

	<h2>Environment Committee</h2> <h3>28<sup>th</sup> November 2018</h3>
<p style="text-align: right;"><b>Title</b></p>	<p><b>Business Planning 2019-2024</b></p>
<p><b>Report of</b></p>	<p>Chairman of Environment Committee</p>
<p><b>Wards</b></p>	<p>All</p>
<p><b>Status</b></p>	<p>Public</p>
<p><b>Urgent</b></p>	<p>No</p>
<p><b>Key</b></p>	<p>Yes</p>
<p><b>Enclosures</b></p>	<p>Appendix A: Draft Corporate Plan “Barnet 2024”  Appendix B: Additional Priorities and Approach to Delivery  Appendix C: Medium Term Financial Strategy (MTFS) and Savings Proposals for Committee  Appendix D: Garden Waste Collection</p>
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## Summary

The development of the council’s Corporate Plan and Medium Term Financial Strategy (MTFS) have been aligned to cover the next five years (2019-2024). This paper sets out the priorities for the Environment Committee that form part of the corporate plan, as well as Environment Committee specific priorities for the next five years. It also sets out the allocated budget for the committee and how it will meet its financial targets. The indicative savings proposals for Environment Committee for 2019-2024 are £15.1m.

The budget projections through to 2024 are indicative figures. The budget will be formally agreed each year as part of the council budget and council tax setting process, and therefore could be subject to change.

A final budget will be considered by Policy and Resources Committee on 20 February 2019 before being recommended to Council on 5 March 2019. The final Corporate Plan will be

published following this.

## **Officers Recommendations**

- 1. That the Environment Committee consider the corporate priorities (Appendix A); and the additional priorities and approach to delivery for this as set out in Appendix B for referral to Policy and Resources Committee.**
- 2. That the committee approve the additional committee priorities as set out in Appendix B.**
- 3. That the Environment Committee consider the MTFs proposals that relate to the committee as set out in Appendix C after having considered the initial equalities impacts and refer their comments to Policy and Resources Committee for eventual decision by Council.**
- 4. That the Environment Committee consider the savings proposals for the financial year 2019/20 as set out in Appendix C, subject to the initial equalities impacts, and refer them to Policy and Resources Committee for consultation and eventual decision by Council.**
- 5. That the Environment Committee approve the launch of a public consultation regarding the introduction of charging for the collection of domestic garden waste.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 This report is required as part of the business planning process in order to enable the consideration of the priorities for Environment Committee up to 2024. The report sets out the financial position of the council and, specifically, the context for Environment Committee. The report seeks Environment Committee consideration of the savings programme that relate specifically to the committee, as set out in Appendix C, to be recommended to Policy and Resources Committee.

### **2. STRATEGIC CONTEXT**

- 2.1 The council wants to create successful places, achieve great outcomes, deliver quality services and develop resilient communities. But, like all councils, it faces an increasingly difficult financial challenge, with funding sources not keeping pace with demand and uncertainty about how services will be funded in the future.
- 2.2 The council has successfully risen to its financial challenges thus far, evidenced by delivering savings in excess of £155m since 2010. It was highlighted at the June 2018 Policy and Resources Committee that the council faced difficulty in balancing the in-year position with a forecast overspend of £9.5m. Since then, hard work has resulted in this being reduced, however, there is still some way to go to fully balance.

- 2.3 Looking forward, it is anticipated that these challenges will continue. Through refreshing the council's Medium-term Financial Strategy (MTFS), the organisation now faces an anticipated budget gap of £69.9m to 2023/24. This includes the savings of £17.3m already identified for 2019-20, plus a further gap of £52.6m to 2023/24.
- 2.4 To address that gap, the council will need to make some tough decisions about priorities and how limited funds are spent. This may mean that the council stops doing some things or does them in very different ways, as well as looking at how it can find opportunities to generate more income.
- 2.5 Despite the challenges, the council is ambitious for Barnet and the people that live and work here. During this time of significant challenge, the council has seen levels of resident satisfaction remain high both in terms of satisfaction with the council as well as with the range of local services. The latest Residents' Perception Survey (Autumn 2017) indicates that 85 per cent of residents are satisfied with Barnet as a place to live and 65 per cent feel that the council is doing a good job.
- 2.6 The council must now prioritise its limited resources effectively and develop plans for the next five years to deliver both statutory duties and ambitions for Barnet within these financial constraints. The council wants to ensure residents get a fair deal by maximising opportunities, sharing responsibilities with the community and partners, and working effectively and efficiently.
- 2.7 To ensure the council has a plan that reflects local priorities, as well as a financial strategy that will support a financially sustainable position, the development of the Corporate Plan and MTFS have been aligned to cover the next five years (2019-to 2024). This will help to ensure that we have a medium-term plan of how we will allocate our limited resources in line with what we want to achieve for the borough. The priorities within the Corporate Plan will be approved by Policy and Resources Committee on 11 December for referral to Council.
- 2.8 The Corporate Plan, known as Barnet 2024, is being refreshed to reflect the priorities of the new administration who were elected in May 2018, and resident feedback on what matters. Feedback has been captured through public consultation and engagement, which took place over the summer of 2018. The Corporate Plan, Barnet 2024, will set the strategic direction of the council, including outcomes for the borough, the priorities we will focus limited resources on, and how we will approach delivery.
- 2.9 The three outcomes for the borough focus on place, people and communities:
- A pleasant, well maintained borough that we protect and invest in
  - Our residents live happy, healthy, independent lives with the most vulnerable protected
  - Safe and strong communities where people get along well

The full list of corporate priorities for the next five years that support these outcomes, and the approach to delivery, can be seen in Appendix A.

- 2.10 To support delivery of the outcomes in the Corporate Plan, Barnet 2024, Environment Committee will be responsible for delivering any corporate priorities that fall within its remit, as well as any additional priorities that relate to matters Environment Committee is responsible for under the Terms of Reference.
- 2.11 These priorities will inform an annual Environment Committee delivery plan which will set out the key activities, performance indicators / targets, and risks in relation to the corporate and committee priorities. Delivery plans will be approved by Environment Committee in early 2019 and will be refreshed on an annual basis.
- 2.12 The corporate priorities relevant to Environment Committee, the additional priorities identified for approval, and the strategic approach to delivery can be seen in Appendix B.

#### Environment Committee Savings

- 2.13 To help address the budget gap between 2019 and 2024, indicative savings proposals have been identified for Environment Committee. The full range of savings and / or income generation proposals within Environment Committee's area of responsibility can be seen in Appendix C.

#### Savings Programme 2015 - 2020

- 2.14 In November 2014, Environment Committee approved a five-year commissioning plan and, again in March 2015, indicative proposals for achieving savings by 2019/20. The commissioning plan and savings programme set out the strategic priorities, commissioning intentions, and indicative savings proposals up to 2019/20. These proposals have been amended on an annual basis, with the current plan approved by the Environment Committee in November 2017.
- 2.15 The table below illustrates the adjustments to these savings proposals, highlighting the movements between the 2018/19 approved version and revised recommended savings programme for the final year of the Medium-term Financial Strategy.

ID	Description / Explanation	Savings £,000		
		2019/20	2020/21	Total
R2	<p><b>Street Scene – Revised Waste Offer to Increase Recycling:</b></p> <p>Original Saving: Additional work is being undertaken with managing agents in regard to improving recycling rates in flats.</p> <p>Current Status: To be removed following Environment Committee resolution in June 2018 to maintain weekly refuse collections. As such,</p>	900	0	<b>900</b>

	alternative provision is now required.			
R4	<b>Street Scene – Additional Savings from 2018/19:</b> Full year affect agreed by Members on 5 <sup>th</sup> June in addition to those set out in the November Environment Committee papers relating to parks and open space and fees and charges (see section 8.5 below).	(200)	0	<b>(200)</b>
R5	<b>Street Scene – New saving; contributes to R2 recovery plan:</b> Chargeable domestic garden waste collection, if approved following public consultation, as set out in recommendations 3.	(550)	(150)	<b>(700)</b>
<b>Net Movement</b>		(750)	(150)	<b>0</b>

2.16 Over the period 2019/20 it is envisaged that the savings proposed will be fully delivered.

2.17 The proposal for garden waste is contained in Appendix D.

#### Savings Programme 2019 - 2024

2.18 Environment Committee are being asked to approve the new commissioning plan and savings programme for the next five years; which set out the strategic priorities, commissioning intentions, and indicative savings proposals up to 2023/24.

2.19 The total savings target for Environment Committee for 2019/20 is £4.9m. Appendix C sets out the savings proposals for Environment Committee up to 2023/24.

#### Environment Committee Budget

2.20 The Committee's budget for 2018/19 is £40.51m. The estimated budget for 2019/20 is £35.58m; after taking into account savings proposals of £4.93m.

### **3. REASONS FOR RECOMMENDATIONS**

3.1 Local Government as a whole continues to face significant reductions in funding and increased demand for services, as set out in the above context. These challenges require continual longer term, robust financial and strategic planning and the recommendations in this report support this.

3.2 By law, the council is required to set a legal, balanced budget. These proposals are the best way of doing that by meeting financial targets and delivering outcomes and ambitions for Barnet.

#### **4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 4.1 The alternative option is not to approve the MTFFS and the additional priorities. This, however, is not considered to be good practice and may expose the council to the risk of not achieving the savings targets. It is considered by officers that these savings proposals are the most effective and efficient savings proposals.

#### **5. POST DECISION IMPLEMENTATION**

- 5.1 As part of recommendation 1 and 2, plans will be developed to deliver the Environment Committee priorities as listed in Appendix B.
- 5.2 If Environment Committee approves recommendation 3 and 4 made by this report, then the savings proposals will be referred to Policy and Resources Committee on 11 December as part of the MTFFS. The saving proposals for the next financial year will then be consulted upon and if approved by Policy and Resources Committee will then be referred to Council for final decision.
- 5.3 The removal from the MTFFS of R2 “Street Scene – Revised Waste Offer to Increase Recycling” and the inclusion of its anticipated replacement, R5 “Chargeable Garden Waste”, will result in the need for a public consultation. This consultation would start in December 2018 / January 2019 and the findings and recommendations will be reported back to the Environment Committee in March 2019.

#### **6. IMPLICATIONS OF DECISION**

##### **6.1 Corporate Priorities and Performance**

- 6.1.1 The council’s corporate plan, which sets out the outcomes, priorities and approach, has been refreshed for 2019 to 2024, alongside the Medium Term Financial Strategy for the same period. The updated corporate priorities can be seen in Appendix A. Committees may also have specific additional priorities they will deliver alongside this. The performance indicators / targets for the corporate and committee priorities will be updated in early 2019 as part of the theme committee delivery plans.

##### **6.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 6.2.1 The Environment Committee savings programme will enable the council to meet its savings target as set out in the MTFFS. These budgets will be formally agreed each year, and individual proposals will be subject to appropriate consultation and equality impact assessments where necessary. For this reason, the proposals are subject to change.

##### **6.3 Social Value**

- 6.3.1 The Public Services (Social Value) Act 2012 requires people who commission public

services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

#### **6.4 Legal and Constitutional References**

- 6.4.1 Section 151 of the Local Government Act 1972 states that: “without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. Section 111 of the Local Government Act 1972, relates to the subsidiary powers of local authorities.
- 6.4.2 Section 31A of the Local Government Finance Act 1992 requires billing authorities to calculate their council tax requirements in accordance with the prescribed requirements of that section. This requires consideration of the authority’s estimated revenue expenditure for the year in order to perform its functions, allowances for contingencies in accordance with proper practices, financial reserves and amounts required to be transferred from general fund to collection fund.
- 6.4.3 Local authorities owe a fiduciary duty to council tax payers, which means it must consider the prudent use of resources, including control of expenditure, financial prudence in the short and long term, the need to strike a fair balance between the interests of council tax payers and ratepayers and the community’s interest in adequate and efficient services and the need to act in good faith in relation to compliance with statutory duties and exercising statutory powers.
- 6.4.4 These proposals will be referred to Policy and Resources Committee, consulted on, and if approved by policy and Resources Committee referred on to Council so that Council can approve the budget envelope and set the Council Tax. There will be contingencies within the budget envelope so that decision makers have some flexibility should any decisions have detrimental equalities impacts that cannot be mitigated.
- 6.4.5 All proposals emerging from the business planning process will need to be considered in terms of the council’s legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010). All proposals are already, or will be, subject to separate detailed project plans and reports to committee. The detailed legal implications of these proposals are included in those reports, which will have to be considered by the committee when making the individual decisions.
- 6.4.6 The Council’s Constitution (Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees.
- 6.4.7 All proposals emerging from the business planning process will need to be considered in terms of the council’s legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010).

The council can charge for the collection of garden waste under Schedule 1 Household, industrial and commercial waste of the Controlled Waste (England and

Wales) Regulations 2012/811.

## 6.5 Risk Management

- 6.5.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. Risks associated with the saving proposals will be outlined within the Theme Committee reports as each proposal is brought forward for the Committee to consider.
- 6.5.2 An integral part of the Theme Committee delivery plans will be identifying any risks to delivering the corporate or committee priorities and key activities.
- 6.5.3 Risks will be reviewed quarterly (as a minimum) and any high-level risks will be reported to the relevant Theme Committee and P&R Committee.

## 6.6 Equalities and Diversity

- 6.6.1 Equality and diversity issues are a mandatory consideration in the decision-making of the council.
- 6.6.2 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. A lot of proposals are in formative stages, so the equality impacts will need to be updated as the projects are rolled out. Many of these proposals will need to be subject to separate decisions and at this stage the decision maker will need to be equipped with an updated equality impact assessment before they can make their decision. Consideration of the duties should precede the decision. It is important that Environment Committee has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

*A public authority must, in the exercise of its functions, have due regard to the need to:*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

*Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:*

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is*

*disproportionately low.*

*The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*

*Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:*

- (a) Tackle prejudice, and*
- (b) Promote understanding.*

*Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:*

- Age*
- Disability*
- Gender reassignment*
- Pregnancy and maternity*
- Race,*
- Religion or belief*
- Sex*
- Sexual orientation*
- Marriage and Civil partnership*

6.6.3 If deemed appropriate, a project may be subject to future individual committee decisions once the budget envelope has been set by Council. The equality impacts will be updated for these decisions. As an alternative to agreeing any of the proposals, the committee would have the option of maintaining the current level of services; however this will impact on the proposed budget.

## **6.7 Corporate Parenting**

6.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the council does.

## **6.8 Consultation and Engagement**

6.8.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

- Where there is a statutory requirement in the relevant legislative framework
- Where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy

- Exceptionally, where the matter is so important that there is a legitimate expectation of consultation
- Where consultation is required to complete an equalities impact assessment.

6.8.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

- Comments are genuinely invited at the formative stage
- The consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
- There is adequate time given to the consultees to consider the proposals
- There is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision
- The degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
- Where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

6.8.3 Public consultation and engagement on the Corporate Plan took place between 16 July 2018 and 23 September 2018. The findings from this have been considered and incorporated into the draft document.

6.8.4 A total of 287 questionnaires were completed and 141 residents attended the three Question Time Leader led events.

6.8.5 Key headlines from the consultation are as follows:

- A clear majority of those responding to the questionnaire agree with all the outcomes the council is proposing to focus on for the next five years, with around nine out of ten respondents (90%) agreeing with each of the councils proposed outcomes.
- There was a similar level of agreement for the priorities set out under each outcome, with 80-90% of respondents agreeing with each of the priorities. The one exception to this was 'Delivering on our major regeneration schemes' where six out of ten agreed.
- Around 80% also agreed with the approach the council has outlined to deliver its outcomes over the next five years.
- When residents were asked to comment further, the main feedback was that they wanted more detail on how the priorities would be delivered and funded. This has

resulted in more detail around the strategic approach to delivery being included in the draft corporate plan.

- Further comments on the outcomes, priorities and approach were very varied, the most common themes were around; street cleansing, tackling enviro-crime and anti-social behaviour, improving air quality and investing in sustainable transport methods.
- Comments on our approach related to outsourcing of services, robust management of contract and service delivery arrangements and a commitment to remaining transparent in our work. There was also a clear theme around how we balance our council tax rates with being able to deliver services.
- This feedback has now been incorporated and reflected in the draft plan.

6.8.6 Public consultation with residents and businesses on the overall budget for 2019-2024 will commence on 12 December 2018 subject to agreement from the P&R Committee on 11 December 2018. The final budget will then be recommended to P&R Committee on 20 February 2019 ahead of final approval at Full Council on the 5 March 2019.

6.8.7 In terms of service specific consultations, the council has a duty to consult with residents and service users in a number of different situations including proposals to significantly vary, reduce or withdraw services. Consultation is also needed in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equality duties, where there is a legitimate expectation or legislative requirement to consult. Service specific consultations will take place where necessary in line with timescales for any changes to be implemented.

6.8.8 Where appropriate, separate service specific consultations have already taken place or will be taking place for the 2019/20 savings.

**Garden Waste Collection:** Members are asked to approve public consultation on proposed changes to the garden waste collection service to enable £700k savings by 2021. The consultation would start in December 2018 / January 2019 and the findings, equality impact assessment and recommendations be reported back to the Environment Committee in March 2019.

## 7. INSIGHT

7.1 There are no insight implications at this time.

## 8 BACKGROUND PAPERS

8.1 Appendix A: Corporate Plan

8.2 Appendix B: Additional Priorities and Approach to Delivery

8.3 Appendix C: MTFs and Savings Proposals for Committee

8.4 Appendix D: Garden Waste Collection

8.5 Business Planning annual report to Environment Committee on 07/11/17:  
<http://barnet.moderngov.co.uk/documents/s43100/Business%20Planning%20201819%20201920.pdf>

8.6 Street Scene Operational Changes report to Environment Committee on 05/06/18:  
<http://barnet.moderngov.co.uk/documents/s46541/Street%20Scene%20Operational%20Changes%202018-19.pdf>

8.7 Review of Borough Advertising report to Environment Committee on 13/09/18  
<http://barnet.moderngov.co.uk/documents/s48476/Review%20of%20the%20Boroughs%20Advertising%20agreements%20future%20advertising%20asset%20sponsorship.pdf>