

Agenda Reports & Other Papers

Presented to the
Meeting of the
County Council on
Tuesday
20 February 2018



HERTFORDSHIRE COUNTY COUNCIL

THE COUNTY COUNCIL

SUMMONS AND AGENDA

for the meeting to be held on Tuesday, 20 February 2018 at 10.00 a.m. in the Council Chamber, County Hall, Hertford.

GROUP MEETINGS

Conservative Group	9.00 am Tuesday, 20 February 2018 Council Chamber
Liberal Democrat Group	8.30 am Tuesday, 20 February 2018 Committee Room A
Labour Group	9.00 am Tuesday, 20 February 2018 Group Room

PRAYERS at 9.50 a.m.

Prayers led by Reverend Mark Hammond of High Street Methodist Church, Harpenden and Batford Methodist Church.

Members are reminded that all equalities implications and equalities impact assessments undertaken in relation to any matter on this agenda must be rigorously considered prior to any decision being reached on that matter.

Members are reminded that:

- (1) if they consider that they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting they must declare that interest and must not participate in or vote on that matter unless a dispensation has been granted by the Standards Committee;
- (2) if they consider that they have a Declarable Interest (as defined in paragraph 5.3 of the Code of Conduct for Members) in any matter to be considered at the meeting they must declare the existence and nature of that interest. If a member has a Declarable Interest they should consider whether they should participate in consideration and vote on the matter.

Members are reminded that Section 106 of the Local Government Finance Act 1992 provides that if a Member is in arrears of council tax for two months or more and they are present at a meeting where the Council's budget or the precept is being considered then they should declare this and any such Member must not vote on any matter relating to the setting of the Council's budget or the precept.

PART I ('PUBLIC') AGENDA

1. MINUTES

To confirm the minutes of the meeting of the Council held on 21 November 2017 (circulated separately).

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2. CHAIRMAN'S ANNOUNCEMENTS

3. PUBLIC QUESTIONS - STANDING ORDER 8(10)

To deal with questions from any member of the public being resident in or a registered local government elector of Hertfordshire, to the Leader of the Council and Executive Members about the policies and /or strategic priorities of the Council or about any matter over which the Council has power or which directly affects the County.

4. PUBLIC PETITIONS - STANDING ORDER 15

The opportunity for any member of the public, being resident in or a registered local government elector of Hertfordshire to present a petition relating to a matter over which the County Council has control, containing 1,000 or more signatures of residents or business ratepayers of Hertfordshire.

Notification of intent to present a petition must have been given to the Chief Legal Officer at least 20 clear days before the meeting where an item relating to the subject matter of the petition does not appear in the agenda, or at least 5 clear days where the item is the subject of a report already on the agenda.

[Members of the public who are considering raising an issue of concern via a petition are advised to contact their local County Councillor <http://www.hertsdirect.org/your-council/>

The Council's arrangements for the receipt of petitions are set out in [Annex 22 - Petitions Scheme](#) of the Constitution.]

If you have any queries about the petitions procedure for this meeting please contact Elaine Shell, Democratic Services Manager, by telephone on (01992) 555565 or by email to elaine.shell@hertfordshire.gov.uk

Notice of intent to present a petition containing more than 1000 signatures has been received. The subject matter of the petition relates to item 5A of the agenda and will be presented immediately before consideration of that item of business.

5. OFFICER REPORTS RELEVANT TO EXECUTIVE PORTFOLIOS

5A INTEGRATED PLAN 2018/19 - 2021/22 (incorporating the Strategic Direction and Financial Consequences and the Treasury Management Strategy)

Portfolio: Resources, Property and the Economy

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Prior to consideration of this item of business a public petition will be presented.

Norman Phillips will present a petition containing more than 1000 signatures on the following matter.

“Increase to charges for social care

Reject the proposals to increase charges for social care for severely disabled people who are being supported to live in their own homes, either alone or with family, as we believe that such increases will impact negatively upon:

- *the quality of their lives and consequently on their health and well-being,*
- *the health and well-being of their family carers leading to potential carer breakdown,*
- *the sustainability of their home placement resulting in higher costs across the health and social care system.*

We note the additional monies provided by Government and raised through the social care precept but we recognise the ongoing pressure on social care budgets and welcome the announcement that a Green Paper will be published this summer 2018. However, we consider that these proposals if enacted would cause hardship and stress to the most severely disabled people in our community and their families. We therefore call upon the County Council to reject them.”

Reports of the Director of Resources
(circulated separately to Members of the Council) as follows:

- (i) **Comments and Conclusions of the Council’s Cabinet Panels on the Integrated Plan Proposals 2018/19 – 2021/22**
- (ii) **Scrutiny of the Integrated Plan Proposals 2018/19 – 2021/22: Report of the Overview & Scrutiny Committee**
- (iii) **Integrated Plan 2018/19 - 2021/22 (incorporating the Strategic Direction and Financial Consequences and the Treasury Management Strategy)**

Members are asked to also bring the following reports to the meeting. These were previously circulated to all Members of the County Council as indicated below:

‘Public Engagement on the 2018/19 – 2021/22 Integrated Plan’
(circulated as Item 4(i) for the Cabinet meeting of 22 January 2018); and

‘INTEGRATED PLAN 2018/19 - 2021/22 (incorporating the Strategic Direction and Financial Consequences and the Treasury Management Strategy)

(circulated as Item 4(ii) for the Cabinet meeting of 22 January 2018).

5B. MEMBERS' ALLOWANCES 2018/19 – Report of the Independent Panel on Members' Allowances

Portfolio: Resources, Property and the Economy

Report from the Independent Panel on Members' Allowances (attached)

6. QUESTIONS TO EXECUTIVE MEMBERS

To deal with questions from Members of the Council to the Leader of the Council and Executive Members.

7. REPORT FROM THE OVERVIEW AND SCRUTINY COMMITTEE

Report of the Chairman of the Overview and Scrutiny Committee (attached)

8. REPORT FROM THE HEALTH SCRUTINY COMMITTEE

Report of the Chairman of the Health Scrutiny Committee (attached)

9. CONSTITUTION: UPDATE

Report of the Chief Legal Officer (attached)

10. NOTICES OF MOTION – STANDING ORDER 9 (6)

10A. J D Williams to move (seconder: S B A F H Giles-Medhurst):-

“This Council is dismayed at the decision of the Mayor of London to withdraw support for the project being led by Transport for London (TfL) to extend the Metropolitan Line to Watford Junction (MLX) on the basis that it cannot accept future cost risk.

In partnership with the Hertfordshire Local Enterprise Partnership, Watford Borough Council and local MP Richard Harrington, the Council secured a commitment from the Ministry of Housing, Communities and Local Government (MHCLG) for infrastructure funding of £73.4m to meet the project's revised budget. The local partners, Department for Transport and MHCLG consider that TfL should have sufficient confidence to stand behind their plan and revised budget to now deliver the project including any future cost risk.

The Mayor of London's decision comes during the public consultation for the draft London Plan and undermines the policy commitments towards wider collaboration across the Wider South East and a strategic, sustainable approach to transport.

The project is crucial to supporting modal shift to sustainable public transport, the regeneration of Watford and the delivery of 6777 planned new homes by 2031. This Council reaffirms its commitment to the project, urges the Mayor of London to consider how the project contributes to the London Plan and asks the Leader of the Council and Officers to continue to work with the Council's partners and Government and to secure delivery of the MLX."



**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

Full copies of all reports may be found on the internet at
<http://cmis.hertfordshire.gov.uk/hertfordshire/CabinetandCommittees.aspx>

Minutes



To: All Members of the Council
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Elaine Shell
Ext: 25565

MINUTES of the Meeting of the County Council held at County Hall, Hertford, on Tuesday, 21 November 2017.

MEMBERS IN ATTENDANCE

D Andrews	F Guest	A Plancey
D A Ashley	J S Hale	S Quilty
D J Barnard	D Hart	N A Quinton
S Bedford	K M Hastrick	I M Reay
N Bell	C M Hayward	R M Roberts
J Bennett Lovell	M S Hearn	A F Rowlands
P Bibby	T C Heritage	R Sangster
J Billing	D J Hewitt	R H Smith
S N Bloxham	F R G Hill	A Stevenson
S J Boulton	C K Hogg	S J Taylor
A P Brewster	N A Hollinghurst	R A C Thake (Chairman)
S Brown	T W Hone	R G Tindall
E H Buckmaster	T Howard	A S B Walkington
F Button	T R Hutchings	M A Watkin
L A Chesterman	S K Jarvis	J A West
C Clapper	J R Jones	C J White
H K Crofton	J S Kaye	A D Williams
R C Deering	A K Khan	J D Williams
T L F Douris	J G L King	T J Williams
D S Drury	P V Mason	C B Woodward
M A Eames-Petersen	M B J Mills-Bishop	C B Wyatt-Lowe
S J Featherstone	A J S Mitchell	W J Wyatt-Lowe
B A Gibson	M D M Muir	J F Wyllie
S B A F H Giles-Medhurst	R G Parker	P M Zukowskyj
S Gordon		

Upon consideration of the agenda for the Meeting of the County Council held on 21 November 2017, as circulated, action was taken or decisions were reached as follows:-

**CHAIRMAN'S
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1. MINUTES

1.1 The Minutes of the Meeting of the Council held on 18 July 2017 were confirmed as a correct record and were signed by the Chairman.

2. CHAIRMAN’S ANNOUNCEMENTS

(a) DEATH OF SERVING LEADER OF THE COUNCIL, FORMER MEMBERS OF THE COUNTY COUNCIL – ROBERT GORDON, JOHN USHER AND DEREK HILLS – AND OF FORMER DIRECTOR OF SOCIAL SERVICES, IAN WHITE

Ian White

The Chairman advised that Council had received the sad news that Ian White CBE, former Director of Social Services for Hertfordshire from 1995 to 2000, had passed away on 17 October.

Ian had developed a national reputation as a leading figure in Social Services during a long and distinguished career. Known for his strategic approach to service and managerial challenges, Ian played an important part in developing much of the legislation under which social care services now operate. He was President of the Association of Directors of Social Services in 1991/1992 and had been a trustee of the Princess Royale Trust for Carers since 1992. He was awarded a CBE in 1995 for his service to public services.

C J White and R H Smith spoke in tribute.

Derek Hills

The Chairman advised that Council had been informed just the previous day that former County Councillor Derek Hills had passed away. Derek served as the Conservative County Councillor for St Albans Rural from 1997 to 2009. Derek was a long serving member of the Council’s Health Scrutiny Committee and took an active role in its topic groups and those of the Overview and Scrutiny Committee. In addition to serving on the County Council, Derek was also a long time member of Wheathampstead Parish Council serving as its Chairman for several years.

S Quilty and C J White spoke in tribute.

John Usher

Council had also received the sad news that former County Councillor

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John Usher had passed away on 14 November 2017. John had first been elected to the County Council in 1997 as the Conservative representative for Potters Bar South West, and served as the representative for Potters Bar West and Shenley from 2001 - 2013. During his time as a County Councillor he was a member of a number of committees and panels including the Development Control Committee, on which he also served as Vice-Chairman, the Community Information and Protection Select Committee, the Environment Scrutiny Committee, the Health Scrutiny Committee, and the Environment, Economy and Community Safety Cabinet Panel.

As well as serving as a County Councillor, John also served for a number of years as a Hertsmere Borough Councillor, where he also served as a Deputy Mayor. Outside of his service as a local and county councillor, John was a school governor at Dame Alice Owen's School and at Wroxham Primary School. He was also actively involved in his local Rotary Club, where he was given the Paul Harris Award for his charity work with the organisation – the highest accolade a Rotarian can achieve for services to the community.

The County Council had appointed John as an Honorary Alderman of Hertfordshire in May 2013.

S Quilty, S B A F H Giles-Medhurst and N Bell spoke in tribute.

Robert Gordon CBE, DL, FRSA

Council remembered Robert Gordon, Leader of the Council, who had passed away on 6 October 2017.

Robert Gordon had first been elected to the County Council in 1989 and served until 1997 and then again from 2001 until 2017; representing Nascot Park from 1989 – 1997 and from 2001- 2009; and representing Goffs Oak and Bury Park from 2009. He had been Leader of the County Council since 2007 and was Chairman of the countywide Local Strategic Partnership, *Hertfordshire Forward*. Before becoming Leader, he held the portfolios of Education, Children's Services and Resources and Performance.

Robert Gordon's local government roles extended to both regional and national stages, having been Deputy Chairman of the Local Government Association, Chairman of the County Councils Network, Chairman of the East of England Local Government Association, Chairman of the East of England Strategic Authority Leaders, Vice-Chairman of the Improvement & Development Agency, Chairman of the National Employers Organisation for School Teachers and a member of the Workforce Agreement Monitoring Group and the General Teaching Council for England (until its abolition in March 2012). In 2011, he was ranked by the Local Government Chronicle as

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the 44th most influential voice in local government.

Robert Gordon was the first Chairman of the Hertfordshire Police Authority (from 1995 – 1997) and served as Chairman of its Audit Committee until the Authority was abolished in November 2012. He also served as an NHS non-executive director.

In 2015, Robert Gordon was appointed a full member of the Committee of the Regions, the European Union's assembly of local and regional representatives that provides sub-national authorities with a direct voice within the EU's institutional framework.

Born and educated in Hertfordshire, his higher education was at the University of Sussex, the College of Law and City University. He was formerly a solicitor in private practice; sometime Director of the Society of Genealogists; a former Member and Chairman of Watford Borough Council; was a Deputy Lieutenant of Hertfordshire and Clerk to the Watford Grammar Schools Foundation. He was appointed a Governor of the University of Hertfordshire in September 2010 and was awarded CBE for his services to local government in the Queen's Jubilee Honours list in 2012.

J D Williams, F Button, S Quilty, D A Ashley, C M Hayward, S B A F H Giles-Medhurst, C J White, M A Watkin, J Billing and S J Taylor spoke in tribute.

Council stood in memory of Robert Gordon, John Usher, Derek Hills and Ian White.

(b) MORRIS BRIGHT – COMMUNITY AWARD

Council congratulated County Councillor Morris Bright on being awarded a British Community Honours Award for services to the communities within British Society. The award had been given “in recognition of his outstanding contribution and services to the communities of Hertsmere” and was presented to Morris at the House of Lords on 20 October 2017.

(c) MINISTRY OF DEFENCE - SILVER AWARD EMPLOYER RECOGNITION SCHEME

The Council was pleased to be advised that its Silver Award Employer Recognition Scheme had been revalidated by the Ministry of Defence.

The award recognised that the Council was an armed forces friendly organisation and was open to employing reservists, armed forces veterans, cadet instructors and military spouses/partners; it also

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recognised how the County Council demonstrated its general support to the armed forces communities. The award ceremony would take place on 23 November.

(d) EAST OF ENGLAND LOCAL AUTHORITY CHALLENGE

The Chairman advised Members that a team from the County Council had won the Local Authority Challenge, beating over twenty other competing teams from local authorities across the East of England. The all-day event was hosted in Cambridgeshire and provided an opportunity for teams to participate in a challenge that saw them act as the senior management team of a fictional council. In addition to winning the overall prize, the team also picked up the award for 'Best Residents Magazine' which showcased some of the proposed changes the team had put forward. Council congratulated all involved.

(e) LEWIS HAMILTON

Council congratulated former Hertfordshire resident Lewis Hamilton on establishing himself as Britain's most successful racing driver by securing his fourth formula one championship at the Mexican Grand Prix.

3. APPOINTMENT OF THE LEADER OF THE COUNCIL

3.1 The **Chairman** called for nominations.

3.2 **J D Williams** was nominated by **T C Heritage** and this was seconded.

3.3 There being no other nominations, **J D Williams** was elected Executive Leader of the Council in accordance with Section 7 of the Constitution, to hold office for the period ending on the day of the Annual Meeting of the Council following the next ordinary election of County Councillors in 2021.

3.4 **J D Williams** addressed Council and confirmed **T C Heritage** appointed as Deputy Leader of the Council.

3.5 **J D Williams** advised Council that he would retain responsibility for the Resources, Property and the Economy portfolio and confirmed Executive Members and Executive Member Portfolios as follows:-

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Executive Member	Portfolio
D A Ashley	Environment, Planning and Transport
T L F Douris	Education, Libraries and Localism
T C Heritage	Children's Services
T W Hone	Community Safety and Waste Management
R M Roberts	Public Health, Prevention and Performance
R Sangster	Highways
C B Wyatt-Lowe	Adult Care and Health

3.6 S B A F H Giles-Medhurst, Leader of the Liberal Democrat Group and J Billing, Leader of the Labour Group, congratulated J D Williams and T C Heritage on their appointments.

3A. APPOINTMENT OF A CONSERVATIVE MEMBER OF THE EMPLOYMENT COMMITTEE AND APPOINTMENT OF CHAIRMAN TO THE COMMITTEE

3.7 Council was invited to appoint one Conservative Member to serve on the Council's Employment Committee to fill the vacancy on this Committee and to appoint its Chairman.

3.8 The following motion proposed by **J D Williams** and duly seconded was CARRIED:-

*"That **T C Heritage** is appointed to the Council's Employment Committee until the Annual Meeting of the Council next following."*

3.9 The following motion proposed by **T C Heritage** and duly seconded was CARRIED:-

*"That **J D Williams** is appointed as Chairman of the Council's Employment Committee until the Annual Meeting of the Council next following."*

4. LOCAL GOVERNMENT ACT 1972 – SECTION 85

4.1 Council was invited to consider applications received under Section 85 of the Local Government Act 1972 which provides that if a Member of a local authority fails throughout a period of 6 consecutive months to attend a meeting of the Authority, as defined in the Act, they cease to be a Member, unless the failure is due to a reason approved by the Authority before the expiry of the 6 month period.

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- 4.2** The following motion proposed by **J Billing** and duly seconded was CARRIED:-

*“That, in accordance with Section 85(1) of the Local Government Act 1972, Council approves the non-attendance on the grounds of ill-health at meetings of the Authority of **E M Gordon**”*

5. PUBLIC QUESTIONS – STANDING ORDER 8 (10)

- 5.1** There were no public questions.

6. PUBLIC PETITIONS – STANDING ORDER 15

- 6.1** There were no public petitions.

7. OFFICER REPORTS RELEVANT TO EXECUTIVE PORTFOLIOS

7A. APPROVAL TO UNDERTAKE A PUBLIC CONSULTATION ON THE DRAFT MINERALS LOCAL PLAN 2016 – 2031 INCLUDING POLICIES AND PROPOSED SPECIFIC SITES, PREFERRED AND/OR AREAS OF SEARCH FOR MINERAL EXTRACTION

- 7.1** The following motion proposed by **D A Ashley** and duly seconded was CARRIED:-

“That County Council approves the Draft Minerals Local Plan, attached at Appendix 1 to the report, for a ten week period of public consultation from 4 December 2017 to 9 February 2018, in accordance with Regulation 18 Town and Country Planning (Local Planning) (England) Regulations 2012.”

7B. APPROVAL TO UNDERTAKE AN INITIAL CONSULTATION ON THE REVIEW OF THE WASTE LOCAL PLAN

- 7.2** The following motion proposed by **D A Ashley** and duly seconded was CARRIED:-

“That County Council approves the Waste Local Plan draft Initial Consultation document, attached as Appendix 1 to the report, for a six week period of public consultation commencing in February 2018, in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012.”

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7C. YOUTH JUSTICE STRATEGIC PLAN

7.3 Council was reminded that the Equalities Impact Assessment for this item of business had been circulated under separate cover to all Members of the Council.

7.4 The following motion proposed by **T C Heritage** and duly seconded was CARRIED:-

“That Council approves the Hertfordshire Youth Justice Strategic Plan 2015 – 2018, 2017 update, attached as Appendix A to the report.”

8. THE EXECUTIVE REPORT

8A. LEADER OF THE COUNCIL – EXECUTIVE REPORT

8.1 The following motion proposed by **J D Williams** was CARRIED:-

“That the report of the Executive (being the report under Standing Order 7) be received and that the position of Key Decisions in the decision-making process shown in the current edition of the Forward Plan referred to in the report be noted.”

8B. MOTIONS ARISING FROM THE EXECUTIVE REPORT IN THE ORDER IN WHICH THEY WERE RECEIVED

8B(i) 8.2 The following motion was proposed by **S B A F H Giles-Medhurst** and duly seconded:-

“This Council does not believe the case for extension to the current Ringway contract has been satisfactorily made as Cabinet is being asked to agree the extension without details of how the required service improvements will be achieved.”

8.3 In accordance with Standing Order 11(6) the Chairman determined that the motion at 8.2 be debated with the motion **8B(iv)** set out in 8.4.

8.4 The following motion was proposed by **J G L King** and duly seconded:-

“This Council believes the current Highways Contractor, Ringway, has failed abysmally to provide a first class service to our residents across the County and that rather than rewarding them with an extension of

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their contract, the Conservative administration should have initiated a proper tendering process to invite other companies to bid to fix the state of our Roads.”

8.5 In accordance with Standing Order 13(4) a recorded vote was required on the motion at 8.2 above.

8.6 The motion at 8.2 was then voted upon and LOST, the recorded vote being:-

Those in favour of the motion (26):-

S Bedford	J S Hale	A F Rowlands
N Bell	K M Hastrick	S J Taylor
J Bennett-Lovell	C K Hogg	R G Tindall
J Billing	N A Hollinghurst	A S B Walkington
L A Chesterman	S K Jarvis	M A Watkin
D S Drury	A K Khan	C J White
M A Eames-Petersen	J G L King	T J Williams
B A Gibson	R G Parker	P M Zukowskyj
S B A F H Giles-Medhurst	N A Quinton	

Those against the motion (46):-

D Andrews	F Guest	A Plancey
D A Ashley	D Hart	S Quilty
D J Barnard	C M Hayward	I M Reay
P Bibby	M S Hearn	R M Roberts
S N Bloxham	T C Heritage	R Sangster
S J Boulton	D J Hewitt	R H Smith
A P Brewster	F R G Hill	A Stevenson
S Brown	T Howard	R A C Thake
E H Buckmaster	T R Hutchings	J A West
F Button	J R Jones	A D Williams
C Clapper	J S Kaye	J D Williams
H K Crofton	P V Mason	C B Woodward
R C Deering	M B J Mills-Bishop	C B Wyatt-Lowe
T L F Douris	A J S Mitchell	W J Wyatt-Lowe
S J Featherstone	M D M Muir	J F Wyllie
S Gordon		

Those abstaining (0):-

8.7 In accordance with Standing Order 13(4) a recorded vote was required on the motion at 8.4 above.

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8.8 The motion at 8.4 was then voted upon and LOST, the recorded vote being:-

Those in favour of the motion (26):-

S Bedford	J S Hale	A F Rowlands
N Bell	K M Hastrick	S J Taylor
J Bennett-Lovell	C K Hogg	R G Tindall
J Billing	N A Hollinghurst	A S B Walkington
L A Chesterman	S K Jarvis	M A Watkin
D S Drury	A K Khan	C J White
M A Eames-Petersen	J G L King	T J Williams
B A Gibson	R G Parker	P M Zukowskyj
S B A F H Giles-Medhurst	N A Quinton	

Those against the motion (46):-

D Andrews	F Guest	A Plancey
D A Ashley	D Hart	S Quilty
D J Barnard	C M Hayward	I M Reay
P Bibby	M S Hearn	R M Roberts
S N Bloxham	T C Heritage	R Sangster
S J Boulton	D J Hewitt	R H Smith
A P Brewster	F R G Hill	A Stevenson
S Brown	T Howard	R A C Thake
E H Buckmaster	T R Hutchings	J A West
F Button	J R Jones	A D Williams
C Clapper	J S Kaye	J D Williams
H K Crofton	P V Mason	C B Woodward
R C Deering	M B J Mills-Bishop	C B Wyatt-Lowe
T L F Douris	A J S Mitchell	W J Wyatt-Lowe
S J Featherstone	M D M Muir	J F Wyllie
S Gordon		

Those abstaining (0):-

8B(ii) 8.9 The following motion was proposed by **N Bell** and duly seconded:-

“This Council notes the cynical decision yet again by the Herts Valleys Clinical Commissioning Group on the 16th November to withdraw funding from the Nascot Lawn children’s respite centre without the full and proper consultation with parents as required by the Law.

This Council, therefore, calls on the Administration here to reassure all those affected parents, including any future users of Nascot Lawn, that the County Council will properly fulfil its duty to provide a respite care service and a short breaks service in the County by making sure that

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full and adequate resources are made available to fully fund all the centres that are needed.

This Council further calls on the Chief Executive and Leader of the Council to write to all 11 Conservative MPs in our County and urges them to demand from senior NHS managers and their own government the extra finance that is urgently needed to enable Nascot Lawn to continue to provide the vital health care for some of our most vulnerable children and their families.”

8.10 In accordance with Standing Order 10(3)(d) the Leaders of all of the political groups represented on the Council agreed that the amendment at 8.11 be moved without such notice as otherwise required having been given.

8.11 The following amendment was proposed by **S B A F H Giles-Medhurst** and duly seconded:-

“That the words ‘of Nascot Lawn’ in paragraph 2 be deleted; and that the words ‘Nascot Lawn’ be deleted from paragraph 3 and replaced with the word ‘them’.

The amended motion to read:-

“This Council notes the cynical decision yet again by the Herts Valleys Clinical Commissioning Group on the 16th November to withdraw funding from the Nascot Lawn children’s respite centre without the full and proper consultation with parents as required by the Law.

This Council, therefore, calls on the Administration here to reassure all those affected parents, including any future users, that the County Council will properly fulfil its duty to provide a respite care service and a short breaks service in the County by making sure that full and adequate resources are made available to fully fund all the centres that are needed.

This Council further calls on the Chief Executive and Leader of the Council to write to all 11 Conservative MPs in our County and urges them to demand from senior NHS managers and their own government the extra finance that is urgently needed to enable them to continue to provide the vital health care for some of our most vulnerable children and their families.”

8.12 The amendment at 8.11 was then voted upon and UNANIMOUSLY CARRIED.

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8.13 The substantive motion at 8.11 was then voted upon and UNANIMOUSLY CARRIED as follows:-

“This Council notes the cynical decision yet again by the Herts Valleys Clinical Commissioning Group on the 16th November to withdraw funding from the Nascot Lawn children’s respite centre without the full and proper consultation with parents as required by the Law.

This Council, therefore, calls on the Administration here to reassure all those affected parents, including any future users, that the County Council will properly fulfil its duty to provide a respite care service and a short breaks service in the County by making sure that full and adequate resources are made available to fully fund all the centres that are needed.

This Council further calls on the Chief Executive and Leader of the Council to write to all 11 Conservative MPs in our County and urges them to demand from senior NHS managers and their own government the extra finance that is urgently needed to enable them to continue to provide the vital health care for some of our most vulnerable children and their families.”

8B(iii) 8.14 The following proposed by **S B A F H Giles-Medhurst** and duly seconded was LOST:-

“In light of the fact that the Council had failed to fulfil its obligations under the lease at the Cuffley Camp Outdoor Centre, Council requests that the relevant Executive Member(s) bring urgent report(s) to the applicable panel(s) detailing all lease arrangements held by the County and its obligations under them.”

9. QUESTIONS TO EXECUTIVE MEMBERS

9.1 During the period for questions to Executive Members under SO(8)(7)(c) the following Members asked questions (and, where indicated, supplementary questions) of the Executive Member or their Deputy as stated [the audio recording of this item of business can be found here [Questions to Executive Members](#)].
[Questions are listed by portfolio].

Executive Member	Questioner	Subject
Leader of the Council	S B A F H Giles-Medhurst	The Council’s non-adherence to the lease arrangements relating to Cuffley Camp Outdoor Centre ¹
	J Billing	The Council’s ‘tweet’ relating to the reporting of council tax fraud ¹

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	T L F Douris	Update on Metropolitan (Rail) Line extension in view of housing development proposed for the local area (at Riverwell, Watford)
Adult Care & Health	R G Tindall	Update on the consultation on social care charging proposals currently underway and the domestic abuse prevention agenda ¹
	L A Chesterman	The Council's non-achievement of targets relating to direct payments made to carers ¹
Children's Services	M A Watkin	Proposed reorganisation of Youth Services (Youth Connexions) and associated public/stakeholder consultation ¹
	N Bell	Increase in the number of children subject to a child protection plan ¹²
Community Safety & Waste Management [Note: Responses were provided by the Deputy Executive Member in the absence of the Executive Member]	P M Zukowskyj	Update on, and publication of, the anticipated financial benefits of the proposed long term residual waste treatment plant for Hertfordshire (the 'Energy Recovery Facility' proposed for Hoddesdon) ¹²
	S Gordon	Update on the status of the Police and Crime Commissioner's business case application to the Home Secretary to take over responsibility for the Hertfordshire Fire and Rescue Service ¹
Education, Libraries and Localism	S K Jarvis	Fairness and appropriateness of charges levied for school bus tickets for those children not entitled to free home to school transport ¹
	J Billing	Inspiring Libraries Programme and evaluation of pilots currently underway ¹
Environment, Planning and Transport	S K Jarvis	Ensuring that the County Council has sufficient input into the planning process for strategic developments across the County ¹
	A K Khan	Bus usage this year as a percentage compared to last year and potential impact on usage of the increase in the cost of

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		Savercards ¹²
	T R Hutchings	Conclusions of recent conference jointly commissioned by the County Council and the Hertfordshire Infrastructure and Planning Partnership on the viability and funding of infrastructure
Highways	S B A F H Giles-Medhurst	Need for a review of vehicle cross-overs and granting of permission for construction of crossovers which involve shingle driveways ¹²
	J G L King	Maintenance of the trees on Hertfordshire's highways for which the Council is responsible ¹
	F Button	Use of Members' Highways Locality Budgets to ensure that necessary tree work on the highways is undertaken
Public Health, Prevention and Performance	N A Hollinghurst	Update on a proposal that 'prevention' be included as a standard theme applied to policy development and included in Cabinet Panel/Cabinet reports
	L A Chesterman	The recent Public Health Peer Group Review and strategies being employed to ensure the Council's continued engagement with the NHS ¹
Resources, Property and the Economy	P M Zukowskyj	Legal obligations and associated costs under lease arrangements in relation to Cuffley Camp Outdoor Centre and impacts on the County's school children ¹
	J Billing	The County Council's participation in a Corporate Peer Review ¹
	M B J Mills-Bishop	The Government's review of Local Enterprise Partnerships and the resilience of Hertfordshire's LEP in relation to that review

Notes: 1 - denotes that a supplementary question was also asked
2 – denotes that a written reply will be given

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9.2 Written questions to Executive Members – Standing Order 8(9)

9.2.1 Written questions to Executive Members and responses are set out in the attached Annex.

10. REPORT FROM THE OVERVIEW AND SCRUTINY COMMITTEE

10.1 The following motion proposed by **D Andrews** and duly seconded was CARRIED:-

“That the report from the Overview and Scrutiny Committee be received.”

11. REPORT FROM THE HEALTH SCRUTINY COMMITTEE

11.1 The following motion proposed by **S Quilty** and duly seconded was CARRIED:-

“That the report from the Health Scrutiny Committee be received.”

12. REVIEW OF THE COUNTY COUNCIL’S FINANCIAL REGULATIONS

12.1 The following motion proposed by **J D Williams** and duly seconded was CARRIED:-

“That the revised Financial Regulations, attached as Appendix A to the report, be approved, and that the Chief Legal Officer be authorised to make any amendments necessary to ensure that this decision is reflected consistently throughout the Constitution.”

13. CHANGES TO THE COUNTY COUNCIL’S CONSTITUTION

13.1 The following motion proposed by **J D Williams** and duly seconded was CARRIED:-

“That Council:

- (a) agrees the changes to the Council’s Constitution as set out in paragraph 2.8 the Report;*
- (b) authorises the Chief Legal Officer to amend Annex 3 to the Constitution to give effect to the decision at (a) above.”*

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14. REPRESENTATION ON THE LOCAL GOVERNMENT ASSOCIATION AND COUNTY COUNCIL'S NETWORK

14.1 The following motion proposed by **J D Williams** and duly seconded was CARRIED:-

*“That **T C Heritage** is appointed to serve as a representative of the County Council on the Local Government Association General Assembly and on the Council of County Councils’ Network until the Annual Meeting of the Council next following.”*

15. NOTICES OF MOTION – STANDING ORDER 9(6)

15A. 15.1 The following motion was proposed by **J Billing** and duly seconded:-

“Hertfordshire County Council recognises and values the work of its employees, school workers and those across the public sector.

It acknowledges that the Government’s imposition over many years of a pay freeze and public sector pay cap of 1% has resulted in wages in the public sector falling considerably behind both price inflation and the rise in earnings in the private sector. This has meant a real terms pay cut for our employees, causing some families to live in increasing poverty. It has also led to difficulties in recruitment and made public sector employees feel undervalued.

This Council urges Government to scrap the public sector pay cap. We also urge the Government to adequately fund councils to pay their staff a decent pay rise in line with the cost of living.”

15.2 In accordance with Standing Order 9(8), the Chairman advised Council that the motion stood referred to the Resources, Property and the Economy Cabinet Panel for consideration.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN.....

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WRITTEN QUESTIONS TO EXECUTIVE MEMBERS – STANDING ORDER 8

1. Written question from B A Gibson to J D Williams, Executive Member for Resources, Property and the Economy

“Given what Members of the Children’s Services and Resources Cabinet Panels have learned in the last week about the long-term wilful neglect in the oversight and management of Cuffley Camp Outdoor Centre, which included more than a decade of failure to comply with the terms of the lease, can Members be given any assurance that the same is not true in other contracts or leases? And if not, how many county leases or contracts are we currently in breach of?”

J D Williams has replied:

“The Council’s Property Services team operates a Corporate Property Database that holds data on all leases taken out by the Council. This includes key dates such as Break Options, lease expiries and rent reviews to support the identification of work required such as the negotiation of terms for dilapidations or repair issues, typically approaching the expiry date of leases.

Officers will also consider reactive responses to address matters that are brought to the Council’s attention either by the occupying Service or the Landlord.

Leased properties are managed in the main by the Council’s Property team but additional work can be directed to the Council’s Managing Property Agent – currently Lambert Smith Hampton - to support the Council in the discharge of its responsibilities.

To boost the Council’s oversight of lease conditions, as part of the work currently underway to let a new Property Management Contract, the new arrangements will include an explicit responsibility for proactive management of all lease conditions.

The Property Services team is not aware of any other leases where the Council is not complying with the relevant terms. The Director of Resources has commissioned a review, to be performed as part of the work to re-let the Property Managing Agent contract, to provide specific assurance regarding compliance with relevant conditions.”

2. Written question from B A Gibson to J D Williams, Executive Member for Resources, Property and the Economy

“When was the situation at Cuffley Camp Outdoor Centre first brought to your attention or that of your predecessor?”

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J D Williams has replied:

"I was first notified of this situation at a briefing in November 2014 in my capacity as Deputy Executive Member - Policy, Resources and Transformation."

3. Written question from B A Gibson to J D Williams, Executive Member for Resources, Property and the Economy

"Has a full review of the Cuffley Camp Outdoor Centre operation and finances over the past decade been conducted?"

J D Williams has replied:

"Officers within the Council's Children's Services and Property Services teams have reviewed operating costs, income and potential investment requirements at several points in the last few years.

A draft capital business case was developed by officers for possible inclusion within the 2016/17 – 2018/19 capital programme during 2015. The potential options identified a £1.5m cost to exit the lease or a £1.8m investment to satisfy the obligations under the lease and undertake condition related repairs. This was included within all the potential bids that formed part of the development of the overall capital programme within the draft Integrated Plan but was not included in the final proposed capital programme due to uncertainties related to the future use of the site.

Additional work was subsequently performed to consider options for the future of the site, including further discussions with the Landlord and the Big Lottery Fund. This work concluded with the revised financial options covered in the Part II paper considered by Cabinet Panels and Cabinet in November 2017 and the decision by Cabinet to withdraw from the lease."

4. Written question from B A Gibson to J D Williams, Executive Member for Resources, Property and the Economy

"Given that the costs relating to dilapidation must be paid whether the lease is terminated or not, what would be the additional costs of delaying this decision until a thorough review of alternative usage and operations can be carried out and Members' questions answered?"

J D Williams has replied:

"The additional costs would be annual betterment (in line with the lease) of £25k plus £5k of back rent (the Landlord has not implemented the previous rent reviews). The service would also continue to have to fund the operating

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deficit including rent and essential health and safety maintenance (estimated £38k).

In addition, the Council would incur further dilapidation costs over time as the condition of the site further deteriorates.

In addition, the potential exit costs included in the Part II Cabinet Panel Papers in November 2017 have been identified following a drawn out series of discussions with the Landlord and the Big Lottery fund. Additional delay may lead to a change in these costs.”

5. Written question from S B A F H Giles-Medhurst to J D Williams, Executive Member for Resources, Property and the Economy

“Given that the Equalities Impact Assessment on the above is dated May 2016 and had a proposed objective of "seek to exit the lease and close. Cuffley Camp", why were Members, other than the Executive Members (and other possible Members of the Administration), not made aware of this proposal until the published papers for the latest Children’s Services Cabinet Panel in November 2017?”

J D Williams has replied:

“The EQIA was initially prepared in 2016 as part of ongoing work to gather information about the financial situation at the Camp, review potential options and to continue the engagement with the Landlord and the Big Lottery Fund to establish the likely costs related to these options. This work concluded with the bringing forward of a proposal to the relevant cabinet panels in November 2017. The EQIA should have been updated – this was corrected following the action agreed at the Resources, Property and the Economy Panel on 9 November 2017.”

6. Written question from S B A F H Giles-Medhurst to J D Williams, Executive Member for Resources, Property and the Economy

“What negotiations and on what dates have the officers or Executive Members met with Gascoyne Holdings Limited in relation to decisions regarding the contractual conditions of the County Council lease and its continued use of the site?”

J D Williams has replied:

“Negotiations with the Landlord have been performed under the Council’s Managing Agent contract by our property agents Lambert Smith Hampton (LSH) under a delegated officer instruction. In April 2006 LSH were instructed to negotiate the terms of the revised lease by the Corporate Director (People & Property). LSH’s subsequent role has been to both advise the Council of its

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obligations and to ensure any liabilities are minimised within the overall terms of the lease. Subsequent dialogue with the Landlord has included the following key activities:

- *2011: Responding to receipt of an initial notice from the Landlord about the breach of lease conditions;*
- *2014: Engaging with the Landlord to inform future options including the potential for an early surrender of the lease;*
- *2016: Reviewing an interim schedule of dilapidations and responding to the subsequent notice of dilapidations;*
- *2017: Concluding engagement to identify likely terms related to future options including the early surrender of the lease.”*

7. Written question from S B A F H Giles-Medhurst to J D Williams, Executive Member for Resources, Property and the Economy

“Given that the County Council "owes" Gascoyne Holdings Limited just short of £300,000 (representing 11 years non-payment on the covenanted investment) under the lease and that these non-payments were brought, we were told at Resources Panel, to the attention of the County Council as far back as January 2016 (or even earlier) why has this information been withheld from Members (apart from the Executive Member and others in the Administration) until November 2017?”

J D Williams has replied:

“The service has been seeking to make Cuffley Camp self-financing and officers have been continuing negotiations with the Landlord to ensure its future sustainability including terms for an early surrender. The recommendation of the service to withdraw represents a policy decision that was reliant on the outcome of these negotiations and therefore has been delayed until now.”

8. Written question from S B A F H Giles-Medhurst to J D Williams, Executive Member for Resources, Property and the Economy

“In relation to the non-payment of the covenanted amounts due under the lease which were made aware to at least the Executive Member as far back as January 2016, what actions were taken, if any, to resolve these and make good the payments, and why were these non-payments not included in the budget monitoring reports or audited accounts and not included in the budget as "debtors" in the financial years since these outstanding amounts have been known?”

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J D Williams has replied:

“The amount referred to in the lease reflects a commitment on behalf of the Council to invest in the property and is not an annual payment to the Landlord. The sum is defined as being for ‘the improvement of the buildings and services on the site’ and is in addition to general maintenance expenditure. The specific term in the lease states:

“The Tenant must repair the Premises and keep them in the state and repair and condition they are at [sic] the date of this Lease and in complying with this covenant the Tenant must....commit at least £ 25,000 in each year of the term to the improvement of the buildings [etc]....increased in every fifth year anniversary of the date of this Lease [in line with RPI].”

As the amount is not recorded as a commitment or actual expenditure it would not be shown in the budget monitoring report. Awareness of the failure to make these payments, and the realisation that the site was not proving able to operate on a financially self-sufficient basis, contributed to the ongoing work to assess potential options for the future of the site. These options included the engagement with the Landlord to identify the likely costs of withdrawing from the lease and the likely investment costs required under the investment option.”

9. Written question from S B A F H Giles-Medhurst to J D Williams, Executive Member for Resources, Property and the Economy

“Who took the decision after the non-payments under the covenanted lease were made known to officers to still not make any payments?”

J D Williams has replied:

“The £25k pa is an investment commitment in the site by the Council each year. It is not a cash payment due to the Landlord. As such LSH have been acting on the Councils’ behalf. There has, for example, been ongoing debate with the landlord as to whether some monies expended on works could be properly regarded as ‘investment’, improvements or maintenance e.g. high ropes installation.”

10. Written question from B A Gibson to T C Heritage, Executive Member for Children’s Services

“Who made the decision(s) to allow the Cuffley Camp Outdoor Centre not to fulfil the conditions of its lease when this was brought to the attention of officers and thus allow for its continued dilapidation?”

T C Heritage has replied:-

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“The service has been aware of the requirements of the lease since it was first agreed. No additional money was ever set aside for this purpose as it was expected that the facility would generate sufficient surplus. A number of potential capital bids have been put together to address the shortfall but these were not included in the relevant proposed Integrated Plans. The most recent was in 2015 and this was withdrawn pending a review of the future use of the site.”

11. Written question from B A Gibson to T C Heritage, Executive Member for Children’s Services

“When was the situation at Cuffley Camp Outdoor Centre first brought to your attention or that of your predecessor?”

T C Heritage has replied:-

“The then Executive Member for Children’s Services was first notified of this situation at a briefing in November 2014.”

12. Written question from B A Gibson to T C Heritage, Executive Member for Children’s Services

“Why was the decision rushed through at the Panel’s last meeting without the full information and additional information on usage now being made available to Members of that Panel which would have given a complete picture on which to make sound decisions?”

T C Heritage has replied:-

“The recommendation to surrender the lease primarily related to the costs of continuing to operate the site, the condition of the property and the financial implications associated in investing in the venue to bring it to a market standard.

The recommendation recognised that the council has been unable to make the centre operate on a financially self-sufficient basis and is related to the lack of available funds to invest as required under the lease. As a non-statutory service, the County Council needed to assess whether it was value for money to fund the required investment when it has become clear that provision for these sorts of outdoor activity and education centres is significantly greater and more varied than in the past.

The additional figures on usage that have been provided to members were not inconsistent with this recommendation.”

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13. Written question from P M Zukowskyj to T W Hone, Executive Member for Community Safety and Waste Management

“Does the Executive Member believe it is right and proper for the Police and Crime Commissioner for Hertfordshire, David Lloyd, to employ an additional 20-30 administrative staff instead of funding more front line police posts?”

T W Hone has replied:-

“This is a question that should be directed to the Police and Crime Commissioner for Hertfordshire.”

14. Written question from J Hale to T W Hone, Executive Member for Community Safety and Waste Management

“Whilst recent years have seen a reduction in Household Waste per household, the forecast increase in the number of households in the County means additional spending will be required on Waste Management infrastructure over the coming years:

(i) As those costs will be due largely to new developments, what steps are being taken to obtain contributions from developers towards the costs of waste management?

(ii) How much money has been generated from such contributions over the last three years?”

T W Hone has replied:-

“(i) As is the case with other service providing sections of the Authority, the Waste Disposal Authority liaises with colleagues in the County’s property function on all significant development proposals. Working within the constraints of the current system and dependent on the scale and nature of the proposals, the impact of the proposals on the services being provided is assessed and a contribution sought where considered demonstrable and appropriate. The recent consideration, by the Community Safety & Waste Management Cabinet Panel on 8th November, of a Local Authority Collected Waste Spatial Strategy Household Waste Recycling Centre Annex provides a more formal articulation and guiding document for local planning authorities to better understand the needs of the County Council with respect to future waste infrastructure. It is hoped that this will add weight to the consideration of appropriate contributions for waste infrastructure from developers when they are sought.

(ii) Within the last three years, there have been 2 applications for funding successfully awarded. These were both in respect of developments to the Bishops Stortford Household Waste Recycling Centre and total a

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contribution of £67,404.”

15. Written question from S B A F H Giles-Medhurst to T W Hone, Executive Member for Community Safety and Waste Management

“Is the Executive Member aware of any change in Hertfordshire Policing policy and that of the Police and Crime Commissioner with regard to Cannabis under the Misuse of Drugs Act 1971 where it is listed as a "Class B" drug?”

T W Hone has replied:-

“This is a question that should be directed to the Police and Crime Commissioner for Hertfordshire.”

16. Written question from S Jarvis to T L F Douris, Executive Member for Education, Libraries and Localism

“What is the total number of seats on school transport services sold to students not qualifying for free home to school transport in each term of the 2016-17 school year and what was the total income generated from these?”

T L F Douris has replied:-

“As can be seen from the below table the total income generated from the sale of “spare seats” last year was just over £67,000, this equates to a total of 188 seats sold.

2016/17 term	Number of seats sold	Income generated
Autumn	55	£18,157.00
Spring	56	£17,590.46
Summer	42	£13,107.00
Annually purchased ticket	35	£18,328.28
Total	188	£67,182.74

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17. Written question from S Jarvis to R Sangster, Executive Member for Highways

“How many town and parish councils have participated in the Highways Together scheme over the last three years and what was the total number of projects or work packages delivered under the scheme?”

R Sangster has replied:-

“The whole essence of the Highways Together (HT) scheme is to enable town and parish councils (T&PCs) to do work on the highway (where it is safe to do so) without needing to seek permission from the County Council each time they wish to act. So as a result, the Highways service hasn't devoted its resources towards maintaining a list of all the individual projects or works packages delivered under the scheme.

However, since the launch of the HT scheme in June 2015, we are aware of 4 T&PCs that have carried out work under the scheme as follows:

- Harpenden Town Council has been given Highway Locality Budget grants to enable them to carry out various works including sign cleaning and vegetation clearance. £11.6k in 15/16, £2.5k in 16/17 and £7.2k 17/18;*
- Hertford Town Council has been given Highway Locality Budget grants in 2016/17 totalling £5k, to enable them to carry out planting, vegetation clearance and bollard painting;*
- Wheathampstead Parish Council carried out some vegetation clearance in March 2016;*
- Little Gaddesden Parish Council carried out some drainage work in Nov 2015.*

Since the launch of the scheme in June 2015, the Highways service has provided on-going support for the scheme in the form of Health & Safety training sessions as follows;

- 4 further sessions provided;*
- Attended by 54 T&PCs representatives;*
- Representing 25 T&PCs.”*

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18. Written question from J Hale to R Sangster, Executive Member for Highways

“What plans are there to address the backlog of the large number of blocked ditches across the County? These are not covered by the Gully Emptying and Cleaning Service and represent a flooding risk. Since becoming a Councillor in May I have been advised of instances of ditches that have not been cleared for four or five years. There appears to be no enforced policy with Ringway for the inspection and maintenance of these important flood control assets. Why?”

R Sangster has replied:-

“The Council is responsible for approximately 600km of highway drainage ditches across the County.

Since 2015/16 the Authority has invested over £300k to clear approximately 30km of ditches and grips through the restoration project and category 2 works.

Ringway assess each reported site in accordance with our defect management approach taking into account factors such as the cause of the problem, the condition of the asset, the number of flood incidents and ditches in flood zones and prioritised works based on budgets and the safe and operational needs of the service.

It is proposed to maintain the current level of investment (£100k per annum) in ditches and grips for 2018/19.

Subject to Cabinet approval, the implementation of an intelligence led drainage strategy will enable the Authority to reinvest cyclical maintenance funds into other areas of the drainage system, including providing additional funds for ditch clearance works. Furthermore, members can use their highways locality budgets for these type of works.”

19. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

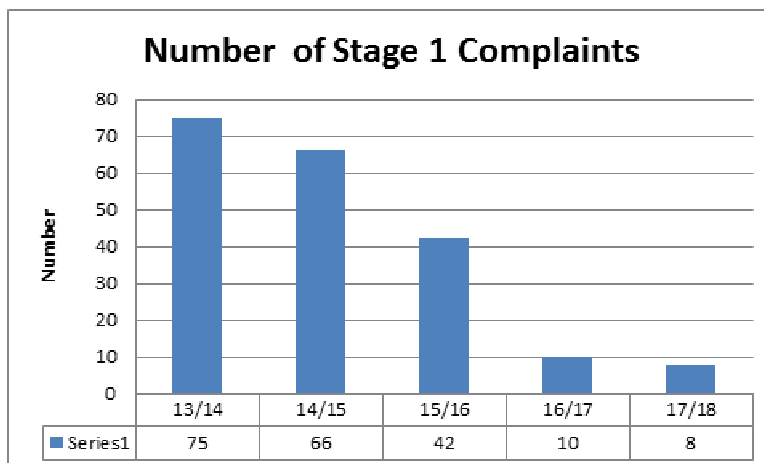
“How many formal complaints that have been raised about the performance of Ringway or its sub-contractors in the last five years have led to changes in procedures and how many procedures or policies have been changed as a result?”

R Sangster has replied:-

“The number of formal stage 1 complaints received in the past 5 years and that have been attributed to Ringway in some way are set out in the graph below, which clearly shows a reduction in complaints over that time.

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Of these 201 complaints, 33 have been identified that have influenced, in some way, a change to a procedure or wording of information on our website. These include:

*A revised dropped kerb process, providing customers with a direct contact in the service (rather than the CSC);
Closing down Low Priority CAT 2 customer reported defects after 20 working days (which reduced the repeat callers to the customer service centre from 11% to 1%);*

- Improvements to our online fault reporting tool;*
- Changes to our Defect Management approach;*
- Changes to our automated customer responses.”*

20. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

“How many highways faults have been incorrectly closed down by Ringway as "closed" or "Fault not found" when they have in fact not been dealt with in the each of the last five years?”

R Sangster has replied:-

“It is not possible from the system data to say how many faults have been incorrectly closed down by Ringway as ‘closed’ or ‘No Fault Found’ without looking at each reported fault and checking how this was actioned and if the action was in accordance with our requirements.

However, the table below sets out how many customer reported defects (CAT 1 emergencies, CAT 1 Non-emergency, Lighting emergencies) were received and how many were closed with the response shown.

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Year	No. of Defects	No. closed as 'No Fault Found'
2013	69,684	904
2014	79,169	1,111
2015	68,809	1,209
2016	70,171	684
2017	49,270	416

21. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

“Does the Executive Member consider that a street light fault relating to a pedestrian footbridge first reported the system on 11th December 2016 should take until 6th November 2017 to be fixed and was only fixed after repeatedly being fault reported and following the intervention of the local member is acceptable?”

R Sangster has replied:-

“As I understand it, the original fault was logged against a street light located on Oxhey Road in the vicinity of the footbridge over the railway.

Oxhey Road is a ‘C’ class road (C122) and therefore classed as a trafficked route for street lighting. This means that Ringway are required to maintain 98% of lights on these routes in lighting at any one time. There is no contractual requirement for outages on these trafficked routes to be repaired within a timeframe but please also refer to my answer to question 22 below.”

22. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

“Notwithstanding the performance percentages for Ringway does the Executive member consider such lighting faults (as per the question above), that go way beyond the agreed performance timescale, to be acceptable and, if not, what measures does he propose should Ringway be awarded an extended contract for another 5 years to ensure faults of months or longer not occur?”

R Sangster has replied:-

“Under the contract with Ringway they are required to:

Achieve 98% of lights in lighting on trafficked routes where a trafficked route is classed as an A, B or C class of road;

To repair 98% of customer reported street lighting defects on non-trafficked

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routes within 20 working days.

I recognise that whilst Ringway are achieving these targets, some lights could be out of operation for a number of months. As a consequence, and as part of the ongoing service evolution, I have been working with officers and Ringway staff to review these and to see what changes can be made to help drive further service improvements.

To simply change the figures to 100% would be impracticable and add significant cost to the service.

The agreement being reached is to keep to the 98% target as in the above with the addition of:

- 1. For street lights on trafficked routes, the agreement in principle is to revise the performance measure so the same 2% cannot be out of lighting for a continuous period and if it goes beyond this period it will attract a Failure to Deliver Event (FDE) charge, which results in a financial deduction. However, because the cost of fixing a light on a trafficked route can be disproportionately high, due to the cost of the traffic management involved, there is a need to have a number of carefully worded exceptions.*

- 2. For customer reported street lighting defects on non-trafficked routes, for the 2% or less remaining not actioned, these would attract an FDE charge for each additional month over the initial month that they were not repaired, provided the problem was not a third party issue such as a UKPN power supply problem. I.e. if in month 1 there were 1,000 street lighting defects and 985 were repaired within 20 working days. Ringway would have achieved a target of 98.5% (ie within target). As a consequence the 15 defects which were not repaired, would not attract any FDE. However, if 10 of these had not been dealt with by the end of the next 20 working day period they would each attract an FDE charge. If, after a further 20 working days, 2 had still not been repaired these would attract a further FDE charge and so on.”*

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HERTFORDSHIRE COUNTY COUNCIL

**CABINET
MONDAY, 19 FEBRUARY 2018 AT 2.00PM**

**COUNTY COUNCIL
TUESDAY, 20 FEBRUARY 2018 AT 10.00AM**

Cabinet
Agenda Item No.

4i

County Council
Agenda Item No.

5A(i)

**COMMENTS AND CONCLUSIONS OF THE COUNCIL'S CABINET PANELS ON
THE INTEGRATED PLAN 2018/19 – 2021/22**

Report of the Director of Resources

Author: Deborah Jeffery, Assistant Democratic Services Manager
(Tel: 01992 555563)

Executive Member: David Williams, Leader of the Council (as responsible for
Resources, Property & the Economy)

1. Purpose of the report

1.1 To inform Members of the comments and conclusions of the County Council's Cabinet Panels on the draft Integrated Plan 2018/19 – 2021/22.

2. Summary and Background

2.1.1 As part of the Integrated Planning Process each of the County Council's service Cabinet Panels met during late January and early February 2018 to consider the integrated plan 2018/19 – 2021/22.

2.1.2 At its meeting on 14 February 2017, the Resources, Property & the Economy Cabinet Panel will consider the Integrated Plan for 2017/18 – 2019/20, the comments of the service Cabinet Panels, and the report of the Overview and Scrutiny Committee on its scrutiny of the IP proposals (the Committee's report is attached as item 4(ii) of the Cabinet agenda / item 5A(i) of the Council agenda).

2.1.3 The relevant extracts from the minutes of the service cabinet panels' meetings, together with their conclusions, are attached as Appendix 1 to this report. The relevant extract from the minutes of the Resources, Property & the Economy Cabinet Panel meeting on 14 February, including its conclusions, is attached as Appendix 2 to the report (*to follow*).

3. Recommendation

- 3.1.1 That the report be noted and that the comments and conclusions of the Council's Cabinet Panels be taken into account by Cabinet and County Council in their consideration of the Integrated Plan 2018/19 – 2021/22.
- 3.1.2 Cabinet's recommendations to Council will be considered by County Council on 20 February 2018.

4. Financial Implications

- 4.1 The financial implications of the Integrated Plan proposals are as set out in the report at item 4(iii) of the Cabinet agenda and item 5A(i) of the Council agenda.

Background Information

Minutes of:-

- Adult Care & Health Cabinet Panel, January 2018
- Highways Cabinet Panel, January 2018
- Public Health, Prevention & Performance Cabinet Panel, February 2018
- Environment, Planning & Transport Cabinet Panel, February 2018
- Education, Libraries & Localism Cabinet Panel, February 2018
- Children's Services Cabinet Panel, February 2018
- Community Safety & Waste Management Cabinet Panel, February 2018
- Resources, Property & the Economy Cabinet Panel, February 2018

INTEGRATED PLANNING PROCESS 2018/19 - 2021/22: COMMENTS FROM SERVICE CABINET PANELS

1. Adult Care and Health Cabinet Panel (30 January 2018)

Members were presented with a brief overview of the full structure and detail of the council's Integrated Plan for 2018/19 -2021/2 (IP Plan) before discussing the detail of the section pertaining to Adult Care & Health.

The panel's attention was initially drawn to Part A of the IP Plan where a corporate summary highlighted the announcement from central government in their March 2017 budget of the allocation Additional Improved Better Care Fund monies (Point 1.12), and the risk associated with a court judgement in relation to Liabilities to Sleep Duties (Point 3.3). It was noted that both of these points were relevant and had been integral to the considerations and calculations made regarding the Adult Care & Health budget.

The Adults Care Services portfolio in Part B of the IP Plan was then considered by Members. It was noted that in terms of priorities, Adult Care Services had outlined four strategic area priorities for the forthcoming year.

It was noted that in terms of priorities, Adult Care Services had outlined four strategic area priorities for the forthcoming year, as outlined on page 21 of the report.

The pressures and challenges facing the department as detailed on page 22 of the report, were also outlined, with particular emphasis being placed on the market workforce pressures currently being experienced.

In response to a Member challenge as to why improving rates of delayed transfers of care from hospital had been identified as a risk, as detailed in the summary on page 19 of the IP report, it was explained that this was a risk partly due to the fact that the funding that had been received from the improved Better Care Fund, which had been largely directed towards hospital discharge and prevention of admission solutions, was provided in three individual, annually reducing payments over each of the three year span of the current programme, with only £5.8m due to be provided in 2019/20, compared to £13m when the funding had been first provided in 2016/17. Additionally it was noted that there was a further risk as it was currently unclear as to if and how future funding would be provided beyond 2019/20.

Members noted the key projects and programmes scheduled to be delivered by the department as outlined on page 24 of the report.

In response to a Member question it was confirmed that the savings achieved by reducing residential care placements would be offset by the expenditure on additional costs e.g. of homecare. It was confirmed that the savings from residential

care placements had been calculated based on the equation that each person who received homecare rather than residential care would receive an average of 16 hours of care per week. In response to a Member question, it was noted that this average had increased annually in line with the increasing complexity of the needs of residents.

Confirmation was received that 'extra care' and 'flexi care' were the same service, with flexi care being the term most commonly used within Hertfordshire.

During Member discussion it was noted that the Net Revenue Budget detailed on page 20 of the IP report was calculated based on a range of different factors including changing funding streams and changes in legislation, but predominantly it was based on increased demand and the yearly increase in demography. Member's attention was drawn to page 33 of the IP report which provided further detail on the key budget movements for the department.

Members received assurance that although the budget had been calculated on current demand, demography and legislation, there would be continued monitoring of any changes within these areas, and any significant impact that were to occur as a result of any change it would be responded to as appropriate.

By way of illustration of how legislation would affect the future budget, Members were advised that it was predicted that government policy on increasing the National Minimum Living Wage would end in 2020/21, which would mean that this would no longer be a budgetary pressure that would need to be taken into consideration.

It was also noted that the department recognised that government had yet to formally produce any legislation on the future funding of Adult Social Care, which would also potentially have an impact on future budget planning.

In relation to how the department has reviewed its effectiveness/value for money in delivering service outcomes, as outlined on page 29 of the report, Members were pleased to note that since the report had been published Hertfordshire Adult Care Services had now moved from 84th to 79th in the recently published 2016/17 Adult Social Care Outcomes Framework Measures.

Members noted the key risks in delivering the projects as outlined on page 31 of the report, and discussed in more detail the issues related to workforce pressures as briefly mentioned earlier in the meeting.

Members heard that 30,000 people work in Adult Social Care in Hertfordshire and annually approximately 1,000 per year leave the sector for alternative employment. In addition, an additional 1,000 posts must be recruited in order to meet the increasing demographic demand.

It was noted that the department had been very proactive in promoting recruitment and had explored a number of solutions to secure staff including a recruitment campaign, rebranding the job title, increasing and protecting the salaries of care workers, and recruiting trainee care cadets to fill vacancies, but there was still a gap

in recruitment.

In response to a Member question as to whether there could be consideration of promoting a career in social care in schools, it was agreed that this could be explored. It was noted that local colleges currently run courses, which are sometimes under subscribed. It was agreed that as the care profession was vocational rather than academic, it would not be appropriate to pursue the promotion of care work with the University of Hertfordshire.

Member observations on the cost of travel for care workers, and considerations around the age and gender appropriateness of care workers were noted.

Members were notified that a more detailed paper on the workforce strategy and pressures being experienced by the department would be presented to a future meeting of the Adult Care and Health Cabinet Panel.

The Capital Programme outlined on page 37 of the report was noted by the Panel. Members received clarification that EPH Provision as detailed on the Capital Programme stood for Elderly Person's Home provision.

During further discussion the risk regarding the proposal to submit an Invest to Transform Bid was noted and it was established that robust strategies would be in place should the bid be unsuccessful.

A Member observation that further integration work with the NHS should be considered when planning for future budgets was acknowledged by the panel. Members received assurance that ongoing discussions and meetings were taking place to achieve this.

Conclusion:

The Panel provided comment to Cabinet on the proposal relating to the Integrated Plan in respect of the Adult Care and Health Portfolio. The Panel also identified any issues that it felt that the Cabinet should consider in finalising the Integrated Plan proposals. These are outlined in the preceding text.

2. Highways Cabinet Panel (31 January 2018)

The Cabinet Panel received a report on the draft Integrated Plan (IP) in relation to the Highways Service, for comment and identification of any issues members felt that Cabinet should consider in finalising the Integrated Plan proposals.

Agenda Item 4(i) of the Cabinet Integrated Plan 2016/17 – 2019/20 was presented to Cabinet on 22 January 2018 and set out the actions the County Council had taken to

engage and consult primarily with the public, in particular raising awareness of the financial pressures faced by the County Council. The results of the consultations were summarised within the related report and appendices.

Members' attention was drawn to an error in Agenda Item 4(ii) of the Cabinet Integrated Plan 2018/19 – 2021/2022 where a reduction in Driver Training income (of £250k pa) had incorrectly been included in the Environment, Planning and Transport portfolio pages (p115, 116 and p122) instead of the Highways portfolio movement. Members were asked to include this item in their consideration of the IP proposals; amended versions of the incorrect pages, i.e. 129,130,138 and 139, for the Highways portfolio were tabled and can be viewed at [Highways Cabinet Panel - 31 January 2018 – Item 5: Appendix B-pages 129 -130 and Appendix C-pages 138-139](#).¹

The following issues were discussed in relation to the report to Cabinet of 22 January 2018, agenda item 4(ii): Integrated Plan 2018/19 -2021/22:

Re page 14 of 17, members highlighted the potentially misleading title of an item in Table v in relation to the Highways Locality Budget (HLB). It was agreed that the description would be adjusted.

Officers clarified that the £500,000 'Income' figure referred to in 'Analysis of Revenue Budget by Objective Areas', page 140; related to income from third parties as a result of accidents causing damage to the highway.

Re page 141, Members welcomed the New Capital Bid of £5m in 2018-19 and £8m in each of the following four years for carriage maintenance. It was clarified that in Hertfordshire's working model the percentage of A, B & C roads requiring improvement was 3-6%, and that the extra funding would be used to reduce, potentially by half, the 15-16% of unclassified roads currently requiring improvement. If approved, the funding would not be equally spread between divisions but would focus on those unclassified roads most in need of improvement as identified by technical analysis of the road system.

The new funding stream would be delivered by the Integrated Works Programme (IWP) and a separate schedule issued to identify which unclassified roads would be involved, enabling members to ensure their HLB commitments did not duplicate work covered by the programme. To aid with this Assistant Highway Managers would check which roads were on the additional IWP and consult with the Local Member.

In relation to Revised Capital Bids – Annual Programmes (page 142) it was clarified that 'traffic signals replacement' also covered pedestrian crossings. Further to this, as there was already a programme of traffic signal refurbishment the additional funding would be directed to junctions.

Officers clarified that the revenue element of HLB not specifically mentioned in the 'Analysis of Budget by Objective Areas' on page 140 was included in the Traffic Management & Safety line.

In relation to Key Budget movements 'Reduced Street Lighting Scouting Frequency' (page 139), officers clarified that conversion of street lights to LED and in particular the introduction of a Central Management System (CMS) meant that scouting was unnecessary after conversion. However funds remained for this purpose and some scouting would continue for bollards and signage. It was highlighted that some street lights remained out after scouting due to UK Power Networks (UKPN) issues and were out of the control of the Council. Officers clarified that approximately £100,000 per year was spent on scouting of illuminated assets.

During discussion of the impact of the growth agenda on the highways, officers highlighted that the agenda to encourage modal shift already existed and, although the Local Transport Plan (LTP4) gave it greater emphasis, the approach to growth was changing and could result in greater pressure on the highways. The impact would be discussed with members as it was modelled.

During debate on the need to improve the Council's funding response to medium sized development applications, members who served as both county council and district/borough councillors were encouraged to become involved with the campaign of the Executive Member for Environment, Planning and Transport (EPT) to ensure that the uplift in land values generated suitable levels of funding for Councils, as the consequence of development had impacts beyond the sites being developed. Emphasis was placed on highlighting to the District and Borough Councils that they were recovering insufficient funds to meet the costs of delivering the required infrastructure.

Furthermore, to enable the Council to bid for infrastructure funding via government funding streams for infrastructure issued at random and at short notice, the Executive Members for EPT and Highways had required the preparation of impact assessments for varying sizes of development. This would also provide the District and Borough Councils with the information on how much they needed to raise from planning consents to support infrastructure.

Emphasis was placed on ensuring that the Council's Development and Management Team put the right information on planning applications and that the District and Borough Councils incorporated this in the planning conditions or as an informative.

In relation to the projected reduction of £250,000 in Driver Training income in 2018/19 officers clarified that the surplus income from Speed Awareness Courses for drivers in lieu of points and fines was applied to road safety. Data suggested that the decrease in the number of individuals attending the course and concomitant decrease in this income stream would continue into the next year. Some counties were observing a similar decline in the throughput whilst others were not and the police were assisting in understanding the reasons behind this.

Members heard that recent press reports on the number of unfilled potholes in Hertfordshire were likely not informed by the same database as the County Council's and as a result at variance. Strategic proactivity on potholes centred on the Asset Management approach to maintain the roads in best condition and stop them from deteriorating within the funding available and, as part of this, the proposed additional

funding for unclassified roads would significantly reduce the number of potholes. The performance indicator of 'Carriageway Defects Reported by the Public and Attended Within the Prescribed Response Time', showed a 100% achieved rate in September 2017 which, alongside the Council's high repudiation rate for insurance claims relating to highway defects, further substantiated the service's high levels of performance in dealing with potholes within the intervention criteria. It was clarified that highway faults below the intervention criteria were not classified as potholes. Further to this, members' intervention in bringing the increased size of potholes previously categorised as below intervention level to the Highways Service's attention was constructive in getting them filled. On the need to ensure the quality of pothole repairs, comment was passed that in some cases, those now being undertaken appeared to last longer than the surrounding road.

During discussion of the need to widen the A1M between Welwyn and Stevenage to deal with the fact that it did not function appropriately between junctions 6 and 8 for large parts of the working day, officers highlighted that it was not appropriate for the County Council to fund works on another agencies' networks. However, Hertfordshire had lobbied Highways England (HE), via the Managed Motorways Scheme, to widen this stretch of road and had been advised that work would start in the 2019/20 calendar year.

Following concerns around the need for additional funding from HE for improvements to affected junctions to assist local traffic flows, members heard that the Strategy Document under development included A1M junctions 3 and 4. It would also establish the ability of the Highways Service to develop schemes to take advantage of any government funding and Local Enterprise Partnership monies that became available. To member observations that in the past feeder junctions had been funded by HE, officers commented that HE had recently taken a more enlightened approach to highway improvements and were taking complimentary measures to support associated junctions

Conclusions:

- 1.The panel commented as above to Cabinet on the proposals in the Integrated Plan in respect of Highways;
- 2.The panel identified issues as above that it felt Cabinet should consider in finalising the Integrated Plan proposals.

3. Public Health, Prevention and Performance (2 February 2018)

The panel received a report which highlighted the areas of the Integrated Plan relating to Public Health, Prevention and Performance for members consideration and comment. The following issues were discussed in relation to the report to Cabinet of 22 January 2018, agenda item 4(ii): Integrated Plan 2018/19 -2021/22.

Members heard that the 2.5% reduction in the Public Health grant from September 2017 and rising to 7.5% by 2019/20 had been known and accounted for when preparing the proposed budget. Attention was drawn to PH's small capital budget of £725m, the key revenue pressures, savings proposals and capital schemes (page 152) and the service's strategy to work to maintain services and outcomes.

Officers clarified that, despite the proposal for 'Reduction in funding offered to district councils' (page 157: Key Budget Movements 2018/19-2021/22), the service was investigating ways of continuing to contribute financially to working with district councils which were well placed to provide particular PH agendas including weight management and physical activity. Member input to this issue was encouraged. Following observations from the Peer Challenge and PH's strengths in influencing across and between, and that partnership working and greater integration were the way forward, Members requested the full written report to the LGA Peer Challenge on Public Health.

Officers clarified that although Mental Health (MH) was not a mandated service for PH, to prevent a reduction in support for MH issues it was being written into children's centre, school nurses and health visitor service specifications currently being recommissioned by the County Council. The relevant MH staff budgets had been protected as had the staff budgets for school pastoral networks.

In terms of key risks in delivering projects and programmes for the PH portfolio and the risk of losing experienced PH staff, members heard that the performance monitor would now track vacancy rates and the use of agency staff.

Conclusions:

1. The Panel commented to Cabinet on the proposals relating to the Integrated Plan in respect of Public Health, Prevention and Performance.
2. The Panel identified any issues that it felt that the Cabinet should consider in finalising the Integrated Plan proposals.
3. Panel supported the Public Health Integrated Plan proposals.

4. Environment, Planning & Transport Cabinet Panel (5 February 2018)

The Panel was invited to comment and identify any issues on the areas of the Integrated plan which related to Environment, Planning and Transport.

Members were informed that following on from the Public Engagement on the Integrated Plan (IP) that 56% of responses said they would rather see an increase to council tax and 32% a reduction in services. The percentage of respondents that supported a reduction in expenditure on Environment and Planning was 42% lower than in previous years, whilst 21% supported a reduction in Highways and Transportation a slight increase on last year, but lower than the previous two.

Members noted that pressures added £325 in 2018/19 rising to £700,000 in 2021/22. This was mainly the 'Responding to Growth' item. Members' attention was drawn to the item of £3.491m on page 185 of the IP pack under the heading for Infrastructure and Investment, a substantial part of which was for the development of major infrastructure and sustainable transport schemes. It was further noted that savings of £515,000 had been identified for 2018/19 rising to £726,000 in 2021/22.

A concern was raised in relation to the merging of the Countryside Management Service (CMS) and the Rights of Way teams and the impact on the service when the team are reconvened. Members agreed that the work of both teams were valued and both provided a good service. Members were informed the £150k savings would be over the course of 2 years, it was noted that teams did have overlapping functions. The savings would be generated through a natural reduction of one person, thinning of the management structure and by taking over diversion orders from the district and borough councils which would generate income. The aim was that the merging of the two teams would be an improvement to the service. Members hoped that improvements to bridle ways could also be included.

A member questioned whether some of the infrastructure fund could be used to support a passing loop on the Abbey Line. It was noted that the rules for accessing the funds had not yet been agreed and that a bid to support an Abbey Line passing loop would need to be considered against the criteria once set.

Following a question from a Member in relation to the Savercard, the Chairman clarified that the proposal to raise the price of the Savercard ticket was not linked or contingent in any way on the efficiency savings expected from the wider concessionary fare scheme.

The Executive Member noted that the additional income from increasing the price of Savercards was relatively small and suggested the Panel recommended to Cabinet that, if further savings had been identified through the budget process, that Cabinet defer the increase to the Savercard. The Panel supported the Chairman's suggestion to Cabinet.

A Member queried what would happen to the budgeted £72m Capital money over the next three years if it was not used for the Metropolitan Line Extension. In response the Panel noted that the money was not predominately the County

Council's money and it was money that would have been received through the LEP and third party contributions. The Panel were informed that a certain amount of Capital money had already been committed. Members agreed the infrastructure fund for sustainable planning and the new team were welcome and there was an opportunity for Members to put forward schemes for consideration.

Conclusions:

That the Panel:

1. supported the Integrated Plan Proposals in relation to Environment, Planning & Transport
2. recommended to Cabinet that Cabinet consider deferring the increase in the price of the SaverCard if other efficiencies have been identified through the budget process
3. also identified any issues that it felt that the Cabinet should consider in finalising the Integrated Plan proposals. These are outlined in the preceding text'

5. Education, Libraries and Localism Cabinet Panel - Schools (6 February 2018)

The Cabinet Panel considered a report which highlighted the areas of the Integrated Plan which related to Education, Libraries and Localism (Schools) in order for Members to provide comment.

Members noted that the schools budget remained challenging although additional funding of around 1.4% from the Dedicated Schools Grant was welcomed. A total reduction of 1.1% was anticipated for the schools budget.

In response to a Member question in relation to the figures on inflation detailed at 4.4 of the report, it was advised that just over an additional £21 million was required to meet inflation costs however £10.3 million would be available after taking account of other budget pressures and savings, leaving approximately £10.9 million of inflation costs unfunded, which was equal to around 1.1% of the mainstream schools budget.

Conclusion:

The Cabinet Panel recommended the proposals relating to the Integrated Plan in respect of Education, Libraries and Localism (Schools) to Cabinet.

6. Education, Libraries and Localism Cabinet Panel – Non Schools (6 February 2018)

The Cabinet Panel considered a further report which highlighted the areas of the Integrated Plan that related to Education, Libraries and Localism (Non Schools) in order for Members to provide comment.

Members acknowledged that there was around a £2 million reduction in budget due to the cessation of the Education Services Grant. It was proposed that this reduction was met by seeking de-delegated funding from maintained schools to assist with school improvement. In addition, proposals were underway to consider funding options for Hertfordshire Music Service. It was noted that Hertfordshire Music Service had a budget of £500,000 for 2017/18, which was proposed to reduce to £200,000 for 2018/19.

The implications of the Integrated Plan for Libraries were discussed. Members acknowledged the options being considered for the service to save £500,000. It was noted that the recommendations for an Alternative Library Model, were due to be presented to the Cabinet Panel in April 2018. Members acknowledged the New Capital Bid for the replacement of Library self-service Kiosks. It was noted that some Kiosks were 9-10 years old and required replacing.

Members noted that Special Education Needs Home to School Transport remained an ongoing pressure for this budget, with a current overspend acknowledged. It was noted that services were at a statutory level and the importance of the service recognised.

Conclusion:

The Cabinet Panel recommended the proposals relating to the Integrated Plan in respect of Education, Libraries and Localism (Schools) to Cabinet.

7. Children’s Services Cabinet Panel (7 February 2018)

M A Watkin – by virtue of his wife being employed as a part-time teacher in the music service in Hertfordshire. He has been granted a dispensation by the Standards Committee to participate, debate and vote in business in which this Disclosable Pecuniary Interest is mentioned provided that the business to be considered does not directly affect his financial position or that of his wife; which he considered it did not.

The Panel was invited to comment and identify any issues on the areas of the Integrated plan which related to Children’s Services.

The Labour Opposition Member requested that his comments that, he was against the budget cuts to YC Hertfordshire and the Children’s Centres, be recorded in the minutes.

Conclusion:

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The Panel provided comment to Cabinet on the proposal relating to the Integrated Plan in respect of the Children's Services Portfolio. The Panel also identified any issues that it felt that the Cabinet should consider in finalising the Integrated Plan proposals.

8. Community Safety & Waste Management Cabinet Panel (8 February 2018)

Notification of a Declarable Interest: PV Mason declared that he was a member of the Ratty's Lane Action Group. No vote was undertaken on the agenda item and Cllr Mason was permitted to participate in the debate.

Prior to the report being discussed, the Chairman made the following announcement:

'All Members who have a disclosable pecuniary interest arising from an allowance from the County Council, another local authority in Hertfordshire, or a body to whom they have been appointed by the County Council, have received a dispensation to allow them to participate in debate and vote on the Integrated Plan.

All Members have been granted a dispensation to participate in debate and vote in any business of the County Council relating to setting the council tax or precept when they would otherwise be prevented from doing so in consequence of having a beneficial interest in land which is within the administrative area of Hertfordshire or a licence (alone or jointly) to occupy such land.'

Members were reminded that the Overview & Scrutiny Committee had undertaken a full day session looking at the Integrated Plan on 24 January 2018 where Executive Members and officers had answered questions from scrutiny groups. A report containing observations and recommendations from the scrutiny groups was considered by the Overview and Scrutiny Committee on 1 February 2018.

It was explained that the Integrated Plan (IP) would be considered by Cabinet on 19 February before being finalised at County Council on 20 February 2018.

It was further explained to the Panel that the purpose of the report for panel was for Members of the Panel comment on the IP in relation Community Safety & Waste Management and to identify any issues that it felt the Cabinet should consider in finalising the Integrated Plan proposals.

Member's attention was firstly drawn to the shorter of the two reports (document 4(i)) which set out the actions that the council has carried out to engage and consult with the public and partners.

Members noted that on page 5 of the report, which detailed the responses to a public questionnaire, that in a choice between service reductions and further council tax increases, 56% of respondents said that they would rather see an increase in council tax and 32% a reduction in services. It was noted that the graph at the top of page 4 illustrated that the percentage of respondents supporting a reduction in expenditure on

disposing of the council's waste was 26% (a reduction on the 28% last year and the 33% and 39% in previous years) while those supporting a reduction in expenditure on community protection was 17% (a reduction on the 22% last year and the 26% and 27% in previous years).

Members were then invited to consider the proposed Integrated Plan for Community Safety & Waste Management detailed on page 63 and 64 of the main report (document 4ii). It was noted that this contained the following elements; Key Priorities (pages 65 & 66); Key Pressures and Challenges (pages 66 to 70); Key Projects and Programmes (pages 70 to 72); Key Savings (page 72); how the departments have reviewed effectiveness and value for money (pages 73 to 75); and Risks in delivering projects (page 76).

The Panel noted the changes to the revenue budget were set out on pages 77 and 78. It was explained to Members that Service Specific Inflation was calculated to add £400,000 per year; Pressures add £2m in 2018/19 rising to £4m in 2021/22; while ongoing savings of £1.4m have been identified increasing to just under £2m in 2018/19. The total budgets for the services that make up the portfolio (page 80) totalling £78.8m in 2018/19 rising to £81.5m in 2021/22 and the capital programme Pages (81-87) for Community Safety & Waste Management to £30.5m over the four years of the plan were also noted by Members.

Members discussed the potential impact on the budget plans of the notification of a call in by the Secretary of State regarding the proposed development of an Energy Recovery Facility (ERF) at Ratty's Lane Hoddesdon, by Veolia (ES) Hertfordshire Limited. The panel noted that the Secretary of State's decision would add many months of delay to the project, but that, within the current IP period there are no immediate budget implications.

In answer to a question of what plans are in place if the ERF is not granted planning permission the Panel received assurance that arrangements had been secured for disposing of residual waste until March 2021 and contingency plans had already been considered. It was noted that the lack of a long term in county treatment solution would most likely mean out of county disposal routes would be necessary contrary to the proximity principle for disposing of waste close to where it's generated. It was agreed that the concerns of the Panel should be highlighted to Cabinet when making its final decisions in relation to the budget.

Members also raised concerns regarding the potential impact on the budget plans presented by the final decision not yet being announced by the Home Secretary regarding the potential transfer of governance of Hertfordshire Fire & Rescue Service from Hertfordshire County Council to the Office of the Police & Crime Commissioner for Hertfordshire.

The panel were advised that a number of other local authorities were also experiencing delay in the decision regarding the transfer of governance within their own authorities, and as a result, discussions had taken place with the Local Government Association with a view to making a joint representation to the Home Office to outline the impact the delay in the decision being made was having on effective future planning.

Members agreed that risk to the budget plan regarding the delay in decision by the Home Secretary regarding the transfer of governance of Hertfordshire Fire & Rescue Service from Hertfordshire County Council to the Office of the Police & Crime Commissioner for Hertfordshire should also be brought to the attention of Cabinet when making its final decisions in relation to the budget.

Conclusion:

The Panel provided comment to Cabinet on the proposal relating to the Integrated Plan in respect of the Community Safety & Waste Management Portfolio. The Panel also identified any issues that it felt that the Cabinet should consider in finalising the Integrated Plan proposals. These are outlined in the preceding text.

TO FOLLOW

HERTFORDSHIRE COUNTY COUNCIL

**CABINET
MONDAY, 19 FEBRUARY 2018 AT 2:00PM**

**COUNTY COUNCIL
TUESDAY, 20 FEBRUARY 2018 AT 10.00AM**

Cabinet
Agenda Item

No

4(ii)

County Council
Agenda Item

No

5A(ii)

**SCRUTINY OF THE INTEGRATED PLAN 2018/19 – 2021/22: REPORT OF THE
OVERVIEW & SCRUTINY COMMITTEE**

Report of the Director of Resources

Authors: Natalie Rotherham, Scrutiny Officer (Tel: 01992 555300)
Michelle Diprose, Democratic Services Officer (Tel: 01992 555566)

1. Purpose of report

- 1.1 To inform Cabinet and County Council of the recommendations made by the Overview and Scrutiny Committee as a result of the Integrated Plan 2018/19 – 2021/22 scrutiny held 24 January and 1 February 2018.

2. Summary and Background

- 2.1 The Committee's scrutiny of the Integrated Plan 2018/19 – 2021/22 was conducted over two days. On 24 January 2018 members of the Committee, and other participating County Councillors, gathered evidence on the Authority's Integrated Plan proposals. It concluded on 1 February 2018, when it agreed its recommendations to Cabinet. These are set out in section 3 of the report below.

3. Recommendations

That Cabinet gives consideration to the IP recommendations to ensure a balanced budget is achieved for 2018/19 and beyond.

That the Council agrees:-

1. That the Council proactively engages with contractors to monitor contracts and contractor resilience; further, that risks that impact on the Authority, including staff shortages are identified; and contingency planning is sufficient to achieve IP proposals;
2. To prioritise working with district/borough councils to develop a more collaborative, co-ordinated and mutually beneficial approach to infrastructure planning for the medium and long term (e.g. waste disposal, a highways structure capable of accommodating driverless cars);

3. To work with the district/boroughs to develop more holistic services, in reference to the remodelling of YC Herts;
4. To revisit and further develop the workforce strategy for both specialist job roles (e.g. planners, educational psychologists, mental health nurses and CAMHS support) and hard to recruit/retain posts (e.g. paid carers) via in-house training and apprenticeship programmes;
5. To progress and resolve the issues relating to capability, capacity and skills that impact on delivering quality and appropriate solutions related to the digital strategy;
6. That the Highways savings identified will be realised; and that Highways will work with contractors to identify any additional savings during 2018/19.

4. Financial Implications

- 4.1 The financial implications are as set out in the IP papers and as per the recommendations detailed at section 3 of this report.

5. Equalities Impact Assessment (EqIA)

- 5.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 5.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 5.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 5.4 An Equality Impact Assessment (EqIA) has been undertaken on the draft Integrated Plan proposals 2018/19 – 2021/22 and this is included within the Integrated Plan proposals also being considered at this meeting.

Background Information

Reports & Minutes of the Overview & Scrutiny Committee meetings held in [November 2017ⁱ](#) and [December 2017ⁱⁱ](#)

Integrated Plan Document Pack

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<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/692/Committee/6/Default.aspx>

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<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/693/Committee/6/Default.aspx>

HERTFORDSHIRE COUNTY COUNCIL

**CABINET
MONDAY, 19 FEBRUARY 2018 AT 2.00 PM**

**COUNTY COUNCIL
TUESDAY, 20 FEBRUARY 2018 AT 10.00 AM**

<u>Cabinet Agenda Item No.</u> 4(iii)
<u>County Council Agenda Item No.</u> 5A(iii)

**INTEGRATED PLAN 2018/19 - 2021/22
(incorporating the Strategic Direction and Financial Consequences and the
Treasury Management Strategy)**

Report of Chief Financial Officer

Author:

Owen Mapley, Director of Resources 01992 555601
Lindsey McLeod, Head of Accountancy 01992 556431

Executive Member: David Williams, Leader of the Council (as responsible for
Resources, Property & the Economy portfolio)

1. Purpose of report

1.1 To propose the Integrated Plan for 2018/19 – 2021/22 for the Council. The Integrated Plan (IP) comprises:

- An overview of the proposed revenue budget and capital programme, including incorporating a review of the budget estimates and adequacy of reserves (Part A);
- Strategic Direction and Financial Consequences, by portfolio (Part B);
- the Treasury Management Strategy (Part C);
- the Capital, Asset Management and Investment Strategy (Part D);
- the Insurance and Risk Strategy (Part E)
- an Equalities Impact Assessment (Part F); and
- other technical information and finance summaries (Part G).

1.2 These proposals should be considered in the light of the feedback on the draft Integrated Plan from Cabinet Panels and the Overview & Scrutiny Committee (items 4(i) and 4(ii) of the Cabinet agenda / items 5(i) and 5(ii) of the Council agenda) and the Public Engagement and Consultation report (item 4(i) on the 22 January 2018 Cabinet agenda).

1.3 The final determination will be by the County Council on 20 February 2018.

2. Summary and Background

- 2.1 The Integrated Plan (IP) brings together the financial impact of service plans and the available funding to resource these, over the next four years. These plans have been set in the context of the difficult challenges that the council faces, including:
- Increasing demand for services from our growing and ageing population and increasing complexity of needs of existing service users, for example within social care related services; and
 - Further reductions in grant funding expected over the IP period.
- 2.2 The Integrated Plan has been extended to 2021/22, to enable forward planning to deliver the necessary service change to maintain a balanced budget. However, while funding to 2019/20 falls within the Government's four year settlement agreement, subsequent years will depend on future changes to local authority financing, along with the Government's wider economic strategy. The IP includes core funding in line with the four year settlement: a £22 million reduction in Revenue Support Grant (RSG) compared with 2017/18, to £22.6m; and a further reduction to £1.89 million by 2019/20.
- 2.3 The Provisional Settlement for 2018/19, announced in December, confirmed these core funding reductions to 2019/20. Other grant reductions, including New Homes Bonus and the cessation of Education Services Grant, have also been confirmed.
- 2.4 In the Provisional Settlement, the Secretary of State announced an increase in the council tax referendum threshold, allowing local authorities to increase general council tax in 2018/19 by up to 3% before triggering a referendum. The 2017/18 IP had assumed an increase in general council tax of 1.99% per year, along with raising the permitted 3% additional Adult Social Care precept in 2018/19.
- 2.5 Given the budget pressures and ongoing savings gap, the IP proposes to take up the additional 1% increase in general Council Tax, to give an increase of 2.99% for 2018/19 and 2019/20 (the Government have indicated their intention to retain the higher threshold for 2019/20, although this is not guaranteed).
- 2.6 From 2016/17, the Government has allowed social care authorities to raise a precept equal to 8% of council tax income, over the period to 2019/20. The Council has raised a 2% precept in 2016/17 and 3% in 2017/18. Given the continued demographic and cost pressures (e.g. living wage) on social care, the IP proposes to raise the remaining 3% in 2018/19. This will deliver an additional £16.7m income to help meet adult social care pressures.
- 2.7 This report provides an update on changes in available funding notified since January Cabinet, including details of the Final Local Government Finance Settlement and final council tax and business rates information that has recently been provided by the ten District and Borough Councils in Hertfordshire. It sets out proposals for use of both this funding and of other budgets that, whilst included in the draft IP published in January, were flagged

as provisional pending confirmation of the then outstanding details of the final funding settlement.

- 2.8 This report also summarises key decisions on the financing of the capital programme and related budgets, and provides detail on the use of capital receipts and reserves to support this expenditure.
- 2.9 The Director of Resources has reviewed the level of general reserves and has confirmed his view that the current level of 4% of the Net Revenue Budget is appropriate. The specific reserves maintained by the Council have also been reviewed and adjusted to reflect changed circumstances.
- 2.10 Details of changes to the revenue budget since January are given in section 4, and the summary position (assuming recommendations are agreed) is shown in Appendices 1 to 3.

3 Recommendations

Cabinet is recommended to:

- (a) approve the changes to the Integrated Plan [Parts A to D] as set out in section 4.7 of this report; noting that amendments to the budget may be required once any outstanding grants have been announced by the Government; and
- (b) recommend to the County Council that the Integrated Plan for 2018/19 - 2021/22 (as amended above) be adopted, and specifically that:

In respect of all Parts:

- (i) the Director of Resources, in consultation with the Leader of the Council (as Executive Member for Resources, Property & the Economy portfolio), be authorised to make any necessary amendments to ensure the final plan is in line with decisions taken by the County Council before publication;

In respect of Parts A & B:

- (ii) a Revenue Budget of £844.793m and a Council Tax Requirement of £582.977m be agreed as per the updated Revenue Budget Statements included at Appendix 1 to 3 of the report.
- (iii) a Band D Council Tax of £1,224.67 plus a Band D Social Care precept of £95.79 be agreed for the County Council in 2018/19, and that the amount of tax calculated for all bands be as follows:

Band	Band 'D' Multiplier	2017/18 Council Tax	2018/19 Council Tax (2.99%+3.00%)		
		Total	General Expenditure	Adult Social Care Precept	Total
A	6/9	£830.55	£816.46	£63.85	£880.31
B	7/9	£968.98	£952.51	£74.51	£1,027.02
C	8/9	£1,107.40	£1,088.60	£85.14	£1,173.74
D	1	£1,245.83	£1,224.67	£95.79	£1,320.46
E	11/9	£1,522.68	£1,496.83	£117.07	£1,613.90
F	13/9	£1,799.53	£1,768.96	£138.37	£1,907.33
G	15/9	£2,076.38	£2,041.13	£159.64	£2,200.77
H	18/9	£2,491.66	£2,449.34	£191.58	£2,640.92

- (iv) the precept amount of £582,977,081.91 be required from the district and borough councils as follows:

District	Precept Amount £
Borough of Broxbourne	45,740,074.17
Dacorum Borough Council	74,927,654.06
East Hertfordshire District Council	78,703,113.29
Hertsmere Borough Council	53,736,978.00
North Hertfordshire District Council	64,859,014.51
St Albans District Council	81,388,004.61
Stevenage Borough Council	35,729,666.91
Three Rivers District Council	50,499,276.10
Watford Borough Council	42,774,849.19
Welwyn Hatfield Council	54,618,451.07
TOTAL	582,977,081.91

- (v) a capital programme totalling £819.883m for the period 2018/19 to 2021/22 be agreed and financed as set out in the Integrated Plan Part A tables 4a and 4b (p16):
- (vi) the Director of Resources, in consultation with the Leader of the Council (as Executive Member for Resources, Property and the Economy portfolio) and the Executive Members for the relevant service, be authorised to vary the capital programme during the year to include additional schemes that are wholly funded by grants or third party contributions and to vary existing schemes to match any changes in funding from grants or third party contributions;

- (vii) the schools budget be agreed at the level of the Dedicated Schools Grant (DSG) plus use of carry forward DSG (this is currently estimated at £944m less deductions in respect of academies and post 16 high needs places), and that the Director of Resources in consultation with the Director of Children's Services, the relevant Executive Members and the Schools Forum, be authorised to amend the schools budget to match any changes to the Dedicated Schools Grant and the planned approach to balancing the schools budget in future years of the Plan;
- (viii) the Director of Resources, in consultation with the Leader of the Council (as Executive Member for Resources, Property & the Economy portfolio) and the relevant service Executive Member and Chief Officer, be authorised to determine the allocation of Adult Social Care Support Grant to budgets within Adult Care Services; and the use of any other non-ringfenced grants not yet allocated to services;
- (ix) the Director of Resources in consultation with the Leader of the Council (as Executive Member for Resources, Property & the Economy portfolio), the Executive Member for Environment, Planning and Transport, the Executive Member for Highways and the Director of Environment, be authorised to determine the allocation of budget from the £2m Infrastructure, Investment & Sustainable Transport Fund;
- (x) that, consistent with the approval in the 2017/18 IP of the transfer of one off savings from the revised Minimum Revenue Provision policy into the Investment Reserve set aside to support the capital financing, borrowing and investment plans, the £6.4m that will be realised from this policy in 2018/19 be transferred to the Investment Reserve, as outlined in paragraph 4.18;
- (xi) the Chief Executive, in consultation with the Leader of the Council, be authorised to issue the Council Tax Information in accordance with demand notice regulations;
- (xii) that, in the light of the requirement for delivery of further savings in future years, Chief Officers be commissioned to work with Executive Members and their Cabinet Panels to develop options at the earliest possible opportunity for the delivery of substantial additional savings;

In respect of Part C:

- (xiii) the Minimum Revenue Provision policy and capital expenditure prudential indicators be approved (IP Part C, Section 2); and
- (xiv) the Treasury Management Strategy, including the Borrowing, Lending and Financial Derivative policies, the introduction of the new financial instruments and the treasury management prudential indicators be approved (IP Part C, Sections 4-8).

4 Integrated Plan 2018/19 – 2021/22

Revenue Budget

- 4.1 The Final Local Government Finance Settlement for 2018/19 was announced on 6th February. This confirmed the overall funding indicated in the Provisional Settlement, with a small (£0.133m p.a.) decrease in Business Rates top up grant, following the revision of some tax base figures for the impact of April 2017 revaluations.
- 4.2 The Final Settlement also included some additional funding through a one year extension of the Adult Social Care Support Grant that was provided as one off funding in 2017/18. Hertfordshire's allocation for 2018/19 is £2.584m. The Ministry of Housing, Communities and Local Government (MHCLG) have stated that this is to be used to build on progress in supporting sustainable social care markets. The draft IP identified a risk for Sleep In duty payments, following a legal judgement that these should be set at an average rate that meets the conditions of the National Living Wage (Part 2 p12). Since January, a significant element of this risk has crystallised and is now expected to add a £1.5m p.a. cost pressure. It is proposed that this be a first call on the additional funding. Given the late announcement of this grant, it is proposed that the £2.584m grant is initially held centrally and will be allocated to Adult Care Services under delegated powers.
- 4.3 Since the report to January Cabinet, Districts have provided forecasts for Council Tax Base and Collection Fund balances for 2018/19 onwards. There has been growth in the Council Tax base (including some improvement in collection rates), and increased one-off surpluses on collection. Latest figures show an additional £1.011m of ongoing income from Council Tax and the Social Care Precept, above previous assumptions: forecast growth had been increased from 0.8% to 1%, based on information available in November. The Council Tax Collection Fund forecast shows an additional one-off amount of £4.698m income in 2018/19, compared with the previous estimates.
- 4.4 In January, business rates income had been assumed at MHCLG's assessed baseline level, and in line with 2017/18 estimates. Actual income for 2018/19 will reflect any local growth or reduction against baseline. Figures provided by Districts at the end of January show estimated income for 2018/19 of £48.665m, £0.828m higher than baseline. Districts are also forecasting an improved position on the Business Rates Collection Fund: a deficit of £1.5m had been assumed in the draft IP, but the latest figures show an overall surplus of £0.918m, providing a one off increase of £2.418m. There has also been some movement in S31 grants that compensate for business rates changes introduced in previous Autumn Statements, along with the change from RPI to CPI: these grants have increased by £2.138m from previous assumptions for 2018/19.
- 4.5 A number of ringfenced and non-ringfenced grants have been confirmed. Where grants are given for specific service areas, but have non ringfenced conditions, they are held centrally and released under delegated powers, once detailed plans for this spend are agreed. £0.160m new funding for Supported

Internships has been announced and will be taken to central reserve until spending plans are confirmed.

- 4.6 The net impact of funding changes since the draft IP approved by Cabinet in January is an increase in ongoing revenue funding of £1.835m per annum, plus one-off income totalling £9.254m from collection fund balances and S31 grants relating to Business Rates; and £2.584m from the extended Adult Social Care Support Grant. These are shown in Table 1 below:

Table 1: Changes to Revenue Funding from January IP

	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m
Tax Base Growth – additional council tax and related social care precept	1.011	1.011	1.011	1.011
NNDR income growth above baseline	0.824	0.824	0.824	0.824
Additional Core Revenue Funding	1.835	1.835	1.835	1.835
Plus One Offs and additional service specific grants:				
Council Tax Collection Fund balance from previous years	4.698			
Business Rates Collection Fund balance – move to surplus	2.418			
Business Rates – S31 grant	2.138			
Adult Social Care Support Grant	2.584			
Additional One Off income	11.838			
Total Additional Funding	13.673	1.835	1.835	1.835

- 4.7 It is proposed that this additional funding be allocated as set out in Table 2 below:

Table 2: Use of Additional Funding and Provisional Budgets, 2018/19

	£m
Adult Social Care Additional ASC Support Grant will be used to help support local care markets, including funding the additional costs of paying Sleep In duties	2.584
Invest to Transform Fund (ITT) A major bid for Adult Social Care transformation is being considered (£4.9m over four years, elsewhere on this agenda). If approved, and no new money is added to ITT, the balance on ITT will fall to £10.66m by end of 2021/22. This is before any other new bids. Given the extent of budget gaps still outstanding, the wide range of uncertainties and risks that affect our funding after 2019/20 and the extent of change still expected in the future (eg responses to Adult Social Care green paper; new local government funding model; ongoing technological and digital change; continued demographic increases etc) retaining sufficient funding to support ongoing	4.789

	£m
transformation is essential.	
Transition Fund Creation of a new transition fund, ahead of the implementation of a new local government financing model, to be released between 2019/20 and 2021/22, to contribute to the closure of remaining savings gap in those years whilst continuing to minimise the requirement for front line service policy changes	6.300
Total	13.673

In addition to these proposals for the allocation of new ongoing and one-off funding, the draft IP included £3.491m of one off Infrastructure and Investment funding which was proposed for use in a number of ways including the development of major infrastructure and sustainable transport projects, service transformation, and to meet other requirements including the need to replenish the Insurance Fund. The exact use of this budget was to be confirmed, once further information on any additional funding was known. The final IP proposes allocating £1m of this budget to replenish the Insurance Fund and £2m to an Infrastructure and Investment Fund, to support the newly created Growth & Infrastructure team's work on developing proposals related to infrastructure and sustainable transport investments. The balance of £0.491m, less £0.048m minor movements in other budgets, is proposed for allocation to the Invest to Transform Fund, to help meet future projects. This, with the allocation above, would give a total contribution of £5.232m in 2018/19.

- 4.8 The draft IP also included a £2m increase in general contingency for 2018/19, which was also flagged as requiring confirmation once final funding levels were known. This has been included unchanged in the proposed IP, bringing the 2018/19 contingency budget to £6.022m. This is comparable to 2017/18 (£6.3m) and is an increase from the £4m provided in previous years and at present assumed for 2019/20 onwards.
- 4.9 For 2019/20 onwards, the additional ongoing funding of £1.835m is proposed to reduce the outstanding budget savings gap for those years. Even with these changes, this remains challenging: the savings gap is £6.253m in 2019/20 rising to £27.860m by 2021/22.
- 4.10 It is proposed that any further movements in general funding be taken to / from contingency, under delegated powers; and any movements in service specific grants are taken to reserves and applied under delegated powers.
- 4.11 If required, decisions to meet any shortfall in income, or to use any additional funds, will be brought to members during 2018/19, for approval by Cabinet in accordance with financial regulations.
- 4.12 To reflect the changes above an updated Summary Budget Movement Statement (Table 1 - IP Part A page 7), Funding Statement (Table 2 – IP Part A page 8) and Service Revenue Budget Statement (Table 3 - IP Part G page 301) have been included in Appendix 1, 2 and 3 of this report respectively.

- 4.13 The IP Pack will be amended for the above changes and for the following items that had not been reported in the correct Portfolio at January:
- Budget pressure, Driver Training income £0.2m – move from Environment, Planning and Transport to Highways portfolio
 - Savings in Libraries - £0.5m pa from 2019/20, and Hertfordshire Archives and Local Studies (HALS) - £0.05m from 2021/22: move from Resources, Property and the Economy to Education, Libraries and Localism portfolio.
- 4.14 The Director of Resources reviewed the robustness of the budget and adequacy of reserves in the draft IP (Part A p14-15); following the Final Settlement and other latest information, he is content that the statutory requirements are met. £1.2m of specific reserves have been identified as no longer required for their original purpose, and will be released to support the 2018/19 budget.

Capital Programme

- 4.15 The Capital Programme is unchanged from that presented to January Cabinet. Recommendations in this report include delegated powers to allow the programme to be varied in year for any schemes met by external funding.
- 4.16 The funding of the Capital Programme includes the use of £10m capital receipts p.a., to reduce the need to borrow and hence to reduce the revenue costs of capital. These receipts will be used to fund short life assets, where capital financing costs charged to revenue are especially high in the medium term (as the repayment of principal borrowed has to be charged over the life of the asset).
- 4.17 The Spend to Achieve Capital Receipts fund is used to meet expenditure that helps generate or optimise future capital receipts. In previous years the fund has been replenished from capital receipts received, and it is proposed that up to £4.5m of capital receipts received in 2018/19 be transferred to this fund, to meet expected spend in year. The amount will be determined once bids are approved and timing of spend confirmed. Bids for spend above £150,000 are approved by Cabinet, and below this level by the Director of Resources in consultation with the Leader of the Council (as Executive Member for Resources, Property and the Economy portfolio).
- 4.18 While a number of sites are being taken forward for disposal, timing of receipts depends on a number of external factors, and there is some risk that insufficient receipts will be received in 2018/19 to fund the planned £10m capital programme funding and to provide the necessary replenishment to the Spend to Achieve fund. The 2017/18 IP approved the creation of an Investment Reserve using one off savings from the change in capital financing MRP policy. £6.3m savings were approved to be transferred in 2017/18 and a further £6.4m savings will be available in 2018/19. Rather than increase borrowing, it is proposed that any shortfall in Capital Programme or Spend to Achieve funding be met from this Reserve, the final decision to be taken at end 2018/19, when other capital financing information is available. The Reserve may also be used to substitute for planned borrowing, providing important

flexibility to help manage potential interest rate risks related to the borrowing necessary to support the planned capital programme.

5 Treasury Management (Part D)

- 5.1 The draft Treasury Management Strategy (Part C) was been prepared as required by statutory guidance, and with regard to changes introduced in the new Prudential Code for Capital Finance in Local Authorities and the Treasury Management Code of Practice, both published by CIPFA in late December 2017. At the time of writing, guidance notes on the new Codes, including details of new Treasury Management indicators, are continuing to be published: MHCLG guidance on Local Authority Investments was published on 6th February. The Treasury Management Strategy will be reviewed in the light of all guidance, once available, and should any changes be required these will be brought to Council for approval during 2018/19. The proposed Treasury Management Strategy is therefore unchanged from January, apart from updating references to the timing of guidance. This approach is as recommended by the Council's treasury advisers.

6 Equality Implications

- 6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 6.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 6.4 The Integrated Plan (Part F) includes information on the Council's commitment to equality and potential equality implications.
- 6.5 As part of the consideration of these issues Members should have regard to the mitigation measures proposed in the equality impact assessments which are intended to minimise the impact on any service user who may be adversely affected by the proposals.
- 6.6 There are no equality implications associated with the Treasury Management Strategy (Part C).

- 6.7 In addition to the need for Members to have due regard to the Public Sector Duty under the Equality Act 2010, they also need to be aware that the County Council when making decisions is under a general duty of Best Value to make arrangements to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness.
- 6.8 Individual Departments will be making further decisions on how to take forward the budget proposals approved by Members. This will be done having considered the Public Sector Equality Duty, the Best Value Duty and having consulted as appropriate.
- 6.9 If after taking all relevant considerations into account Members conclude the proposals regarding the budget are not appropriate, officers can be requested to re-visit the budget.

Background information

- Draft Integrated Plan 2018/19 to 2021/22, Cabinet 22 January 2018, Agenda Item 4(ii)
- Provisional Local Authority Finance Settlement for 2018/19:
<https://www.gov.uk/government/collections/provisional-local-government-finance-settlement-england-2018-to-2019>
- Final Local Authority Finance Settlement for 2018/19:
<https://www.gov.uk/government/collections/final-local-government-finance-settlement-england-2018-to-2019>
- Integrated Planning Process 2018/19 - 2021/22:
 - Comments from Service Cabinet Panels at their meetings held between 30 January and 14 February 2018
 - Scrutiny of the Integrated Plan Proposals 2018/19 - 2021/22, Overview and Scrutiny Committee, 24 January and 1 February 2018

Table 1: Summary Budget Movement Statement (2018/19 – 2021/22*{Replaces TABLE 1: Summary Budget Movement Statement - IP Part A page 6}*

2017/18 £m		2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m
822.182	Original Budget	816.974	816.974	816.974	816.974
(2.542)	Technical Adjustments	(2.992)	(7.646)	(9.161)	(9.161)
4.834	Inflation	8.141	24.809	41.343	58.206
824.474	Base Budget	822.123	834.137	849.156	866.019
	Pressures for change:				
(0.250)	Previous Policy Decisions	0.050	-	-	-
19.454	Demography	10.642	21.211	31.929	42.737
5.758	Legislative	6.029	10.491	15.834	16.074
3.577	Capital Financing	1.095	2.868	4.708	6.470
4.961	Other	28.636	20.487	21.495	24.247
33.500	Total Pressures for Change	46.452	55.057	73.966	89.528
857.974	Subtotal	868.575	889.194	923.122	955.547
	Savings:				
(2.461)	Existing efficiencies - ongoing impact	(5.013)	(5.807)	(5.786)	(5.807)
(5.039)	Existing Policy Choice - ongoing impact	(0.563)	(1.157)	(1.862)	(1.912)
(22.663)	New efficiencies	(21.200)	(31.305)	(42.763)	(54.812)
(10.837)	New Policy Choice	(3.306)	(7.237)	(7.728)	(8.953)
-	Further savings required *	(0.000)	(6.253)	(22.106)	(27.860)
(41.000)	Total Savings	(30.082)	(51.759)	(80.245)	(99.344)
-	Transfer to reserve - set up Transition Reserve	6.300	-	-	-
816.974	REVENUE BUDGET (before funding specific to service area)	844.793	837.435	842.877	856.203
	<i>* Savings gap before use of Transition Reserve</i>				
	Savings Gap if Transition Reserve applied equally 2019/20 - 2021/22		(4.153)	(20.006)	(25.760)

Table 2: Funding Statement (2018/19 – 2019/22)

Replaces TABLE 2: Summary Budget Movement Statement - IP Part A page 7

2017/18 £m		2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m
46.394	Business Rates Income	48.665	49.607	50.567	51.545
69.531	Business Rates Top-Up Grant	71.350	73.068	74.828	76.630
44.535	Revenue Support Grant	22.599	1.890	(5.829)	(13.610)
160.459		142.614	124.565	119.565	114.565
	<u>Non-ringfenced Grants:</u>				
3.139	Compensation for impact of changes to Business Rates (S31 grant)	4.937	4.406	4.406	4.406
3.261	Education Services Grant (ESG)	-	-	-	-
5.648	New Homes Bonus	3.474	2.999	2.524	2.049
0.835	SEN Reform	0.605	-	-	-
2.070	Independent Living Fund	2.005	1.944	1.944	1.944
7.849	Transition Grant	-	-	-	-
4.153	Adult Social Care Support Grant	2.584	-	-	-
0.842	School Improvement Grant	-	-	-	-
1.085	Other non-ringfenced grants	1.175	1.020	1.020	1.020
28.883		14.780	10.369	9.894	9.419
	<u>Ringfenced Grants:</u>				
33.659	Public Health Grant	32.798	31.926	31.926	31.926
15.154	Public Health - Health visitors	14.760	14.376	14.376	14.376
2.605	Adult Skills and Community Learning grant	2.744	2.744	2.744	2.744
1.111	Local Authority Bus Subsidy Grant (formally Bus Service Operators Grant)	1.111	1.111	1.111	1.111
1.122	Unaccompanied Asylum Seeking Children Grant (UASC)	1.122	1.122	1.122	1.122
2.467	Troubled Families Grant	1.515	1.515	-	-
1.258	Music Education Grant	1.258	1.258	1.258	1.258
0.815	Youth Justice Good Practice Grant	0.815	0.815	0.815	0.815
58.191		56.123	54.867	53.352	53.352
	<u>Better Care Fund:</u>				
18.949	iBCF - old	24.722	32.904	32.904	32.904
-	iBCF - new	11.656	5.819	-	-
18.949		36.378	38.723	32.904	32.904

2017/18		2018/19	2019/20	2020/21	2021/22
£m		£m	£m	£m	£m
	<u>Council Tax and Collection Fund Balances:</u>				
518.146	Council Tax	540.686	563.697	581.521	599.891
25.493	Council Tax relating to Adult Social Care Precept (3% 2018/19; 0% 2019/20)	42.291	42.714	43.141	43.572
9.077	Collection Fund Balance - Council Tax	11.002	4.000	4.000	4.000
(2.225)	Collection Fund Balance - Business Rates	0.918	(1.500)	(1.500)	(1.500)
<hr/> 550.492		<hr/> 594.897	<hr/> 608.911	<hr/> 627.162	<hr/> 645.963
816.974	TOTAL	844.793	837.435	842.877	856.203

Note: Totals may differ to sum of individual items due to roundings

Table 3: Service Revenue Budget Statement

Replaces TABLE 3: Summary Budget Movement Statement - IP Part G page 312

2017/18 Net Budget £'000		Children's Services £'000	Community Protection £'000	Environment £'000	Adult Care Services £000	Public Health £000	Resources £'000	Central Items £'000	Net Budget 2018/19 £'000	Forecast Net Budget 2019/20 £'000	Forecast Net Budget 2020/21 £'000	Forecast Net Budget 2021/22 £'000
822,182	Original Budget	171,895	35,195	107,636	344,396	48,867	72,565	36,420	816,974	816,974	816,974	816,974
-	Restructuring / Internal Transfers	1,163	(11)	-	(1,152)	-	(500)	500	-	-	-	-
(2,542)	Technical Adjustments	(618)	-	-	1,120	(1,255)	-	(2,239)	(2,992)	(7,646)	(9,161)	(9,161)
819,640	Adjusted Budget	172,440	35,184	107,636	344,364	47,612	72,065	34,681	813,982	809,328	807,813	807,813
4,834	Inflation	1,523	40	1,417	(1,127)	-	419	5,869	8,141	24,809	41,343	58,206
824,474	Base Budget	173,963	35,224	109,053	343,237	47,612	72,484	40,550	822,123	834,137	849,156	866,019
(250)	Pressures for Change: <i>Previous Policy Decisions (2017/18 & Prior Years)</i>	-	-	50	-	-	-	-	50	-	-	-
19,454	<i>Demography</i>	1,233	-	64	9,345	-	-	-	10,642	21,211	31,929	42,737
5,758	<i>Legislative Changes</i>	-	-	310	5,730	-	(11)	-	6,029	10,491	15,834	16,074
3,577	<i>Capital Financing</i>							1,095	1,095	1,859	3,563	3,563
4,961	<i>Other Pressures</i>	3,525	-	2,168	13,511	-	1,203	8,229	28,636	21,496	22,640	27,154
33,500	Total Pressures For Change	4,758	-	2,592	28,586	-	1,192	9,324	46,452	55,057	73,966	89,528
857,974	Standstill Budget	178,721	35,224	111,645	371,823	47,612	73,676	49,874	868,575	889,194	923,122	955,547
(41,000)	Savings	(4,027)	(241)	(2,803)	(16,048)	-	(2,734)	(4,229)	(30,082)	(45,506)	(58,139)	(71,484)
	Further savings required								-	(6,253)	(22,106)	(27,860)
	Transfer to reserve - Transition Reserve							6,300	6,300	-	-	-
816,974	REVENUE BUDGET (before funding specifically allocated to service area)	174,694	34,983	108,842	355,775	47,612	70,942	51,945	844,793	837,435	842,877	856,203
(28,327)	Funding specifically allocated to service area	(4,710)	-	(1,111)	(34,395)	-	-	-	(40,216)	(33,268)	(25,934)	(25,934)
788,647	NET REVENUE BUDGET	169,984	34,983	107,731	321,380	47,612	70,942	51,945	804,577	804,167	816,943	830,269
	Add Income from:											
116,233	Sales, Fees & Charges	14,462	1,842	9,964	53,778	37	37,968	-	118,051			
18,307	Partner Contributions	390	586	2,059	15,185	-	2,925	-	21,145			
20,931	Other Ringfenced Grants	8,502	-	110	2,122	-	1,895	-	12,629			
155,471	TOTAL INCOME (excluding dedicated schools grant)	23,354	2,428	12,133	71,085	37	42,788	-	151,825			
28,327	Specific Grants (ringfenced)	4,710	-	1,111	34,395	-	-	-	40,216			
972,445	GROSS BUDGET (excluding schools)	198,048	37,411	120,975	426,860	47,649	113,730	51,945	996,618			
906,041	Dedicated Schools Grant	938,322							938,322			
1,878,486	GROSS BUDGET (including schools)	1,136,370	37,411	120,975	426,860	47,649	113,730	51,945	1,934,940			

Agenda Item No.

5B

Hertfordshire County Council

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES

*November 2017
(for the 2018/19 Scheme of Allowances)*

HERTFORDSHIRE COUNTY COUNCIL

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES FOR 2018/19

1. Introduction

- 1.1 The Independent Panel on Members' Allowances comprised 4 independent members: Hazel Bentall, Michelle Drapeau, Nicholas Eldred and Christopher Clark. Christopher Clark chaired the meeting. The Panel met on 17 November 2017, and was supported by Kathryn Pettitt, Chief Legal Officer and Steven Charteris, Head of Democratic & Statutory Services.
- 1.2 The Group Leaders on the Council had been invited to make submissions to the Panel regarding their groups' views on the content of the Members' Allowances Scheme.
- 1.3 At the meeting, David Williams, Leader of the Conservative Group attended on behalf of the Conservative Group, Stephen Giles-Medhurst, Leader of the Liberal Democrat Group attended on behalf of the Liberal Democrat Group and Judi Billing, Leader of the Labour Group attended on behalf of the Labour Group. Judi Billing had also made a written submission to the Panel prior to the meeting. The Panel greatly appreciated the attendance and the oral and written submissions of members.
- 1.4. The Panel compared current information on the allowances schemes of 12 other county councils. They reviewed data from the 2013 National Census of Local Authority Councillors, Hertfordshire 'End of Term' survey of councillors (May 2017), inflation figures from the Consumer Price Index and Retail Prices Index, and national wage inflation rates.
- 1.5 The Panel considered submissions and reviewed benchmarking data regarding the provision of Special Responsibility Allowances for the Chair of the Pensions Committee and Opposition Group Leaders.
- 1.6 The Panel was sad to hear of the untimely passing of Robert Gordon and asked that condolences be passed on to the family.

2 Summary of Recommendations

- 2.1 The Panel recommends to Council that:
 - (a) The Basic Allowance for 2018/19 should be increased by 1% unless the settlement of the National Joint Council (NJC) for Local Government Employees is higher than 1% when the Basic Allowance should be increased in line with the % settlement of the National Joint Council (NJC) for Local Government Employees up to a maximum of 2%.

- (b) The role of Chairman of the Pensions Committee should be paid a Special Responsibility Allowance of one x Basic Allowance.
- (c) The role of Group Leader of second largest Group on the Council should be paid a Special Responsibility Allowance calculated as follows:
- 3.5 x Basic Allowance divided by number of members of the Council multiplied by number of members in the relevant Group but subject to a minimum Special Responsibility Allowance of 0.75 x Basic Allowance.
- (d) The role of Group Leader of the third largest Group on the Council should be paid a Special Responsibility Allowance calculated as follows:
- 3.5 x Basic Allowance divided by number of members of the Council multiplied by number of members in the relevant Group but subject to a minimum Special Responsibility Allowance of 0.5 Basic Allowance.
- (e) The remaining posts qualifying for Special Responsibility Allowance and the formula (multiplier of Basic Allowance) applying to each post to be unchanged, and be paid as set out in the Appendix to this report.
- (f) Travel, Subsistence and Dependants' Carers' Allowance should continue to be payable to elected members and co-opted members of the Council in respect of the duties set out in Appendix 1 to the Scheme 2017/18.
- (g) The maximum for Dependants' Carers' Allowance for child care to be increased in accordance with the National Minimum Wage and National Living Wage (April 2018). (Rates are dependent upon the age of the worker):
- Under 18 - £4.20 per hour.
 - 18 to 20 - £5.90 per hour.
 - 21 – 24 - £7.83 per hour.
 - 25 and over - £7.83 per hour.
- (h) The maximum Dependants' Carers' Allowance for care of an adult remains at £15.00 per hour.
- (i) Co-optees' Allowance for Parent Governor Representatives on the Overview & Scrutiny Committee to remain at £500 per annum.
- (j) Travel and Subsistence Allowance should continue to be paid at the same rates as the Council's Business Travelling and Subsistence Policy for Employees
- (k) Save as mentioned above, the terms of the Scheme currently in place should continue.

3. Submissions from Groups

- 3.1 The Panel heard the views of David Williams, Leader of the Conservative Group on behalf of the Conservative Group, Stephen Giles-Medhurst, Leader of the Liberal Democrat Group, and Judi Billing, Leader of the Labour Group. The Panel also received a written submission from Judi Billing prior to the meeting.
- 3.2 David Williams (DW) had recently been elected as Leader of the Conservative Group and was acting Leader of the Council. Full Council on 21 November would be appointing the Leader of the Council for the period until the Annual Meeting of the Council in 2021.
- 3.3 DW indicated that his intention should he be appointed Leader of the Council was not to change at this time the executive member portfolios as these had only been established relatively recently following the County Council election in May 2017.
- 3.3 DW considered that the scheme for Special Responsibility Allowances remains appropriate and that the level of Executive Member responsibilities remained similar. There were two areas, however, that he asked the Panel to consider:
- i. Introduction of a Special Responsibility Allowance for the Chairman of the Pensions Committee.
 - ii. Future review of the level of Special Responsibility Allowance for Executive Members.
- 3.4 DW indicated his support for a baseline threshold for the Leader of the Labour Group, to ensure that the Leader of the Group receives a minimum allowance in line with Group Spokespersons.
- 3.5 DW commented that the local authority benchmarking data provided showed that most other authorities paid an allowance to the Chairman of Pensions Committee. He noted that currently the Chairman of Pensions Committee is also the Executive Member for Resources, Property and the Economy and thus in accordance with the Allowances Scheme the member only receives one of the Special Responsibility Allowances to which he would otherwise be entitled. However, circumstances can be envisaged where there would be merit in appointing a Chairman of the Pensions Committee who did not have Executive Member responsibilities, in which case it was considered that the role should attract a Special Responsibility Allowance.
- 3.6 DW expressed the view that the responsibilities of Chairman of the Pensions Committee were significant and had increased with the pooling of eleven Local Government Pension Scheme (LGPS) funds within ACCESS (A Collaboration of Central, Eastern & Southern Shires). The Chairman is on the joint governance committee (ACCESS JNC) and is responsible for managing the pool of fund assets with the investment managers. This includes consideration of complex investments including equity and gilts as well as other investments

such as property and hedge funds. The Hertfordshire pension fund is valued at c£4.4 billion. He noted that there is a need for expertise and knowledge to fulfil the role, and the post holder is required to attend regular ACCESS meetings in addition to the Pensions Committee.

- 3.7 DW requested that the Panel consider the level of special responsibility allowance for Executive Members. He considered that the scheme in Essex would be an appropriate benchmark as there are similarities with Hertfordshire in geography and demography. He noted that Essex also worked on a multiplier of Basic Allowance, but provide 3 x Basic Allowance for Executive Members, 3.5 x Basic Allowance for the Deputy Leader of the Council and 4.5 x Basic Allowance for the Leader of the Council. DW explained that he considered the scale and complexity of the organisation together with the high level of responsibility vested in Cabinet Members, resulted in the requirement to take high profile decisions of high value. He also considered that an increased allowance for Cabinet Members could serve to increase the pool of members interested in fulfilling these important roles – particularly those in a position to pursue executive roles in District/Borough Councils. DW asked that the Panel review the level of special responsibility allowances at a future meeting of the Panel.
- 3.8 The Panel thanked DW for attending.
- 3.9 Stephen Giles-Medhurst (SGM) expressed the view that it did not seem appropriate that the Leader of the Labour Group received an Special Responsibility Allowance which was less than Group Spokespersons. He suggested that a ‘safety net’ should be devised in order to avoid this anomaly. He suggested this could be achieved if a minimum SRA of 1 x Basic Allowance for the Leader of the Official Opposition and 0.5 x Basic Allowance for the Leader of the third largest Group. He noted that the size of Group does impact the workload of the Leader and the multiplier approach continued to be appropriate.
- 3.10 The Panel requested SGM’s view regarding the provision of an SRA for the Chairman of Pensions Committee. SGM felt there was a good case to support identifying a separate SRA for the role, due to the time commitment and knowledge required to fulfil the duties. He noted that the role is complex and requires a person with relevant experience and knowledge. He noted that the separation of the role from that of Executive Member for Resources is a matter for the Cabinet.
- 3.11 The Panel requested SGM’s view regarding a potential increase in the level of SRA for Cabinet members. He noted the responsibilities of members of the Cabinet are significant and he did not disagree that this should be considered. He noted that many members are also on District / Borough Councils and therefore it is important that the level of SRAs encouraged commitment to County Council roles.
- 3.12 The Panel thanked SGM for attending.

3.13 Judi Billing (JB) on behalf of the Labour Group provided a written submission prior to the meeting:

3.14 *Following the County Council elections in May 2017 the Opposition Groups position changed considerably.*

- *The Lib Dems rose from 16 to 18*
- *The Labour Group shrank from 15 to 9*

Apart from making me obviously politically depressed it also made much clearer the Lib Dems position as main opposition and ours as third party as was the case from 2009-2013.

3.15 *I was only elected in a by election in September 2013 so had not taken a lot of notice of remuneration issues until I was elected Leader of the Labour Group in May 2017 and invited to consider the issues and attend the meeting of the panel in June. At that meeting I made an oral presentation highlighting an issue inherent in linking Group Leaders SRA's solely to the number of members of the group.*

3.16 *At no time have my comments been offered as a matter of personal interest although I realise it may seem so but I felt there was a serious point to be made about the role and scope of opposition leadership, as well as the anomaly produced in a group of 9 in which the leader receives a smaller SRA than those she nominates for Opposition Spokespersons SRAs*

3.17 *I would like to refer first to the role and scope of opposition leadership. It is certainly the case that a group of 5 or 9 members is able to make less impact and have less influence than a group of 16 or 20. Proportionality currently means that for instance we only have one place on each panel and committee and this is totally understood, respected and accepted.*

3.18 *But curiously this does not make the leadership role any less. The county still consists of 1.2 million people, its budgets and services remain as large and complex and the Leader of a group of 9 arguably has to work harder than the leader of a larger group to ensure that the voice of her group and her party is heard throughout the council and the county. It could be argued that with so few seats it doesn't need to be heard very much, but that doesn't seem to have been the ethos or intention of the County Council as I have perceived it.*

3.19 *It is also the case that with only one member on each committee and panel when that member is unable to attend for reasons of illness or employment then the need to find a substitute is both more urgent and more difficult to ensure representation. This means that the Leader is likely to have an increased work load covering for colleagues and ensuring that she is fully read and briefed to do so. Leaders of groups are invited to the same number of events, organisations and consultations whatever the size of their group and this is another reason why maybe size of group should only be one factor in determining Leaders SRA.*

3.20 *Finally I do want to mention the fact that in a group smaller than 10 the formula used of 5% of BA times number of members means that the Group Leader will*

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receive a smaller allowance than the 50% of SRA currently paid to Opposition Spokespersons. A strange anomaly.

- 3.21 *There is a wide range of practice expressed in the table on page 40 of your report some of it rather lacking in information about the rationale used and it is clear that some authorities pay no leadership SRA to the leaders of third parties. I am unclear if this follows through into spokespersons SRAs as well but this has not I think been the Hertfordshire ethos since the introduction of allowances and SRA's some 18 years ago now. I have certainly always had the impression of a county committed to the maximum sensible approach to leadership, opposition and democracy as exemplified in the councils approach to Cabinet Panels and Locality Budgets.*
- 3.22 *Finally I would like to re-iterate the point that I am not making these points on a crusade for personal gain but more for future leaders from any political party or none who might find themselves as bemused as I have by this. Once again I make it clear that in the scale of anything this is not an important problem, but one that I thought the remuneration panel should know about and be able to consider.*
- 3.23 JB attended the Panel and spoke to the points made in her written submission.
- 3.24 The Panel asked JB for suggestions to resolve the issue of Group Leader SRA. JB suggested that a 'safety net' of 0.5 x Basic Allowance could be applied to ensure that Group Leaders receive a minimum SRA which is comparable with Group Spokespersons. JB noted that the role of effective opposition was crucial. She noted that the size of the Group did not diminish the responsibilities of the Group to provide effective opposition. Leaders of smaller Groups were presented with challenges in ensuring appropriate representation across the functions of the Council and this resulted in increased workload.
- 3.25 JB suggested that Group Leader's SRA could be based on a two element calculation; a base sum to recognise the basic responsibilities of a Group Leader and a multiplier to recognise of the size of the Group.
- 3.26 The Panel requested JB's view regarding the provision of an SRA for the Chairman of Pensions Committee. JB confirmed that she supported the development of such an SRA as the role requires significant knowledge and time commitment.
- 3.27 The Panel thanked JB for attending.

4. Basic Allowance

- 4.1 The Panel noted that the Basic Allowance is £9,978 per annum and a 1% increase had been applied in 2017/18.
- 4.2 The Panel reviewed the formula for calculation of the Basic Allowance as devised in 2004. The Panel examined the latest National Census of Local Authority Councillors (2013), and examined the results of the 'End of Term' Survey of Councillors (May 2017) with regards hours spent on council business. Agenda Pack 76 of 94

- 4.3 The Panel considered the Public Sector and Whole Economy National Wage Inflation Rate average for the three months up to August 2017 and the inflation figures for the Consumer Price Index (CPI) and Retail Prices Index (RPI) as at October 2017. The Panel noted that year on year data showed that the whole economy achieved a 2.2% three month average increase and the Public Sector achieved a 1.4% three month average increase (August 2017). The Panel noted that 12 month inflation rates were CPI 3.0% and RPI 3.9% (October 2017).
- 4.4 The Panel noted that the pay settlement for local government workers was yet to be announced. Most public sector bodies received a 1% cost of living increase in 2017. Public sector offers are currently expected to remain around the 1% mark for the foreseeable future, with the Chancellor of the Exchequer capping public sector pay increases at a 1% maximum increase per year for a 4 year period commencing from 2016 / 2017. However, although the Government policy on public sector pay remains, there have been some suggestions that this may be reviewed in the next year.
- 4.5 The Panel reviewed the level of Basic Allowance of 12 comparative County Councils and noted that the average was £9,909 which is consistent with Hertfordshire's allowance.
- 4.6 The Panel recommends that for 2018/19 Basic Allowance should be increased by 1% unless the settlement of the National Joint Council (NJC) for Local Government Employees is higher than 1% when the Basic Allowance should be increased in line with the % settlement of the National Joint Council (NJC) for Local Government Employees up to a maximum of 2%. Should the NJC settlement result in a percentage increase higher than 2% then the Panel would reconvene to consider.

5. Special Responsibility Allowance

- 5.1 The Panel recommends the schedule of Special Responsibility Allowances set out in the appendix to this report.
- 5.2 The Panel considered the current multiplier schedule for Special Responsibility Allowances and submissions regarding the respective responsibilities of Executive portfolios and recommends that the current schedule remains appropriate.
- 5.3 As the amount of each Special Responsibility Allowance is specified as a multiplier of the Basic Allowance figure, the Panel's recommendation for increasing Basic Allowance would mean that each Special Responsibility Allowance also increases by the percentage increase to Basic Allowance as set out in Section 4 above.
- 5.4 The Panel considered the submission made and benchmarking information regarding the provision of a Special Responsibility Allowance for the Chairman of the Pensions Committee. The Panel

noted the level of responsibility, knowledge and time commitment of the role and therefore recommends that the role should attract a Special Responsibility Allowance of one times Basic Allowance. The Panel considered that the Special Responsibility Allowance should be reviewed should the responsibilities of the role change in the future.

5.5 The Panel considered the submissions and benchmarking information regarding the Special Responsibility Allowances for Leaders of Opposition Groups and accepted that a change should be made to ensure that Group Leaders' Allowances do not fall below the level of Group Spokespersons.

5.6 The Panel recommends that the role of Group Leader of the second largest Group on the Council should be paid a Special Responsibility Allowance calculated as follows:

3.5 x Basic Allowance divided by number of members of the Council multiplied by number of members in the relevant Group but subject to a minimum Special Responsibility Allowance of 0.75 x Basic Allowance

5.7 The Panel recommends that the role of Group Leader of the third largest Group on the Council should be paid a Special Responsibility Allowance calculated as follows:

3.5 x Basic Allowance divided by number of members of the Council multiplied by number of members in the relevant Group but subject to a minimum Special Responsibility Allowance of 0.5 Basic Allowance

5.8 The Panel noted the request for the level of Special Responsibility Allowances for Executive Members be reviewed and requested that further information and submissions be presented to the next meeting of the Panel, where further consideration will be given to the responsibilities of these roles.

6. Dependants' Carers' Allowance

6.1 The Panel considered the maximum levels of remuneration for Dependants' Carers' Allowance. The Panel recommends that Dependants' Carers' Allowance remain payable and that separate rates for childcare and adult care continue.

6.2 The Panel recommends that the maximum level of Dependants' Carers' Allowance for care of an adult remain at £15.00 per hour. Sums paid must not exceed actual amount paid.

6.3 The Panel recommends that the maximum level of Dependants' Carers' Allowance payable for child care should continue to be consistent with the National Minimum Wage rates and the National Living Wage. Both rates are set according to age. Sums paid must not exceed actual amount paid

6.4 The rates for National Living Wage (April 2018) will be:

- Under 18 - £4.20 per hour.
- 18 to 20 - £5.90 per hour.
- 21 – 24 - £7.83 per hour.
- 25 and over - £7.83 per hour.

6.5 The Panel recommends that:

Childcare – Dependants’ Carers’ Allowance up to a maximum hourly rate according to National Minimum Wage and National Living Wage (April 2018). Rates are dependent upon the age of the worker:

- Under 18 - £4.20 per hour.
- 18 to 20 - £5.90 per hour.
- 21 – 24 - £7.83 per hour.
- 25 and over - £7.83 per hour.

Adult Care - Dependants’ Carers’ Allowance up to a maximum hourly rate of £15 per hour.

(In both cases the sums claimed must not exceed the actual sums paid.)

7. Co-optees’ Allowance

7.1 The Panel noted that Parent Governor Representatives are currently entitled to claim the Co-optees’ Allowance of £500 per annum. They are also entitled to claim reasonable expenses for travel and subsistence in accordance with the scheme

7.2 The Panel recommends that the Co-optees’ Allowance remains at £500 per annum.

8. Travelling and Subsistence Allowance

8.1 The Panel recommends maintaining the link with the local rates in the Council’s Business Travelling and Subsistence Policy.

9. Costs

9.1 The total cost of implementing the Panel’s recommendations on Basic Allowances and Special Responsibility Allowances would be a percentage increase consistent with the settlement of the National Joint Council (NJC) for Local Government Employees up to a maximum of 2% plus the addition of one times Basic Allowance for the Special Responsibility Allowance for Chairman of the Pensions Committee and the impact of the 0.5 x Basic Allowance baseline for Leader of the second Opposition Group.

10. Future meetings

10.1 The Panel suggested the following dates for their next meeting:

- Friday 16 November 2018 at 10am.

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- 10.2 The Panel noted that they would reconvene should the settlement of the National Joint Council (NJC) for Local Government Employees up exceed 2%.
- 10.3 The Panel requested the following information for the next meeting:
- Submissions and benchmarking data regarding the level of Special Responsibility Allowance for Executive Members.

**Hazel Bentall,
Michelle Drapeau
Nicholas Eldred
Christopher Clark**

NOVEMBER 2017

SPECIAL RESPONSIBILITY ALLOWANCES 2018/19

APPENDIX 1

<u>Post</u>	<u>Formula</u>
Leader of the Council	4xBA
Deputy Leader of the Council	3xBA
Cabinet Member for:	
Adult Care & Health	2xBA
Children's Services	2xBA
Community Safety & Waste Management	2xBA
Education, Libraries & Localism	2xBA
Environment, Planning & Transport	2xBA
Highways	2xBA
Public Health, Prevention & Performance	2xBA
Resources, Property & the Economy	2xBA
<i>(Note: The Leader has the power to change the composition of his Cabinet and individual portfolios at any time subject to a maximum of 9 members of Cabinet)</i>	
Leader of the Conservative Group (50)	3.5xBA / 78x50
Leader of the Liberal Democrat Group (18) <i>(Minimum 0.75xBA)</i>	3.5xBA / 78x18
Leader of the Labour Group (9) <i>(Minimum 0.5xBA)</i>	3.5xBA / 78x9
Chairman of Overview & Scrutiny Committee	1.5xBA
Vice-Chairmen of Overview & Scrutiny Committee (2)	0.5xBA
Chairman of Health Scrutiny Committee	1.5xBA
Vice-Chairmen of Health Scrutiny Committee	0.75xBA
Liberal Democrat Spokesmen (5) on:	
Adult Care & Health	0.5xBA
Education & Children's Services	0.5xBA
Environment, Planning & Transport	0.5xBA
Public Health & Community Safety	0.5xBA
Resources, Property & Enterprise	0.5xBA
Labour Spokesmen (3) on:	
Adult Care & Health	0.5xBA
Children's Services	0.5xBA
Public Health, Prevention & Performance	0.5xBA
8 Deputy Executive Members:	
Adult Care & Health	1xBA
Children's Services	1xBA
Community Safety & Waste Management	1xBA
Education, Libraries & Localism	1xBA
Environment, Planning & Transport	1xBA
Highways	1xBA
Public Health, Prevention & Performance	1xBA
Resources, Property & the Economy	1xBA
Chairman of Audit Committee	1xBA
Chairman of Pensions Committee	1xBA
Chairman of Development Control Committee	1xBA
Chairman of the Council	1xBA
Vice-Chairman of the Council	0.25xBA

NOTE: Members are restricted to one SRA each (that of the highest value).
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REPORT FROM THE OVERVIEW & SCRUTINY COMMITTEE

The Committee met on 15 November 2017 at 10.00 a.m.

1. Integrated Plan (IP) 2018/19 – 2021/22: Director of Resources Brief

- 1.1 Members received a report providing them with the outline of the proposed brief for the Director of Resources' presentation to the Overview & Scrutiny Committee (OSC) on Tuesday, 19 December 2017.
- 1.2 It was noted the Director of Resources would provide an overview of the current budget position and an outline the parameters he had advised portfolios to take into account when preparing the IP responses. The OSC Chairman and Vice Chairmen asked that the Director also cover the following:
- Clarifying the issues effecting the IP proposals put forward by portfolios
 - The anticipated Settlement from central government
 - Impact of any changes to the funding formula and its implementation
 - Identify any other funding streams pertinent to determining the IP
 - Relevance of the budget gap in guidance to departments
 - The trends are affecting the development of the IP 2018/19 – 2021/22.

2. Scrutiny recommendations update

- 2.1 The Committee received a report providing the recommendations from the Nascot Lawn Topic Group, the Hertfordshire Safeguarding Children Board Topic Group and the Hertfordshire Safeguarding Adults Board Topic Group.
- 2.2 Members noted that the Organisation Responses to the Nascot Lawn Topic Group had been received for information only.
- 2.3 Members further noted that the Impact of Scrutiny (OSC) Sub-Committee (ISSC) would have its first meeting on 28 November 2017 and that the ISSC Chairman would provide an update at the Committee's December meeting.

3. Scrutiny work programme 2017 – 2018

- 3.1 The Committee noted the work being carried out on a new database for the scrutiny work programme and that Members would receive an overview at a future meeting once some minor issues had been resolved.
- 3.2 The Committee agreed its work programme for 2017/18 (full details of the changes and updates to the work programme are set out in the [Minutes here.](#))

3.3 The Head of Scrutiny provided an overview of the work being carried out by the Health Scrutiny Committee and reminded Members that any Member could attend any Scrutiny Committee or Topic Group meeting.

4. Social care aspect of Healthwatch Hertfordshire

4.1 The Committee received a presentation on the social care remit of Healthwatch Hertfordshire (HWH). The Committee heard that the vision set out by Healthwatch England was to work 'towards a society where peoples' health and social care needs were heard, understood and met'. The vision informed the work of Healthwatch Hertfordshire and meant local people helped shape health and social care delivery, influenced the service they received personally and held services to account. The presentation covered:-

- The role of Healthwatch Hertfordshire
- Recent activities around social care
- Priorities and focus
- Legislative requirements
- Legislative powers
- Healthwatch Hertfordshire's future activities

4.2 Healthwatch Hertfordshire advised the Committee that it wished to establish a similar relationship with the Overview and Scrutiny Committee as it has with Health Scrutiny Committee.

4.3 Members suggested that an activity to promote the work of HWH should be carried out. The Committee agreed to promote HWH to colleagues and residents. Further information about HWH and the services it provides can be found here <https://www.healthwatchhertfordshire.co.uk/>.

A special meeting of the Committee met on 29 November 2017 at 2.00 p.m.

5. To Consider the Call-In Of Cabinet Decision (Forward Plan Ref: A055/17) 'To consider the future of the Cuffley Camp Outdoor Centre'

5.1 The Committee received a report that invited Members to consider the decision reached by Cabinet on 13 November 2017 in respect of the Cuffley Camp Outdoor Centre.

5.2 The Committee received background information in relation to the proposals for the future of the Cuffley Camp Outdoor Centre and noted it was considered by the Children's Services Cabinet Panel on 2 November 2017 and by the Resources, Property and the Economy Cabinet Panel on 9 November 2017. Members also noted that a petition, entitled 'Stop the closure of Cuffley Camp Outdoor Centre', which contained 8839 signatures, had been received and presented to the Resources, Property & the Economy Cabinet Panel. The reports to the Cabinet Panels can be viewed here [Report to Children's Services Cabinet](#)

[Panel](#) and [Report to Resources, Property & The Economy Cabinet Panel](#); the petition can be viewed [here](#).

- 5.3 It was noted that on the 15 November 2017, in accordance with Standing Order SC8 of Annex 9 of the Council's Constitution, the Chief Legal Officer received a Call In Notification from five Members of the Liberal Democrat Group that cited the reasons for the Call In as follows:-
1. Failure to by Cabinet to adequately consider the year by year usage and financial deficits data to enable full and proper consideration of the impact.
 2. Failure by Cabinet to consider how the current running deficit — which was £31,467 in 2016-17 could be addressed in future years to ensure a break even position.
 3. Failure to provide to the Cabinet the full details of the availability on a month by month basis of alternative outdoor centres and their availability to meet the expected needs of Cutfley Camp users which in 2016/17 numbered 8203.
 4. Failure to provide any explanations as to why the lease and the covenanted investment amounts totalling just short of £300,000 had not been made to GHIL (Gascoyne Holdings Ltd) despite this being known to certain members and officers by early 2016.
 5. Failure to consider the effect on the 5 permanent staff members on the termination of the lease and the effect on their "required to reside" status meaning that premises occupied by them would have to be vacated on termination.
 6. Cabinet incorrectly placed an emphasis on the statement in paragraph 4.15 that wrongly stated a "noticeable decline in bookings" when the decline is just 11% (thus not noticeable) for the period 2011 to 2017 or that the percentage of individuals attending in the first six months had increased in 2016/17 compared to both 2014 to 2016 years and 2011 to 2012 years.
 7. That Cabinet did not give any due consideration to the statement "more likely to have a negative differential impact for children given that 97% of users from schools. 82% of users are from primary schools." And that Cabinet gave un-due weight to the financial issues and did not adequately consider the differential impact.
 8. Failure of Cabinet to consider an option to maintain the lease until the freeholders of the site had secured an alternative long-term outdoor use for young people
- 5.4 The Committee considered each of these points. As a result of its deliberations, the Committee agreed that it had no objection to the Called-In Cabinet decision being implemented. The full minutes can be viewed [here](#).

6. The Committee met on 19 December 2017 at 10.00a.m.

6.1 Integrated Plan Proposals 2018/19 – 2021/22: Overview of Resources, Pressures and Key Issues

6.2 The Committee received an overview of the integrated plan proposals for 2018/19 – 2021/22, prior to its scrutiny of them in January/February 2018.

6.3 Members noted the timetable for the Integrated Plan's approval; information was also received regarding service direction plans, revenue budget and funding, budgetary pressures, and inflation.

7. Finance seminar

7.1 The Committee received a presentation in relation to the Integrated Plan (IP) process which outlined how to navigate the IP pack.

7.2 Members were taken through parts A to G of the IP pack and provided with a summary of the information in each of the sections in order to assist them in carrying out an effective scrutiny of the IP.

8. Scrutiny recommendations update

8.1 The Committee received a report providing the recommendations from the Community Protection Safe and Well Topic Group.

8.2 Members noted that the Executive Member response to the Hertfordshire Safeguarding Children Board Topic Group had been received. The 'Impact of Scrutiny (OSC) Sub Committee' has been requested to consider the action taken on the recommendations arising from this scrutiny in due course.

8.3 Members noted the Impact of Scrutiny (OSC) Sub-Committee (ISSC) met on 28 November 2017 and the Minutes of the meeting were received by the Committee for information. The ISSC 'recommendation tracker', summarising the status of Topic Group recommendations considered by ISSC in 2017/18, was also noted.

9. Scrutiny work programme

9.1 The Committee has now agreed its work programme for 2018/19 (full details of the changes and updates to the work programme are set out in the [Minutes here.](#))

The Committee met on 24 January 2018 and 1 February 2018

10. Scrutiny of the Integrated Plan 2018/19 – 2021/22

10.1 The Committee's scrutiny of the Integrated Plan 2018/19 – 2021/22 was conducted over two days; commencing on 24 January 2018, when it gathered its

evidence, and concluding on 1 February 2018, when findings, conclusions and recommendations to Cabinet were agreed. Cabinet will be asked to consider the Committee's recommendations at its meeting on 19 February 2019, prior to it recommending the Integrated Plan 2018/19 - 2021/22 to County Council for approval on 20 February 2018.

- 10.2 A copy of the Committee's report to Cabinet, including its recommendations, can be viewed at [OSC Report 1\(B\)](#).

David Andrews
Chairman of the Overview & Scrutiny Committee
February 2018

REPORT FROM THE HEALTH SCRUTINY COMMITTEE

The Committee met on 12 December 2017

1. ANNUAL SCRUTINY OF HEALTH PROVIDERS FINANCES 2018/2019

1.1 Members held a full day scrutiny meeting to challenge health providers from six key organisations used by Hertfordshire residents. The finances of the following Hertfordshire health providers were scrutinised:

- Hertfordshire Partnership University Foundation NHS Trust (HPFT)
- West Hertfordshire Hospitals NHS Trust (WHHT)
- Princess Alexandra Hospital NHS Trust (PAH)
- Hertfordshire Community NHS Trust (HCT)
- East & North Herts NHS Trust (ENHT)
- East of England Ambulance Service NHS Trust (EEAST)

1.2 Members considered a number of overarching and individual challenges facing the organisations, the details of which can be found in the report from the Head of Scrutiny (item 5 Finance Scrutiny Report) here:
<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/686/Committee/12/Default.aspx>

1.3 Members noted that the Committee's scrutiny of health providers Quality Accounts would be held on 15 and 29 March 2018.

2. SCRUTINY WORK PROGRAMME REPORT

2.1 The work programme was noted and agreed by the Committee.

2.2 The scope for the Children and Adolescents Mental Health Services (CAMHS) Topic Group scheduled to be held on 12 January 2018 was noted and agreed by Members.

2.3 Members were informed that the first meeting of the Impact of Scrutiny Sub-Committee had been held on 28 November 2017. No Health Scrutiny Committee items were considered at this meeting.

2.4 Members also received a verbal update from Simon Banks, Assistant Chief Legal Officer, on the current position regarding Nascot Lawn Respite Centre and the ongoing legal proceedings.

3. HERTFORDSHIRE HEALTH CONCORDAT UPDATE

- 3.1 Members were presented with the updated Health Concordat, the purpose of which was to govern the way in which health organisations interact.
- 3.2 It was noted that, to date, not all partners had signed the Concordat and that work would be ongoing to encourage the remaining partners to sign up to the agreement.
- 3.3 The Committee was advised that, in addition to the Concordat, the Head of Scrutiny and Scrutiny Officer met regularly and communicated with senior officers from across the health providers, and the Chairman of the Health Scrutiny Committee met regularly with Chief Executives of the health providers to promote and strengthen relationships.

The Committee met on 18 January 2018

4. UPDATE ON OUTCOMES OF WEST HERTFORDSHIRE HOSPITALS (WHHT) CARE QUALITY COMMISSION (CQC) INSPECTION

- 4.1 Members received a presentation from the Chief Medical Director and the Director of Nursing from the West Hertfordshire Hospitals NHS Trust (WHHT) on the outcomes of its recent CQC inspection. The presentation can be found as Presentation 1 here:
<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/686/Committee/12/Default.aspx>
- 4.2 Prior to Member discussion on the presentation, at the invitation of the Chairman, officers from WHHT provided a brief update to the Committee on the winter pressures that the Trust was experiencing, and what strategies it had implemented to manage them.
- 4.3 Members heard that the Trust had experienced, and was continuing to experience, a significant increase in workload over the winter months due to a higher number of patients presenting at the Emergency Department.
- 4.4 The Committee was advised that the Trust had adhered to all the strategic directives from NHS England, which included removing scheduled elective surgery appointments from Watford General Hospital; these operations had continued at St Albans City Hospital.
- 4.5 In addition, the Trust had implemented a number of strategies to effectively and efficiently manage the increased number of patients at the hospital including:
 - Doubling the number of ward rounds by consultants;
 - Having a number of specialist consultants, including cardiologists and paediatricians being temporarily based at the Emergency Department (ED) to reduce waiting times for patients in the ED;

- Expansion of the Clinical Decision Unit (CDU) at Watford General Hospital
- Increase in number and length of shifts for staff.

4.6 With respect to the CQC inspection, Members were pleased to note that WHHT had been removed from special measures and had been graded as 'requires improvement' overall, with a number of 'good' gradings within individual areas of the Trust. Members discussed the details of the inspection and noted that these improvements had received personal recognition from the Secretary of State.

5. HEALTH & WELLBEING BOARD UPDATE

5.1 Members were provided with an overview on the work of the Health and Wellbeing Board.

5.2 The Committee discussed and acknowledged the impact that the creation of the Strategic Transformation Partnership was having on health providers and the Health & Wellbeing Board.

5.3 Members agreed that a scrutiny be undertaken on the Health & Wellbeing Board in due course.

6. EAST AND NORTH HERTS NHS TRUST: S WINTER PRESSURES

6.1 Members heard details of the continuing high volume of patients presenting at the Emergency Department at Lister Hospital over the winter months.

6.2 The Committee was advised that on an average day 300 patients attend the Emergency Department (ED); however, over the Christmas period, the average number of patients seen daily was 400, with this peaking at 482 on 2 January 2018.

6.3 Officers added further detail that on average 90 patients per day would be admitted to the hospital from the ED. This rose to an average of 110 per day over the Christmas period, peaking at 155.

6.4 Members acknowledged that this spike in patients had impacted on the target rate of attending to patients within 4 hours; however, assurance was received that no patients had been subjected to waiting in ambulances, and 46 extra beds had been opened to mitigate pressures resulting from the increased demand.

6.5 During discussion, it was established that a large number of the patients that were attending had been frail elderly people, some with respiratory conditions. It was confirmed that, to date, only a small number of patients had attended presenting with 'flu.

7. QUALITY ACCOUNTS SEMINAR

- 7.1 Members were provided with a presentation from officers from the Hertfordshire Community Trust (HCT) explaining the purpose of Quality Accounts. This is to inform the Quality Accounts scrutiny taking place in March. The presentation and the supplementary document circulated can be found as Presentations 2 and 2a here:

<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/686/Committee/12/Default.aspx>

8. OUTCOMES OF THE SCRUTINY OF HEALTH PROVIDER FINANCES HELD ON 12 DECEMBER 2017

- 8.1 Members were provided with the report detailing the outcomes of the scrutiny of Health Provider Finances held on 12 December 2017.
- 8.2 In response to a Member question, it was noted that the recommendations detailed in the report reflected the outcomes identified on the day. It was acknowledged that the overarching issue that had been stated by health providers was that finances remain a challenge for all providers.
- 8.3 It was acknowledged that the Committee had agreed a further scrutiny on the finances of Herts Valleys Clinical Commissioning Group and East and North Herts Clinical Commissioning Group, and that this would be added to the added to the work programme.

9. INTRODUCTION OF A NEW ONLINE SCRUTINY WORK PROGRAMME

- 9.1 Members were introduced to the new online scrutiny work programme, which would enable Members and the public to view the past and future planned work of both the Overview and Scrutiny Committee and the Health Scrutiny Committee.

10. WORK PROGRAMME UPDATE

- 10.1 Members agreed the following changes to the work programme:
- Addition of a scrutiny of Herts Valleys Clinical Commissioning Group and East and North Herts Clinical Commissioning finances at a date to be confirmed;
 - Addition of a scrutiny of Health and Wellbeing Board at a date to be confirmed;
 - Removal of the scrutiny of West Hertfordshire Hospitals Trust from the work programme;
 - Addition of the Strategic Transformation Partnership as a seminar at a date to be confirmed;
 - Change to Member Bulletin regarding the Hertfordshire Fire & Rescue Service from Health Scrutiny Committee to Overview and Scrutiny Committee.

11. OTHER HEALTH SCRUTINY COMMITTEE ACTIVITY

- 11.1 On the 6 November 2017, Members of the Committee visited Stevenage Ambulance Station. This was considered a very informative and useful visit.
- 11.2 On the 27 November 2017, Members of both the Health Scrutiny Committee and the Overview and Scrutiny Committee visited the Fire and Rescue Centre. This reflected the cross working of departments within the Council.
- 11.3 On the 5 February 2018, Members of the Committee will visit the new Ambulance Station in Hemel Hempstead. This visit has not taken place at the time of writing this report; a verbal update will be provided at the meeting if required.

Seamus Quilty
Chairman
February 2018

CONSTITUTION: UPDATE

Report of the Chief Legal Officer

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

Executive Member: David Williams, Leader of the Council

1. Purpose of report

- 1.1 To inform County Council of changes made to the County Council's Constitution by me as Chief Legal Officer under my delegated power in Section 12 of the Constitution.

2. Summary and Background

- 2.1 At its meeting on 13 March 2017 Cabinet agreed that the County Council should enter into the Hertfordshire Home Improvement Agency Partnership Agreement (the 'HHIA Partnership Agreement') with East Herts Council, North Hertfordshire District Council, the Borough of Broxbourne, Watford Council and Stevenage Borough Council.
- 2.2 Cabinet also approved arrangements to be made under the provisions of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, which would allow the County Council to exercise powers under the Housing Grants, Construction and Regeneration Act 1996, and any other functions relating to the implementation of the HHIA Partnership Agreement that the County Council would not otherwise have the statutory power to exercise, on behalf of the district and borough councils who are, or who become, parties to the HHIA Partnership Agreement.
- 2.3 The HHIA Partnership Agreement was completed on 30 August 2017 and, in order to finalise the arrangements so that officers can exercise the relevant functions referred to in paragraph 2.2 above in practice, the Leader of the Council, as responsible for the allocation of Executive Functions, has allocated the relevant functions to the Director of Adult Care Services.
- 2.4 Using the power delegated to the Chief Legal Officer in Section 12 of the Constitution to make changes to the Constitution in order to reflect changes in the responsibility for Executive functions decided upon by the Leader, I have amended Annex 3 to the Constitution (Executive

Functions – Scheme of Delegation to Officers) to record the allocation of Executive functions by the Leader of the Council as mentioned in paragraph 2.3 above.

3. Recommendation

- 3.1 That Council notes the changes made to the Council's Constitution by the Chief Legal Officer as set out in the report.

4. Financial Implications

- 4.1 None arising directly from this report.

Background Information

None