

NORTH HERTFORDSHIRE DISTRICT COUNCIL

DECISION SHEET

Meeting of the Cabinet held as a Virtual Meeting
on Tuesday, 23rd June, 2020 at 7.30 pm

1 WELCOME AND INTRODUCTION

The Chair welcomed everyone to this virtual meeting of Cabinet that was being conducted with Members and Officers at various locations, communicating via audio/video and online and advised that there was the opportunity for the public and press to listen and view proceedings.

The Committee, Member and Scrutiny Manager gave advice regarding the following:

- Attendance;
- Live Streaming;
- Noise interference;
- Rules of Debate;
- Voting;
- Part 2 Items.

The Chair, Councillor Martin Stears-Handscornb started the meeting proper.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ruth Brown and Sean Prendergast (Deputy Executive Members),

Councillor Kate Aspinwall (Chair Finance, Audit and Risk Committee) sent her apologies for absence.

3 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

4 CHAIR'S ANNOUNCEMENTS

- (1) The Chair welcomed everyone to the first Cabinet meeting in the 2020/21 Civic Year.
- (2) The Chair advised that, in accordance with Council policy this meeting was being audio recorded as well as filmed. The audio recordings would be available to view on Mod.gov and the film recording via the NHDC YouTube channel.
- (3) Members were reminded that this Council had declared a Climate Emergency. This was a serious decision and meant that, as this was an emergency, all of us, officers and Members had that in mind as we carried out our various roles and tasks for the benefit of our District.
- (4) Members were reminded to make declarations of interest before an item, the detailed reminder about this and speaking rights is set out under Chair's Announcements on the agenda.
- (5) The Chair advised that Item 8 – Hitchin Market – New Contract had been withdrawn from the agenda. Negotiations continued and this item would be brought to Cabinet as soon as possible.

- (6) The Chair advised that he would take the agenda in the order published, with both Part 2 Items – Business continuity Update and Commercial Waste Collection Service Impacts of Covid-19 being heard together. The meeting would then return to Part 1 to take Part 1 decisions on both items at the end of the meeting.

5 PUBLIC PARTICIPATION

There were no presentations by members of the public.

6 ITEMS REFERRED FROM OTHER COMMITTEES

There were 7 referrals from Finance, Audit and Risk Committee and Overview and Scrutiny Committee. These would be taken with the relevant items on the agenda.

7 STRATEGIC PLANNING MATTERS

RESOLVED:

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

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

8 DISTRICT WIDE SURVEY 2019 - KEY FINDINGS

RESOLVED:

- (1) That the key findings and observations from the District Wide Survey be noted:
- (2) That Cabinet note that the results are being considered by Senior Management Team in conjunction with Executive Members, to inform the service planning process and future consultation activity.

REASON FOR DECISIONS: 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.

9 HITCHIN MARKET - NEW CONTRACT

The Chair had previously advised that this item had been withdrawn from the agenda.

10 CORPORATE PEER CHALLENGE ACTION PLAN

RESOLVED:

- (1) That the draft Action Plan at Appendix A be approved.
- (2) That agreeing the timescales for the actions within the Action Plan be delegated to the Leader, Deputy Leader and Managing Director.
- (3) That the Learning and Development Champions be requested to investigate various methods of training delivery for Members.

RECOMMENDED TO COUNCIL:

- (1) That the Special Reserve be used to fund a small transformation team for a period of 18 months from October 2020, with an estimated total cost of £150k (£50k in 2020/21 and £100k in 2021/22);
- (2) That agreeing the specification for, and intended outcomes of, the transformation programme be delegated to the Leader, Deputy Leader, Executive Member for Finance and IT, Managing Director and Service Director Resources.

REASON FOR DECISIONS: To ensure that the Council responds to the matters identified within the CPC report, ensuring that the benefits of the CPC process are realised.

11 SHAPING OUR FUTURE - ORGANISATIONAL DEVELOPMENT

RESOLVED:

- (1) That Cabinet endorse the outcomes set out at paragraph 8.2 of this report for the Shaping Our Future Programme, to be implemented by the Head of Paid Service.
- (2) That Cabinet endorse the terms of reference for a working group, attached at Appendix A, to be implemented by the Head of Paid Service.
- (3) The Membership of the Working Group be reconsidered.

REASONS FOR DECISIONS:

- (1) These recommendations are based on a need to create clarity about the purpose and need for Organisational Development and to clearly link this to the Councils Priorities and the Corporate Peer Challenge Action Plan.
- (2) The recommendations recognise that whilst much of the activity encompassed in the Shaping Our Future Programme is to do with the Management of the organisation and therefore focuses on officers it must be in line with the Councils Priorities. It is also important that values and behaviours are understood and demonstrated consistently by both officers and Members and that Members support and engage with the Shaping Our Future programme where it relates to them.
- (3) A working group will provide a focal point for 'Shaping our Future' and act to steer and facilitate actions that work towards the outcomes.

12 HOUSING DELIVERY TEST ACTION PLAN

RESOLVED:

- (1) That the HDT Action Plan, attached as Appendix 1, be approved for publication and implementation.
- (2) That the key messages and actions contained in the HDT Action Plan are incorporated as appropriate in actions and measures arising from implementation of the Corporate Peer Challenge Action Plan.

REASONS FOR DECISIONS:

- (1) To meet the requirements of national planning policy.
- (2) To ensure that measures are developed and implemented consistently and in an integrated fashion across the organisation.

13 REGULATION OF INVESTIGATORY POWERS ACT ('RIPA') UPDATE AND ANNUAL REVIEW

RESOLVED:

- (1) That Tik Tok be added to the list of current examples of popular forms of social media at Paragraph 3.3 of the Use of Social Media in Investigations Policy and Procedure.
- (2) That the content of this and the Investigatory Powers Commissioner's Office Inspection report (Appendix A) be noted.
- (3) That the RIPA Policy and Social Media in Investigations Policy as amended (Appendices B-C) be approved.

REASON FOR DECISIONS: To comply with the Inspector's recommendations and best practice.

14 REVENUE BUDGET OUTTURN 2019/20

RESOLVED:

- (1) That the report entitled Revenue Budget Outturn 2019/20 be noted.
- (2) That a decrease of £129k in the 2019/20 net General Fund expenditure, as identified in table 3 and paragraph 8.1, to a total of £14.692million be approved.
- (3) That the changes to the 2020/21 General Fund budget, as identified in table 3 and paragraph 8.2, a total £344k increase in net expenditure be approved.
- (4) That, as referred to in paragraph 8.3, the transfer of £59k from the underspend on the General Fund to the Strategic Priority fund to enable the Leadership Team to undertake invest to save and/or continuous improvement projects be approved.

RECOMMENDED TO COUNCIL: That the net transfer to earmarked reserves, as identified in table 8, of £2.161million be approved.

REASONS FOR DECISIONS:

- (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.
- (2) Changes to the Council's balances are monitored and approved.

15 INVESTMENT STRATEGY (CAPITAL AND TREASURY) END OF YEAR REVIEW 2019/20

RESOLVED:

- (1) That the expenditure of £1.473million in 2019/20 on the capital programme, paragraph 8.3 refers, and in particular the changes detailed in table 3 which resulted in a net decrease on the working estimate of £0.055million be noted.

- (2) That the adjustments to the capital programme for 2020/21 as a result of the revised timetable of schemes detailed in table 2, increasing the estimated spend in 2020/21 by £0.277million (re-profiled from 2019/20) be approved.
- (3) That the position of the availability of capital resources, as detailed in table 4 paragraph 8.6 and the requirement to keep the capital programme under review for affordability be noted.
- (4) That the application of £0.639million of capital receipts towards the 2019/20 capital programme and the drawdown of £0.397million from set aside receipts, paragraph 8.6 refers be approved.
- (5) That the position of Treasury Management activity as at the end of March 2020 be noted.

RECOMMENDED TO COUNCIL:

- (1) That the actual 2019/20 prudential and treasury indicators be approved.
- (2) That the annual Treasury Report for 2019/20 be noted.

REASON FOR DECISIONS:

- (1) Cabinet is required to approve adjustments to the capital programme and ensure the capital programme is fully funded.
- (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.

16 GARDEN WASTE COLLECTION SERVICE IMPACTS OF COVID

RESOLVED: That the Council agrees an extension of the current 12 months payment period for green waste collection, for a further period of 2 months [The loss of income based on current (48%) uptake is approximately £186,000].

REASON FOR DECISIONS: To acknowledge service disruption / suspension in our garden waste collection service and demonstrate to residents that the Council accepts the inconvenience caused during the seasonal peak of garden waste production.

17 BUSINESS CONTINUITY PLANNING UPDATE

RESOLVED:

- (1) That the further commissioning of legal services in relation to the holding company, to be agreed by the Service Director: Legal and Community, the Deputy Chief Executive [Managing Director] in consultation with the Leader and Deputy Leader be approved.
- (2) That the decision on establishment of the trading company, with business case to be presented to the Cabinet Sub-Committee as soon as possible for approval thereafter be delegated to the Deputy Chief Executive [Managing Director] in consultation with the Leader and Deputy Leader.
- (3) That Cabinet supports any additional initiatives such as the furloughed space grants suggested by the British Retail Corporation to support the economic recovery of the District, provided it is fully funded by the Government.

- (4) That Cabinet delegate authority to the Managing Director and Service Director Place to take decisions regarding services provided under the Leisure contracts, in consultation with the Executive Member for Environment and Leisure, the Service Director Resources and Executive Member for Finance and IT.

REASON FOR DECISIONS: To ensure that the Council is as prepared as it can be for contractor failure / withdrawal from major contracts.

18 COMMERCIAL WASTE COLLECTION SERVICE - IMPACTS OF COVID-19

NB This Item was considered after the Part 2 Item (Minute 21 refers)

RESOLVED:

- (3) That the Q1 invoices for all customers who suspended their service with us and only resume charges upon the start of services be withdrawn (and reduce the invoices for those that asked for a temporary reduction in service level), leading to an estimated budget deficit of £34,000 for Q1.
- (4) That Cabinet note that for customers who are still liable to pay, where necessary, the Council will work with the customer to identify suitable alternative payment arrangements. This is in accordance with the Council's debt management processes.
- (5) That extended payment terms for Q2 to 60 days, and to 30 days for Q3 be agreed.

REASON FOR DECISIONS: To acknowledge the reduced service needs and hardship experienced by local businesses during the Covid 19 pandemic and government initiated lockdown. However at the same time there is a need to make sure that proposals are equitable and that any income lost will not be funded by local taxpayers.

19 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the said Act.

20 BUSINESS CONTINUITY PLANNING UPDATE

RESOLVED: That the content of the Part 2 report entitled Business Continuity Planning Update be noted.

REASON FOR DECISION: To ensure that the Council is as prepared as it can be for contractor failure/ withdrawal from major contracts by creating a mechanism through which currently contracted out services can be delivered through a Council company in the short term whilst alternative options are considered.

21 COMMERCIAL WASTE COLLECTION SERVICE - IMPACTS OF COVID-19

Councillor Keith Hoskins advised that for transparency he would not take part in the vote as he paid for a commercial waste collection.

RESOLVED: That the three recommendations contained in the Part 2 report and the addendum to the Part 2 report be agreed.

REASON FOR DECISIONS: To acknowledge the reduced service needs and hardship experienced by local businesses during the Covid 19 pandemic and government initiated lockdown. However at the same time there is a need to make sure that proposals are equitable and that any income lost will not be funded by local taxpayers.

Tuesday, 23rd June, 2020