
POLICY AND RESOURCES COMMITTEE**MINUTES**

Of a virtual/remote meeting held on 7 December 2020 at 7.30pm to 8.21pm.

Councillors present:

Sarah Nelmes (Chair) (Local Plan)
Matthew Bedford (Vice-Chair) (Resources
and Shared Services)
Stephen Cox
Steve Drury (Infrastructure & Planning
Policy)
Alex Hayward
Stephen Giles-Medhurst (Transport and
Economic Development)

Chris Lloyd (Leisure)
Andrew Scarth (Housing)
Reena Ranger
Roger Seabourne (Community Safety and
Partnerships)
Donna Duncan (for Cllr Wall)
Phil Williams (Lead Member for
Environmental Services & Sustainability)
Paula Hiscocks

Others Councillors in attendance: -

Officers Present: Joanne Wagstaffe, Chief Executive
Geof Muggerridge, Director of Community and Environmental Services
Alison Scott, Interim Director of Finance
Vivien Holland, Interim Advisor – Shared Finance Projects Team
Sarah Haythorpe, Principal Committee Manager

PR67/20 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Alison Wall with the substitute being Councillor Donna Duncan.

PR68/20 MINUTES

The Minutes of the Policy and Resources Committee meeting held on 2 November 2020 were confirmed as a correct record by general assent and would be signed by the Chair when it was possible to do so subject to the additional word at the end of Page 10 being removed.

PR69/20 NOTICE OF OTHER BUSINESS

The Chair ruled that the following report had not been available 5 clear working days before the meeting but was of sufficient urgency to take as a late report to ensure that the Council could implement the Property Strategy for the Council.

Agenda Item 6 - Property Strategy

PR70/20 DECLARATION OF INTERESTS

None received.

PR71/20 BUSINESS RATES POOLING

The report sought approval to enter into a business rates pool with Hertfordshire County Council (HCC) and a number of other Districts within the County for 2021/22.

The Interim Director of Finance said initially it was thought there would be no pooling for next year given the situation with Covid. Local Government Futures had undertaken some work which suggested that it was still worthwhile to look at pooling for Hertfordshire next year and it would be of benefit for Three Rivers to join the pool. The report asked for delegated authority for the Council to enter into the pool following the Local Government settlement. LG futures are undertaking some further work just to be absolutely clear that the risks are minimised.

Councillor Matthew Bedford moved, seconded by Councillor Alex Hayward, the recommendations as outlined in the report at Paragraph 9.1 and 9.2.

A Member said that at paragraph 3.2 of the report it stated that there would be additional benefits of £200k from being in the pool and at Paragraph 3.6 we would be no worse off. Could Members have an update after 6 months? The Interim Director of Finance said that could be done and would be included as part of the budget monitoring report.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being by general assent.

RECOMMEND:

1. That Council agrees that, subject to a final review following the Local Government Settlement for 2021/22, Three Rivers District Council enters into the Hertfordshire Business Rates Pool; and
2. Council delegate authority to the Chief Executive and the Director of Finance, in consultation with the Chair and Vice Chair of the Policy and Resources Committee to sign up to the Hertfordshire Business Rates Pool, within 28 days of the Local Government Finance Settlement.

PR72/20 PROPERTY AND INVESTMENT STRATEGY

This report brought forward an updated property strategy for approval by Policy and Resources Committee.

The Interim Advisor – Shared Finance Projects Team advised that the updated strategy responds to a range of comments which Councillor Matthew Bedford raised and some further updates to bring the strategy up to date. The strategy particularly takes into account recent changes to borrowing.

Councillor Matthew Bedford moved the recommendation to approve the property strategy, seconded by Councillor Andrew Scarth. This strategy was a big improvement on the previous one and addressed some limitations in the previous version.

A Member said it was a very comprehensive report and many points were now included which Members would be looking for when talking about investment in property. One area of concern was the housing property policy which states “where Council invests through participation it should be within the District”. This gave the option that it could be outside the District and the Member felt

that was not good for our residents. The Council were already investing in commercial property outside the District so were not supporting local employment for residents and now potentially we could be building homes outside our District.

The Interim Director of Finance said Officers were looking for some flexibility as there maybe some specialist housing which we might want to build just on the outskirts of the District. It was not an attempt to look much wider. For example the Council work with Watford Community Housing on projects which are just outside the District but benefit residents and our financial investments. This change to the policy would allow the Council to look slightly outside the border if it is sensible to do so.

The Chair proposed the wording could be amended to “within our economic area.” Officers advised that they would be happy to change the wording. Both the proposer and seconder were happy for this too.

A Member asked if it would be possible to have the figures of our total income from our assets and total expenditure especially relating to Three Rivers House on what the income is and what the expenditure is. Who do the Property Steering Group report to? On the funding it stated that a specific budget would be made available to officers for exploring investment would there be a limit on that budget.

The Interim Director of Finance said the income from property was reported as part of budget monitoring. As for Three Rivers House officers would have to provide a written response. The budget would be limited as it would be set as part of the budget setting process and officers would not be able to spend outside that budget. The Property Steering Group was an internal group who look to better manage our capital programme and report back through budget monitoring.

The Property Steering Group and Property Investment Board are both officer groups. Officers can only work within the delegations given to them and would all be Council ratified decisions they would be working within.

A Member said some more sub categorises of the property income would be useful. It would be useful to compare what the alternative income would have been if we had stayed with our previous strategy of leaving our money on deposit in a bank and seeing what a huge difference this strategy has brought to the Council

A Member referred to the Council's asset register and specifically relating to Council land. Members had not seen a copy of the register and asked if it was freely available and what would be the smallest piece of land that would be recorded on the register. The Interim Director of Finance said that the register would record all land that the Council owned and Officers were working on putting all the details into a new database system. Members would be aware that as part of the budget Council agreed to procure a property database to store our property details instead of spreadsheets and that would encompass all our land. Officers were going out to final tender on this system and hoped to have this completed by the end of the financial year.

On being put to the Committee the recommendation with the amendment to include the wording “within our economic area” or a similar wording was declared CARRIED by the Chair the voting being by general assent

RESOLVED:

That the property strategy be approved with the amendment to the wording to include “within our economic area” or a similar form of wording.

PR73/20 EXEMPTION FROM PROCUREMENT PROCEDURE RULES – WATERSMEET EXTERNAL ROOF ACCESS

This report advised Members that an exemption to the Procurement process was approved by the Director of Community and Environmental Services under the Exceptional Circumstances exemption as permitted by the Council's Constitution.

On being put to the Committee the recommendation was declared CARRIED by the Chair the voting being by general assent.

RESOLVED:

Noted the action taken.

PR74/20 EXEMPTION FROM PROCUREMENT PROCEDURE RULES – FINANCE SYSTEM

To advise Members that an exemption to the Procurement process was approved by the Chief Executive and Director of Finance under the Exceptional Circumstances exemption as permitted by the Council's Constitution. The report outlined the wish to retain our current financial system and would save the Council some money in the process.

On being put to the Committee the recommendation was declared CARRIED by the Chair the voting being by general assent.

RESOLVED:

Noted the action taken.

PR75/20 STRATEGIC, SERVICE AND FINANCIAL PLANNING 2021-2024

This report enabled the Committee to comment on its draft service plans and the growth bids from the Service Committees. It was noted that the year date at 7.1 of the report be amended to 2021.

Legal

A Member raised concern that the Council were not looking to outsource the service and was concerned about succession planning.

The Chief Executive advised that whilst the Council were ruling out outsourcing the Council were not ruling out working with other Local Authorities. If the Council did do something it was more likely to be along the lines of a shared service type arrangement similar to other services we currently have with other authorities which would add extra resilience. The Solicitors maybe somewhere else or possibly Three Rivers could be the host authority but the shared service would work along the same lines as the shared services for HR, IT, Revenue and Benefits and Finance.

A Member said the plan identified there had been significant difficulty in recruitment and asked if details could be provided on what those issues were. The Chief Executive advised that the availability of appropriately qualified staff at

the pay rates that we have was one of the reasons but this was also an issue with other services. A written reply would be provided with specific details.

A Member referred to the job vacancies which also was relevant to the Committee service plan. In the minutes of the last meeting of the 32 vacancies we had it was advised this was partly due to Covid and also to balance budgets. Which was correct? The Chief Executive advised that staffing falls within their remit as long as it was within the overall budget. The Council very rarely had any freezes on recruitment and would only do that in a time when we had significant pressure on our budgets. Generally if a service required particular resources we would ensure that they receive them. There was no policy at the Council to keep a post vacant for a period of time before it was filled as some other Authorities may do or have done in the past. If a service needs particular resources they will receive them.

Committee

The plan identified there had been significant difficulty in recruitment and asked if details could be provided on what those issues were.

POST MEETING NOTE:

Legal team

The Council has not seen a *large* turnover of Staff in the legal section which is in itself a small team (5.75 FTE). The Council has been fortunate that a number of well qualified and experienced members of staff have been in their respective roles for some time. Recent attempts to recruit to vacant posts for a criminal litigator and property lawyer have shown how difficult it is to get the right person in post. Our view is this is because of pay rates, competition from opportunities in London, high cost of living in the area and apparent lack of career development. Many Solicitors/Barristers are simply not attracted to work in the public sector. Particular specialisms such as planning lawyers and employment lawyers are generally accepted to be hard to find and hold on to.

Criminal Litigation role (ASB work, prosecutions across the board for a range of offences for various departments including – TPO, Planning, fly tipping, animal welfare, licensing/taxi cases and appeals including appeals to the Crown Court, advice on PACE, RIPA , Ombudsman complaints) – The previous post holder retired in June 2019. This post was then vacant between June and December 2019 and it took 3 attempts to fill the vacancy. Locums and external Solicitors had to be used in the interim at a cost and with a reduced overall level of service to the Council as a whole. The current postholder became permanent in January 2020.

The post is graded at MG2/3.

Candidates who had applied tended to be newly qualified without the relevant court and advocacy experience necessary to be the sole lawyer covering this wide ranging and challenging area of work. The Council competes with London Boroughs, the CPS, Police and other Regulatory services in attracting suitable candidates for such roles which have better pay grades and which have more opportunities for career development. The need to attend Court also means that the postholder has to be able to travel to the local Courts from home so notwithstanding the benefits of home working, the high cost of living in the area is also a factor in recruitment.

The amount of work for this postholder/role has grown considerably and it was mentioned in the service plan that consideration should be given to increasing the hours of the part time role. Especially if the Council wants to continue with the volume and variety of ASB work it undertakes.

Property role. This post was vacant for 2 years and filled by part time agency workers and a former HCC property lawyer until a successful recruitment exercise in February 2019. The postholder then left in February 2020 to join the Civil service on better pay grades with greater career prospects. It was not until August 2020 that the post was filled by a suitably qualified conveyancer. Candidates who had applied tended to be newly qualified without the relevant experience. Again the Council competes with London Boroughs, private practice and other Local Authorities in attracting suitable candidates for such roles which have better pay grades and which have more opportunities for career development.

This post actually requires and is currently filled on a 2 year contract by a qualified solicitor with significant property experience, yet it is graded only at Legal Officer level.

As stated in the service plan it may be the case that the recent downturn in the economy and the furlough scheme will mean that there are law firms who will be making staff redundant – so in the short term if we had to recruit then it may be easier to fill vacancies. Home working opportunities might attract people who cannot afford to live in the area. However this was not evident from the recent recruitment experience for the property lawyer.

The CE has stated that she wants to explore some form of sharing some legal services to ensure resilience and to provide potentially some career development opportunities

Committee

The Council has seen a small turnover of Staff in the Committee section which is in itself a small team (3.75 FTE). We currently have one member of the team on secondment to the Community Partnerships team until end of January with the post being covered by an outside agency and one member of the team covering part of the Committee Manager role on secondment from the CSC.

Recent attempts to recruit to the Committee Manager and Committee and Web Officer roles have shown how difficult it is to get the right person in post with the right experience. Our view is this is because of pay rates, competition from opportunities in London, high cost of living in the area and limited career development. Many people are also not attracted to work in the public sector or within the Committee section due to the requirement to work in the evenings and attend evening meetings. Specialist people working in Governance and Committee are generally accepted to be hard to find and hold on to. This is the case being experienced by other Local Authorities in England.

It may be the case that the recent downturn in the economy and the furlough scheme will mean that there may be more people looking for employment who specialise in Governance and Committee work. In the short term it may be easier to fill vacancies. Home working opportunities might attract people who cannot afford to live in the area.

Elections

A Member wished to thank the Electoral Registration Team even though South Oxhey had come out at the bottom of list of response rates for the annual canvass at 89.7% (not 90%) it did represent an increase.

Could Officers change the date for the adoption of the local plan as it would not be adopted by 2021? This would be same for many of the service plans.

Corporate Services

Climate Change Strategy and action plan – there was no date next to sustainable environment should a date be included. It was noted a report had been published and was presented to the Leisure, Environment and Community Committee in October. The strategy had gone out for public consultation and also presentations had been made at all of the Local Area Forum meetings.

Customer Service Centre – no comments

Finance – no comments.

Property Services – no comments.

Revenue and Benefits

A Member raised concern regarding succession planning and that the Council were buying in additional support and additional IT support. This service was so important for people who need support urgently because they are homeless or are not able to pay their bills and was an area where we need a strong core of officers ready so there are no delays and we are servicing our most vulnerable residents to the best of our ability.

The interim Director of Finance said the Council buy in services from Capita as they have experience of the system and often it is quicker and better to buy in the service than train up our own staff because of the range of activity they need to do. Recently more work had been done to bring in the skills of the Finance staff into R&B to produce some of the information that has been required for reporting. It was hoped to be able to recruit into the Team Leader post in the not too distant future but the Council would always continue to buy in some services from Capita because that was the best support for the system that we run. The Team Leader post had been advertised but we had not been able to recruit to the post. Some reorganisation work had taken place to the team and it was hoped it would make the post more attractive and we may have an internal candidate who may be suitable.

The Chair said Members should be very pleased with the way the Team coped with all the payment of the grants/support payments which had been processed by the team during the covid pandemic.

The Chief Executive advised that before the Country went into the first lockdown the benefits service was about No.3 in the country for processing benefits claims so we were exceptional at that point in time. The Council were also going to be bringing processing targets back into target this year despite the increases.

Economic Development and Sustainability

It was not possible to specify locations for staff/consultants for legal reasons.

PIDS

Councillor Matthew Bedford proposed that all three PIDs go forward as part of the budget setting process. In relation to the PID on the Corporate GIS Officer it would be helpful to have a bit more clarity about the net costs. There was some indication of the cost of employing this person but there was some suggestion of offsetting this with some savings but those were not clearly itemised. There was also some suggestion that there may be some chargeable services that might generate some revenue that could partially offset the cost. It would be helpful to have a clearer picture of the net cost situation as part of the budget setting

process. The Interim Director of Finance agreed to provide this information before we get to the budget setting process.

A Member said on the bid for the outdoor gym equipment supported the bid and was happy that we were going to be sourcing the equipment from the UK this time. This would be public equipment using public money. If we are looking at personal trainers being able to hire the equipment it has got to be available for the public. It was fine to hire out these public facilities on the basis we can make some revenue but the Member was not sure what the Council would gain from this. Could some additional information be provided to the bid? It was asked if we are going to consult with local people and speak to personal trainers on what they want and what is the role of Parish Councils in this plan would they be asked to fund of it. The PID was from the Three Rivers Leisure Team and they would always undertake consultation. There was information in the PID on the funding and it was not all There Rivers funding. A Member said the plan for this equipment was not for the Council to rent out and advertise to raise money it was that we had observed some new business operators who realised they could just turn up and use the equipment. The ability to charge was to prevent personal trainers from taking it away from the members of the public. Members asked that more clarity be provided in the PID on the hiring out of the gym equipment and the use by members of the public.

On being put to the Committee the recommendations in the report at Paragraph 7.1 and 7.2 with an amendment to the year to read 2021 was declared CARRIED by the Chair the voting being by general assent.

RESOLVED:

The Committee commented on the draft service plans attached at Appendix 1 and will receive the final service plans in March 2021 for recommendation to Council.

The Committee commented on the Service Committee growth bids contained within Appendix 2 for consideration by Council as part of the budget setting process.

PR76/20 WORK PROGRAMME

To receive the Committee's work programme.

RESOLVED:

Noted the work programme.

PR77/20 MOTIONS UNDER PROCEDURE RULE 11

The Committee considered the recommendation on the amended motion below from the Local Plan sub-committee held on 3 December 2020.

Council notes that on 30 September 2020 the Housing Secretary Robert Jenrick announced that in future all new homes delivered through Permitted Development Rights will have to meet space standards. This will mean that all new homes in England delivered through these rights will in the future have to meet the Nationally Described Space Standard.

Details of the Space Standards are contained in this document: <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Council notes the poor size and living conditions of many homes constructed under permitted development, in particular the site at Shannon House, Kings Langley, for which the appeal decision was received today.

Whilst welcoming the overdue commitment to better housing, Council deplores that the Government waited until 16 November to announce that the relevant regulations would be changed for applications submitted from 6 April.

Council therefore agrees to write to the Housing Secretary, regretting the delay in introducing the regulations and requesting that they be introduced before the end of 2020.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being by general assent.

RESOLVED:

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CHAIR