



James Ellis

Head of Legal and Democratic Services

MEETING : OVERVIEW AND SCRUTINY COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 7 SEPTEMBER 2021
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillor John Wyllie (Chairman)

Councillors S Bell, M Brady, R Buckmaster, A Curtis, I Devonshire,
H Drake, J Frecknall, M Goldspink (Vice-Chairman), D Hollebon,
D Snowdon, M Stevenson, N Symonds and A Ward-Booth

Substitutes

Conservative Group: Councillors D Andrews and I Kemp

Liberal Democrat Councillor B Crystall

Group:

Labour: Councillor C Redfern

(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting)

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1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

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AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes - 8 June 2021 (Pages 7 - 32)

To approve as a correct record the Minutes of the meeting held on 8 June 2021.

3. Chairman's Announcements

4. Declarations of Interest

To receive any Members' Declarations of Interest.

5. East Herts Tenancy Strategy for 2021 to 2026 (Pages 33 - 80)

6. Progress Report Corporate Plan: Hertford Theatre and Hartham Leisure Centre (Pages 81 - 88)

7. Items for Information

Update reports are included on the agenda for information only so that Members can make best use of the time available. If however, Members have concerns on the content of the report, then a recommendation can be made to the Executive or a further report requested.

(A) Update on Economic Development in East Herts_(Pages 89 - 96)

(B) Feedback on East Herts Council Complaints 2020-21
(Pages 97 - 110)

8. Overview and Scrutiny Committee – Draft Work Programme
(Pages 111 - 128)

9. Urgent Items

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY 8
JUNE 2021, AT 7.00 PM

PRESENT: Councillor J Wyllie (Chairman)
Councillors S Bell, M Brady, R Buckmaster,
A Curtis, I Devonshire, H Drake, J Frecknall,
M Goldspink, D Snowdon and A Ward-
Booth

ALSO PRESENT:

Councillor D Andrews

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Scrutiny Officer
Corinne Crosbourne	- Equalities and Diversity Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Tyron Suddes	- Information Governance and Data Protection Manager
Su Tarran	- Head of Revenues

Ben Wood

and Benefits
Shared Service
- Head of
Communications,
Strategy and
Policy

57 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor Snowdon and seconded by Councillor Bell that Councillor Goldspink be appointed Vice-Chairman of the Overview and Scrutiny Committee for the 2021/22 civic year.

After being put to the meeting and a vote taken, Councillor Goldspink was appointed Vice-Chairman of the Overview and Scrutiny Committee for the 2021/22 civic year.

RESOLVED – that Councillor Goldspink be appointed Vice-Chairman of the Overview and Scrutiny Committee for the 2021/22 civic year.

58 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Hollebon, Stevenson and Symonds.

59 MINUTES - 23 MARCH 2021

It was moved by Councillor Devonshire and seconded by Councillor Bull that the minutes of the meeting held on 23 March 2021 be confirmed as a correct record and signed by the Chairman. After being put to the

meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the minutes of the meeting held on 23 March 2021 be confirmed as a correct record and signed by the Chairman.

60 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that this meeting was being webcasted. He reminded Members that they could wear masks if they wished to and the windows were open. He said that Members and Officers were socially distanced in the room and he welcomed Members back to the Council Chamber.

61 DECLARATIONS OF INTEREST

There were no declarations of interest.

62 QUESTIONS TO THE EXECUTIVE MEMBER FOR CORPORATE SERVICES

The Chairman referred to the questions that had been submitted in advanced and the responses that had been given by the Executive Member for Corporate Services.

Councillor Goldspink raised a point of order in that she had not realised that this agenda item was to be limited to questions that had been submitted in advanced. She had thought that those that were sent would have opened the way for Members to ask more detailed questions and she had thought that there

would be a more of a conversation in respect of the portfolio of the Executive Member for Corporate Services.

The Executive Member for Corporate Services said that he had not had the chance to consider questions other than those that had been submitted in advance. The Chairman said that the Executive Member was not expected to know the answers to every question that might be put to him.

The Executive Member said that if there were any further questions they could be emailed to him and he would respond in writing. The Chairman reminded the Executive Member that this was an Overview and Scrutiny Committee and Members had the right to scrutinise any actions or decisions that had been made by the Executive.

Councillor Goldspink asked for matters to be clarified for the next meeting so that Members had a clear understanding of what was expected when Executive Members attended Overview and Scrutiny Committee. The Chairman undertook to secure that clarity for Members and the Executive Member would be invited back to the next meeting. Members supported this way forward.

RESOLVED – that the Executive Member for Corporate Services be invited to the 7 September 2021 meeting of the Committee to give a presentation and answer questions.

63 ENVIRONMENTAL SUSTAINABILITY ACTION UPDATE PRESENTATION

The Head of Housing and Health and the Environmental Sustainability Co-ordinator gave a presentation updating the Committee regarding actions in respect of Environmental Sustainability. Members were reminded that the Environmental Sustainability Action Plan was on the Council's website and the Head of Housing and Health said that engagement with stakeholders had been stepped up over the last six to twelve months.

The Head of Housing and Health detailed what had been achieved in 2020/21 and summarised the draft key priorities for 2021/22. Members were given an update in respect of the current status of the action plan and they were reminded that this was a living document.

The Environmental Sustainability Co-ordinator provided Members with a detailed summary of the key elements of the Environmental Sustainability Action Plan.

Councillor Bell asked if there was a plan to keep as many training and briefing sessions as possible virtual due to the environmental benefits of reducing carbon emissions. The Head of Housing and Health commented on the ease of running training and briefings virtually.

Councillor Curtis asked what was being done elsewhere around the District in some of the other

towns and villages that were not mentioned in the presentation. The Head of Housing and Health said that Officers were working with village halls regarding the provision of Electric Vehicle (EV) chargers in rural locations.

Councillor Ward-Booth sought and was given an update in respect of the Hertford Hydro Project. Councillor Snowdon asked and was given replies to a number of questions regarding supplementary planning documents and the District Plan. Councillor Curtis commented on environmental attitudes and behavioural change that could be facilitated by Councils. Members received the presentation.

RESOLVED – that the presentation be received.

64 COUNCIL TAX REDUCTION SCHEME 2022/23

The Executive Member for Financial Sustainability submitted a report inviting Members to consider the latest available information around the current local Council Tax Support (CTS) scheme at East Herts and whether any changes to the scheme should be considered for 2022/23.

The Executive Member reminded Members that legislation only allowed Council Tax Support Schemes to operate for one year and the scheme had to be reviewed each year for ongoing approval by the Council. The Scheme that was now in place had been in place since 2013 and had taken over from the old Council Tax benefits system.

The Executive Member said that there were risks associated with increasing or reducing the Council Tax Reduction Scheme and he detailed these risks. He said that the options open to the Council were set out in the report and he invited Members to consider those options.

Councillor Curtis said that it was stated in the report that many of the customers affected by various recent welfare reforms had found that they had ended up with increasing levels of debt. He asked what consideration had been given to the impact of retaining the current scheme on the levels of debts incurred by economically disadvantaged people. He commented on whether the current scheme should be reviewed with other options being considered in the near future.

The Head of the Revenues and Benefits Shared Service said that during the last year, the government had made a large amount of money available to help Councils to support residents on Council Tax support by topping up awards by up to £150, subject to the difference between their full liability and their entitlement being less than this amount.

Members were advised that unused funding in that year had been moved into a hardship scheme for this year so that the Council could support more families and householders where there were outstanding arrears as people re-entered full time work after being on furlough or were seeking new employment.

Members were advised that the wider welfare reforms

and the limitations on the number of spare rooms in their accommodation had restricted the amount of housing benefit the Council could pay or the amount of rent that could be claimed.

The Head of the Revenues and Benefits Shared Service said that the Officers who worked on Council Tax recovery were constantly very supportive in terms of arranging payment breaks or standing down summons costs if a particular resident was in financial hardship. Members were advised that the Council's scheme was one of the more generous nationally and maintaining the current scheme would ensure stability to our customer base.

Councillor Brady said that she was aware that other authorities did not charge care leavers and these people represented a specific vulnerable group. The Executive Member for Financial Sustainability said that his understanding was that the legislation in England did not allow for particular consideration to be given for care leavers and the Council had to work within legislation.

The Head of the Revenues and Benefits Shared Service addressed the Committee in respect of the challenges faced by the Council in respect of care leavers being supported from any county or just in Hertfordshire.

Councillor Goldspink thanked the Executive Member and the Officer for the comprehensive report that had looked very carefully at all options and she was supportive of the conclusion that the scheme should be kept as it is for the moment.

Councillor Curtis proposed and Councillor Goldspink seconded, a motion that the Overview and Scrutiny Committee consider that there should be no change to the East Herts local Council Tax Support scheme for April 2022. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that Overview and Scrutiny Committee consider that there should be no change to the East Herts local Council Tax Support scheme for April 2022.

65 COUNCIL TAX LONG TERM EMPTY PREMIUM

The Executive Member for Financial Sustainability submitted a report that invited Overview and Scrutiny Committee to consider the proposal to increase the long term empty premium from April 2022, which was Option D in the report submitted.

The Executive Member for Financial Sustainability said that legislation had come forward in recent times that allowed local authorities to impose premiums on Council Tax for homes that had been empty for a significant period of time. He said that this matter had been reported to Overview and Scrutiny Committee previously and the Council had introduced premiums in two or three stages.

Members were advised that the initial level had been set at 50% and this had now moved to a 100% premium. The Executive Member said that legislation allowed the Council to go further than that with a 200%

premium for houses that had been empty for over 5 years but less than 10 years. He said that a 300% premium was possible for houses that had been empty for over 10 years.

The Executive Member said that the aim was not to collect Council Tax but was an incentive to home owners to return properties to occupation. He said that he had previously taken a cautious approach which was why East Herts Council was behind other local authorities in implementing these premiums.

Members were advised that the proposal was now to increase the maximum premium, which was option D on page 57 of the report, which equated to a 200% premium for properties empty for between 5 and 10 years and a 300% premium for properties empty for over 10 years.

The Executive Member said that the premium stayed with the property irrespective of ownership and a dispensation was proposed for any new homeowner for a period of 12 months, as the premium could act as disincentive to a buyer not able to move into a property straight away.

Councillor Frecknall referred to paragraph 3.6 and asked whether the wording could be changed to read 'consideration will be given to introducing discretion to remove the premium for up to one year in these circumstances'.

Councillor Snowdon commented on the importance of ensuring that this dispensation was well known and

publicised. He commented with concern about the numbers of properties that had been vacant for so long.

The Executive Member and the Head of the Revenues and Benefits Shared Service responded to a question from Councillor Snowden as to the varied reasons why some properties were left empty for so long in East Herts. Members were also advised of the publicity undertaken by the Council when a premium was due to be applied.

The Head of the Revenues and Benefits Shared Service confirmed to Councillor Bell that the Council was unable to change the timelines or values that were applied as premiums on long term empty properties.

Councillor Curtis proposed and Councillor Buckmaster seconded, a motion that the Executive be advised that option D should be taken forward in respect of changes to the Council Tax long term empty homes premiums from April 2022, on the basis that consideration will be given to introducing a discretion to remove the premium for up to one year should the owner be willing to occupy the property once renovations were completed.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Executive be advised that Overview and Scrutiny Committee support option D being taken forward in respect of changes to the Council Tax long term empty

homes premiums from April 2022, on the basis that consideration will be given to introducing a discretion to remove the premium for up to one year should the owner be willing to occupy the property once renovations were completed.

66 REGULATION OF INVESTIGATORY POWERS ACT (RIPA)
POLICY ANNUAL REVIEW

The Head of Legal and Democratic Services submitted a report that updated Members on the Council's current use of RIPA and also to report on the annual policy review. He reminded Members that a similar paper was reported to the Committee in 2020, as there had been a complete rewrite of the policy as it had been out of date.

The Head of Legal and Democratic Services said that the report referred to what had been said by the IPCO on 24 November 2019. The Head of Legal and Democratic Services said that the critical recommendation that had been made was about the need for the RIPA policy to be updated. Members were referred to paragraph 2.3 of the report and the confirmation that had been given to the chief surveillance inspector that all of the identified steps that needed to be taken had been implemented and the new policy was now in place.

Members were advised that nothing further needed to be changed in the policy this year in light of the comprehensive rewrite that had been completed in 2020. The Head of Legal and Democratic Services said that notwithstanding the policy being fit for purpose, it

was good practice to report back to Members and a report would be brought before Members every year.

Councillor Frecknall proposed and Councillor Ward-Booth seconded, a motion that the report be received and any observations from Members be forwarded to the Head of Legal and Democratic Services. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that (A) the report be received; and

(B) any observations from Members be forwarded to the Head of Legal and Democratic Services.

67 DATA RETENTION POLICY SCHEDULE

The Information Governance and Data Protection Manager submitted a report that presented the revised East Herts Council Data Retention Policy and the newly drafted East Herts Council Data Retention Schedule.

Members were advised that this policy updated and replaced the previously drafted but not adopted Data Retention Policy of 2018. The policy schedule would ensure that the Council remained consistently compliant with the UK General Data Protection Regulations (GDPR) in terms of keeping data for only as long as was required and also ensuring that the Council remained compliant regarding data subjects rights of erasure.

Members were advised that the policy ensured that the Council minimised data retention wherever possible and also set out procedures for the disposal of data. The Information Governance and Data Protection Manager said that improved retention management would also help to reduce excessive storage of redundant data on Council servers.

Members were advised that the policy also sets out where and how personal data was held and also the protection measures that had been put in place for the retention of data. The policy also set out the roles and responsibilities for ensuring that data retention was enforced.

Members were asked to note that the content of the schedule was being updated with services and Members were being asked to look at the structure of the schedule and column headings.

Councillor Bell proposed, and Councillor Curtis seconded, a motion that the recommendations as detailed in the report be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the revised Data Retention Policy and its related schedule be considered and Members provide any observations and suggested amendments to the Information Governance and Data Protection Manager for inclusion in the final version; and

(B) the revised Data Retention Policy and its

related schedule be recommended to Executive for adoption.

68 DATA BREACH POLICY AND PROCEDURES

The Information Governance and Data Protection Manager submitted a report that presented the revised East Herts Council Data Breach Policy and its related revised procedural documents, the Data Breach Flowchart, the Staff Data Breach Report Form and the Data Breach Report template.

Members were advised that the policy updated and replaced the Data Security Breach Management Policy, which had been approved by Leadership Team in 2018 but had not been considered by Overview and Scrutiny Committee or adopted by the Executive.

The Information Governance and Data Protection Manager said that the revised policy ensured that the Council had robust breach reporting procedures in place and also facilitated decision making on whether to notify the Information Commissioner's Office (ICO) and affected data subjects in respect of any breaches. The policy also ensures that records were kept of all data breaches in order to satisfy the accountability requirements of the UK GDPR.

Members were advised that the policy set out what data breaches were and how they could be recognised. The Policy also set out the notification and identifications stages of a breach and how this should be dealt with internally.

The Information Governance and Data Protection Manager set out the full investigative process that covered how much data had been released and who was affected. This stage also helped Officers decide whether to inform the ICO or the affected data subjects. He referred Members to the data breach flow chart as a go to guide that summarised the content of the Data Breach Policy.

Councillor Snowdon sought and was given some clarification as to the appendices. He also asked about e-learning courses and training packages for Officers. The Information Governance and Data Protection Manager said that this was all included in the compulsory e-learning course for GDPR which he had just finished updating.

Councillor Devonshire asked about hacking, phishing and information obtained by deception and whether any of that activity had occurred at East Herts Council. The Information Governance and Data Protection Manager said that he was not aware of any such activity but IT colleagues would be better placed to give an update on this.

Councillor Devonshire proposed, and Councillor Buckmaster seconded, a motion that the recommendations as detailed in the report be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the Data Breach Policy and its related procedural documents be considered and Members provide any observations and

suggested amendments to the Information Governance and Data Protection Manager for inclusion in the final version; and

(B) the revised Data Breach Policy and its related procedural documents be recommended to Executive for adoption.

69 DRAFT EQUALITIES, DIVERSITY AND INCLUSION STRATEGY FOR EAST HERTS

The Leader of the Council submitted a report that invited Members to review the draft strategy and provide comments before formal consultation with key partners was undertaken in June and the draft strategy was considered by the Executive on 6 July before being proposed for adoption by Council on 28 July.

The Head of Communication, Strategy and Policy gave a background presentation in respect of East and Equal, a strategy for equalities, diversity and inclusion. He said that the newly appointed Equality and Diversity Officer had joined the Council in November 2020 for 2 days a week.

Members were advised that the first task for the new Officer was the creation of an equalities, diversity and inclusions strategy. The Head of Communications, Strategy and Policy said that the new strategy was to ensure that the Council could evidence that it was meeting the requirements set out in the Equality Act 2010 in terms of making reasonable adjustments in service delivery.

Members were advised of a number of moral and ethical considerations including the recent Black Lives Matter activity and the disproportionate impact of Covid-19 on communities with protected characteristics such as people from ethnic groups who were particularly vulnerable.

The Head of Communications Strategy and Policy talked about the work that the Equality and Diversity Officer had carried out to establish where the Council was before drafting a set of priorities and actions. He said that once feedback had been received from Members, a formal consultation or generic survey would be carried out and the issue would be submitted to the Executive on 6 July and then to Council for adoption on the 28 July 2021.

The Equality and Diversity Officer explained why the strategy was needed by the Council. She referred to the public sector equality duty need and the opportunity for the Council to demonstrate its vision and challenges.

Members were provided with an overview of the timeline and were given an explanation of the strategy that was to be known as "East and Equal". The Equality and Diversity Officer said that she had combined the "SEED" priorities in the Council's Corporate Plan with the Local Government Association framework to produce the acronym of respond, relate and reach out.

Members were presented with an overview of the demographics of East Herts and the Officer touched on work that had been carried out such as focussed

workshops on engaging with young people. She said that East Herts Council did not know enough about the issues facing some hard to reach groups and more consultation was needed.

Members were advised that a key priority was to improve the methods by which the Council gathered and analysed data in order to improve decision making. The Officer said another priority was to strengthen the equality impact assessment process.

The Officer explained that the relate value was a combination of leadership and organisational development to ensure that the Senior Members and the Executive could embed equality initiatives within East Hertfordshire District Council in order to achieve a diverse and engaged workforce.

Members were advised that the Council did not know enough about hard to reach groups within the community. The Officer explained that there had been specific examples of focussed work and she said the Council needed to be proactively engaging with different demographics and undertaking consultation. She set out a number of planned actions including a staff survey and developing a staff network that championed diversity.

The Equality and Diversity Officer explained that relate phased digital by design in line with the Council's corporate "SEED" plan. She said that the strategy aspired to ensure integrity by the Council practising its values so that Officers could accurately and fairly relate to communities. Members were advised that a

priority was to maximise joint working and improving self-awareness of equality and diversity.

The Equality and Diversity Officer set out a number of priorities and actions she would like to be carried out in respect of the 'relate' element. She said that the reach out element looked at the widespread inequalities that had been highlighted by Covid-19. She also commented on how tensions with gypsy and traveller communities could be addressed and she advised that residents felt that East Herts Council could do more to promote equalities work.

The Equality and Diversity Officer set out a number of key priorities and actions and highlighted the importance of involving residents in the work that was carried out by East Herts Council in respect of equalities. Members were advised of the work that had been done by the County Council with the BAME network.

The Officer talked about a number of discussion points following the Member Information Sessions and she invited Members to ask questions. Councillor Bell commented on the appendix to the report and she believed that there was a much wider population within East Herts that would identify as disabled but might not necessarily be in receipt of benefits. She also asked whether a heading in this Appendix could be amended to include a reference to people with long term chronic health conditions who might not necessarily identify as disabled.

Councillor Curtis referred to the challenges faced by

autistic people and wondered what engagement could be undertaken with the National Autistic Society to make the services provided by East Herts, as much as possible “autistic proof”. He also commented on how the Council could reach out to other minority groups in East Herts.

Councillor Drake referred to page 7 of the strategy report and the bespoke training on unconscious bias and providing safe spaces and she commented on whether training could be made mandatory for Officers to enable staff to reflect on what they had learned.

Councillor Snowdon asked for some clarity on the remit of the BAME network at Hertfordshire County Council. The Equality and Diversity Officer provided some clarity on the operation of this network. Councillor Goldspink said she was pleased to see the proposed training on unconscious bias and the planned reconvening of the staff network in respect of equalities.

The Equality and Diversity Officer agreed with many of the points that had been made by Members and she responded with her thoughts on some of the points that had been raised.

Councillor Drake proposed, and Councillor Ward-Booth seconded, a motion that the recommendations as detailed in the report be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the Draft Equalities, Diversity and Inclusion Strategy be reviewed; and

(B) the comments of the Overview and Scrutiny Committee be forwarded to the Executive for their consideration.

70 ANNUAL PLAN AND REFRESHED CORPORATE PLAN

The Leader of the Council submitted a report that invited Members to review progress on the corporate plan to date and comment on the refreshed priorities for 2021/22 onwards. The Head of Communications, Strategy and Policy said that the annual report looked back at the last 12 months in terms of the corporate plan and the delivery of priorities.

Members were advised that the refreshed corporate plan was the document that looked forward in terms of the four “SEED” themes and what the Executive considered to be important over the next 12 months. The Head of Communications, Strategy and Policy said that Officers had been working to deliver on those revised priorities. He stated that any comments would be considered by the Executive on 6 July before the refreshed corporate plan was adopted by Council on the 28 July 2021.

The Head of Communications, Strategy and Policy showed Members a silent three minute video on the achievements of the Annual Plan. He responded to a query from Councillor Devonshire as to when receptions would be re-opening.

Councillor Goldspink commented on whether the Queen's canopy project and also the establishment of wildlife areas and whether these could be mentioned in the sustainability section of the refreshed Corporate Plan. The Head of Communications, Strategy and Policy said that these matters could be included in the sustainability section of the plan.

Councillor Curtis commented on how much attention had been paid to the realisation of the corporate objectives on a ward by ward basis.

The Head of Communications, Strategy and Policy said that some of the actions in the refreshed Corporate Plan could be amended to include information that was specific to individual wards.

Councillor Drake commented on whether the provision of discretionary rate grants could be restarted now that residents might be looking to open or restart businesses in East Herts.

The Head of Communications, Strategy and Policy said some new discretionary grant funding had come through via the Chancellor's overall package of support for businesses. He said that a scheme that would replicate the discretionary grants scheme was due to open next month.

Councillor Curtis proposed, and Councillor Bell seconded, a motion that the recommendations as detailed in the report be approved. After being put to the meeting and a vote taken, the motion was declared

CARRIED.

RESOLVED – that (A) the Annual Plan and the refreshed Corporate Plan be reviewed; and

(B) the comments of the Overview and Scrutiny Committee be forwarded to the Executive for their consideration.

71 OVERVIEW AND SCRUTINY COMMITTEE – DRAFT WORK PROGRAMME

The Scrutiny Officer said that this was the usual work programme Members received at each meeting of Overview and Scrutiny Committee. She drew Members' attention to the draft work programme attached as an appendix to the report.

Councillor Curtis said he had been contacted by a Parish Councillor in his ward regarding a Council contract in terms of the compliance with the terms of the contract. He asked about the review process that was place to look at whether or not a contractor was meeting the expected standards.

The Chairman reminded Members of the form to be completed in respect of potential topics for Scrutiny so that Officers were aware of what Members were expecting. Councillor Goldspink asked if Members could look at the report that was completed by the consultants in respect how Overview and Scrutiny was conducted at East Herts.

The Chairman reminded Members that the Committee

did have the opportunity to look at this report at the previous meeting and this document was still available for Members to refer back to before it could be brought back to Committee.

Councillor Goldspink said that the Agenda for this meeting had been quite long and she pointed out that one of the recommendations of the consultant's report was that Members should not get presented with a lot of detailed reports.

It was moved by Councillor Curtis, and seconded by Councillor Ward-Booth, that the draft consolidated Work Programme be approved. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that (A) the main agenda items for the next meeting be agreed;

(B) the proposed Consolidated Work Programme, included at Appendix A, be approved.

72 URGENT ITEMS

There was no urgent business.

The meeting closed at 9.24 pm

Chairman
Date

East Herts Council Report

Overview and Scrutiny Committee

Date of Meeting: 7 September 2021

Report by: Councillor Peter Boylan, Executive Member for Neighbourhoods

Report title: The East Herts Tenancy Strategy 2021 to 2026

Ward(s) affected: All

Summary

- The current East Herts Council Tenancy Strategy, written in 2016, requires updating. Therefore, a new Tenancy Strategy for 2021 to 2026 has been drafted to respond to new legislation, changing market conditions and evolving housing need trends. This report provides information on the contexts which have been taken into account when devising an updated strategy.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY COMMITTEE:

A. The Overview and Scrutiny Committee provides comments and recommendations on the draft East Herts Tenancy Strategy for 2021 to 2026.

1.0 Proposal(s)

1.1 That the following guidance should be provided to registered providers who own and manage affordable housing in East Hertfordshire

Rent levels:

- There should be due regard to the housing market and Local Housing Allowance levels when setting rents in East Hertfordshire.
- Conversion of Social Rent to Affordable Rent should be minimised.
- Affordable Rents should be set towards to the lower end of the 50 per cent to 80 per cent Market Rent spectrum.

Tenancies:

- There should be an emphasis on either lifetime tenancies or long-term tenancies of at least five years.
- Special consideration should be given to the groups in greater need of settled accommodation such as older people, households with children and victims of domestic violence.

2.0 Background

2.1 Under the Localism Act 2011 each local authority has an obligation to produce a tenancy strategy which sets out the matters to which providers of affordable housing must have regard when they develop their own tenancy policies. This includes:

- the kinds of tenancies they grant.
- the circumstances in which they grant a tenancy of a particular kind.
- the length of those tenancies.

2.2 The new East Herts Tenancy Strategy contains a set of recommendations to which registered providers are expected to have regard under each of the following themes:

- Rent levels
 - Tenancy types
 - The needs of specific groups.
- 2.3 The new Tenancy Strategy takes account of legislative contexts at the national level, and changing economic and housing market conditions at the local level.
- 2.4 A total of sixteen registered provider (also known as housing associations) own and manage affordable housing for rent and/or low cost home ownership in the East Herts district. In 2002 East Herts Council transferred its entire housing stock to two housing associations which are now Network Homes and Clarion Housing. Other large housing associations that own and manage housing in East Herts, include Paradigm, Metropolitan, Hightown, B3 Living and Catalyst. In April 2020 registered providers owned 8,327 homes in East Herts (affordable housing for rent and low cost home ownership), constituting 13 per cent of the district's entire housing stock.
- 2.5 Between 1 April 2015 and 31 March 2021 registered providers developed a total of 724 new affordable homes for rent in East Herts.
- 2.6 Since 2011 there have been major changes in the range of tenancy types which registered providers can offer and the levels of rents which they can charge:
- Before 2011 registered providers predominantly offered Assured Tenancies. These tenancies were, in effect, periodic lifetime tenancies which could be brought to an end only if the tenant breached one of the grounds under the Housing Act 1988 e.g. failure to pay rent. A registered provider might also offer a Starter Tenancy for an initial twelve month period under which it would be easier to

evict a tenant more quickly. However, a tenant usually progressed to an Assured Tenancy after a Starter Tenancy had expired. However, the Localism Act 2011 allowed registered providers to introduce new Fixed Term/Flexible tenancies, with a specified term of not less than five years or two years in exceptional circumstances. These tenancies would be reviewed towards the end of their specified term, and could be brought to an end if the tenancy was no longer considered to be required or appropriate for the tenant.

- Before 2011 registered providers mainly charged Social Rents which were set using a government formula. These rents were calculated according to the value and size of each property and the local income levels in the area in which the property was located. Social Rents are traditionally set at approximately 50 per cent of Market Rent. However, from 2011 registered providers were given discretion to set Affordable Rents. These rents could be set up to a maximum value 80 per cent of Market Rent, including a service charge where applicable. When a property which had been let at Social Rent was vacated, it could be relet at Affordable Rent. The usual percentage range of an Affordable Rent is 50 per cent to 80 per cent of market rent. Affordable Rents have become the predominant affordable rent level in East Herts for new homes; between 1 April 2015 and 31 March 2021 722 of the new homes developed were rented at an Affordable Rent and 2 were rented at Social Rent. These Affordable Rents can exceed Local Housing Allowance levels, which are the maximum amount of housing-related benefit payable to tenants of the private rented sector.

3.0 Reason(s)

- 3.1 The extent of housing need in East Herts has grown since the last tenancy strategy was produced in 2016. Examples of the

increase in housing need: the number of households on the housing register rose by nearly eight per cent between 2014-2015 and 2020-2021; the number of households assessed as homeless per 1,000 households in the population rose from 0.65 on 31 March 2020 to 1.28 on 30 September 2020; the number of households living in temporary accommodation grew from 19 on 31 March 2020 to 64 on 31 March 2021. The following factors have contributed to the increase in the levels of housing need in East Herts:

- There has been a significant reduction in the number of affordable homes available for letting. In 2020-2021 a total of 323 homes were let, compared to 522 in 2019-2020. This may be partly due to households being unwilling to move during the Covid19 pandemic.
- The Covid19 pandemic may also have increased homelessness among individuals who had been staying with friends or family on a casual basis. This appears to have led to an increase in rough sleeping.
- The private rented sector has become increasingly unaffordable, with widening gaps between the maximum amount of housing-related benefit which a household can claim (Local Housing Allowance) and market rents. Benefit cap levels have remained at 2016 levels, despite rises in the cost of living. Private landlords in East Herts have become increasingly reluctant to let a home to a household in receipt of benefits.
- Since the beginning of the Covid19 pandemic there has been a rise in out-of-work benefit claims in East Herts, from 1,140 claims (1.2 per cent of the workforce) in March 2020 to 3,450 per cent (4.0 per cent of the workforce) in May 2021. In addition, households who before the Covid19 pandemic may have earned enough to avoid the Benefit Cap may have seen a reduction in their working hours, leading to their incomes becoming severely restricted.

- 3.2 In Autumn 2020 HQN Consultancy carried out research into housing affordability in East Herts and produced a report *"Affordable Housing in East Hertfordshire"*. Their research included assessing the affordability of Social, Affordable and Market rents for three household types who were either wholly dependent upon benefits for their income or whose income was restricted to the National Living Wage. The findings of the research showed that Affordable Rents at the higher end of the 50 per cent to 80 per cent of Market Rent spectrum were usually unaffordable to households in these three groups, even if housing costs were to consume up to 40 per cent of their gross household income.
- 3.3 The East Herts Tenancy Strategy provides the following guidance to registered providers:

Rent levels:

- There should be due regard to the housing market and Local Housing Allowance levels when setting rents in East Hertfordshire.
- Conversion of Social Rent to Affordable Rent should be minimised.
- Affordable Rents should be set towards to the lower end of the 50 per cent to 80 per cent Market Rent spectrum.

Tenancies:

- There should be an emphasis on either lifetime tenancies or long-term tenancies of at least five years.
- Special consideration should be given to the groups in greater need of settled accommodation such as older people, households with children and victims of domestic violence.

4.0 Options

- 4.1 To not produce a tenant strategy – NOT RECOMMENDED.
Every local authority is obliged under the Localism Act 2011 to produce a tenancy strategy for their district at least once every five years. The East Herts Tenancy Strategy will provide a firm foundation for partnership working with registered providers.

5.0 Risks

- 5.1 The East Herts Tenancy Strategy takes the form of guidance to registered providers, rather than specific contractual obligations. Therefore there is no risk associated with the production of a tenancy strategy.

6.0 Implications/Consultations

- 6.1 The Tenancy Strategy was presented to members of the East Herts Housing Forum on 29 June 2021. Member of the Forum consist mainly of representatives of registered providers who develop and manage housing in East Herts. Forum members were invited to contribute their views on the proposals on the new East Herts Tenancy Strategy during a two week consultation period. The Tenancy Strategy received positive comments from Forum Members, and it is considered to provide clear guidance.

Community Safety

No

Data Protection

No

Equalities

Yes. The profile of tenants of the social housing sector in East Herts shows that certain Protected Characteristic groups, as defined under

the Equality Act 2010, are highly represented among household who rent their homes from a registered provider:

- Age – a high percentage of younger households aged 18 to 44.
- Pregnancy and Maternity – A high percentage of households with children, especially those headed by a lone parent.
- Gender – a high percentage of household headed by females.
- Marriage and Civil Partnership – a high percentage of households headed by a single person and by a lone parent.

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes. Every local authority is obliged to produce a tenancy strategy under the Localism Act 2011.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 The draft East Herts Tenancy Strategy 2021 to 2026

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EAST HERTFORDSHIRE COUNCIL

TENANCY STRATEGY

2021 to 2026



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Foreword by the Executive Member for Neighbourhoods

A home we can afford in a neighbourhood in which we wish to put down roots and establish support networks is essential to the wellbeing of us all. East Herts Council is committed to making an affordable housing offer to the residents of our district.

East Herts Council values its partnerships with the registered providers who develop and manage the district's affordable homes. They have created developments of attractive housing, transformed neighbourhoods by replacing out-of-date dwellings with well-designed and sustainable houses and flats, and participated in local initiatives to improve the district's environment and the health of its residents.

Yet we live in a rapidly changing world. East Hertfordshire is an increasingly popular place to live, and was named as the UK's Best Place to Live in the Halifax Quality of Life Survey 2020. At the same time, the need for affordable housing is growing in our district. The number of households on the housing register has increased; we have seen more applications for assistance from homeless persons, particularly from those with support needs; more families are living in temporary accommodation; the number of individuals who are sleeping rough remains consistent. The causes of this trend of rising housing need includes more households in receipt of low incomes, a widening gap between household earnings and housing costs, and more people being asked to leave by friends or family or not being able to afford accommodation in the private sector.

Every local authority is obliged to produce a Tenancy Strategy under the Localism Act 2011. The new Tenancy Strategy for 2021 to 2026 gives East Herts Council an opportunity to give guidance to our registered provider partners on what we expect in terms of affordable and sustainable tenancies. We expect that rents should be set at a level which households on a lower household income can afford, and that the tenancies which are offered allow households to settle and thrive on their local area.

We look forward to continuing to work with our registered provider partners to ensure that East Hertfordshire is a welcoming and affordable place to live for our residents.



Cllr Peter Boylan

Executive Member for Neighbourhoods

Tenancy Strategy 2021 to 2026 – Executive Summary

The Aims of the East Hertfordshire Tenancy Strategy 2021-2026 are:

1. To outline the approach of East Hertfordshire Council to working with local registered providers to ensure that residents have access to affordable and safe housing.
2. To set out East Hertfordshire Council's requirements and expectations of Registered Providers operating within the district, to ensure that housing is built to meet local housing needs.
3. To ensure that the Tenancy Strategy is taken into account when Registered Providers and other social housing providers, who own and manage homes in the East Hertfordshire area, adopt or review their own tenancy policies and operating procedures.

The Tenancy Strategy sets out the matters that Registered Providers of affordable housing in the district must have regard to when they develop policies relating to:

- The kinds of tenancies they grant.
- The circumstances in which they will grant a tenancy of a particular kind.
- The length of the tenancies.

Guidance for Registered Providers

Rent Levels

East Hertfordshire Council expects Registered Providers to have regard to the following:

- the retention and development of homes for Social Rent
- setting or maintaining Affordable Rent levels at the lower end of the 50 per cent to 80 per cent spectrum or capped at Local Housing Allowance (LHA) rates, so that tenants on low incomes can live in a homes which are both affordable and suitable for their needs.
- providing full details of current Affordability Checks and Financial Assessment procedures to the local authority as required for monitoring purposes, with information on why a household would be turned down for an offer of a home

as a result.

Tenancy Types

Lifetime tenancies should be created as far as possible.

Where flexible (fixed term) tenancies are issued, East Hertfordshire Council recommends that the following basic principles are adopted by Registered Providers as a minimum:

- a minimum of a five year fixed term tenancy
- the fixed term tenancy to be re-issued at the end of the term unless there is a significant change of circumstance for the household.
- the organisation's policy and procedures covering the criteria under which fixed term tenancies would not be renewed is provided to East Herts Council
- a full review of the tenant's circumstances be carried out prior to a fixed term tenancy ending which should at least take account of the likelihood of the household being able to find suitable alternative accommodation.

Needs of specific groups

Families with children of school age or younger – If these households are not offered a lifetime/assured tenancy, East Hertfordshire Council's preferred tenancy term is a minimum of five years.

Households with a disabled member or a member with special needs – If these households are not offered a lifetime/assured tenancy, East Hertfordshire Council's preferred tenancy term is a minimum of ten years.

Older people over the age of 60 – If these households are not offered a lifetime/assured tenancy, East Hertfordshire Council's preferred tenancy term is a minimum of five years for households living in general needs accommodation. Lifetime/assured tenancies should be awarded to older people living in accommodation designed especially for older people.

In deciding on the use of fixed term tenancies, East Hertfordshire Council requests that Registered Providers consider health and wellbeing, the role of friends and relatives in enabling independence and the possibility that insecurity of tenure may add to someone's worries about their future.

Tenancy Strategy 2021- 2026

The Aims of the East Herts Tenancy Strategy 2021-2026 are:

To outline the approach of East Hertfordshire Council to working with local Registered Providers to make sure that the residents have access to affordable and safe housing.

To set out East Hertfordshire Council's requirements and expectations of Registered Providers operating within the district, to ensure that housing is built to meet local housing need.

To ensure that the Tenancy Strategy is taken into account when Registered Providers and other social housing providers, who own and manage homes in the East Hertfordshire area, adopt or review their own tenancy policies and operating procedures.

1. Introduction

The Purpose of the East Hertfordshire Tenancy Strategy

Under the Localism Act 2011 all housing authorities have a duty to produce a Tenancy Strategy. This sets out the objectives to be taken into account by Registered Providers as they make decisions about their own tenancy policies.

It is vital that Registered Providers help local authorities to meet housing need in their areas. The purpose of this document is to provide appropriate guidance at a strategic level to Registered Providers who own and/or manage housing stock in the East Hertfordshire district.

The Tenancy Strategy sets out the matters that Registered Providers of affordable housing in the district must have regard to when they develop policies to be applied in East Herts relating to:

- the kinds of tenancies they grant
 - the circumstances in which they will grant a tenancy of a particular kind
 - the length of those tenancies
- The circumstances in which they will grant a further tenancy on the ending of an existing tenancy.

In addition, this document provides contextual information on local housing markets and housing need across the district. This will further assist Registered Providers in understanding the impacts of their policies and how they can best support East Hertfordshire Council in ensuring:

- local housing need continues to be met with rents being affordable to a wide range of households in housing need
- new tenancies remain sustainable to prevent homelessness
- overall affordable housing stock numbers do not diminish
- an appropriate choice of tenures at a range of rent levels is made available.

East Hertfordshire Council has updated its Tenancy Strategy to take account of changing:

- legislative contexts at the national level
- economic and housing market conditions at the local level.

2. National Contexts

2.1 The Localism Act 2011

The Localism Act Section 150 relates to Tenancy Strategies. It introduced the duty upon housing authorities to provide a Tenancy Strategy. It also specifies that an authority must keep its Tenancy Strategy under review and may modify it from time to time.

2.2 Social Housing White Paper

The Social Housing White Paper, published in November 2020, contained the following section: *Considering how to ensure social housing is allocated fairly.*

The government will publish the results of an evidence gathering exercise which it has carried out into how people access social housing. The government will consider the findings to ensure that housing is allocated in the fairest way possible and achieves the best outcomes for local places and communities. This will include considering how to improve joint working between local authorities and registered providers to ensure that social housing is being allocated efficiently. How to improve *joint working* between local authorities and housing associations to ensure that social housing is being allocated efficiently.

3. The Housing Context in East Hertfordshire

3.1 Overview of East Hertfordshire

East Hertfordshire is an attractive place to live. This is reflected in its high house prices, which are higher than neighbouring local authority areas and have

significantly increased in recent years. Achieving housing development that responds to local needs, while recognising the environmental and other constraints in East Hertfordshire, is a significant challenge. It is also necessary to recognise the specific accommodation and housing needs of different groups in the community.

East Hertfordshire has an ageing population. Meeting the varying needs of older people will be a challenge while still ensuring that the district remains attractive and accessible to young people.

3.2 Overall housing stock in the district

The total number of homes in East Hertfordshire rose by 4.4% between 1 April 2015 and 1 April 2020, from 60,338 to 63,011,

Tenure	1 April 2020	
Local authority	16	
Registered provider (Housing Association), both for rent and low cost home ownership	8,327	13.0%
Other public sector	30	
Private sector (including both owner-occupation and the private rented sector).	55,593	87.0%
Total	63,011	

Source: MHCLG

3.3 Affordable Housing New build in East Hertfordshire (completions 2015-2016 to 2020-2021)

	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	Total
Social Rent	-	-	-	2 (0.5%)	-	-	2 (0.2%)
Affordable Rent	71 (68.6%)	130 (72.6%)	40 (62.5%)	279 (68.5%)	98 (56.3%)	104 (43.5%)	722 (62.0%)
Intermediate Rent	--	-	-	-	-	-	-
Shared Ownership	31 (30.4%)	49 (27.3%)	24 (37.5%)	126 (31.0%)	50 (28.7%)	135 (56.5%)	415 (35.6%)
Affordable Home Ownership	--	-	-	-	26 (14.9%)	-	26 (2.2%)
Total	102	179	64	407	174	239	1,165

Source: MHCLG Housing Starts and Completion tables

This table shows that Affordable Rent has remained consistently around two thirds of overall new affordable housing provision since 2015. Social Rent now features very little in new affordable housing development.

3.4 Registered providers in East Hertfordshire

In 2002 East Hertfordshire transferred its housing stock to two housing associations, now Network Homes and Clarion Housing. By 2020 there is a total of 17 Registered Providers who own and manage affordable housing in the district. These homes are rented at a mix of Social Rent and Affordable Rent.

Registered providers in the area – housing stock for rent as on 31 March 2021

	General needs	Sheltered housing	Supported housing	
B3 Living	115			115
Catalyst	302			302
Clarion	2,559	421	30	3,010
English Rural	5	-	-	5
Hastoe	24	-	-	24
Hightown	239	-	-	239
Home Group	20	-	-	20
Housing 21	-	55	-	55
Metropolitan Thames Valley	59	-	24	83
Network	3,183	431	10	3,624
Origin	144	-	-	144
Paradigm	187	-	-	187
Places for People	23	-	-	23
Sage	68	-	-	68
Sanctuary	27	41	-	68
Stonewater/L & G	22	-	-	22
Welwyn Garden City HA	1	-	-	1
Total	6,784	948	64	7,796

This table shows the variation of in the size of the housing stock which Registered Providers own and manage in East Herts. The tenancy strategy applies to all Registered Providers, irrespective of the amount of stock they own in East Herts.

3.5 Rent Levels in East Hertfordshire

Social and Affordable Rents

Affordable Rent, as a rental product for Registered Providers, was introduced by the government in April 2011. It is rented housing where the rent is up to 80 per cent of the local private market rent. The Affordable Rent charged is re-calculated each time a tenancy is granted or renewed, so will fluctuate in line with local private market

rents. The government introduced Affordable Rent to enable Registered Providers to generate additional rental income from rents. This would enable greater investment by Registered Providers to deliver additional affordable housing in a time of constrained grant budgets.

Social and Affordable Rents are sometimes viewed in two different categories e.g. Social Rents at 50 per cent of local market rent and Affordable Rent at up to 80 per cent of local market rents. However, Social Rents are set using a government formula which creates a formula rent for each property based on its relative value, its size and the relative local incomes in the area in which it is situated. Affordable Rents are set in relation to the market rent rates for the area in which the property is located. From rent and affordability perspectives, it is more useful to view affordable housing for rent as a continuum between typically 50 per cent and 80 per cent of local market rents rather than seeing Social Rents and Affordable Rents in separate categories.

Social and Affordable average weekly rent data in East Hertfordshire has been provided from an analysis of properties which were advertised for letting between 1 April and 10 July 2020. Additional data shows how this compares with private rents in the district as at March 2020 and Local Housing Allowance rates for the district in December 2020. The gaps between social and affordable rents and private rents are very wide. The table also shows the significant gaps between private rent levels and all maximum Local Housing Allowance levels in the district.

	1 bedroom	2 bedroom	3 bedroom
Social Rent	£102.22	£118.03	£143.93
Affordable Rent	£145.68	£183.29	£224.93
Average private rents March 2020*	£200.00	£250.00	£337.50
LHA in Harlow and Stortford Broad Rental Market Area	£165.70	£207.12	£258.90
LHA in South East Herts Broad Rental Market Area	£172.60	£212.88	£276.16
LHA in Stevenage and North Herts Broad Rental Market Area	£155.34	£195.62	£241.64

*Source: Office for National Statistics

3.6 The Housing Register and Allocations

	Total on Housing Register as on 1 April	Total lettings to Registered Providers	Total lettings to non-Registered Providers
2014-2015	2,009	459	10
2015-2016	2,198	524	3
2016-2017	2,025	501	4
2017-2018	2,039	509	1
2018-2019	2,119	562	3

2019-2020	2,125	522	0
2020-2021	2,168	447 (376 general needs)	0

Source: Local Authority Housing Statistics, MHCLG

The Housing Register includes applicants for general needs and sheltered housing.

The number of households on the housing register between 2014/2015 and 2020/2021 rose by 7.9 per cent.

We have seen a significant reduction in the number of lettings during the financial year 2020-2021. A total of 323 homes have been let, of which 263 were homes for general needs. Although this covers 75 per cent of the financial year, this represents only 62 per cent of the total number of lettings (522) which were made during the previous financial year 2019-2020. This could be due to a number of reasons, such as households being unwilling to move due to the Covid19 pandemic.

3.7 Homelessness and Temporary Accommodation

Homelessness has increased substantially in East Hertfordshire during the financial year 2020-2021. The table below shows how the number of households assessed as homeless per 1,000 households in the population increased during 2020 and compares with other local authorities:

Hertfordshire local authority/region/country	January to March 2020	July to September 2020
Broxbourne	0.54	1.87
Dacorum	0.82	2.03
East Hertfordshire	0.65	1.28
Hertsmere	0.63	1.49
North Hertfordshire	0.75	1.54
St Albans	1.08	0.51
Stevenage	0.26	2.77
Three Rivers	1.57	0.50
Watford	0.49	1.05
Welwyn Hatfield	0.57	1.83
East of England	0.63	1.60
England	0.69	1.39

Source: MHCLG Live tables on Homelessness

Between 1 July and 30 September 2020 the reasons for homelessness or threats of homelessness among those who approached East Hertfordshire Council for assistance were as follows:

Reason for homelessness or threatened homelessness	Percentage of households homelessness or threatened with homelessness
Family or friends no longer willing to accommodate	34%
End of a privately rented tenancy – assured shorthold or non-assured shorthold	21%
Domestic violence or abuse	9%
Non-violent breakdown of relationship	8%

End of Social Rented tenancy	6%
Evicted from supported accommodation	4%
Left an institution e.g. hospital, armed forces	3%
Non-racially motivated violence	1%
Other	14%

As the below table shows, the number of households in temporary accommodation has increased significantly over the past five years. An increasing number of households have been unable to move into housing association accommodation because they have failed affordability checks and financial assessments.

Date	Number of households placed in temporary accommodation by East Hertfordshire Council (year end snapshot data)
31 March 2015	19
31 March 2016	19
31 March 2017	15
31 March 2018	25
31 March 2019	28
31 March 2020	47
31 March 2021	52

In addition, East Hertfordshire Council is seeing rising numbers of people in housing need who have a high level of support needs, particularly from single person households. Increasingly, the allocation of affordable housing in the district is focused upon the most vulnerable people in the smaller accommodation.

3.8 The Private Rented Sector

The English Housing Survey 2018-2019 recorded that nationally the number of privately rented homes had doubled since the beginning of the millennium, from 10% of housing stock in 2002 to approximately 19-20% of housing stock in 2018-2019.

In 2011 East Hertfordshire's private rented sector was recorded as consisting of 7,446 homes, 13.2% of the total housing stock in the district. Details of the current size of the sector are awaited from the Census 2021. It is anticipated that, as with national trends, the size of the sector will have increased further.

The median average Private Sector rents in East Hertfordshire were recorded on 30 September 2020 as follows:

Property size	Median average monthly rents
Room	£358
Studio	£650
1 bedroom	£800
2 bedroom	£1,000
3 bedroom	£1,350
4 bedroom	£1,680
All	£995

Source: Office for National Statistics

Local Housing Allowance rates – Three Local Housing Allowance areas cover the East Hertfordshire district. The following table shows the difference between the median average weekly rents in the sector in September 2020 and the amount of Local Housing Allowance available in December 2020 to cover the cost of rents:

	Room	1 bedroom	2 bedroom	3 bedroom	4+ bedroom
Median monthly rent	£358	£800	£1,000	£1,350	£1,680
Median weekly rent	£89.50	£200.00	£250.00	£337.50	£420.00
Harlow & Stortford LHA area	£76.50	£165.70	£207.12	£258.90	£299.18
Difference	£13.00	£34.30	£22.49	£78.60	£120.82
South East Herts LHA area	£82.04	£172.60	£212.88	£276.16	£322.19
Difference	£7.46	£27.40	£16.73	£61.34	£97.81
Stevenage and North Herts LHA area	£78.59	£155.34	£195.62	£241.64	£299.18
Difference	£10.91	£44.66	£33.99	£95.86	£120.82

In all cases, the median market rent exceeds the Local Housing Allowance rent, with the gap expanding as the number of bedrooms increases. This is not unexpected, given that Local Housing Allowance rates were frozen for five years. However, it does demonstrate the problem of finding affordable accommodation for those who are eligible for benefits, with many having to “top up” the rent element of their benefits using money which could be used for food and other day-to-day expenses. Analysis by homelessness charity Shelter has put East Hertfordshire 9th in the top ten local authorities outside London with the biggest shortfall between Local Housing Allowance and rents.

Demand from households unable to buy, landlords’ reluctance to let to tenants in receipt of benefits, and the increasing gap between the Local Housing Allowance rate and market rents have contributed to a significant drop in the proportion of private sector tenants who are in receipt of housing-related benefits. Between 2013 and 2017 there was a 22 per cent (346 households) reduction in the number of households in receipt of housing-related benefits in privately rented accommodation in East Hertfordshire.

The Benefit Cap (which includes housing-related costs) for households outside Greater London currently stands at the following levels:

- Single person households - £257.69 per week or £13,400 per year
- Couples and single parents - £384.62 per week or £20,000 per year

These amounts have not increased since 2016, despite rises in the cost of living.

Households who before the Covid19 pandemic may have earned enough to avoid the Benefit Cap may now have seen reduction in the hours they were working, meaning that their incomes have become severely restricted.

The unaffordability and inaccessibility of almost East Hertfordshire’s entire private rented sector increases the pressure on social housing.

The allocation to social housing is playing an ever increasing role in the prevention of homelessness. While the number of households who have had their homelessness prevented has remained fairly constant, the proportion of households having their homelessness prevented through an allocation of social housing increased from 55 per cent in 2014 to 77 per cent in 2017.

The private rented sector no longer plays a significant role in preventing homelessness in East Hertfordshire.

3.9 Earnings and Affordability checks

A significant proportion of households in East Hertfordshire are in receipt of low incomes. This is illustrated by the following:

- the East Hertfordshire Housing Strategy 2016-2021 referred to the housing needs survey for the district undertaken in 2015. The survey highlighted the fact that 21 per cent of households in the district earned less than £20,000 per year
- in September 2020 just over half of the households on the council’s housing register were in employment (51%) of whom 45% did not receive any welfare benefits. The maximum qualifying income level for households on the East Hertfordshire Council housing register is £48,000
- in East Hertfordshire the lag between earning and rent inflation was significant between 2011 and 2019. While private rents in the district have increased by 29 per cent, wages have risen by only 4 per cent (based on a two person household with one full-time and one part-time worker)
- the Indices of Multiple Deprivation 2019 showed that 12 East Hertfordshire lower super output areas were ranked in the 50 per cent most deprived in terms of income, compared with all lower super output areas in England, and that 10 East Hertfordshire lower super output areas were ranked in the 50 per cent most deprived in terms of employment across England
- East Hertfordshire has seen a significant rise in the number and percentage of households in receipt of out-of-work benefits during 2020, from 1.2% (1,140 households) in March 2020 to 4.0% (3,450 households) in May 2021. The wards in the district which have been affected most acutely are:

Wards	March 2020 – number of households claiming out-of-work benefits	May 2021 - number of households claiming out-of-work benefits
East Herts district	1,140 (1.2%) of total	3,450 (4.0% of total)
Bishop’s Stortford Central	40 (1.3% of total)	320 (4.4% of total)

Hertford Castle	40 (1.8% of total)	250 (4.0% of total)
Bishop's Stortford All Saints	30 (1.2% of total)	235 (4.2% of total)
Hertford Sele	45 (2.7% of total)	220 (6.2% of total)
Sawbridgeworth	35 (1.4% of total)	200 (3.7% of total)

Employees in these wards may have been disproportionately affected by the impact of the Covid19 pandemic upon certain types of occupations for example hospitality, retail, jobs associated with Stansted Airport.

The table below shows the number of households nominated for an allocation by the council who were subsequently rejected by Registered Providers on the grounds of affordability only. The number of rejections has increased sharply over the past three years. The number for 1 April to 17 July 2020 had already exceeded the total for the whole of the previous year:

Year	Nominations rejected due to affordability	Total number of nominations (can include more than one nomination to one property).	Rejections as a percentage of the total number of nominations
2016-2017	2	490	0.4%
2017-2018	10	512	2.0%
2018-2019	25	576	4.3%
2019-2020	37	555	6.7%
1 April 2020 to 31 December 2020	54	323	16.7%

As previously stated, the levels of the Benefit Cap have not increased in line with the cost of living. This has a particular impact on affordability assessments. If rents are not capped at Local Housing Allowance levels, households find their living costs, including rent, are higher than the Benefit Cap. In consequence, only those in work who earn above a certain level (£604.59) or are in receipt of a Personal Independence Payment (non-means tested) are considered able to afford the accommodation.

The following table, using data from the Annual Survey of Hours and Earnings (ASHE) for the East Herts district in 2020, shows the difficulty of affording accommodation for a significant percentage of households who have just one household member in employment who is working full-time: just under 40 per cent earn below the £604.59 threshold referred to above).

Earnings decile	Weekly median average gross earnings per individual
Lowest 10 per cent	£399.00 (£20,748 per year)
Lowest 20 per cent	£479.10 (£24,913 per year)
Lowest 25 per cent	£506.30 (£26,328 per year)
Lowest 30 per cent	£543.10 (£28,412 per year)
Lowest 40 per cent	£611.20 (£31,782 per year)
Median average	£714.70 (£37,164 per year)

Source: Annual Survey of Hours and Earnings (ASHE) for full-time employment in the East Hertfordshire district 2020

3.10 Affordability scenarios by household type

Housing Quality Network (HQN) Consulting has carried out research on the affordability housing options in September 2020 for a three household types in East Hertfordshire:

- a Single Person aged over 35 requiring either a room in shared accommodation or 1 bedroom self-contained accommodation
- a lone parent with 1 children requiring 2 bedroom accommodation
- a couple with 2 children requiring 3 bedroom accommodation.

These are household types who often require housing assistance in East Hertfordshire.

The research assesses the housing options which would be affordable to these household types:

- if they were either wholly dependent on benefits for their income or if they were in receipt of the National Minimum Wage and working 40 hours full-time.
- if their housing costs were to not exceed 40 per cent of their gross weekly income (40 per cent is not regarded as a generous percentage of household income to spend on housing costs).

	Unaffordable at or below 40% of weekly income
	Affordable at or below 40% of weekly income

Single person aged over 35 requiring a room in shared accommodation or one bedroom self-contained accommodation

Income levels	Affordable/Unaffordable housing options
Benefits only <ul style="list-style-type: none"> • Total weekly income £214.59 • 40% of weekly income <u>£85.84</u> 	Social rented accommodation – self-contained at £102.22 per week
	Affordable rented – self contained at 65% Market Rent at £120.00 per week
	Affordable rented – self contained at 72% Market Rent at £132.92 per week
	Affordable rented – self contained at 80% Market Rent at £145.68 per week
	Market rented – self-contained at £184.61 per week
	Market rented – room in shared accommodation at £82.61 per week
National Living Wage only <ul style="list-style-type: none"> • £328.24 weekly income. • 40% of weekly income <u>£131.30</u> 	Affordable rented – self-contained at 72% of market rent at £132.92 per week
	Affordable rented – 80% of market rent at £145.68 per week
	Market rented accommodation – self-contained. At £184.61 per week
	Social rented accommodation – self-contained at £102.22 per week

	Affordable rented – self-contained at 65% of market rent at £120.00 per week
	Market rented – room in shared accommodation at £82.61 per week

Lone parent with 1 child requiring two bedroom self-contained accommodation

Income levels	Affordable/Unaffordable housing options
Benefits only	Affordable rented at 72% of Market Rent at £166.15 per week
	Affordable rented at 80% of Market Rent at £184.62 per week
	Market rented at £230.77 per week
	Social rented accommodation at £118.03 per week
<ul style="list-style-type: none"> Total weekly income £384.14. 40% weekly income <u>£153.66</u> 	Affordable rented at 65% of Market Rent at £150.00 per week
	Affordable rented at 80% of Market Rent at £184.62 per week
	Market rented at £230.77 per week
	Social rented accommodation at £118.03 per week
National Living Wage only, working full-time with childcare costs.	Affordable rented at 65% of Market Rent at £150.00 per week
	Affordable rented at 72% of Market Rent at £166.15 per week
	Affordable rented at 80% of Market Rent at £184.62 per week
	Market rented at £230.77 per week
<ul style="list-style-type: none"> Total weekly income £428.32 40% weekly income <u>£171.33</u> 	

Couple with 2 children requiring three bedroom self-contained accommodation

Income levels	Affordable/Unaffordable housing options
Benefits only	Affordable rented at 65% of Market Rent at £202.50 per week
	Affordable rented at 72% of Market Rent at £224.93 per week
	Affordable rented at 80% of Market Rent at £249.93 per week
	Market rented at £311.54 per week
<ul style="list-style-type: none"> Total weekly income £417.34 40% weekly income <u>£166.94.</u> 	Social rented accommodation at £143.93 per week
	Market rented at £311.54 per week
	Social rented accommodation at £143.93 per week
	Affordable rented at 65% of Market Rent at £202.50 per week
National Living Wage only, one adult working full-time with no childcare costs.	Affordable rented at 72% of Market Rent at £224.93 per week
	Affordable rented at 80% of Market Rent at £249.93 per week
	Affordable rented at 65% of Market Rent at £202.50 per week
	Affordable rented at 72% of Market Rent at £224.93 per week
<ul style="list-style-type: none"> Total weekly income £699.00 40% of weekly income <u>£276.60</u> 	

Low cost home ownership and market sale is unaffordable to all these groups.

3.11 Tenancies offered by Registered Providers

Historically, tenants of social landlords have been offered an assured tenancy which granted them a home for life, provided they did not breach the terms of their tenancy on any specified grounds. Fixed term tenancies were introduced as part of the Localism Act with the aim of assisting Registered Providers to offer more flexible (fixed-term) tenancies. The view was that this would then enable landlords to make

best use of their housing stock and better meet local housing needs with a review of the tenant's situation at the end of the fixed term.

Registered Providers are able to offer fixed term tenancies on a minimum fixed term of five years. However, in exceptional circumstances flexible tenancies can be for as little as two years.

Social landlords have still been able to offer the traditional assured and introductory/starter tenancies. Existing flexible tenancies were introduced in addition to these options, and social landlords do not have to use them.

Existing assured tenants cannot have their tenancies converted to a flexible tenancy, and many are offered special protections if they move to another home.

In recent years a number of Registered Providers who own a large amount of affordable housing have ceased their use of flexible tenancies. Reasons for this include the increased anxiety of tenants, extra work for front-line staff, and to simplify the lettings process. The tenancies most commonly offered in East Hertfordshire indicate that, although the principle of using Starter or Probationary tenancies remains strong, Registered Providers prefer to offer life-time tenancies after these initial tenancies end. This is supported by East Herts Council

Types of tenancies offered by Registered Providers in East Hertfordshire October 2020 to May 2021

Landlord	General/Sheltered	Tenancy type offered
B3 Living	General	One year Starter Tenancy then Assured Tenancy
Catalyst	General	Starter Tenancy then Assured Tenancy
Clarion	General	Twelve month probationary period then Assured Tenancy.
Clarion	Sheltered	Assured Tenancy – Social Rent
Clarion	Sheltered	Starter Tenancy followed by Assured Tenancy.
Hightown	General	Probationary Tenancy then Assured Tenancy
Metropolitan	General	Assured Tenancy
Network	General	Assured Tenancy
Network	Sheltered	Assured Tenancy
Sage	General	Starter tenancy followed by five year Fixed Term Tenancy
Sanctuary/Catalyst	General	One year Starter Tenancy followed by Assured Tenancy.

Conclusions

- East Hertfordshire Council has sustained a good supply of new affordable housing between 2015/16 and 2020/2021, particularly the number of new affordable homes for rent, primarily through planning obligations. However, this has consisted almost wholly of Affordable Rent, while the supply of new properties at Social Rent is now negligible.

- The council has a strong pipeline of new homes being developed through planning agreements but they are all at affordable rent levels and often exceed Local Housing Allowance rates.
- Tenants of affordable housing are offered mainly lifetime tenancies once they have completed Starter or Probationary tenancies as flexible tenancies have become less popular with Registered Providers.

However

- Since the ending of the 2016/2020 rent freeze, Social and Affordable rents will begin to rise again.
- Housing need in the district is undoubtedly increasing, with the number of households on the housing register going up by 5.8 per cent between 2014/2015 and 2020/2021. The total number of households on the housing register between 31 March 2015 and 31 March 2021 rose by 7.9 per cent.
- The number of homes being let has seen a significant decrease between April 2020 and March 2021 and turnover of housing is currently declining. This may be due to households being unwilling to move during the pandemic
- The number of households approaching the local authority for assistance under homelessness legislation has increased. The number of households living in temporary accommodation has also risen. East Hertfordshire Council is also receiving applications for assistance from an expanding number of people in housing need who also have a high level of vulnerability and support need.
- Use of the private rented sector by households on low incomes, and also as a prevention option for households in housing need, is decreasing. This is due to a number of reasons: an increase in the number of households unable to buy a home, landlords' reluctance to let to households in receipt of benefits and the growing gap between market rent levels and local housing allowance levels. In consequence, the reliance on registered provider social housing as a homelessness prevention measure has grown.
- The extent of low incomes in East Hertfordshire has grown and is perhaps likely to increase due to the economic upheaval arising from the Covid19 pandemic. The number of households who are refused accommodation by a registered provider due to failing an affordability check or financial assessment has gone up significantly in recent years.
- The level of Affordable Rents, as a percentage of market rents, can make a significant difference to whether a home is affordable to a household on a low income.
- The larger properties are more unaffordable as a percentage of income for households whose income consists of benefits only. They usually accommodate younger families who are more vulnerable. Since the beginning of the Covid19 pandemic in March 2020 there has been an increase in the number of larger families on the East Herts housing register.

4.Guidance for Registered Providers

Summary:

- East Hertfordshire Council is seeking to work in partnership with registered providers to meet current and future housing needs in the district.

Rent levels

- For properties currently let at Social Rent levels, conversions to Affordable Rent should be minimised.
- Registered Providers should have due regard to the market and Local Housing Allowance levels in terms of rent setting.
- Affordable Rents should be set towards the lower end of the 50% to 80% of Market Rent spectrum or capped at Local Housing Allowance levels.

Tenancy Types

- There must be an emphasis on lifetime tenancies.

4.1 Rent Levels

East Hertfordshire Council expects registered providers to have regard to the following:

- The retention and development of homes for Social Rent.
- To set or maintain Affordable Rent levels at the lower end of the 50% to 80% spectrum or capped at LHA rates.
- To be proactive in both setting and re-evaluating Affordable Rent levels locally so that tenants on low incomes can afford to live in a home which is affordable and suitable for their needs.
- To provide full details of current Affordability Checks and Financial Assessment procedures to the local authority, with information on why a household would be turned down for an offer of a home as a result.

4.2 Flexible (fixed-term)Tenancies

Where flexible (fixed term) tenancies are issued, East Hertfordshire Council suggests that the following basic principles are adopted as a minimum:

- A minimum of a five year fixed term tenancy for most households.
- For fixed term tenancies to be re-issued at the end of the team unless there is a significant change of circumstance for the household.
- To provide clear policy and procedures to East Hertfordshire Council of the criteria under which fixed term tenancies would end.

- For a full review to be carried out prior to a fixed term tenancy ending. This review should take account of the likelihood of the household being able to find suitable alternative accommodation.

East Hertfordshire Council recognises that there may be situations where it may not be appropriate to re-issue a fixed term tenancy. This includes where:

- the home is under-occupied by more than one bedroom
- the home is significantly overcrowded
- the financial circumstances of the tenant have changed to such an extent that other housing options are available and appropriate
- the tenant comes into legal ownership of another home or property
- breaches of tenancy or tenancy fraud are identified during the fixed term tenancy review process
- the tenant's behaviour during the fixed term of the tenancy has been unacceptable. This behaviour has been sustained and has been documented.

4.3 Mutual Exchanges

Mutual exchange is a useful tool for meeting housing need and making good use of a Registered Provider's housing stock. East Hertfordshire Council would not like to see fixed term tenancies or higher rent levels to impact upon the effectiveness of mutual exchange. Although there are protections for existing tenants in certain circumstances, these are not universal. East Hertfordshire Council would like to encourage registered providers to set out in their tenancy policies the implications to a tenant's security of tenure and rent level if they mutually exchange their home and, in general, adopt policies which promote the continued use of mutual exchange for all tenants.

4.4 Needs of specific groups

There are some groups for whom the type of tenancy with which they are issued will have more of an impact. East Hertfordshire Council has set out below the groups for which it believes that special consideration for a suitable tenancy would be beneficial, and for whom guidance on the types of appropriate tenancies that it would prefer registered providers to consider.

a) Victims of domestic abuse

The Domestic Abuse Act 2021 became law on 5 July 2021. The Act:

- places a duty on local authorities in England to provide accommodation based support to victims of domestic abuse and their children in refuges and other safe accommodation.
- provides that all eligible homeless victims of domestic abuse automatically have 'priority need' for homelessness assistance.
- ensures that where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a

secure lifetime or assured tenancy (other than an assured shorthold tenancy) this must be a secure lifetime tenancy.

East Herts Council requests that registered provider partners take into account the obligations of the local authority under the Domestic Abuse Act 2021 and the needs of victims of domestic abuse.

b) Families with children of school age or younger

If these households are not offered a lifetime/assured tenancy, East Hertfordshire Council's preferred tenancy term is a minimum of five years. Security and stability during a child's education are both crucial, and families often also rely on nearby friends and relatives to provide care for their children. East Hertfordshire Council expects these factors to be considered by providers when reaching a decision about the use of fixed term tenancies for this household group.

c) Households with a disabled member or a member with special needs

If these households are not offered a lifetime/assured tenancy, East Hertfordshire Council's preferred tenancy term is that a minimum ten year fixed term tenancy is granted where it is likely that the disabled person will remain living in the property for some time and still require the adaptations.

d) Older people over the age of 60

If these households are not offered a lifetime/assured tenancy, East Hertfordshire Council's preferred tenancy terms are:

- a minimum of a five year fixed term tenancy for older people living in general needs accommodation
- lifetime/assured tenancies for older people living in sheltered housing (accommodation designed especially for older people).

In deciding on the use of fixed term tenancies for this household group, East Hertfordshire Council would like Registered Providers to consider health and wellbeing, the role of friends and relatives in enabling independence and the possibility that insecurity of tenure may add to someone's worries about their future.

e) Other factors

East Hertfordshire Council requests that Registered Providers give special consideration to the following when developing their tenancy policies:

- households in rural areas with strong family and employment links with their current area of residence
- single households under 35, particularly in relation to those on low incomes and affordability.

5. Monitoring and Review

The tenancy strategy will be monitored through meetings of the East Herts Council Housing Forum.

Glossary

Affordable Housing – Affordable Housing is an umbrella term which cover both homes for rent at below market levels and also homes for low cost home ownership. The National Planning Policy Framework defines Affordable Housing as follows: Housing for sale or rent, for those whose needs are not met by the market and which complies with one or more of the following definitions: **Affordable housing for rent** at least 20 per cent below local market rents (including service charges where applicable); **Discounted market sales housing** sold at a discount of at least 20 per cent below local market value; **Other affordable routes to home ownership** that provides a route to ownership for those who could not achieve home ownership through the market, and is at a price equivalent to at least 20 per cent below local market value.

Affordable Rent – Affordable Rents were introduced in 2011. Housing let at an Affordable Rent is allocated by a Registered Provider to households who are eligible for social housing at a rent of no more than 80 per cent of the Local Market Rent. This includes service charges where applicable. The usual percentage range of an Affordable Rent is 50 to 80 per cent of full market rent.

Assured Tenancy – An Assured Tenancy is the type of tenancy held by most Registered Provider tenants. A tenant holding an Assured Tenancy may not be evicted without a reasonable ground in the Housing Act 1988. The tenancy can only come to an end either by an order of the court or by surrender by the tenant.

Benefit Cap is a maximum allowance on the total amount of benefit a household is entitled to receive under the benefits system introduced in April 2013. In March 2021 the benefit cap levels for households outside Greater London were:

- £384.62 per week (£20,000) for a couple
- £384.62 per week (£20,000) for a single parent whose child is living with them.
- £257.69 per week (£13,400) for a single person.

Broad Rental Market Area (BRMA) – Local Housing Allowance (LHA) rates are used to calculate Housing-related Benefit for tenants renting from private landlords. LHA rates relate to the area in which a person/household makes a claim. These areas are called broad rental market areas (BRMA). A BRMA is where a person/household could reasonably be expected to live taking into account access to facilities and services. LHA rates are based on private market rents being paid in the BRMA. Valuation Office Agency (VOA) Rent Officers collect the rental information from letting agents, landlords and tenants.

Conversion – Tenancy conversion occurs when a property owned by a registered provider is let at different terms and conditions than when previously let. The most common type of conversion occurs when a tenancy is relet at an Affordable Rent, whereas it was previously let at a Social Rent.

Financial Assessment procedure otherwise known as affordability checks or affordability assessments. These are often carried out by a Registered Provider to ensure a prospective tenant is able to afford to sustain the tenancy which if offered.

Fixed Term Tenancies/Flexible Tenancies are types of tenancy introduced under the Localism Act 2011 for the use of Registered Providers. These tenancies have a specified term of not less than 5 years or 2 years in exceptional circumstances.

Local Housing Allowance (LHA) – Local Housing Allowance (LHA) rates are used to calculate Housing Benefit for tenants renting from private landlords. LHA rates relate to the area in which someone makes a claim. These areas are called Broad Rental Market Areas (BRMA). The amounts of LHA payable are dependent upon the number of bedrooms which a household requires.

The Rent Officer maintains rental information for each category of LHA rates. These are the list of rents. Calculations are applied to the list of rents to determine the LHA rate which is set as the lower of:

- the 30th percentile on a list of rents in the Broad Rental Market Area
- the existing rate of LHA.

Mutual Exchange is a facility that enables a tenant to exchange their property and tenancy with another of their own Registered Provider's tenants or with a tenant of a different Registered Provider.

National Minimum Wage is the minimum pay per hour to which almost all workers are entitled. The National Living Wage is higher than the National Minimum Wage. From 1 April 2021 the National Living Wage will apply if workers are aged 23 and over.

Personal Independence Payment – Personal Independence Payment (PIP) can help a household with some of the extra costs if a household member has a long term ill-health or disability. The payment is non-means tested; a household can receive it in addition to employment and support allowance and income and savings does not affect eligibility.

Registered Provider is the term used for housing associations or other private sector developers, local councils or similar who are registered with the Homes England to provide social housing.

Rent Officer – The Rent Officer works for the government's Valuation Office Agency. The function of the Rent Officer is to determine an appropriate rent for protected/statutory tenancies. The Rent Officer will maintain a register of fair rents, and determine Local Housing Allowance levels.

Shared Ownership - Shared Ownership gives first time buyers and those that do not currently own a home the opportunity to purchase a share in a new build or resale property. The purchaser pays a mortgage on the share they own and pays rent to a Registered Provider on the remaining share. Because the purchaser only needs a mortgage for the share they are purchasing, the amount of money required

for a deposit is usually considerably lower when compared with the amount that would be required when purchasing outright. The purchaser has the option to increase their share during their time in the property via a process known as staircasing and in most cases can staircase all the way to 100 per cent. In exceptional cases, such as in rural areas, the Registered Provider will retain ownership of a percentage of the property.

Sheltered housing – Sheltered housing usually consists of accommodation designated for older people or disabled people consisting of self-contained homes, usually flats or bungalows. There is usually support available for residents, either on-site or delivered from an external service.

Social Rent means housing let at a periodical rent due at intervals of a month or less. Social Rents are set using a government formula. This creates a “formula rent” for each property which is calculated according to the value of the property, the size of the property, and the local income levels in the area in which the property is located. Social Rents are traditionally set at 50 per cent of Market Rent.

Starter/Introductory/Probationary tenancies – New tenants of a registered provider may be offered a Starter/Introductory/Probationary tenancy. These normally last 12 months and are like a trial period. Under the terms of this type of tenancy, the process for a Registered Provider to evict a tenant is quicker. A tenant of this type of tenancy will usually move on to a longer-term (assured or fixed term) tenancy after 12 months unless the registered provider has started action to evict them or extend the starter tenancy.

Supported housing – Supported housing is any housing scheme where housing and support services are provided as an integrated package. Some schemes are long-term, designed for people who need ongoing support to live independently, others are short-term, designed to help people develop the emotional and practical skills needed to move into more mainstream housing. This can include support with health needs, including mental health, drug and alcohol use, managing benefits and debt, developing daily living skills and accessing education, training and employment.

Universal Credit was introduced under the Government’s welfare reforms in 2013. It is an integrated benefit which incorporates the previous separate benefits of Income support, income based job seekers allowance, income related employment and support allowance, housing benefit, child tax credit and working tax credit. Households in receipt of universal credit and not in receipt of specific exempt benefits will be subject to the benefit cap defined above.

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Equality Impact Analysis Form

1. Equality Impact Analysis (EqIA) Form

Title of EqIA (policy/change it relates to)	East Herts Council Tenancy Strategy 2021 to 2026	Date	18 August 2021						
Team/Department	Housing and Health								
<p>Focus of EqIA</p> <p>What are the aims of the new initiative? Who implements it? Define the user group impacted? How will they be impacted?</p>	<p>Under the Localism Act 2011 each local authority has an obligation to produce a tenancy strategy which sets out the matters to which providers of affordable housing must have regard when they develop their own tenancy policies. The new East Herts Housing Strategy contains a set of recommendations to which registered providers are expected to have regard under each of the following themes:</p> <ul style="list-style-type: none"> • Rent levels • Tenancy types • The needs of specific groups. <p>The aim of the East Herts Tenancy Strategy 2021 to 2026 is to ensure that the rents of homes owned by registered providers (housing associations) in the East Hertfordshire District are affordable to households on low incomes, and that the tenancies which are offered provide long-term stability to these households.</p> <p>Registered providers are responsible for ensuring that the recommendations of in the East Herts Tenancy Strategy 2021 to 2026 are implemented. Registered providers were consulted on the strategy in June and July 2021.</p> <p>A profile of East Herts Council affordable housing for rent (September 2020) by the size of property (number of bedrooms) shows that larger households, i.e. containing children, are likely to be disproportionately highly concentrated in the social housing sector (this does not take account of the number of single people or couples who may be under-occupying a home):</p> <table border="1" data-bbox="640 1401 1995 1514"> <thead> <tr> <th></th> <th>Number</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom</td> <td>2,468</td> <td>31.8%</td> </tr> </tbody> </table>				Number	Percentage	Studio or 1 bedroom	2,468	31.8%
	Number	Percentage							
Studio or 1 bedroom	2,468	31.8%							

2 bedroom	2,690	34.6%
3 bedroom	2,480	31.9%
4+ bedroom	126	1.6%
Total	7,764	

Homes with 2, 3 or 4 bedroom compose 68.2% of the affordable housing stock for rent in East Hertfordshire.

Certain protected characteristic groups, as defined under the Equality Act 2010, are more likely to be in need of affordable housing when living in East Hertfordshire. According to a study carried out in July 2021, the following groups, related to Protected Characteristics, are more likely to be represented on the East Herts Council housing register:

- Households headed by a person aged between 18 and 44
- Households headed by a female.
- Households headed by a lone parent or consisting of a single person.
- Households with a pregnant member and/or children
- Households with a member who is in poor health and/or has a disability.

Age	Total population of East Hertfordshire – number and percentage of persons aged 18+ (Census 2011)	Housing register – household heads in East Hertfordshire aged 18+, July 2021
Total	106,152	1,627
18 – 25 years	9,166 8.6%	164 10.1%
25 – 44 years	37,779 35.6%	803 49.4%
45 – 59 years	29,608 27.9%	355 21.8%
60+ years	106,152 27.9%	305 18.7%

Gender	Total population of East Hertfordshire – number and percentage of persons aged 18+(Census 2011)	Housing register – persons living in East Hertfordshire aged 18+ (<i>This includes persons applying as a single person and also persons in a couple</i>), July 2021
Total	106,152	2,019
Males	51,574 48.6%	800 39.6%
Females	54,578 51.4%	1,219 60.4%

Marriage and Civil	Total number of households	Housing register – households living
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Partnership	living in East Hertfordshire (Census 2011)		in East Hertfordshire, July 2021	
All households	56,577		1,627	
One person household	15,722	27.8%	689	42.3%
Couple (married, same sex, co-habiting)	34,727	61.4%	453	27.8%
Lone parent	4,821	8.5%	478	29.4%
Multi-person household	1,307	2.3%	7	0.4%

Pregnancy and Maternity	Total number of households living in East Hertfordshire (Census 2011)		Housing register – households living in East Hertfordshire, July 2021	
All households	56,577		1,627	
Households with children and/or a pregnant member as a % of the total number of households	17,569	31.1%	748	46.0%
Married couple with children and/or pregnant	14,389	25.4%	270	16.6%
Same sex couple with children and/or pregnant				
Cohabiting couple with children and/or pregnant				
Lone parent with dependent children	3,180	5.6%	478	29.4%

Disability and Health	Total number of households living in East Hertfordshire (Census 2011)		Housing register – households living in East Hertfordshire, July 2021	
Total	137,687		1,627	
Very good health	72,332	52.5%	No medical points 914 56.2%	
Good health	46,399	33.7%		
Fair health	14,325	10.4%	5 points slight impact on health 115 7.1%	
Bad health	3,678	2.7%	10 points moderate impact on health 323 19.9%	
			15 points chronic health condition 213 13.1%	
			25 points serious detriment to health 59 3.6%	

Very bad health	953	0.7%	50 points urgent priority on health grounds	3	0.2%
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The following statistics on homeless households for whom the prevention or relief duty was brought to an end between April 2020 and June 2021 shows the high percentage of single person households and households in housing need who were in need of affordable housing:

	1 April to 30 June 2020	1 July to 30 Sept 2020	1 Oct to 31 Dec 2020	1 Jan to 31 March 2021	1 April to 30 June 2021
Single person	58%	55%	61%	58%	53%
Couple no children	7%	5%	5%	3%	5%
Households with children	35%	40%	34%	30%	425

The protected characteristic groups which are disproportionately highly likely to be either a tenant of a registered provider or in need of affordable housing for rent are likely to be impacted by the Tenancy Strategy in the following ways:

- Rents are affordable to them so that they do not exceed 40 per cent of their household income.
- Their tenancies are either long-term or a fixed term of at least five years, to enable them to be settled in their homes and communities.

2. Review of information, equality analysis and potential actions

Please fill in when appropriate to the change. If it does not, please put N/A

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age	Data is from: • Census 2011 • Housing register snapshot • Homelessness application data	A survey of service users was not required.	Positive	The East Herts Tenancy Strategy 2021 to 2026 is relevant to advancing equality of opportunity.
Disability	Data is from: • Census 2011 • Housing register snapshot • Homelessness application data	A survey of service users was not required.	Positive	The East Herts Tenancy Strategy 2021 to 2026 is relevant to advancing equality of opportunity.
Gender reassignment	Information not available			
Pregnancy and maternity	Data is from: • Census 2011 • Housing register snapshot • Homelessness	A survey of service users was not required.	Positive	The East Herts Tenancy Strategy 2021 to 2026 is relevant to advancing equality of opportunity.

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	application data Records of affordable housing for rent by ward			
Race	Information not available			
Religion or belief	Information not available			
Sex/Gender	Data is from: <ul style="list-style-type: none"> • Census 2011 • Housing register snapshot • Homelessness application data 	A survey of service users was not required.	Positive	The East Herts Tenancy Strategy 2021 to 2026 is relevant to advancing equality of opportunity.
Sexual orientation	Information not available			
Marriage and civil partnership	Data is from: <ul style="list-style-type: none"> • Census 2011 • Housing register snapshot • Homelessness 	A survey of service users was not required.	Positive	The East Herts Tenancy Strategy 2021 to 2026 is relevant to advancing equality of opportunity.

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	application data			

Assessment of overall impacts and any further recommendations

The section of the Public Sector Equality Duty to which the East Herts Tenancy Strategy has most relevance is:

[Advance equality of opportunity between people who share a protected characteristic and those who do not.](#)

The East Herts Tenancy Strategy will promote the ability of households on low incomes to acquire good quality and affordable housing, therefore promoting their wellbeing and access to opportunities.

3. List detailed data and/or community feedback which informed your EqlA (If applicable)

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

Census 2011	March 2011	This is the main source of comprehensive data on the population of the East Hertfordshire district. However, the relevance of the data is now lessened although it can still be used for population profile comparisons.	The data from the Census 2021 should be available from early 2022 and will be used for revised equality impact assessments
The East Herts Housing Register snapshot	July 2021	Further information is needed on protected characteristics of households, particularly ethnicity.	To be confirmed
Applications for assistance under the Homelessness Reduction Act 2018	April 2020 to July 2021	Further information is needed on protected characteristics of households.	
Housing stock by size (number of bedrooms) by ward	September 2020	To be updated.	

4. Prioritised Action Plan (If applicable)

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
All groups	We will continue to monitor rent levels and tenancy types offered by registered providers through the Locata system.	A high level of awareness of rent levels and tenancy types, and knowledge of when to engage if they are not meeting the housing needs of East Herts residents.	A higher level of acceptance of households in housing need for social housing tenancies, and a higher rate of sustaining social housing tenancies.	Ongoing
All groups	We will continue to work in partnership with registered providers through meetings of the East Herts Housing Forum which take place 3 or 4 times each year.	A good level of engagement with registered provider partners on how housing needs in East Hertfordshire can be met by satisfactory rent levels and tenancy types	A higher level of acceptance of households in housing need for social housing tenancies, and a higher rate of sustaining social housing tenancies.	Ongoing

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

Directorate Management Team rep or Head of Service: Jonathan Geall **Date:** 19 August 2021

Author of Equality Impact Analysis: Helen George **Date:** 19 August 2021

East Herts Council Report

Overview and Scrutiny Committee

Date of meeting: 7 September 2021

Report by: Councillor Eric Buckmaster, Executive Member for Wellbeing

Report title: Progress Report Corporate Plan: Hertford Theatre and Hartham Leisure Centre

Ward(s) affected: ALL

Summary

- The Council's Refreshed Corporate Plan and SEED priorities were adopted by Council on 28 July. Under the "Enabling Communities" Theme is the key action to a) deliver £20m investment in Hertford Theatre and b) complete construction of a refurbished and extended Hartham Leisure Centre. This paper updates Committee Members on progress on both these projects.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY:

A) That Committee Members review progress of the Hertford Theatre and Hartham Leisure centre capital projects.

1.0 Proposal(s)

1.1 The Committee are invited to review progress of the Hertford Theatre and Hartham Leisure centre capital development projects.

2.0 Background

Hartham Leisure Centre

- 2.1 In July 2017, the Council approved capital funding for a new extended and refurbished leisure centre at Hartham Common. The development is to include: a new gym facility, three studios, a café, a soft play facility, changing facilities for gym and studio users, and a refurbished pool area and refurbished village change.
- 2.2 After running a successful OJEU tender from 29 September 2020 through until 5 February 2021, Cadman Construction was appointed as the successful bidder on 17 February 2021
- 2.3 In order to ensure some facilities are still available for residents the project has been phased. The table below highlights these phases and programmed delivery dates.

Phase	Programmed delivery	Work Activity
1	Mid May – end of September 2021	Pool Hall and pool changing village refurbishment
2	Late August to late October 2021	Refurbishment of the downstairs dry changing rooms
3	End of August 2021 – mid September 2022	Demolition and building of the new extension
4	End of August 2022 – December 2022	Converting the old gym into upstairs changing room and spin studio

- 2.4 The original phasing for the project would have been the demolition of the front of the building and construction of the new extension with the refurbishment of the pool hall to follow. However, the phasing had to be readjusted due to the

need to divert a sewer which would sit underneath a portion of the new extension. The re-phasing allows the sewer diversion works to take place without delaying other works at this stage.

2.5 Enabling works to facilitate the construction company's entry and access commenced from 12 April 2021 with Phase 1 of the main works commencing from 17 May 2021. The detail of the Phase 1 works include:

- Refurbishment of the changing village's toilets and showers
- Complete replacement of the kitchen
- Replacing the pool hall floor tiles and pool edge tiles
- Relining of the swimming pool tanks
- Installation of new LED lights within the pool hall
- Redecoration of the block walls within the pool hall
- Increased spectator seating
- Installation of underwater drown detection systems
- Complete replacement of the pool plant filtration system

Construction Progress Update - Hartham

2.6 During the enabling works and phase 1, the dry side of the leisure centre has remained operational with the reception being moved to the rear of the building. As part of the installation of new tiles in the pool hall it was discovered that the screed underneath the old tiles were in a poor condition and needed to be rectified before the new tiles could be laid. In addition, the impact of Brexit, COVID-19 and the "pingdemic" has resulted in delays to supply of materials and labour which has been a national issue in the construction industry. This has meant re-programming the project delivery and work packages to ensure the impact on delivering the next phase is minimised. At this stage it is too early to

determine whether the delays will have an impact on the overall completion of the project.

- 2.7 A temporary group exercise studio has been erected in a small area of the rear car park of the leisure centre which the leisure operator will occupy by the end of August 2021. This is to allow them to keep this particular service operational whilst the contractor demolishes the portion of the building that these activities presently take place in.
- 2.8 In terms of BREAAAM excellence, a number workshops have taken place with the BREEAM assessor and the scheme continues to be on target of BREAAAM excellence. This will continue to be monitored through the tracker as the project moves into construction of the extension.
- 2.9 The refurbishment of the dry side changing rooms and demolishing part of the old extension will be the next phase of works. In line with the Council's recommendation in 2017, the leisure project board is updated regularly to monitor the progress of the project.

Hertford Theatre – Progress Update

- 2.10 The Hertford Theatre capital development project was approved in 2018 to deliver Growth and Legacy Project which includes:
- Increased auditorium (+150 seats) plus 3 new cinema screens
 - Studio theatre
 - Improved front and back of house
 - Improved accessibility
 - Riverside walkway to improve connectivity with Castle Gardens and to open up the historic Motte
 - BREEAM Excellent

- 2.10 Planning permission for this project was approved in March 2021. The progress to date includes the completion of RIBA stage 4 (Technical Design) which provides design detail required for the procurement process for a construction contractor. The project team advertised the tender in July 2021, it is expected that the tenders will be returned by bidders on 8 September 2021.
- 2.11 Following a series of closures and re-opening as a result of the pandemic and associated lockdowns, the Hertford Theatre finally closed on 7 June for decant and asbestos removal.
- 2.12 The tenders are due to be returned on 8 September 2021 with the contract then awarded in November 2021. The demolition of parts of the building will commence in December 2021 with construction taking place swiftly afterwards. The building is due to be complete and ready for soft openings from Summer 2023.
- 2.13 In accordance with obtaining a BREEAM Excellent rating the project is adopting the following sustainable measures:
- Retaining as much of the existing building as possible
 - Hybrid concrete and CLT (timber) structure exposing the structure where possible
 - Upgrading the external fabric (new build and refurbishment) to increase performance
 - Use of efficient services and go electric
 - Utilising intelligent building systems to drive down energy use when in operation
 - Adoption of a travel plan that encourages sustainable forms of transport

3.0 Reason(s)

3.1 This report has been requested by the Overview and Scrutiny Committee.

4.0 Options

4.1 Not Applicable.

5.0 Risks

5.1 The key risk to both projects is the impact of the Pandemic and Brexit resulting disruption to supply chains negatively impacting the cost and availability of materials and labour. This is a national problem in the industry.

5.2 The key risk for Hartham leisure centre is the sewer diversion works, the outcome of this will be known in early September 2021.

5.3 For the Hertford Theatre project the key risk is cost certainty, as this will not be known until tenders are submitted in early September. As mentioned previously, labour and material supply problems nationally/globally are likely to impact the project. In order to mitigate this, the tender returns will include an alternative bid with Value Engineering options.

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes – as discussed in the report.

Financial

Yes – both projects are budget monitored in a monthly basis. Impact on tender submissions are to be determined for the Hertford Theatre project.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

Hertford wards.

7.0 Background papers, appendices and other relevant material

7.1 None.

Contact Member

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East Herts Council Report

Overview and Scrutiny Committee

Date of meeting: 7th September 2020

Report by: Councillor Jan Goodeve, Executive Member for Planning and Growth

Report title: Update on Economic Development

Ward(s) affected: All

Summary – Appendix A contains an update on activities which contribute towards economic development in the district.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY:

A. Review the update on economic development activities

1.0 Proposal(s)

1.1 That Committee Members review the update

2.0 Background

2.1 Members of the Overview and Scrutiny Committee receive an update on the activities of the Economic Development function on an annual basis. The update as at September 2021 can be found at **Appendix A**.

2.2 The update is based on the refreshed Corporate Plan which was adopted at Full Council on the 28th July. “Encouraging Economic Growth” is one of the SEED priorities and under this the second objective of “we will support businesses and town

centres with post Covid recovery” forms the basis of the Economic Development Team’s work programme.

3.0 Reason(s)

3.1 N/A

4.0 Options

4.1 N/A

5.0 Risks

5.1 N/A

6.0 Implications/Consultations

6.1 N/A

Community Safety

No

Data Protection

No

Equalities

All activities have been through the equalities impact assessment process

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A: update on economic development

Contact Member

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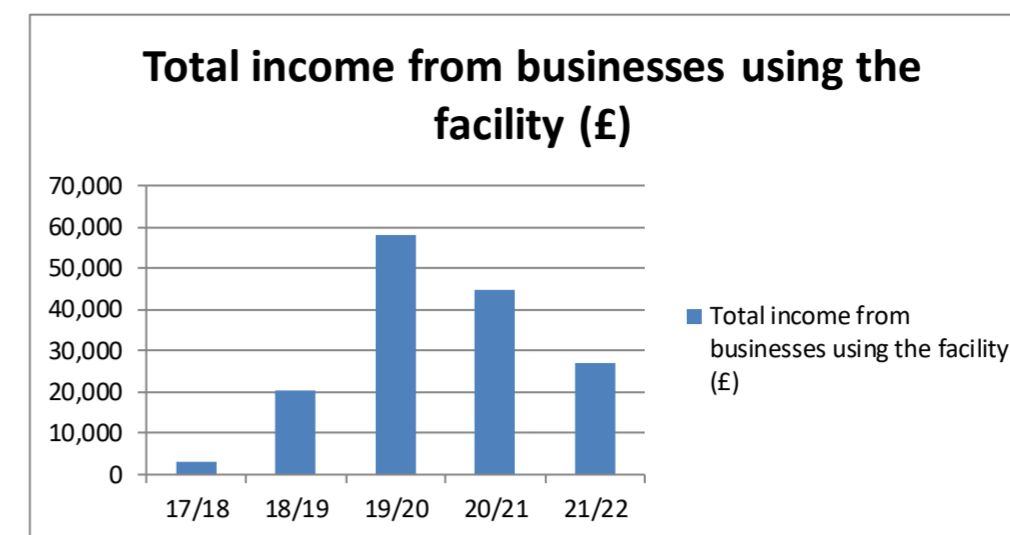
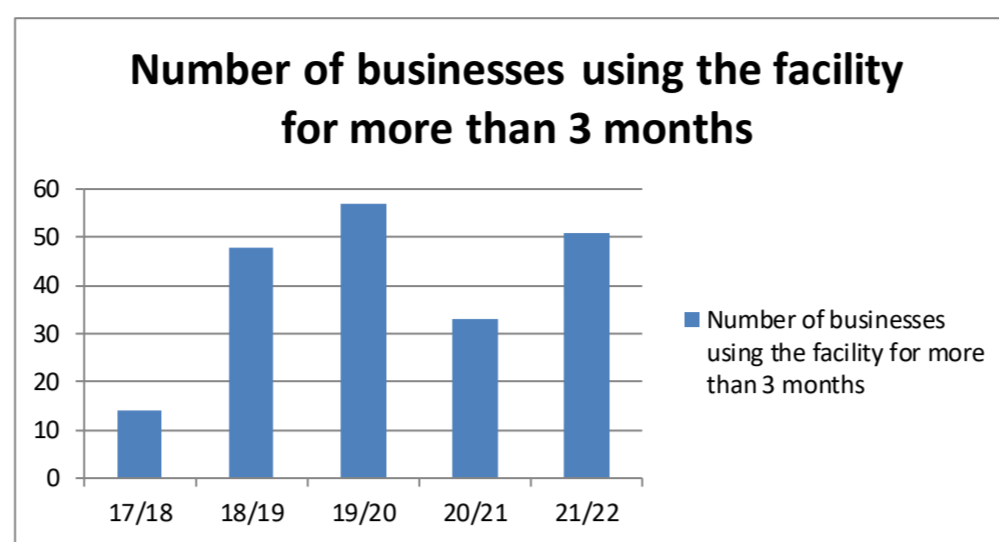
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Corporate Plan Action	Update and performance data																										
<p>Deliver the 3 year ERDF Funded SME Competitiveness project focusing on expanding the Stortford and Ware Launchpads and supporting the bio-science, social enterprise and Airport MRO sectors. Target Completion Date: Autumn 2023</p>	<p>Number of businesses using the facility for more than 3 months</p> <table border="1"> <caption>Number of businesses using the facility for more than 3 months</caption> <thead> <tr> <th>Year</th> <th>Number of businesses</th> </tr> </thead> <tbody> <tr> <td>17/18</td> <td>15</td> </tr> <tr> <td>18/19</td> <td>45</td> </tr> <tr> <td>19/20</td> <td>55</td> </tr> <tr> <td>20/21</td> <td>35</td> </tr> <tr> <td>21/22</td> <td>50</td> </tr> </tbody> </table>	Year	Number of businesses	17/18	15	18/19	45	19/20	55	20/21	35	21/22	50	<p>Number of business using the facilities is back to almost pre-lockdown levels. We currently have 51 paying businesses with 89 active users of both facilities. The numbers are slightly skewed now and we have many more businesses with multiple employees using the facilities (including corporates). Overall usage is far higher than 19/20 even without meeting room bookings which have not come back to previous levels. The split between facilities currently stands at 46 businesses using Bishop's Stortford and 5 using Ware. In addition to these numbers we have several trial members on a months trial across both facilities.</p>													
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	<p>Total income from businesses using the facility (£)</p> <table border="1"> <caption>Total income from businesses using the facility (£)</caption> <thead> <tr> <th>Year</th> <th>Total income (£)</th> </tr> </thead> <tbody> <tr> <td>17/18</td> <td>5,000</td> </tr> <tr> <td>18/19</td> <td>20,000</td> </tr> <tr> <td>19/20</td> <td>60,000</td> </tr> <tr> <td>20/21</td> <td>45,000</td> </tr> <tr> <td>21/22</td> <td>30,000</td> </tr> </tbody> </table>	Year	Total income (£)	17/18	5,000	18/19	20,000	19/20	60,000	20/21	45,000	21/22	30,000	<p>Income down due to LP being closed for a lot of 20/21. Income now rising and heading well above pre-lockdown levels. We predict this will be close to 10k per month by December 2021. 21/22 figures for 4 months to July. Launchpad has strengthened its offering by adding several new meeting pods and office spaces which will allow it to maximise revenue in the time left at Charringtons House. By adding these extra facilities it will strengthen the Launchpad offering and allow a smoother financial transition to new premises in the near future.</p>													
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	<p>The project aims to support businesses in the three sectors of social enterprise, bio science and Maintenance, Repairs & Operations (MROs) linked to Stansted airport. Businesses in these sectors will be provided with either 12 hours of business workshops or a small capital grant of between £3000 and £5000 Since the last update the Economic Development team has completed a tendering process for the delivery of training workshops and the dispersal of small capital grants and appointed in January 2021 Deyton Bell, to support the delivery of this project. Since officially launching the project to businesses in April 2021 one business has been supported with diagnostic advice and the application of a small capital grant. The low delivery number can be attributed to:</p> <ul style="list-style-type: none"> • One of the three sectors (MROs for Stansted airport) has been disproportionately impacted by the global pandemic • It being common for projects to have a slow uptake at the start as marketing of the project builds up within the relevant sectors • Business owners being understandably reluctant to engage in non-BAU activity like the investment of their time (by attending workshops) or investing additional funds (required to obtain the small capital grant) This hesitancy is evident not only on this project but also ones in neighbouring Essex managed by Deyton Bell • Since the last update four claims have been submitted to the funder resulting in the release of £87,309 of funds to the council <p>Recently we have been looking on expanding the offering to other sectors such as aerospace, creative (including TV and Film) and digital, life sciences, manufacturing, financial services, modern methods of construction and Agri-Tech.</p>																										
<p>Find alternative accomodation for the BS Launchpad. Target Completion Date: 31 March 2022</p>	<p>We are in discussions with Legal & General over 8000 sq ft of recently vacated space above Jackson Square. This increased space would give us room to add much needed small offices and increase revenues significantly. Other properties that are being considered include the former Burton store on South St and also the office space attached to the car park at Nortgate End. An options appraisal will be going to the Council's Leadership Team on 14th September for consideration before being shared with the Portfolio Holder. Currently there is no target date to have vacated Charrington's House but once the masterplan and SPD are in place and a planning application on the ORL site submitted this will be agreed.</p>																										
<p>Provide support for local business representative organisations including Chambers of Commerce and the Bishop's Stortford BID. Target Completion Date: On-going</p>	<p>Support for the Herts Chamber of Commerce continues along with the Bishop's Stortford BID. Membership of the Bishop's Stortford Chamber of Commerce is currently under review. We also continue to support the Hertford Hub through the Welcome Back Fund will be providing support for stakeholders in Hertford (day time businesses, night time businesses, town council, county council and others to develop an vision and action plan for the town). £10k has been allocated for this work and it will be independently facilitated.</p>																										
<p>Work in partnership with the LSCC (Innovation Corridor) and Central Zone Alliance to lobby for inward investment. Target Completion Date: on-going</p>	<p>We continue to support the LSCC/ Innovation Corridor and the Leader of the Council continues to be a Board Member. The Central Zone Alliance (composed of 7 local authorities in the middle section of the corridor) have also employed a Economic Development Manager to raise the profile of this area in the wider strategy. An investment strategy and prodspectus for the CZA has been produced and the Manager is currently in dialogue with GSK about their plans for the Ware site and marketing the space to businesses through the corridor. More details on the LSCC can be found here: https://innovationcorridor.uk/ We also continue to support the Digital Innovation Zone whose major project currently is the role out of the Local Full Fibre Network to GP surgeries. Of the 26 surgeries based in East Herts and Broxbourne have now had this infrastructure rolled out to them. More information can be found here: https://diz.org.uk/</p>																										
<p>Work with Visit Herts to ensure local businesses and venues are supported. Target Completion Date: on-going</p>	<table border="1"> <thead> <tr> <th>Visitor Economy Measure</th> <th>2014</th> <th>2015</th> <th>2017</th> <th>2019</th> </tr> </thead> <tbody> <tr> <td>No. of day trips</td> <td>3,698,000</td> <td>3,573,000</td> <td>4,280,000</td> <td>4,231,000</td> </tr> <tr> <td>No. of overnight trips</td> <td>224,000</td> <td>236,000</td> <td>250,000</td> <td>251,000</td> </tr> <tr> <td>Total number of nights</td> <td>1,298,000</td> <td>1,371,000</td> <td>1,369,000</td> <td>1,445,000</td> </tr> <tr> <td>Total value of visits (£)</td> <td>252,560,000</td> <td>262,007,000</td> <td>275,354,000</td> <td>292,922,000</td> </tr> </tbody> </table>	Visitor Economy Measure	2014	2015	2017	2019	No. of day trips	3,698,000	3,573,000	4,280,000	4,231,000	No. of overnight trips	224,000	236,000	250,000	251,000	Total number of nights	1,298,000	1,371,000	1,369,000	1,445,000	Total value of visits (£)	252,560,000	262,007,000	275,354,000	292,922,000	<p>The date here comes from the Cambridge Model Economic Study which is done every 2 years. The most recently available data is for 2019 and was published in late 2020. Whilst that shows growth in all metrics related to the visitor economy/ tourism for East Herts this is a pre Covid picture and largely irrelevant. The hospitality, events and entertainment sectors were the most significantly impacted due to the pandemic. Visit Herts continue to operate as a Destination Management Company on behalf of its local authority funders (8 district councils including East Herts and HCC via the LEP) as well as individual businesses. In East Herts the funding partners are Tewnbury Farm, Henry Moore Studios, Paradise Wildlife Park and Hanbury Manor. During the last 18 months Visit Herts have predominantly focused on providing advice and guidance to businesses on measures needed to re-open safely and meet Covid secure requirements. In the past 6 months they have begun to focus more on "Welcome Back" messages to promote businesses. The website currently has 31 attractions for East Herts listed along 11 accomodation listings. They have posted 115 social media messages in the past 6 months featuring East Herts businesses, published in 2020, garnering over 100,000 impressions and over 5,500 engagements. Their annual promotion (the Big Weekend) was cancelled last year however will return this year for the "bigger weekend" - promoting incentives to visit businesses in the local area. Prior to the pandemic data showed that 5,497 jobs in the district were reliant on tourism, accounting for 7% of total employment for that year, underpinning the importance of this sector to East Herts. More details can be found here: https://www.visitherts.co.uk</p>
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<p>Work in partnership to support recovery of town centres and deploy 'Welcome Back' funding</p>	<p>Footfall per town (daily average in the month)</p> <table border="1"> <thead> <tr> <th>Town</th> <th>Sep-20</th> <th>Dec-20</th> <th>May-21</th> </tr> </thead> <tbody> <tr> <td>Buntingford</td> <td>1484</td> <td>702</td> <td>1076</td> </tr> <tr> <td>Sawbridgeworth</td> <td>1336</td> <td>778</td> <td>1286</td> </tr> <tr> <td>Ware</td> <td>7206</td> <td>6010</td> <td>6076</td> </tr> <tr> <td>Hertford</td> <td>16504</td> <td>11240</td> <td>8089</td> </tr> <tr> <td>Bishops Stortford</td> <td>19134</td> <td>16100</td> <td>11160</td> </tr> </tbody> </table> <p>Footfall data is taken from a manual count in Ware, Buntingford and Sawbridgeworth. These were taken at different points of the day and week to produce a daily average. Data from Hertford and Bishop's Stortford comes from the number of wi fi connections registered</p>	Town	Sep-20	Dec-20	May-21	Buntingford	1484	702	1076	Sawbridgeworth	1336	778	1286	Ware	7206	6010	6076	Hertford	16504	11240	8089	Bishops Stortford	19134	16100	11160	<p>The Reopenng the High Streets Safely is nearly complete and was largely spent on Communications, safety equipment such as sanitisers and gel, signage and planters. Under the subsequent Welcome Back Funding, £132,000 was allocated to East Herts in May 2021 to directly support the safe return of shoppers and visitors to high streets. Funding restrictions mean it can only be spent on non-capital items. We are using the funding to provide short term items such as temporary furniture or fittings, additional seating, cleaning, planters and plants, banners, communcation/ promotion of events that will encourage people to visit their high streets. We are also undertaking longer term initiatives such as activity monitoring systems and consultancy iniatives that help public and private sector organisations to collaborate to provide a medium longer term vision and plan for their town centres. The majority of this money is now allocated and all five towns along with the parishes of Aston, Stanstead Abbots, Datchworth, Little Berkhamstead, Hertford Heath and Albury will be benefitting from additional street furniture, equipment and cleaning.</p>	
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Hertford	16504	11240	8089																								
Bishops Stortford	19134	16100	11160																								
<p>Implement grant scheme to support businesses taking up vacant retail, commerical and industrial premises. Target Completion Date: 31 March 2022</p>	<p>The Economic Development team is responsible for the promotion and dispersal of a £100,000 grant programme to support businesses in the district move into vacant premises. It is envisaged that along with supporting businesses during a time of recovery from the pandemic, this funding will minimise the number of vacant commercial premises in our towns. The funding is available from July 2021 to March 2022. It has been promoted through the usual social media and e-newsletter channels and so far we have had a handful of enquiries. Eligible businesses will be able to claim up to £5,000 of costs associated with moving into new premises Grants of up to £5000 to take on empty premises in the district. Applications opened 1st July and scheme will run to end of March 2022. We have received 12 enquiries and are processing 5 applications, which we expect to be approved and paid early September. The application form can be found on our website: https://www.eastherts.gov.uk/premises-grant</p>																										

<p>Deliver the Jobsmart employment support programme. Target Completion Date: 31 March 2022</p>	<p>This scheme launched in 2020 to compliment existing employment support schemes available via Job Centre+ . It is delivered by the Council for Voluntary Services and jointly commissioned by East Herts and Brxbourne Councils. Referrals were initially very low in East Herts however since April this has changed significantly. Working with our partners and using intelligence from the local Citizens Advice Bureau, we have identified 'hotspots' across the district where there have been increases in the number of claimants of up to 500%. This information is being used to target our services to support the maximum number of people with training and volunteering opportunities as well as supporting them back into employment. At the end of July 21 the scheme was delivering from 3 hubs in East Herts, with plans to deliver the project from additional community buildings going forward, and had supported 218 clients in East Herts. Other achievements include:</p> <ul style="list-style-type: none"> • 115 clients enrolled on training courses • 12 clients supported into volunteering <ul style="list-style-type: none"> • 9 clients into employment • 180 clients actively job searching <ul style="list-style-type: none"> • 180 CVs reviewed • 73 interviews undertaken by participants • 3 volunteers recruited onto the project 	
<p>Other issues</p>	<p>Contextual information</p>	
<p>Town Centres</p>		<p>Vacancy levels stable overall with small fall in retail vacancies in town centres. Small retail units in high demand across the district. Larger units such as the former Burton and Zizzi units in Stortford have had little interest at this stage and may need some alterations to re-let. There is a high demand for small offices all around the district. Larger Office space is slower moving and there is significant amount of empty office space in town centres which does not appear as being offered to the market by the owners. Flexible small office providers such as ourselves (Launchpad) and the Town House in Hertford are currently full. Footfall (see above) is stable but not to Aug/Sept 20 (or Dec 20) levels, yet especially in Bishops Stortford and Hertford, where hospitality is a major component of the activity . We are investing in activity monitoring systems for the main five towns and this is expected to be deployed by the end of September.</p>
<p>Employment</p>		<p>Claimant count data shows a significant increase since the start of the pandemic. These levels have been pretty consistent for the past 12 months however since April and the re-opening of most hospitality businesses and easing of restrictions the situation has improved. However in March 2020 the number of people claiming out of work benefits in East Herts was 1135 and latest data (June) shows it to be 3070 so still significantly above pre-pandemic levels. There were still 5300 people on furlough in the district at the end July (compares to a peak of 17,000 at the height of the pandemic). The highest category of businesses with employees on furlough was Transportation and Storage.</p>
<p>Bishop's Stortford Means Business (BSMB)</p>	<p>We are continuing to support the BSMB this year and will be working with internal and external partners to showcase all the great things we have done and are doing in Bishop's Stortford. This will include Launchpad, launchpad 2, Grange Paddocks and all the economic support the council has given to businesses throughout the pandemic.</p>	
<p>Employment Land Policy</p>	<p>Employment land policy – New SPD for employment land, under development with EHC Planning to realign our policies and strategy to the post Covid environment and forthcoming changes to the planning regulations. Strengthen existing policies and take a more proactive and strategic approach to commercial space in the context of sustainable market towns fit for the future.</p>	

Launchpad data To July

	17/18	18/19	19/20	20/21	21/22
Number of businesses using the facility for more than 3 months	14	48	57	33	51
	17/18	18/19	19/20	20/21	21/22
Total income from businesses using the facility (£)	3,155	20,243	58,000	44,579	27,153



Town centre vacancy data

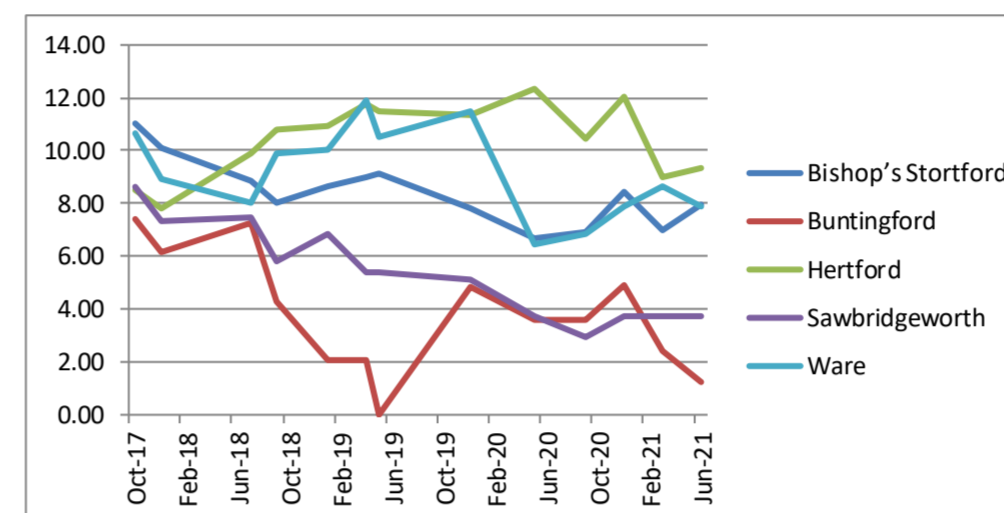
	Oct-17	Dec-17	Jul-18	Sep-18	Jan-19	Apr-19	May-19	Dec-19	May-20	Sep-20	Dec-20	Mar-21	Jun-21
Bishop's Stortford	11.03	10.07	8.88	8.00	8.62	8.99	9.10	7.85	6.68	6.95	8.44	7.00	7.95
Buntingford	7.41	6.17	7.23	4.30	2.08	2.08	0.00	4.82	3.61	3.60	4.88	2.43	1.22
Hertford	8.50	7.81	9.87	10.80	10.94	11.73	11.46	11.32	12.34	10.46	12.02	8.99	9.35
Sawbridgeworth	8.63	7.35	7.46	5.80	6.85	5.41	5.41	5.15	3.70	2.94	3.70	3.70	3.70
Ware	10.65	8.93	8.01	9.90	10.05	11.90	10.53	11.48	6.45	6.87	7.88	8.62	7.92

Bishops Str Buntingfor:Hertford Sawbridge:Ware
7.847534 4.819277 11.32075 5.147059 11.47541

visitor economy data

Visitor Economy Measure	2014	2015	2017	2019
No. of day trips	3,698,000	3,573,000	4,280,000	4,231,000
No. of overnight trips	224,000	236,000	250,000	251,000
Total number of nights	1,298,000	1,371,000	1,369,000	1,445,000
Total value of visits (£)	252,560,000	262,007,000	275,354,000	292,922,000

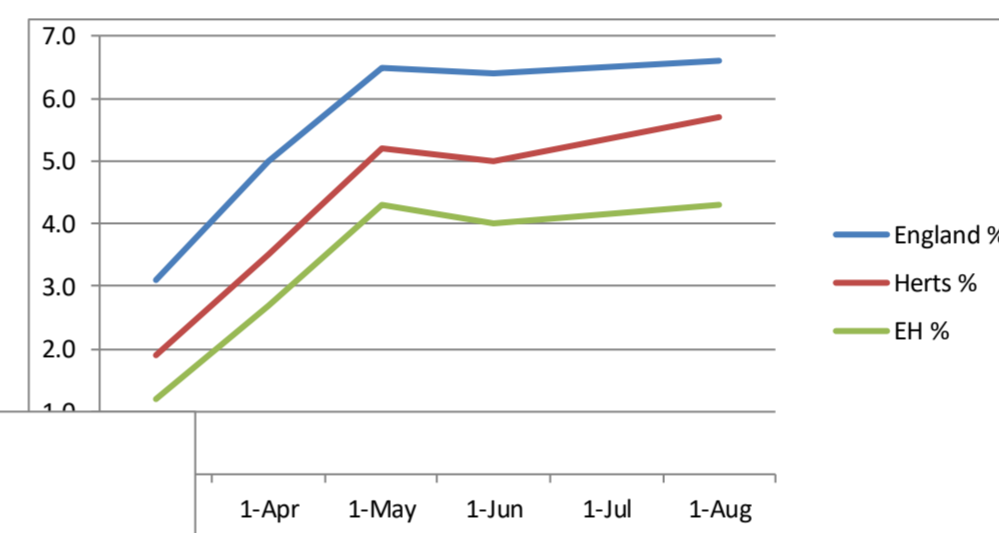
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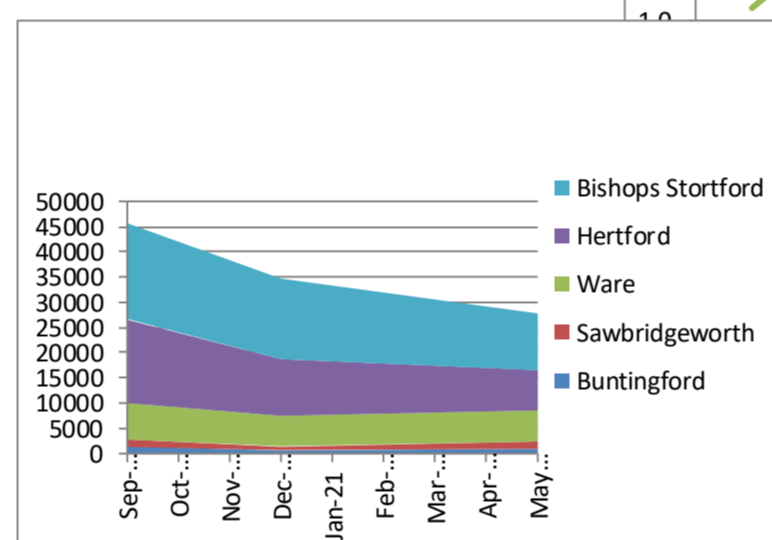
RDP Measures	
Number of successful grant applications	25
Total value of grants awarded (£)	2,236,000
Number of East Herts businesses that have successfully applied	8
Total amount invested in East Herts including match funding from the private sector (£)	801,000

Employment count

	12-Mar	12-Apr	12-May	12-Jun	12-Aug
England %	3.1	5	6.5	6.4	6.6
Herts %	1.9	3.5	5.2	5.0	5.7
EH %	1.2	2.7	4.3	4	4.3



Town	Sep-20	Dec-20	May-21
Buntingford	1484	702	1076
Sawbridgeworth	1336	778	1286
Ware	7206	6010	6076
Hertford	16504	11240	8089
Bishops Stortford	19134	16100	11160



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East Herts Council Report Template

Overview and Scrutiny Committee

Date of Meeting: 7 September 2021

Report by: Benjamin Wood, Head of Communications,
Strategy and Policy

Report title: East Herts Council Complaints 2020-21

Ward(s) affected: All

Summary

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY:

(A) Committee Members note the latest information regarding complaints.

1.0 Proposal(s)

1.1 That Committee Members review complaints information for 2020/21

2.0 Background

2.1 Every year Scrutiny receive a report on customer complaints made to the council. The information looks at trends around performance and the nature of complaints the council receives. This report covers the 2020-21 year.

2.2 On 3 November 2020 the complaints report to Overview and Scrutiny Committee outlined a number of improvements to the complaints process following a comprehensive review undertaken with support from Stevenage Borough Council. Improvements included:

- Training sessions for staff on the use of Infreemation (the

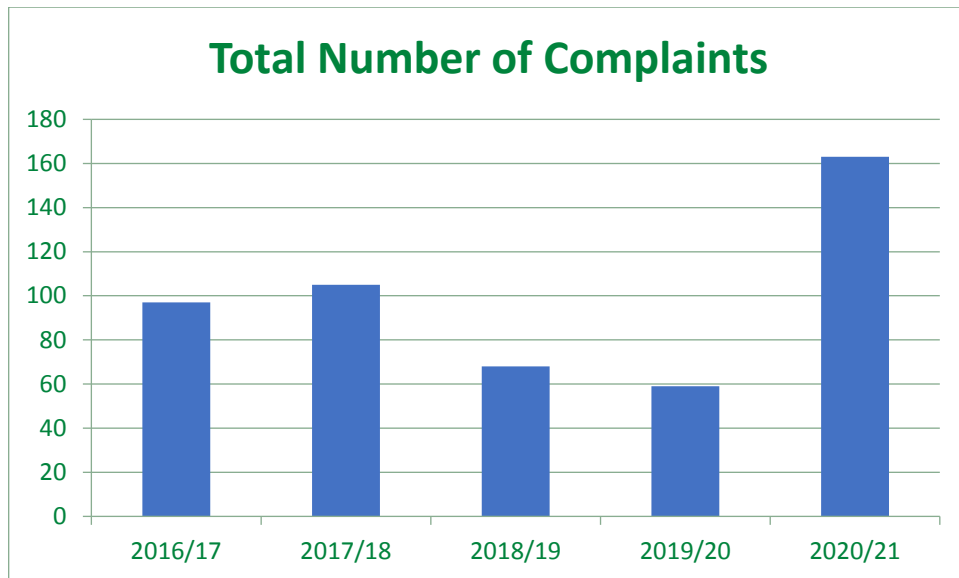
Council's complaints monitoring system) to address the fact the complaint numbers seemed artificially low in recent years

- Training sessions for staff on the complaints process, how to write responses and recognise complaints as distinct from service requests
- A refresh of complaints literature and web pages to make it easier for customers to complain
- The introduction of a formal complaints lead within the Customer Services Team
- A new Persistent and Unreasonable Behaviour Policy to replace the vexatious complainant policy (which was recommended to Full Council for adoption)

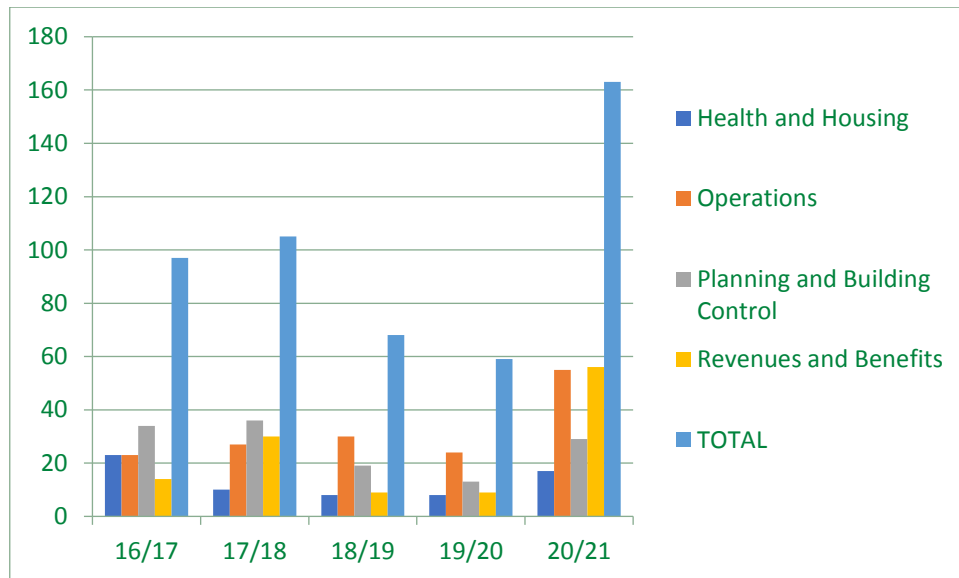
Performance in 2020/21

2.3 The following table shows the key measures for complaints at stage 1 (total number received and % of which were dealt with in 10 working days):

	2016/17	2017/18	2018/19	2019/20	2020/21
Total Number of Stage 1 Complaints	97	105	68	59	163
Total Number Dealt with in 10 wd	60	72	52	38	97
% Dealt with in 10 wd	62%	69%	76%	64%	60%



- 2.4 The increase in recorded complaints should not necessarily be seen as an increased level of dissatisfaction with council services generally. As the paper to Overview and Scrutiny Committee on 3 November 2020 postulated, many complaints in previous years, although being dealt with, may have been going unrecorded. The 2020/21 figures are more likely a reflection of the improvement in recording as a result of the training and development undertaken with staff.
- 2.5 The following graph and table shows data for the previous five years by service. Generally speaking Planning and Operations are most complained about service areas followed by Revenues and Benefits and Health and Housing. However in 2020/21 this changed to Revenues and Benefits and Operations being the most complained about service following by Planning.



	16/17		17/18		18/19		19/20		20/21	
	Number	%	Number	%	Number	%	Number	%	Number	%
Comms, Strategy & Policy	0	0%	1	1%	0	0%	3	5%	1	1%
Democratic and Legal Services	1	1%	0	0%	0	0%	0	0%	5	3%
Health and Housing	23	24%	10	10%	8	12%	8	14%	17	10%
Human Resources and Organisational Development	0	0%	0	0%	0	0%	0	0%	0	0%
Operations	23	24%	27	26%	30	44%	24	41%	55	34%
Planning	34	35%	36	34%	19	28%	13	22%	29	18%
Revenues and Benefits	14	14%	30	29%	9	13%	9	15%	56	34%
Strategic Finance and Property	2	2%	1	1%	2	3%	2	3%	0	0%
Total	97	100%	105	100%	68	100%	59	100%	163	100%

2.6 The reasons for this change relate to formal complaints received about Green Waste Charges which inflated numbers in Operations (20 of the 55 complaints). Complaints related to Covid related grants or reliefs had a similar impact in Revenues and Benefits (27 of the 57 complaints). In the case of green waste charges the council received just over 1,100 comments and concerns, largely expressing dissatisfaction, however only 20 of these warranted an investigation. A handful of these were upheld (ie. the council accepted some fault) where they related to difficulties in customers being able to pay for the service. In the case of Covid related grants and reliefs the 27 formal complaints all related to business/ premise owners challenging a decision not to award anything. All but one of these complaints were not upheld (ie. the council did not accept it was at fault). One business submitted paperwork on occupancy as part of the complaint (which was not previously provided) and they were subsequently awarded a grant and an apology was given.

- 2.7 Taking out the green waste and business grant/ relief complaints, types of complaints in 2020/21 related to the Operations Service were:
- Waste Bins not being returned to property boundary after collections
 - Missing inner paper boxes after collection
- 2.8 Types of complaints related to Revenues and benefits include:
- Residents unhappy about rises in council tax
 - Delays in handling of moving in/out of property details
- 2.9 Types of complaints related to Planning include
- Delays in handling planning applications
 - Objections to planning applications: largely from stakeholders/ neighbours where minor residential applications have gone ahead.
 - Residents unhappy where planning permission has been refused
- 2.10 Planning complaints are by the far the most complex and time consuming part of our overall complaints process. Often customers assume that it is a mechanism to review planning decisions and possibly change the outcome. However this is not the case and whilst that is made clear to residents many will cite other reasons for not being happy with any planning decisions including officer conduct, failure and quality of process. Where complainants raise these issues, often in specific detail and against individual officers, they are logged as complaints and investigated.
- 2.11 The data below shows how many complaints in those four service areas missed the 10 day target:

	2016/17	2017/18	2018/19	2019/20	2020/21
Health and Housing of which missed 10 day target	23 4	10 3	8 3	8 3	17 8
Operations of which missed 10 day target	23 7	27 4	30 5	24 8	55 21
Planning and Building Control of which missed 10 day target	34 26	36 23	19 8	13 6	29 19
Revenues and Benefits of which missed 10 day target	14 0	30 2	9 0	9 2	56 18

2.12 Planning and Building Control tends to be the area in which response times exceed the 10 day target. This is largely down to the fact that planning complaints are more complex and require more time to investigate. Revenues and Benefits tends to be the best performing service area in terms of meeting the 10 day target however there was an increase in the number that didn't do so in 2020/21. This was largely down to resources, with the service prioritising the award of multiple business grants, reliefs, self-isolation payments and other Covid related interventions.

2.13 A further measure of performance is the “% of stage 1 complaints upheld or partially upheld” (or in other words where the council accepts we are at fault or partially at fault). Performance data for the last four years is shown below.

	2016/17	2017/18	2018/19	2019/20	2021/21
Total number of complaints	97	105	68	59	163
Number upheld/ partially upheld	30	20	24	20	55
% upheld/ partially upheld	31%	19%	35%	34%	34%

2.14 The following table shows the data broken down by the four

service areas:

	2016/17	2017/18	2018/19	2019/20	2021/21
Health and Housing	23	10	8	8	17
of which were upheld/ partially upheld	4	2	3	3	3
Operations	23	27	30	24	55
of which were upheld/ partially upheld	15	8	14	10	21
Planning and Building Control	34	36	19	13	29
of which were upheld/ partially upheld	4	3	4	4	15
Revenues and Benefits	14	30	9	9	56
of which were upheld/ partially upheld	5	6	3	3	15

2.15 Examples of complaints that were upheld/ partially upheld include:

- Damage to a resident's property by the waste crew. This was investigated by Urbaser and footage confirmed minor damage to a fence. A letter of apology was sent and the damage repaired.
- Bins not returned to property boundary by waste crew. This was investigated, an apology given to the resident and assurance provided that it would not happen again. Although most residents are relaxed about bins not being returned to the exact spot upon which they were left in the case of some customers who may have mobility issues this can be a challenge.
- Inner paper box: resident complained that on several occasions the inner paper box ends up in the back of the freighter. Supply issues mean replacement inner boxes may not arrive for several weeks after being ordered by the resident. This was investigated, a letter of apology issued to the customer and the crew instructed to leave the inner paper box in place.
- Complaint from a customer regarding the estate of deceased relative who lived in the district. Communication from the council tax team to solicitors was poor which held up the process. This was investigated, the issue was resolved and an apology issued.
- Complaint from a customer regarding their planning

application exceeding the target 8 weeks and a lack of communication for the reasons in the delay. This was investigated and an apology given.

2.16 A further measure of performance is the number of stage 2 complaints received and “% of stage 2 complaints upheld”. Complaints escalate to this level when a customer is not happy with the outcome of a stage 1 investigation. Usually a stage 2 complaint will be investigated by a Head of Service. Data for the last few years is shown below:

	2016/17	2017/18	2018/19	2019/20	2020/21
Total	16	16	17	12	39
of which were upheld/ partially upheld	4	3	3	2	12

	2016/17	2017/18	2018/19	2019/20	2021/21
Health and Housing	4	1	1	4	5
of which were upheld/ partially upheld	1	1	0	0	2
Operations	1	5	3	2	6
of which were upheld/ partially upheld	0	1	1	1	2
Planning and Building Control	10	9	10	3	11
of which were upheld/ partially upheld	3	1	2	1	5
Revenues and Benefits	0	1	2	0	16
of which were upheld/ partially upheld	0	0	0	0	3

2.17 Similar to stage 1 complaints there has been an increase in the volume of stage 2 complaints in the past year. We can assume this relates to better recording however this will be kept under review.

2.18 Examples of stage 2 complaints where the Council has accepted some fault include:

- Complaint about waste crew behaviour from a resident (noisy and rude) on several occasions. This was investigated by the Head of Service. The crew were spoken to about behaviours/ perceived behaviours and an apology was issued.
- Damage to property by waste vehicles. This was

acknowledged however there was a delay in fixing repairs by Urbaser. The Head of Service investigated the delay and issued an apology. A settlement was then reached through Urbaser's insurers.

2.19 Where customers remain unhappy after a stage 2 investigation they are able to contact the Local Government and Social Care Ombudsman. In 2020/21 the ombudsman gave a decision on 8 cases raised to them via East Herts residents. Due to Covid much of the Ombudsman's casework was suspended and it was only in the Autumn of 2020 that investigations resumed. Consequently some of the rulings relate to complaints raised in the previous year. At the time of the writing the Ombudsman is investigating a further 4 complaints from East Herts Council residents.

Summary of Complaint	Ombudsman's Decision
<p>Mr X complains the Council refused him a business grant based on its incorrect view that his business was not operating. He has missed out on funding, putting his business at risk.</p>	<p>We find no fault in the Council's decision making process but we find fault in its communications with Mr X.</p> <p>We recommend the Council provide an apology and payment for time and trouble.</p> <p>Mr. X was issued an apology and the sum of £100.</p>
<p>Mr and Mrs X complain about the Council's handling of their neighbour's planning application. They say the Council approved the</p>	<p>We found no fault in the way the Council handled Mr and Mrs X's neighbour's planning application.</p>

<p>application without a full and proper consultation and considering the impact on adjacent properties and the environment.</p>	<p>The process was in line with government and local legislation.</p>
<p>Mr X, disagrees with the Council's decision to only award the council tax single person discount from 2014. Mr X wants the Council to award the discount from 2006.</p>	<p>We will not investigate this complaint about the Council's decision not to backdate the council tax single person discount beyond 2014.</p> <p>This is because the complainant can appeal to the Valuation Tribunal.</p>
<p>Ms X, complains about the Council's handling of queries she raised in connection with its chargeable waste collection service. She says information on its website was unclear and that it could not advise what its policies were in relation to its terms and conditions.</p>	<p>We will not investigate the complaint because the Council has now responded to the queries and there is insufficient evidence of fault and injustice to warrant an investigation.</p>
<p>Mr X, complains the Council has refused to deal with road safety threats to him and other local road users following the building of new houses in his area. He says the additional traffic generated as a</p>	<p>The Ombudsman will not investigate this complaint because an investigation is unlikely to find evidence of fault.</p>

<p>result of the new houses significantly increases the risk of accident and injury at a sub-standard road and junction and that the Council should provide highway mitigation measures.</p>	
<p>Mr X (who represents a number of complainants) says that the Council failed to properly consider a planning application for a development near the complainants' houses.</p>	<p>The Ombudsman will not investigate this complaint because the matter has been considered by a court (via judicial review).</p>
<p>Mr X complains on behalf of a residents' association about the Council's failure to ensure adequate parking spaces on a large housing development.</p> <p>Mr X says because of this, some of the residents of the development park their cars on the streets in the local area, where car parking space is already difficult to find.</p>	<p>On the information seen so far, we should not investigate this complaint further as we are unlikely to find fault or an injustice we can remedy.</p>
<p>Mr X, complains the Council granted his neighbour's application for a certificate of lawful development (CLD) without considering the impact of the development</p>	<p>The Ombudsman will not investigate Mr X's complaint about the Council's handling of his neighbour's application for a certificate of lawful</p>

on his property. He says the development is overbearing and causes loss of light and privacy to his home and garden.	development. This is because it is unlikely we would find fault by the Council.
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2.20 The council complies with all rulings by the Ombudsman and their decisions are published on their website. Their findings are helpful in terms of service development – be it challenging us where the Council may have got it wrong and thus leading us to review our approach or independently validating our decisions to customers. For the 2020/21 year however the Ombudsman has largely found in favour of the Council’s decision making processes.

Community Safety

No

Data Protection

Yes – use of infreemation

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material**Contact Member**

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East Herts Council Report

Overview and Scrutiny Committee

Date of Meeting: 7 September 2021

Report by: Scrutiny Officer

Report title: Overview and Scrutiny – Draft Work Programme 2021/22

Ward(s) affected: All

Summary

- This report considers actions for inclusion in the committee's existing Draft Work Programme and proposes amendments to the ongoing Draft Work Programme.

RECOMMENDATION FOR OVERVIEW AND SCRUTINY COMMITTEE, that:

(A) the main agenda items for the next meeting be agreed;

(B) the proposed Consolidated Work Programme, included at Appendix A, be approved,

1.0 Proposal(s)

1.1 This report sets out a trialled approach to the structure for items for inclusion in the Overview and Scrutiny Work Programme in **Appendix A**. The Appendix is now presented as a single report which takes on board recommendations following the review of Scrutiny by the Centre for Governance and Scrutiny (CfGS), Scrutiny Training in May 2021 provided by Mr David McGrath of Link Services and views supported by the Chief Executive and the Leader on a way forward.

- 1.2 Members may recall that David McGrath suggested that there should be no more than two items on any O&S Agenda so that Members have sufficient time to scrutinise. Additionally he suggested that Members needed to focus on items for inclusion within the context of the Council's Corporate "SEED" Plan. Furthermore, that the Work Programme should be prepared covering a period of a year.
- 1.3 For the September meeting, there is now only one report for consideration by O&S Committee (which is included in the Forward Plan and will be determined by the Executive on 23 November). There is also a Progress Report which focusses on one of the "SEED" Priorities – in this instance, "E" for Enabling Communities. Following consultation with the Chairman a decision was taken for the Head of Service to provide an update report on Hertford Theatre and Hartham Leisure for inclusion in the September agenda.
- 1.4 Members will note that two items for information have been included as a separate agenda item, these are an Update on Economic Development in East Herts and Customer Complaints - Feedback. These are reports of an update in nature and do not have any recommendations to the Executive. These are not for discussion but if at the pre-meeting when Members consider the structure and format of the meeting, Members feel that a recommendation should be made to the Executive, then the key officer / Head of Service will be invited to attend the meeting to provide advice to Members. As the content of the report cut across a number of Portfolios, the Executive was invited to attend the meeting in order to provide further information should this be needed.
- 1.5 Moving forward the Chairman has advised of the need to report to a future meeting on:

Planning – how are we going to improve the service

considering the increase in workload? and, secondly:

Transformation – how are we going to deal with the new way of working, work from home, office requirements, front of house etc?

- 1.6 Both these issues align with the Corporate “SEED” objectives “Digital by Design” in relation to agile working across the organisations (specifically 3a – Agree and agile working Policy with staff and 3b – Agree a business case for creating modern workspaces). Members’ views are sought on including a request for a report to the November meeting of O&S Committee.
- 1.7 Scrutiny committees have the power of influence and are entitled to review and scrutinise the functions of the Council and the decisions of the Executive. The Committee serves as a ‘critical friend’ and is not a decision-making body but can make recommendations to the Executive and who must respond formally to recommendations within a given timeframe.

2.0 Background

- 2.1 The draft agenda items for 2021/22 meetings of Overview and Scrutiny Committee is shown in **Appendix A**. The timing of some items shown may have to change depending on availability of essential data (eg. from central government) external sources and officers.
- 2.2 Members are reminded that for a topic to be valid for Scrutiny it needs to be relevant to the work of the council and impact on a number of residents / or the wider area. In addition, there needs to be evidence, whether readily quantifiable or anecdotal, that this is an issue requiring investigation.
- 2.3 Members are welcome to submit a scrutiny proposal at any time by completing a Scrutiny Proposal Form (Available from

the Scrutiny Officer) which will provide officers with sufficient information to assess it is appropriate for Scrutiny and to ensure their specific questions are addressed. The Scrutiny Officer will then liaise with officers and the Scrutiny Chairman to consider the best way to address the subject and complete a scoping document.

2.4 Members are also asked whether there is any training relevant to scrutiny or to the function and remit of the OS Committee that they wish to suggest.

3.0 Reason(s)

3.1 This report provides an update on the current situation in relation to issues raised by Members.

4.0 Options

4.1 The Work Programme will be kept under review by the committee throughout the coming year. It is worth noting that this is a draft work programme which is continually reviewed and will evolve as the work programme develops triggered by external and internal influences

5.0 Risks

5.1 The establishment of an Overview and Scrutiny Committee is enshrined in the Local Government Act 2000 (section 9). The 2000 Act obliges local authorities to adopt political management systems with a separate Executive. Various sub sections (of the 2000 Act), set out the powers and duties for Overview and Scrutiny Committees including the right to investigate and make recommendations on anything which is the responsibility of the Executive. Legislative provisions can also be found in the Localism Act 2011 (Schedule 2) with options to retain or re-adopt a "committee system" (section 9B).

- 5.2 Potential risks arise for the council if policies and strategies are developed and/or enacted without sufficient scrutiny. Approval of an updated Work Programme contributes to the mitigation of this risk by ensuring key activities of the council are scrutinised.

6.0 Implications/Consultations

- 6.1 Scrutiny is an important part of the local democratic process and represents the interests of residents. It holds the Executive to account on behalf of residents and helps review and improve services and functions run by the Council and its local partners.
- 6.2 The proposed Work Programme has implications for Members' time and the resources of the council devoted to scrutinizing the issues included.

Community Safety

No

Data Protection

No

Equalities

Yes – scrutiny of the services provided eg by registered providers of social housing will investigate how some of the most vulnerable people in the district, including those with protected characteristics, receive housing services.

Environmental Sustainability

Yes – although not subject to a further Task and Finish Group, the proposed Work Programme envisages the Overview and Scrutiny Committee receiving reports on the progress of the council's Environmental and Climate Forum.

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes - scrutiny is enshrined in Statute (the Local Government Act 2000) as amended by the Localism Act 2011.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – Draft Work Programme

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Date	Report title	SEED Priority	Background information	Officer invitee	Portfolio Holder	LT Date
	Overarching SEED theme: Enabling our communities					
7 th September 2021	Tenancy strategy	"E" Enabling our communities	To meet East Herts Council's obligation under the Localism Act 2011 to produce a Tenancy Strategy. The East Herts Tenancy Strategy will provide guidance to registered providers of social housing on the types of tenancies which they should grant in the East Hertfordshire district.	Helen George	Cllr Peter Boylan (<i>Affordable Housing</i>) and Cllr Jonathan Kaye (<i>Resident Engagement</i>)	
	Update on economic development in East Herts		Update only – To be considered by the committee separately unless there are recommendations.	None	None	
	Customer Complaints and Feedback		Update only – To be considered by the committee separately unless there are recommendations.	None	None	
	We invest in our places – 1a. Complete refurbishment of Hartham Leisure Centre 1b. Deliver	"E" Enabling our communities	Scrutiny on progress with the corporate plan.	Jess Khanom-Metaman Ian Sharratt, and Nick Phipps,	Cllr Eric Buckmaster (<i>Leisure and Culture</i>) Cllr Geoff Williamson (<i>Asset Management</i>)	

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	<p>£20m investment in Hertford Theatre</p> <p>1c. Deliver the Castle Park project</p> <p>1d. Deliver the Cultural Strategy</p>					
2 nd November 2021	Housing strategy	“E” Enabling our communities	Refresh of the strategy	Jonathan Geall	Cllr Peter Boylan (<i>Affordable Housing</i>) and Cllr Jonathan Kaye (<i>Resident Engagement</i>)	
	Private Sector Housing Assistance Policy	“E” Enabling our communities	Review of the private sector housing policy to reflect current practices and introduce loans rather than grants.	Paul Thomas-Jones Jonathan Geall	Cllr Peter Boylan (<i>Affordable Housing</i>) and Cllr Jonathan Kaye (<i>Resident Engagement</i>)	

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Overarching SEED theme: Sustainability at the heart of everything we do						
	Community Transport Strategy	"E" Enabling our communities	The current Community Transport Strategy expires at the end of 2021 and a revised strategy is being drafted, reflecting on the progress made and taking forward learning from the last three years of delivering the strategy.	Nick Phipps	Cllr Graham McAndrew (<i>Community Transport</i>)	
	Performance Report for Q1 & Q2 or 2021/22		Update only – To be considered by the committee separately unless there are recommendations.	None	None	
	Communications report		Update only – To be considered by the committee separately unless there are recommendations.	None	None	
	We will make changes to how the council manages its own premises, people and services – 1a. Train council staff and councillors on carbon	"E" Enabling our communities	Scrutiny on progress with the corporate plan.	Jess Khanom-Metaman	Cllr Eric Buckmaster (<i>Leisure and Culture</i>) Cllr Graham McAndrew (<i>Climate Change and Air Quality</i>)	

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	<p>neutrality and sustainability</p> <p>1b. Complete redevelopment of Grange Paddocks Leisure Centre, Bishop's Stortford and in doing so reduce the building's carbon emissions by at least 18%, that is, 93 tonnes of CO2</p> <p>1c. Reduce the number of fossil-fuelled vehicles in the council's fleet</p>					
	Parks and Open Space Strategy			Ian Sharratt	Cllr Eric Buckmaster <i>(Leisure and Culture)</i>	

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18 January 2022	1a. Deliver the Millstream Property Investment Ltd's Business Plan	Encouraging Economic Growth	Develop new sources of income / deliver Millstream Property Investment Ltd's Business Plan We will support businesses and town centres with post Covid recovery	Geoff Hayden	Cllr Williamson (Financial Sustainability - Asset Management)	
	2a. Deliver the ERDF Launchpad 2 project			Ben Wood	Cllr Williamson (Financial Sustainability – Asset Management)	
	2b. Work in partnership to support recovery of town centres and deploy 'Welcome Back' funding					
	2c. Deliver the Jobsmart employment support programme			Ben Wood	Cllr Williamson (Financial Sustainability – Asset Management)	
	2d. Continue to support administration of businesses grants			Su Tarran	Cllr Williamson (Financial Sustainability – Asset Management)	

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	<p>3a. Support the Herts Growth Board with presenting a case for additional infrastructure investment in Hertfordshire</p> <p>3b. Complete construction of the multi-story car park on the Old River Lane site</p> <p>3c. Deliver an SPD and Masterplan for the Old River Lane site</p> <p>3d. Delivery of the strategic sites allocated in the District Plan in accordance</p>	<p>“E” Encouraging Economic Growth</p>	<p>We will create viable places</p> <p>We will create viable places</p> <p>We will create viable places</p> <p>We will create viable places</p>	<p>Sara Saunders</p> <p>Rob Mayo</p> <p>Sara Saunders</p> <p>Sara Saunders</p>	<p>Chief Executive The Leader</p> <p>Cllr Goodeve (Planning and Growth)</p> <p>Cllr Goodeve (Planning and Growth)</p> <p>Cllr Goodeve (Planning and Growth)</p>	

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	with the housing trajectory.					
22 March 2022	4a/b – Supporting vaccination centres and the national and county-wide effort (– deadline 31 March 2022)	“E” Enabling - keeping Communities safe	Keeping Communities safe	Jonathan Geall	Cllr Buckmaster (Wellbeing)	
	4c – Provision of Covid Marshals in town centres, neighbourhood shopping and green spaces - deadline 30 June 2021)	“E” Enabling – keeping Communities safe	Keeping Communities safe	Jonathan Geall	Cllr Buckmaster (Wellbeing)	
	3a – Relaunch the East Herts Health Hub to promote easier access to health and wellbeing advice and support - 30 June 2021)	“E” Enabling – keeping Communities safe	Keeping Communities safe	Jonathan Geall	Cllr Buckmaster (Wellbeing)	

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	3b – Run a food waste minimisation publicity campaign - Deadline 30 Sept 2021	“S” – Sustainability –	Supporting and influencing Sustainability	Jess Khanom-Metaman	Cllr Mc Andrew (Sustainability)	
	2a – Grow our digital communications channels (Instagram, Twitter, Facebook and Linked in) Comms Manager Deadline 31 March 2022)	“D” Digital by Default	Improving the customer experience for those who use our services and working with partners to ensure our communities are digitally enabled.	Ben Wood	Cllr Cutting (Corporate Svs)	

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26 April 2022	<p>Carbon Reduction</p> <p>1a. Train council staff and councillors on carbon neutrality and sustainability</p> <p>1c Reduce the number of fossil-fuelled vehicles in the council's fleet</p> <p>2b Facilitate moves toward more e-taxis in the district</p>	"S" – Sustainability	<p>We will make changes to how the council manages its own premises, people and services</p> <p>We will use our regulatory powers to promote action by others</p>	<p>David Thorogood Jonathan Geall</p> <p>David Thorogood Jonathan Geall</p>	<p>Cllr McAndrews (Sustainability)</p> <p>Cllr McAndrew (Sustainability)</p>	
June 2022	RIPA - Update report		Note: Annual reports were requested	Head of Legal and Democratic Services	Cllr Cutting	

Forward plan items (And Questions to be provided in advance, with scope for further questions as a result of answers given on the night)					
<p>Date to be agreed</p> <p>Put forward by the Chairman and Vice Chairman</p>	<p>Transformation</p> <p>3a – Agree and agile working Policy with staff and</p> <p>3b – Agree a business case for creating modern workspaces).</p>	<p>“Design by Default”</p>	<p>How we are going to deal with the new way of working, work from home, office requirements, front of house etc</p>	<p>Steven Linnett</p>	
<p>Date to be agreed</p> <p>Put forward by the Chairman and Vice Chairman</p>	<p>Planning</p> <p>1a - Improving the customer experience for those who use our services and working with partners to ensure our</p>	<p>“Design by Default”</p>	<p>How we are going to improve the [planning] service, considering the increase in work load?</p>	<p>Sara Saunders</p>	<p>Note: At a previous meeting of O&S a further update report was requested in February 2022 following changes to how enforcement cases were categorised given the increasing number of cases in East Herts.</p>

	communities are digitally enabled.				

Last updated 18 august 2021

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