20/21. Table 1 below details changes to capital programme.

**Table 1- Current Capital Estimates**

	2019/20 £M	2020/21 £M	2021/22 to 2024/25 £M
Original Estimates approved by Full Council February 2019	8.213	0.962	
Changes approved by Cabinet in 2018/19 Capital Outturn report	1.007	0	
Revised Capital estimates at start of 2019/20	9.220	0.962	
Changes at Q1	-1.398	1.408	
Changes at Q2	-1.936	1.450	
Changes in 20/21 strategy approved by full Council in February	0	5.507	
Changes at Q3 detailed in this report	-4.082	3.831	
Current Capital Estimates	1.804	13.158	23.524

- 8.4 Table 2 lists the schemes in the 2019/20 Capital Programme that will start or continue in 2020/21:

**Table 2: Scheme Timetable Revision:**

(Key: - = reduction in capital expenditure, + = increase in capital expenditure)

<b>Scheme</b>	<b>2019/20 Working Budget £'000</b>	<b>2019/20 Forecast Spend £'000</b>	<b>Difference £'000</b>	<b>Reason for Difference</b>	<b>Estimated impact on 2020/21 onwards £'000</b>
Cycle Strategy Implementation	278	0	-278	Work has commenced and meetings have been held with stakeholders regarding these projects and will be progressed in more detail in 20/21 in line with the Local Plan.	278
Transport Plans Implementation	250	0	-250	Work has commenced and meetings have been held with stakeholders regarding these projects and will be progressed in more detail in 20/21 in line with the Local Plan.	250
Install On Street Charging	50	0	-50	Work on this will follow the adoption of the Parking Strategy Operational Guidelines by Cabinet in March 2020.	50
Property Improvements	79	25	-54	Due to the value limit for items to be capitalised and there being a limited number of significant capital replacements being identified during the year, there has been less demand on this capital budget during the year.	54
Off Street Car Parks Resurfacing	30	0	-30	Works to resurface Hitchin Outdoor Pool Car Park will commence in the summer, so it is requested that the budget is reprofiled into 2020/21.	30
Sprung Floor Hitchin Town Hall	75	0	-75	The wood used on the current floor has been identified as a rare and protected wood. Furthermore, wooden flooring boards are no longer milled to the same width and length as the current floor. We are therefore liaising with Planning officers to understand how closely these specifications need to	75



Scheme	2019/20 Working Budget £'000	2019/20 Forecast Spend £'000	Difference £'000	Reason for Difference	Estimated impact on 2020/21 onwards £'000
				be matched to satisfy the requirements of the listed building.	
NH Museum & Community Facility	70	14	-56	The overall museum facility has opened to the public and recently the Terrace Area has been furnished and decorated. Officers have now installed an attractive outdoor seating area, which has helped to create an additional hireable events space for the Council to create additional revenue. In order for this area to have year round use and maximise income, the intention is to install a canopy structure, shielding this outdoor seating area from adverse weather conditions. A structure of this sort of permanence will require both planning permission and listed building consent which has resulted in full completion of the area moving into 2020/21.	56
Provide Housing at Market Rents	2,982	5	-2,977	There has been delays in undertaking work at Harkness Court, therefore, this work will now commence in 2020/21.  Officers are still exploring the viability of a property letting company and until this work has been approved this budget will not be spent.	2,977
Total Minor (under £25k) slippage on other projects	466	0	-62		62
<b>Total Revision to Budget Profile</b>			<b>-3,832</b>		<b>3,832</b>

- 8.5 There are also changes to the overall costs of schemes in 2019/20. These changes total a net decrease of £0.251million and are detailed in Table 3.

**Table 3: Changes to Capital Schemes Commencing in 2019/20:**

(Key: - = reduction in capital expenditure, + = increase in capital expenditure)

Scheme	2019/20 Working Budget £'000	2019/20 Forecast Spend £'000	Difference £'000	Comments
Renovate King George V Recreation Ground Play Area	75	34	-41	At the initial site inspection, it was identified that only a limited number of items required updating or replacement.
Leisure Condition Survey	0	30	30	The £64K budget was previously reprofiled to 20/21 but it is now possible to commence the roof repairs at the Letchworth Outdoor Pool in March and finish in April 2020. Therefore, some of the spend will be in 2019/20.
On Street Pay and Display Charging	235	0	-235	This has been reassigned as part of the Budget Setting process for 2020/21 and is recorded as NCP46 in the Capital Investment Proposals approved by Full Council on 6 Feb.
<b>Other minor changes</b>			<b>-5</b>	
<b>Total revision to scheme spend</b>			<b>-251</b>	

#### Capital Programme 2019/20 Funding onwards

- 8.6 Table 3 below shows how the Council will fund the 2019/20 capital programme.

**Table 3: Funding the Capital Programme:**

	2019/20 Balance at 1st start of year £M	2019/20 Estimated Additions £M	2019/20 Funding Used £M	2019/20 Balance at end of year £M
Useable Capital Receipts and Set-aside Receipts	8.490	0.474	(1.396)	7.568
IT Reserve			(0.005)	
S106 receipts			(0.248)	
Other third party grants and contributions			(0.155)	
<b>Total</b>	<b>8.490</b>		<b>(1.804)</b>	

- 8.7 The availability of third party contributions and grants to fund capital investment is continuously sought in order to reduce pressure on the Council's available capital receipts and allow for further investment. Additional capital receipts are dependent on selling surplus land and buildings. Ensuring that the Council gets best value from the disposal of land and buildings can take a long time and therefore the amounts that might be received could be subject to change. This will be kept under review throughout the year. No substantial funds from land sales are forecast until 2021/22.
- 8.8 The Council's Capital Financing Requirement at 31<sup>st</sup> March 2019 was negative £5.9 million. Based on current forecasts it is expected to remain negative during 2019/20, which means that the Council does not have a need to borrow to fund capital spend. However, should the Capital programme be fully spent in 20/21 there will be a potential need to borrow £4.0M which will have an impact on the General fund by way of a Minimum Revenue Provision (MRP). This need to borrow will mainly be dependent on spend in line with the property acquisition and development strategy. It is expected that any such spend will generate income that will exceed the cost of capital (interest costs and Minimum Revenue Provision).

### **Treasury Management 2019/20**

- 8.9 Whilst the Council does not have a need to borrow for capital spend in this financial year, it still holds historic borrowing that is uneconomical to repay early. Borrowing can also be used for short-term cashflow purposes. During the first nine months no long-term borrowing was taken out and no historic borrowing became due for repayment.
- 8.10 The Council invests its surplus cash in accordance with the Investment Strategy (see paragraph 4.2). This surplus cash is made up of capital funding balances, revenue general fund balance, revenue reserve balances and variations in cash due to the timing of receipts and payments. During the first nine months, the Council had an average investment balance of £38.9 million and invested this in accordance with the treasury and prudential indicators as set out in the Integrated Capital and Treasury Management Strategy and in compliance with the Treasury Management Practices. Officers can confirm that the approved investment limits within the Annual Investment Strategy were not breached during the quarter ended 31 December 2019. However, the Council's current account did exceed the £5M maximum limit on 15 October by £400K for two days. This occurred as the Housing Subsidy payment received from DWP was £1.1M higher than expected. The increased amount was in respect of the Subsidy being adjusted to reflect figures supplied in the NNDR3 claim. Officers will ensure that this annual change to the Housing Subsidy will in future be identified as early as possible and included in cashflow forecasts. The adjusted Housing Subsidy payment could be an increase or a decrease. The £5M limit was also exceeded on 4 December by £43K when £91K was unexpectedly received in the afternoon after the cut off time for deals had passed.
- 8.11 The Council generated £0.303 million of interest during the first nine months of 2019/20. The average interest rate on all outstanding investments at the 31 December was 1.11%. Based on current investments and forecasts of interest rates and cash balances for the remainder of the year, it is forecast that the Council will generate £0.418 million of interest over the whole of 2019/20.

8.12 As at 31 December the split of investments was as shown in the table below. 5% of total investments (and 19% of the total amount invested in banks) were non-UK banks:

Banks	29%
Building Societies	30%
Local Authorities	39%
Money Market Funds	2%

8.13 The level of risk of any investment will be affected by the riskiness of the institution where it is invested and the period that it is invested for. Where an institution has a credit rating this can be used to measure its riskiness. This can be combined with the period remaining on the investment to give a historic risk of default percentage measure. The table below shows the Historic Risk of Default for outstanding investments at 31 December. The most risky investment still has a historic risk of default of below 1%. It should also be noted that in general the interest rate received is correlated to the risk, so the interest income received would be less if it took on less risk. As stated in paragraph 8.10, all investments have been made in accordance with the Investment Strategy.

<b>Borrower</b>	<b>Principal Invested £M</b>	<b>Interest Rate %</b>	<b>Credit Rating</b>	<b>Days to Maturity at 31 Dec</b>	<b>Historic Risk of Default %</b>
Public Sector Deposit Fund	1.0	0.72 Variable	AAA	1	0.000
Darlington Bldg Soc	1.0	1.3	*	9	0.004
Yorkshire Bldg Soc	1.0	0.69	A-	12	0.002
Santander UK Bank	2.0	0.8	A+	14	0.002
Australia and New Zealand Bank	1.0	0.81	AA-	19	0.001
Bank of Scotland	1.0	0.81	A+	19	0.003
Principality	1.0	0.75	BBB	19	0.008
Coventry Bldg Soc	1.0	0.99	A-	47	0.007
Yorkshire Bldg Soc	1.0	0.96	A-	47	0.007
Surrey Heath Borough Council	3.0	0.75	AA	49	0.003
Wirral Metropolitan Borough Council	3.0	0.75	AA	49	0.003
Lloyds Bank	1.0	1.05	A+	63	0.009
Santander UK	1.0	0.83	A+	76	0.011
Bank of Scotland	1.0	0.75	A+	76	0.011
Lancashire County Council	1.0	1.1	AA	78	0.005
Australia and New Zealand Bank	1.5	0.79	AA-	78	0.005
Derbyshire County Council	3.0	0.9	AA	89	0.006
Hinckley & Rugby Bldg Soc	2.0	1.35	*	114	0.050
Skipton Bldg Soc	1.0	0.92	A-	119	0.050
Dudley Bldg Soc	1.0	1.3	*	127	0.056
Merthyr Tydfil County Borough Council	1.0	0.85	AA	148	0.010
Furness Bldg Soc	1.0	1.3	*	153	0.067

London Borough of Sutton	2.0	0.8	AA	156	0.010
Lloyds Bank	1.0	1.25	A+	215	0.031
North Lanarkshire Council	3.0	0.9	AA	253	0.017
Lloyds Bank	1.0	1.1	A+	309	0.045
Medway Council	2.0	1.25	AA	310	0.021
Newcastle Bldg Soc	1.0	1.17	*	331	0.145
Marsden Bldg Soc	1.5	1.6	*	387	0.467
Monmouthshire Bldg Soc	1.0	1.5	*	513	0.618
	43.0	1.11			

\* Unrated Building Societies Historic Risk of Default is based on a Fitch (a credit rating agency) rating of BBB.

## 9. LEGAL IMPLICATIONS

- 9.1 Cabinet's terms of reference under 5.6.7 specifically includes "to monitor expenditure on the capital programme and agree adjustments within the overall budgetary framework". The Cabinet also has a responsibility to keep under review the budget of the Council and any other matter having substantial implications for the financial resources of the Council. By considering monitoring reports throughout the financial year Cabinet is able to make informed recommendations on the budget to Council. The Council is under a duty to maintain a balanced budget.
- 9.2 Section 151 of the Local Government Act 1972 states that:  
"every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs."
- 9.3 Asset disposals must be handled in accordance with the Council's Contract Procurement Rules.

## 10. FINANCIAL IMPLICATIONS

- 10.1 The main financial implications are covered in section 8 of the report.
- 10.2 The Authority operates a tolerance limit on capital projects that depends on the value of the scheme and on this basis over the duration of the programme it should be anticipated that the total spend over the period could be around £3.653million higher than the estimated budget of £38.486million.
- 10.3 The capital programme will need to remain under close review due to the limited availability of capital resources and the affordability in the general fund of the cost of using the Council's capital receipts. When capital receipts are used and not replaced the availability of cash for investment reduces. Consequently interest income from investments reduces. £1.0million currently earns the Authority approximately £1.0k a year in interest. The general fund estimates are routinely updated to reflect the reduced income from investments. When the Capital Financing Requirement (CFR) reaches zero the Council will need to start charging a minimum revenue provision to the general fund for the cost of capital and will need to consider external borrowing for further capital spend. The CFR at the 31 March 2019 was negative £6million.

- 10.4 The Council also aims to ensure that the level of planned capital spending in any one-year matches the capacity of the organisation to deliver the schemes to ensure that the impact on the revenue budget of loss of cash-flow investment income is minimised.

## **11. RISK IMPLICATIONS**

- 11.1 The inherent risks in undertaking a capital project are managed by the project manager of each individual scheme. These are recorded on a project risk log which will be considered by the Project Board (if applicable). The key risks arising from the project may be recorded on Pentana (the Council's Performance & Risk management software). Some of the major capital projects have been included in the Council's Corporate Risks (such as the new North Hertfordshire Museum). The Corporate Risks are monitored by the Finance, Audit and Risk Committee and Cabinet.
- 11.2 Risks associated with treasury management and procedures to minimise risk are outlined in the Treasury Management Practices document, TMP1, which was adopted by Cabinet in July 2003 and is revisited annually as part of the Treasury Strategy review. The risk on the General Fund of a fall of investment interest below the budgeted level is dependant on banks and building societies need for borrowing.

## **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 equalities implications directly arising from the adoption of the Capital Programme for 2019/20 onwards. For any individual new capital investment proposal of £50k or more, or affecting more than two wards, an equality analysis is required to be carried out. This will take place following agreement of the investment proposal.

## **13. SOCIAL VALUE IMPLICATIONS**

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

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 There are no direct human resource implications.*no impact.*

## **15. APPENDICES**

- 15.1 Appendix A - Capital Programme Detail including Funding 2019/20 onwards.
- 15.2 Appendix B - Treasury Management Update

## **16. CONTACT OFFICERS**

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## **17. BACKGROUND PAPERS**

17.1 Investment Strategy (Integrated Capital and Treasury Strategy)  
<https://democracy.north-herts.gov.uk/documents/s4263/Appendix%20A-%20Investment%20Strategy.pdf>

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Project	Service Directorate	Spend Forecasts				Funding					
		2019/20 Funding £	2020/21 Funding £	2021/22 Funding £	2022/23 Funding £	Funded from capital contributions	Funded from Government Grant	Funded from s106 contributions	Funded from IT Reserve	Planned Borrowing	Balance funded from Capital Receipts/ Set- aside receipts
40 KVA UPS Device or Battery Replacement	Customers	7,000	0	11,000	0	0	0	0	0	0	18,000
Additional PC's - Support Home Working/OAP	Customers	13,000	11,000	13,000	11,000	0	0	0	0	0	48,000
Additional Storage	Customers	0	40,000	0	28,000	0	0	0	0	0	68,000
Alternative to safeword tokens for staff/members working remotely	Customers	0	16,000	0	12,000	0	0	0	0	0	28,000
Acquisition of Property Investments	Commercial	0	4,000,000	4,000,000	4,000,000	0	0	0	0	3,149,700	8,850,300
Baldock Town Hall project	Legal and Community	69,600	0	0	0	0	0	800	0	0	68,800
Bancroft Recreation Ground, Hitchin, Multi Use Games Area (MUGA)	Place	147,000	17,200	0	0	60,000	0	60,100	0	0	44,100
Cabinet Switches - 4 Floors	Customers	0	0	18,000	0	0	0	0	0	18,000	0
Cadcorp Local Knowledge & Notice Board Software	Customers	10,200	0	0	0	0	0	0	5,000	0	5,200
CCTV at DCO & Hitchin Town Hall	Customers	0	15,000	0	0	0	0	0	0	0	15,000
Channel shift - processing of housing register applications	Regulatory	40,000	0	0	0	0	0	0	0	0	40,000
Construction of Pathways & roadway Wilbury Hills Cemetery	Place	400	0	0	0	0	0	0	0	0	400
Core Backbone Switch	Customers	2,800	17,200	0	0	0	0	0	0	0	20,000
Council property improvements following condition surveys	Resources	25,400	486,500	255,000	0	0	0	0	0	0	766,900
Cyber Attacks - Events Monitoring Software Solution	Customers	30,000	0	0	0	0	0	0	0	0	30,000
Cycle Strategy implementation (GAF)	Regulatory	0	278,000	0	0	0	278,000	0	0	0	0
Data Switch upgrade	Customers	0	0	0	15,000	0	0	0	0	0	15,000
Decommissioning of Play Areas	Place	79,200	5,000	0	0	0	0	0	0	0	84,200
Dell Servers	Customers	0	65,000	0	0	0	0	0	0	0	65,000
DR Set-up	Customers	49,800	0	0	0	0	0	0	0	0	49,800
Email / Web Gateway with SPAM Filtering Software Solution - Licence 3 Year Contract	Customers	0	39,000	0	0	0	0	0	0	0	39,000
Email Encryption Software Solution	Customers	0	45,000	0	0	0	0	0	0	0	45,000
Energy efficiency measures	Resources	8,500	0	0	0	0	0	0	0	0	8,500
Football Goal Replacement Programme	Place	0	0	0	15,000	0	0	0	0	0	15,000
Green Infrastructure implementation (GAF)	Regulatory	0	185,000	0	0	0	185,000	0	0	0	0
HSC Indoor Pool Cover	Place	0	0	20,000	0	0	0	0	0	0	20,000
HSC Outdoor Pool Boiler Replacement	Place	0	40,000	0	0	0	0	0	0	0	40,000
HSC Reception Toilet Refurbishment	Place	0	0	0	30,000	0	0	0	0	0	30,000
Hitchin & Letchworth Outdoor Pool Automatic Chemical Dosing Pumps	Place	20,000	0	0	0	0	0	0	0	0	20,000
Hitchin Outdoor Pool Showers and Toilets	Place	9,200	0	0	0	0	0	0	0	0	9,200
Hitchin Town Hall Acoustic Panelling	Commercial	34,300	0	0	0	0	0	0	0	0	34,300
Hitchin Town Hall Additional Bar Facility	Commercial	16,500	0	0	0	0	0	0	0	0	16,500
Hitchin Town Hall Additional Bar & Glassware Infrastructure	Commercial	0	25,000	0	0	0	0	0	0	0	25,000
Hitchin Town Hall Sprung Floor Replacement	Commercial	0	75,000	0	0	0	0	0	0	0	75,000
Howard Gardens Splashpad	Place	0	0	0	33,000	0	0	0	0	0	33,000
Ickneild Way Cemetery Footpaths	Place	0	0	50,000	0	0	0	0	0	0	50,000
Installation of trial on-street charging (GAF)	Regulatory	0	50,000	0	0	0	50,000	0	0	0	0
Ivel Springs Footpaths	Place	0	0	0	10,000	0	0	0	0	0	10,000
Jackmans Central Play Area Renovation	Place	3,600	0	0	0	0	0	0	0	0	3,600
John Barker Place, Hitchin	Regulatory	0	1,096,000	0	0	0	0	270,400	0	0	825,600
Lairage Multi-Storey Car Par - Structural wall repairs	Regulatory	0	120,700	0	0	0	0	0	0	0	120,700
Laptops - Refresh Programme	Customers	0	6,000	6,000	0	0	0	0	0	0	12,000
Leisure Condition Survey Enhancements	Place	30,000	57,000	0	39,000	0	0	0	0	0	126,000
Letchworth Multi_storey Car Park - parapet walls, soffit & decoration	Regulatory	0	133,800	0	0	0	0	0	0	0	133,800
Letchworth multi-storey car park - lighting	Regulatory	19,700	0	0	0	0	0	0	0	0	19,700
Letchworth Outdoor Pool safety surface	Place	4,400	0	0	0	0	0	0	0	0	4,400
Microsoft Enterprise Software Assurance	Customers	358,000	0	0	0	0	0	0	0	0	358,000
Mobile Device Management Software	Customers	0	18,000	0	0	0	0	0	0	0	18,000
Mrs Howard Hall Replacement Boiler & Windows	Resources	0	63,000	0	0	0	0	0	0	0	63,000
New Blade Enclosure	Customers	0	32,000	0	0	0	0	0	0	0	32,000
NH Museum & Community Facility	Commercial	14,400	55,400	0	0	69,800	0	0	0	0	0
NH Museum Storage Solution	Commercial	0	1,000,000	200,000	0	0	0	0	0	630,000	570,000
NH Museum Platform Lift Solutions	Commercial	0	40,000	0	0	0	0	0	0	0	40,000
NHLC Boiler Replacement	Place	0	0	200,000	0	0	0	0	0	0	200,000
NHLC Dryside Changing Area	Place	0	0	0	100,000	0	0	0	0	0	100,000
NHLC Outdoor Pool Boiler Replacement	Place	0	40,000	0	0	0	0	0	0	0	40,000
NHLC Reception Toilet Refurbishment	Place	0	0	0	30,000	0	0	0	0	0	30,000
NHLC Refurbish Gym Floor	Place	0	0	50,000	0	0	0	0	0	0	50,000
NHLC Refurbishment of Gym Members Changing Rooms	Place	0	200,000	0	0	0	0	0	0	0	200,000
NHLC Replace Circulation Pipework	Place	0	50,000	0	0	0	0	0	0	0	50,000
Norton Common Wheeled Sports improvements	Place	37,100	0	0	0	0	0	37,100	0	0	0
Off Street Car Parks resurfacing and enhancement	Regulatory	0	30,000	0	47,100	0	0	0	0	0	77,100
PC's - Refresh Programme	Customers	19,800	17,000	17,000	17,000	0	0	0	0	0	70,800
Parking Charging, Payments & Management	Regulatory	0	235,000	0	0	0	0	0	0	0	235,000
Playground Renovation District Wide	Place	0	0	180,000	180,000	0	0	0	0	0	360,000
Private Sector Grants	Regulatory	60,000	60,000	60,000	60,000	0	0	0	0	0	240,000
Provide housing at market rents.	Commercial	5,000	2,976,500	0	0	0	0	0	0	0	2,981,500
Ramsoms Rec Footpaths, Gates and Railing	Place	0	0	0	10,000	0	0	0	0	0	10,000
Refurbishment and improvement of community facilities	Legal and Community	312,900	420,000	0	0	0	0	0	0	0	732,900
Refurbishment of lifts at Lairage Car Park	Regulatory	0	360,000	0	0	0	0	0	0	0	360,000
Renovate play area Howard Park, Letchworth	Place	0	75,000	0	0	0	0	0	0	0	75,000
Renovate play area King George V Recreation Ground, Hitchin	Place	34,000	0	0	0	0	0	0	0	0	34,000
Renovate play area, District Park, Gt. Ashby	Place	74,200	800	0	0	0	0	0	0	0	75,000
Replace and enhance lighting at St Mary's Car Park	Regulatory	0	60,000	0	0	0	0	0	0	0	60,000
Replace items of equipment Brook View	Place	300	0	0	0	0	0	0	0	0	300
Replace items of play equipment Holroyd Cres, Baldock	Place	0	10,000	0	0	0	0	0	0	0	10,000
Replace items of play equipment Wilbury Recreation Ground, Letchworth	Place	0	10,000	0	0	0	0	0	0	0	10,000

Replace items of play equipment, Chiltern Road, Baldock	Place	500	0	0	0	0	0	0	0	0	500
Replacement SAN	Customers	0	110,000	0	0	0	0	0	0	0	110,000
Royston Leisure Centre Extension	Place	0	0	0	1,000,000	0	0	0	0	0	1,000,000
RLC Changing Village Refurbishment	Place	0	0	0	225,000	0	0	0	0	0	225,000
RLC Dry Side Toilet Refurbishment	Place	0	0	0	30,000	0	0	0	0	0	30,000
S106 Projects	Various	150,000	128,800	0	0	0	0	278,800	0	0	0
Security - Firewalls	Customers	12,600	14,000	0	14,000	0	0	0	0	0	40,600
St Johns Cemetery Footpath	Place	0	10,000	0	0	0	0	0	0	10,000	0
Software Licence	Customers	0	0	0	390,000	0	0	0	0	0	390,000
Tablets - Android Devices	Customers	14,000	12,000	15,000	18,000	0	0	0	0	0	59,000
Telephony system	Customers	10,600	0	0	0	0	0	0	0	0	10,600
Transport Plans implementation (GAF)	Regulatory	0	250,000	0	0	0	250,000	0	0	0	0
Walsworth Common Pavilion - contribution to scheme	Place	0	0	300,000	0	250,000	0	37,000	0	0	13,000
Walsworth Common Pitch Improvements	Place	80,200	12,300	0	0	83,000	0	2,300	0	0	7,200
Weston Hills LNR Footpath Renovation	Place	0	0	0	20,000	0	0	0	0	0	20,000
WiFi Upgrades for DCO & Hitchin Town Hall	Customers	0	35,000	0	0	0	0	0	0	0	35,000
Wilbury Hills Cemetery Footpaths	Place	0	10,000	10,000	0	0	0	0	0	20,000	0
		1,804,200	13,158,200	5,405,000	6,334,100	462,800	763,000	686,500	5,000	3,827,700	20,956,500

# Treasury Management Update

Quarter Ended 31 December 2019

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# Contents

<b>Treasury Management Update .....</b>	<b>3</b>
<b>1. Economic Background .....</b>	<b>3</b>
<b>2. Interest Rate Forecast.....</b>	<b>5</b>
<b>3. Annual Investment Strategy.....</b>	<b>7</b>
<b>4. New Borrowing.....</b>	<b>12</b>
<b>5. Debt Rescheduling .....</b>	<b>14</b>
<b>6. Compliance with Treasury and Prudential Limits .....</b>	<b>14</b>
<b>APPENDIX 1: Prudential and Treasury Indicators for 2019-20 as at 31 December 2019</b>	<b>15</b>

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# Treasury Management Update

## Quarter Ended 31 December 2019

The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management recommends that members be updated on treasury management activities regularly (annual, mid-year or quarterly reports). This report, therefore, ensures this Council is implementing best practice in accordance with the Code.

### 1. Economic Background

**UK. Economic growth** in 2019 has been very volatile with quarter 1 unexpectedly strong at 0.5%, quarter 2 down at -0.2%, quarter 3 back up to +0.4% and quarter 4 expected to come in around zero. Political and Brexit uncertainty have dampened growth in 2019.

Despite political uncertainty ending with a decisive overall majority for the Conservative government in the December general election which clears the way for the UK to leave the EU on 31 January 2020, we still have much uncertainty as to whether there will be a reasonable trade deal achieved by the end of 2020.

After the Monetary Policy Committee raised **Bank Rate** from 0.5% to 0.75% in August 2018, it is little surprise that they have abstained from any further increases since then. We are unlikely to see any further action from the MPC until these remaining uncertainties over the likely type of Brexit become clear. If there was a no deal exit, it is likely that Bank Rate would be cut in order to support growth. However, if growth was to flag significantly in any event, the MPC could also cut Bank Rate in 2020. The Government has announced some major spending increases and is expected to make further commitments in the spring budget; these will provide some support to growth and will take some pressure off the MPC to act to stimulate growth by either cutting Bank Rate or implementing other monetary policy measures.

The MPC did have some concerns over the trend in wage inflation, which was on a rising trend, and peaked at a new post financial crisis high of 3.9% in June. Since then, however, it has been falling steadily back to 3.5% in October, (3 month average figure, excluding bonuses). Growth in employment picked up again to 24,000 in the three months to October, after a fall in the previous month's figures. However, this is still well below the 2018 average, although the unemployment rate remained at 3.8 percent, its lowest rate since 1975.

As for **CPI inflation** itself, this fell to 1.5% in October and November and is likely to remain between 1.5% and 2% over the next two years. If there was a no deal Brexit though, it could rise towards 4%, primarily as a result of imported inflation on the back of a weakening pound.

The strong wage inflation figure and the fall in CPI inflation is good news for **consumers** as their spending power is improving in this scenario as the difference between the two figures is now around 2.0%, i.e. a real term increase. Given the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months.

**USA.** President Trump's massive easing of fiscal policy in 2018 fuelled a (temporary) boost in consumption in 2018 which generated an upturn in the rate of growth to 2.9% for 2018, just below his target of 3%. Growth in quarter 1 of 2019 was a strong 3.1% but growth fell back to 2.0% in quarter 2 and 2.1% in quarter 3. The strong growth in employment numbers during 2018 has subsided into a weaker trend of growth during 2019, indicating that the economy is cooling, while inflationary pressures have also been weakening. After the Fed increased rates by 0.25% in December 2018 to between 2.25% and 2.50%, it has taken decisive action to reverse monetary policy by cutting rates by 0.25% in each of July, September and October in order to counter the downturn in the outlook for US and world growth. The Fed is now likely to pause to see how the economy responds during 2020.

**EUROZONE.** The annual rate of growth has been steadily falling, from 1.8% in 2018 to only 1.1% y/y in quarter 3 in 2019. The European Central Bank (ECB) ended its programme of quantitative easing purchases of debt in December 2018, which meant that the central banks in the US, UK and EU had all ended the phase of post financial crisis expansion of liquidity supporting world financial markets by purchases of debt. However, the downturn in EZ growth, together with inflation falling well under the upper limit of its target range of 0 to 2%, (but it aims to keep it near to 2%), has prompted the ECB to take new measures to stimulate growth. At its March meeting it said that it expected to leave interest rates at their present levels "at least through the end of 2019", but that was of little help to boosting growth in the near term. Consequently, it announced a third round of Targeted Long-term Refinancing Operations (TLTROs); this provides banks with cheap borrowing every three months from September 2019 until March 2021 which means that, although they will have only a two-year maturity, the Bank is making funds available until 2023, two years later than under its previous policy. As with the last round, the new TLTROs will include an incentive to encourage bank lending, and they will be capped at 30% of a bank's eligible loans. However, since then, the downturn in EZ and world growth has gathered momentum so at its meeting on 12 September, it cut its deposit rate further into negative territory, from -0.4% to -0.5% and announced a resumption of quantitative easing purchases of debt to start in November at €20bn per month, a relatively small amount. It also increased the maturity of the third round of TLTROs from two to three years. However, it is doubtful whether this loosening of monetary policy will have much impact on growth and unsurprisingly, the ECB stated that governments will need to help stimulate growth by fiscal policy.

**CHINA.** Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. The trade war with the US does not currently appear to be having a particularly significant impact on growth. Major progress still needs to be made to eliminate excess industrial capacity and to switch investment from property construction and infrastructure to consumer goods production. It also needs to address the level of non-performing loans in the banking and credit systems.

**JAPAN.** has been struggling to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

**WORLD GROWTH.** The trade war between the US and China on tariffs is a major concern to financial markets and is depressing worldwide growth, as any downturn in China will spill over into impacting countries supplying raw materials to China. Concerns are focused on the

synchronised general weakening of growth in the major economies of the world. These concerns resulted in government bond yields in the developed world falling significantly during the first ten months of 2019. If there were a major worldwide downturn in growth, central banks in most of the major economies will have limited ammunition available, in terms of monetary policy measures, when rates are already very low in most countries, (apart from the US), and there are concerns about how much distortion of financial markets has already occurred with the current levels of quantitative easing purchases of debt by central banks. The latest PMI survey statistics of economic health for the US, UK, EU and China have all been weak which gives a forward indication of a downturn in growth; this confirms investor sentiment that the outlook for growth during 2020 is expected to be weak.

## 2. Interest Rate Forecast

The Council's treasury advisor, Link Asset Services, has provided the following forecast:

Link Asset Services Interest Rate View													
	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.25	1.25	1.25	1.25
3 Month LIBID	0.70	0.70	0.80	0.80	0.90	1.00	1.00	1.10	1.20	1.30	1.30	1.30	1.30
6 Month LIBID	0.80	0.80	0.90	1.00	1.00	1.10	1.20	1.30	1.40	1.50	1.50	1.50	1.50
12 Month LIBID	0.90	0.90	1.00	1.10	1.20	1.30	1.40	1.50	1.60	1.70	1.70	1.70	1.70
5yr PWLB Rate	2.30	2.30	2.40	2.40	2.50	2.60	2.70	2.80	2.90	2.90	3.00	3.00	3.10
10yr PWLB Rate	2.50	2.50	2.60	2.60	2.70	2.80	2.90	3.00	3.10	3.10	3.20	3.20	3.30
25yr PWLB Rate	3.00	3.00	3.10	3.20	3.30	3.40	3.50	3.60	3.70	3.80	3.80	3.90	3.90
50yr PWLB Rate	2.90	2.90	3.00	3.10	3.20	3.30	3.40	3.50	3.60	3.70	3.70	3.80	3.80

After the August 2018 increase in Bank Rate to 0.75%, the first above 0.5% since the financial crash, the MPC has put any further action on hold, probably until such time as the fog of Brexit might clear. While the general election in December 2019 has provided political certainty leading to implementation of the UK leaving the EU on 31.1.20, there is still much uncertainty on what sort of trade deal may be agreed by the end of 2020 and its likely impact on the UK economy. ***The above forecast, and other comments in this report, are based on a central assumption that there will be some form of muddle through agreement on a reasonable form of Brexit trade deal.*** Bank Rate forecasts will have to change if this assumption does not materialise e.g. a no deal Brexit could prompt the MPC to do an immediate cut of Bank Rate. All other forecasts for investment and borrowing rates would also have to change.

### The balance of risks to the UK

- The overall balance of risks to economic growth in the UK is probably even, but dependent on a successful outcome of negotiations on a trade deal.
- The balance of risks to increases in Bank Rate and shorter term PWLB rates are broadly similarly to the downside.
- In the event that a Brexit deal is agreed with the EU and approved by Parliament, the balance of risks to economic growth and to increases in Bank Rate is likely to change to the upside.

**BOND YIELDS / PWLB RATES.** There was much speculation during the second half of 2019 that bond markets were in a bubble which was driving bond prices up and yields down to historically very low levels. The context for that was heightened expectations that the US could have been heading for a recession in 2020, and a general background of a downturn in world economic growth, especially due to fears around the impact of the trade war between the US and China, together with inflation generally at low levels in most countries and expected to remain subdued; these conditions were conducive to very low bond yields. While inflation targeting by the major central banks has been successful over the last thirty years in lowering inflation expectations, the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers: this means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. This has pulled down the overall level of interest rates and bond yields in financial markets over the last 30 years. We have therefore seen over the last year, many bond yields up to 10 years in the Eurozone actually turn negative. In addition, there has, at times, been an inversion of bond yields in the US whereby 10 year yields have fallen below shorter term yields. In the past, this has been a precursor of a recession. The other side of this coin is that bond prices are elevated as investors would be expected to be moving out of riskier assets i.e. shares, in anticipation of a downturn in corporate earnings and so selling out of equities. However, stock markets are also currently at record high levels as some investors have focused on chasing returns in the context of dismal ultra-low interest rates on cash deposits.

During the first 10 months of 2019 we therefore saw a sharp fall in longer term PWLB rates to completely unprecedented historic low levels - until the Treasury unexpectedly added 1% to all PWLB rates from 9th October 2019. Since then, those fears have partially subsided and gilt yields and PWLB rates have been rising. The potential danger that may be lurking in investor minds is that Japan has become mired in a 20 year malaise of failing to get economic growth and inflation up off the floor, despite a combination of massive monetary and fiscal stimulus by both the central bank and government. Investors could be fretting that many major western economies could be heading into a similar scenario.

Another danger is that unconventional monetary policy post 2008, (ultra-low interest rates plus quantitative easing), may end up doing more harm than good through prolonged use. Low interest rates have encouraged a debt fuelled boom which now makes it harder for economies to raise interest rates. Negative interest rates could damage the profitability of commercial banks and so impair their ability to lend and / or push them into riskier lending. Banks could also end up holding large amounts of their government's bonds and so create a potential doom loop. In addition, the financial viability of pension funds could be damaged by low yields on holdings of bonds.



### 3. Annual Investment Strategy

The Treasury Management Strategy Statement (TMSS) for 2019/20, which includes the Annual Investment Strategy, was approved by the Council on 7<sup>th</sup> February 2019. It sets out the Council's investment priorities as being:

- Security of capital;
- Liquidity; and
- Yield.

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity. In the current economic climate, it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in higher periods up to 24 months.

Officers can confirm that the approved limits within the Annual Investment Strategy were not breached during the quarter ended 31 December 2019. However, the Council's current account did exceed the £5M maximum limit on 15 October by £400K for two days. This occurred as the Housing Subsidy payment received from DWP was £1.1M higher than expected. The increased amount was in respect of the Subsidy being adjusted to reflect figures supplied in the NNDR3 claim. Officers will ensure that this annual change to the Housing Subsidy will in future be identified as early as possible and included in cashflow forecasts. (The adjusted Housing Subsidy payment could be an increase or a decrease). The £5M limit was also exceeded on 4<sup>th</sup> December by £43K when £91K was unexpectedly received in the afternoon after the cut off time for deals had passed.

The average level of funds available for investment purposes during the quarter was £43.5m. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the Capital Programme. The Council holds £20.5m core cash balances for investment purposes (i.e. funds available for more than one year). The investment portfolio yield for the first nine months of the year was 1.03% This is the weighted average rate of interest earned on investments held by the Council between 1 April and 31 December. The 1.11% average interest rate shown in the table below is the weighted average rate of interest on outstanding investments on 31 December.

## Investments at 31 December 2019

	Amount	Average
	£	Interest Rate %
<b>Managed By NHDC</b>		
Banks	13,100,000	0.97
Building Societies	5,000,000	0.91
Local Authorities	18,000,000	0.93
Money Market Fund	1,000,000	0.72
<b>NHDC To Total</b>	<b>37,100,000</b>	<b>0.94</b>
<b>Managed by Tradition</b>		
Building Societies	8,500,000	1.42
<b>Tradition Total</b>	<b>8,500,000</b>	<b>1.42</b>
<b>TOTAL</b>	<b>45,600,000</b>	<b>1.11</b>

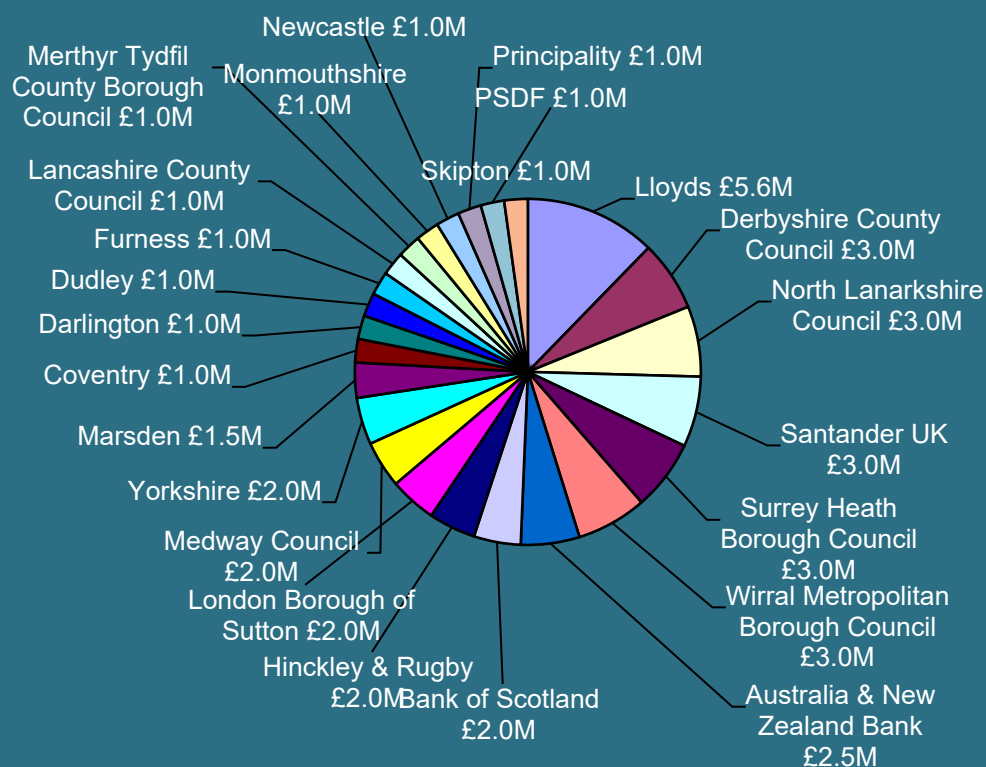
In percentage terms, this equates to:

	Percentage
Money Market Funds	2
Local Authorities	42
Banks	25
Building Societies	31

The approved 19/20 strategy is that no more than 60% of investments should be placed with Building Societies with a maximum value of £18M. The value at 31 December was £13.5M

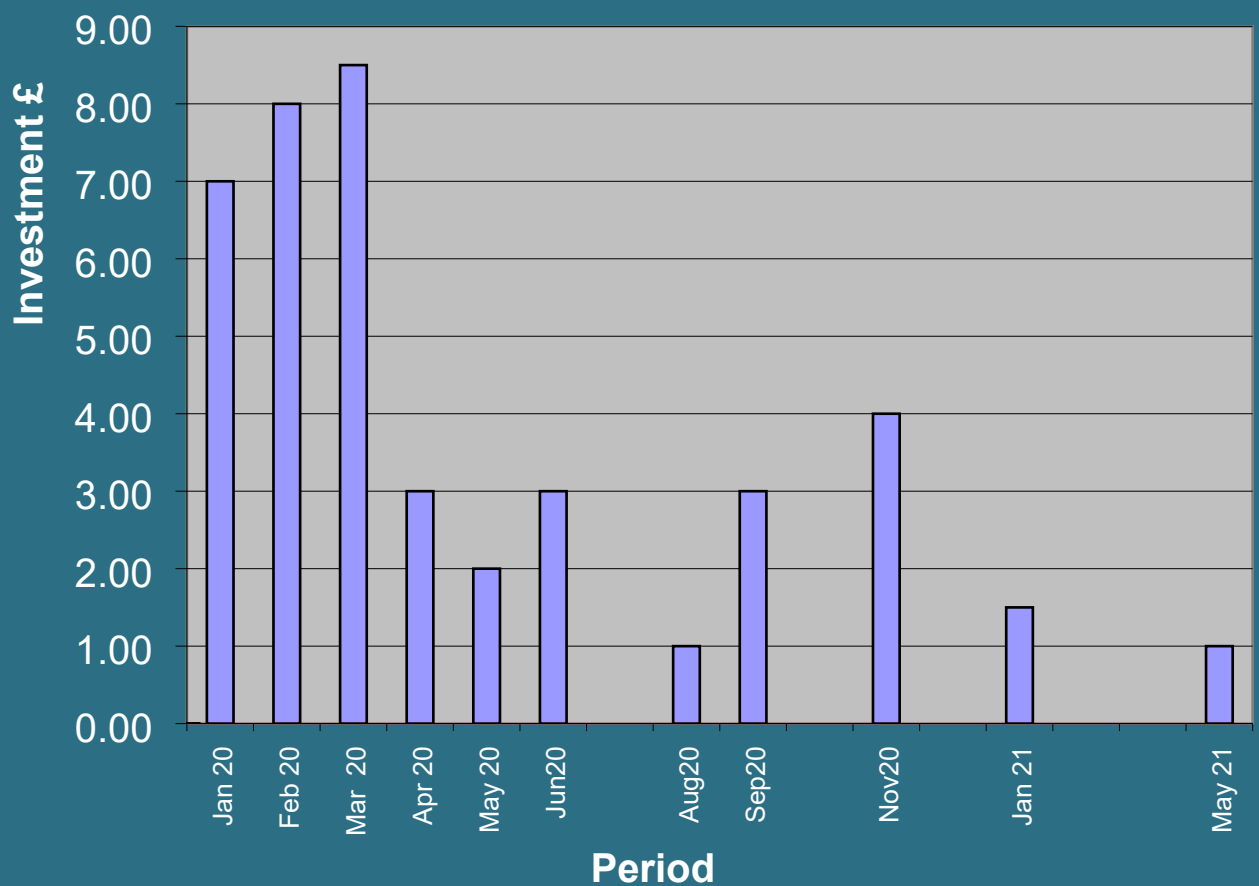
The pie chart below shows the spread of investment balances as at 31 December 2019. This is a snapshot in time that demonstrates the diversification of investments.

## Placement of Investments 31st December 2019



The chart below shows the Council's investment maturity profile. (This does not include the £1.0M held in the Public Sector Deposit Fund Money Market account or £2.6M held in the Lloyds current account which can be called back on any day).

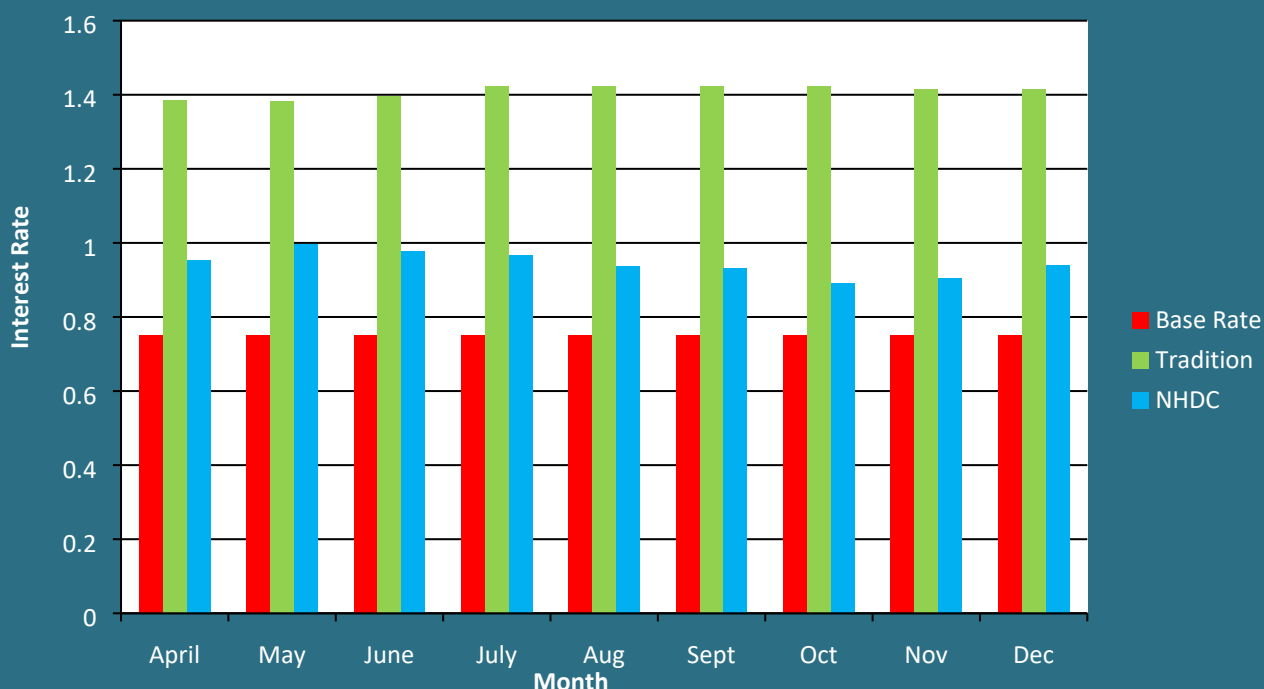
## Investment Maturity 31st December 2019



The Council's Original budgeted investment return for 2019/20 was £0.300M. The projection reported in the 1st quarter report increased to £0.372M and based on current investments and cashflow forecasts it is expected that the Council will generate £0.418M of interest. The large increase in investment income from Original budget to 3rd quarter projection is mainly due to reprofiling of the Capital programme.

The graph below shows the average rate of interest on outstanding investments at 31 December.

## Average Interest Rates on Outstanding Investments



The higher rates achieved through Tradition reflect that these are longer-term investments. In general, the Council can currently achieve similar rates for the same length of investment. The Council only undertakes new investments through Tradition where the rate achieved (after fees) are greater than what the Council could achieve for a similar investment.

Treasury indicator below shows the capital value and expected income from Capital Investment assets, alongside any borrowing that is attached to those assets and the expected cost of that borrowing.

Year	Capital value of investment assets £m	Original Expected annual income from investment assets £m	Revised Expected annual income from investment assets £m	Expected annual income from investment assets after future investment £m	Loans linked to investment assets £m	Expected annual borrowing costs for loans linked to investment assets £m
2019/20	18.899	1.089	1.156	1.156	0	0
2020/21	25.820	1.139	1.209	1.373	4.0	0.162
2021/22	29.820	1.189	1.259	1.423	4.0	0.162
2022/23	33.820	1.189	1.259	1.423	4.0	0.162

2023/24	38.820	1.189	1.259	1.423	4.0	0.162
2024/25	49.420	1.189	1.259	1.423	4.0	0.162

New borrowing costs are based on a 25 year Annuity loan from PWLB and an MRP life of 40 years.

## 4. New Borrowing

No long term borrowing was undertaken during the quarter / nine months ended 31 December 2019.

Based on 3<sup>rd</sup> quarter estimate for capital expenditure, the Council's capital financing requirement (CFR) for 2019/20 is expected to be -£5.390 (-£5.91M at the end of 18/19). The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances (internal borrowing). The CFR is negative as the Council has more cash investments than borrowing. The balance of external and internal borrowing is generally driven by market conditions.

It is anticipated that long term borrowing will not be undertaken during this financial year.

Loans Outstanding at 31 December 2019:

	Amount	Average Interest Rate
	£	%
Public Works Loans Board	£431k	9.76

Estimated outstanding debt:

Year	Forecast Borrowing £m	Forecast other long-term liabilities £m *	Forecast Total External Debt £m	Operational Boundary £m	Authorised Limit £m
31 <sup>st</sup> March 2019 (Actual)	0.440	2.628	3.068	4.2	10
31 <sup>st</sup> March 2020 (Forecast)	0.423	2.125	2.548	4.0	10
31 <sup>st</sup> March 2021 (Forecast)	4.185	1.622	5.807	6.9	12
31 <sup>st</sup> March 2022 (Forecast)	4.016	1.119	5.135	6.9	12

31 <sup>st</sup> March 2023 (Forecast)	3.845	0.616	4.461	5.5	12
31 <sup>st</sup> March 2024 (Forecast)	4.783	0.113	4.896	6.0	12

\* Comprises the finance lease relating to Letchworth Multi-storey car park and the forecast impact of the finance lease for waste vehicles.

The external borrowing forecast can be used to give an indication of the borrowing that may be required, which is combined with outstanding existing borrowing. The Council will also borrow for short-term cash-flow needs if required. The actual borrowing that is taken out will depend on the latest forecasts and the offers that are available at the time that it is required. There will also be a consideration of when any other borrowing becomes due, with the aim of achieving a spread of these dates. This is to try and avoid refinancing risk. The Council is required to set indicators for the maturity structure of its borrowing. Given the low level of borrowing that the Council currently has and is forecast to have, it is considered appropriate to maintain full flexibility as to the exact duration of any borrowing undertaken.

To manage refinancing risk, the Council sets limits on the maturity structure of its borrowing. However, these indicators are set relatively high to provide sufficient flexibility to respond to opportunities to repay or take out new debt (if it was required), while remaining within the parameters set by the indicators. Due to the low level of existing borrowing, the under 12 months limits have a broad range to allow for cash-flow borrowing (if it was required).

Maturity Period	Lower %	Upper %
Under 12 months	0	100
12 months to 2 years	0	50
2 years to 5 years	0	60
5 years to 10 years	0	70
10 years to 20 years	0	80
20 years and above	0	100

The Council does not have a need to borrow in this financial year, so therefore does not currently need to apply a Minimum Revenue Provision (MRP).

There is a prudential indicator that compares the net cost of financing (i.e. borrowing costs less income generated from investments) with the net revenue budget of the Council. However, the indicator below considers the cost of borrowing as a % of the net revenue budget of the Council.

Year	Estimated cost of borrowing £m	Forecast net revenue budget	Estimated cost of borrowing as a % of net revenue budget
2019/20	0.042	14.821	0.28
2020/21	0.203	14.808	1.37
2021/22	0.202	14.911	1.35
2022/23	0.201	15.021	1.34
2023/24	0.239	15.021	1.59

The Council is required to set a prudential indicator that estimates financing costs (cost of borrowing less income from investments) as a percentage of its net revenue budget.

Year	Estimated cost of borrowing £m	Less: Forecast of interest earned £m	Net Financing Costs £m	Forecast net revenue budget	Estimated cost of borrowing as a % of net revenue budget
2019/20	0.042	0.418	-0.376	14.821	-2.537
2020/21	0.203	0.417	-0.214	14.808	-1.445
2021/22	0.202	0.516	-0.314	14.911	-2.106
2022/23	0.201	0.526	-0.325	15.021	-2.164
2023/24	0.239	0.584	-0.345	15.021	-2.297

## 5. Debt Rescheduling

No debt rescheduling was undertaken during the quarter.



## 6. Compliance with Treasury and Prudential Limits

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. The Council's approved Treasury and Prudential Indicators, (affordability limits), are included in the approved TMSS.

## APPENDIX 1: Prudential and Treasury Indicators for 2019-20 as at 31 December 2019

Treasury Indicators	2019/20 Budget £'000	31.12.19 Actual £'000
Authorised limit for external debt	9,000	431
Operational boundary for external debt	3,600	431
Gross external debt	2,548	431

Maturity structure of fixed rate borrowing - upper and lower limits		
Under 12 months	17	17
12 months to 2 years	18	18
2 years to 5 years	58	58
5 years to 10 years	82	82
10 years to 20 years	15	15
20 years to 30 years	250	250

Prudential Indicators	2019/20 Budget £'000	31.12.19 Actual £'000
Capital expenditure	5,886	979
Capital Financing Requirement (CFR)	-0.063	-5.715
In year borrowing requirement	0	0
Ratio of financing costs to net revenue stream	-1.969	-2.01

**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: LAND AT MEADOW WAY, THERFIELD**

REPORT OF: INTERIM PROPERTY CONSULTANT

EXECUTIVE MEMBER: COUNCILLOR KEITH HOSKINS

COUNCIL PRIORITY: ATTRACTIVE AND THRIVING

**1. EXECUTIVE SUMMARY**

- 1.1 To seek Cabinet's approval for the declaration as surplus to the District Council's requirements approximately 2 acres of land at Meadow Way, Therfield as shown edged red on the plan at Appendix A.

**2. Recommendations**

- 2.1 That the land be declared surplus to the District Council's requirements and then placed on the open market for sale on a subject to planning or unconditional basis for residential development. ALTERNATIVELY either for the whole or part only, outline planning permission is sought for development of individual plots to meet demand as required under the Self Build and Custom Housebuilding Act 2015.
- 2.2 Following receipt of offers for the land or individual plots thereof as identified in Appendix A, the decision to accept an offer is delegated to the Service Director for Resources, in consultation with the Executive Members for Finance and IT. Offers will be evaluated against alternative development options.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To provide a financial receipt(s) to help fund the District Council's capital programme.
- 3.2 Marketing the land on the open market will maximise interest from developers and satisfy the requirements to obtain the best price reasonably obtainable.
- 3.3 The District Council is required to make available Self Build and Custom build plots under the Self Build and Custom Housebuilding Act 2015. This site would provide an opportunity to increase the provision of plots by the District Council. A sale of part to a developer would provide the opportunity to require the provision of infrastructure to the self build plots as part of the sale conditions.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Keeping the land as it is. The land is at present largely overgrown. There are no facilities upon the land. The District Council has no operational requirements for the land.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Consultation on the principle to dispose of the land has been made with Cllr Gerald Morris of Ermine Ward. He expressed concern over the drainage issues that exist upon this site. He was advised that any development would need to demonstrate that a satisfactory scheme of drainage would be implemented.
- 5.2 Therfield Parish Council was advised via the Parish website on 5<sup>th</sup> February 2020 of this proposal, no response has been received to date.
- 5.3 The District Council's intention to disposal of this land was advertised, in accordance with section 123 of the Local Government Act 1972, on 13<sup>th</sup> & 20<sup>th</sup> February 2020. (see Appendix B - The Royston Crow newspaper). There have been no responses received to date.

## **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 21<sup>st</sup> February 2020.

## **7. BACKGROUND**

- 7.1 Part of the site was sold to Aldwyck Housing Association in 2016 for the construction of 8 affordable and shared ownership properties. This split the site into two, leaving land to the north and south undeveloped.
- 7.2 The land is outside of the current settlement boundary and so all previous development has been granted planning consent as 'exception sites' to meet local housing need. The emerging Local Plan now includes this land within the proposed settlement boundary of Therfield which is defined as a 'Category A' village, within which residential development will be allowed inside of the defined settlement boundary.
- 7.3 The development of the Aldwyck Housing Association site required surface water attenuation tanks to be installed, discharging at controlled rates into an adjacent surface watercourse. The soil here is boulder clay which provides very poor infiltration rates leading to waterlogged ground and localised surface water flooding. Any proposal will need to demonstrate that there is no increased risk of flooding and it is possible that by better management of surface water in the immediate area of existing properties there maybe the potential to reduce areas of standing water.
- 7.4 It is considered that a planning application to develop this land will be considered compliant with emerging Planning Policy, subject to appropriate design and drainage proposals.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 The sale of this site for residential development will make a contribution to housing supply by bringing forward a windfall site and offer valuable new family housing in the village either by development by a local house builder or by way of sale to individual self builders.

## **9. LEGAL IMPLICATIONS**

- 9.1 Cabinet in exercising its functions have powers to dispose of land or buildings where the consideration is between £250,000 and £2,500,000.
- 9.2 There may be specific legal implications relevant to the sale of the property e.g. covenants on title, easements, third party rights. Preliminary title investigations do indicate that there is an easement on the southern portion of land which may restrict the layout and reduce the overall development potential of this part.
- 9.3 Rights were reserved to access this land over Meadow Way and include rights over the roadway serving the new Aldwyck Housing Association development.
- 9.4 The Contract Procurement Rules and specifically Appendix I apply to the sales of land or property. If Cabinet were to approve the sale of this land the Officers seeking to market and dispose of the land would be required to do so within the remit of the Contract Procurement Rules.
- 9.5 Section 123 Local Government Act 1972 allows a Council to dispose of land in any manner it wishes provided that the consideration is the best that can be reasonably obtained unless the Secretary of State consents to the disposal for less than best value.
- 9.6 The Council has advertised the proposed sale in accordance with sections 123(2A) and 127(3) of the Local Government Act 1972 and section 233(4) of the Town and Country Planning Act 1990 and must evaluate any public response as part of the decision making process.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 The sale will generate a capital receipt(s) to assist in funding the Council's capital investment programme.

## **11. RISK IMPLICATIONS**

- 11.1 The sale of assets reduces the risk to the District Council arising from the duties under the Occupiers Liability Act 1957 and 1984.
- 11.2 There are no risks relevant to the consideration of this decision. The declaration of the land as surplus to the District Council's requirements will allow the property to be openly marketed and sold at best value. Risks may exist as to the sale price achieved due to planning policy and design requirements to provide a sympathetic and acceptable development.

## **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 Any land that is offering potential for new housing may benefit the wider community as noted at 8.1. There may be those who exhibit a protected characteristic within this wider community. The consideration of sympathetic development and adequate parking facilities may ensure that no adverse impacts are experienced by the existing community.

**13. SOCIAL VALUE IMPLICATIONS,**

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 12.

**14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 There are no Human resource implications from this report.

**15. APPENDICES**

- 15.1 Appendix A -- Location Plan of Land to be Declared Surplus  
15.2 Appendix B – S.123 Local Press Advertisement

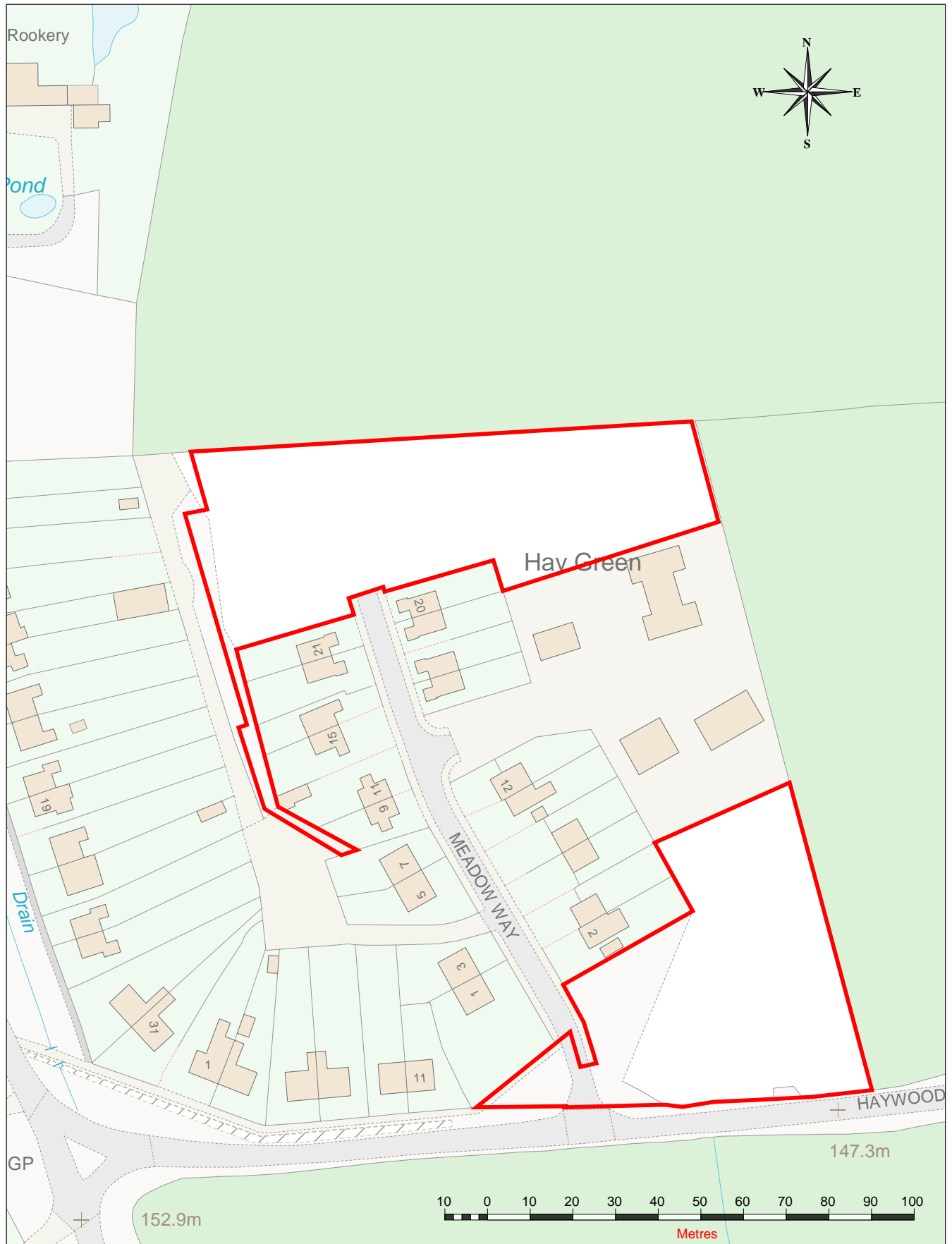
**16. CONTACT OFFICERS**

- 16.1 Chris Robson, Senior Estates Surveyor, [christopher.robson@north-herts.gov.uk](mailto:christopher.robson@north-herts.gov.uk)  
Ext: 4252  
16.2 Peter Lapham, Interim Property Consultant, [peter.lapham@north-herts.gov.uk](mailto:peter.lapham@north-herts.gov.uk)  
Ext: 4612  
16.3 Isabelle Alajooz, Contracts and Property Solicitor, [isabelle.alajooz@north-herts.gov.uk](mailto:isabelle.alajooz@north-herts.gov.uk)  
Ext: 4346

**17. BACKGROUND PAPERS**

- 17.1 None.

Land at Meadow Way, Therfield



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## PUBLIC NOTICES

## Legal and Public Notices

**EDNA KATHLEEN MORLEY  
(Deceased)**

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of 26 Lottfield Street Orwell Royston SG8 5QT, who died on 09/12/2019, are required to send particulars thereof in writing to the undersigned Solicitors on or before 17/04/2020, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

**TEES SOLICITORS**  
Titan House Castle Park Castle Street  
Cambridge CB3 0AY T577019

Please  
mention this  
paper when  
replying to  
Small Ads

**NORTH HERTFORDSHIRE  
DISTRICT COUNCIL**

**Council Offices, Gernon Road,  
Letchworth Garden City, Herts, SG6 3JF**  
**Section 123 Local Government Act 1972**

Notice is hereby given that North Hertfordshire District Council intends to dispose of open land extending to some 2acres at Meadow Way, Therfield, Herts. forming part of the registered freehold title HD497932.

Any comments or objections to this disposal should be made in writing to Estates & Asset Management, North Hertfordshire District Council, Council Offices, Gernon Road, Letchworth, Hertfordshire, SG6 3JF by 12.00 noon on Thursday 12th March 2020.



**LICENSING ACT 2003**  
**NOTICE OF APPLICATION FOR**  
**A PREMISES LICENCE**

Notice is given that I, SERENA WYNN have on the 11 FEBRUARY 2020 applied to South Cambridgeshire District Council as the Licensing Authority for a Premises Licence for HEBE'S CAFE AT THE MEWS, LOW FARM, BROOK ROAD, BASSINGBOURN, ROYSTON, HERTS SG8 5NT to include the retail sale of alcohol.

Anyone wishing to make representations concerning this application should do so in writing to South Cambridgeshire District Council, Licensing section, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, CB23 6EA.

Representations in respect of this application must reach the Licensing Authority by 6 MARCH 2020.

Persons wishing to inspect the register or the record of this application may do so by attending the office of the Licensing section, during office hours Monday to Friday inclusive.

It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which on summary conviction is £5,000.

**HERTFORDSHIRE  
COUNTY COUNCIL:**

**(TEMPORARY 30MPH SPEED RESTRICTIONS  
IN CLAYBUSH ROAD, ASHWELL) ORDER 2020**

NOTICE is given that Hertfordshire County Council intends to make an Order under Section 14(1) of the Road Traffic Regulation Act 1984, to prohibit all vehicular traffic from being driven at a speed exceeding 30mph on that length of Claybush Road, Ashwell from a point 195m south east of its junction with Ashwell Street south eastwards for a distance of approximately 246m ("the Road").

The Order is needed because building development works are proposed to be executed near the Road.

If the Order is made, it shall come into force on 2 March 2020 for a period of up to 18 months. However, the restrictions specified shall only take effect at the times indicated by signs on or near the Road.

If you have any queries about the proposed Order, please contact Tony Griffiths tel. 01462 413 489 at Croduace Homes Ltd or Martyn Edwards tel. 0300 123 4047 at Hertfordshire County Council.

**A copy of the proposed Orders may be inspected free of charge at County Hall, Hertford between the hours of 9am and 5pm (excluding weekends, bank and public holidays).**

Consulting on Traffic Regulation Orders is a statutory duty of the County Council. Any personal data you provide in responding to this Notice will be treated as confidential but will be shared with HCC Officers; County Councillors and contracted third parties who are involved in the statutory process. We will not share identifiable data with third parties outside of the statutory process. Guidance on your rights in respect of personal data are published in the Privacy Policy on our website, [Hertfordshire.gov.uk](http://Hertfordshire.gov.uk)

13 February 2020.

Mark Kemp, Director of Environment  
& Infrastructure, County Hall, Hertford,  
Herts, SG13 8DN



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Source: Loving Local Research 2011/Newspaper Society/Crowd DNA.  
Base: All respondents. Sample: 4971

**LOVING  
LOCAL**

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**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: LAND ADJACENT TO 1 NORTH END, KELSHALL, HERTS**

REPORT OF THE INTERIM PROPERTY CONSULTANT

EXECUTIVE MEMBER: COUNCILLOR KEITH HOSKINS

COUNCIL PRIORITY: ATTRACTIVE AND THRIVING

**1. EXECUTIVE SUMMARY**

- 1.1 To seek Cabinet's approval for the declaration as surplus to the District Council's requirements approximately 0.13 acre of land adjacent to 1 North End, Kelshall, as shown edged red on the plan at Appendix A.

**2. Recommendations**

- 2.1 That the land be declared surplus to the District Council's requirements and then placed on the open market for sale on a subject to planning basis or with the benefit of planning, subject to a successful planning application by the District Council for residential development.
- 2.2 Following receipt of offers for the land identified in Appendix A, the decision to accept an offer is delegated to the Service Director for Resources, in consultation with the Executive Member for Finance and IT. Offers will be evaluated against alternative development options and the environmental credentials of any proposed design.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To provide a financial receipt to help fund the District Council's capital programme.
- 3.2 Marketing the land on the open market will maximise interest from developers and self builders and satisfy the requirements to obtain the best price reasonably obtainable. An offer should only be accepted at a price reflecting residential development value.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Continue with the letting of the land on a garden licence to the owner of 1 North End, Kelshall for a nominal annual rent.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Consultation on the principle to dispose of the land has been made with Cllr Gerald Morris for Ermine Ward. No comment to date
- 5.2 Details of the proposal were provided to the Kelshall Parish Council Clerk, concerns over development within Kelshall and the termination of the tenancy were expressed in a telephone conversation by the Clerk, Gillie Gartside.
- 5.3 The tenant of the land has been advised of this report to Cabinet and the District Council's intention to consider the disposal of the land for residential development. They have expressed an interest in purchasing on the understanding that this would only be at residential development value.

## **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 19<sup>th</sup> December 2019.

## **7. BACKGROUND**

- 7.1 The site is of 0.13acre and located on the edge of Kelshall village adjacent to 1 North End adjoining open countryside.
- 7.2 The land represents the opportunity to provide a development plot for a single detached house with access from the road frontage
- 7.3 It is currently used as garden land for 1 North End under a garden licence from the District Council at a nominal annual rent, terminable upon 6months notice.

- 7.4 Disposal of this property has previously been considered by Cabinet:

*Cabinet Meeting - 22nd November 2016 – Minutes Item 89 – Land and Property Review*

The land adjacent to 1 North End, Kelshall was listed within Table 5 of the Land and Property Report presented to the Cabinet.

### **RESOLVED:**

- (1) That the details of the land and property disposals from 2011-2016 be noted;
- (2) That it be noted that options for the sites previously approved for disposal, as listed in Table 4 of the report, are still being progressed, and that account should be taken of the emerging North Hertfordshire Local Plan; and
- (3) That the sites identified in Table 5 of the report be declared as surplus to the Council's requirements; that disposal options for these sites be investigated in more detail; and that Cabinet be advised about them as appropriate.

The Cabinet has not considered the disposal of this property since November 2016.

- 7.5 The property is not allocated for residential development within the emerging Local Plan, however under Policy SP2 Kelshall is listed as a Category B village for which the following extract applies:

4.14 Category B villages are those with a lower level of facilities such as village halls and public houses. Category B villages will be allowed to accommodate limited infill development that does not expand the built core of the village into the surrounding countryside.

- 7.6 It is considered that a planning application to develop this site could be considered compliant with emerging Planning Policy, subject to appropriate design and relation with the adjacent property. The current use of the land within a residential curtilage presents the argument that development of the site would not result in an expansion of the village into the countryside.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 The sale of this site for residential development will contribute to housing supply, bringing forward a windfall site and offer valuable new family housing in the village.

## **9. LEGAL IMPLICATIONS**

- 9.1 Cabinet in exercising its functions have powers to dispose of land or buildings where the consideration is between £250,000 and £2,500,000. The Cabinet decision in November 2016 was that Cabinet be advised about disposal options for this site. Therefore although the proposed disposal may possibly fall within the delegated authority of the Service Director: Resources, because the disposal might be below £250,000 (Constitution paragraph 14.6.12 (b) 1 A) the matter has been brought back to Cabinet for consideration. Officers may refer their authority under delegated powers to Cabinet.
- 9.2 There may be specific legal implications relevant to the sale of the property e.g. covenants on title, easements, third party rights. However preliminary title investigations do not reveal any issues that would frustrate the proposed development.
- 9.3 The Contract Procurement Rules and specifically Appendix I apply to the sales of land or property. If Cabinet were to sell this land the Officers seeking to market and dispose of the land would be required to do so within the remit of the Contract Procurement Rules.
- 9.4 Section 123 Local Government Act 1972 allows a Council to dispose of land in any manner it wishes provided that the consideration is the best that can be reasonably obtained unless the Secretary of State consent to the disposal for less than best value.
- 9.5 The Council has not advertised the proposed sale in accordance with sections 123(2A) and 127(3) of the Local Government Act 1972 and section 233(4) of the Town and Country Planning Act 1990 as the property is not considered open land being enclosed and privately occupied as garden land. This land does not fall within the definition of open space.
- 9.6 There may be specific legal implications relevant to the sale of the property e.g. covenants on title, easements, third party rights. Preliminary title investigations do not reveal any issues.

- 9.7 The Council would need to ensure that they serve a relevant and compliant notice on the tenant to end any tenancy held over the land.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 The sale will generate a capital receipt to assist in funding the Council's capital investment programme.

## **11. RISK IMPLICATIONS**

- 11.1 The sale of assets reduces the risk to the District Council arising from the duties under the Occupiers Liability Act 1957 and 1984.
- 11.2 There are no risks relevant to the consideration of this decision. The declaration of the land as surplus to the District Council's requirements will allow the property to be openly marketed and sold at best value. Risks may exist as to the sale price achieved due to planning policy and design requirements to provide a sympathetic and acceptable development.

## **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 Any land that is offering potential for new housing may benefit the wider community as noted at 8.1. There may be those who exhibit a protected characteristic within this wider community. The consideration of sympathetic development and adequate parking facilities may ensure that no adverse impacts are experienced by the existing community.

## **13. SOCIAL VALUE IMPLICATIONS,**

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 12.

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 There are no Human resource implications from this report.

## **15. APPENDICES**

- 15.1 Appendix A - Location Plan of Land to be Declared Surplus

**16. CONTACT OFFICERS**

16.1 Chris Robson, Senior Estates Surveyor, [christopher.robson@north-herts.gov.uk](mailto:christopher.robson@north-herts.gov.uk)  
Ext: 4752

16.2 Peter Lapham, Interim Property Consultant, [peter.lapham@north-herts.gov.uk](mailto:peter.lapham@north-herts.gov.uk)  
Ext 4612

16.3 Isabelle Alajooz, Contracts and Property Solicitor, [isabelle.alajooz@north-herts.gov.uk](mailto:isabelle.alajooz@north-herts.gov.uk)  
Ext: 4346

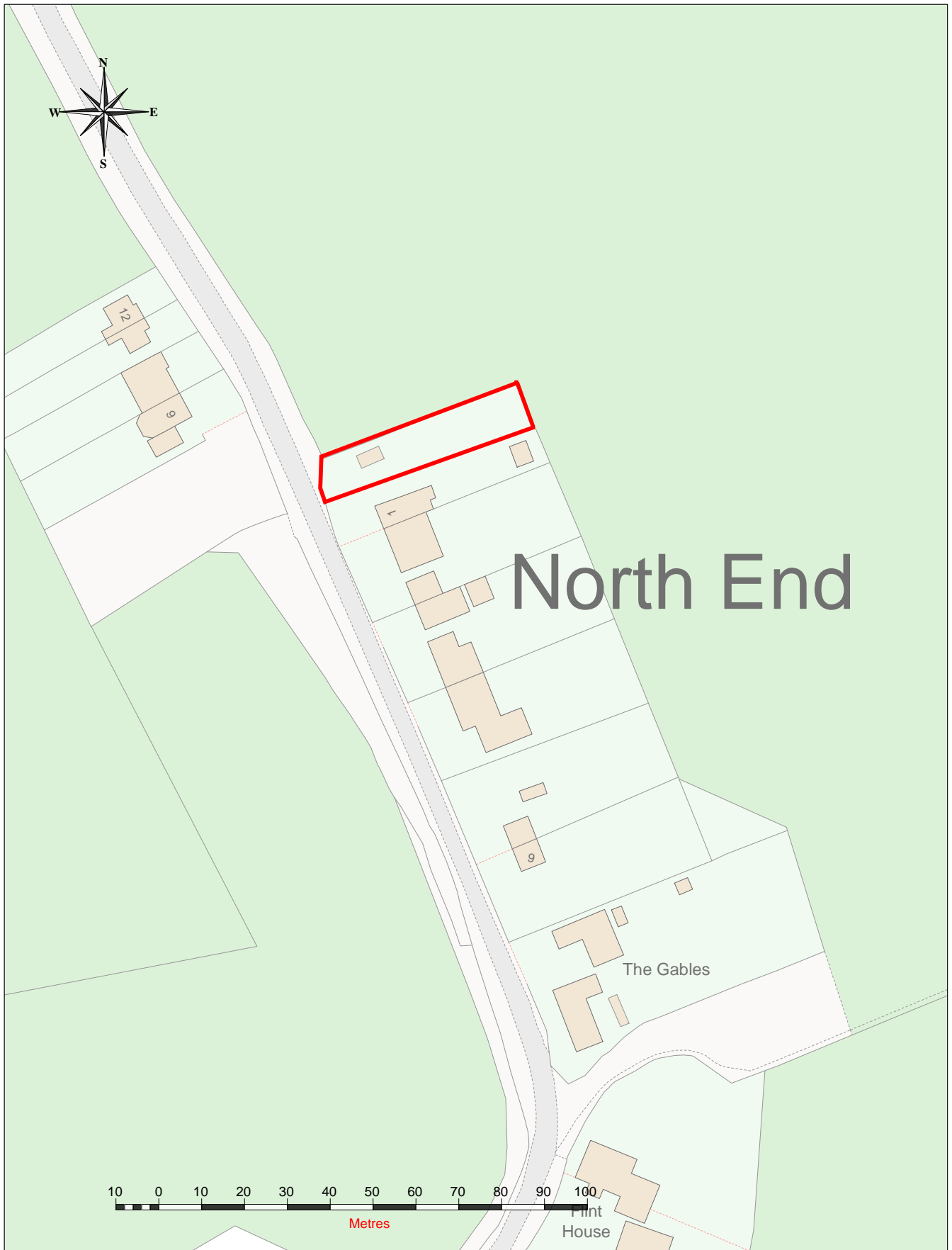
**17. BACKGROUND PAPERS**

None

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Land adjacent to 1 North End, Kelshall



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Date: 18:12:19

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**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: LAND ADJACENT TO 9 NORTH END, KELSHALL, HERTS**

REPORT OF THE INTERIM PROPERTY CONSULTANT

EXECUTIVE MEMBER: COUNCILLOR KEITH HOSKINS

COUNCIL PRIORITY: ATTRACTIVE AND THRIVING

**1. EXECUTIVE SUMMARY**

- 1.1 To seek Cabinet's approval for the declaration as surplus to the District Council's requirements approximately 0.31acre of land adjacent to 9 North End, Kelshall, as shown edged red on the plan at Appendix A.

**2. Recommendations**

- 2.1 That the land be declared surplus to the District Council's requirements and then placed on the open market for sale on a subject to planning basis or with the benefit of planning, subject to a successful planning application by the District Council for residential development.
- 2.2 Following receipt of offers for the land identified in Appendix A, the decision to accept an offer is delegated to the Service Director for Resources, in consultation with the Executive Members for Finance and IT. Offers will be evaluated against alternative development options and the environmental credentials of any proposed design.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To provide a financial receipt to help fund the District Council's capital programme.
- 3.2 Marketing the land on the open market will maximise interest from developers and self builders and satisfy the requirements to obtain the best price reasonably obtainable. An offer should only be accepted at a price reflecting residential development value.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Continue with the letting of the land on a garden licence to the owner of 9 North End, Kelshall for a nominal annual rent.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 Consultation on the principle to dispose of the land has been made with Cllr Gerald Morris for Ermine Ward. [No comment to date]
- 5.2 Details of the proposal were provided to the Kelshall Parish Council Clerk, concerns over development within Kelshall and the termination of the tenancy were expressed in a telephone conversation by the Clerk, Gillie Gartside.
- 5.3 The tenant of the land has been advised of this report to Cabinet and for the District Council's intention to consider the disposal of the land for residential development. They have expressed an opinion that planning consent may not be achievable.

## **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 19<sup>th</sup> December 2019.

## **7. BACKGROUND**

- 7.1 The site is of 0.31 acres and located on the edge of Kelshall village adjacent to 9 North End adjoining open countryside.
- 7.2 The land represents the opportunity to provide a development plot for at least one detached house with access from the road frontage
- 7.3 It is currently used as garden land for 9 North End under a garden licence from the District Council at a nominal annual rent, terminable upon 6months notice.
- 7.4 Disposal of this property has previously been considered by Cabinet:

*Cabinet Meeting - 22nd November 2016 – Minutes Item 89 – Land and Property Review*

The land adjacent to 9 North End, Kelshall was listed within Table 5 of the Land and Property Report presented to the Cabinet.

### **RESOLVED:**

- (1) That the details of the land and property disposals from 2011-2016 be noted;
- (2) That it be noted that options for the sites previously approved for disposal, as listed in Table 4 of the report, are still being progressed, and that account should be taken of the emerging North Hertfordshire Local Plan; and
- (3) That the sites identified in Table 5 of the report be declared as surplus to the Council's requirements; that disposal options for these sites be investigated in more detail; and that Cabinet be advised about them as appropriate.

The Cabinet has not considered the disposal of this property since November 2016.

- 7.5 The property is not allocated for residential development within the emerging Local Plan, however under Policy SP2 Kelshall is listed as a Category B village for which the following extract applies:

4.14 Category B villages are those with a lower level of facilities such as village halls and public houses. Category B villages will be allowed to accommodate limited infill development that does not expand the built core of the village into the surrounding countryside.

- 7.6 It is considered that a planning application to develop this site could be considered compliant with emerging Planning Policy, subject to appropriate design and relation with the adjoining property. The current use of the land within a residential curtilage presents the argument that development of the site would not result in an expansion of the village into the countryside.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 The sale of this site for residential development will make a contribution to housing supply by bringing forward a windfall site and offer valuable new family housing in the village.

## **9. LEGAL IMPLICATIONS**

- 9.1 Cabinet in exercising its functions have powers to dispose of land or buildings where the consideration is between £250,000 and £2,500,000. The Cabinet decision in November 2016 was that Cabinet be advised about disposal options for this site. Therefore although the proposed disposal may possibly fall within the delegated authority of the Service Director: Resources, because the disposal might be below £250,000 (Constitution paragraph 14.6.12 (b) 1 A) the matter has been brought back to Cabinet for consideration. Officers may refer their authority under delegated powers to Cabinet.
- 9.2 There may be specific legal implications relevant to the sale of the property e.g. covenants on title, easements, third party rights. However preliminary title investigations do not reveal any issues that would frustrate the proposed development.
- 9.3 The Contract Procurement Rules and specifically Appendix I apply to the sales of land or property. If Cabinet were to sell this land the Officers seeking to market and dispose of the land would be required to do so within the remit of the Contract Procurement Rules.
- 9.4 Section 123 Local Government Act 1972 allows a Council to dispose of land in any manner it wishes provided that the consideration is the best that can be reasonably obtained unless the Secretary of State consent to the disposal for less than best value.
- 9.5 The Council has not advertised the proposed sale in accordance with sections 123(2A) and 127(3) of the Local Government Act 1972 and section 233(4) of the Town and Country Planning Act 1990 as the property is not considered open land being enclosed and privately occupied as garden land. This land does not fall within the definition of open space.
- 9.6 There may be specific legal implications relevant to the sale of the property e.g. covenants on title, easements, third party rights. Preliminary title investigations do not reveal any issues.

- 9.7 The Council would need to ensure that they serve a relevant and compliant notice on the tenant to end any tenancy held over the land.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 The sale will generate a capital receipt to assist in funding the Council's capital investment programme.

## **11. RISK IMPLICATIONS**

- 11.1 The sale of assets reduces the risk to the District Council arising from the duties under the Occupiers Liability Act 1957 and 1984.
- 11.2 There are no risks relevant to the consideration of this decision. The declaration of the land as surplus to the District Council's requirements will allow the property to be openly marketed and sold at best value. Risks may exist as to the sale price achieved due to planning policy and design requirements to provide a sympathetic and acceptable development.

## **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 Any land that is offering potential for new housing may benefit the wider community as noted at 8.1. There may be those who exhibit a protected characteristic within this wider community. The consideration of sympathetic development and adequate parking facilities may ensure that no adverse impacts are experienced by the existing community.

## **13. SOCIAL VALUE IMPLICATIONS,**

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 12.

## **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 There are no Human resource implications from this report.

## **15. APPENDICES**

- 15.1 Appendix A -- Location Plan of Land to be Declared Surplus

## **16. CONTACT OFFICERS**

- 16.1 Chris Robson, Senior Estates Surveyor, [christopher.robson@north-herts.gov.uk](mailto:christopher.robson@north-herts.gov.uk)  
Ext: 4752

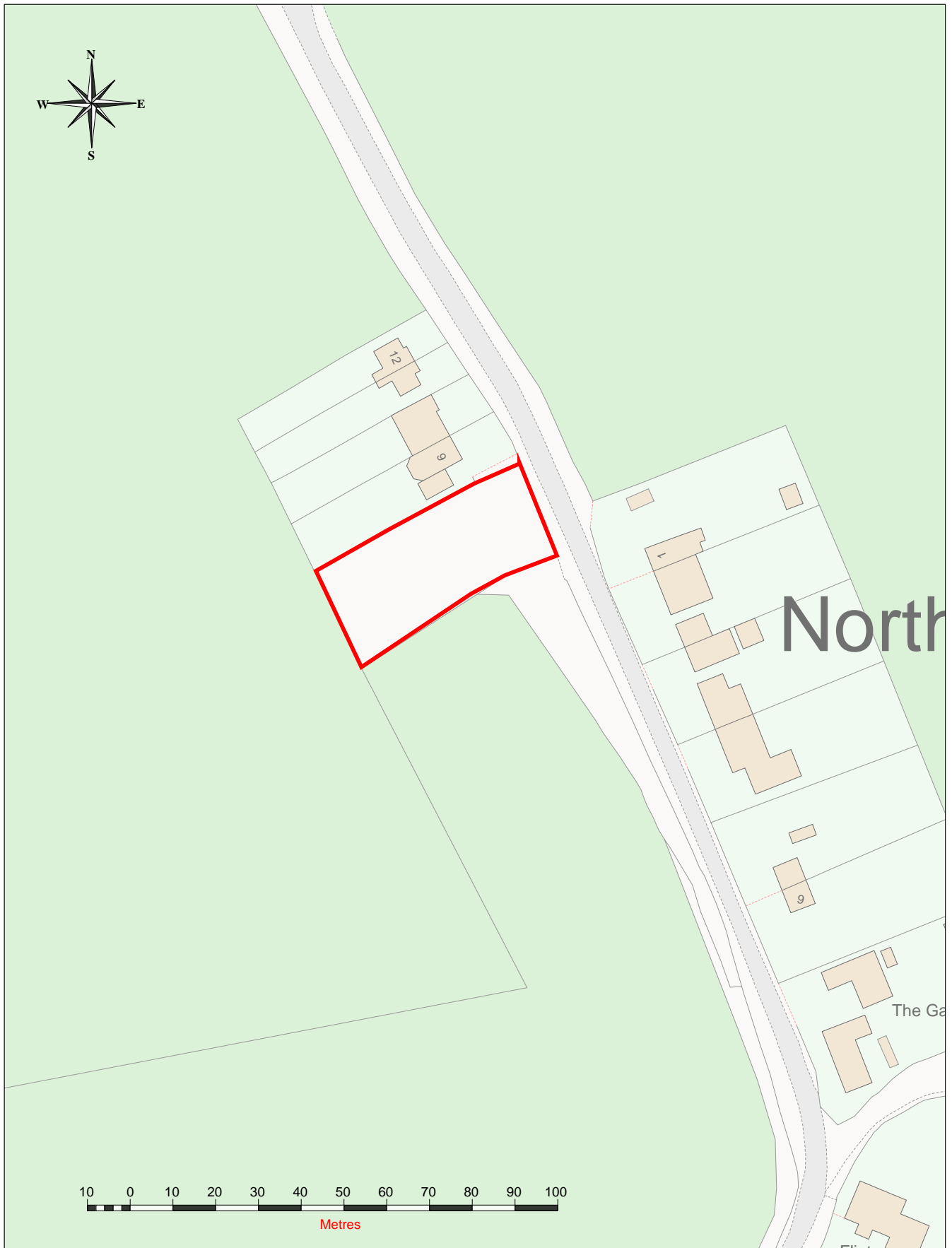
- 16.2 Peter Lapham, Interim Property Consultant, [peter.lapham@north-herts.gov.uk](mailto:peter.lapham@north-herts.gov.uk)  
Ext 4612
- 16.3 Isabelle Alajooz, Contracts and Property Solicitor, [isabelle.alajooz@north-herts.gov.uk](mailto:isabelle.alajooz@north-herts.gov.uk)  
Ext: 4346

**17. BACKGROUND PAPERS**

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Land adj 9 North End, Kelshall



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**CABINET  
24 MARCH 2020**

**PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: REVIEW OF CARELINE OPERATIONS**

REPORT OF THE SERVICE DIRECTOR – CUSTOMERS

EXECUTIVE MEMBER: COUNCILLOR GARY GRINDAL

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: BUILD THRIVING AND RESILIENT COMMUNITIES

**1. EXECUTIVE SUMMARY**

- 1.1 To advise Cabinet of the potential for an expansion of the Careline Service

**2. RECOMMENDATIONS**

- 2.1. That Cabinet notes the report.
- 2.2. That the Service Director – Customers in consultation with the Executive Member for Housing & Environmental Health be authorised to continue discussions as explained in more detail in the Part II Report and to enter into a formal agreement for the expansion of the service, provided this can be done within the funding available.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1. To secure the on-going viability of the Careline Service and the excellent service to customers that it provides.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. This is considered in the Part II Report.

**5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 The position at the moments remains confidential for reasons of commerciality and because a final decision has not yet been made by the potential partner. However, the Executive Member for Housing & Environmental Health has been kept informed of developments

## **6. FORWARD PLAN**

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

## **7. BACKGROUND**

- 7.1 The Council has provided assistive technology through the Careline Service since 1982, not only in Hertfordshire, but also regionally.
- 7.2 In 2014 the Council entered into a long term partnership with Hertfordshire County Council to improve the large scale uptake of assistive technology in the county. This collaboration "Herts Careline" aims to provide affordable goods and services to a range of Service User groups in order to promote independent living. Herts Careline's mission is to be a public service asset that supports not only individuals also the Social Care Authority, Police, Fire & Rescue Service, Ambulance Service, other NHS bodies, Social Housing providers, and other Hertfordshire public or voluntary service organisations with their ambitions.
- 7.3 Since its launch, Herts Careline has grown significantly and aims to assist approximately 2,500 new Service Users in 2019/20.
- 7.4 During the course of 2018/19 Hertfordshire Careline assisted 2,956 households in Hertfordshire with some form as assistive technology service.
- 7.5 The Service Users include older people, those living with dementia, people who are frail due to age or long-term health conditions, people with physical and sensory disabilities (sight loss, hearing impairment, deaf/blind people), people with learning disabilities, people with Autism and Asperger syndrome, people with mental health issues and families with disabled children, and those with other complex needs. Herts Careline also assists people in connection with domestic violence or abuse, distraction burglary or rogue trading, and elevated fire risk.
- 7.6 The service has experienced huge growth over the past few years as demand for assistive technology to support people's independence in their own home has seen a steep increase in interest as people see the benefits it can bring.
- 7.7 In 2019, Herts Careline successfully completed its first year at its new Control Room in the District Council Offices, investing in the long term future of the service for its 16,000+ customers. The move was influenced by its previous site reaching capacity due to the significant increase in new customers the service has seen.
- 7.8 The move also offered a further opportunity to upgrade the supporting infrastructure to accept the new digital alarms that have are being necessitated by the switch from analogue to digital telecommunications infrastructure.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 These are considered in the Part II Report.

## **9. LEGAL IMPLICATIONS**

- 9.1 Cabinet is being asked to note the position, authorise on-going negotiations with the prospective partner and enter into an agreement provided this can be done within the funding available..

- 9.2 The relevant functions vested in Cabinet by the Constitution are:
- 5.6.15 To oversee the provision of all the Council's services other than those functions reserved to the Council, and;
- 5.6.24 To promote and develop external partnerships to meet strategic objectives.
- 9.3 There may be other legal implications arising from on-going negotiations.
- 10. FINANCIAL IMPLICATIONS**
- 10.1 The financial implications are considered in the Part II Report.
- 11. RISK IMPLICATIONS**
- 11.1. The risk implications are considered in the Part II Report.
- 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.
- 13. SOCIAL VALUE IMPLICATIONS**
- 13.1 The Social Value Act and "go local" requirements do not apply to this report.
- 14. HUMAN RESOURCE IMPLICATIONS**
- 14.1. The human resources implications will be considered in the Part II Report.
- 15. APPENDICES**
- 15.1. None
- 16. CONTACT OFFICERS**
- 16.1 Howard Crompton, Service Director – Customers  
[howard.crompton@north-herts.gov.uk](mailto:howard.crompton@north-herts.gov.uk); Ext. 4247
- 16.2 David Martins Hesp, Assistive Technology Manager  
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- 16.3 Jodie Penfold, Group Accountant  
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- 16.4 Gavin Ramtohal, Legal Commercial Team Manager  
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- 16.5 Reuben Ayavoo, Policy & Community Engagement Manager  
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- 16.6 Rachel Cooper, Risk, Controls, Performance Manager  
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- 16.7 Kerry Shorrocks, Corporate Human Resources Manager  
[kerry.shorrocks@north-herts.gov.uk](mailto:kerry.shorrocks@north-herts.gov.uk); Ext. 4224

**17. BACKGROUND PAPERS**

- 17.1 None

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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