

# **POLICY AND RESOURCES COMMITTEE**

## **NOTICE AND AGENDA**

For a meeting to be held in the Penn Chamber, Three Rivers House, Northway, Rickmansworth on Monday, 10 June 2024 at 7.30 pm.

Members of the Policy and Resources Committee:-

Councillors:

Stephen Giles-Medhurst (Chair)  
Sarah Nelmes  
Jon Tankard  
Chris Lloyd  
Andrew Scarth  
Philip Hearn  
Oliver Cooper

Matthew Bedford (Vice-Chair)  
Reena Ranger  
Andrea Fraser  
Stephen Cox  
Chris Mitchell  
Louise Price  
Sara Bedford

*Joanne Wagstaffe, Chief Executive  
Friday, 31 May 2024*

The Council welcomes contributions from members of the public on agenda items at the Policy and Resources Committee meetings. Details of the procedure are provided below:

For those wishing to speak:

Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 7pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Committee.

Those wishing to observe the meeting are requested to arrive from 7pm.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.



**1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

**2. MINUTES**

(Pages 5  
- 10)

To confirm, as a correct record, the minutes of the Policy and Resources Committee meeting held on 11 March 2024.

**3. NOTICE OF OTHER BUSINESS**

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chair to rule on the admission of such items.

**4. DECLARATIONS OF INTEREST**

To receive any declarations of interest.

**5. BUDGET OUTTURN 2023/24**

(Pages  
11 - 58)

This report sets out the financial position for the year ending 31 March 2024 for the Council's revenue and capital budgets. The following recommendations are included in the report:

- i. to carry forward to 2024/25 certain unspent revenue budgets and;
- ii. to rephase those capital budgets that require completion in 2024/25

Recommendation

The Policy and Resources Committee recommend to Council:

- i. That the favourable revenue year end variance after carry forwards of £0.419m be noted.
- ii. That the capital year end position as summarised in paragraph 2.11 and Appendix 3 be noted.
- iii. To approve to carry forward the unspent service budgets from 2023/24 to 2024/25 which total £0.277m to enable completion of projects as detailed at Appendix 2.
- iv. To approve the rephasing of capital projects from 2023/24 to 2024/25 detailed at Appendix 4.

**6. THREE RIVERS BIODIVERSITY POLICY & BNG UPDATE**

(Pages  
59 - 82)

The purpose of this report is to outline the updated legislative duties of the

Council under the Environment Act, including strengthened biodiversity duty and Biodiversity Net Gain.

The report recommends approval of the Three Rivers Biodiversity Policy, along with agreement on how and where to use the S106 Maple Lodge budget and an agreement in principle for Three Rivers to consider council land that could be a receptor site for off-site biodiversity net gains.

Recommendation

That the Policy and Resources Committee:

- i. Note the content of the report.
- ii. Approve the adoption of the Three Rivers Biodiversity Policy.
- iii. Approve the use of the Maple Lodge BNG S106 funding being used on Three Rivers District Council owned land as identified in section 6 (Including: Beechen Wood, Coombe Hill Road open space, Berry Lane & Mead Place).
- iv. Agree in principle for Council owned and maintained land to be considered as potential receptor sites with the final decision on individual receptor sites to be delegated to the Leisure, Climate Change and Community Committee.

## **7. LEISURE AND NATURAL INFRASTRUCTURE CONTRACTS 2024**

The report seeks approval to award and enter into a number of contracts and enter into funding agreements for the financial year 2024/25 for Leisure and Natural Infrastructure.

Appendix B is PART II because it deals with confidential information in relation to funding agreements and the award of contracts.

Recommendation

That the Policy and Resources Committee recommend to Full Council that:

- I. Where external funding is identified in Appendices A and B that the Director of Finance be authorised to increase budgets in respect of the additional funding received.

## **8. HOUSING ASSISTANCE POLICY**

(Pages  
83 - 122)

The Housing Assistance Policy sets out to ensure that the Council meets our statutory obligations in the delivery of Disabled Facilities Grants (DFG) for our residents.

The Policy sets out how the Council will provide financial assistance to enable residents to remain independent in their homes, for as long as possible, through disabled adaptations.

Recommendation

That the Policy and Resources Committee to agree the Housing Assistance Policy.

**9. OTHER BUSINESS - if approved under item 3 above**

**10. EXCLUSION OF PRESS AND PUBLIC**

If the Committee wishes to consider the remaining item in private, it will be appropriate for a resolution to be passed in the following terms:-

“that under Section 100A of the Local Government Act 1972 the press and public 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 under paragraph 3 of Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

(Note: If other confidential business is approved under item 3, it will also be necessary to specify the class of exempt or confidential information in the additional items.)

**General Enquiries: Please contact the Committee Team at [committeeteam@threerivers.gov.uk](mailto:committeeteam@threerivers.gov.uk)**

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## POLICY AND RESOURCES COMMITTEE

### MINUTES

#### THREE RIVERS DISTRICT COUNCIL

**At a meeting of the Policy and Resources Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, on Monday, 11 March 2024 from 7.30 - 9.10 pm**

**Present:**

Councillors

Sarah Nelmes (Chair)  
Stephen Giles-Medhurst (Vice-Chair) (Economic Development and Planning Policy)  
Paul Rainbow (Public Services)  
Chris Lloyd (Leisure)  
Andrew Scarth (Housing, Public Health and Wellbeing)  
Steve Drury (Community Partnerships)  
Jon Tankard (Climate Change & Sustainability)  
Keith Martin  
Philip Hearn  
Abbas Merali  
Oliver Cooper  
Chris Mitchell

**Officers in Attendance:**

Joanne Wagstaffe	Chief Executive
Alison Scott	Director of Finance
Kimberley Rowley	Head of Regulatory Services
Stephen Rix	Associate Director, Legal & Democratic Services (Monitoring Officer)
Jason Hagland	Strategic Housing manager
Marko Kalik	Head of Planning Policy & Conservation
Phil King	Data Protection and Resilience Manager
Emma Sheridan	Associate Director, Customer & Community
Justin Wingfield	Head of Property & Major Projects
Rebecca Young	Head of Strategy & Partnerships
Shilpa Manek	Senior Committee Officer

**PR37/23 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Cox and Merali.

**PR38/23 MINUTES**

The Committee approved the minutes of the meeting held on 29 January 2024 and authorised the Chair to sign them as an accurate record subject to checking the vote from PR29/23, point b. The results in the minutes of 9 For and 3 Against were correct.

**PR39/23 NOTICE OF OTHER BUSINESS**

There were no items of other business.

**PR40/23 DECLARATIONS OF INTEREST**

There were no declarations of interest received.

**PR41/23 LOCAL DEVELOPMENT SCHEME**

The Committee considered a report presented by the Head of Planning Policy and Conservation, Marko Kalik.

The report was seeking approval of a revised Local Development Scheme (LDS) to bring the Local Plan timetable in line with the Government's transitional arrangements for submitting Local Plans through the current system following the update to the National Planning Policy Framework in December 2023. The change would ensure that the Local Plan remained on course for 2026 Adoption as currently set out in the Council's extant LDS, dated December 2022. The Council was required to prepare and regularly review a LDS under the Planning and Compulsory Purchase Act 2004.

It was suggested that the submission be brought forward to February/March 2025, to which the Head of Planning Policy and Conservation clarified that based on the consultation, the results would go forward to the Inspector and there could be a potential to move forward the submission.

Councillor Cooper proposed that, as highlighted in Appendix 2 of the report, the publication date remained as September/October 2024 and the Submission to Secretary of State be amended to February/March 2025, instead of May/June 2025, with an aim for presenting to Full Council in February 2025. This was seconded by Councillor Chis Lloyd. This was AGREED Unanimously.

**RESOLVED: that the Policy & Resources Committee adopted the Local Development Scheme as set out in Appendix 2 subject to an amendment to the date of submission to the Secretary of State from May/June 2025 to February/March 2025.**

**PR42/23 ARTICLE 4 DIRECTION**

The Committee were presented a report providing notification that the Secretary of State had issued an amended Article 4 Direction which would come into force on 29 March 2024, restricting Class MA Permitted Development Rights that came not effect from 1 August 2021. Class MA related to change of use from Class E (commercial, business and services) to Class C3 (residential).

The Council were in the process of serving notice, which involved publicising the Article 4 Direction through the Watford Observer, the Council website and putting up site notices within each of the areas subject to the Article 4 Direction, to keep the public informed.

The report was presented by Marko Kalik, Head of Planning Policy and Conservation.

It was highlighted to the Committee that as the amended Article 4 Direction had been issued by the Secretary of State and had now come into force, there was no requirement by the Council to consult on the changes to the Article 4 Direction and the changes did not need to be agreed by Members. The report was to inform Members only and to note.

**RESOLVED: that the Policy & Resources Committee noted the report.**

## **PR43/23 REVIEW OF STRATEGIC RISKS**

The Policy and Resources Committee were presented a report on the Review of Strategic Risks, detailing the progress against the risk treatment plans for the strategic risks relating to the priorities identified in the Corporate Framework 2023-2026.

The report was presented by Phil King, Data Protection and Resilience Manager.

It was reported that there were currently eight risks on the Strategic Risk Register. The Strategic Risk Register had been reviewed by the Corporate Management Team and some amendments had been suggested, as stated in the report.

The Policy and Resources Committee are recommended to agree the revised Strategic Risk Register in Appendix A.

A point was raised about what the planning was for an emergency, was there any business continuity in place for not having access to the building. The Committee were informed that there was good business continuity in place with the shared services with Watford Borough Council and daily IT back-ups to the previous day. Each service area did their own service planning with their operational risk registers. There was a corporate business continuity plan in place which was tested regularly.

A further point was raised about the impact rating of 4 was reached for the Failure to deliver net-zero carbon commitments. It was explained that this would have a reputational risk to the Council. The risk management scoring matrix was included in the report for Members to view.

Councillor Keith Martin explained that the report was looking at the key Strategic Risks and their impact on the Council's Strategic Objectives.

A vote was carried out where 9 Members voted For and 2 Members Abstained.

**RESOLVED: that the Policy and Resources Committee AGREED the revised Strategic Risk Register.**

## **PR44/23 BUDGET MONITORING REPORT TO 31 JANUARY 2024**

The Budget Monitoring Report to 31 January 2024 was presented to the Policy & Resources Committee by Alison Scott, Director of Finance. The report shoed the financial position over the three-year medium term based on the Council's actual financial performance at the end of period 10 (31 January 2024) set against the latst budget.

There was an increase in utility bills considering there was a cost saving of £15K. This was due to a number of factors including Ukraine and Russia, this was the first year of using the new system of thermostating and since some of the building was used by the Police and heated 24/7, this had an effect on costs. The savings of the new system would be seen next year.

A vote was carried out where 9 Members voted For and 2 Members Abstained.

**RESOLVED: that the Policy and Resources Committee AGREED that the report be presented to Council to agree:**

- That the revenue budget virements as set out in appendices 1 to 3 be approved and incorporated into the three-year medium-term financial plan.

- That the revenue budget supplementary estimates as set out in appendices 1 to 3 be approved and incorporated into the three-year medium-term financial plan.
- That the revenue variances to be managed as set out in appendices 1 to 3 be noted.
- That the capital variances as set out in appendices 1 to 3 be approved and incorporated into the three-year medium-term financial plan.

#### **PR45/23 YMCA WOODLANDS CAFE EXPANSION RELEASE OF S106 FUNDS**

The Committee considered a report by the Associate Director, Customer & Community recommending that the Policy and Resources Committee approve the report to be presented to the Climate Change, Leisure and Community Committee Agree the recommendation of the proposed request to use £60,000 (£20k from S106 funding and £40k from UKSPF funding) to support the expansion and renovation of the Woodlands Café into the adjacent building formerly used by the Leavesden Cycle Hub.

The report was presented by Emma Sheridan.

Members were content with the recommendation, which would make the café more attractive for many more users and profitable for the YMCA. The split of funding was a much better way to support the expansion.

Councillor Stephen Giles-Medhurst proposed to move the Officers recommendation. This was seconded by Councillor Andrew Scarth.

**RESOLVED: That the Committee Unanimously AGREED that the report be presented to the Climate Change, Leisure and Community Committee to Agree the recommendation of the proposed request to use £60,000 (£20k from S106 funding and £40k from UKSPF funding) to support the expansion and renovation of the Woodlands Café into the adjacent building formerly used by the Leavesden Cycle Hub.**

#### **PR46/23 RENEWAL OF SERVICE LEVEL AGREEMENT FOR PROVISION OF THE ENVIRONMENTAL HEALTH (COMMERCIAL) SERVICE BY WATFORD BOROUGH COUNCIL (WBC)**

The Head of Regulatory Services, Kimberley Rowley, presented the report looking for approval to renew a service agreement for a further five years. In May 2019, Three Rivers District Council had delegated its Environmental Health (Commercial) Service to Watford Borough Council for a period of five years. This service was due to cease in April 2024.

It was highlighted that the date in the recommendation needed to be amended to read 1 May 2024.

**RESOLVED: that the Policy and Resources Committee Unanimously AGREED that the Environmental Health (commercial) service is continued to be delegated to Watford Borough Council with effect from 1 May 2024 for a period of 5 years at an initial service cost of £198k subject to an annual increase in line with % increase in pay rises ii) All further work to complete this extension to the existing SLA is delegated to the Director of Finance in consultation with the Lead Member for Resources.**



**PR47/23 PRIVATE RENTED SECTOR OFFER POLICY - UPDATE**

The Committee received an update on the Private Rented Sector Offer Policy. The Policy set out when the Council would make a private rented offer to a homeless applicant. The policy had been last reviewed in 2021 and therefore, a review of the policy had been undertaken and the policy had been updated.

The report was presented by Jason Hagland, Strategic Housing Manager.

The policy had required four minor amendments.

**RESOLVED: that the Policy and Resources Committee agreed the recommendation to APPROVE the updated Private Rented Sector Offer Policy.**

**PR48/23 LOCAL AUTHORITY HOUSING FUND**

The Committee considered a report by the Head of Property and Major Projects, Justin Wingfield. The Committee agreed to stay in Part I as Members had noted Appendix 1, which was in Part II. The Head of Property and Major Projects was recommending the Committee to

- a) Note the update report and the current progress of the LAHF scheme in the District.
- b) Approve the acquisition of up to 11 no. of new build dwellings as discussed within the report and the confidential Appendix.
- c) Approve the settlement of the ground rent obligation of the Leaseholder.
- d) Delegate the details of the proposed acquisition and settlement of the Ground Rent obligation to the Chief Executive and Director of Finance, in consultation with the Leader of the Council and Lead Member for Resources.
- e) Note the intended use of the allocated capital programme funds to be invested into the LAHF scheme.

The report provided a further update following a report to Full Council on 20 February 2024, which had sought authority to grant delegations to the Policy and Resources Committee.

The Committee asked about the deadlines for spending the funding and it was clarified that the funds needed to be allocated, which they were.

**RESOLVED: that the Policy and Resources Committee Unanimously AGREED the following:**

- a) **To note the update report and the current progress of the LAHF scheme in the District.**
- b) **To approve the acquisition of up to 11 no. of new build dwellings as discussed within the report and the confidential Appendix.**
- c) **To approve the settlement of the ground rent obligation of the Leaseholder.**
- d) **To delegate the details of the proposed acquisition and settlement of the Ground Rent obligation to the Chief Executive and Director of Finance, in consultation with the Leader of the Council and Lead Member for Resources.**
- e) **To note the intended use of the allocated capital programme funds to be invested into the LAHF scheme.**

**PR49/23 CONTRACT AWARD FOR PROFESSIONAL COMMUNICATIONS, BRANDING AND MARKETING SERVICES**

The Committee considered a report by Emma Sheridan, Associate Director Customer and Community, seeking approval to award a contract for Communication and Design Professional Services.

To enable officers to deliver a number of critical projects that fulfil objectives of the Councils Corporate Framework, they need access to a range of diverse and specialist services in the field of communications, branding and marketing to support the work of in-house officer teams. The Council procures these services under a variety of framework agreements which it can draw upon as and when required, one such Framework is the ESPO framework.

The Associate Director, Customer and Community's recommendation to the Committee was to Approve contract award of the Communications, Branding and Marketing Consultancy Support contract to Contractor 1 and Delegate authority to the Associate Director Legal and Democratic Services to complete and sign the associated contract.

Members asked the percentage of the contract of the National Heritage Lottery Funding and of Revenue and Members noted it was one quarter of revenue and three quarters of the lottery funding.

**RESOLVED: that the Policy and Resources Committee unanimously AGREED the Officers recommendation to Approve the contract award of the Communications, Branding and Marketing Consultancy Support contract to Contractor 1 and Delegate authority to the Associate Director Legal and Democratic Services to complete and sign the associated contract.**

#### **PR50/23 WORK PROGRAMME**

The Committee considered a report recommending that the Committee agree the items included in the Committee's Work Programme, which was attached, in draft document form, as an appendix to the report.

Members asked for the covering report and the appendix to be merged into one report.

**RESOLVED: that the Committee approved the items listed in the Work Programme.**

**CHAIR**

Three Rivers District Council

**Policy & Resources  
Committee  
Budget Outturn Report  
2023/24**

10<sup>th</sup> June 2024

**PART I**

**BUDGET OUTTURN 2023/2024**  
**(DoF)**

**1 Summary**

- 1.1 This report sets out the financial position for the year ending 31 March 2024 for the Council's revenue and capital budgets. The following recommendations are included in the report:
- to carry forward to 2024/25 certain unspent revenue budgets and;
  - to rephase those capital budgets that require completion in 2024/25
- 1.2 The report focuses on the variation between the latest agreed budget and the final expenditure and income for the financial year. An underspend of £0.696m is reported before carry forward requests which will be returned to the Council's General Fund.
- 1.3 However, this underspend should be viewed in the context of budget changes agreed during the year. The latest agreed budget was £0.512m higher than the original budget agreed in January 2023, after allowing for carry forwards from 2022/23. During the year the budget was amended to reflect cost pressures primarily arising from the impact of persistently high inflation. This cost pressure included the agreed pay award and increased supplier costs for utilities. Further detail on the budget changes agreed during the year can be found in the Budget Management Reports to Policy and Resources Committee (see background papers listed below).
- 1.4 The underspend of £0.696m reported against the latest budget represents the impact of management actions taken during the year to manage cost pressures in light of the wider economic environment. The Council has especially benefitted from consistently high interest rate levels during the year to the value of £1.1m.
- 1.5 The original budget included a planned contribution from the General Fund of £0.164m. After allowing for carry forwards from 2022/23 of £0.491m, the contribution required was £0.655m. The underspend against the latest budget allows for a contribution to the General Fund, excluding the impact of carry forwards, of £0.184. After allowing for carry forwards from 2022/23, the final draw down on reserves will be £0.471M.
- 1.6 If carry forwards from 2023/24 are approved, these will result in an additional drawdown of £0.277m on top of the £0.053m planned for 2024/25.
- 1.7 In addition to the drawdown of general there is a contribution from the Economic Impact Reserve remaining at £0.183m in relation to the re-phasing of the SLM contract.
- 1.8 As a result of the outturn, the General Fund Reserve balance stand at £4.496m at the end of the year with the balance on Economic Impact Reserve being £1.435m at year end. This gives total unearmarked reserves of £5.931m at 31<sup>st</sup> March 2024.

1.9 The above position excludes the year end entries relating to the Collection Fund and Housing Benefit payments with the Housing Benefit Reserve and Collection Fund Reserve being used to manage timing differences between payments to and from government and the transactions recognised within the accounts.

1.10 The Year End position presented in this report is unaudited and may be subject to change. The Council's accounts for 2023/24 will be audited by Azets LLP during 2024/25.

## 2 Details

### Revenue

2.1 The 2023/24 budget as approved by Council on 20 February 2024 was £13.755m. Following carry forwards from 2022/23, the revised budget including carry forwards was £14.245m. The period 10 (end of January) budget management report was presented to this Committee at its meeting on 11 March 2024. The report showed a unfavourable variance of £0.510m, making the latest approved budget for 2023/24 £14.757m with a revised forecast of £14.755m. This report compares the year end position to the latest budget.

2.2 The year end position is a net direct cost of services of £14.061m which represents a favourable variance of £0.696m when compared to the latest budget.

2.3 Officers are requesting to carry forward £0.277m to enable projects to be completed in 2024/25. Appendix 2 details each carry forward request.

2.4 After taking into account the carry forward requests, there is a favourable balance of £0.419m that will be returned to reserves.

2.5 The table below summarises the variance for each committee:

Climate Change, Leisure and Community	Original Budget £000	Original Budget Plus 2022/23 Carry Forwards £000	Latest Budget £000	Previous Forecast £000	Actual Spend	Variation to Latest Budget £000	Variation to Forecast £000
Community Partnerships	958	970	964	1,012	1,028	64	16
Leisure	1,158	1,158	1,273	1,305	1,136	(138)	(169)
Sustainability and Climate	325	371	378	325	229	(149)	(96)
<b>Total</b>	<b>2,442</b>	<b>2,499</b>	<b>2,615</b>	<b>2,642</b>	<b>2,393</b>	<b>(222)</b>	<b>(249)</b>

General Public Services and Economic Development	Original Budget £000	Original Budget Plus 2022/23 Carry Forwards £000	Latest Budget £000	Previous Forecast £000	Actual Spend	Variation to Latest Budget £000	Variation to Forecast £000
Housing	395	395	428	330	332	(97)	2
Economic Development and Planning Policy	752	792	718	1,199	1,233	515	34
Public Services	2,740	2,791	3,281	3,607	3,381	100	(225)
<b>Total</b>	<b>3,887</b>	<b>3,978</b>	<b>4,428</b>	<b>5,136</b>	<b>4,946</b>	<b>518</b>	<b>(190)</b>

Policy and Resources	Original Budget £000	Original Budget Plus 2022/23 Carry Forwards £000	Latest Budget £000	Previous Forecast £000	Actual Spend	Variation to Latest Budget £000	Variation to Forecast £000
Resources and Leader	7,090	7,433	7,588	7,453	7,492	(96)	40
Garages and Shops	(1,169)	(1,169)	(1,164)	(1,164)	(1,119)	45	45
Investment Properties	(890)	(890)	(930)	(930)	(847)	83	83
Vacancy Provision	(180)	(180)	(180)	0	0	180	0
Salary Contingency	175	175	0	0	0	0	0
<b>Total</b>	<b>5,026</b>	<b>5,369</b>	<b>5,314</b>	<b>5,359</b>	<b>5,527</b>	<b>212</b>	<b>168</b>

Corporate Costs	Original Budget £000	Original Budget Plus 2022/23 Carry Forwards £000	Latest Budget £000	Previous Forecast £000	Actual Spend	Variation to Latest Budget £000	Variation to Forecast £000
Corporate Costs	2,400	2,400	2,400	1,619	1,195	(1,204)	(423)
<b>Total</b>	<b>2,400</b>	<b>2,400</b>	<b>2,400</b>	<b>1,619</b>	<b>1,195</b>	<b>(1,204)</b>	<b>(423)</b>

<b>Total Net Expenditure</b>	<b>13,755</b>	<b>14,245</b>	<b>14,757</b>	<b>14,755</b>	<b>14,061</b>	<b>(696)</b>	<b>(694)</b>
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- 2.6 The details of all the variances by individual service are shown in Appendix 1.
- 2.7 Within the Climate Change, Leisure and Community Committee, key variances are:
- An underspend on climate change and sustainability projects due to slippage of projects into 2024/25. Carry forwards have been requested.
  - Tree works that had to be postponed in February due to bad weather that are now expected to occur in 2024/25. Carry forwards have been requested.
  - Leisure venues
  - Playing fields.
- 2.8 Key variances within the General Public Services and Economic Development Committee were:
- Additional costs of Repairs and Maintenance on vehicles offset by unspent contingencies on other budgets.
  - Additional recycling income received towards the end of the year.
  - The cost of planning appeals and a reduction in major planning application fees.
  - Underspend on Pay & Display machine maintenance and consultancy work that is now expected to occur in 2024/25. Carry forwards have been requested.
- 2.9 Within the Policy and Resources Committee, key variances were:
- A variance on Corporate Management Costs as a result of additional audit fees being charged in 2023/24 relating to prior years statement of accounts audit. A refund is expected in 2024/25 in relation to work not carried out on the 2020/21 and subsequent accounting periods.
  - A £100k variance in miscellaneous income and expenditure relating to unallocated efficiency savings that are achieved within individual budget headings during the year.
  - An underspend within the Chief Executive's cost centre on organisational development which is requested to be carried forward in 2024/25.
- 2.10 Within Corporate Costs, the Council has especially benefitted from consistently high interest rate levels during the year to the value of £1.1m. Local Authority to Local Authority lending rates reached 7% at the end of 2023/24.

## **Capital**

- 2.11 The revised 2023/24 budget for the capital programme as approved by Council on 20 February 2024 was £20.023m and a forecast outturn of £19.921m. The period 10 (end of January) budget management report was presented to this Committee at its meeting on 13 March 2023 which showed a forecast of £18.914m which once approved by Council will form the updated budget for 2023/24.

2.12 The actual spend at 31 March 2024 was £11.282m which represents an underspend of £7.632m when compared to the latest approved budget. Officers are requesting to rephase £7.527m to complete projects in 2024/25.

2.13 Appendix 3 shows the analysis of the capital programme year end position by Committee and over the medium term. The table below shows an analysis of the variance.

Reason	£000
Net (Under)/ Overspend	105
Rephasing	(7,527)
<b>Net Variance</b>	<b>(7,632)</b>

2.14 A full list of those projects requesting rephasing with the reason for the request is at Appendix 4.

2.15 The most significant variation relates to the budget related to the delivery of Local Authority Housing Fund properties. The Council has acquired a single property in Sarratt and 11 properties in South Oxhey. The Council has committed to developing a further 16 properties on three former garage sites through Three Rivers Homes Ltd. The funding agreement is currently being finalised and the funding will be drawn down in 2024/25.

2.16 Appendix 5 shows the funding of the programme over the medium term. Capital expenditure totalling £19.730m is planned for the period 2024/25 to 2026/27 and built into the medium term financial plan.

### 3 Reserves

3.1 The table below summarises the position on unearmarked reserves at year end.

	2023/24	2024/25	2025/26	2026/27
<b>Movement on General Fund Balance</b>	<b>Outurn</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Balance Brought Forward at 1 April	(4,967)	(4,496)	(4,166)	(4,147)
Revenue Budget (Surplus)/Deficit for Year	471	53	19	66
Carry Forwards		277		
<b>Closing Balance at 31 March</b>	<b>(4,496)</b>	<b>(4,166)</b>	<b>(4,147)</b>	<b>(4,081)</b>
	2023/24	2024/25	2025/26	2026/27
<b>Movement on Economic Impact</b>	<b>Outurn</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Balance Brought Forward at 1 April	(1,618)	(1,435)	(1,287)	(1,140)
COVID-19 Impact for Year	183	148	147	0
<b>Closing Balance at 31 March</b>	<b>(1,435)</b>	<b>(1,287)</b>	<b>(1,140)</b>	<b>(1,140)</b>
	2023/24	2024/25	2025/26	2026/27
<b>Total Reserves Impact</b>	<b>Outurn</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Balance Brought Forward at 1 April	(6,585)	(5,931)	(5,452)	(5,286)
Impact for Year	654	478	166	66
<b>Total Reserves at 31 March</b>	<b>(5,931)</b>	<b>(5,452)</b>	<b>(5,286)</b>	<b>(5,221)</b>

### 4 Options and Reasons for Recommendations

4.1 The recommendations below enable the Committee to make recommendations to Council concerning their budget.

## **5 Policy/Budget Reference and Implications**

5.1 The recommendations in this report are within the Council's agreed policy but not within agreed budgets. An overall increase requiring the use of the Council's balances must be approved by Council.

## **6 Financial Implications**

6.1 The financial implications are set out within the report.

## **7 Legal Implications**

7.1 None specific.

## **8 Staffing Implications**

8.1 None specific.

## **9 Equal Opportunities Implications**

9.1 An EQIA is prepared for when the budget set. The budget monitoring reports monitor performance against the approved budget. An additional EQIA is only required if the budget position necessitates actions that may have an impact upon the original assessment.

## **10 Climate Change and Sustainability Implications**

10.1 The climate change and sustainability implications are prepared for when the budget set. The budget monitoring reports monitor performance against the approved budget. An additional assessment is only required if the budget position necessitates actions that may have an impact upon the original assessment.

## **11 Community Safety Implications**

11.1 None specific.

## **12 Public Health implications**

12.1 None specific.

## **13 Customer Services Centre Implications**

13.1 None specific.

## **14 Communications and Website Implications**

14.1 The information contained within this report will form part of the published Statement of Accounts for 2023/24.

## **15 Risk and Health & Safety Implications**

15.1 There are no risks to the Council in agreeing the recommendations.

15.2 Key financial and budgetary risks are shown at Appendix 6. A review of these risks is a standing item on the Audit Committee agenda.



- 15.3 During 2023/24, the Budget Management Reports to Policy and Resources Committee have included information on the impact of inflation on the Council's budget.
- 15.4 The most significant risk to the budget is the pay award for 2024/25. An update on the estimated financial impact in 2024/25 will be included in the Budget Management in September. It is likely that the pay negotiations will be protracted, and the final position will remain unknown well into the financial year. The ongoing impact will be managed through the Service and Budget Planning process for 2024/25 to 2026/27.

## 16 Recommendation

The Policy and Resources Committee recommend to Council:

- That the favourable revenue year end variance after carry forwards of £0.419m be noted.
- That the capital year end position as summarised in paragraph 2.11 and Appendix 3 be noted.
- To approve to carry forward the unspent service budgets from 2023/24 to 2024/25 which total £0.277m to enable completion of projects as detailed at Appendix 2.
- To approve the rephasing of capital projects from 2023/24 to 2024/25 detailed at Appendix 4.

Report prepared by: Alison Scott – Director of Finance

Report Checked by: Laura Renner – Assistant Finance Business Partner

### Background Papers

Liberal Democrat budget proposal and recommendations 21 February 2023

Budget Management report Period 10 (March 2024)

Budget Management report Period 8 (January 2024)

Budget Management report Period 6 (November 2023)

Budget Management report Period 4 (September 2023)

## APPENDICES

Appendix 1 Outturn by Service 2023/24

Appendix 2 Carry forward requests into 2024/25

Appendix 3 Capital Programme 2023/24-2026/27

Appendix 4 List of capital schemes to be rephased to 2024/25

Appendix 5 Capital Funding 2022/23 – 2025/26

Appendix 6 Key Financial Risks

## Outturn by Service 2023/24

General Public Services and Economic Development								
Housing, Public Health and Wellbeing	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Previous Forecast 2023/24	Actuals 2023/24	Variation to Latest Budget	Variation to Forecast	Officer Comments
	£		£	£	£	£	£	
Housing Services Needs	501,198	501,198	526,026	503,946	501,011	(25,015)	(2,935)	Underspend offset by overspend on Residential Environmental Health
Rent Deposit Guarantee Scheme	5,110	5,110	5,110	2,110	0	(5,110)	(2,110)	Underspend offset by overspend on Residential Environmental Health
Homelessness General Fund	(176,770)	(176,770)	(176,770)	(237,870)	(242,209)	(65,439)	(4,339)	Underspend offset by overspend on Residential Environmental Health
Housing Associations	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	0	0	
Refugees	0	0	0	0	(0)	(0)	(0)	
Env Health - Residential Team	70,097	70,097	79,097	66,647	77,905	(1,192)	11,258	Overspend offset by underspends in other housing codes.
Public Health	0	0	0	0	143	143	143	
<b>Total</b>	<b>394,635</b>	<b>394,635</b>	<b>428,463</b>	<b>329,833</b>	<b>331,850</b>	<b>(96,613)</b>	<b>2,017</b>	

Economic Development and Planning Policy	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Forecast 2023/24	Actuals 2023/24	Variation to Latest Budget	Variance to Forecast	Officer Comments
	£	£	£	£	£	£	£	
Land & Property Info Section	6,987	6,987	2,151	54,231	52,264	50,113	(1,967)	Minor variation to forecast
Street Naming & Numbering	7,130	7,130	7,130	7,820	9,168	2,038	1,348	Minor variation to forecast
Development Management	263,664	274,664	267,094	598,652	649,500	382,406	50,848	Cost of Planning Appeals and general reduction in number of major applications. 2024/25 expected to recover.
Director Community & Env Servs	130,211	130,211	0	0	0	0	0	
Development Plans	298,293	326,793	351,357	448,512	443,814	92,457	(4,698)	Minor variation to forecast
Hertfordshire Building Control	(4,323)	(4,323)	37,500	37,500	28,871	(8,629)	(8,629)	Reflects new arrangements for LA1.
HS2 Planning	0	0	0	0	(2,845)	(2,845)	(2,845)	Minor variation
GIS Officer	50,161	50,161	52,609	52,609	52,234	(375)	(375)	Minor variation
<b>Total</b>	<b>752,123</b>	<b>791,623</b>	<b>717,841</b>	<b>1,199,324</b>	<b>1,233,006</b>	<b>515,165</b>	<b>33,682</b>	

Public Services	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Forecast 2023/24	Actuals 2023/24	Variation to Latest Budget	Variance to Forecast	Officer Comments
	£	£	£	£	£	£	£	
Decriminalised Parking Enf	92,369	137,087	236,633	196,148	88,194	(148,439)	(107,954)	P&D machine maintenance underspend, however, new machines to be installed with new schemes and additional costs will be incurred. Professional fees - consultancy underspend, however ongoing consultancy required in absence of permanent officer and ongoing parking review and EV consultancy for the project in car parks
Car Parking-Maintenance	96,690	96,690	110,466	127,466	123,350	12,884	(4,116)	Minor variation
Dial A Ride	40,000	40,000	40,000	40,000	40,000	0	0	
Sustainable Travel Schemes	1,500	8,000	8,000	8,000	2,826	(5,174)	(5,174)	Carry forward requested to 2024/25 to complete schemes.
Associate Director Customer & Community	0	0	89,450	81,230	80,960	(8,490)	(270)	Minor variation to forecast
Refuse Domestic	(23,370)	(23,370)	(22,390)	(22,390)	(17,773)	4,617	4,617	Increased Repairs and Maintenance on vehicles pending procurement of new fleet - when offset against transport contingencies in other codes overall this comes within budget
Refuse Trade	(37,465)	(37,465)	(150,667)	(147,322)	(110,466)	40,201	36,856	Increased Repairs and Maintenance on vehicles pending procurement of new fleet - when offset against transport contingencies in other codes overall this comes within budget
Better Buses Fund	93,359	93,359	101,762	101,762	101,769	7	7	Minor variation
Recycling General	750	750	750	750	(6,226)	(6,976)	(6,976)	Underspend offset by increased Repairs and Maintenance.
Garden Waste	(595,543)	(595,543)	(536,866)	(536,866)	(505,698)	31,168	31,168	Increased Repairs and Maintenance on vehicles pending procurement of new fleet - when offset against transport contingencies in other codes overall this comes within budget
Clinical Waste	(31,678)	(31,678)	(28,621)	(28,621)	(32,251)	(3,630)	(3,630)	Underspend offset by increased Repairs and Maintenance.
Recycling Kerbside	(318,613)	(318,613)	(318,613)	9,930	(120,132)	198,481	(130,062)	Improvement in Recycling gate fees at end of year.
Abandoned Vehicles	250	250	250	250	340	90	90	Minor variation
Public Conveniences	3,600	3,600	3,600	3,600	2,400	(1,200)	(1,200)	Minor variation
Hertfordshire Fly Tipping	0	0	0	0	0	0	0	
Environmental Protection	389,553	389,553	374,846	378,986	365,153	(9,693)	(13,833)	Contingency unspent used to offset R&M
Depot-Batchworth	35,380	35,380	35,380	45,360	46,992	11,612	1,632	Additional utility costs
Waste Management	2,360,909	2,360,909	2,661,870	2,661,870	2,679,506	17,636	17,636	Increased agency costs that was budgeted for as a result of long term sickness absence
Street Cleansing	632,375	632,375	675,540	686,535	642,252	(33,288)	(44,283)	Contingency not spent, offset by increased Repairs and Maintenance.
<b>Total</b>	<b>2,740,066</b>	<b>2,791,284</b>	<b>3,281,390</b>	<b>3,606,688</b>	<b>3,381,196</b>	<b>99,806</b>	<b>(225,492)</b>	
<b>Total General Public Services and Economic Development</b>	<b>3,886,824</b>	<b>3,977,542</b>	<b>4,427,694</b>	<b>5,135,845</b>	<b>4,946,052</b>	<b>518,358</b>	<b>(189,793)</b>	

Climate Change, Leisure and Community								
Community Partnerships	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Forecast 2023/24	Actuals 2023/24	Variation to Latest Budget	Variance to Forecast	Officer Comments
	£	£	£	£	£	£	£	
Citizens Advice Bureaux	303,340	303,340	303,340	303,340	285,640	(17,700)	(17,700)	Grant budget included for accomodation but not charged - saving in 2024/25 onwards
Community Development	4,500	4,500	4,500	4,500	(8,518)	(13,018)	(13,018)	Grant income received in year.
Community Safety	217,274	228,774	241,846	272,211	318,722	76,876	46,511	PCSO additional costs
Community Partnerships	209,387	209,387	196,884	200,264	200,956	4,072	692	Minor variation
Env Health - Commercial Team	209,790	209,790	209,790	199,790	195,238	(14,552)	(4,552)	Budget for prosecutions not fully spent
Licensing	(66,261)	(66,261)	(59,343)	(32,923)	(28,722)	30,621	4,201	Additional activity at year end.
Community & Leisure Grant	80,000	80,000	67,000	65,000	64,999	(2,001)	(1)	Minor variation
<b>Total</b>	<b>958,030</b>	<b>969,530</b>	<b>964,017</b>	<b>1,012,182</b>	<b>1,028,315</b>	<b>64,298</b>	<b>16,133</b>	

Leisure	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Forecast 2023/24	Actuals 2023/24	Variation to Latest Budget	Variance to Forecast	Officer Comments
	£	£	£	£	£	£	£	
Leavesden Country Park	0	0	0	0	0	0	0	
Community Arts	11,400	11,400	17,900	12,050	12,209	(5,691)	159	Minor variation
Watersmeet	5,406	5,406	29,980	58,680	60,680	30,700	2,000	Minor variation
Leavesden Ymca	(35,000)	(35,000)	(35,000)	(35,000)	(38,210)	(3,210)	(3,210)	Minor variation
Oxhey Hall	(3,000)	(3,000)	(3,000)	(3,000)	(3,013)	(13)	(13)	Minor variation
Museum	(700)	(700)	(700)	(700)	(700)	0	0	
Playing Fields & Open Spaces	97,731	97,731	97,731	163,231	119,432	21,701	(43,799)	Variation in play equipment and fencing spend due to reduced staffing capacity in the grounds maintenance team. Variation in vandalism budget due to a reduction in damage.
Play Rangers	56,495	56,495	60,860	62,295	58,170	(2,690)	(4,125)	Additional income received from school based sessions.
Comm Parks & Sust Project	24,200	24,200	24,200	24,200	20,134	(4,066)	(4,066)	The current Natural Infrastructure Programme Manager delivered activities when in their previous role as Community Biodiversity Officer.
Aquadrome	16,550	16,550	44,615	92,735	106,110	61,495	13,375	Replacement main entrance vehicle gate due to criminal damage and works to the main pump on site.
Leisure Venues	(479,640)	(479,640)	(479,640)	(479,640)	(572,310)	(92,670)	(92,670)	Use of £8,000 grant money on free gym and free swim. Impact of applying indexing to SLM management fee for 2023/24 and 2 prior years.
Leisure Development	519,504	519,504	555,333	491,963	489,858	(65,475)	(2,105)	Minor variation
Play Development - Play schemes	42,940	42,940	42,940	42,940	35,244	(7,696)	(7,696)	Increased income from summer and Easter playschemes
Sports Devel-Sports Projects	45,550	45,550	52,050	44,550	49,685	(2,365)	5,135	Increased charges for Shape Up programme and room hire costs for activity programmes.
Leisure & Community Services	121,355	121,355	36,184	39,574	33,676	(2,508)	(5,898)	Retirement of Head of Service, produced in year salary saving.
Grounds Maintenance	735,553	735,553	829,973	791,043	764,650	(65,323)	(26,393)	Contingency not spent, offset by increased Repairs and Maintenance.
<b>Total</b>	<b>1,158,344</b>	<b>1,158,344</b>	<b>1,273,426</b>	<b>1,304,921</b>	<b>1,135,616</b>	<b>(137,810)</b>	<b>(169,305)</b>	

Sustainability and Climate	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Forecast 2023/24	Actuals 2023/24	Variation to Latest Budget	Variance to Forecast	Officer Comments
	£	£	£	£	£	£	£	
Energy Efficiency	19,500	19,500	19,500	14,500	100	(19,400)	(14,400)	Uncertainties over national criteria for ECO4 delayed/hindered planned spend in 23/24 - currently 25 applications are being assessed - this carry over will fund @14 of them and support residents currently in fuel poverty
Sustainability Projects	3,000	3,000	3,000	3,000	3,000	0	0	
Corporate Climate Change	98,085	144,154	147,507	147,507	100,298	(47,209)	(47,209)	Budget required for projects which will be delivered in 2024/25
Innovate UK	0	0	0	0	(0)	(0)	(0)	
Pest Control	80,755	80,755	80,755	80,755	79,981	(774)	(774)	Minor variation
Environmental Maintenance	25,970	25,970	25,970	43,970	39,919	13,949	(4,051)	Contingency not spent, offset by increased Repairs and Maintenance.
Animal Control	62,305	62,305	65,295	65,295	65,437	142	142	Minor variation
Cemeteries	(208,623)	(208,623)	(208,623)	(274,573)	(267,431)	(58,808)	7,142	Cost of statutory memorial testing
Trees And Landscapes	244,360	244,360	244,360	244,360	207,819	(36,541)	(36,541)	Tree works that were due to be undertaken by the end of February but due to the weather they have been unable to access the sites and with the earlier spring this year we are not able to do the works in March for risk of interrupting the bird nesting season. Carry forward requested
<b>Total</b>	<b>325,352</b>	<b>371,421</b>	<b>377,764</b>	<b>324,814</b>	<b>229,122</b>	<b>(148,642)</b>	<b>(95,692)</b>	
<b>Total Climate Change, Leisure and Community</b>	<b>2,441,726</b>	<b>2,499,295</b>	<b>2,615,207</b>	<b>2,641,917</b>	<b>2,393,053</b>	<b>(222,154)</b>	<b>(248,864)</b>	

Policy & Resources									
Resources	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Forecast 2023/24	Actuals 2023/24	Variation to Latest Budget	Variance to Forecast	Officer Comments	
	£	£	£	£	£	£	£		
Corporate Management	150,680	212,980	212,980	262,480	380,001	167,021	117,521	Reallocation between Corporate Management and Non Distributed costs in year. Additional audit fees in year - refund expected to offset in 2024/25 to reflect work not carried out.	
Major Incident Planning	106,833	106,833	110,329	110,329	96,915	(13,414)	(13,414)	Reduced expenditure at year end to bring within budget.	
UK Shared Prosperity Fund	0	0	0	0	(0)	(0)	(0)		
West Herts Crematorium	0	0	0	0	0	0	0		
Miscellaneous Income & Expend	(114,910)	(114,910)	(341,500)	(341,500)	(14,583)	326,917	326,917	Projected charges to the Capital Programme that have been funded by New Homes Bonus. £100k unallocated efficiency savings budgeted and achieved on other headings during the year.	
Non Distributed Costs	255,000	255,000	55,000	55,000	55,764	764	764	Reallocation between Corporate Management and Non Distributed costs in year.	
Director Of Finance	66,703	66,703	90,322	90,322	90,625	303	303	Minor variation	
Miscellaneous Properties	(77,433)	(77,433)	(67,553)	(116,018)	(227,104)	(159,551)	(111,086)	Transfer £1,965 from 1260 Garages & Shops maintenance to facilitate payment of rates for Furtherfield Units D-J as property is empty	
Office Services	214,810	214,810	198,810	184,810	141,622	(57,188)	(43,188)	£12k down on copying costs, £7k underspend on security costs, £9k less on postage costs, £3k less on mobile phone costs, £18k more in internal charges.	
Asset Management - Property Services	411,755	419,755	701,445	704,240	689,164	(12,281)	(15,076)	£13k on professional fees, £3k software & hardware purchases	
Finance Services	487,002	487,002	556,216	539,261	465,045	(91,171)	(74,216)	Delay to e-Fin upgrade and saving in Head of Finance costs charged to Three Rivers as a result in the change in s.151 arrangements in year.	
Council Tax Collection	387,937	387,937	398,603	341,296	340,640	(57,963)	(656)	Additional costs in Benefits and Allowances offset by savings in other headings within Revenues and Benefits	
Benefits & Allowances	748,587	748,587	781,131	744,628	763,086	(18,045)	18,458	Additional costs in Benefits and Allowances offset by savings in other headings within Revenues and Benefits	
NNDR	58,898	58,898	61,241	61,241	48,833	(12,408)	(12,408)	Additional costs in Benefits and Allowances offset by savings in other headings within Revenues and Benefits	
Revs & Bens Management	39,453	39,453	42,152	42,152	41,989	(163)	(163)	Additional costs in Benefits and Allowances offset by savings in other headings within Revenues and Benefits	
Fraud	81,149	81,149	86,746	86,746	83,024	(3,722)	(3,722)	Savings in non staffing costs.	
Garages & Shops Maintenance	(1,169,030)	(1,169,030)	(1,163,995)	(1,163,995)	(1,118,572)	45,423	45,423	Lower than expected costs at year end.	
Chief Executive	204,612	354,612	363,754	359,689	260,328	(103,426)	(99,361)	Organisational development budget only partly spent in year, carry forward request for balance.	

Resources	Original Budget 2023/24	Original Budget Plus 2022/23 Carry Forwards	Latest Budget 2023/24	Forecast 2023/24	Actuals 2023/24	Variance to Budget	Variance to Forecast	Officer Comments
	£	£	£	£	£	£	£	
Investment Properties	(890,089)	(890,089)	(929,794)	(929,794)	(847,077)	82,717	82,717	Impact of Jigsaw CVA (now expired). Rent review under way with back rent due in 20024/25 elating to 2023/24.
Performance Mgt & Scrutiny	50,903	50,903	53,835	42,840	43,579	(10,256)	739	Minor variation
Debt Recovery	233,506	233,506	244,158	244,158	202,151	(42,007)	(42,007)	Vacancies during latter part of year.
Associate Director Strategy, Partnerships & Housing	100,609	100,609	105,252	105,252	105,604	352	352	Minor variation
Three Rivers House	359,260	359,260	359,260	485,798	372,206	12,946	(113,592)	£107k additional income from Police plus minor variations.
Basing House	(10,140)	(10,140)	(10,140)	(3,250)	(9,352)	788	(6,102)	R&M lower cost than expected.
Oxhey Drive	10,250	10,250	10,250	10,250	8,645	(1,605)	(1,605)	R&M lower cost than expected.
Wimbledon	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)	0	0	
Officers' Standby	6,140	6,140	6,140	6,140	6,140	0	0	
Vacancy Provision	(180,000)	(180,000)	(180,000)	0	0	180,000	0	
Finance Client	21,108	21,108	3,713	5,833	19,400	15,687	13,567	Delay to e-Fin upgrade.
Business App Maintenance	257,875	257,875	257,875	257,875	234,195	(23,680)	(23,680)	Delay to e-Fin upgrade
ICT Client	721,551	755,551	717,377	683,377	788,599	71,222	105,222	Additional cost of Cyber Security investment during year.
Internal Audit Client	55,968	55,968	55,968	56,688	55,508	(460)	(1,180)	Minor variation
Council Tax Client	(126,879)	(126,879)	(126,879)	(126,879)	(126,879)	0	0	Final Collection Fund and Housing Benefit entries being completed. Balanced against earmarked reserves.
Benefits Client	(470,660)	(470,660)	(470,660)	(470,660)	(470,660)	0	0	Final Collection Fund and Housing Benefit entries being completed. Balanced against earmarked reserves.
Nndr Cost Of Collection	(107,090)	(107,090)	(107,090)	(107,090)	(107,090)	0	0	Final Collection Fund and Housing Benefit entries being completed. Balanced against earmarked reserves.
Fraud Client	2,690	2,690	2,690	2,690	3,012	322	322	Minor variation
Insurances	373,220	373,220	489,995	489,995	467,407	(22,589)	(22,589)	Small saving on insurance costs as a result of re-tendering.
Debt Recovery Client Acc	(6,140)	(6,140)	(6,140)	(6,140)	(1,525)	4,615	4,615	Offset by underspend in Debt Recovery
Benefits New Burden	0	0	0	0	0	0	0	
Benefits DHP	0	0	0	0	0	0	0	Final Collection Fund and Housing Benefit entries being completed. Balanced against earmarked reserves.
Benefits Non Hra	1,020	1,020	1,020	1,020	1,020	0	0	Final Collection Fund and Housing Benefit entries being completed. Balanced against earmarked reserves.
HR Client	334,113	334,113	334,113	334,113	367,249	33,135	33,135	Additional cost due to ongoing vacancy.
Salary Contingency	175,000	175,000	0	0	0	0	0	
<b>Total</b>	<b>2,564,261</b>	<b>2,818,561</b>	<b>2,696,624</b>	<b>2,842,897</b>	<b>3,008,908</b>	<b>312,284</b>	<b>166,011</b>	

Leader	Original Budget 2023/24 £	Original Budget Plus 2022/23 Carry Forwards £	Latest Budget 2023/24 £	Forecast 2023/24 £	Actuals 2023/24 £	Variation to Latest Budget £	Variance to Forecast £	Officer Comments
Register Of Electors	36,800	36,800	36,800	36,800	27,210	(9,590)	(9,590)	Offset against District Elections costs
District Elections	76,320	76,320	76,320	76,320	152,272	75,952	75,952	Additional costs of elections - delivery of poll cards, hire of rooms, postage and printing & stationary. Offset by underspends on Register of Electors , and parish elections recharge.
Customer Service Centre	876,087	876,087	934,618	812,713	815,376	(119,242)	2,663	Minor variation
Democratic Representation	307,838	307,838	321,766	327,316	325,866	4,100	(1,450)	Minor variation
Customer Contact Programme	6,000	80,635	80,635	80,635	35,653	(44,982)	(44,982)	Carry-forward request to pay for final year of Granicus development.
Customer Experience	87,324	87,324	91,532	91,532	91,323	(209)	(209)	Minor variation
Communication	322,645	336,195	346,164	351,219	320,518	(25,646)	(30,701)	Saving in salary costs
Legal Practice	407,881	407,881	402,147	401,647	411,811	9,664	10,164	Additional costs of temporary staff in year.
Committee Administration	194,741	194,741	204,551	176,031	187,342	(17,209)	11,311	Additional costs of temporary staff in year.
Elections & Electoral Regn	146,326	146,326	123,293	161,763	151,943	28,650	(9,821)	Overspend not as high as projected.
Parish Elections	0	0	0	0	(1,554)	(1,554)	(1,554)	Offset against District Elections costs
Referendums	0	0	0	0	(150)	(150)	(150)	Offset against District Elections costs
Police Commissioner Election	0	0	0	0	0	0	0	
<b>Total</b>	<b>2,461,962</b>	<b>2,550,147</b>	<b>2,617,826</b>	<b>2,515,976</b>	<b>2,517,610</b>	<b>(100,216)</b>	<b>1,634</b>	
<b>Total Policy and Resources</b>	<b>5,026,223</b>	<b>5,368,708</b>	<b>5,314,450</b>	<b>5,358,873</b>	<b>5,526,518</b>	<b>212,067</b>	<b>167,644</b>	
<b>Total All Committees</b>	<b>11,354,773</b>	<b>11,845,545</b>	<b>12,357,351</b>	<b>13,136,635</b>	<b>12,865,622</b>	<b>508,271</b>	<b>(271,013)</b>	
Corporate Costs	Original Budget 2023/24 £	Original Budget Plus 2022/23 Carry Forwards £	Latest Budget 2023/24 £	Forecast 2023/24 £	Actuals 2023/24 £	Variation to Latest Budget £	Variance to Forecast £	Officer Comments
Interest Earned	(670,000)	(670,000)	(670,000)	(1,374,191)	(1,806,111)	(1,136,111)	(431,920)	LA to LA lending moved up to 7% at year end. Rates have not come down as expected.
Interest Paid	682,989	682,989	682,989	606,256	614,729	(68,260)	8,473	Contra of higher interest rates saving on interest earned.
Parish Precepts	2,386,783	2,386,783	2,386,783	2,386,783	2,386,783	0	0	
<b>Total Corporate Costs</b>	<b>2,399,772</b>	<b>2,399,772</b>	<b>2,399,772</b>	<b>1,618,848</b>	<b>1,195,401</b>	<b>(1,204,371)</b>	<b>(423,447)</b>	
<b>Grand Total</b>	<b>13,754,545</b>	<b>14,245,317</b>	<b>14,757,123</b>	<b>14,755,483</b>	<b>14,061,024</b>	<b>(696,100)</b>	<b>(694,460)</b>	



Carry forward requests into 2024/25

Cost Centre Description	Cost Centre Code	Reason for Carry Forward Request	Amount Excluding VAT £		(Underspend)
<b>CARRY OVER FROM 2023/24 to 2024/25</b>					
Chief Executive	1261	Ongoing Organisational Development in 2024/25	100,000	100,000	-103,426
Corporate Climate Change	1240	Budget required for Building action plan which will be delivered in 2024/25	6,630		
Corporate Climate Change	1240	Carbon Neutral Scheme Budget required for use in 2024/25	7,305		
Corporate Climate Change	1240	Climate Change budget required for use in 2024/25	33,274	47,209	-47,209
Energy efficiency	1228	Uncertainties over national criteria for ECO4 delayed/hindered planned spend in 23/24 - currently 25 applications are being assessed - this carry over will fund @14 of them and support residents currently in fuel poverty	14,400	14,400	-19,400
Customer contact programme	1221	To pay for final year on contract for Granicus along with development	41,055	41,055	-44,982
Community Development	1216	To fund the Active Watford and Three Rivers, Watford FC Charitable Trust project helping to improve health and wellbeing of residents.	7,500	7,500	-13,018
Trees and Landscapes	1471	We had tree works that were due to be undertaken by the end of February but due to the weather they have been unable to access the sites and with the earlier spring this year we are not able to do the works in March for risk of interrupting the bird nesting season. As such we've had to move the works to autumn 2024, which is the next time that we are allowed to undertake such works. This carry forward includes an uplift for work due to the delay as the original quote is now out of date.	9,680		
Trees and Landscapes	1471	We had tree works that were due to be undertaken by the end of February but due to the weather they have been unable to access the sites and with the earlier spring this year we are not able to do the works in March for risk of interrupting the bird nesting season. As such we've had to move the works to autumn 2024, which is the next time that we are allowed to undertake such works. This carry forward includes an uplift for work due to the delay as the original quote is now out of date.	9,474	19,154	-36,541
Sustainable Travel Schemes	1408	Monies remaining and these are the only budgets available for sustainable transport maintenance	5,174	5,174	-5,174
Decriminalised Parking	1400	P&D machine maintenance underspend, however, new machines to be installed with new schemes and additional costs will be incurred.	29,370		
Decriminalised Parking	1400	Professional fees - consultancy underspend, however ongoing consultancy required in absence of permanent officer and ongoing parking review and EV consultancy for the project in car parks	12,705	42,075	-148,439
			276,567	276,567	-418,189

## Capital Programme 2023/24-2026/27

General Public Services & Economic Development										
Housing, Public Health & Wellbeing	Original Budget 2023/24 £	Latest Budget 2023/24 £	Outturn	Outturn to Latest Budget Variance £	Budget 2024/25 £	Rephasing from 2023/24	Latest Budget 2024/25 £	Forecast 2025/26 £	Forecast 2026/27 £	Comments
Disabled Facilities Grant	586,000	780,325	575,850.76	(204,474)	586,000	204,474	790,474	586,000	586,000	Rephasing required as works agreed in 2023/24 will now be delivered in 2024/25. Funded by Disabled Facilities Grant
Home Repairs Assistance	2,000	0	0.00	0	2,000	0	2,000	2,000	2,000	
<b>Sub-total Housing, Public Health &amp; Wellbeing</b>	<b>588,000</b>	<b>780,325</b>	<b>575,850.76</b>	<b>(204,474)</b>	<b>588,000</b>	<b>204,474</b>	<b>792,474</b>	<b>588,000</b>	<b>588,000</b>	
Public Services										
Public Services	Original Budget 2023/24 £	Latest Budget 2023/24 £	Outturn	Outturn to Latest Budget Variance £	Budget 2024/25 £	Rephasing from 2023/24	Latest Budget 2024/25 £	Forecast 2025/26 £	Forecast 2026/27 £	Comments
Cycle Schemes	20,000	24,564	7,171.74	(17,392)	0		0	0	0	Rephased into 2024/25 7626 as Beryl Bikes project Total: £45,000 - awaiting contract sign off and then can raise PO. HCC Highways licences outstanding
Disabled Parking Bays	2,500	2,500	2,413.67	(86)	2,500		2,500	2,500	2,500	
Waste Plant & Equipment	25,000	40,610	31,098.12	(9,512)	25,000	9,500	34,500	25,000	25,000	Rephased into 2024/25 due to the delay in the delivery of equipment
Waste Services Depot	0	133,541	261,281.55	127,741	0		0	0	0	
EV Charging Points	460,000	460,000	0.00	(460,000)	0	460,000	460,000	0	0	Rephased into 2024/25 as awaiting external funding. Scheme to commence 24/25
Controlled Parking	50,000	161,234	78,911.79	(82,322)	0	82,322	82,322	0	0	Rephased into 2024/25 due to vacancy in team schemes not progressed as anticipated, consultants now on board to progress schemes in 23/24 and beyond. Schemes ongoing.
Parking Bay & Verge Protection	95,000	102,482	175.42	(102,307)	0		0	0	0	Rephased into 2024/25 7626 as awaiting planning permission for works. Application pending. Works commissioned/PO raised.
Highways Enhancement	30,062	30,062	2,430.77	(27,631)	0		0	0	0	Rephased into 2024/25 7626 as consultants engaged in a study on High Elms Lane. To be completed. PO raised.
Replacement Bins	115,000	135,000	142,824.66	7,825	72,190	1,075	73,265	115,000	115,000	Rephased into 2024/25 due to budget rephased at P10 into 2023/24 not fully utilised. Part funded by Weekly Food Collections Capital Grant.
Bus Shelters	0	51,994	51,593.58	(400)	0		0	0	0	
Waste & Recycling Vehicles	858,000	439,398	226,849.00	(212,549)	1,354,015	212,549	1,566,564	800,000	800,000	Rephased into 2024/25 due to the delay in the delivery of a vehicle
Retail Parades	30,000	28,200	610.00	(27,590)	0		0	0	0	Rephased into 2024/25 7626 as Beryl Bikes project Total: £45,000 - awaiting contract sign off and then can raise PO. HCC Highways licences outstanding
Car Park Restoration	35,000	21,001	492.24	(20,509)	290,000	20,509	310,509	35,000	35,000	Rephased into 2024/35 as monies received as part of the business case means that a programme has been created. Denham Way already programmed in for April. Budget was not sufficient to allow these works to be carried out 23/4
Estates, Paths & Roads	20,000	20,000	14,272.35	(5,728)	20,000	5,728	25,728	20,000	20,000	Rephased into 2024/25 as inspections have now been completed by an external contractor that has enabled TRDC to complete a programme of works due to commence 24/25
Energy Performance Certificate	2,300	0	0.00	0	0		0	0	0	
TRDC Footpaths & Alleyways	25,000	56,335	27,977.83	(28,357)	25,000	18,387	43,387	25,000	25,000	Rephased into 2024/25 as inspections have now been completed by an external contractor that has enabled TRDC to complete a programme of works due to commence 24/25
GIS	0	0	0.00	0	13,500		13,500	0	0	
Transport and Infrastructure	0	0	0.00	0	199,344	166,039	365,383	204,000	204,000	
<b>Sub-total Public Services</b>	<b>1,767,862</b>	<b>1,706,921</b>	<b>848,102.72</b>	<b>(858,818)</b>	<b>2,001,549</b>	<b>976,109</b>	<b>2,977,658</b>	<b>1,226,500</b>	<b>1,226,500</b>	

Leisure	Original Budget 2023/24 £	Latest Budget 2023/24 £	Outturn	Outturn to Latest Budget Variance	Budget 2024/25 £	Rephasing from 2023/24	Latest Budget 2024/25 £	Forecast 2025/26 £	Forecast 2026/27 £	Comments
Denham Way MUGA	0	30,000	30,450	450	0		0	0	0	
Barton Way MUGA	0	2,449	2,912	463	0		0	0	0	
Aquadrome	22,500	0	0	0	0		0	0	0	
Aquadrome Bridge Replacement	0	0	0	0	320,524		320,524	0	0	
Leavesden Country Park Gate	0	191,256	26,367	(164,889)	0	164,889	164,889	0	0	Rephased into 2024/25 for the completion of the project. Funded by S106.
Watersmeet Electrical	23,000	26,234	23,870	(2,364)	144,100		144,100	0	0	
South Oxhey Playing Fields	468,750	506,498	508,818	2,320	0		0	0	0	
Watersmeet Projector	80,000	80,000	57,873	(22,127)	0		0	0	0	
Scotsbridge-Chess Habitat	8,190	0	0	0	8,190		8,190	0	0	
Open Space Access Improvements	60,000	75,390	39,444	(35,946)	60,000	35,946	95,946	60,000	60,000	Rephased into 2024/25 for pathway works at the Aquadrome
Improve Play Area-Future Schemes	115,000	20,680	18,304	(2,376)	120,000	12,650	132,650	120,000	120,000	Rephased into 2024/25 for future play area capital programme. Part funded by S106.
Aquadrome-Whole Life Costing	11,000	11,000	6,980	(4,020)	11,000	4,020	15,020	11,000	11,000	Rephased into 2024/25 as extensive plans are in play with the site, awaiting clarification of required works that will not impact the projects
Replacement Ground Maintenance Vehicles	264,000	0	0	0	804,000		804,000	540,000	540,000	
Watersmeet-Whole Life Costing	20,000	20,000	18,472	(1,528)	20,000		20,000	20,000	20,000	
Pavilions-Whole Life Costing	11,000	11,000	5,332	(5,668)	11,000	5,668	16,668	11,000	11,000	Rephased into 2024/25 as portacabin for King George V Pavilion will not be delivered until April 2024.
Outdoor Fitness Zones	27,200	160,532	160,532	(0)	0		0	0	0	
Fearnley Mead Play Area	0	50,000	0	(50,000)	0	50,000	50,000	0	0	Rephased into 2024/25 for the completion of the project.
Lincoln Drive Play Area	0	50,000	0	(50,000)	0	50,000	50,000	0	0	Rephased into 2024/25 for the completion of the project.
<b>Sub-total Leisure</b>	<b>1,110,640</b>	<b>1,235,039</b>	<b>899,353.23</b>	<b>(335,686)</b>	<b>1,498,814</b>	<b>323,173</b>	<b>1,821,987</b>	<b>762,000</b>	<b>762,000</b>	
<b>Sustainability &amp; Climate</b>										
	Original Budget 2023/24 £	Latest Budget 2023/24 £	Outturn	Outturn to Latest Budget Variance	Budget 2024/25 £	Rephasing from 2023/24	Latest Budget 2024/25 £	Forecast 2025/26 £	Forecast 2026/27 £	Comments
Cemetery-Whole Life Costing	5,000	5,000	170.00	(4,830)	5,000	4,830	9,830	5,000	5,000	Rephased into 2024/25 as new fences required at Woodcock Hill a combination of 2 years budgets needed to carry out the new instalation to the boundary with the houses.
<b>Sub-total Sustainability &amp; Climate</b>	<b>5,000</b>	<b>5,000</b>	<b>170.00</b>	<b>(4,830)</b>	<b>5,000</b>	<b>4,830</b>	<b>9,830</b>	<b>5,000</b>	<b>5,000</b>	
<b>Total Climate Change, Leisure &amp; Community</b>	<b>1,121,640</b>	<b>1,240,039</b>	<b>899,523.23</b>	<b>(340,516)</b>	<b>1,535,814</b>	<b>328,003</b>	<b>1,863,817</b>	<b>793,000</b>	<b>793,000</b>	

Policy & Resources										
Leader & Resources	Original Budget 2023/24 £	Latest Budget 2023/24 £	Outturn	Outturn to Latest Budget Variance £	Budget 2024/25 £	Rephasing from 2023/24	Latest Budget 2024/25 £	Forecast 2025/26 £	Forecast 2026/27 £	Comments
Professional Fees-Internal	157,590	157,590	0.00	(157,590)	157,590		157,590	157,590	157,590	Charged to NHB element of capital funding so within Revenue Account
Election Equipment	6,000	14,510	14,345.00	(165)	6,000		6,000	6,000	6,000	
Street Lighting Replacement	0	96,735	44,749.85	(51,985)	30,000	51,985	81,985	0	0	Rephasing into 2024/25 This project is ongoing. The majority of works have been completed Phase 5 & 6 to be carried out by July 2024
West Herts Crematorium	0	0	40,000.00	40,000	0		0	0	0	
Members' IT Equipment	79,210	31,306	31,306.22	0	0		0	0	48,780	
Rickmansworth Work Hub	28,606	25,406	25,406.00	0	3,200		3,200	0	0	
ICT-Managed Project Costs	330,000	128,416	47,333.26	(81,083)	337,551		337,551	60,000	60,000	
ShS-Hardware Replace Prog	0	104,033	104,033.90	1	0		0	40,000	40,000	
Garage Improvements	150,000	142,709	144,299.34	1,590	150,000	(1,590)	148,410	150,000	150,000	
ICT Website Development	14,870	14,870	0.00	(14,870)	0	14,870	14,870	0	0	Rephased into 2024/25 for project work to improve the platform
ICT Hardware Replacement Prog	66,200	59,584	54,846.14	(4,738)	114,824		114,824	45,000	45,000	
TRH Whole Life Costing	170,000	362,907	270,479.61	(92,427)	335,000	92,427	427,427	170,000	170,000	Rephasing required as UPS Battery Replacement April 2024, Rentention for Air Source Heat Pump. Replacement Air Handling Unit to be carried out in October 2024 ( Requires combined budgets from 2 years)
Basing House-Whole Life Costing	90,000	44,830	45,455.00	625	75,000		75,000	60,000	60,000	
Business Application Upgrade	20,000	0	0.00	0	40,000		40,000	90,000	90,000	
Three Rivers House Transformation	0	15,585	0.00	(15,585)	0	15,585	15,585	0	0	Rephasing into 2024/25 as once the new branding has been developed budget will be required for updating items to reflect the changes.
Property Information System	0	24,481	26,517.49	2,036	0		0	0	0	
<b>Sub-total Leader &amp; Resources</b>	<b>1,112,476</b>	<b>1,222,962</b>	<b>848,771.81</b>	<b>(374,190)</b>	<b>1,249,165</b>	<b>173,277</b>	<b>1,422,442</b>	<b>778,590</b>	<b>827,370</b>	
Major Projects										
Major Projects	Original Budget 2023/24 £	Latest Budget 2023/24 £	Outturn	Outturn to Latest Budget Variance £	Budget 2024/25 £	Rephasing from 2023/24	Latest Budget 2024/25 £	Forecast 2025/26 £	Forecast 2026/27 £	Comments
South Oxhey Initiative	0	6,934	0.00	(6,934)	0		0	0	0	
Property Investment Board	0	3,607,038	3,607,033.88	(4)	0		0	0	0	
Local Authority Housing Fund	0	10,343,225	4,498,200.00	(5,845,025)	0	5,845,025	5,845,025	0	0	
<b>Sub-total Major Projects</b>	<b>0</b>	<b>13,957,197</b>	<b>8,105,233.88</b>	<b>(5,851,963)</b>	<b>0</b>	<b>5,845,025</b>	<b>5,845,025</b>	<b>0</b>	<b>0</b>	
<b>Total Policy &amp; Resources</b>	<b>1,112,476</b>	<b>15,180,159</b>	<b>8,954,005.69</b>	<b>(6,226,153)</b>	<b>1,249,165</b>	<b>6,018,302</b>	<b>7,267,467</b>	<b>778,590</b>	<b>827,370</b>	
<b>Total Capital Programme</b>	<b>4,602,478</b>	<b>18,914,719</b>	<b>11,282,257.40</b>	<b>(7,632,462)</b>	<b>5,377,028</b>	<b>7,526,888</b>	<b>12,903,916</b>	<b>3,388,590</b>	<b>3,437,370</b>	

## List of capital schemes to be rephased to 2024/25

Scheme	£	Comment
Open Space Access Improvements	35,946	Rephasing required for pathway works at the Aquadrome
Fearney Mead Play Area	50,000	Rephasing for play area project
Lincoln Drive Play Area	50,000	Rephasing for play area project
Improve Play Area-Future Schemes	12,650	Rephasing required for works to be completed in 2024/25.
Leavesden Country Park Gate	164,889	Rephasing for Leavesden Country Park replacement gate (S106 funded)
Waste Plant & Equipment	9,500	Rephasing required as delivery of equipment not possible in 2023/24
Replacement Bins	1,075	Rephasing required as budget rephasing from 2024/25 at P10 not fully utilised
Waste & Recycling Vehicles	212,549	Rephasing required due to supplier delays
Cycle Schemes	17,392	Rephasing required as Beryl Bikes project Total: £45,000 - awaiting contract sign off and then can raise PO. HCC Highways licences outstanding
EV Charging Port	460,000	Rephasing required as awaiting external funding. Scheme to commence 24/25
Controlled Parking	82,322	Rephasing required due to vacancy in team schemes not progressed as anticipated, consultants now on board to progress schemes in 23/24. IHED decision in Jan 2023 to extend the 2 year parking programme to a 3 year programme
Parking Bay & Verge Protection	102,307	Rephasing required awaiting planning permission for works. Application pending. Works commissioned/PO raised
Highway Enhancements	18,750	Rephasing required ac consultants engaged in a study on High Elms Lane. To be completed. PO raised.
Retail Parades	27,590	Rephasing required as Beryl Bikes project Total: £45,000 - awaiting contract sign off and then can raise PO. HCC Highways licences outstanding
Car Park Restoration	20,509	Rephasing as monies received as part of the business case means that a programme has been created. Denham Way already programmed in for April . Budget was not sufficient to allow these works to be carried out 23/24

Scheme	£	Comment
TRDC Footpaths & Alleyways	18,387	Rephased into 2024/25 as Inspections have now been completed by an external contractor that has enabled TRDC to complete a programme of works due to commence 24/25
Disabled Facilities Grant	204,474	Rephasing required as demand led service
ICT Website Development	14,870	Rephasing required as agreed project work to improve platform for 2024/25
Street Lighting Replacement	51,985	Rephasing required as this project is ongoing. The majority of works have been completed Phase 5 & 6 to be carried out by July 2024
Garage Improvements	(1,590)	Rephasing from 2024/25 to 2023/24 due to overspend
Estates, Footpaths & Roads	5,728	Rephased into 2024/25 as Inspections have now been completed by an external contractor that has enabled TRDC to complete a programme of works due to commence 24/25
TRH Whole Life Costing	92,427	Rephasing required as UPS Battery Replacement April 2024, Retention for Air Source Heat Pump. Replacement Air Handling Unit to be carried out in October 2024 ( Requires combined budgets from 2 years)
Aquadrome Whole Life Costing	4,020	Rephasing required as extensive plans are in play with the site, awaiting clarification of required works that will not impact the projects
Pavillions Whole Life Costing	5,668	Rephaseing required as portacabin for King George V Pavilion will not be delivered until April 2024
Cemetery Whole Life Costing	4,830	Rephasing required as new fences required at Woodcock Hill a combination of 2 years budgets needed to carry out the new instalation to the boundary with the houses.
Three Rivers House Transformation	15,585	Rephasing reqired as once the new branding has been developed budget will be required for updating items to reflect the changes.
Local Authority Housing Fund	5,845,025	Rephasing required in order to deliver the new housing as part of the LAHF delivery of the Garage Sites
<b>Total</b>	<b>7,526,888</b>	

## Capital Funding 2022/23 – 2025/26

Capital Programme	Original Budget	Latest Budget	Outturn	Forecast	Forecast	Forecast
	£	£	£	£	£	£
<b>Balance Brought Forward</b>						
Govt Grants: Disabled Facility Grants	(1,063,531)	(1,063,531)	(1,121,582)	(1,269,046)	(1,064,572)	(1,064,572)
Section 106 Contributions	(1,489,612)	(1,489,612)	(1,134,479)	(1,535,703)	(1,370,814)	(1,370,814)
CIL Contributions	(6,194,685)	(6,194,685)	(6,194,685)	(7,575,459)	(7,254,935)	(7,254,935)
Capital Receipts Reserve	0	0	0	0	(100,000)	(100,000)
LAHF	0	0	0	(2,256,000)	0	0
Future Capital Expenditure Reserve	0	0	0	0	0	0
New Homes Bonus Reserve	(222,787)	(222,787)	(2,395,311)	(2,239,626)	(2,249,848)	(2,249,848)
<b>Total Funding Brought Forward</b>	<b>(8,970,615)</b>	<b>(8,970,615)</b>	<b>(10,846,057)</b>	<b>(14,875,834)</b>	<b>(12,040,169)</b>	<b>(12,040,169)</b>
<b>Generated in the Year</b>						
Govt Grants: Disabled Facility Grants	(586,000)	(723,315)	(723,315)	(586,000)	(586,000)	(586,000)
Section 106 Contributions	0	(265,832)	(455,133)	0	0	0
CIL Contributions	0	0	(1,850,553)	0	0	0
Capital Receipts Reserve	(1,100,000)	(1,100,000)	(1,199,762)	(1,100,000)	(1,000,000)	(1,000,000)
LAHF	0	(4,648,253)	(4,648,253)	0	0	0
Future Capital Expenditure Reserve	0	0	0	0	0	0
New Homes Bonus Reserve	(110,247)	(110,247)	0	(110,247)	(95,000)	(95,000)
<b>Total Generated</b>	<b>(1,796,247)</b>	<b>(6,847,647)</b>	<b>(8,877,016)</b>	<b>(1,796,247)</b>	<b>(1,681,000)</b>	<b>(1,681,000)</b>
<b>Use of Funding</b>						
Govt Grants: Disabled Facility Grants	586,000	665,264	575,851	790,474	586,000	586,000
Section 106 Contributions	0	100,000	53,909	164,889	0	0
CIL Contributions	722,000	613,553	469,779	320,524	0	0
Capital Receipts Reserve	1,100,000	1,100,000	1,199,762	1,000,000	1,000,000	1,000,000
LAHF	0	4,648,253	2,392,253	2,256,000	0	0
Future Capital Expenditure Reserve	0	0	0	0	0	0
New Homes Bonus Reserve	333,034	333,034	155,685	100,025	95,000	95,000
Borrowing	1,861,444	11,454,615	6,435,019	8,272,004	1,707,590	1,756,370
<b>Total Use of Funding</b>	<b>4,602,478</b>	<b>18,914,719</b>	<b>11,282,257</b>	<b>12,903,916</b>	<b>3,388,590</b>	<b>3,437,370</b>
<b>Balance Carried Forward</b>						
Govt Grants: Disabled Facility Grants	(1,063,531)	(1,121,582)	(1,269,046)	(1,064,572)	(1,064,572)	(1,064,572)
Section 106 Contributions	(1,489,612)	(1,655,444)	(1,535,703)	(1,370,814)	(1,370,814)	(1,370,814)
CIL Contributions	(5,472,685)	(5,581,132)	(7,575,459)	(7,254,935)	(7,254,935)	(7,254,935)
Capital Receipts Reserve	0	0	0	(100,000)	(100,000)	(100,000)
LAHF	0	0	(2,256,000)	0	0	0
Future Capital Expenditure Reserve	0	0	0	0	0	0
New Homes Bonus Reserve	0	0	(2,239,626)	(2,249,848)	(2,249,848)	(2,249,848)
<b>Total Funding Carried Forward</b>	<b>(8,025,828)</b>	<b>(8,358,158)</b>	<b>(14,875,834)</b>	<b>(12,040,169)</b>	<b>(12,040,169)</b>	<b>(12,040,169)</b>
<b>South Oxhey Initiative</b>						
Balance Brought Forward	0	0	0	0	0	0
Generated in the Year (Land Receipts)	(6,354,279)	(6,354,279)	(6,354,279)	0	0	0
Repayment of Borrowing	6,354,279	6,354,279	6,354,279	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Expenditure Capital Investment Programme</b>	<b>4,602,478</b>	<b>18,914,719</b>	<b>11,282,257</b>	<b>12,903,916</b>	<b>3,388,590</b>	<b>3,437,370</b>


Key Financial Risks

Date risk added to register	Risk ref	Risk owner	Category	Risk description	Comment	Likelihood score (inherent)	Impact score (inherent)	Inherent risk score	Risk controls	Risk control owners	Likelihood score (residual)	Impact score (residual)	Residual risk score	Risk direction	Action plan	Action plan owners	Action plan completion dates
Sep-15	FIN07	Director of Finance	Strategic	The Medium term financial position worsens.	In that the general fund balance falls below the minimum prudent threshold and capital funding is insufficient to meet the capital programme. This appears as item no.8 in the Council's strategic risk register.	4	4	16	The Council has a robust financial management framework which includes regular budget monitoring reports to committees; Budgetary and Financial Risk Register reviewed and updated as part of the budget monitoring process; identification of budgetary pressure when reviewing the medium term financial plan during the budget setting process; Audited Statement of Accounts, including Annual Governance Statement. Currently the accounts are subject to cross system delays, however Azets have started work on the 2023/24 audit.	Director of Finance	3	2	6	→	2024/25 Budget has been agreed with a significant contingency for the pay award and other inflation. Regular budget monitoring reports to committees; Budgetary and Financial Risk Register reviewed and updated as part of the budget monitoring process; identification of budgetary pressure when reviewing the medium term financial plan during the budget setting process which includes a risk assessment for the prudent level of general balances and an assessment of financial resilience with reference to the CIPFA Financial resilience index.	Heads of Service/ Director of Finance	Continuous
Apr-06	FIN08	Director of Finance	Budgetary	The pay award exceeds estimates included in the MTFP resulting in unplanned and unsustainable use of reserves.	The Council's 3 year Medium term Financial Strategy includes forecast pay awards for the next three years. The 2024-25 pay offer has been made by employers at a level that will not put pressure on the contingency. Inflation is beginning to come down reducing pressure on next years increase.	3	3	9	Maintain reserves to guard against risk. Early identification of new pressures through Budget Monitoring.	Director of Finance	3	2	6	→	The Council's 3 year Medium term Financial Strategy includes forecast pay awards for the next three years. The Council maintains reserves to guard against risk including setting a prudent minimum level for general balances. Early identification of new pressures through Budget Monitoring enable the Council to take steps to bring the budget back into balance.	Director of Finance	Continuous
Apr-06	FIN09	Director of Finance	Budgetary	Other inflationary increases exceed estimates included in the MTFP resulting in unplanned and unsustainable use of reserves.	Other than contractual agreements, budgets are cash limited where possible and budget managers are expected to manage increases within existing budgets.	2	3	6	Monitor future inflation projections. Actively manage budgets to contain inflation. Maintain reserves.	Service Heads/ Director of Finance	2	2	4	↓	Monitor future inflation projections. Actively manage budgets and contracts to contain inflation. The Council maintains reserves to guard against risk including setting a prudent minimum level for general balances. Early identification of new pressures through Budget Monitoring enable the Council to take steps to bring the budget back into balance.	Director of Finance	Continuous



Jan-15	FIN10	Director of Finance	Budgetary	Interest rates increase or decrease resulting in significant variations in estimated interest income (investments) or interest expense (borrowing)	The Council remains cash positive so is experiencing a short term benefit from higher interest rates. Over the longer term rates are expected to come down allowing the Council to borrow for future capital projects.	3	2	6	The Council has a Treasury Management Strategy which is reviewed annually. The Council has lent out over a longer period to maximised the benefit from temporary higher rates. With investment in LAHF schemes cash balances are expected to fall but remain positive..	Director of Finance	3	2	6	→	The Audit Committee receives two reports per year on Treasury Management activity and interest income and expenditure is monitored through the Budget Monitoring Report.	PIB	Continuous
Apr-06	FIN11	Director of Finance	Budgetary	Inaccurate estimates of fees and charges income and / or estimates of cost of delivering chargeable services result in budgetary pressure.	A budget pressure is created due to income shortfalls or increased expenditure	3	2	6	Budget levels realistically set and closely scrutinised	Service Heads/ Director of Finance	2	2	4	→	Fees and charges, including and surplus or loss are monitored through budget monitoring with key income streams reported to CMT.	Director of Finance	Continuous
Apr-06	FIN12	Director of Finance	Budgetary	The Council loses the ability to recover VAT as a result of exceeding the partial exemption threshold resulting in budgetary pressure.	If the council's expenditure on functions for which it receives income that is exempt for VAT purposes exceeds 5% of its total vat-able expenditure, then the Council may lose its ability to recover VAT on all of its exempt inputs. This is mitigated by close monitoring of exempt supplies and prudent VAT planning. The Council elects to tax on development schemes.	2	4	8	VAT Planning and opt to tax on schemes. VAT advisers employed.	Director of Finance	1	4	4	→	Partial Exemption Review is undertaken annually with support provided by the Council's external tax advisors, PS Tax. The Council continue to opt to tax land where appropriate.	Director of Finance	Continuous
Dec-13	FIN13	Director of Finance	Budgetary	The estimated cost reductions and additional income gains set out in the MTFP are not achieved resulting in an unplanned and unsustainable use of reserves.	Savings identified and included in the budget will be monitored as part of the budget monitoring process. See fees and charges above. MTFP agreed for next three years.	2	3	6	Service Heads to take responsibility for achieving savings. Budget monitoring to highlight any issues to allow corrective action to be taken.	Service Heads/ Director of Finance	2	2	4	→	Budget process to clearly identify savings to be achieved and ensure clarity over responsibility over delivery. Savings to be challenged.	Director of Finance	Continuous

Apr-06	FIN14	Director of Finance	Budgetary	The Council is faced with potential litigation and other employment related risks	The Council has no material outstanding litigation cases.	2	3	6	Council procedures are adhered to	Solicitor to the Council	1	3	3	➡	Adherence to council procedures to be monitored and procedures maintained.	Solicitor to the Council	ongoing
Dec-13	FIN18	Director of Finance	Budgetary	Business Rates Retention fluctuates impacting on the amount of funding received by the Council.	From April 2020 the system was due to be subject to reset and increase to 75% retention resulting in a loss of growth. This has been further postponed to 2025/26. However, the significant revaluations for 2023 introduce additional risk of appeals which could result in a reduction to income. The Government has announced relief for the Creative Industries but the appeal risk remains.	3	4	12	Maintain reserves against risk. Ensure prudent provision for appeals.	Director of Finance	3	3	9	➡	Hertfordshire CFOs continue to work with LG Futures to assess the impact on individual Councils in Hertfordshire and the impact on the ability to create a business rate pool for future years. The scale of appeals is still unknown but this is likely to become clearer over the next 24 months as transitional relief reduces for businesses impacted by the increases in rateable value. Three Rivers is outside of the pool for 2024/25.	Director of Finance	Continuous
Jul-16	FIN20	Director of Finance	Budgetary	Failure of ICT systems	The Council's integrated Financial Management System (FMS) is held on an ICT platform. If this were to fail then potentially there will be a loss of functionality occurring during any downtime.	3	2	6	System migrated to latest version. Payments system updated.	Service Heads/ Director of Finance	1	2	2	➡	Monitor reliability	Head of Finance	Continuous
Mar-18	FIN21	Director of Finance	Budgetary	Property Investment	The Property Investment Board manage its property portfolio in order to secure additional income to support its general fund.	2	3	6	Portfolio to be actively managed to maintain income levels. Income to be reviewed regularly when MTFP is updated.	Head of Property Services	1	3	3	➡	PIB to assume responsibility for ongoing oversight.	Head of Property Services	Continuous
Sep-18	FIN23	Director of Finance	Budgetary	Commercial Investment	The Council has limited options to further improve self sustainability through commercial investment following changes to the the Prudential Code for Capital Finance and changes to PWLB borrowing regulations. Currently there is a	3	2	6	Oversight mechanisms to be put in place to ensure oversight by PIB or similar mechanism. Council to determine approach to risk and level of income dependency within budget.	Director of Finance	2	2	4	➡	Monitor new developments. Investments overseen by the cross party Shareholder and Commercial Ventures Panel.	Head of Property Services	Continuous

Nov-19	FIN 24	Director of Finance	Service	Loss of Key Personnel	As the Council becomes more complex in its financial arrangements, key skills become more important.	3	4	12	Improve depth of skills and knowledge. Bring in temporary additional resources as necessary.	Head of Finance	2	3	6	 Whilst the Finance team is currently fully staffed, pressures are continuing to increase in the external market. All staff have an annual Personal Development Review which contains smart objectives including objectives related to career development and identification of training needs and opportunities.	Chief Executive/ Director of Finance	Continuous
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## Short Equality Impact and Outcome Assessment (EIA) Template **DRAFT FOR DISCUSSION**

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>

They help us make good decisions and evidence how we have reached these decisions.<sup>3</sup>

See end notes for full guidance. For further support or advice please contact the Community Partnerships Team

### Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>

<b>Title</b> <sup>5</sup>		<b>ID No</b> <sup>6</sup>	
<b>Team/Service</b> <sup>7</sup>			
<b>Focus of EIA</b> <sup>8</sup>			
<b>Assessment of overall impacts and any further recommendations</b> <sup>9</sup>			

Potential Issues	Mitigating Actions
<b>Actions Planned</b> <sup>10</sup>	

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Equality Impact Assessment officer:**

**Date:**

**Equalities Lead Officer:**

**Date:**



## Guidance end-notes

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<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- Knowledge: everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- Timeliness: the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- Real Consideration: the duty must be an integral and rigorous part of your decision-making and influence the process. • Sufficient Information: you must assess what information you have and what is needed to give proper consideration.
  - No delegation: the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- Review: the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- Proper Record Keeping: to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

## <sup>2</sup> Our duties in the Equality Act 2010

As a council, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- 
- avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
  - promote equality of opportunity. This means the need to: – Remove or minimise disadvantages suffered by equality groups – Take steps to meet the needs of equality groups – Encourage equality groups to participate in public life or any other activity where participation is disproportionately low – Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
  - foster good relations between people who share a protected characteristic and those who do not. This means: – Tackle prejudice – Promote understanding

### **<sup>3</sup> EIAs are always proportionate to:**

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

### **<sup>4</sup> When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

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**Do you need to complete an EIA?** Consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?

How vulnerable are the people (potentially) affected? If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

<sup>5</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>6</sup> **ID no:** The unique reference for this EIA. This will be added by Community Partnerships

<sup>7</sup> **Team/Service:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal serviceusers, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be? • What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.

- 
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy,
  - Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>10</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

# Equality Impact and Outcome Assessment (EIA)

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>.

They analyse how all our work as a council might impact differently on different groups<sup>2</sup>.

They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

*See end notes for full guidance.*

**For further support or advice please contact Community Partnerships**

## 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>		<b>ID No.<sup>6</sup></b>	
<b>Team/Service <sup>7</sup></b>			
<b>Focus of EIA<sup>8</sup></b>			

## 2. Update on previous EIA and outcomes of previous actions <sup>9</sup>

<b>What actions did you plan last time?</b> (List them from the previous EIA)	<b>What improved as a result?</b> What outcomes have these actions achieved?	<b>What <u>further</u> actions do you need to take?</b> (add these to the Action plan below)

### 3. Review of information, equality analysis and potential actions

Protected characteristics groups from the Equality Act 2010	What do you know <sup>10</sup> ? Summary of data about your service-users and/or staff	What do people tell you <sup>11</sup> ? Summary of service-user and/or staff feedback	What does this mean <sup>12</sup> ? Impacts identified from data and feedback (actual and potential)	What can you do <sup>13</sup> ? All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
Age <sup>14</sup>				
Disability <sup>15</sup>				
Gender reassignment <sup>16</sup>				
Pregnancy and maternity <sup>17</sup>				
Race/ethnicity <sup>18</sup> Including migrants, refugees and asylum seekers				
Religion or belief <sup>19</sup>				
Sex/Gender <sup>20</sup>				

<b>Protected characteristics groups from the Equality Act 2010</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<b>Sexual orientation<sup>21</sup></b>				
<b>Marriage and civil partnership<sup>22</sup></b>				
<b>Community Cohesion<sup>23</sup></b>				
<b>Other relevant groups<sup>24</sup></b>				
<b>Cumulative impact<sup>25</sup></b>				
<b>Assessment of overall impacts and any further recommendations<sup>26</sup></b>				
Empty space for assessment and recommendations				



**4. List detailed data and/or community feedback that informed your EIA**

<b>Title</b> (of data, research or engagement)	<b>Date</b>	<b>Gaps in data</b>	<b>Actions to fill these gaps: who else do you need to engage with?</b> (add these to the Action Plan below, with a timeframe)

## 5. Prioritised Action Plan<sup>27</sup>

Impact identified and group(s) affected	Action planned (Action Owner)	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service plans and/or PDRs and monitored to ensure they achieve the outcomes identified.				

Page 50

### EIA sign-off:

Staff member competing Equality Impact Assessment:

Date:

Head of Service

Date:

TRDC Equality lead:

Date:

## Guidance end-notes

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  - Take steps to meet the needs of equality groups
  - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
  - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
  - Tackle prejudice
  - Promote understanding

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<sup>6</sup> **ID no:** The unique reference for this EIA.

<sup>7</sup> **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

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This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Previous actions:** If there is no previous EIA or this assessment is of a new service, then simply write 'not applicable'.

<sup>10</sup> **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?<sup>10</sup>
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: and Herts Insight <https://www.hertfordshire.gov.uk/microsites/herts-insight/home.aspx> ) and national ones where they are relevant.

<sup>11</sup> **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
  - (a) consult when proposals are still at a formative stage;
  - (b) explain what is proposed and why, to allow intelligent consideration and response;
  - (c) allow enough time for consultation;
  - (d) make sure what people tell you is properly considered in the final decision.

- 
- Try to consult in ways that ensure all perspectives can be considered.
  - Identify any gaps in who has been consulted and identify ways to address this.

<sup>12</sup> Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
  - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
  - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
  - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
  - If there is negative differential impact, how can you minimise that while taking into account your overall aims
  - Do the effects amount to unlawful discrimination? If so the plan must be modified.
  - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

<sup>13</sup> Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

<sup>14</sup> **Age:** People of all ages

<sup>15</sup> **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

<sup>16</sup> **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

<sup>17</sup> **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

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<sup>18</sup> **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

<sup>19</sup> **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

<sup>20</sup> **Sex/Gender:** Males and Females are covered under the Act. The Equality Act has some exceptions that allow employers or organisations to discriminate because of your sex

<sup>21</sup> **Sexual Orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. There are a small number of circumstances when being treated differently due to sexual orientation is lawful.

<sup>22</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

<sup>23</sup> **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

<sup>24</sup> **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

<sup>25</sup> **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

<sup>26</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>27</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

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# TRDC Climate and Sustainability Impact Assessment

This toolkit is a self-assessment to help officers think about how their policies, projects, procurements, commissioning and services can align with Three Rivers' Climate Emergency and Sustainability Strategy. It also supports report authors to draft the environmental implications section on decision reports, and procurement strategy reports.

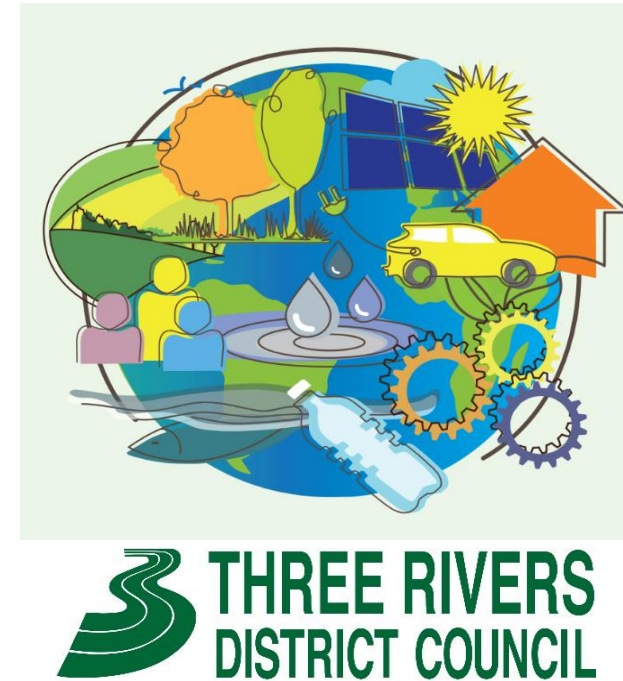
## How to use the tool

The self-assessment is intended to help officers reflect critically on their project or service's environmental impact. It is a reflective tool, not a framework for approving or rejecting a decision, so it will work best if each question is considered honestly and carefully.

We envision this tool will be used early in the design of a project/policy/procurement to identify areas where environmental harms can be mitigated, and environmental benefits enhanced. If you would like advice, please discuss with your Head of Service, and contact the Climate and Sustainability Team if necessary.

Once you are happy that your proposal is optimised, then complete this form, and copy the results in each section in to your decision report (committee/synopsis report) where applicable.

The next tab presents a set of questions about the proposal on a range of sustainability criteria. Each answer is colour-coded to indicate its environmental impact as below:



Colour code	Recommendation
Dark green (4)	Strong positive impacts for sustainability. Recommendation to proceed as is with this aspect.
Light green (3)	Some positive impact for sustainability. Recommendation to further enhance this aspect where possible and proceed.
Yellow (2)	Some negative impacts sustainability. Recommendation to review these aspects and find mitigations where possible.
Red (1)	Considerable inconsistency with the council's sustainability objectives. Strong recommendation to review these aspects and find mitigations.
Grey (0)	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.

Once you've selected your answer in the "Impact" column (C), then give the relevant score in the "Score" column (E). Higher scores indicate more sustainable proposals.

These questions should be considered for services, goods and projects we procure as well as those we deliver directly. Delivery models, specifications and tender evaluation should be shaped to ensure our contractors are aligned with our sustainability and net-zero commitments.

Against each area, the assessment presents prompts to highlight best practice suggestions and enable consideration of how negative impacts could be lessened on a project.

***This assessment was inspired by Jim Cunningham at Hammersmith and Fulham Council and developed by officers of Three Rivers District Council.***

**Version                      Date**

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Three Rivers District Council

# Three Rivers Biodiversity Policy & Biodiversity Net Gain Update

Date: 10.06.24

Report Originator Jess Hodges, Adam Ralton, Claire Westwood, Marko Kalik	Head of Service sponsor Charlotte Gomes & Kimberley Rowley	Date Originated 25.04.2024	
Lead Member Name:	Area of Responsibility:		
CMT Date: 30.04.24			
JLT Date (if applicable): 09.05.24			
REASON FOR REPORT			
Reason	JLT/CMT Feedback for Officer and further instructions		Recommendation to JLT/CMT:
Consultees consulted	Finance Yes Date:24.4.24	Legal Yes Date:24.4.24	Head of Service Yes Date:24.4.24
Consultees to be consulted following CMT before report publication	Chief Executive	Shared Director of Finance	
PROPOSED ROUTE FOR FURTHER APPROVAL			
			Date
Committee: Policy and Resources Committee			10 June 2024
Council (if required)			

**POLICY AND RESOURCES COMMITTEE  
10 JUNE 2024**

**Three Rivers Biodiversity Policy and Biodiversity Net Gain Update  
(Director of Finance and Associate Director for Customer and Community)**

**1 Summary**

- 1.1 The purpose of this report is to outline the updated legislative duties of the Council under the Environment Act including: strengthened biodiversity duty and Biodiversity Net Gain.
- 1.2 The report recommends approval of the Three Rivers Biodiversity Policy, along with agreement on how and where to use the S106 Maple Lodge budget and an agreement in principle for Three Rivers to consider council land that could be a receptor site for off-site biodiversity net gains.

**2 Context of Environment Act 2021**

- 2.1 The Environment Act (the Act) received Royal Assent on 9<sup>th</sup> November 2021 to operate as the UK's new framework of environmental protection following the UK leaving the European Union. The Act strengthens the duty of public bodies to conserve and enhance biodiversity for example through Biodiversity Net Gain and Local Nature Recovery Strategies.

2.1.1 BNG is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Its aim is to ensure that biodiversity is in a quantifiably better state post development by a minimum of 10%. The net gain in biodiversity can be created within the development site or on a donor site which then must be maintained for a minimum of 30 years. BNG applies to all development with some exceptions in place for example householder applications.

2.2 The act also strengthened the Biodiversity Duty on public authorities to conserve and enhance biodiversity. Public authorities were required to complete a first consideration for action that could be taken to benefit biodiversity by 1<sup>st</sup> January 2024 ([link to Three Rivers first consideration](#)). Following this, public authorities should review internal and external policies that impact biodiversity and then submit periodic reports.

### **3 Strengthened Biodiversity Duty**

3.1 Section 102 of the Environment Act 2021 strengthens the duty on local authorities to consider what they can do to conserve and enhance biodiversity in England. This action will contribute to the achievement of national goals and targets for biodiversity as set out in the Environmental Improvement Plan, 2023.

3.2 As a local planning authority, the council will publish a biodiversity report detailing how the council is helping to improve the environment. The reports must include:

- A summary of the action taken within the previous period to comply with the duty.
- Actions taken to meet biodiversity net gain obligations.
- Details of biodiversity net gains resulting (or expected) from approved gain plans.
- Plans to comply with the duty and biodiversity net gain obligations in the next reporting period.

3.3 The first report should be completed before the 1<sup>st</sup> January 2026 and following this reports must be completed within 5 years of the previous report.

### **4 Three Rivers Biodiversity Policy**

4.1 To comply with the strengthened biodiversity duty the council are required to review internal policies and procedures that could affect biodiversity.

4.2 The Three Rivers Biodiversity Policy is a new document for the council consolidating and aligning all council and local documents that have a focus on biodiversity.

4.3 This policy has been developed as an “umbrella policy” to set out the way in which the Council will manage and monitor Biodiversity across the district. It should be read in conjunction with the Council’s other policies, including the Three Rivers Local Plan Policies, Three Rivers Nature Recovery Strategy, Three Rivers Tree Strategy and the Three Rivers Climate Emergency and Sustainability Strategy.

4.4 Action plans of the relevant strategies will monitor and assess progress against their individual timelines. Each strategy will go through a periodic review process reporting progress on previous actions and setting new targets to benefit biodiversity.

4.5 The Biodiversity Policy will be reviewed in alignment with the production of strengthened biodiversity duty reports. These will be communicated throughout the council via the members information bulletin.

## 5 Biodiversity Net Gain Details

### Local Plan link to BNG

5.1 Policy relating to biodiversity is currently set out in Policy DM6 Biodiversity, Trees, Woodlands, Watercourses and Landscaping of the Development Management Policies Local Development Document (2013). This policy was adopted prior to BNG becoming a legal requirement. As such, there is no requirement for BNG in the policy. The policy states that “*development should result in no net loss of biodiversity value across the District as a whole.*”

5.2 The policy goes on to set out requirements in more detail:

*“Development must conserve, enhance and, where appropriate, restore biodiversity through:*

- *Protecting habitats and species identified for retention*
- *Providing compensation for the loss of any habitats*
- *Providing for the management of habitats and species*
- *Maintaining the integrity of important networks of natural habitats, and*
- *Enhancing existing habitats and networks of habitats and providing roosting, nesting and feeding opportunities for rare and protected species.*

*Linked habitats are important in allowing species to adapt and respond to circumstances. Development must not result in fragmentation or isolation of wildlife habitats and should seek opportunities for habitat connectivity with the wider landscape.”*

5.3 The policy also considers specific requirements for trees, woodlands and landscaping that goes beyond biodiversity requirements.

5.4 BNG is covered in the Environment Act and supporting regulations and therefore the lack of reference to BNG in existing policy is not an issue. Development proposals required to provide at least 10% BNG are required to do so whether or not there is a local plan policy in place. The gain is calculated using the Government’s approved BNG metric. This is a spreadsheet that considers the location of the site, its existing baseline condition, and proposed condition based on habitat creation and enhancements proposed. It also considers off-site habitat creation where necessary, to calculate whether there is a net gain overall, and the amount of that gain.

5.5 Following the Regulation 18 consultation on the draft Local Plan in 2021 an updated ‘Biodiversity, Trees, Woodlands and Landscaping’ policy was agreed by the Local Plan Sub Committee in March 2022. This policy update incorporated the legal requirement for 10% BNG.

5.6 The Local Plan Sub-Committee will be considering any further amendments to Local Plan policies in the summer, and the ‘Biodiversity, Trees, Woodlands and Landscaping’ policy will be reviewed as part of this process.

5.7 It should be noted that BNG is a legal requirement and there isn’t a need to repeat what is already set out in law and government guidance, however, emerging Local Plan policies allow us to set out any local priorities and strategies that we would

require developers to take into account in delivering BNG. For example, locally important habitats are addressed in the draft 'Biodiversity, Trees, Woodlands and Landscaping' policy.

- 5.8 Hertfordshire County Council are preparing a Green Infrastructure Strategy and Local Nature Recovery Strategies (LNRS) which will help to target offsite BNG delivery and determine the 'strategic significance' score that is part of the biodiversity metric.
- 5.9 As such, a locally specific policy can help to ensure that BNG contributes to wider nature recovery plans in addition to local objectives. It can help ensure the right habitats are provided in the right places.
- 5.10 A consideration of planning policy could be going further than the 10% BNG. Officers would caution against this, as requiring more onerous BNG targets could result in other policy areas being affected. The most likely of these would be affordable housing for which it is acknowledged there is an ongoing pressing need in the district. Core Strategy Policy CP4 (affordable housing) makes it clear that in assessing affordable housing requirements, the financial viability of a scheme will be a relevant consideration in determining the amount, type and tenure mix of such provision. Any BNG targets going beyond 10% would need to be supported by appropriate evidence, including that the approach will be viable. The impact on viability of asking for more than 10% BNG is being tested through the Whole Plan Viability Study.
- 5.11 Hertfordshire County Council are still working on the LNRS, and this is unlikely to be ready in time to be fed into the Local Plan policy, therefore it may be more practical to prepare a separate BNG Supplementary Planning Document (SPD) following adoption of the Local Plan.

## **Planning Process**

### **Validation Requirements**

- 5.12 BNG now applies to most new major and non-major development under the Town and Country Planning Act.
- 5.13 Where applicants consider that the development would not be subject to the general biodiversity gain requirements, Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 has been amended to require that the applicant must provide a statement as part of the planning application setting out why they believe this is the case.
- 5.14 The planning application form includes space for this statement. An applicant would be expected in this statement to set out what exemption(s) or transitional provision(s) apply to the development. In some cases, the exemption or transitional provision will be evident as they relate to the type of permission: the planning application form for household development already includes a pre-populated statement. In other cases, evidence may need to be provided.
- 5.15 Where development would be subject to the general biodiversity gain condition, the application must be accompanied by minimum information set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015:
- a statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition;

- the pre-development biodiversity value of the onsite habitat on the date of application (or an earlier date) including the completed metric calculation tool used showing the calculations, the publication date and version of the biodiversity metric used to calculate that value;
- where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date;
- a statement confirming whether the biodiversity value of the onsite habitat is lower on the date of application (or an earlier date) because of the carrying on of activities ('degradation') in which case the value is to be taken as immediately before the carrying on of the activities, and if degradation has taken place supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations [2024]) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- a plan, drawn to an identified scale which must show the direction of North, showing onsite habitat existing on the date of application (or and earlier date), including any irreplaceable habitat.

5.16 If this information has not been provided, the Local Planning Authority (LPA) will be unable to validate the application.

5.17 Officers will need to consider the submitted information. It is anticipated support in assessing BNG will be provided by HCC LEADS but at this time, it is not known which applications Herts LEADS will have capacity to review and at what stage in the planning process. This information is currently being awaited.

5.18 It is also important to note that the changes brought about by Biodiversity Gain do not change the current planning application validation requirements or planning considerations relating to broader ecological considerations in respect of ensuring protection of protected species. These remain relevant, with the BNG considerations an addition.

#### **Procedure following the grant of the planning permission (i.e. the Biodiversity Gain Condition)**

5.19 Schedule 14 of the Environment Act 2021 amended the Town and Country Planning Act to set out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that the development may not be begun unless a biodiversity gain plan has been submitted to the LPA, and the LPA has approved that plan.

5.20 The legislation sets out the matters the Biodiversity Gain Plan must specify. These include the pre- and post-development biodiversity value of the site, any registered offsite biodiversity gain or credits relied upon, and information about the steps taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat.

5.21 The plan would be submitted to the LPA using the existing mechanism for the submission of details pursuant to planning conditions and would attract the same fee and 8-week target decision date, with the fee refundable if no decision is made within 12 weeks.

5.22 The LPA must approve the plan if satisfied that the pre- and post-development biodiversity values are as specified in the plan, that any off-site gain is correctly allocated, that any credits have been purchased and that the biodiversity gain objective (biodiversity value attributable to the development exceeds the pre-



development biodiversity value of the onsite habitat) is met. There is a right to appeal if the plan is not approved. At this time, whilst the full extent of input by Herts LEADS is unknown, it is anticipated that Officers will be wholly reliant on Herts LEADS to provide advice/guidance in respect of whether the submitted information is acceptable or not. Should HCC LEADS not be able to provide this service, we would need to procure advice from an ecologist and the use of additional external consultants is likely to be costly.

- 5.23 In addition to dealing with information submitted pursuant to the BNG condition, there may also be a requirement for a S106 agreement to be entered into where a development is required to secure significant on-site habitat enhancements. Any gains, and the necessary habitat management plans, along with monitoring requirements, must be secured for 30 years.

### **BNG S106 Agreements**

- 5.24 BNG S106 agreements are entirely separate to S106 agreements which secure other heads of terms which are necessary to make the development subject of a planning application acceptable. Under a BNG S106, a land manager can sign an obligation with the LPA to commit to creating or enhancing habitats and managing those habitats for at least 30 years. Online planning guidance sets out that there are two types of legal agreement for BNG, the first is a S106 planning obligation and the second a conservation covenant. A Conservation Covenant is an agreement between landowners and a 'responsible body' (allocated by DEFRA, there are currently only five in the country). The land manager would need to provide detailed information on biodiversity habitat enhancements for the site, and the actions to be taken, and this can be provided and secured in the form of a Habitat Management and Monitoring Plan.
- 5.25 Obligations must be executed as a deed. LPAs are responsible for monitoring such agreements and enforcing to ensure the landowner meets their obligations and would register the obligation as a local land charge. Once land is secured for the creation/enhancement of habitats under this method, the land manager would then be able to sell the gains they have agreed to achieve in the form of units to developers.
- 5.26 The LPA will need to formulate a monitoring regime for such sites, to ensure they deliver what they have agreed to deliver. This is expected to rely on extensive input by ecologists as well as planners. It will be possible to charge for this and a new monitoring fee will need to be considered as an addition to our existing S106 Monitoring Charges (<https://www.threerivers.gov.uk/services/planning/section-106-agreement#Monitoring%20Charge%20for%20S106%20Agreements>)

### **TRDC Receptor Land**

- 5.27 As a landowner Three Rivers have the potential for Council land to be a receptor site or habitat bank, meaning that developers requiring off-site BNG units could utilise Three Rivers land to deliver their BNG. To be eligible for this, the Council would need to assess the current condition of proposed land through a UKHab survey and condition assessment and register the land with DEFRA and Natural England as a biodiversity gain site. A legal agreement would then need to be in place to secure the land through either a S106 agreement or a conservation covenant. This would then make the council responsible for achieving the net gain and maintaining it for a minimum of 30 years.
- 5.28 The costs relating to creating the habitat improvements, maintaining the habitat for 30 years and the subsequent monitoring would be covered within the legal

agreement and fee for the biodiversity units paid by the developer who requires the offsite units to comply with their BNG. The cost per unit is market driven and would be set by the council to incorporate habitat creation, maintenance, and monitoring in addition to the administration.

- 5.29 Officers will bring proposals to the Climate Change, Leisure and Community Committee as and when opportunities for Three Rivers land to be used as a receptor site for a final decision.

## **6 Maple Lodge Section 106**

- 6.1 A planning obligation was linked to the planning permission (LPA ref. 21/0573/FUL) for Maple Lodge for a biodiversity net gain contribution to be paid to the council on the commencement date (Appeal reference - APP/P1940/W/21/3289305). The total amount for the contribution, including indexation is £160,221. The council then have the discretion to use the contribution for habitat creation and enhancement on council owned land or pay the contribution to a third party to deliver locally.

- 6.2 Note: This planning permission was granted prior to Biodiversity Net Gain becoming mandatory, therefore, the process for this situation will differ.

- 6.3 The biodiversity net gain contribution should provide an area of species rich grassland in a location within proximity of the site which in the opinion of the council will deliver 11.9 biodiversity units (as per the Natural England biodiversity metric 2.0) and then manage and maintain this for 25 years.

- 6.4 If the council does not provide an area of species rich grassland within proximity of the site to the value of 11.0 biodiversity units (or arrange a third party to do this) within 5 years of receipt of payment, then the funds must be repaid to the owner.

- 6.5 Officers have identified grassland sites in proximity to the development site with the potential for ecological improvement. The next steps would be for these sites to be surveyed to gain a baseline of the habitat type, size and condition using the metric 2.0 to understand what would need to happen to deliver the biodiversity net gain. The sites being considered include: Beechen Wood, Coombe Hill Road, and Berry Lane & Mead Place. These three sites are currently being considered, once the ecological baseline surveys have been completed for each site there will be greater understanding of how much land will be required in order to create the 11.9 units.

- 6.6 Throughout the process, officers will ensure to keep the public informed through social media and the councils website.

## **7 Options and Reasons for Recommendations**

- 7.1 The purpose of this report is to outline the updated legislative duties of the Council under the strengthened Biodiversity Duty as part of the updated Environment Act. The report also provides some guidance on how BNG will be handled as part of the planning application process, including initial identification of potential future resource implications in terms of the specialist input required for such applications and future sites.

- 7.2 The report recommends approval of the Three Rivers Biodiversity Policy, along with agreement on how and where to use the S106 Maple Lodge budget and an agreement in principle for Three Rivers to consider having receptor sites.

## **8 Policy/Budget Reference and Implications**

- 8.1 The recommendations at points 18.1 and 18.3 in this report are within the Council's agreed policy and budgets.
- 8.2 The recommendations in this report relate to the achievement of the following objectives of the Corporate Framework 2023 – 2026:
  - 8.2.1 where people have access to good quality housing
  - 8.2.2 where local infrastructure supports healthy lifestyles and addresses health inequalities
  - 8.2.3 that takes action to mitigate and adapt to the climate emergency
  - 8.2.4 where local people, organisations and businesses benefit from the prosperity of the district
- 8.3 The impact of the recommendations on this/these performance indicator(s) is:
  - 8.3.1 The Council will comply with the obligations of current legislation – the Environment Act, 2021
  - 8.3.2 Developers will be able to operate within the District
  - 8.3.3 Biodiversity will benefit by 10%, there will be no net loss
- 8.4 The recommendations at points 18.2, 18.4 and 18.5 in this report are not within the Council's agreed policies. The report recommends the adoption of a new policy, along with an agreement in principle for the Council to be a receptor for BNG.

## **9 Financial Implications**

- 9.1 At this current time there are no financial implications to the Council in agreeing the recommendations outlined in the report at section 18.
- 9.2 Initially, implementation will be managed within existing staffing resources and through charging a monitoring fee, to be agreed as part of the Council's Fees and Charges setting process. Should additional resources be required this will be brought forward as part of the normal budget process.
- 9.3 TRDC are in receipt of new burdens payments from Central Government as a result of the implications of BNG on Council resource. Initial payments since 21/22 have been for the implementation of BNG with the payments of approx. £26k in each of the last two years being paid retrospectively once we had evidenced the work that had been undertaken to implement BNG. Around 50% of the monies received has been paid to HCC (as replicated by other Herts LAs) for their setting up of a new service to support the planning application process with the remaining paid for Officer resource.
- 9.4 In 2024/25 the Government has committed a further new burdens payment of £26k, again to be paid at year end once Officers have demonstrated how this money has been used to implement the BNG requirements. It has not been confirmed how long the Government will continue with BNG new burdens payments.

## **10 Legal Implications**

- 10.1 On-site gains may be secured by legal agreement, planning condition or conservation covenant (it would be for the LPA to determine the appropriate mechanism having regard to paragraphs 56-57 of the NPPF. Also the significance

of the site enhancements will be a relevant factor), off-site gains will necessarily be secured by Section 106 or a Conservation Covenant. The Council may also be approached by landowners in the District who are looking to provide biodiversity units by creating a habitat bank and selling them to developers in respect of developments which may be within and outside the district. The provision of such land-banks would need to be secured by Section 106. The Council would (irrespective of who the BNG units provided “belong” to), be the enforcing authority in the event of identified breaches of the Section 106. The Council may also in due course decide to become a provider itself, thereby promoting the delivery of BNG locally and that will require legal work. BNG units purchased within the district will attract a higher weighting so this could prove to be a popular option. There is also scope for developers to buy BNG credits via a national credit scheme to be run by Natural England. The attractiveness and future take-up of such schemes will have an effect on workloads.

- 10.2 It should also be noted that habitat enhancements delivering BNG will be required to be maintained for 30 years. Notwithstanding the use of a planning condition, the monitoring costs of that obligation will need be secured by Section 106 in any event (planning conditions cannot require the payment of money).

## **11 Equal Opportunities Implications**

- 11.1 The content of the report are dictated by legislative requirements and there a no negative impacts from an equalities and diversity perspective.

## **12 Staffing Implications**

- 12.1 The implementation of the Biodiversity Net Gain regulations are likely to have an impact within the development management, local plan and natural infrastructure teams with the need for input into planning applications within the required timescales and monitoring of s106 agreements.
- 12.2 Existing staff are likely to require additional training in order to be able to deal with the biodiversity element of planning applications. Herts LEADS are proposing a consultation service to provide resilience and consistency, any additional costs for this service will be reported through the usual budget process.
- 12.3 If the council makes sites available as receptor sites, depending upon the demand and our ability to absorb this demand, there may be an impact on the resources of the natural infrastructure team.
- 12.4 S106 monitoring fees will allow additional short-term resource to be brought in if required to support monitoring and enforcement of sites. If there is a longer-term impact on staffing resources this will be brought forward through the usual budget process.

## **13 Environmental Implications**

- 13.1 The adoption and implementation of the Three Rivers Biodiversity Policy will help ensure the Council’s parks, open spaces, woodlands and nature reserves are managed to the highest environmental standards.
- 13.2 The various strands of the Policy will ensure that the natural world is protected within the District and is maintained and enhanced while delivering co-benefits for climate change mitigation and adaptation in-line with the Council’s Climate Emergency and Sustainability Strategy.

## **14 Public Health implications**

- 14.1 A body of evidence is growing which explains the benefit people can experience from contact with the natural world; for example, increased prominence of social prescribing by clinicians for walking or gardening to alleviate symptoms.

<https://www.gov.uk/government/publications/state-of-the-environment/state-of-the-environment-health-people-and-the-environment>

- 14.2 Trees and greenery may boost lifespan, this has been studied for 8 years by Harvard researchers and published in April Environmental Health Perspectives.

<https://health.usnews.com/wellness/articles/2016-12-09/the-many-health-benefits-of-trees>

## 15 Communications and Website Implications

- 15.1 The relevant pages on the Three Rivers District Council website will be updated with all of the necessary information.

- 15.2 Additional communications will be considered as and when required as part of the Biodiversity Net Gain process.

- 15.3 Members will be kept updated via the Members Information Bulletin of any amendments or changes.

## 16 Community Safety/Customer Services Centre Implications

- 16.1 None-specific.

## 17 Risk and Health & Safety Implications

- 17.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

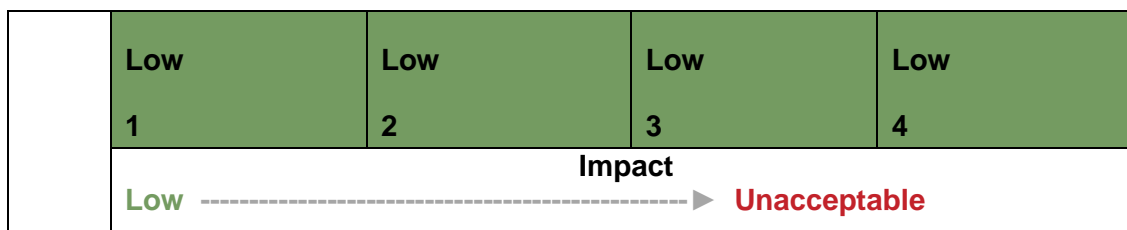
- 17.2 The subject of this report is covered by the Leisure and Natural Infrastructure Service Plan, Regulatory Services Service Plan, the Planning Policy and Conservation Service Plan and the Legal Elections and Democratic Services Service Plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plans.

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
The Council fails in its duties under the Environment Act.	Government intervention	Completion of the Biodiversity Duty Reports	Treat	3
The Council is unable to meet the legislative	Government intervention	Completion of the Biodiversity Duty Reports.	Treat	3

targets of the Act.		Implementation of BNG through the Planning process.		
Increased workload of Officers across the Council to deliver the requirements.	Staff unable to deliver legislative duties	Officers to monitor the impact and provide reports in due course.  Cost recovery for specific aspects of BNG to be included as part of Fees and Charges.	Treat	3
Negative public perception from the Council in protecting and enhancing biodiversity.	Increase in complaints, negative press, damage to reputation	Completion of the Biodiversity Duty Reports.  Implementation of BNG through the Planning process.	Treat	3
Negative Public Perception should the Council fail to fulfil its obligations under the Maple Lodge S106 Agreement	Increase in complaints, negative press, damage to reputation	Completion of the Biodiversity Duty Reports.  Communications to the public on proposals and plans for the implementation of the BNG S106.  Implementation of BNG through the Planning process.	Treat	6
Failure to monitor BNG and enforce as appropriate.	Legislative duties not met by LPA or by developers/developments.	Officers to monitor the impact of BNG and monitoring and ensure that cost recovery where appropriate is effective and put towards necessary resourcing	Treat	3

17.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> Likelihood	<b>Low</b> 4	<b>High</b> 8	<b>Very High</b> 12	<b>Very High</b> 16
	<b>Low</b> 3	<b>Medium</b> 6	<b>High</b> 9	<b>Very High</b> 12
	<b>Low</b> 2	<b>Low</b> 4	<b>Medium</b> 6	<b>High</b> 8



**Impact Score**  
 4 (Catastrophic)  
 3 (Critical)  
 2 (Significant)  
 1 (Marginal)

**Likelihood Score**  
 4 (Very Likely (≥80%))  
 3 (Likely (21-79%))  
 2 (Unlikely (6-20%))  
 1 (Remote (≤5%))

17.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

**18 Recommendation**

That the Policy and Resources Committee:

- 18.1 Note the content of the report.
- 18.2 Approve the adoption of the Three Rivers Biodiversity Policy.
- 18.3 Approve the use of the Maple Lodge BNG S106 funding being used on Three Rivers District Council owned land as identified in section 6 (Including: Beechen Wood, Coombe Hill Road open space, Berry Lane & Mead Place).
- 18.4 Agree in principle for Council owned and maintained land to be considered as potential receptor sites with the final decision on individual receptor sites to be delegated to the Leisure, Climate Change and Community Committee.

Report prepared by:

Jess Hodges, Natural Infrastructure Programme Manager  
 Adam Ralton, Development Management Team Leader  
 Claire Westwood, Development Management Team Leader  
 Marko Kalik, Head of Planning Policy and Conservation

**APPENDICES**

**APPENDIX A: Three Rivers Biodiversity Policy**





Three Rivers District Council

# Draft Three Rivers Biodiversity Policy

April 2024

# Three Rivers Biodiversity Policy

This policy has been developed as an “umbrella policy” to set out the way in which the Council will manage and monitor Biodiversity across the district. It should be read in conjunction with the Council’s other policies outlined in section 4, including the Three Rivers Local Plan Policies, Three Rivers Nature Recovery Strategy Three Rivers Tree Strategy and the Three Rivers Climate Emergency and Sustainability Strategy.

## 1. Introduction

The state of nature in the UK has been declining at a rapid rate in the last century, due to habitat loss or fragmentation, intensification of agriculture and climate change to name a few. In response to this issue the UK Government published its 25 Year Environment Plan in 2018, with an ambition to improve the environment within a generation. In 2023, this plan was revised, creating the Environmental Improvement Plan, which set out the following targets:

“By 2030, the government has committed to:

- halt the decline in species abundance.
- protect 30% of UK land.

By 2042, the government has committed to:

- increase species abundance by at least 10% from 2030, surpassing 2022 levels.
- restore or create at least 500,000 ha of a range of wildlife rich habitats.
- reduce the risk of species extinction.
- restore 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term.”

It is hoped that, by taking the above actions, nature will be restored, and environmental pollution will be reduced. At a local level, the Three Rivers Biodiversity Policy seeks to consolidate and align all council and local documents that protect, enhance, and improve biodiversity to ensure clarity and a consistency of approach.

## 2. Principles & Purpose

Three Rivers District encompasses an area of approximately 89 km<sup>2</sup> (34 square miles) formed of a complex mix of landscapes and habitats both urban and rural, woodland, grassland, wetland, and freshwater habitats. A total of 77% of the district is designated Metropolitan Green Belt, aiming to limit urban sprawl into rural areas by preventing inappropriate development.

Throughout the District there are a range of protected sites for nature including Sites of Special Scientific Interest, Local Nature Reserves, local wildlife sites and the Chilterns National Landscape. However, the protection and enhancement of the natural world cannot only take place within these protected areas, the connectivity of

habitats is just as vital as the quality of the habitat. Therefore, opportunities for biodiversity to thrive also must be considered within smaller open spaces, for example streets, gardens and hedges.

The Corporate Framework, adopted in 2023, sets out the vision for the Council which includes:

***“We want Three Rivers to be a district that takes action to mitigate and adapt to the climate emergency.”***

This element of the vision directly correlates to the protection and enhancement of the natural environment within the district. In 2019, the Council declared a Climate Emergency, acknowledging that mitigation alone is not sufficient, adaptability and resilience are equally critical to the future of the district. The benefits of increasing and protecting biodiversity are therefore two-fold as the natural world can prosper while also sequestering carbon, increasing shading, and filtering pollutants out of the environment.

### 3. Legislation & Obligations

A suite of legislation on the topic of biodiversity applies in the UK. Some of the most prominent legislation is highlighted below.

*This list is not exhaustive, is subject to change and expansion, the Council will endeavour to ensure all legislative obligations are fulfilled.*

#### Environment Act

The Environment Act sets out measures to ensure that there are no gaps in environmental governance following the UK’s exit from the European Union (EU), where previously environmental law and policy had been derived from the EU. Within the Act, Part 6 relates to Nature & Biodiversity and Part 7 covers Conservation Covenants. The elements of the Act most relevant to this policy include:

##### **Biodiversity Net Gain (BNG)**

BNG is an approach to development aiming to leave biodiversity in a quantifiably better state than it previously was. In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Therefore, unless an exemption applies, developers must now deliver a 10% net gain in biodiversity, meaning that development will result in an increase in biodiversity (quality/quantity) than there was before.

##### **Local Nature Recovery Strategies**

Section 104 of the Environment Act introduces Local Nature Recovery Strategies covering the entirety of England they set priorities for nature recovery and geographically specific actions. Three Rivers will be covered by Hertfordshire County Council, who are the responsible authority for the strategy area. As a District within the strategy area the Council are obligated to provide information as requested and agree and deliver according to the strategy.

### **Conservation Covenants**

Introduced by part 7 of the Environment Act, conservation covenants are legal agreements between a landowner and designated responsible body. The covenant must be both for the public good with a conservation purpose. Conservation covenants must have aim to conserve either the natural environment or archaeological, architectural, artistic, cultural, or historic interest.

### **Strengthened Biodiversity Duty**

Section 102 of the Environment Act strengthens the duty of local authorities on the topic of biodiversity as originally laid out in the Natural Environment and Rural Communities Act ("the NERC Act"). This strengthened biodiversity duty requires local authorities and local planning authorities to make a first consideration, determine relevant policies and objectives and submit reports periodically. The reports summarise actions taken in the previous period, plans for the coming reporting period and a summary of biodiversity net gain actions, gains, and plans.

## **Town & Country Planning Act**

The Town and Country Planning Act 1990, provides the legal framework for the planning system in England and Wales. It concerns spatial and development planning at both a local and national scale. Some examples of issues covered within the Act are:

- Responsibilities of the local planning authority
- Control of Development (for example planning permission, determination of applications and appeals)
- Enforcement of planning legislation
- Local Plan preparation

In addition, the Act also includes tree protection, in the form of Tree Preservation Orders (TPOs).

## **Wildlife & Countryside Act**

The primary legislation protecting the natural world in Great Britain is the Wildlife and Countryside Act 1981 covering plants, animals, and habitats. Formed of four parts and broken down in 17 schedules as an overview, the act covers:

- Wildlife, its protection and preventing the introduction of non-native species;
- Nature conservation and establishment of protected designated areas;
- Public rights of way; and
- Other miscellaneous provisions.

The Act has since been amended and supplemented by several additional pieces of legislation all to protect the natural world. Each protected area has a its own relevant legislation which supports the protection of land; for Sites of Special Scientific

Interest this is the Wildlife and Countryside Act 1981 whereas for Local Nature Reserves it is the National Parks and Access to the Countryside Act 1949.

There are five Sites of Special Scientific Interest and nine Local Nature Reserves within the district.

## 4. Three Rivers District Council's Relevant Associated Policies

### Three Rivers Development Management Policies

This document (adopted in 2013) details the Council's policies for development in the district and how they should be applied in the assessment and determination of planning applications.

Within the Development Management Policies is:  
DM6 Biodiversity, Trees, Woodlands, Watercourses and Landscaping.

The policy sets out requirements that "Development must conserve, enhance and, where appropriate, restore biodiversity through:

- i. Protecting habitats and species identified for retention.
- ii. Providing compensation for the loss of any habitats.
- iii. Providing for the management of habitats and species.
- iv. Maintaining the integrity of important networks of natural habitats, and
- v. Enhancing existing habitats and networks of habitats and providing roosting, nesting, and feeding opportunities for rare and protected species.

Linked habitats are important in allowing species to adapt and respond to circumstances. Development must not result in fragmentation or isolation of wildlife habitats and should seek opportunities for habitat connectivity with the wider landscape."

### Three Rivers Nature Recovery Strategy

Written in 2022, the Three Rivers Nature Recovery Strategy addresses the authority's approach to nature conservation, habitat management and enhancement in response to the ecological emergency that accompanies the climate emergency currently being faced. The strategy identifies and prioritises actions the council can take to benefit biodiversity.

### Three Rivers Tree Strategy

The Three Rivers Tree Strategy, written in 2022, assesses the council's roles and responsibilities as a landowner, regulator, and advocate for trees. The value of trees, woodlands and hedges as wildlife corridors is highlighted within the strategy facilitating wildlife to move between habitats.

### Three Rivers Climate Emergency & Sustainability Strategy

The Three Rivers Climate Emergency & Sustainability Strategy, 2023 updated from 2021 to reflect changes at international, national, and local level, to policy,

technology, and experience. The strategy focuses on what the council and its partners are doing and plan to do within the parameters of the current legal, financial, regulatory, and technological frameworks, under which we must operate to deliver substantial carbon emission reductions. Within the strategy multiple actions reinforce the value of the natural world to the adaptation, mitigation and resilience required of the district to reduce the impact of climate change.

### Three Rivers Corporate Framework

The Council's Corporate Framework, was adopted in 2023, with an objective to "take action to mitigate and adapt to the climate emergency."

In 2019, the council declared a climate emergency and committed to achieving net-zero emissions by 2030 for our own emissions and to inspire and enable the district by 2045.

### Three Rivers Procurement Strategy

Within the Environmental Procurement section there is an emphasis on "Minimising biodiversity and ecological damage" ensuring that services and products procured by the Council have a net zero biodiversity impact or a net gain.

## 5. Other Relevant Associated Policies

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these should be applied. It provides a framework which guides the local preparation of plans for sustainable development, including housing. The sections which relate to this Biodiversity Policy, are broadly as follows:

- **13. Protecting Green Belt land**

The main aims of Green Belt policy are to prevent unrestricted sprawl of large built-up areas and assist in safeguarding the countryside from encroachment. Therefore, applications which could harm the green belt should not be approved (except in special circumstances). The extent of Green Belts is set through England, new areas can only be established, or the area altered under exceptional circumstances.

- **15. Conserving and enhancing the natural environment**

The framework acknowledges that both planning decisions and policies enhance the natural and local environment. With consideration to habitats and biodiversity, plans should identify locations of local wildlife-rich habitats and the wider ecological networks acknowledging the value of connectivity. More specifically, the principles are:

- If harm to biodiversity resulting from development cannot be avoided, then it must be adequately mitigated.
- Development that is likely to adversely impact a Site of Special Scientific Interest (SSSI) should not be permitted.

- Development that results in the loss or damage to an irreplaceable habitat (e.g. ancient woodland) should be refused.
- A development where the primary objective is to conserve or enhance biodiversity should be supported.

## Hertfordshire's Local Nature Recovery Strategy

<https://www.hertfordshire.gov.uk/about-the-council/how-the-council-works/partnerships/herts-nature-recovery-partnership/hertfordshire-nature-recovery-partnership.aspx#LNRS>

As per Section 104 of the Environment Act, Hertfordshire the County Council has been designated the responsible authority and have formed the Hertfordshire Nature Recovery Partnership to produce the Local Nature Recovery Strategy for the area. Three Rivers, along with the other districts and boroughs will contribute to the strategy.

“The Local Nature Recovery Strategy (LNRS) will:

- Map areas of habitat across Hertfordshire
- Agree on local biodiversity priorities.
- Identify where practical action would be most beneficial to create, enhance or recover habitat.”

## Other Local policies:

- Chilterns National Landscape Management Plan, Chilterns Conservation Board  
<https://www.chilterns.org.uk/what-we-do/future-proofing-the-chilterns/management-plan/>
- Wilder Futures: Creating a wilder Hertfordshire and Middlesex by 2030, Herts & Middlesex Wildlife Trust  
[https://www.hertswildlifetrust.org.uk/sites/default/files/2022-02/J029225%20HMWT%20Wilder%202030%20Strategy%20Update\\_DIGITAL.pdf](https://www.hertswildlifetrust.org.uk/sites/default/files/2022-02/J029225%20HMWT%20Wilder%202030%20Strategy%20Update_DIGITAL.pdf)
- Hertfordshire Minerals and Waste Local Plan 2040: Policy 15 Biodiversity & Geodiversity, Hertfordshire County Council  
<https://www.hertfordshire.gov.uk/media-library/documents/waste/mwlp/core-document-library/policy-evidence-requests/evr-15-biodiversity-and-geodiversity-june-2022.pdf>
- Strategic Action Plan for Biodiversity 2023, Hertfordshire Climate Change and Sustainability Partnership  
<https://www.hccsp.org.uk/media/documents/hccsp-strategic-action-plan-for-biodiversity-2023.pdf>
- Environmental Improvement Plan 2023, HM Government  
<https://assets.publishing.service.gov.uk/media/64a6d9c1c531eb000c64ffa/environmental-improvement-plan-2023.pdf>

## 6. Monitoring Arrangements

Action plans within the relevant policies outlined within section 4 will monitor and assess local progress against the agreed targets and objectives. These actions and objectives of the individual policies will be reported against at the review of the each policy.

This policy will be reviewed in alignment with the submission of Strengthened Biodiversity Duty reports, with the first review due to take place in Autumn/Winter 2025.



## Glossary of Terms

### **Biodiversity**

Biological diversity, the variety of plant and animal life in the world or in a particular habitat, a high level of which is usually considered to be important and desirable.

### **Biodiversity Net Gain (BNG)**

An approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand

### **Chilterns National Landscape**

The Chilterns is one of forty-six national landscapes. A National Landscape, formerly an 'Area of Outstanding Natural Beauty (AONB)' is a formal designation for an area of land that is of national importance for its natural beauty. National Landscapes have the same level of landscape quality and the same level of protection as our National Parks.

### **Climate Change Adaptation**

Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

### **Climate Change Mitigation**

Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

### **Green Infrastructure**

A network of multi-functional green and blue spaces and other natural features, urban and rural, which can deliver a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities, and prosperity.

### **Habitat Fragmentation**

Fragmentation happens when parts of a habitat are destroyed, leaving behind smaller unconnected areas

### **Irreplaceable Habitat**

Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, considering their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

### **Natural Flood Management**

Managing flood and coastal erosion risk by protecting, restoring, and emulating the natural 'regulating' function of catchments, rivers, floodplains, and coasts.

### **Open Space**

All open space of public value, including not just land, but also areas of water which offer important opportunities for sport and recreation and can act as a visual amenity.

### **Sequestration**

A natural or artificial process by which carbon dioxide is removed from the atmosphere and held in solid or liquid form.

### **Wildlife Corridor**

Areas of habitat connecting wildlife populations.

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**Policy and Resources Committee  
Monday, 10 June 2024**

PART I

**Housing Assistance Policy  
(ADSPH)**

**1 Summary**

- 1.1 The Housing Assistance Policy sets out to ensure that the Council meets our statutory obligations in the delivery of Disabled Facilities Grants (DFG) for our residents.
- 1.2 The Policy sets out how the Council will provide financial assistance to enable residents to remain independent in their homes, for as long as possible, through disabled adaptations.

**2 Details**

- 2.1 The Council is provided funding from the Better Care Fund (BCF) on an annual basis, allocated by Hertfordshire County Council, which is to be used specifically for providing grants to help disabled people live more independently in their own homes.
- 2.2 Disabled Facilities Grants are available to disabled adults and children, when works to adapt their current home are judged to be 'necessary and appropriate' to meet their needs and when it is 'reasonable and practicable' to carry them out, having regard to the age and condition of the dwelling.
- 2.3 Although the Council holds the statutory duty to provide the DFG's, they are currently administered on behalf of the Council by The Building Control (Hertfordshire) Company, with the Council having to approve or reject the grant prior to it being administered.
- 2.4 This Policy covers two different types of grants that will be provided by the Council -
  - 2.4.1 The mandatory Disabled Facilities Grant.
  - 2.4.2 A Disabled Facilities Grant (DFG) is a means tested mandatory grant, provided under the Housing Grants, Construction and Regeneration Act 1996. This grant is for those who are disabled and only used for qualifying works, as set out in the 1996 Act.
  - 2.4.3 All owner-occupiers, tenants, licensees, or occupiers meeting the statutory criteria and financial assessment set out in the 1996 Act are eligible to apply for a DFG.
  - 2.4.4 The maximum grant that can be awarded is set by Government and is currently £30,000.
  - 2.4.5 To be eligible for assistance an assessment must be undertaken by a suitably qualified Occupational Therapist (OT).
  - 2.4.6 Appendix One of the Policy sets out the DFG application process for residents, including eligible expenses that can be included within the grant, how the grant will

be paid and the conditions that are placed upon a resident following the approval of a grant.

2.4.7 Appendix One also details what benefits the Council will consider as a passported benefit, meaning that if an applicant is in receipt of one of these benefits listed, they will not be subject to the financial means test.

2.4.8 Any application for a DFG made on behalf of a child, will not be subject to a test of financial resources.

## 2.5 The Discretionary Disabled Facilities Grant Top Up

2.5.1 Government have increased the flexibility of funding provided to local authorities from the Better Care Fund (BCF). This flexibility has enabled the Council to consider a discretionary top up grant in some cases.

2.5.2 Any expenditure allocated for this discretionary top up grant must be based on the requirements of the BCF and aim to achieve at least one of the following below –

- Reducing or eliminating hospital admissions
- Allowing speedier discharge from hospital
- Considering the long-term needs of individuals and reductions in associated treatments; and
- Undertaking works, adaptations or provision of equipment that is not provided by another service.

2.5.3 This grant is intended to assist in cases where a major adaptation has been identified as essential to meet the needs of the disabled person, once all other options, such as moving home, or internal alterations have been considered.

2.5.4 This grant will only be available to applicants who have met the criteria for a mandatory DFG, and who require additional funding beyond the £30,000 maximum mandatory DFG they have already been awarded.

2.5.5 This grant will only be available to an applicant in the most exceptional of circumstances and subject to funds, provided to the Council from the BCF on an annual basis, being available.

2.5.6 Before this grant application can be considered, the applicant will be required to evidence that all other funding mechanisms have been explored.

2.5.7 Any award of the Discretionary Disabled Facilities Grant Top Up will be capped at £15,000 per applicant.

2.5.8 This grant will not be awarded in the following circumstances –

- The request for discretionary assistance exceeds £15,000. However, where the additional works required to a property exceed the £15,000 Disabled Facility Grant Top Up, the Council may still award up to £15,000 to the applicant, if proof of the additional funds required to complete the works is provided. This limit will include any previous award of discretionary assistance granted to a recipient.

- The applicant moving to an alternative suitable property is a viable option.
- The applicant has a live application for re-housing on the Council's Housing Register.

2.5.9 Any decision to award a Discretionary Disabled Facilities Grant Top Up will be made by the Council's Strategic Housing Manager or the Council's Associate Director for Strategy, Partnerships and Housing.

### **3 Options and Reasons for Recommendations**

3.1 It is recommended that the Council adopt this Policy to enable the Council to meet our statutory obligations and to effectively and efficiently deliver DFG adaptations that best serve the needs of our disabled residents.

### **4 Policy/Budget Reference and Implications**

4.1 The recommendations in this report are within the Council's agreed policy and budgets.

### **5 Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Risk Management and Health & Safety Implications**

None specific.

### **6 Financial Implications**

6.1 The funding for DFG delivery is provided to the Council on an annual basis from the Better Care Fund (BCF), via Hertfordshire County Council.

6.2 Funding levels available are reviewed as part of budget monitoring throughout the financial year, to ensure grants are not awarded that would exceed the funding provided to the Council from the BCF.

### **7 Legal Implications**

7.1 The Housing Assistance Policy has been reviewed in full by Legal, who have confirmed that the Policy adequately records our statutory requirements.

### **8 Equal Opportunities Implications**

8.1 An Equalities Impact Assessment has been completed and is attached to this report as an Appendix.

### **9 Environmental Implications**

9.1 A Climate and Sustainability Impact Assessment (SIA) has been completed and attached as an appendix to this report.

9.2 The SIA for the Policy shows a neutral impact, as it is not possible to anticipate what potential works will be contained in any future application.

- 9.3 Relevant works that are conducted as part of a DFG will always be completed to the required energy efficiency standards. However, as the grant is capped at £30,000, it is imperative that the works required are financially viable in the circumstances.
- 9.4 It is important that in these circumstances, the equality duty owed to the disabled customer will take precedence over ensuring the works required follow best practice with regards to sustainability.

## 10 Communications and Website Implications

- 10.1 If adopted, the Policy will be uploaded to the Council's website.

## 11 Risk and Health & Safety Implications

- 11.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 11.2 The subject of this report is covered by the Housing Services service plan(s). Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

<b>Nature of Risk</b>	<b>Consequence</b>	<b>Suggested Control Measures</b>	<b>Response</b> <i>(tolerate, treat, terminate, transfer)</i>	<b>Risk Rating</b> <i>(combination of likelihood and impact)</i>
The Housing Assistance Policy is not adopted by Council	The Council would not be effectively or efficiently delivering DFG applications that best serve the needs of our disabled residents.	Council to adopt the Housing Assistance Policy	Tolerate	2

- 11.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> ----- <b>Likelihood</b> ----- ▼ <b>Remote</b>	<b>Low</b> <b>4</b>	<b>High</b> <b>8</b>	<b>Very High</b> <b>12</b>	<b>Very High</b> <b>16</b>
	<b>Low</b> <b>3</b>	<b>Medium</b> <b>6</b>	<b>High</b> <b>9</b>	<b>Very High</b> <b>12</b>
	<b>Low</b> <b>2</b>	<b>Low</b> <b>4</b>	<b>Medium</b> <b>6</b>	<b>High</b> <b>8</b>
	<b>Low</b> <b>1</b>	<b>Low</b> <b>2</b>	<b>Low</b> <b>3</b>	<b>Low</b> <b>4</b>
<b>Impact</b> <b>Low</b> ----- ► <b>Unacceptable</b>				

**Impact Score**

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

**Likelihood Score**

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

11.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

**12 Recommendation**

**12.1 That:**

For the Policy and Resources Committee to agree the Housing Assistance Policy.

Report prepared by: Jason Hagland, Strategic Housing Manager,  
jason.hagland@threeivers.gov.uk

**Data Quality**

Data sources:

N/A

Data checked by: N/A

Data rating: N/A

**Background Papers**

Nil

**APPENDICES / ATTACHMENTS**

**Appendix A – Housing Assistance Policy – March 2024**

**Appendix B – Equalities Impact Assessment**

**Appendix C – Climate and Sustainability Assessment**



## Short Equality Impact and Outcome Assessment (EIA) Template

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>

They help us make good decisions and evidence how we have reached these decisions.<sup>3</sup>

See end notes for full guidance. For further support or advice please contact the Community Partnerships Team

### Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>

<b>Title</b> <sup>5</sup>	Housing Assistance Policy	<b>ID No</b> <sup>6</sup>	
<b>Team/Service</b> <sup>7</sup>	Housing Services		
<b>Focus of EIA</b> <sup>8</sup>	<p>This EIA will assess the impacts of the Council's Housing Assistance Policy. The Housing Assistance Policy sets out to ensure that the Council meets our statutory obligations in the delivery of Disabled Facilities Grants (DFG) for our residents.</p> <p>The Policy sets out how the Council will provide financial assistance to enable our disabled residents to remain independent in their homes, for as long as possible, through disabled adaptations.</p> <p>The Council is provided funding from the Better Care Fund (BCF) on an annual basis, allocated by Hertfordshire County Council, which is to be used specifically for providing grants to help disabled people live more independently in their own homes. Disabled Facilities Grants are available to disabled adults and children, when works to adapt their current home are judged to be 'necessary and appropriate' to meet their needs and when it is 'reasonable and practicable' to carry them out, having regard to the age and condition of the dwelling.</p> <p>The Housing Assistance Policy will have an impact on the protected characteristic of those who are disabled, however, this Policy will outline two types of grants available to these individuals that will enable them to apply for funding required to pay for adaptations that will enable them to stay in their homes for longer, therefore, this will be a positive impact on this cohort.</p>		

	<p>These adaptations will also enable the reduction or elimination of certain hospital admissions, will allow for speedier discharges from hospital for these individuals.</p>
<p><b>Assessment of overall impacts and any further recommendations</b> <sup>9</sup></p>	
<p>The Policy sets out how the Council will effectively and efficiently deliver DFG's for our disabled residents, improving service delivery and setting out clear guidelines for how these works are considered and approved.</p> <p>It is therefore proposed that the adoption of this Policy will have a positive effect on this cohort and no negative impact to those with a protected characteristic.</p>	
<p><b>Potential Issues</b></p>	<p><b>Mitigating Actions</b></p>
<p>Nil</p>	<p>Nil</p>
<p><b>Actions Planned</b> <sup>10</sup></p>	
<p></p>	

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Equality Impact Assessment officer:** Jason Hagland

**Date:** 26/03/2024

**Equalities Lead Officer:**

**Date:**

### Guidance end-notes

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<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- Knowledge: everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- Timeliness: the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- Real Consideration: the duty must be an integral and rigorous part of your decision-making and influence the process.
- Sufficient Information: you must assess what information you have and what is needed to give proper consideration.

- 
- No delegation: the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
  - Review: the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
  - Proper Record Keeping: to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

## **<sup>2</sup> Our duties in the Equality Act 2010**

As a council, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- promote equality of opportunity. This means the need to: – Remove or minimise disadvantages suffered by equality groups – Take steps to meet the needs of equality groups – Encourage equality groups to participate in public life or any other activity where participation is disproportionately low – Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- foster good relations between people who share a protected characteristic and those who do not. This means: – Tackle prejudice – Promote understanding

## **<sup>3</sup> EIAs are always proportionate to:**

- 
- The size of the service or scope of the policy/strategy
  - The resources involved
  - The numbers of people affected
  - The size of the likely impact
  - The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

#### **4 When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

#### **Do you need to complete an EIA? Consider:**

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?

How vulnerable are the people (potentially) affected? If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

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<sup>5</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>6</sup> **ID no:** The unique reference for this EIA. This will be added by Community Partnerships

<sup>7</sup> **Team/Service:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal serviceusers, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be? • What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy,
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>10</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

# Equality Impact and Outcome Assessment (EIA)

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>.

They analyse how all our work as a council might impact differently on different groups<sup>2</sup>.

They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

*See end notes for full guidance.*

**For further support or advice please contact Community Partnerships**

## 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>		<b>ID No.<sup>6</sup></b>	
<b>Team/Service <sup>7</sup></b>			
<b>Focus of EIA<sup>8</sup></b>			

## 2. Update on previous EIA and outcomes of previous actions <sup>9</sup>

<b>What actions did you plan last time?</b> (List them from the previous EIA)	<b>What improved as a result?</b> What outcomes have these actions achieved?	<b>What <u>further</u> actions do you need to take?</b> (add these to the Action plan below)
N/A	N/A	N/A



### 3. Review of information, equality analysis and potential actions

Protected characteristics groups from the Equality Act 2010	What do you know <sup>10</sup> ? Summary of data about your service-users and/or staff	What do people tell you <sup>11</sup> ? Summary of service-user and/or staff feedback	What does this mean <sup>12</sup> ? Impacts identified from data and feedback (actual and potential)	What can you do <sup>13</sup> ? All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
Age <sup>14</sup>				
Disability <sup>15</sup>				
Gender reassignment <sup>16</sup>				
Pregnancy and maternity <sup>17</sup>				
Race/ethnicity <sup>18</sup> Including migrants, refugees and asylum seekers				
Religion or belief <sup>19</sup>				
Sex/Gender <sup>20</sup>				

<b>Protected characteristics groups from the Equality Act 2010</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
<b>Sexual orientation<sup>21</sup></b>				
<b>Marriage and civil partnership<sup>22</sup></b>				
<b>Community Cohesion<sup>23</sup></b>				
<b>Other relevant groups<sup>24</sup></b>				
<b>Cumulative impact<sup>25</sup></b>				
<b>Assessment of overall impacts and any further recommendations<sup>26</sup></b>				
Empty space for assessment content				

**4. List detailed data and/or community feedback that informed your EIA**

<b>Title</b> (of data, research or engagement)	<b>Date</b>	<b>Gaps in data</b>	<b>Actions to fill these gaps: who else do you need to engage with?</b> (add these to the Action Plan below, with a timeframe)

## 5. Prioritised Action Plan<sup>27</sup>

Impact identified and group(s) affected	Action planned (Action Owner)	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service plans and/or PDRs and monitored to ensure they achieve the outcomes identified.				

Page 100

### EIA sign-off:

Staff member competing Equality Impact Assessment:

Date:

Head of Service

Date:

TRDC Equality lead:

Date:

## Guidance end-notes

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<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
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- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

### <sup>2</sup> Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

**The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:**

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **promote equality of opportunity.** This means the need to:
  - Remove or minimise disadvantages suffered by equality groups
  - Take steps to meet the needs of equality groups
  - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
  - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
  - Tackle prejudice
  - Promote understanding

---

<sup>3</sup> EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

<sup>4</sup> **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

**Do you need to complete an EIA? Consider:**

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

<sup>5</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>6</sup> **ID no:** The unique reference for this EIA.

<sup>7</sup> **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

---

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Previous actions:** If there is no previous EIA or this assessment is of a new service, then simply write 'not applicable'.

<sup>10</sup> **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?<sup>10</sup>
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: and Herts Insight <https://www.hertfordshire.gov.uk/microsites/herts-insight/home.aspx> ) and national ones where they are relevant.

<sup>11</sup> **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
  - (a) consult when proposals are still at a formative stage;
  - (b) explain what is proposed and why, to allow intelligent consideration and response;
  - (c) allow enough time for consultation;
  - (d) make sure what people tell you is properly considered in the final decision.

- 
- Try to consult in ways that ensure all perspectives can be considered.
  - Identify any gaps in who has been consulted and identify ways to address this.

<sup>12</sup> Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
  - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
  - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
  - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
  - If there is negative differential impact, how can you minimise that while taking into account your overall aims
  - Do the effects amount to unlawful discrimination? If so the plan must be modified.
  - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

<sup>13</sup> Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

<sup>14</sup> **Age:** People of all ages

<sup>15</sup> **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

<sup>16</sup> **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

<sup>17</sup> **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.



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<sup>18</sup> **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

<sup>19</sup> **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

<sup>20</sup> **Sex/Gender:** Males and Females are covered under the Act. The Equality Act has some exceptions that allow employers or organisations to discriminate because of your sex

<sup>21</sup> **Sexual Orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. There are a small number of circumstances when being treated differently due to sexual orientation is lawful.

<sup>22</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

<sup>23</sup> **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

<sup>24</sup> **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

<sup>25</sup> **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

<sup>26</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>27</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

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# TRDC Climate and Sustainability Impact Assessment

Score / Colour Code	Impact and Recommendation
Dark green (4)	Strong positive impacts for sustainability. Recommendation to proceed as is with this aspect.
Light green (3)	Some positive impact for sustainability. Recommendation to further enhance this aspect where possible and proceed.
Yellow (2)	Some possible negative impacts for sustainability. Recommendation to review these aspects and find mitigations where possible.
Red (1)	Considerable inconsistency with the council's sustainability objectives. Strong recommendation to review these aspects and find mitigations.
Grey (0)	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.

## Guidance for use

Please answer all questions from the drop-down options in the 'impact' column (C), including 'not applicable' as needed.

Please email your completed copy of the form to [Joanna.Hewitson@threeivers.gov.uk](mailto:Joanna.Hewitson@threeivers.gov.uk).

Key to the colour coding of answers is given at the top of the page.

Name of project/policy/procurement and date	Housing Assistance Policy
Brief description (1-2 sentences):	The Housing Assistance Policy sets out to ensure that the Council meets our statutory obligations in the delivery of Disabled Facilities Grants (DFG) for our residents. The Policy sets out how the Council will provide financial assistance to enable residents to remain independent in their homes, for as long as possible, through disabled adaptations

## Homes, buildings, infrastructure, equipment and energy

Question	Impact (select from list)	Score (-1 to 4)	Justification or mitigation	Impact (select from list)	Revised Score (1-4)
1 What effect will this project have on overall energy use (electricity or other fuels) e.g. in buildings, appliances or machinery?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
2 What effect will this project have on the direct use of fossil fuels such as gas, petrol, diesel, oil?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
3 Does this project further maximise the use of existing building space? E.g. co-locating services; bringing under-used space into use; using buildings out-of-hours	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
4 Will any new building constructed or refurbished be highly energy efficient in use? (e.g. high levels of insulation, low energy demand per sq. m., no servicing with fossil fuels such as gas heating, EPC	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
5 Does this make use of sustainable materials / inputs in your project? E.g. re-used or recycled construction materials; timber in place of concrete	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
6 Does this use more sustainable processes in the creation of the project? E.g. modular and off-site construction; use of electrical plant instead of petrol/diesel,	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
7 Will this increase the supply of renewable energy? e.g. installing solar panels; switching to a renewable energy tariff	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
8 Do any appliances or electrical equipment to be used have high energy efficiency ratings?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
Average Score		#DIV/0!			#DIV/0!

Ways to optimise sustainability and work towards net zero carbon:
<ul style="list-style-type: none"> <li>- Insulate buildings to a high standard.</li> <li>- Include energy efficiency measures when carrying out refurbishment to deliver improvement in EPC ratings.</li> <li>- Replace gas boilers with renewable heating, such as heat pumps. Consider District Heat Networks where appropriate.</li> <li>- Construct new buildings to Passivhaus standard.</li> <li>- Design and deliver buildings and infrastructure with lower-carbon materials, such as recycled material and timber frames.</li> <li>- Use construction methods that reduce overall energy use, such as modular, factory-built components, or use of electrical plant on-site.</li> <li>- Install solar panels or other renewable energy generation, and consider including battery storage.</li> <li>- Switch to a certified renewable energy provider e.g. utilise power purchase agreements (PPA)</li> <li>- Use energy-efficient appliances.</li> <li>- Install low-energy LED lighting.</li> <li>- Install measures to help manage building energy demand, such as smart meters, timers on lighting, or building management systems.</li> </ul>

## Travel

Question	Impact	Score (0-4)	Justification or mitigation	Impact (select from list)	Revised Score (0-4)
9 Reducing travel: what effect will this project have on overall vehicle use?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
10 Will this project use petrol or diesel vehicles or EV, hybrid?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
11 Will this support people to use active or low-carbon transport? E.g. cycling, walking, switching to electric transport	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
12 Will it be easily accessible for all by foot, bike, or public transport, including for disabled people?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
13 Has the project taken steps to reduce traffic? Using e-cargo bikes; timing activities or deliveries to be outside peak congestion times	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
Average Score		#DIV/0!			#DIV/0!

Ways to optimise sustainability and work towards net zero carbon:
<ul style="list-style-type: none"> <li>- Reduce the need to travel e.g. through remote meetings, or rationalising routes and rounds.</li> <li>- Share vehicles or substitute different modes of travel, rather than procuring new fleet.</li> <li>- Specify electric, hybrid, or most fuel efficient vehicles for new fleet or for services involving transport.</li> <li>- Support users and staff to walk, cycle, or use public transport e.g. with cycle parking, training, incentives.</li> <li>- Use zero-emission deliveries</li> <li>- Model and mitigate the project's effect on traffic and congestion e.g. retiming the service or deliveries</li> </ul>

## Goods and Consumption

Question	Impact	Score (0-4)	Justification or mitigation	Impact (select from list)	Revised Score (0-4)
14 Has this project considered ways to reuse existing goods and materials to the greatest extent possible, before acquiring newly manufactured ones?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0

Ways to optimise sustainability and work towards net zero carbon:
<ul style="list-style-type: none"> <li>- Procure goods through sharing, leasing, or product-as-a-service models rather than ownership.</li> <li>- Use pre-owned and reconditioned goods, and reduce reliance on procuring new goods.</li> <li>- Use recycled materials, and procure items that can be reconditioned or recycled at end-of-life.</li> <li>- Use lifecycle costing in business cases to capture the full cost of operation, repair and disposal of an item</li> </ul>

15	Does it reduce reliance on buying newly manufactured goods? <i>E.g. repair and re-use; sharing and lending goods between services or people; leasing or product-as-a-service rather than ownership</i>	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
16	Does it use products and resources that are re-used, recycled, or renewable?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
17	Does it enable others to make sustainable choices within their lifestyles, or engage people about this?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
18	Is there a plan to reduce waste sent to landfill in manufacture?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
19	Is the material used able to be re-used, re-purposed, or recycled at end of its life?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
20	Has it taken steps to ensure any food it offers is more sustainable? <i>E.g. less and high-quality (high welfare) meat and dairy; minimises food waste; seasonal produce; locally sourced.</i>	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
<b>Average Score</b>			<b>#DIV/0!</b>			<b>#DIV/0!</b>

Use lifecycle costing in business cases to capture the full cost of operation, repair and disposal of an item.

- Ensure meat and dairy is high-quality, high-welfare.
- Design waste, including food waste, out of business models e.g. separating (and composting) food waste; replacing single-use items with reusable items.
- Use contact points with residents, community groups and businesses to engage and enable them to adopt low-waste, low-carbon behaviours.

<b>Ecology</b>						
	<b>Question</b>	<b>Impact</b>	<b>Score (0-4)</b>	<b>Justification or mitigation</b>	<b>Impact (select from list)</b>	<b>Revised Score (0-4)</b>
21	What effect does this project have on total area of non-amenity green/blue space? (Amenity green space = playing fields, play areas, sporting lakes etc. Non-amenity= e.g. woodland, grassland, wetland,	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
22	Does the project create more habitat for nature? E.g. native plants, trees, and flowers	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
23	Does it make changes to existing habitats and have a negative impact on nature? <i>E.g. use of pesticides, reduced extent and variety of plants, planting non-native species</i>	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
24	Does it help people understand the value of biodiversity, and encourage residents to support it in their private and community spaces?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
<b>Average Score</b>			<b>#DIV/0!</b>			<b>#DIV/0!</b>

**Ways to optimise sustainability and work towards net zero carbon: (Seek advice from Landscapes Team if required)**

- Avoid converting green space to hard surfacing.
- Use underutilised space for planting, such as green roofs and walls.
- Plant native plants and perennials, rather than non-native ornamental species, to encourage biodiversity.
- Reduce trimming of grass and hedges, and avoid use of synthetic pesticides.
- Provide space for animals e.g. long grass areas, bird boxes, bat boxes, 'insect hotels', ponds, hedgehog hides and passages, log piles
- Consider the ecological impacts from manufacture and use of procured goods, e.g. water pollution; water consumption; land use change for farming; pesticide use; organic/regenerative farming methods

<b>Adaptation</b>						
	<b>Question</b>	<b>Impact</b>	<b>Score (0-4)</b>	<b>Justification or mitigation</b>	<b>Impact (select from list)</b>	<b>Revised Score (0-4)</b>
25	Does any planned project, construction or building use include measures to conserve water?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
26	Does anythe project , consider how to sustainably protect people from extreme weather?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
27	Has any planned building work or infrastructure considered how to mitigate flood risk? <i>E.g. Sustainable Drainage Systems (SuDS); de-paving areas; green roofs</i>	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
28	Does any planned infrastructure or building work increase the overall footprint of hard surfacing? (as opposed to green or permeable surfacing)	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
29	Has the project considered its own resilience to future extreme heat, flood risk, or water shortage?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
<b>Average Score</b>			<b>#DIV/0!</b>			<b>#DIV/0!</b>

**Ways to optimise sustainability and work towards net zero carbon:**

- Install water-saving devices in taps, showers and toilets
- Re-use grey water in new developments
- Capture and re-use rainwater where possible e.g. water butts for use in car washing, watering garden, toilets
- Ensure all new building or refurbishment (especially of homes) models and mitigates future overheating risk, with adequate ventilation and shading
- Avoid increasing areas of hard surfacing.
- Convert hard surfacing to green and permeable surfacing where possible, and install Sustainable Drainage systems (SUDS).
- Plant drought-tolerant plants and mulch landscapes to avoid water loss through evaporation.

<b>Engagement and Influence</b>						
	<b>Question</b>	<b>Impact</b>	<b>Score (0-4)</b>	<b>Justification or mitigation</b>	<b>Impact (select from list)</b>	<b>Revised Score (0-4)</b>
30	Does this project raise awareness and understanding of the climate and ecological emergency, and the steps that people can take?	Neutral or not applicable. Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0		Recommendation to consider how benefits could be achieved in this area, but otherwise proceed.	0
<b>Average Score</b>			<b>#DIV/0!</b>			<b>#DIV/0!</b>
<b>Total Overall Average Score</b>			<b>#DIV/0!</b>			<b>#DIV/0!</b>

**Ways to optimise sustainability and work towards net zero carbon:**

- 'Make every contact count', by using contact points with residents, businesses and community groups to promote understanding of the climate emergency.

Now assesment is compelete copy and paste box into your business case, committee report. (under environmental implications 6). Whole assesment can be an appendix. Procurement tenders are expected to submit complete report with application.

<b>Climate and Sustainability Impact Assessment Summary</b>	
Homes, buildings, infrastructure, equipment and energy	#DIV/0!
Travel	#DIV/0!
Goods and Consumption	#DIV/0!

Ecology	#DIV/0!
Adaptation	#DIV/0!
Engagement and Influence	#DIV/0!
<b>Total Overall Average Score</b>	<b>#DIV/0!</b>

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Three Rivers District Council

# Housing Assistance Policy

March 2024

## Contents

1. Introduction and Background .....	2
2. Aims of the Policy .....	3
3. General Expectations.....	3
4. Mandatory Disabled Facilities Grants.....	4
5. Eligibility for Mandatory Disabled Facility Grants.....	4
6. Extended Warranties .....	4
7. Discretionary Disabled Facility Grant Top Up.....	5
8. Additional information .....	6
9. Exceptions and delegated authority .....	7
10. Repayment of Grant Monies by Applicants .....	7
11. Review of policy .....	7
Appendix 1 - Application Process.....	8



## **1. Introduction and Background**

- 1.1. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) gave local housing authorities the power to adopt discretionary policies with regard to housing interventions to further promote independent living and wellbeing.
- 1.2. The Disabled Facilities Grant delivery: Guidance for Local Authorities in England, published in March 2022 by the Department of Levelling Up, Housing And Communities (DLUHC) and the Department of Health and Social Care, provided guidance to local authorities to how they can effectively and efficiently deliver DFG funded adaptations to best serve the needs of older and disabled people. This guidance has been considered in the creation of this Policy.
- 1.3. This Policy sets out how Three Rivers District Council will provide financial assistance to enable residents to remain independent in their homes, for as long as possible, through disabled adaptations.
- 1.4. The Disabled Facilities Grant (DFG) is a mandatory grant, provided under the Housing Grants, Construction and Regeneration Act 1996 ('the 1996 Act'), towards the cost of eligible works necessary to support people of all ages and most tenures, with the aim to assist them to live independently and safely in their own homes. Local Authorities have a statutory duty to provide mandatory DFGs to applicants who qualify.
- 1.5. DFGs are available to disabled adults and children when works to adapt their home are judged necessary and appropriate to meet their needs and when it is reasonable and practicable to carry them out having regard to the age and condition of the dwelling.
- 1.6. DFGs for adults are subject to a test of financial resources which means that the applicant's income and savings must be assessed. DFGs for children are not means tested (applications for anyone under the age of 18 will need to be made by an appropriate adult, who must be over the age of 18).
- 1.7. Prior to agreement of a DFG an Occupational Therapist (OT), or other suitably qualified person with signoff by an OT, will assess whether any works are necessary, but the statutory responsibility for providing the DFG is with the Council. The Council is provided a set sum of money each year from Hertfordshire County Council, which is to be used specifically for providing grants to help disabled people to live more independently in their own homes.
- 1.8. Although the Council holds the statutory duty to provide the DFGs, they are currently administered on behalf of the Council by The Building Control (Hertfordshire) Company with Three Rivers District Council having to approve or reject the grant prior to it being administered. This may be subject to change throughout the period of this Policy and any reference to the Council within this policy could include those who are acting on behalf on the Council.

- 1.9. This Policy covers two different types of grants:
- Mandatory Disabled Facilities Grants – This sets out the mandatory legal framework for DFGs in accordance with the 1996 Act including eligibility criteria and the prescribed means test assessment.
  - Discretionary Disabled Facilities Grant Top Up – This sets out the Council’s policy to provide discretionary interventions to promote independent living and wellbeing. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) and latterly the Better Care Fund enable councils to support the wider prevention agenda of housing, social care and health authorities.

## **2. Aims of the Policy**

- 2.1. This Policy supports the Council’s vision of ‘A great place to live, work and visit’, specifically providing our residents with access to good quality housing and supporting our most vulnerable residents.
- 2.2. To ensure that residents in Three Rivers receive the necessary assistance to help them live in their own homes, safely and with dignity, with the right adaptation when they need it.
- 2.3. To reduce the need for residential care by allowing people with disabilities to live more independently in their own homes.
- 2.4. This Policy will contribute to ensuring that all users and potential users of services, and employees are treated fairly and respectfully with regard to the protected characteristics of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion, sex and sexual orientation.

## **3. General Expectations**

- 3.1. The Council’s decision making will consider the legislative requirements of providing works that are necessary and appropriate to meet the needs of the applicants and are reasonable, and practicable in their nature regarding the age and condition of the property, whilst following some specific expectations and presumptions:
- 3.1.1. Works should properly and fully meet the assessed needs of the disabled occupier. Grants that only partially meet those needs will only be considered in exceptional cases, where the failure to award a grant would lead to a significant health impact on a customer,
- 3.1.2. Any works funded using a DFG will be the simplest and most cost-effective adaptations that will meet the client’s assessed needs. This will include ‘making good’ any works, such as painting or adapting floor coverings to disturbed areas,

- 3.1.3. Wherever the Council judges it to be a practicable and realistic option, the rearrangement and/or change of use of existing rooms will be the preferred solution and will take precedence over the construction of extensions.
- 3.2. Any applications for a grant will not normally be considered if the relevant works have already been completed. However, applications for grant aided work may be considered on a case-by-case basis, where the relevant works have begun but have not been completed.
- 3.3. The Council may approve the application for a grant in these circumstances if they are satisfied there were good reasons for beginning the works before the application was approved. The Council may consider good reasons as the following, although this list is not exhaustive:
- To enable an urgent discharge from a hospital or other medical institution.
  - To eliminate a significant safety or fire risk in the property.
  - To eliminate significant costs incurred to an individual, family members or organisation associated with the care of a recipient.

#### **4. Mandatory Disabled Facilities Grants**

- 4.1. Mandatory DFG grants are available for people who are disabled and for qualifying works as set out in Section 23 of the 1996 Act.
- 4.2. A Local Land Charge will be placed on the owner occupier's adapted property where the grant exceeds £5,000. The land charge will be limited to a maximum of £10,000 which is the mandatory statutory limit. Further information on this charge can be found in Appendix One.

#### **5. Eligibility for Mandatory Disabled Facilities Grants**

- 5.1. All owner-occupiers, tenants, licensees or occupiers meeting the statutory criteria and financial assessment set out in the 1996 Act are eligible to apply for DFGs. The DFG maximum is set by the Government and is currently £30,000. To be eligible for assistance an assessment must be undertaken by a suitably qualified Occupational Therapist.
- 5.2. A summary of the application process and the grant conditions can be found in Appendix One.

#### **6. Extended Warranties**

- 6.1. Where available, and in circumstances where the maximum funding will not be exceeded by providing this, extended manufacturer's warranty and servicing contracts will be provided for all relevant adaptations and equipment (lifts, wash dry toilets, automatic doors etc.) for private tenants and owners.

## **7. Discretionary Disabled Facilities Grant Top Up**

7.1. The Department of Health and Social Care has stated that DFG funding will continue to be included within the Better Care Fund to “encourage areas to think strategically about the use of home aids and adaptations, use of technologies to support people in their own homes and to take a joined-up approach to improving outcomes across health, social care and housing”. This has allowed greater flexibility for the use of the grant funding provided to the Council, but all expenditure must be based on the requirements of the Better Care Fund and aim to achieve at least one or more of the core principles below:

- Reducing or eliminating hospital admissions
- Allowing speedier discharge from hospital
- Considering the long-term needs of individuals and reductions in associated treatments and social care costs; and
- Undertaking works, adaptations or provision of equipment that is not provided by another service.

7.2. This grant is intended to assist in cases where a major adaptation has been identified as essential to meet the needs of the disabled person, once all other options such as moving home, or internal alterations have been considered.

This will only be available to applicants who have met the criteria for a mandatory DFG, set out in the 1996 Act, and who require additional funding beyond the £30,000 maximum mandatory DFG they have been awarded, to pay for the adaptations or to move to another suitable property which has already been adapted.

7.3. All applications for top up assistance will be means tested using the same criteria and methodology used for mandatory DFGs.

7.4. Any discretionary grant will only be provided in the most exceptional circumstances and subject to funds from the Better Care Fund (BCF), provided to the Council on an annual basis, being available. The applicant will be required to evidence that all other possible funding mechanisms have been explored, including additional funding that may be made available from Hertfordshire County Council (HAP funding).

7.5. Only reasonable costs would be considered for this discretionary grant and any award of a discretionary grant will be limited to £15,000 per recipient.

7.6. Any discretionary grant awarded will only be available for eligible works.

7.7. Any decision to award or refuse a discretionary grant to an applicant must meet the conditions listed in 7.1 and also will consider the following:

- If there are any viable alternatives to the works requested.
- If the refusal of discretionary assistance would lead to a significant health impact for the applicant.

- Any previous award of discretionary assistance (if any).
- 7.8. The decision to award any discretionary grant will be taken by the Council's Strategic Housing Manager or the Council's Associate Director of Strategy, Partnerships and Housing.
- 7.9. Discretionary assistance will not be awarded in the following circumstances:
- The request for discretionary assistance exceeds £15,000. However, where the additional works required to a property exceed the £15,000 Disabled Facility Grant Top Up, the Council may still award up to £15,000 to the applicant, if proof of the additional funds required to complete the works is provided. This limit will include any previous award of discretionary assistance granted to a recipient.
  - The applicant moving to an alternative suitable property is a viable option.
  - The applicant has a live application for re-housing on the Council's Housing Register.
- 7.10. Given the unpredictable nature of the demand, costs and funding, it is important to note that any type of discretionary assistance may be withdrawn by the Council at any time.
- 7.11. Discretionary assistance may be refused in cases where an applicant is found to have an outstanding debt with the Council of any kind.
- 7.12. A local land charge for the full amount of the discretionary grant will be placed on the owner-occupied property for up to a ten-year period. This will be in addition to the amount recoverable as a condition of a mandatory DFG.

## **8. Additional information**

- 8.1. Repair, maintenance, and upkeep of a property remains solely the responsibility of the owner/landlord. The Council will target its limited resources to assist the most vulnerable residents in accordance with this policy.
- 8.2. This policy will be implemented in accordance with the Council's financial regulations and departmental procedures.
- 8.3. Any agreement for eligible works is between the grant recipient and the contractor completing the works and not the Council.
- 8.4. All financial grants/assistance will be calculated based on a reasonable cost of eligible works identified by the Council.
- 8.5. All payments relating to financial assistance will be made directly to the contractors/agents unless otherwise specified and only after provision of a signed agreement for works between the applicant and the contractor.

8.6. No payment will be made until the relevant work is completed to the Council's satisfaction.

8.7. The Council is not liable for the works, they can however help the applicant in the process of appointing and monitoring a contractor.

## **9. Exceptions and delegated authority**

9.1. Applicants can also apply if they are suffering a rapidly progressing and highly debilitating condition such as Motor Neurone Disease (MND) and may not be subject to the same means test as other applicants. In such circumstances, the Council will consider:

- A fast-track process with no means testing for works up to £5,000.
- Discount earnings of the applicant during the means test where larger scale works are assessed as being necessary and appropriate.

9.2. Assistance outside of those set out above can be awarded at the discretion of the Strategic Housing Manager or Associate Director of Strategy, Partnerships and Housing. Such an award will only be made subject to the provision of the Regulatory Reform (Housing Assistance) England and Wales Order 2002 and subsequent guidance.

## **10. Repayment of Grant Monies by Applicants**

10.1. Any grant monies repaid by applicants to the Council for whatever reason (e.g. breach of grant conditions, ceasing occupation etc.) will be paid into the DFG or discretionary fund from which they originated, so that this funding can be recycled via further grants to other residents in need.

## **11. Review of policy**

11.1. The policy will be reviewed every three years or following changes to the relevant law, funding levels or the cycle of funding allocations.

## Appendix 1 - Application Process

In order for the Council to consider approving a DFG, a valid application must have been received. Such an application consists of:

- A fully completed application form.
- A recommendation from an appropriately qualified professional for example an Occupational Therapist (OT).
- Details of passported benefits (as below) and/or information necessary to apply the test of resources (means test).
- Details of any additional fees or charges, e.g. architects or structural engineers.
- Certificate of Future Occupation (normally 5 years).
- Proof of Title (e.g. from the Land Registry).
- Cost of works, drawing, schedule, and proof of ID.

In addition, where appropriate:

- The property owner's consent

Passported benefits include:

- Income Support
- Jobseekers Allowance (income-based)
- Employment and Support Allowance (income-based)
- Guarantee Pension Credit (not Savings Pension Credit alone)
- Universal Credit
- Working Tax Credit and/or Child Tax Credit (where an annual income for the purpose of the tax credits assessment was below £15,050)
- Housing Benefit
- Council Tax support

The DFG legislation requires that all valid and completed grant applications are to be determined no later than six months after a completed application is received by the Council, however, we aim to determine all applications within a month.

### Eligible Expenses

The Council is only required to provide the relevant grants, it is not within their statutory duty to organise or supervise the works. The Council can however assist the applicant in making their application for a set agreed cost.

The Council works in partnership with external contractors who undergo a robust tendering process to come up with an agreed schedule of works and costings for the required aids and adaptations.

Works that fall outside of this scope will require two comparable estimates for the recommended works, which should be provided by the applicant.

The amount which is potentially grant fundable is estimated by considering the following:

- The relevant works which are eligible for grant funding (the grant eligible works).
- The amount of the expenses to be properly incurred in the execution of the eligible works.
- Costs attributable in relation to grant works, i.e. fees and charges.
- Extended warranties for lifts, wash-dry toilets, automatic doors etc.
- The 'test of resources' which determines the applicant's financial contribution to the works.
- For the mandatory disabled facility grant, the relevant person is the subject of the means test. The relevant person is the person who will benefit from the proposed grant eligible works.

In some cases where significant works are required, following the financial means test, an applicant may be required to make a financial contribution towards the cost of the works, that will reduce the overall amount of the mandatory grant to under the £30,000 maximum. In these cases, should the works required exceed the mandatory grant awarded to an applicant, the applicant may be able to apply for further financial assistance under the Council's Discretionary Disabled Facilities Grant Top Up (see Section 7).

Applications in respect of dependant disabled children and young people in full-time education under the age of 19 are exempt from the financial means test.

If the applicant chooses to make their own application and/or appoint their own agent, two estimates will be required to support the application and normally the cheapest will be chosen. The eligible amount of fee will be based on the Council's preferred contractor. The reasonable cost of an appointed agent or other necessary associated professional fees, such as an architect or structural engineer, are eligible for DFG.

### **Payment of Grant**

Grant payments will be made when the grant eligible works are completed satisfactorily and on receipt of the contractor's invoice. Council Officers may inspect the grant works during their progress and are able to make interim payments where appropriate.

Grant monies are actually legally awarded to the applicant and it is they who are technically responsible for paying their contractors. However, it is common practice for most grant applicants to request that payments are made directly to the contractor or agent.

It is important to note that the Council's Officers act on behalf of the Council to ensure public funds are spent correctly and value for money is achieved. If the Council acts as project manager, it does not guarantee the work and any disputes arising between applicants and the contractors are primarily the applicant's responsibility.

### **Grant Conditions**

The grant eligible works must be undertaken by the contractor(s) who provided the approved estimate(s) included in the application. Prior permission shall be obtained in writing from the Council by the applicant before any change in contractor takes place. The use of a different contractor without permission may result in cancellation of the grant and/or repayment by the relevant person.

The amount of grant approval can be re-determined where the eligible works cannot be completed without carrying out unforeseen or further works. However, costs cannot exceed the maximum amount of DFG award as detailed in section 5.

Unforeseen works can only be considered for grant funding by the Council where the work has not started prior to being agreed as 'unforeseen work' by the Council.

If applicants are required to contribute financially to the project, this must be paid and satisfactory evidence must be provided that payment has been made, i.e. a signed and dated receipt, before the Council will make any grant payment.



Where works are taking place in addition to grant aided works, which are not grant aided and are being funded by the applicant, these works must be completed and paid for by the applicant before any grant payment is released in relation to the grant eligible works.

Grant eligible works must meet all the professional recommendations regarding the disabled person and any alternative scheme must have the prior written agreement of the recommending professional before grant funding is approved.

In the event of a breach of any of the conditions set by the Council, repayment may be demanded from the applicant/owner/occupier/landlord/trustee/beneficiary (whichever is appropriate) in a sum up to or equal to the amount of the grant paid or any interim payment made. The Council has the discretion either not to demand repayment, or to require payment of less than the full amount provided.

### **Local Land Charge**

A Local Land Charge will be placed on the owner occupier's adapted property where the grant exceeds £5,000. The land charge will be limited to a maximum of £10,000 which is the mandatory statutory limit.

The assistance will be registered as a Local Land Charge and will be enforced when the applicant has disposed (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the assistance was given. In this event, the Council may require repayment of the land charge before it is removed from the local Land Charges Register. The Charge will be incurred if the property is sold within 10 years, subject to the consideration of the criteria set out in The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008.

The considerations are;

- The extent to which the recipient of the grant would suffer financial hardship.
- Whether the disposal of the premises is to enable the take up of employment.
- Whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the disabled person.
- Whether the disposal is made to enable the recipient of the grant to live with, or near, any person who can provide care.

The applicant is required, from the certified date of the grant, throughout the grant condition period of 10 years, to notify the Council of their intention to sell or otherwise dispose of the property. The applicant will need to provide the Council with any information reasonably requested by them in connection with such notification.

