
POLICY AND RESOURCES COMMITTEE**MINUTES**

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on Monday 5 November 2018 between 7.30pm and 8.37pm.

Councillors present:

Sara Bedford (Chairman)	Chris Lloyd (Vice-Chairman) (Leisure)
Rupert Barnes	Alex Michaels (Environmental Services)
Matthew Bedford (Resources and Shared Services)	Angela Killick
Stephen Cox	Sarah Nelmes (sub for Cllr Andrew Scarth)
David Major (sub for Cllr Giles-Medhurst)	Roger Seabourne (Community Safety and Partnerships)
Alex Hayward	Martin Trevett (Infrastructure and Planning Policy)
Paula Hiscocks	Alison Wall

Officers Present: Geof Muggerridge, Director of Community and Environmental Services
Joanne Wagstaffe, Director of Finance
Michael Summerville, Elections Manager
Jennie Probert, Environmental Strategy Manager
Malcolm Clarke, Waste and Environment Manager
Andrew Blake, Environmental Enforcement Officer
Phil King, Emergency Planning and Risk Manager
Debra Sandling, Animal Welfare and Licensing Inspector
Sarah Haythorpe, Principal Committee Manager

Also in attendance: Councillors Diana Barber, Debbie Morris and Reena Ranger.

PR28/18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Stephen Giles-Medhurst and Andrew Scarth with Councillors Sarah Nelmes and David Major being the substitute Members.

PR29/18 MINUTES

The Minutes of the Policy and Resources Committee meeting held on 4 September 2018 were confirmed as a correct record and signed by the Chairman. The minutes of the Extraordinary Policy and Resources Committee meeting held on 22 October 2018 were confirmed as a correct record and were signed by the Chairman subject to the following amendment:

Minute PR24/18 Declaration of Interests

Add the word "part" so that the sentence reads: "to take part in the discussions"

PR30/18 NOTICE OF OTHER BUSINESS

The Chairman ruled that the following items of business had not been available 5 clear working days before the meeting but were of sufficient urgency for the following reasons:

All out District Elections (Every Four Years) to enable Members to consider the motion from Council.

Animal Activities Licensing Fees and Charges 2018/29 to enable the Council to set the fees and charges as soon as possible after the implementation on 1 October 2018.

PR31/18 DECLARATION OF INTERESTS

None received.

PR32/18 ENVIRONMENTAL ENFORCEMENT

This report requested the Committee to:

- agree the Environmental Enforcement Policy for Three Rivers.
- increase the level of FPN for littering, graffiti and fly posting.
- agree the introduction of a civil Fixed Penalty Notice (FPN) for Littering from Vehicles.

Members had the following questions:

- 1) Why had there been eight FPNs for littering but none for fly posting or graffiti?
- 2) Why had there been only 4 FPNs in 2017/18 but eight so far this year and what did RIPA mean?
- 3) Could more be included in the policy on abandoned vehicles?

Officers responded as follows:

Catching someone fly posting or graffiti spraying was a lot harder than catching someone fly tipping. If caught fly posting for the first time Officers would try to educate the person but if they continued action would be taken via Planning Enforcement.

RIPA stood for Regulations of Investigatory Powers Act. If the Council wanted to have surveillance they would need to apply to the Magistrates court as they were not able to just put up cameras. The increase in the issuing FPNs for littering was due to the fly tipping incidents being in smaller bags and evidence of the perpetrator being found in them.

On vehicles for sale, the 500m referred to in the policy was Government legislation under the Clean Neighbourhoods and Environment Act 2005.

Once an abandoned vehicle had been claimed there was no further action the Council could take. If a vehicle was identified as being abandoned for a second time a further sticker would be placed on the vehicle and it would be investigated as a separate incident. The Police would only take action if the vehicle was parked dangerously.

RECOMMEND:

- 1) Agreement of the Environmental Enforcement Policy (Appendix A) to Full Council, noting that this will be updated to include the decisions made in 12.2, 12.3 and 12.4;
- 2) To increase the Littering FPN from £75 to £150 (reduced to £100 if paid within 7 days);
- 3) Amendment to the Council's Constitution - Scheme of Delegation (para 11.18.6 of the report) to include authorisation of all Environmental Enforcement Officers to issue civil penalties for littering from vehicles under The Littering from Vehicles outside London (Keepers: Civil Penalties) Regulations 2018 (SI 2018/171) and that the Head of Community Services is designated to consider representations against FPNs; and
- 4) To introduce an FPN of £150 for Littering from Vehicles (reduced to £100 if paid within 14 days).

PR33/18 ALL OUT DISTRICT ELECTIONS (EVERY FOUR YEARS)

The report was being presented to the Committee following a motion presented to Full Council regarding future financial savings which could be achieved by having all out District Elections every four years.

A Member stated that the figures provided identified savings over an extended period. The average annual saving over the projected election cycle was £20k a year although this did not include any additional stand-alone by-elections. There could be an additional stand-alone by-election at least once a year although there had been three in the last year. The residents of Three Rivers deserved the right to vote after they received their Council tax bills and it would be undemocratic to take away that vote for a negligible saving.

A Member said all out elections would provide financial savings. Residents now had to vote every year and with the number of people voting getting lower and lower, they would be much more inclined to vote every four years.

A Member said there were hidden costs of taking Officers out of their day to day roles. If the resolution was to progress to all out elections every four years what would the next steps be?

The report was asking the Committee to instruct Officers on the next steps to take and it was not for the Returning Officer to instruct the Committee. The Elections Manager advised that there was no legislation which provided a timeframe to make the change to four year elections but it may be possible to do so in time for the Elections in May 2019.

A Member said according to the Electoral Commission recommendations not allowing residents to choose the frequency of their elections was undemocratic. It would be worth looking at Hertsmere Council and the savings they had made since changing to all out elections in 2014.

Members were reminded that consultation had taken place in 2014 when the Ward Boundaries were reviewed and to re-consult on the same topic now would have cost implications.

Councillor Matthew Bedford moved that the report be noted and that no further action be taken. Councillor Martin Trevett seconded the motion and said it would be a risk to the Council if a lot of new Councillors were appointed and took on responsible roles with no experience. Having elections by thirds provided for a more controlled change. The Council had always been a Member led authority.

The Chairman referred the Committee to the recent elections in the Abbots Langley area where the turnout had increased.

A Member said this was a finely balanced decision. There was no evidence that changing to all out elections was better or worst. What was a concern was the three Member Wards created by the boundary commission in 2014.

On being put to the Committee the motion was declared CARRIED by the chairman the voting being 8 For, 6 Against and 1 Abstention.

RESOLVED:

That the report be noted and that no further action be taken.

PR34/18 CALENDER OF MEETINGS:

The Committee considered the draft Calendar of Meetings for the Local Government Year 2020/21.

At the 4 September 2018 P&R Committee it was requested that Officers look to extend the Calendar of meetings to at least September 2020 and beyond if this was possible.

Having looked at the current published school holidays for Hertfordshire these are only available until September 2020.

The calendar of meetings had been prepared up until the summer of 2021 but Officers will bring an update back to the Committee once the future Hertfordshire school holiday dates have been published by the County Council.

Members noted that the Committee Team would be looking to send outlook appointments for the meetings to Members which they would be able to drop into other calendars that they used.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being unanimous.

RESOLVED

That the Committee team send Outlook meeting appointments to all the Councillors on each of the individual Committees/Forums/Groups that they are Members of for forward planning.

RECOMMEND:

That the attached Calendar of Meetings for 2020/21 be approved subject to details being provided on the future Hertfordshire school holiday dates for 2020/21.

PR35/18 ANIMAL ACTIVITIES LICENSING FEES AND CHARGES 2018/19

On 23 October 2018 Council agreed to make all necessary amendments to the Constitution including in the Scheme of Delegation to Officers to provide:

- a) That the conditions of licensing are adopted and included in the Constitution
- b) That the necessary changes are made to the Council's Constitution to reflect the changes in the legislation

c) That the Terms of Reference of Service Committees are updated as appropriate

d) That where the Constitution refers to Animal Control Enforcement Officer this to be changed to Animal Welfare and Licensing Inspector and all documents amended accordingly.

e) That Appeals from businesses disputing a star rating or a decision to vary, suspend or revoke a licence will be made to the director of Community and Environmental Services who will have delegated authority to determine such appeals in accordance with the Regulations and the Scheme of Delegation, which will be amended accordingly, and

f) That the Chief Executive be given delegated authority, in consultation with the Chairman and the Spokesperson of the Regulatory Services committee, to finalise all the necessary amendments.

That the licensing fees for animal related licences be determined for 2018/19 on consideration of the information and options contained in this report. The fees had been set following the DEFRA guidance and all the fees would be cost neutral.

Members were pleased that Officers had expedited the report as it was important to get the fees set.

A Member asked the Committee to consider allowing applicants 14 days instead of seven days from the date of inspection to pay the Part B fee. The Animal Welfare and Licensing Inspector stated that the Part B fee would only be paid once the applicant had passed the inspection. Applicants would only receive their licence once this fee had been paid. The reason for the seven days was to ensure the application was not open for a long time but Officers were flexible on this and were happy to amend to 14 days. There were no firm guidelines on how long an application can be open for although a business would not be able to operate without a licence.

Members thanked Officers for all their work and help on this.

On being put to the Committee the motion as set out in the report with the amendment to the 14 days to pay the Part B fee after the inspection declared CARRIED by the Chairman the voting being unanimous.

RESOLVED:

- 1) That the licensing fees for animal-related licenses be determined for 2018/9 on consideration of the information contained in the report but that the applicants be given 14 days to pay the Part B fee.
- 2) That a review of the fees and charges be made after the first year of operation to ensure they are correct; with a further report should any necessary adjustments be identified.

RECOMMEND:

- 1) That the proposed fees and charges in relation to animal licensing be adopted with the amendment that applicants be given 14 days to pay the Part B fee.

Members were asked to consider increasing the Member training budget to £5,000.

The budget had nearly been fully utilised for 2018/19 (£2,630 spent out of a £3,000 budget). In order to allow Members to attend/or for Officers to organise any external Member training before the end of the financial year (31 March 2019), it is requested that the budget be increased to £5,000.

Members recalled that a report was presented to the Committee in June 2018 and a number of issues were raised which were addressed in the report.

The Chairman advised that some training provided by the Local Government Association (LGA) was at no cost to the Council.

A Member asked that due to the cost of the LGA Leadership training would it be possible to have some feedback. The Chairman advised that the training was Councillor development training and it would not be appropriate to provide feedback. A synopsis of the course was available on the LGA website. All requests should be put forward to the Solicitor of the Council and Principal Committee Manager.

A Member asked if consideration could be given to impose a period of time on Members who were due to stand for re-election to stop them doing training as it could be a waste of Council funds if they were not re-elected. The Chairman advised that often the training was during the winter months completed in February/March and was not training for employment but personal development training as a Councillor which was not transferable.

Councillor Matthew Bedford moved, duly seconded, the recommendations.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOVLED:

- 1) The Committee recommend the Member training budget be increased to £5,000 for 2018/19 and for 2019/20;
- 2) That the Member training budget be reviewed in 2020/21; and
- 3) Members note the Individual Member Training record for 2017/18.

PR37/18 RECOMMENDATION FROM THE AUDIT COMMITTEE – RISK MANAGEMENT STRATEGY

Councillor Sarah Nelmes moved, seconded by Councillor Alex Hayward, that the recommendation be approved. This was a much better strategy.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being unanimous.

RESOLVED:

Agreed the Risk management Strategy attached to the report at Appendix 1.

PR38/18 BUDGET MONITORING (MONTH 6 – SEPTEMBER)

Budget monitoring report is a key tool in scrutinising the Council's financial performance. It is designed to provide an overview to all relevant stakeholders. It is essential that the council monitors its budgets throughout the year to

ensure that it is meeting its strategic objectives and that corrective action is taken where necessary.

This report seeks approval to a change in the Committee's 2018 - 2021 medium-term revenue financial plan. The report shows the Council's overall consolidated medium term financial plan for both revenue and capital.

A Member referred to the £1m variance for the Leavesden Country Park project in the capital programme and asked for a breakdown of the funding. The Chairman advised it was not a £1m variance it was included as a Council variance as an accounting matter. The £1m funding was coming from the Heritage Lottery, Section 106 monies, Warner Bros and the Parish Council. The money was to be paid out by the Council but they were not providing it.

A Member asked if details could be provided as a percentage breakdown for each contribution.

Councillor Matthew Bedford moved, duly seconded, the recommendation. He advised that he had asked the question regarding the contributions when reading the report and had the information emailed by Officers.

On being put to the Committee the motion was declared CARRIED by the Chairman the voting being 8 For, 0 Against and 7 Abstentions.

RECOMMEND:

That the following revenue and capital budget variations be approved and incorporated into the three-year medium-term financial plan:-

Variance	2018/19 £	2019/20 £	2020/21 £
Revenue - (Favourable)/ Unfavourable	6,380	(222,740)	(222,740)
Capital - Increase / (Decrease)	(7,523,120)	8,532,920	0

PR39/18 WORK PROGRAMME

The Committee received their work programme.

RESOLVED:

That the work programme be agreed.

CHAIRMAN