

CABINET

16 DECEMBER 2019

REPORTS OF THE CHIEF EXECUTIVE

7. LOWEWOOD MUSEUM

Director of Finance on behalf of the
Cabinet Member for Housing and
Community Services

RECOMMENDED that:

- (a) the Lowewood museum be closed;
- (b) the timetable for closure be noted; and
- (c) the Director of Finance in consultation with the Cabinet Member for Housing and Community Services be authorised to dispose of any artefact that cannot be transferred to another museum, community group, educational establishment or returned to its owner

Purpose

To set out the current position and outline a possible closure process for the Lowewood museum.

For members' information, Appendix 'A' relates to this item.

Background

The Lowewood Museum is owned by the Council but it has been operated by Epping Forest District Council (EFDC) under a Service Level Agreement (SLA) since 2012. The purpose of the SLA is to provide the Council with access to staffing resources with the necessary specialist skills required to run a museum service. The museum is currently open to the public four days a week; Wednesday to Friday 10am – 4pm and Saturdays 10am – 5pm (25 hours a week).

The current SLA was signed on 24 August 2017 with an expiry date of January 2022. Under the terms of the agreement EFDC was seeking funding opportunities to enable the relocation of the museum from its current site at Lowewood House to the Spinning Wheel which is virtually opposite its current location. In order for a funding bid to be submitted the Council would have needed to commit to a long-term agreement for running the museum for up to 25 years. This would, in effect, have committed the Council to an overall cost of £2.5m for running the museum (£100k a year for 25 years). A commitment of this duration and cost would be very difficult to justify given the Council's current known level of funding gap over the medium term.

The adaptation and extension of the Spinning Wheel in order to facilitate the move of the museum was estimated to cost £2.6m, although it was hoped that a significant part of this (£2m) would have been funded by way of a grant from the National Lottery Heritage Fund. As grant awards are discretionary, a successful award of

funding could not be guaranteed and if the funding bid were successful there would still have been a shortfall of £400k. The Council had already set aside a capital budget of £208k for this project and it was originally planned that the shortfall of £400k could be funded from a number of different sources including donations or grants received by the *Culture Without Borders* trust which was being established as a joint project between the Council, EFDC and Chelmsford City Council. EFDC has a proven track record of obtaining grant funding and the *Culture Without Borders trust* would have been able to bid for funding that would otherwise not be available to a local authority.

Unfortunately the Charity Commission rejected the *Culture Without Borders* application for charitable status. It was clear that the Council would find it difficult to justify the likely expenditure for the shortfall required to facilitate a move of the Lowewood museum to the Spinning Wheel site. This, coupled with an approach by a prospective tenant, who has subsequently taken up occupation of the Spinning Wheel site, led the Council to advise EFDC on 4 May this year that it would be unlikely to proceed with the museum's move to the Spinning Wheel site.

The Cabinet Member for Housing and Community Services subsequently met with EFDC and gave an assurance that the Council was committed to the SLA and wanted to work in partnership to improve the museum's offering at its current site. Subsequently, on 24 June, EFDC served the Council with notice to terminate the SLA. The notice required under the terms of the SLA is 12 months. Therefore the agreement will terminate on 30 June 2020.

From July 2020 the Council will have no staffing resources to run the museum. In order for the Council to run the museum in house it would need to recruit its own staff, as staff from EFDC cannot be transferred. Current curator job vacancies are being advertised at around £40k. When on-costs (employer's national insurance and pension) are added to this, the full cost would be in the region of £55k. In addition at least three administration and support staff would be required (£70k). Therefore recruiting staff to run the museum, will cost in the region of £125k. When the running costs for the museum are added to this the overall cost will be in the region of £175k. This includes additional costs that EFDC currently cover as part of the SLA such as key holder responsibilities and marketing costs.

All expenditure needs to be considered in the context of the Council's medium term financial strategy, which indicates that the Council has a budget gap of over £533k in 2021/22, rising to around £2.1m in 2023/24. External funding cannot be obtained for day to day running costs and any increase in costs that the Council incurs, need to be offset by new additional income or cost savings from other areas.

In 2016 the Council carried out a consultation with its residents offering a number of alternative suggestions in order to achieve the required savings target. One of the suggestions was "cease funding Lowewood museum" and at that time was the eighth most agreed option (out of 35). The majority of options which ranked above "cease funding Lowewood museum" have already been implemented as have a number of options which ranked lower. As the Council is limited in its ability to raise additional income from council tax it has considered a number of alternative options which would have allowed it to secure an on-going museum service within the existing cost envelope of £108k, as any increase in costs could not be justified.

Alternative Options

Previously a number of alternative options for the service have been considered and rejected as they are not possible for a variety of reasons, they are:

- provide a museum service from alternative sites
- find another shared service partner
- move to a larger premises

In addition to the above the following options have also been considered:

Local and Regional Museum Development Services

The Council has been seeking support and advice from both the local and regional development services to establish if there are funding streams which will assist in the provision of a museum service. The Council has been in discussions with the regional development service at Norfolk County Council which signposted Broxbourne to the development service at Hertfordshire County Council.

The Hertfordshire Museum Development Officer has advised that funding streams are not available for running costs. Funding streams are available for one-off projects. The Hertfordshire Museum Development Officer also advised the Council that, if at all possible it should retain an in-house service and recruit a curator. This option would increase the Council's costs unless the curator could be supported by a group of volunteers.

Subsequent to these discussions the Regional Museums Development Manager has advised that some funding could be available from its Share East of England (Share) funding to support the Council in establishing an independent trust to run the museum. This would provide expertise for the development of a business case, business plan and to create the governance framework. These are the key documents which would be needed to support the incorporation of a trust. There is no indication at this stage how much this funding is likely to be.

In addition the Council could bid for up to £100k from Arts Council England (ACE) for seed funding to establish a volunteer run museum. In order for the funding bid to be successful the business case would need to demonstrate that the funding would be used to establish a completely new and innovative way of working and to demonstrate the benefits that would be realised from any investment. There is no guarantee that even if these criteria are met that the funding bid would be successful.

The process to establish a trust involves the recruitment of trustees to establish a board to run and administer the trust. Following the incorporation of the trust a curator would be recruited by the trustees to establish a volunteer led museum service. It would be the curator's responsibility to recruit sufficient volunteers to support the running of the museum. Ware museum is staffed by a team of approximately 40 volunteers and is open for 17 hours a week (11-4 Tuesday, Wednesday and Saturday and 2-4 on Sunday).

The Lowewood museum is open for 25 hours a week, and therefore based on the Ware model, approximately 60 volunteers would be needed to run the museum. Although in reality, the service would need to be contained within the number of volunteers it could call upon, this could mean that the museum could be open for more than 25 hours a week or less depending on the number of volunteers.

ACE would expect that within two years the curator would have established a self-financing museum service. Therefore if the £100k grant funding did not cover the trust's establishment costs, the shortfall would need to be funded by the Council.

Incorporation costs are estimated to be £10k, based on the expenditure EFDC incurred for the *Culture Without Borders Trust*.

The costs of operating the museum under a trust model would be approximately £75k (the curator's salary plus on-cost (not including local government pension) and £30k running costs). This assumes the Council provides the Lowewood building to the trust at a peppercorn rent. However it should be noted that the building has rental income earning potential of £20k-£26k.

It is unlikely that the newly incorporated trust would be able to generate sufficient income to cover the costs of running of the museum in the short-term and on-going Council funding would be likely to be needed for the foreseeable future. The museum currently generates income of around £9k and would therefore need to generate additional income of £66k in order to cover all its costs. If the trust were unable to generate this level of income from entry fees and donations it would be likely to seek funding from the Council to make up any shortfall. It should be noted that the Ware Museum is run entirely by volunteers but is still reliant on grant funding from Ware Town Council each year.

In addition to the financial uncertainties with the establishment of a trust and its ability to be completely self-funding, there is a risk that the curator may not be able to find sufficient volunteers to run the museum. The Council has already been advised by two local community groups (the Friends of Lowewood and Ware Museum Trust) that they do not have either the capacity or the skillsets to run the museum.

The Friends group is very passionate about the Lowewood museum which it sees as being a great asset to the local community of Broxbourne. The group is fully supportive of the museum; its members own a number of the artefacts on display in the museum and carry out a considerable amount of cataloguing work for the museum. Despite this, the Friends group does not feel that it has the skillsets to run a museum. Many of the members of the group are retired and some are less mobile, which means that they would be unable to stand, or in some cases, sit for a long period of time. In addition, in order to carry out the duties required to run a museum service the Friends would need a considerable amount of training such as first aid, health and safety as well as instruction on how to operate the computer system and the security alarm system. The group did not feel that it could make these commitments. The group did, however, suggest that if the Council could find a way to continue to run the museum then it would be prepared to continue to support the museum and continue to carry out the cataloguing work.

The museum in Ware is run entirely by volunteers as *Ware Museum Trust* and returns an annual surplus of around £3k. Its annual running costs are £20k (similar

to Lowewood's (£30k)). The *Ware Museum Trust* generates income of around £23k, which is made up of a grant from Ware Town Council (£7k), donations (£6k), self-generated income and gift aid (£5k), visitors (£3.5k) and chargeable activities (£1.5k). One of the volunteers has curator expertise and although the museum has some 40 volunteers the museum has difficulties in keeping to its opening schedule, on occasions, due to staffing difficulties.

The trustees of Ware museum met on 24 September to consider the suggestion that it provides some support to the Friends group in running the Lowewood museum. Following the meeting on 24 September it notified the Council that the trustees could not give it the help that it was seeking. Everyone who works at Ware Museum is a volunteer and as such gives the museum all the time they can spare. Therefore it was felt that the volunteers were unable to take on extra duties with another museum.

There is a risk that the funding bid may not be successful and a risk that the Charities Commission does not allow the trust to be incorporated (as it did with EFDC's application for the *Culture Without Borders Trust*).

There are legal and financial implications in the establishment of a trust and the Council would need to seek external expertise to assist with this work. The estimated cost of £10k could be understated.

Establishing a trust will take at least nine months. Therefore if this option is considered to be viable the Council will need to seek assurances from EFDC that it would be prepared to continue to operate the museum until the trust was established the curator had been appointed and sufficient volunteers were recruited to allow a formal handover. It is anticipated that this will take approximately two to three years. EDFC has previously advised the Council that it would be prepared to continue to operate the museum under a revised SLA which would require the Council to assume some of the responsibilities that EFDC currently carry out. The Council does not have sufficient spare capacity nor skillsets within the Community Development team to take on this work. Therefore an additional member of staff would need to be recruited on a fixed term contract to take on these tasks. The estimated cost of this is £20k including on-costs. EDFC has advised that it does not have the skillsets to be able to support the Council in establishing a volunteer run museum.

The establishment of a trust operated museum is a lengthy process and is unlikely achieve the objective of being completely cost-neutral.

Run an in-house service for a reduced number of hours

In the background section above it is suggested that the Council could run the museum service itself for £175k a year (staff £125k, £30k running costs, £20k marketing and key holder costs). Only staffing costs provide the scope to make a significant saving by reducing opening hours. Staffing costs would need to be reduced from £125k to £78k in order to stay within the existing cost envelope. Reduced hours would result in the following:

No of Hours a week	Cost	Potential Saving on staffing cost of £78k	Overall Cost for Service	Cost per the Operating Hour
16 (reduced from 25)	£78,000	£0	£108,000	£129.81
13 (Thurs (33%) and Sat (25%)) most popular days	£65,000	£13,000	£95,000	£140.53
12 (3 hours a day)	£60,000	£18,000	£90,000	£144.23
10 (2 hours Thurs and Friday and 4 hours Sat)	£50,000	£28,000	£80,000	£153.85
7 (Saturday only)	£35,000	£43,000	£75,000	£206.04

The cost per user has not been included in the above table as the Council is unable to ascertain how many users may be put off visiting if opening hours are reduced.

A reduction in opening hours would mean that the Council would only be able offer low hour contracts to staff (0.2fte to 0.43fte). This could result in the Council being unable to recruit staff and it may also affect staff retention as they may leave in order to increase their pay. It is highly unlikely that the Council would be able to attract sufficient staff for such few hours. A reduced hours service has been discussed with EFDC and it is unable to reduce staff contracts to allow this. Therefore a number of volunteer run options have been considered.

Epping Forest District Council

The Council approached EFDC to establish what support it would be prepared to give to establish a volunteer led museum service. EFDC has declined to provide support to the establishment of a volunteer led service at Lowewood. However, EFDC provided a proposal which would amend the current SLA for the duration of its term (up to 2022) allowing the Council time to establish an alternative delivery model for the museum. The cost of the proposal provided by EFDC is similar to the current costs for the service (£78k) albeit that this would not cover all of the services currently provided under the SLA. If this proposal was accepted the following responsibilities would revert to the Council:

- all external funding applications
- event programming
- exhibitions
- drop in sessions
- art activity sessions
- toddler events (currently held every Wednesday)
- maintaining the museum accreditation
- all marketing and promotional work
- out of hours call outs and key holding responsibilities

All other terms would remain the same. Although a number of responsibilities listed above add value to the service they do not have to be provided and therefore could be discontinued. However, external funding applications, maintaining the museum accreditation and out of hours call outs would still need to be resourced. The Council would be unable to submit funding bids without the accreditation and funding

applications are key to securing artefacts, creating exhibitions and obtaining donations of artefacts.

As the Council does not have the suitably skilled staffing resources to be able to take on these extra responsibilities, it would need to recruit at least one additional member of staff at an estimated cost of £20k (including on costs).

Love Hoddesdon

A meeting was held with the Chairman of the Love Hoddesdon BID Board and the BID Manager. The BID Board represents the business community and feels that the Lowewood museum, in its current form and location, offers little interest to that group. It would only be of interest if the museum could increase footfall in the town. Following the meeting Love Hoddesdon submitted a proposal for a gallery to be established in Hoddesdon town centre.

The proposal was that the gallery would ideally be located within Fawkon Walk. The gallery could provide a number of displays throughout the year including some of the artefacts from the museum. At other times exhibitions of local artists' work would be displayed. The BID board identified a large unit within Fawkon Walk as being ideal for this purpose. This unit has recently been let and the Council is receiving £18k per year rental income for this unit. The business rates for this unit are £5,892.

The BID board commented that it may be willing to establish a trust and rent a retail unit within Fawkon Walk from the Council. This would be subject to the BID board receiving both a rent and rate free period or a peppercorn rent for a number of years in order to get the project up and running. The duration of this has not yet been discussed with the BID board. Based on the above information this cost would be £24k a year in foregone rent and subsidised business rates for the unit. It should be noted that business rates would still be payable on this unit and therefore this would be an increased cost to the Council.

Not all of the artefacts could be displayed in the gallery and therefore the remaining artefacts would need to be stored close by to allow regular rotation of the exhibits. The BID board are suggesting that the Council should buy and fit out a suitable storage unit to allow the artefacts to be appropriately stored whilst they are not on display.

The BID board's trust would manage the gallery including seeking and funding a part-time curator and establishing a pool of volunteers. It would manage all exhibits and the marketing and promotion of the site. In addition it would invite a Council representative to be a member of its board.

The Council would need to ensure that the stored artefacts were secure and not vulnerable to vandalism or theft as it is unlikely that they could be stored in a location that has regular footfall. In addition the retail unit proposed as the gallery would need to have adequate security to protect the artefacts.

The costs and risks associated with providing and running a suitable storage facility are considered to be significant. In addition, there is not currently a suitable site for the gallery available within the town centre and any Council owned site that may become available in the future would incur an opportunity cost by not being let out on commercial terms.

Closure

Closure of the museum is a lengthy process and full details of this process are outlined in Appendix A. This will also require the recruitment of staff to facilitate the relocation or disposal of the artefacts. Ultimately the Council could achieve a budget saving of £108k. However, the Council could consider the closure of the museum from 1 July 2020 and as this is a lengthy process could, during the closure process take the opportunity to offer a number of artefacts with a local connection to the Love Hoddesdon group to display if this were possible in the medium term.

In addition, once the majority of artefacts have been removed from the museum the Council will need to find an alternative use for the existing museum building.

Alternative use for the Lowewood building

The building could be considered for either conversion to residential use, be let as commercial offices, or the site could be sold. The current value of the site in the Council's asset register is £1.6m (valued at depreciated replacement cost).

Conversion to either residential or commercial units would be possible provided it was undertaken sympathetically given that Lowewood is a Grade II listed building. This could add to the costs of a conversion and therefore a full appraisal of these would be required to determine if the proposition was financially viable. It is estimated that rental income could be in the region of £26k per annum for a conversion to residential and £20k for commercial use.

Financial, Legal and Risk Management Implications

Financial

The museum service currently costs the Council £108k a year with an inflationary increase applied to the EFDC management fee each year. In the current year the service costs £83 per operating hour. The museum receives approximately 5,500 visitors a year, the cost per visitor is therefore £19.63.

The Council pays EFDC a management fee of £78k for the SLA. The Council also incurs £30k of direct running costs for the museum, making the overall direct cost of operating the museum £108k (this excludes internal recharges). Therefore if the museum closes, the Council could eventually save £108k a year and generate extra income of between £20k and £26k from converting and renting out the building. The process for relocating circa 50,000 artefacts will take some considerable time and it is therefore unlikely that savings could be achieved until the 2024/25 financial year.

Whilst savings are not anticipated in the short-term, additional costs are not a viable option as the Council has to present a balanced budget and therefore any increase in cost needs to be offset by addition income or a reduction of costs elsewhere within the Council's budgets.

Therefore the process for the relocation of artefacts will need to be contained within the existing available budget of £78k. This budget will need to fund the specialist support the Council needs to relocate the artefacts as well as any associated

postage, transport and insurance costs. If these costs are likely to exceed £78k a year then the Council will need to scale back the work to contain it within existing budgets. If this were the case then the process would take longer than the indicative timetable set out in the appendix.

Estimated annual costs to facilitate the closure of the museum are :

Description	Indicative Cost (pa) £	Cumulative Cost (pa) £
Curatorial services to oversee relocation (based on 2 days a week and no on-costs)	16,000	16,000
Administration support (1FTE)	22,000	38,000
Postage	10,000	48,000
Shipping and transportation	15,000	63,000
Tracing services 80p each (assumed 18,750 a year) (10% in total)	15,000	78,000

The £30k the Council currently incurs as running costs for the museum will continue to be used for this purpose until the majority of artefacts have been relocated.

Legal

Before any disposal of artefacts takes place the Council will need to establish that it has legal title of the object and that there are no conditions attached to the item that might prevent the museum from taking this course of action. Any disposal of an artefact would need to be documented in accordance with industry standards and in some cases there may be a legal requirement to seek approval from the donor before transfer to another museum can proceed.

EFDC has previously secured £90k of funding for various projects for the museum and some or all of this may need to be repaid if the museum is closed. However, this cannot be ascertained until the grant funding body has been notified that the museum will not be continuing to operate. Also when disposing of an artefact which was acquired with external funding then the appropriate funding body will need to be contacted regarding the sale or transfer. Its views and any requirements it makes must be taken into consideration. This could include the repayment of any funds it provided when the artefact was acquired. Any likely costs for this are not yet known but are expected to be minimal.

There are no legal covenants that would limit the options available to the Council in terms of change of use for the building.

Risk

The Council is leasing part of the basement of the Lowewood building to the Trustees of the Lowewood Pottery Club. The rental income of £560 is paid to EFDC as agreed in the SLA. The Council will work with the Pottery Club to secure alternative premises for it when the lease expires in 2022 or when the artefacts have been removed from the museum, whichever is the sooner. However the Council

cannot guarantee that a suitable alternative premises can be found and the Pottery Club may need, or indeed want, to secure alternative accommodation for itself.

There is an alternative to the gallery suggestion which is that the Council could prepare for a move of some of the artefacts to the town centre by finding a new home for some artefacts that do not have a local connection or would not be suitable to be displayed in the gallery. It would also give the Council some time to establish an adequately safe and secure storage location for these artefacts. This is a risky and costly option as the secure storage unit would be remote and not regularly accessed by staff except for regular cursory inspections.

Equalities Implications

There are no general equalities implications as the museum is available to all sections of the community. EFDC currently provides out-reach services to schools and for people with dementia and stroke victims and therefore these groups may be adversely affected when the SLA terminates.

Alternative Options Considered

The alternatives have been considered throughout the report.

Contribution to the Council's Objectives including Environmental Sustainability

This report supports the Council's objectives 14 and 19:

14.1 – Implement the Efficiency Plan to reduce the Council's net budget and make the Council financially self-sufficient by 2020.

14.2 – Manage the Council's assets efficiently to maximise returns and contribute to Council priorities.

19.2 Use benchmarking and market testing to ensure Council services are good value for money.

There are no significant environmental sustainability issues.

Scrutiny Committee Comments and/or Recommendations

The Committee recommended that Education Services

Conclusion

The full £108k saving will only be realised once the majority of artefacts have been relocated.

This could take a number of years and it is estimated that little or no savings could be achieved for approximately four years.

Contact Officer:
Mrs S Beck (Ext 5547)

List of Background Papers:
None.

The Council will carry out the following steps in the event of a closure :

1. Offer the Artefacts to a Local Museum

The museum currently holds around 50,000 artefacts and their relocation or disposal, whichever process is the most suitable, will need to be carried out in a methodical way in accordance with Museum Association guidance. Priority will be given to transferring items to another accredited museum, preferably as a gift. Wherever possible artefacts will not be transferred out of the public domain and will be retained locally.

The process to be followed in these circumstances is lengthy and the artefacts must be stored and handled correctly to ensure that they are not damaged or deteriorate.

Professional curatorial guidance and assistance will be required, ideally from someone who is familiar with the artefacts. EFDC has confirmed that it would not be able to assist the Council with this process.

At this stage in the process artefacts can only be offered to another Arts Council England (ACE) accredited museum. The Council can select the museum it would like to offer the artefacts to. Therefore it is likely to offer the artefacts to its nearest local museums in order for local people to be able to benefit from them.

Indicative timetable – July 2020 – October 2020.

2. Offer the Artefacts to another Museum

If the local museums do not want or are unable to accept the artefacts then, the wider museum community will be offered the items. This will be done by placing an advert for the items in the Museums Association's Museums Journal or a notice on the Museum Association's *Find an Object web listing service* or any other professional publications where appropriate. In addition the Council could directly approach another accredited museum with suitable complementary collections.

The advert will need to include the quantity and nature of the objects. A period of at least two months should be allowed for an interest to acquire to be expressed. If more than one museum is interested in the artefact then each party should be informed of the other's interest in the item and time should be allowed for open discussion between all parties before the item is transferred.

Indicative timetable – October – July 2021.

3. Return Donated or Loaned Artefacts to their Owner

If no interest is received for the item then the Council will seek to return the item to its original owner. The Council will need to write to the owner to establish whether they would like their donated or loaned item returned or disposed of. If the owner is deceased the Council will need to identify and locate the owner's next of kin and contact them. Donors should be advised of what has happened to any item, if the item is disposed of.

If the owner or next of kin would like the item returned then the Council would need to, at its own expense, arrange for the artefact to be returned. This will include arranging the appropriate transportation for the artefact, including ensuring that it is not damaged or lost in transit and paying for suitable insurance cover in case it is damaged or lost.

Tracing and contacting donors is a lengthy and time consuming process. Therefore the Council should formulate an agreed policy for this stage in the process. This policy should include:

- a realistic and pragmatic time limit for contacting donors, for example only contacting those donors who have donated in the last 10 or 20 years, say
- an agreement of how many times the Council will write to the donor
- whether or not the Council will seek to trace the donor if they have moved
- what period of time will be allowed for donors to respond
- whether further descendants will be contacted beyond immediate next of kin

Indicative timetable – July 2021 – June 2022.

4. Dispose of the Artefacts

If no other museum takes the artefacts, they will need to be responsibly disposed of. This is a comparatively lengthy process as the Council will need to be seen to have taken all reasonable steps to identify and locate the owner before disposal of the artefact is considered. Objects given or bequeathed will not normally be disposed of without consultation with the original donors or their heirs and wherever possible their approval will be obtained prior to any item being disposed of. This is not a legal requirement so this would be done as a matter of courtesy.

Therefore where all reasonable efforts to trace the donor have failed, and where it can be firmly established that no details of the donor exist the Director of Finance will need to be authorised to dispose of the artefact in consultation with the Cabinet Member for Housing and Community Services.

Disposal may take the form of:

- sale – if the artefact can realise some value then it should be sold. The Council would need to establish if it had been acquired using grant funding as the grant or a proportion of it may need to be repaid when the item is sold. Prior to sale the item will be independently valued and then offered at auction
- community gift – if the artefact has community interest but no value and cannot be sold then it will be offered to local community groups and schools
- charity gift – if no community groups want the item
- destruction – only if all of the above options have been exhausted

Indicative timetable – June 2022 – December 2023.

**8. CALCULATION OF COUNCIL TAX
BASE**

**Director of Finance on behalf of the
Cabinet Member for Finance and
Business Services**

RECOMMENDED that:

- (a) in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012 the amount calculated as the Council's Council Tax Base for the year 2020/21 shall be approved as 35,446.6; and**
- (b) in the event that any changes to the tax base are subsequently deemed to be necessary before the date of 31 January by which the tax base is legally required to be set, approval to make the changes be delegated to the Director of Finance in consultation with the Chief Executive and Cabinet Member for Finance and Business Services.**

Purpose

To determine the tax base for the financial year 2020/21 in accordance with the provisions of the Local Government Finance Act 1992 and regulations issued under that Act.

For Members' information Appendix 'B' relates to this item.

Background

The Local Government Finance Act 1992 requires the Council to approve the report showing the tax base for the collection of council tax. This tax base consists of the number of properties in each of the eight bands of council tax weighted relative to the standard band 'D'. This gives a weighted number of taxpayers in Broxbourne as a whole. The weightings of the bands are calculated in ninths. Band 'D' is the standard from which all others are calculated. The relative weightings for each band are as follows:

Band A	6/9
Band B	7/9
Band C	8/9
Band D	9/9
Band E	11/9
Band F	13/9
Band G	15/9
Band H	18/9

The figures for the tax base determined by the Council will be used by the precepting authorities (Hertfordshire County Council and the Hertfordshire Police and Crime Commissioner) to fix their precepts and by the Council to fix its tax rates.

Calculation of the tax base

The tax base for the Council is calculated by taking the number of dwellings on the valuation office's valuation list and adjusting it for the number of exempt dwellings to ascertain the number of chargeable dwellings. This is then adjusted for the number

of discounts applied and the impact of the council tax support scheme. Appendix 'B' shows the calculation by tax band.

Allowance for non collection

An allowance for non collection must also be built into the calculation of the council tax base. An allowance for non collection of 2.0% has been included in the calculation of the tax base.

It is important not to overestimate the tax base as this will lead to the precepting authorities taking more from the Council than the Council is able to collect. Equally it is important not to underestimate the tax base and have a significantly large surplus at the year end. In either case the situation is rectified in the following financial year and either the overpayment is clawed back from authorities or refunds are made.

Council tax base 2020/21

The tax base for 2020/21 has been calculated as 35,446.6.

The position for 2020/21 shows an overall increase in the tax base of 420.6. Based on Broxbourne's current council tax rate of £133.24, the increase in the council tax base in 2019/20 means that the Council would receive £56,042.88 more in income to the Collection Fund.

Whilst it is not considered likely, the recommendation seeks authority for any changes to the council tax base that subsequently become necessary before the date of 31 January by which the tax base is legally required to be set to be delegated to Director of Finance in consultation with the Chief Executive and Cabinet Member for Finance and Business Services. If any such changes are necessary, these will be reported to Cabinet at its meeting on 11 February.

Financial, Legal and Risk Management Implications

This report is presented to comply with the statutory requirement for the Council to formally determine its council tax base. The tax base is required to be determined and notified to major precepting authorities during the period 1 December to 31 January in the financial year immediately preceding the year to which it relates. The financial implications are included within the report.

The tax base is based on the number of dwellings included in the Valuation List as at September 2019 and the actual discounts and exemptions in place as at 1 October 2019. Whilst the council tax base has been estimated based on the best information available at the present time, there is a risk that these estimates may be inaccurate. Estimates contained within the council tax base calculation, such as the loss on collection and caseload eligible for council tax support will be monitored throughout the year. Any significant variation will be reflected in a surplus or deficit being declared on the Collection Fund which is then shared amongst the billing and major precepting authorities.

Alternative Options Considered

The Council is legally obliged to calculate its council tax base.

Equalities Implications

There are no equalities implications arising from the recommendation.

Contribution to the Council's Objectives including Environmental Sustainability

The proposals accord with the Council's objectives for good governance.

There are no significant environmental sustainability issues.

Scrutiny Committee Comments and/or Recommendations

The Committee made no recommendations to the Cabinet.

Conclusion

The Local Government Finance Act 1992 requires the Council to approve the report showing the tax base for the collection of council tax. The tax base is required to be determined and notified to major precepting authorities during the period 1 December to 31 January in the financial year immediately preceding the year to which it relates.

Contact Officer:
Mrs R Keene (ext 5871)

List of Background Papers:
The Local Authorities (Calculation of Council Tax Base)
(England) Regulations 2012
Accountancy working papers

Council Tax - Tax Base Calculations

Broxbourne Totals

	Band @*	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Total properties on valuation list	0	588	3,797	9,559	14,223	7,610	2,836	2,164	199	40,976
Less exempt dwellings	0	-32	-84	-160	-134	-78	-24	-11	0	-523
Net adjustment for disabled relief	1	2	14	60	-21	-35	-6	-10	-5	0
Number of chargeable dwellings	1	558	3,727	9,459	14,068	7,497	2,806	2,143	194	40,453
Less: Reduction in dwellings due to discounts	0	-96	-550	-1,032	-933	-407	-112	-74	-6	-3,209
Total number of dwellings after discounts	0.75	462.25	3,176.75	8,427.50	13,135.25	7,090.00	2,694.00	2,069.25	188.25	37,244.0
Less: Reduction due to local council tax support	0.00	-121.53	-845.50	-1,264.44	-1,266.56	-299.92	-55.00	-23.31	-1.95	-3,878.21
Total number of dwellings after allowance for council tax support	0.8	340.7	2,331.3	7,163.1	11,868.7	6,790.1	2,639.0	2,045.9	186.3	33,365.8
Ratio to band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
Total number of Band D equivalents after deductions	0.4	227.1	1,813.2	6,367.2	11,868.7	8,299.0	3,811.9	3,409.9	372.6	36,170.0
Taxbase assuming 98% collection										35,446.6

* disabled reduction on band A properties

RECOMMENDED that

(a) the revised procedures for operation of the Local Small Scale Scheme programme as set out in the report be agreed.

(b) the budget for the Local Small Scale Schemes programme is reduced to £15,000 in 2020/2021

Purpose

To agree new procedures for the future operation of the Local Small Scale Scheme programme.

Introduction

The Local Small Scale Schemes (LSSS) programme aims to reduce anti-social behaviour and/or improve the quality of life for Broxbourne residents. The scheme has been running for in excess of 12 years and the Council provides an annual budget of £25,000 on a match funding basis i.e. potentially enabling £50,000 worth of schemes to be delivered. Projects are small capital schemes and can be put forward by local residents, councillors, Police or Council officers. The scheme is administered by the Community Safety Team.

Schemes can include, but are not limited to:

- fencing projects
- gating projects
- lighting to improve a local area
- additional targeted actions by the Council or the Police to address anti-social behaviour

Consideration is given to both private and public land, and the starting point for discussions is that schemes will be paid for on a 50/50 match funding basis with local residents and/or landowners where relevant. The Council cannot however gate any public rights of way.

Gating schemes are the most popular community safety measure implemented under the LSSS programme. However, there is no formal policy or procedure setting out how the scheme should operate. This report outlines the proposed new processes.

Nomination of schemes

At present, schemes are nominated by local residents, councillors, Police or Council officers and it is intended that this will continue to be the case. However, it is proposed to introduce a requirement for a minimum level of evidence to ensure that

the scheme is value for money and that the scheme would be a successful measure in tackling crime and anti-social behaviour (ASB).

Residents' evidence required

It is recommended that before deciding whether to proceed with a project, evidence is provided outlining the issues to be addressed. It is suggested that this should be a minimum of two ASB/crime reports from separate residents. One-off reports of ASB or reports from a single resident will not normally be considered although cases will be dealt with on their merits.

In the first instance, residents would be requested to complete log sheets detailing the ASB taking place. These should be returned to the Council within 28 days, alongside any crime report numbers and photographic evidence, where possible. An example of a log sheet is attached in Appendix C.

Police evidence required

Requests from the Police should also be accompanied by evidence of a specific issue, for example evidence to suggest that burglars have gained access via rear service roads or that there is ASB occurring in the locality. These requests should also be supported with photographic evidence and crime reports where possible.

Whilst evidence is being gathered by local residents, the Council will undertake a site visit to the area with its contractor to measure the area and mark the most suitable site for the works, usually gates. The contractor will then send a quote to the Community Safety Team for its consideration.

Once evidence and an estimate of the cost of the scheme has been received, a brief report will be compiled by the Community Safety Manager for the Cabinet Member for Housing and Community Services as well as local ward councillors for a decision in principle about whether to progress a scheme.

Progression of a scheme

If agreement to implementing a scheme is given in principle by the Cabinet Member and ward councillors, the Community Safety Team will conduct an initial consultation with all affected residents, landowners, emergency services and utility companies (where necessary) seeking their support to the scheme and whether they are prepared to make a financial contribution.

There is no minimum percentage agreement required for any scheme but it is anticipated that less than 80% agreement from those affected will generally result in a scheme not being progressed. The Council will endeavour to achieve agreement from all those who would be affected by the scheme and address any objections received. However, consideration will be given to projects in exceptional circumstances where less than 80% of residents agree (or are willing to contribute to costs where relevant) e.g. where there is a significant issue that needs to be addressed.

Should there be empty properties or rented properties where the occupiers would normally be consulted, the Council will make contact with the property owners to seek their agreement.

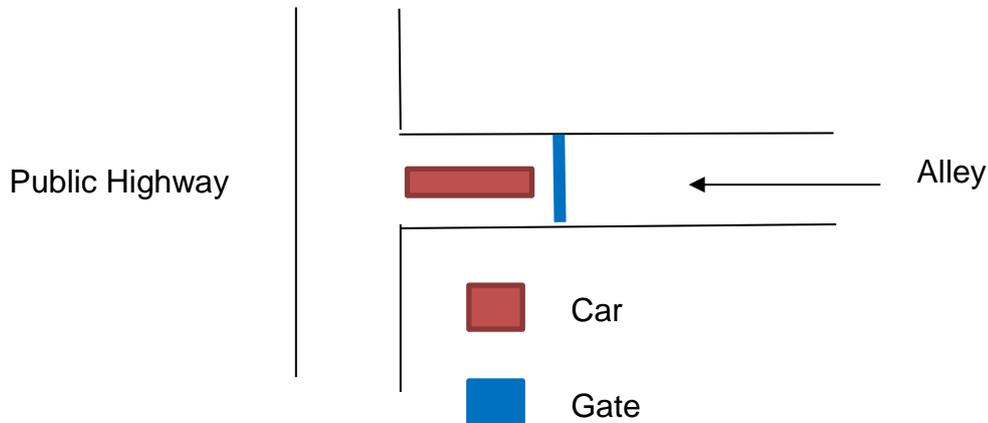
On completion of the consultation, if a scheme is to be progressed then the Cabinet Member will be asked to agree through the Council's concurrence procedure. This will also make it clear whether there will be an ongoing maintenance liability for the Council. For example, gates on a private access way would become the responsibility of the residents whereas it may be more practical and relevant for the Council to have responsibility for other types of schemes such as fencing or lighting works.

Funding of the scheme

Once Member agreement has been given, a letter will be sent to all residents seeking a contribution towards any costs where relevant. If costs are to be shared then the Council will fund around 50% of the scheme, with the remaining balance being split equally between the affected residents. However, as indicated above, flexibility and discretion would be applied to deal with specific circumstances.

Installation of gates

Due to highway safety requirements and to avoid any obstruction, in most cases the gates will be set back from the entrance to the alleyway to allow vehicles to safely pull off the public highway before reaching the gates. The gates will also open inwards.



The gates will be:

- no more than 2 metres in height. If residents request taller gates, planning permission would be needed. The cost of a planning application is currently £206. The application form would need to be completed by local residents and any associated costs would be fully funded by residents. The Council would not match fund the costs of any planning applications
- made of mild steel, usually green in colour but can be black at an additional cost to residents
- anti-climb design with anti-climb paint on the top

- allow clear sight into the alleyway through the gate bars
- locked using a fire brigade padlock
- have self-supporting gate posts and be detached from any property
- have stoppers to prevent gates touching any property
- easy to operate
- opened by keys which will be distributed to those with access rights.

An example is shown below:



Future maintenance and responsibility

The contractor will be supervised to ensure proper installation of the gates. Any future maintenance of the alleyway and gates or responsibility for locking the gates will remain with the residents/landowners. The Council will have no further involvement with a scheme unless there are exceptional circumstances where remedial works are required. However, in future, advice about the maintenance responsibilities and the potential for insurance, will be provided to the residents involved.

Financial, Legal and Risk Management Implications

There are no legal or risk management implications to the changes in the way that the LSSS is proposed to be implemented. The Council has previously made a budgetary provision of £25,000 each year towards this scheme, so there are no additional costs to the implementation of revised procedures. However, the budget is not usually spent and therefore it is proposed to reduce the budget to £15,000 per annum. However, because this is budgeted for on a match funded basis, there will be no actual savings within the budgets for the service area.

Equalities Implications

There are no equalities issues arising from the recommendations.

Alternative Options Considered

There are various alternatives but the main option which the Council could consider are:

1. Cease operating the Local Small Scale Schemes programme.
2. Reduce the Council's share of funding e.g. provide 25% of the total cost of the scheme.
3. Cease match funding of schemes but provide guidance and assistance to residents on their implementation.

With regard to gating schemes, amongst other studies conducted, the College of Policing and UCL Jill Dando Institute conclude that such schemes reduce crime and disorder and improve quality of life for local residents.

Contribution to the Council's Objectives including Environmental Sustainability

LSSSs support the Council's objective Beautiful Broxbourne: promote community safety and reduce fear of crime.

There are no significant environmental sustainability issues.

Scrutiny Committee Comments and/or Recommendations

The Committee made no recommendations to the Cabinet.

Conclusion

The LSSS programme has been a successful measure in reducing crime and disorder as well as reducing people's fear of crime. The implementation of a revised process would provide a more robust system to gating of alleyways, and other projects, based on sufficient evidence to prove their need in the Borough.

Contact Officer:
Mrs N Pearce (ext 5828)

List of Background Papers:
None.

ASB Log Sheet

CASE NUMBER

ANTI-SOCIAL BEHAVIOUR - LOG SHEET

Date	Start Time	Finish Time	Problem/Location	Number of offenders involved	Description of main offender Eg Height, hair colour, sex	Address of main offender (if known)	Police informed Yes/No

Page.....of Witness name Signed..... Date.....

Address..... Contact phone number.....

RECOMMENDED that the installation of electric charging points at four of the Council's car parks using the turnkey model be agreed.

Purpose

To consider the introduction of electric vehicle charging points in the Council's car parks.

Introduction

There are currently over 32 million vehicles registered in the UK, of these nearly 540,000 (1.7%) are hybrid electric vehicles (EV). Although the demand for EV charging points is low at present it is anticipated that this demand will increase as EVs become increasingly popular. A number of electric charging points are already available in the Borough at the following locations.

- two at Broxbourne Station Car Park
- two at Morrison's, Hoddesdon
- two at Cheshunt Station Car Park
- two at Eleanor Cross Station Car Park

The demand for these electric vehicle charging points was surveyed during a two week period recently. The results of the survey show that of the eight bays only one was in use at the time the sites were visited.

However, one of the Council's new priorities and objectives is environmental sustainability and one of the action points identified within the Council's parking strategy is the provision for electric vehicle charging points in its car parks. Therefore this initiative was considered by the Council's sustainability panel on 22 October 2019 where the Panel resolved that the installation of electric charging points at four of the Council's car parks using the Turnkey Model should be supported. The proposal that was considered by the Panel is set out below:

Proposal

Based on the current usage, the Borough appears to be well equipped with EV charging points. However, it is recommended that EV charging points are trialled in four of the Council's most well used car parks. They are:

- the Laura Trott Leisure Centre
- Broxbourne Lido
- High Street Waltham Cross
- Eleanor Cross (near bus station)

Consideration has been given to other car parks in the Borough, but the above mentioned car parks are used for longer periods of time allowing for adequate charging of vehicles to take place. If the charging points prove popular with users then further points could be added at other car parks.

It is intended that there would be one charging point per car park, which will take up a number of spaces as follows:

- Laura Trott (two chargers (AC/DC), three spaces)
- Broxbourne Lido (one charge(AC), two spaces)
- High Street Waltham Cross (two chargers(AC/DC), three spaces)
- Eleanor Cross (one charger(AC), two spaces)

Charging times are dependent on the battery in the car. An AC charger would give sufficient charge (80% to 90%) in three to five hours. A semi rapid 25kW DC charger would give sufficient charge in one to two hours.

There are two options available, they are:

Option One - The turn key model

This option requires no investment from the Council. The benefits of this model are:

- the supplier pays for the cost of the works, grid connection, hardware, software, parking bay markings, signage and payment solutions
- the Council will receive an agreed net profit share
- the supplier will be the owner of the equipment and be responsible for its maintenance

Option Two - the reseller model. This would allow the Council to choose its own price for the electricity used and take the majority share of the revenue. In addition, the Council would also need to pay for the equipment installation and maintenance of each site.

This option would cost in the region of £60k. There could also be further costs to the Council such as connection to the national grid. The income from these sites would be in the region of £2k in the first year although this would increase each year.

As the Turnkey option provides no risk and no cost to the Council it is the preferred option. This option will also provide a revenue share. There is usually a 10 year term to ensure that the supplier can recoup their outlay and therefore the Council will be unlikely to see a profit in the short-term.

Financial, Legal and Risk Management Implications

All customers will need to pay the relevant car park fee as well as the cost of electricity to charge their vehicle. As the majority of car parks are not currently being used at full capacity there will be no loss of revenue.

With the Turnkey Model there is no capital cost to the Council and the EV provider will provide an additional 10% net revenue share from the usage to the Council.

Equalities Implications

There are no equalities implications arising from this recommendation as Blue Badge holders will be able to use this facility without paying to park when displaying their blue badge.

Alternative Options Considered

Do nothing and wait for more EV's to be registered as the percentage nationally is low and due to increase in the future. However, the EVs will increase and the Council needs to be considering and catering for these users.

Contribution to the Council's Objectives including Environmental Sustainability

The recommendation is relevant to the following Council objective:

Ambition Broxbourne: a thriving economy - Support thriving town centres and businesses.

Beautiful Broxbourne: enhancing the quality of life – Enhance the quality of life in local neighbourhoods.

Innovative Broxbourne: an effective, enabling council - Assess the performance of Council services and take action to improve.

The roll-out of EV charging points will contribute to the Council's ambition to reduce the carbon footprint of the Borough and improve air quality.

Scrutiny Committee Comments and/or Recommendations

The Committee made no recommendations to the Cabinet

Conclusion

Although there is evidence that the uptake of EV's is still low this is set to increase over the next three to four years. The Council should look at providing a solution to meet the requirements of providing charging facilities for visitors to the Council car parks by pairing up with an EV provider to trial a Turn Key Model at four car parks.

Contact Officers:
Mr J Garcia (Ext 5690)

List of Background Papers:
None.

RECOMMENDED that the Council becomes a signatory to the Memorandum of Understanding appended to the report.

Purpose

To seek agreement to the Council being a signatory to the attached proposed Memorandum of Understanding (MOU) which sets out how the eleven councils in Hertfordshire and the Local Enterprise Partnership (LEP) intend to work together in future through the Hertfordshire Growth Board.

For members' information, Appendices 'D' and 'E' relates to this item.

Introduction

In July 2018, Hertfordshire Leaders agreed to establish a Hertfordshire Growth Board to bring together spatial, economic and infrastructure planning, agree infrastructure priorities and funding mechanisms and create a powerful united voice to Government and other partners.

The first meeting of the Growth Board was in September 2018, and since that time, all Hertfordshire local authorities and the LEP have been working on proposals for future collaboration through the Board. The Board's terms of reference are attached as Appendix D. In order to confirm the intentions of the partners and to move forward with a proposition to Government, an MOU has been produced. The proposition to Government is likely to be similar in nature to 'growth deals' agreed with other areas across the country where additional funding has been provided to help deliver planned growth. The MOU will also signal to residents, businesses and other partners the commitment to effective collaborative working across Hertfordshire.

In October 2019, Leaders of the eleven Hertfordshire authorities and the LEP Chairman agreed at a Hertfordshire Growth Board meeting that the draft MOU attached as Appendix E would be taken through the democratic processes of the respective organisations.

The Memorandum of Understanding

In terms of scope and content, the draft MOU sets out the core objectives and aims of working through the Hertfordshire Growth Board, the principles of partnership between the parties to the agreement, and also importantly, what is not within the scope of the Hertfordshire Growth Board. The MOU addresses the following:

- the objectives of the collaboration focus on strategic planning and positioning, infrastructure, homes, climate change, and economy. The aims of the collaboration expand on the work that the parties might undertake through the Hertfordshire Growth Board to help achieve these objectives
- the principles set out the delivery of the benefits from partnership working – using the two-tier local government system as best it can, responding to

wider challenges, providing leadership of place, and having an increasing place-based impact. It also sets out the principles of how the parties will work together, how they will undertake placemaking in Hertfordshire, and approaches towards governance

- the scope of the MOU makes clear that there is no change to any council exercising its particular functions such as Local Plans, housing, and development management.

The draft MOU, if adopted by the councils and the LEP, will give a very clear signal to Government and partners about the Hertfordshire joint working ambition. It will also demonstrate how the Growth Board's members are providing joined up leadership and governance across Hertfordshire and is the single body that Government can talk with about an enhanced collaborative relationship in future.

There are official to official level discussions taking place with the Ministry of Housing, Communities and Local Government (MHCLG) on behalf of the Growth Board. The feedback from MHCLG has been that Government places real importance on the single conversation approach to these discussions. Progressing the MOU to its completion to evidence that position in parallel with these discussions is critical to achieving support from the Government.

Financial, Legal and Risk Management Implications

There are no direct costs to the Council at the present time.

The MOU has a number of legal terms and conditions. It is not enforceable in law and cannot override existing statutes. Unless the Hertfordshire Growth Board agrees otherwise, parties also bear their own costs. Parties are free to withdraw individually at any point, and the MOU shall wholly terminate if the growth board dissolves. It is amendable only by the unanimous written consent of all its members but will be reviewed annually (recognising that as the programme moves forward there may be further changes required).

Equalities Implications

The proposals provide for inclusive growth which is intended to ensure that all sections of the county's communities benefit as far as possible from future increased prosperity.

Alternative Options Considered

The alternative is not to sign the MOU and not participate in future collaboration through the Growth Board. However, this is not considered to be in the Council's interest at this time.

Contribution to the Council's Objectives including Environmental Sustainability

If successful, a 'deal' with Government and projects flowing from it have the potential to contribute positively to all of the Council's priorities. The work programme of the Growth Board is likely to include collaborative measures on tackling climate change

and therefore potentially support the Council's ambitions around environmental sustainability.

Scrutiny Committee Comments and/or Recommendations

The Committee made no recommendations to the Cabinet

Conclusion

It is considered that agreeing to sign the MOU would be in the best interests of the Council at the present time.

Contact Officer:
Mr J Stack (Ext 5553)

List of Background Papers:
None.

HERTFORDSHIRE GROWTH BOARD – TERMS OF REFERENCE

1. To ensure alignment of spatial, economic and infrastructure plans for Hertfordshire in order to safeguard and maintain Hertfordshire's unique quality of life and prosperity.
2. To develop a Memo of Understanding between the County Council, District and Borough Council's, and the LEP about how we will work together as equal partners with different roles, to manage future growth well in Hertfordshire.
3. To bring together the work of the emerging South West Herts Joint Planning and North, East and Central Herts Joint Planning groups, ensure strategic infrastructure requirements are identified and fed into the Hertfordshire Infrastructure and Funding prospectus.
4. To oversee the development and maintenance of the Hertfordshire Infrastructure and Funding prospectus and advise the County Council, the LEP and Local Transport Board on key infrastructure priorities needed to support economic and housing growth.
5. To develop innovative joint financial models and to seek external funding opportunities to fund the development and delivery of key infrastructure projects.
6. To monitor the development and delivery of agreed infrastructure projects.
7. To work with the Hertfordshire LEP on the development and delivery of the Local Industrial Strategy including the development of key employment sites.
8. To maintain particular focus on the regeneration of Hertfordshire's New Towns, Town Centres and development and delivery of new Garden Towns.
9. Act as the voice of Hertfordshire to Government, the emerging Sub National Transport bodies, Homes England, Highways England, Network Rail, TfL, Energy and Utility providers to ensure Hertfordshire's infrastructure needs (including Digital Connectivity) are heard and recognised in future investment priorities and funding.
10. To work with strategic partners across our borders to ensure effective coordination of cross border issues, decisions and infrastructure needs e.g. authorities in the LSCC, Oxford-Milton Keynes-Cambridge Corridor, Central Bedfordshire and Luton, London.
11. To guide the work of the Hertfordshire Infrastructure and Planning Partnership in relation to common cross cutting planning issues e.g. Viability Assessment, the development of CIL, Skills and Capacity, Quality Standards for new development.
12. To develop effective engagement with the NHS in order to ensure future health service provision is aligned with spatial and economic growth.

13. To develop a Strategic Growth Narrative for Hertfordshire and explore a Growth Deal with Government to secure long term infrastructure funding and planning freedom and flexibilities.
14. To develop a long term strategic vision that sets out the broad spatial economic and infrastructure framework for Hertfordshire to 2050.

HERTFORDSHIRE GROWTH BOARD MEMBERSHIP

- Leaders of Hertfordshire County Council and all Hertfordshire Borough/District Councils
- Chair of HIPP
- Chair of LEP
- Chair of South West Herts Joint Planning Group
- Chair of North, East and Central Herts Joint Planning Group
- Other Public Sector Leaders e.g. NHS
- Observers from Highways England, HMCLG, DfT, Police and Crime Commissioner, Homes England
- Observers from Surrounding Counties and emerging SNTBs.

FREQUENCY OF MEETINGS

- At first – monthly meetings to establish work programme, develop trust and commitment.
- Then quarterly meetings.

GROWTH BOARD – OFFICER SUPPORT GROUP

- Comprising:
 - Director of Environment and Infrastructure HCC
 - Executive Director of LEP
 - Chief Executives/Directors/Heads of Planning for Districts/Boroughs
 - Representative from NHS

HERTFORDSHIRE GROWTH BOARD

Memorandum of Understanding

October 2019



Memorandum of Understanding

Between

Broxbourne Borough Council
Dacorum Borough Council
East Herts District Council
Hertfordshire County Council
Hertsmere Borough Council
North Hertfordshire District Council
St Albans City and District Council
Stevenage Borough Council
Three Rivers District Council
Watford Borough Council
Welwyn Hatfield Borough Council
Hertfordshire Local Enterprise Partnership

The local authorities listed above comprising of county council, district councils and borough councils are together referred to as “Local Authorities”. The Hertfordshire Local Enterprise Partnership is referred to as the “LEP”. The Local Authorities and the LEP are collectively referred to in this Memorandum of Understanding as the “Partners”. A list of the Partners and their principal addresses are listed at Schedule 1 “the Partners”.

1. Purpose

1.1. The purpose of this Memorandum of Understanding is for the Partners to:

- Raise awareness of their joint working intent to Hertfordshire residents, partners, businesses and central government;
- commit to continued collaborative place-based working across Hertfordshire;
- set out the joint working intention between the Partners; and
- demonstrate how they will work together as equal stakeholders with different roles to manage future growth in Hertfordshire.

2. Background

2.1. Since September 2018, the Partners have been working collaboratively through the Hertfordshire Growth Board – an alliance consisting of the Leaders of all of the Local Authorities and the Chair of the LEP. Together, the Partners are responding to the place leadership and growth challenges that face Hertfordshire now and in the future and are committed to ensuring that the Partners work in a proactive, positive and inclusive way.

2.2. To date, the Partners have identified the following growth challenges:

- demand for residential homes of a variety of types and tenures;
- need for infrastructure and local services serving both new and existing residents;
- securing jobs and inward business investment within Hertfordshire;
- responding to growth pressures from outside Hertfordshire in a considered and appropriate way;

- pressure on green belt and providing a sustainable and high-quality environment, and
- the threat climate change poses to the county and its residents.

Through the exploration of the joint place-based ambitions that the Partners have been developing, working together to achieve this challenge will result in positive benefits for Hertfordshire, now and in the future.

- 2.3. The Partners are keen to ensure that growth delivers for both current and future Hertfordshire residents and supports a thriving county. The three pillars of the Hertfordshire Growth Board will be people, place and prosperity. People means enabling happy, healthy, diverse communities who feel they belong in Hertfordshire and can benefit from its successes. Place means making places contribute to people's health, happiness, and wellbeing without compromising the future or our environment. Prosperity means delivering Hertfordshire's contribution to the UK and national economy while maintaining and further developing a sustainable local economy that creates value for Hertfordshire residents.
- 2.4. Hertfordshire is a net contributor to the UK economy, and good growth is key to ensuring that the Partners continue to build on that while locally providing good quality jobs, skills, and opportunities for all Hertfordshire residents. Hertfordshire's location between London and the Oxford-Cambridge Arc and its unique 'offer' make the Partners perfectly placed to work with government and co-create ideas and solutions to meet the challenges and maintain the momentum and growth of UK plc that benefits all of Hertfordshire. However, in parts of Hertfordshire our productivity is falling behind the national average, and without change, we risk not being able to deliver on local and national economic objectives.
- 2.5. This Memorandum of Understanding builds on a history of successful partnership working in Hertfordshire on issues like property, infrastructure and planning as well as the two emerging joint strategic spatial planning partnerships in North East Central Herts and South West Herts.
- 2.6. This Memorandum of Understanding sets out:
- the core objectives and aims of the Hertfordshire Growth Board; and
 - the principles of collaboration for Hertfordshire
- subject to the terms and conditions set out within this Memorandum of Understanding.

3. Core Objectives and Aims

- 3.1. The core objective of the Hertfordshire Growth Board is to respond to the key growth challenges facing Hertfordshire. The Partners have agreed a set of place-based ambitions and agreed to work together on delivering those ambitions through the future work programme:
- Strategic planning and positioning – the need to raise Hertfordshire's profile and secure central government support for scaled and accelerated delivery, helping to overcome the challenges faced by the local plan system, and growing strategic employment and housing corridors within Hertfordshire;

- Homes – the need to overcome market failure to deliver the housing Hertfordshire needs. This includes more social and affordable housing; good and inclusive growth that delivers sustainable communities, housing, and places into the future; and accommodating housing and economic growth with sustainable construction and excellent design that does not compromise the attractiveness of our existing places;
- Infrastructure – the need to access sufficient forward funding to put ‘infrastructure in first’ ahead of development delivery, reduce our carbon footprint, and plan for active and sustainable travel; and
- Economy – the need to further unlock the potential of our key sectors, stimulate new sectors, and create quality local jobs growth, in alignment with the emerging Local Industrial Strategy.

3.2. The Hertfordshire Growth Board will support the Partners to lead on, facilitate and support each other to collectively fulfil this core objective.

3.3. The Hertfordshire Growth Board, through its future work programme commitments aims to:

- Set out the shared vision for place and growth in Hertfordshire and the strategic priorities that will guide how the Partners collectively respond to demographic, economic and social challenges and work together for the continued success of a thriving Hertfordshire;
- Identify investment opportunities and potential sources of funding, including from central government, from private sources and locally, and where appropriate agree investment locally for the benefit of Hertfordshire;
- Speak with one voice to central government, academia, delivery partners, business and Hertfordshire residents, taking advantage of its place narrative and the scale of twelve Partners coming together;
- Agree and deliver on Partners’ shared priorities for infrastructure investment and development now and in the future;
- Lead on developing and securing the emerging agreement with central government to support infrastructure and housing, engaging with central government to secure buy-in, and acting as the accountable body for governance and delivery;
- Support the North East Central Herts and South West Herts planning partnerships and help facilitate strategic alignment of the joint planning work undertaken with each other and adjacent Local Planning Authorities.

4. Principles of Partnership

4.1. The Partners recognise the following benefits of stronger partnership working on place-based working in Hertfordshire:

- Building on the strengths of the two-tier system of local government, delivering at a local level while solving problems at a larger scale;
- Identifying and delivering local needs in collaboration with other strategic partners such as NHS, Police Constabulary and local businesses;

- Responding to challenges that extend beyond local authority boundaries such as strategic infrastructure delivery, traffic congestion, air quality, carbon reduction and affordable housing;
- Providing leadership of place at a county wide scale, helping to deliver joined up strategic and spatial planning appropriate for Hertfordshire's villages, towns, and cathedral city;
- Delivering at scale, with greater impact (the sum of what the Partners deliver together being greater than the sum of each individual authority's part) and with a single voice and message that commands the attention of government, investors and residents.

4.2. The Partners agree to the following principles to achieve the core objectives and aims set out in paragraph 3 above:

- The shared growth agenda – the Partners will individually work towards the Partners' shared growth challenges and ambitions, and in alignment with a collective coherent growth programme. The Partners may take advantage of their collective scale to maximise impact and shall endeavour to work across departments, authorities and boundaries;
- Strategic alignment – the Partners will seek strategic alignment with the emerging Hertfordshire Local Industrial Strategy, the emerging North East Central Herts and South West Herts Joint Strategic Spatial Plans, other groups and forums within Hertfordshire, regional bodies and neighbouring areas;
- Governance – the Partners will collectively secure the right governance, scrutiny, and transparency arrangements for the Hertfordshire Growth Board and underlying programmes, mindful of our local political environment and two-tier system of government. Local identity is one of Hertfordshire's strengths and the Partners will ensure that local identities and voices are not lost, and that pragmatic and flexible policies reflect local need;
- Designed around places – the Partners will support the development of Joint Strategic Spatial Plans and adopt a place-based delivery approach that addresses our shared challenges – connectivity, affordable homes, inclusive economic growth, protecting the environment, tackling climate change, and building healthy, safe communities;
- Collaboration – the Partners will ensure that they use and support existing successful examples of joint working across Hertfordshire where appropriate and will share and build on the substantial best practice and expertise that has been developed by each individual Partner. Each Partner will work effectively with its stakeholders, including residents, the private sector and academia; and
- Programme governance approach – the Partners will adopt robust project and programme management disciplines to bring pace, momentum and manage progress in achieving growth outcomes; and
- Resourcing – Partners will work together and with Government to put the resources that are necessary in place to deliver the core ambitions of the programme.

5. Scope of Memorandum of Understanding

- 5.1. The Partners intend to work together to enable good growth in Hertfordshire, subject to each individual Partner making decisions in accordance with its own decision-making process and the right to exercise its powers accordingly. Nothing in this Memorandum of Understanding shall affect the sovereignty of any individual Partner.
- 5.2. Each individual Partner agrees that the following shall remain in the domain of each individual Partner:
 - decisions regarding housing and employment numbers, targets, and sites shall remain the responsibility of each Local Authority;
 - development management shall remain the responsibility of each Local Authority; and
 - discharging any function currently the responsibility of any Partner will remain the responsibility of that partner exercising that function.
- 5.3. The Growth Board will operate in accordance with its agreed Terms of Reference.

6. Term and Termination

- 6.1. This Memorandum of Understanding shall commence on the date of the final signature of the Partners;
- 6.2. This Memorandum of Understanding shall wholly terminate if the Hertfordshire Growth Board is dissolved by a majority vote.
- 6.3. Any individual Partner may withdraw from this Memorandum of Understanding by giving 30 days written notice to the Hertfordshire Growth Board. The future of any projects and work streams that the individual Partner is involved in at the date of withdrawal shall be agreed by the Hertfordshire Growth Board and any individual Partner agrees that involvement may continue (financial or otherwise) until the end of the project or work stream unless agreed otherwise.

7. Variation

- 7.1. This Memorandum of Understanding may be varied by written agreement of all of the Partners.
- 7.2. The Partners shall review this Memorandum of Understanding on an annual basis.

8. Charges and Liabilities

- 8.1. Unless expressly agreed by the Hertfordshire Growth Board, each Partner shall bear their own costs and expenses incurred in complying with their obligations under this Memorandum of Understanding.

9. Status

- 9.1. This Memorandum of Understanding is not intended to be legally binding and no legal obligations or legal rights shall arise between the parties from this Memorandum of Understanding.

- 9.2. This Memorandum of Understanding cannot override the statutory duties and powers of the Partners.
- 9.3. Nothing in this Memorandum of Understanding shall constitute a partnership or joint venture between any of the Partners.
- 9.4. Notwithstanding paragraph 9.1 above, each Partner covenants with the other Partners that they shall act in good faith towards the others and agrees to work together in accordance with this Memorandum of Understanding.

Signed by:

Local Authority	Leader	Chief Executive	Date
Broxbourne Borough Council			
Dacorum Borough Council			
East Herts District Council			
Hertfordshire County Council			
Hertsmere Borough Council			
North Hertfordshire District Council			
St Albans District Council			
Stevenage Borough Council			
Three Rivers District Council			
Watford Borough Council			
Welwyn Hatfield Borough Council			
Local Enterprise Partnership	Chair	Chief Executive	Date
Hertfordshire Local Enterprise Partnership			

Schedule 1 – The Partners

BROXBOURNE BOROUGH COUNCIL whose principal address is: Bishops College, Churchgate, Cheshunt EN8 9XG

DACORUM BOROUGH COUNCIL whose principal address is: The Forum, Marlowes, Hemel Hempstead HP1 1HH

EAST HERTS DISTRICT COUNCIL whose principal address is: Wallfields, Pegs Lane, Hertford SG13 8EQ

HERTFORDSHIRE COUNTY COUNCIL whose principal address is at County Hall, Pegs Lane, Hertford SG13 8DE

HERTSMERE BOROUGH COUNCIL whose principal address is: Civic Offices, Elstree Way, Borehamwood WD6 1WN

NORTH HERTFORDSHIRE DISTRICT COUNCIL whose principal address is: Council Offices, Gernon Rd, Letchworth Garden City SG6 3JF

ST ALBANS CITY & DISTRICT COUNCIL whose principal address is: Civic Centre, St Peter's St, St Albans AL1 3JE

STEVENAGE BOROUGH COUNCIL whose principal address is: Daneshill House, Danestrete, Stevenage SG1 1HN

THREE RIVERS DISTRICT COUNCIL whose principal address is: Three Rivers House, Northway, Rickmansworth WD3 1RL

WATFORD BOROUGH COUNCIL whose principal address is: Town Hall, Watford WD17 3EX

WELYWN HATFIELD BOROUGH COUNCIL whose principal address is: The Campus, Welwyn Garden City AL8 6AE

HERTFORDSHIRE LOCAL ENTERPRISE PARTNERSHIP whose principal address is: One Garden City, Broadway, Letchworth Garden City, SG6 3BF

RECOMMENDED that:

- (a) the proposals within the report for a single point of contact for councillors be agreed for a trial period of twelve months; and**
- (b) a further report be made to Cabinet in twelve months to review the operation of the system.**

Purpose

To seek agreement to the introduction of a “single point of contact” system within the Council for dealing with enquiries from councillors.

Introduction

The role of councillors essentially consists of three elements:

- determining the policy of the Council and giving it political leadership
- representing the Council externally
- acting as advocates on behalf of their constituents.

In their role as advocates, there is no formal process in place for councillors to refer complaints into the Council and councillors use a variety of methods. Less experienced members of the Council can often be unsure about who is responsible for a specific service area or unaware that the matter crosses multiple disciplines and service areas.

The proposals set out in the report have therefore been brought forward which would help with these issues. If agreed, it is suggested that the system is introduced for a trial period and that it be reviewed in twelve months.

Managing Enquiries to Officers/Information Requests

The Council has a ‘tight’ staffing structure. Most teams are quite small. Some areas of the Council have been unable to recruit to vacancies for some time and are under-staffed. There is therefore unlikely to be an immediate response to enquiries or complaints unless they are urgent.

It is also possible to ‘lose track’ of an enquiry when officers are under pressure and dealing with competing demands on their time.

In order to help overcome some of these issues, and to improve service quality for councillors, it is proposed to introduce a ‘single point of contact’ system. In essence, the system would work on the following basis:

- councillors would refer complaints or queries to a central inbox. This would be controlled by Member Services and ensure that the query gets to the right officer(s) as soon as possible

- the issue would be logged onto the Council's workflow system by Member Services
- an acknowledgement would be sent
- a target date for response would be issued
- an update on progress would be provided
- the workflow system would 'flag' to staff in Member Services that a response was due who in turn would press for an answer from the relevant service area
- a final response would be issued either direct to the customer or the councillor or both.

Financial, Legal and Risk Management Implications

Any costs associated with introducing the system can be contained within existing budgets. There are no significant legal or risk issues arising from the recommendations.

Equalities Implications

There are no equalities issues arising from the recommendations.

Alternative Options Considered

It would be possible to leave the existing arrangements unchanged but this would not provide the opportunity to test whether improvements can be made through the suggested 'single point of contact' system.

Contribution to the Council's Objectives including Environmental Sustainability

The proposal would contribute to the corporate objective of meeting service standards and delivering good customer care.

There are no environmental sustainability issues arising from the recommendation.

Scrutiny Committee Comments and/or Recommendations

The Committee made no recommendations to the Cabinet

Conclusion

The Transformation Programme enables all complaints and queries to be channelled through a work flow process. This would ensure that all enquiries are acknowledged, acted upon and responded to within a given timescale. It also ensures that the Council has accurate records of all the requests it receives and about which service areas the complaints relate to. It is therefore concluded that the introduction of a 'single point of contact' system for councillors on a trial basis should be pursued.

Contact Officer:
Mr J Stack (Ext 5553)

List of Background Papers:
None.