

THREE RIVERS DISTRICT COUNCIL

At a meeting of the Policy and Resources Committee held in the Penn Chamber, on Monday, 13 September 2021 from 7.30 - 9.02 pm

Present: Councillors Councillor Sarah Nelmes, Councillor Dominic Sokalski,

Matthew Bedford, Stephen Cox, Paula Hiscocks, Chris Lloyd, Reena Ranger, Andrew Scarth, Roger Seabourne, Phil Williams and Debbie Morris

Officers in Attendance:

Lauren McCullagh
Geof Muggerridge
Alison Scott
Joanne Wagstaffe
Justin Wingfield
Rebecca Young
Michelle Wright

External in Attendance:

Chris Outtersides – Director, South West Herts Joint Strategic Plan
Marko Kalik – Senior Planner, South West Herts Joint Strategic Plan

PR24/21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Stephen Giles-Medhurst and Alex Hayward.

PR25/21 MINUTES

The Minutes of the Policy and Resources Committee meeting held on 19 July 2021 were confirmed as a correct record and were signed by the Chair.

PR26/21 NOTICE OF OTHER BUSINESS

The Committee were advised that item 5 the Equalities Impact Assessment was published late but that it did not affect the report.

PR27/21 DECLARATIONS OF INTEREST

There were no declarations of interest

PR28/21 CALENDAR OF MEETINGS

This report was to consider the draft Calendar of Meetings for the Local Government Year 2023/24.

A Member referred to paragraph 2.5.12 of the report and said it would be useful to get some sub-committee dates added at the earliest opportunity.

On being put to the Committee the recommendations as set out in the Officer report were declared CARRIED by the Chair the voting being unanimous.

RECOMMEND:

The Committee are asked to recommend to Council:

- That the attached draft Calendar of Meetings for 2023/24 be agreed with Members able to comment on the dates before ratification by Council on 19 October.
- That the proposed changes in the scheduling of the Annual Council and Planning meeting in May as detailed in Paragraph 2.4.1 be agreed for ratification by Full Council on 19 October.
 - i. All Local Forum meetings be held virtually.
 - ii. That all Sub-Committee meetings when organised, as non-decision making bodies, be held virtually.
 - iii. Whether Equalities Sub-Committee meetings and Local Plan Sub-Committee meetings are livestreamed for people to watch live due to high public interest in the meetings.

PR29/21 SOUTH WEST HERTS JOINT STRATEGIC PLAN - STATEMENT OF COMMON GROUND AND STATEMENT OF COMMUNITY INVOLVEMENT

This report provided details on the South West Herts Joint Strategic Plan and sought the Council's agreement to a Statement of Common Ground (SCG) and an agreement to consult on a draft Statement of Community Involvement (SCI) to support the preparation of a Joint Strategic Plan (JSP) for South West Hertfordshire.

The Senior Planning Officer introduced Chris Outtersides and Marko Kalik to the meeting who were managing the South West Herts Joint Strategic Plan. The Senior Planning Officer advised the Committee of the Council's involvement in the South West Herts Joint Strategic Plan and gave details of the Statement of Common Ground and Statement of Community Involvement.

The following points were raised by Members:

- Paragraph 3.6 stated the SW Herts JSP Planning Members Group comprised the Planning Portfolio Holder for each of the SW Herts authorities, was there a need for a Shadow Portfolio Holder in case of absence or election changes?

Response: It had been agreed that Councils would be able to send a deputy to those meetings. The current representative for the Council was the Leader. In terms of opposition Members, briefings could be held to ensure they were aware of all the changes. The aim of the Statement of Common Ground was to futureproof the process. For the Plan to work it would have to be brought through the Committee cycles of each of the Council's involved.

- A concern was raised that there were two further neighbouring authorities, Buckinghamshire and Hillingdon and whether this would affect working with them.

Response: We would reach out to all neighbouring authorities to ensure we all reached common ground. Working together in South West Herts meant we could respond to other Authorities as a Group which gave us a stronger voice than as individual Councils.

- There were already 2 questionnaires out in Three Rivers, one about the Aquadrome and one about the High Street and it was doubtful residents would know anything about them unless they had accessed the TRDC website. How were we planning on getting important issues on the Statement of Community Involvement across to

Residents?

Response: The Plan was that the Community Engagement and Community Strategy would be ahead of the game. The new Innovative website would be going live in the next 4 to 5 weeks. Once the Statement of Common Ground was signed there would be a press release and they were working with the University of Hertfordshire to get the messages out particularly to young people. They wanted to ensure the messaging on the JSP was clear. They were doing visioning work with the community and stakeholders to get the plan into people's minds. All Member briefings had been taking place across all authorities to get the messages out.

- Who was on the Steering Group?

Response: The Strategic Members Group was chaired by Councillor White from St Albans which provided a briefing link to Hertfordshire Growth Board. The other Members were Councillors Alan Anderson, Dacorum; Harvey Cohen, Hertsmere; Stephen Boulton, HCC and Stephen Johnson from WBC. The Steering Group came beneath that group.

- The Colne Valley Partnership could not be found as consultees and it was felt very important to include them.

Response: They would be added to the consultees.

- A cross party briefing would be arranged for the group.
- The JSP would ensure Three Rivers would not get left out.

A Member said the post code for the South Oxhey library was incorrect and asked that this be corrected.

Councillor Chris Lloyd moved, duly seconded by Councillor Sarah Nelmes, the recommendation as set out in the report.

On being put to the Committee the recommendations as set out in the officer report were declared CARRIED by the Chair the voting being unanimous.

RECOMMEND:

That the Statement of Common Ground (SCG), attached as Appendix 1, be approved as a guide to the preparation of a Joint Strategic Plan (JSP) for South West Hertfordshire, and

That the new Statement of Community Involvement (SCI) 2021 for the South West Herts Joint Strategic Plan, be approved for targeted consultation with arrangements for this consultation and any minor amendments to the document to be agreed by the Head of Planning Policy & Projects in consultation with the Director of Community and Environmental Services and the Leader of the Council under delegated authority.

PR30/21 ANTI SOCIAL BEHAVIOUR POLICY 2021

The Anti-Social Behaviour (ASB) Policy expired in 2019, and was now being updated and reviewed. The new draft policy was attached to the report at Appendix A. The policy was being reviewed in early 2020 but the impact on the service due to Covid meant that the review was delayed until 2021.

The policy had been consulted on internally and with key partner agencies working on anti-social behaviour including the Police, Hertfordshire County Council, Watford Community Housing Trust and Thrive Homes.

The Head of Community Partnerships introduced the report and advised that the policy had been updated in line with changing Government policy and reflected new issues in the community such as cuckooing and serious violence. It now incorporated new requirements for ASB case review which was known as community trigger giving victims in the community details on the way complaints are dealt with, more information on reporting tools and methods which was in line with our customer experience strategy. Issues which constituted ASB had been expanded on in the policy and the way ASB was dealt with across other Council departments was also now included. In the past 18 months over 400 high to medium risk cases had been dealt with which was more than 70 cases on the previous time period. There was now a full time ASB Officer working with the Community Safety Intervention Officer as well as a functioning Youth Violence Service being delivered across Hertfordshire. The Herts MIND network service had been expanded delivering community support and mental health support to residents. The policy covered four different areas prevention, early intervention, support and enforcement with details provided in the covering report and policy.

In accordance with Council Procedure Rule 35(b) a member of the public spoke on this item.

The Chair said these were not problem tenants but families without a home.

The Head of Community Partnerships said in terms of the policy, it is process based, but does detail victim support. There are also a lot of other support services for victims that we work with in partnership and which was mentioned in the report and policy on what we can do and what support can be provided.

In terms of the process of dealing with an ASB case the Community Safety Intervention Officer advised that with regard to Jack Prescott Place this was a new building that had not been welcomed by the Community at first. People that had been housed there had been homeless and some of the families living there had complex needs. The Community Safety and Housing Teams had worked with local residents to support them and would continue to do this. They could not comment on the CCTV query but the Head of Community Partnerships would look at this if more information could be provided on the issue. The Council wanted to see the best outcome for everyone and worked tirelessly to get the best outcome for both the residents and the families living in the accommodation.

Members raised the following:

A Member said it was good that Jack Prescott Place had come up in the context of Anti-Social Behaviour as they had been involved and been made aware by residents of numerous problems associated with the construction and subsequent occupation and issues faced by residents. They were glad that all the Members had heard the speaker and were now aware of some of the problems. It was hoped that Officers and Members could work together with the local community to help get the problems resolved.

A Member raised the following points:

In the report Officers had referenced that the policy expired in 2019 could Members be advised when in 2019 it expired?

Does the Council have a statutory duty to have an Anti-Social Behaviour policy?

What were the consequences of the Council not having a policy? Would the absence of a policy be part of the reasons why the ongoing issues identified at the meeting tonight had arisen?

The Head of Community Partnerships said that the policy expired at the end of 2019 which was when it was due for review. The review had begun but due to Covid it had to stop as officers had to provide other support. The Community Safety Team had as a result of Covid

seen increased ASB pressures. It did not mean there was no policy, it was just being reviewed and updated. The Council were still working to the existing policy for all our processes. Three Rivers were unusual in having a policy as it was not a Statutory Duty. The Community Safety Partnership have a statutory duty to work with other local agencies to tackle crime and disorder. In Three Rivers Community Safety is a priority and had a policy so that we could ensure we work along set guidelines and which included things around ASB and the Crime and Policing Act 2014.

The Chair added that ASB complaints had been made on the area being discussed tonight about the residents living in the properties and some very unpleasant comments had been made. There had been some misunderstandings which had arisen and some ASB had been made to the residents living in the temporary accommodation. The Council's ASB Team had received a commendation from the Police which was very rare and showed we take ASB very seriously.

Further Member comments were made as follows:

Were Officers able to advise how different this policy was from the previous policy?

On the detail under item 2 in the policy, and the examples of ASB, one was on hoarding and they were puzzled by this as if someone hoards things in their house they could not see how that was ASB but if outside this would be relevant.

Why was social media posting excluded from the ASB definition because clearly hate crime online was a very real issue and should be included.

DIY and Car repairs late at night should we not have in the early hours of the morning or overnight and not just limited to late at night.

The Head of Community Partnerships responded as follows:

In the presentation to the Committee the changes had been highlighted to Members. The changes are outlined in point 2 of the report including changes in ASB Case Reviews, types of ASB, methods of reporting and emerging issues that we now have to deal with such as cuckooing and serious violence which does have an impact on ASB.

In terms of hoarding it usually relates to outside but there had been occasions when it related to inside. The Council can provide support to the residents from the charities who work with us in partnership and are part of our network.

The Community Safety Intervention Officer advised that with regard to social media this had not been included in the policy as anything that does come to our attention i.e. a resident living next door to someone who hears their music playing and could post something like "I wish they would shut up they have been playing their music all night" that type of complaint would not be dealt with through social media. Our advice would be that if you are on a social media platform and don't want to hear that your name had been spoken about or referred to you should come away from that or block the person who was saying things about you. If a hate crime had taken place in the posting this would be logged and should be reported to the police. If a resident called to say they were depressed by the comment or someone was saying real horrible things about them we would look to bring in MIND support. Officers look at every case individually and assess what is required for each case. The Police would always be contacted if there was any hate crime.

On car repairs officers would review the timings included in the policy.

A Member thought that if the comments on social media were not hateful enough for the matter to be referred to the Police it could still do considerable damage to someone. If the posts happened two or three times it could create a narrative about someone and they may

not be brave enough to come back on the post. The Member was looking to try and have ways to mitigate some of the hate caused by social media. They referred to Section 6 of the policy on the aims and responsibilities in responding to ASB and referred to a situation where someone was suffering ASB and we had been unable to stop it and asked how would a complainant get a resolution.

The Community Safety Intervention Officer advised that the speaker had been provided with a variety of mechanisms to solve the ASB issues which included group meetings, facilitated discussions, mediation and other actions.

A Member stated they had needed to contact the Community Safety Team who had gone above and beyond dealing with a matter and were one of the best teams the Council had got. Another Member said if there were any ASB issues the residents should call 101.

Councillor Phil Williams moved the recommendation as set out in the report, seconded by Councillor Chris Lloyd who wished to thank the officers for all the work they had done on the report and policy.

A Member made further comments stating they did appreciate the work by Community Safety and Housing and for providing information they had requested when asked and hoped they would continue to engage with the Member. They raised more points on the policy with regard to the wording of item 2 and the sentence starting "Anti-social behaviour (ASB) can be difficult to define and there are some types of issues that would not constitute ASB" and the sentence at the end which started "The type of issues that may not constitute ASB include..." "Would not" and "may not" were not the same thing and requested when the policy came to Full Council the word "would" be replaced with "may" as this allows for more scope. They asked for more information on the threshold on an ASB case review and when more action would be taken.

The Community Safety Intervention Officer advised that the threshold was 3 complaints of a similar nature within a 6 month period. The ASB complaints do not get to the threshold as every complaint that comes into Three Rivers never hit the threshold as officers are proactive in dealing with the matter as soon as complaint is received. The ASB Group (ASBAG) and the Partnership in Three Rivers was so tight that if an email was sent to the Community Safety team or a call made they would always get a response. The residents would never hit a threshold because officers are proactive.

The Head of Community Partnerships advised that Community Trigger or ASB case review was National Government Legislation. Some requirements had changed within that which were now included in the policy. Residents can call a multi-agency meeting if a case had not been dealt with. There was more information provided on the website about how the process works.

A Member wished to state that the Committee were here tonight to discuss the policy. In terms of dealing with social media, higher authorities were not able to deal with this and it was over ambitious to suggest that we can solve the problem. What we do at Three Rivers was deal with the source of the problem and not the social media that follows it and by doing this it takes away the problem. They felt the Council were doing more than other bigger organisations on this. What was formerly known as the Community Trigger and had been renamed as ASB case review and had a slightly wider remit. In Three Rivers we have not had one Trigger/Review in 15 years.

The recommendations proposed would be checked by officers before being presented to Council in October and if it was possible the proposed changes would be included in the policy.

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

RECOMMEND:

That the Three Rivers District Council Anti-Social Behaviour Policy 2021 be recommend to Council.

PR31/21 LIVESTREAMING AND ABILITY TO HOLD HYBRID MEETINGS

The item had been deferred and would come back to a future meeting. Officers were progressing getting quotes but at this time had been unable to get all the information required.

PR32/21 EXEMPTION FROM PROCUREMENT PROCEDURE RULES

To advise Members that an exemption to the Procurement process was approved by the Head of Finance under the Exceptional Circumstances exemption as permitted by the Council's Constitution.

The Head of Community Partnerships said the report had been provided following an exemption agreed with regard to our CCTV management contract which had been reviewed. It had been agreed we would go into partnership with Hertfordshire CCTV Partnership who can provide a better service and a more reactive monitoring service for Three Rivers and would give our team's better support. Each camera will be dialled into twice a day to check the CCTV is operating and to monitor the cameras to make sure they are operational. Hertfordshire CCTV Partnership had been in place for a number of years and had a number of partnerships with other District Councils.

A Member said the cost was going to increase annually by 1 to 3% which seemed a bit vague. Thrives contribution was £1,000 a year and asked if their contribution would also increase by 1 to 3%. When we have exemptions from procurement coming to Committee it stopped Councillors from doing due diligence.

The Shared Director of Finance advised that in terms of the percentage it would increase by inflation. The Thrive contribution was fixed at £1,000 but this had not been received before and we had only been able to negotiate this contribution for 3 years. The Council would continue to negotiate with them to see if we can obtain a contribution after the 3 years. There was only one credible supplier for the contract but if there had been three credible suppliers we would have asked them all to tender for the contract.

A Member said with the old contract when we wanted to move a camera it took between 9 to 18 months to get moved due to a number of factors but under this contract they can just be moved. Previously, Thrive Homes had not contributed so the fact they were now was a bonus.

The Head of Community Partnerships advised that there was a process on the placement of the CCTV cameras and details could be provided to Members.

RESOLVED:

That the action taken be noted.

**PR33/21 CORPORATE FRAMEWORK, SERVICE PLANNING AND FINANCIAL PLANNING
2022-2025**

The purpose of this report was to seek agreement to the process whereby the Council will determine its three-year medium-term Corporate Framework for 2022-2025, the related service plans, and the allocation of financial resources to achieve them.

The Chair advised that the report had been prepared by Nigel Pollard who would be retiring from the Authority after 33 years of service.

The Shared Director of Finance advised that this report set out the process for budget and would go through the Service Committees in the normal way, providing details on service planning and the timeline. On the Corporate Framework and the objectives from it, the report repeated those already agreed in the Corporate Plan. In terms of things to note in preparation of the budget, for Pay Awards at present we have 1% in the budget but have contingencies in place for any additional costs pertaining to this. We are experiencing high inflation at around 3% which remains a concern but we will monitor this. The recent increase in National Insurance announced by the Government, they had indicated that this would be funded by them but have yet to get this confirmed.

A Member raised concern about our supply of affordable housing in the District targets and we will be recognised as a great place to do business with and asked if this plan was supporting those two points. Also could clarification be provided on what “pump prime” meant and at Point 2.17 it referred to briefings to be requested by Party Groups and asked if they could be provided.

The Shared Director of Finance stated that the framework had been adopted by Council and the budget aimed to support that. In terms of briefings officers would approach Members to organise them as we get into the budget process. The word “pump prime” meant getting money upfront to get a scheme moving forward.

Councillor Chris Lloyd moved the recommendation, duly seconded, but on behalf of all the Committee wished to thank Nigel Pollard for all the work he had done for the Council and wanted to wish him all the best in their retirement.

On being put to the Committee the motion was declared CARRIED the voting being 8 For, 0 Against and 3 Abstentions.

RESOLVED:

1. That the assumptions to use in preparing the detailed budgets for the period shown in Appendix 1 be agreed.
2. That the scheme used to prioritise revenue & capital growth shown in Appendix 2 be agreed.
3. That the draft timetable at Appendix 3 be agreed.
4. That the format of any budget consultation if agreed be approved by the Director of Finance in consultation with the Lead Member for Resources.

PR34/21 BUDGET MONITORING QUARTER 1

The Budget Monitoring report was 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 sought approval to a change in the Council’s 2021 - 2024 medium-term revenue financial plan. The report shows the Council’s overall consolidated medium term financial plan for both revenue and capital.

The Shared Director of Finance said the key variation we were seeing in this budget was the Leisure Management contract income which as a result of Covid we were forecasting we will not meet the budget this year. A full report had been provided to Members on this but were assuming that some of the losses will be funded by the Government.

A Member asked about planning applications as it stated that there had been a reduction in income but they thought the department was very busy. The Shared Director of Finance advised there had been an increased volume in planning applications but because they were householder applications rather than from developers there was less income coming from them.

The Director of Community and Environmental Services advised that the planning department was the busiest it had been however there had not been the major applications received recently which generated the largest fees. Also because of the move towards permitted development we are getting lots of applications for Certificate of Lawfulness and pre applications for Permitted Development so there are no fees or very limited fees attached to those. The department are still seeing the same volume of work with the same amount of paperwork to be done. We are expecting some major applications in the next quarter which may make up the difference but we can't guarantee they will come through.

The Member asked how much Government support had been received. The Shared Director of Finance advised that the figures quoted in point 1.6 were for the first quarter however this included money that was previously provided for the whole year as part of our funding against expenditure for the first quarter. The impact last year was much greater and we had to use £1.8m of our Economic impact reserves.

A Member referred to staff vacancies and asked how that compared with other local authorities and how are we doing in terms of advertising the vacancies and uptake. On the property investment we had a 5% yield target and asked were we managing to hit that target.

The Shared Director of Finance said in terms of vacancies we are getting a high response but not necessarily the right candidates were applying. In Finance the vacancies have been inundated with applications but it was very hard to get the right people with the experience required. The Customer Service Centre had also been struggling to fill vacancies. The Council had to recently increase the HGV Driver salaries to fill vacancies but it may start to improve now as we come out of Covid. The yields show the actual rents received compared to the cost of the properties and a breakdown on each yield for each property was provided in the report.

A Member said that 11 of the staff vacancies stated not currently being advertised and asked if that was because we were not proposing to fill them or how are we going to fill them. The Shared Director of Finance advised there would always be a review of that vacancy to see how we wanted to fill it and whether an existing member of staff act up into the role or we could appoint internally.

A Members noticed that the report referred to a decrease in income at Watersmeet due to the reduced number of shows but wasn't this partly offset by a reduction in expenditure and the two grants received from the Government. The report does not say the grant had offset this. The Shared Director of Finance said the grants were received in the last financial year and in no way replaced the income we would have received if Watersmeet had been open. The Director of Community and Environmental Services said some of the grant received had to be used for measures to make the venue Covid safe.

Councillor Chris Lloyd moved, seconded by Councillor Sarah Nelmes, the recommendation as set out in the report.

On being put to the Committee the motion was declared CARRIED by the Chair the voting being 8 For, 0 Against and 3 Abstentions.

RECOMMEND:

That the revenue and capital budget variations as shown in the table at paragraph 6.1 be approved and incorporated into the three-year medium-term financial plan

PR35/21 WORK PROGRAMME

A Member asked when reports on Community Infrastructure Levy (CIL) and Community Interest Company would be coming forward to the Committee.

In regard to CIL this would be reviewed with the Local Plan but Officers would seek clarification from the Head of Service on when a report may come forward to the Committee.

With regard to the Community Interest Company officers would check details with the Head of Service.

Post meeting note: it was not proposed to take forward this matter and the item would be removed from the work programme.

On the Business Rates Pooling a report will come forward to the December meeting and the year should read 2022/23. The work programme would be updated on this.

RESOLVED

That the work programme be noted and the amendments provided above included.

PR36/21 OTHER BUSINESS - IF APPROVED UNDER ITEM 3 ABOVE

CHAIRMAN