

<p>ARE</p> 	<p>Environment Committee 25 November 2020</p>
<p style="text-align: center;">Title</p>	<p>Business Planning 2020-25 and Fees & Charges for 2021/22</p>
<p style="text-align: center;">Report of</p>	<p>Chairman of the Environment Committee</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Urgent</p>	<p>No</p>
<p style="text-align: center;">Key</p>	<p>Yes</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix A – Medium Term Financial Strategy (MTFS) and Savings Proposals for Committee Appendix B – Environment Fees & Charges 2021/22 – To Follow</p>
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<p>Summary</p>
<p>A Business Planning report was agreed by Policy and Resources Committee on 24th September 2020 outlining the council's updated Medium-Term Financial Strategy (MTFS) to 2024/25 and the future financial challenges facing the council.</p> <p>Policy and Resources Committee also agreed the process whereby Theme Committees will consider the response to this challenge in November, by considering savings proposals to balance the council's budget (the same process as used in previous years). The paper sets out the estimated savings requirements across Theme Committees for the period 2020-25.</p> <p>Since then, and taking account of the emerging national and local situation with the Covid pandemic, work has continued on the MTFS as a whole and concentrating specifically on the budget for 2021/22.</p>

The savings for 2020/21 approved last year have been reviewed for deliverability now and any implications for future years. The Business Plan has been revised to reflect the consideration of previous savings and additional savings which this report identifies.

Following the review of the savings agreed last year and additional savings which are now possible this report asks the Committee to agree to the revenue savings proposals in Appendix A and recommend them to Policy and Resources Committee in December.

The report also asks Environment Committee to note the changes to the fees and charges for 2021/22 to support the Environment Business Plan, and the delivery of front line service within the Environment Directorate.

The outcomes of all theme committee discussions will go forward as recommendations to Policy and Resources Committee in December 2020. The budget will be formally agreed each year, after appropriate consultation and equality impact assessments, as part of Council budget setting, and therefore could be subject to change.

Officers Recommendations

1. That the Environment Committee consider the MTFS proposals that relate to the committee as set out in Appendix A after having considered the initial equalities impacts and refer these recommendations to Policy and Resources Committee for decision.
2. That the Environment Committee notes the changes to the fees and charges 2021/22 as set out in Appendix B, which will be included in the budget proposals submitted to the Policy and Resources Committee.

1. WHY THIS REPORT IS NEEDED

1.1 This report is required as part of the Council's annual business planning process.

1.2 This includes the review of:

- Savings proposals within the Environment Committee's authority so they can then be recommended to Policy and Resources Committee to set a balanced budget for 2021/22 and contribute to the MTFS savings 2022/23 – 2024/25;
- Proposed changes to Fees and Charges 2021/22, which will be included in the budget proposals submitted to Policy and Resources Committee.

2. STRATEGIC CONTEXT

2.1 Background to 2021/22 Business Planning

2.1.1 The Council has a statutory duty to set a balanced budget for the coming financial year and uses the Medium-Term Financial Strategy (MTFS) to estimate the budget position for the following three years. Savings proposals for future years should be identified via an ongoing process and proposed to Committee. Savings proposals for all years are proposed through Theme committees, then Policy and Resources Committee, and the Full Council in March to be approved.

2.1.2 Between 2010/11 to 2020/21, the Council successfully identified savings proposals totalling c.£191m. In early March 2020, Full Council were presented and approved an estimated budget gap of £36.830m between 2021/22 to 2024/25. Accompanying this were savings proposals of £17.572m.

2.2 Approach to MTFS 2021-25

2.2.1 In June 2020, Policy and Resources Committee were presented with an update on the impacts of Covid and an introduction to the 2021/22 to 2024/25 MTFS process. A more detailed update on the MTFS was presented to September Policy and Resources committee with a revised budget gap and proposed savings identified to date. That report also included a recommendation for saving proposals to be presented to the relevant Theme committees in November for consideration.

2.2.2 Due to the challenges facing the council's services arising from the pandemic, and the uncertainty in the future trajectory of key budget areas (e.g. adult social care demand, on and off street parking, and the local economic outlook) a modified approach for the MTFS for 2021/22 to 2024/25 was proposed in October 2020. This will:

- a. Defer decisions on long-term funding for service pressures in 2021/22 until the likely future requirement is known with more certainty. Short term funding sources can be used (such as appropriate earmarked reserves) until longer-term service needs are clearer.
- b. The most severe pressure at present time is the continued financial shortfall for the parking service;
- c. Prioritise finalising savings proposals to balance the revised 2021/22 budget gap;
- d. Continue, where possible, to identify and progress savings initiatives for 2022/23 to 2024/25.

2.2.3 In a situation of considerable uncertainty, this approach will prioritise balancing the 2021/22 budget with robust savings proposals without losing sight of the medium term financial outlook to 2024/25.

2.3 MTF5 November Summary

2.3.1 As at November, the estimated budget gap between 2021/22 to 2024/25 is now £53.380m. Taking this revised budget gap with proposed savings to date, the shortfall to balancing 2021/22 and 2022/23 to 2024/25 is set out in the table below.

MTFS Summary	2021/22 £'m	2022/23 £'m	2023/24 £'m	2024/25 £'m	Total £'m
September Policy and Resources Budget Gap	27.272	18.017	9.961	6.035	61.285
Further revisions to the budget and service pressures since September	(12.192)	1.410	0.086	2.395	(8.301)
Revised Budget Gap at November	15.080	19.427	10.047	8.430	52.984
Savings Identified to date	(11.190)	(8.748)	(9.646)	(7.718)	(37.302)
Shortfall / (Surplus) to Balanced Budget	3.890	10.679	0.401	0.712	15.682

2.4 Committee Context

2.4.1 2020/21 has set some unprecedented challenges for the Environment Directorate as it responded to the Covid 19 pandemic.

- Waste services continued throughout the period with only minor changes due to the resilience and professional attitude of our staff.
- Parking enforcement was suspended during lockdown with a significant loss of on and off street Parking Revenue.
- Special arrangements were made for parking for NHS and other critical staff
- Parking enforcement staff were redeployed to support social distancing in our parks which saw an incredible increase in use during this period.
- The increased park usage led to challenges for litter clearance and the suspension of access to play and outdoor facilities.
- Basic highways maintenance continued throughout to ensure safety on roads and pavements whilst some projects were suspended due to the freezing of LIP funding from TfL.
- Some Highways staff were redeployed to assist with Government funded initiatives for Social distancing in Town Centres, School Streets and the development of temporary cycling facilities.
- Cemeteries, Crematoria and Mortuary capacity were stretched across the whole service and a project to build additional burial facilities was fast tracked to enable rapid completion.

2.4.2 Meanwhile the Environment team have been assessing the possible future impacts of the pandemic on the whole range of their services. Emerging issues for the service are noted below;

- The ongoing impact of changes to work and commuting behaviours on the level of parking demand and on and off street revenues. Early indications would suggest a new level of demand that is materially lower than previous levels. Before the November 2020 lockdown paid on street parking was 75% of previous levels at its peak, with much lower levels also seen. There is uncertainty over the timing and likelihood of a full recovery. An in depth and comprehensive review of parking policy and future direction for the service is underway. The decision has been taken not to recognise the service pressure in 21/22. However, the service is working to find ways to help with the financial shortfall which is reflected in the savings noted in appendix A.
- The decision to suspend TfL LIP funding has had a significant impact on the Environment directorates ability to continue to support small to medium improvement schemes, this funding also provided for a number of key services including Disabled Bay parking facilities and School Crossing Patrols which had to be funded from elsewhere. Following the recent settlement by TfL with Central Government we have now been informed that LIP funding has been reinstated for the balance of this year and so we are looking to reinstate a number of schemes. However, at this point it is not clear what the position will be for future years funding.

2.4.3 Barnet is often characterised by its greenspace and during the peak of the pandemic, access to and the provision offered within our parks and open spaces was a key enabler in supporting the health and wellbeing of our residents. Parks and open spaces improve our physical and mental wellbeing, strengthen our communities and can make our neighbourhoods more attractive places to live and work. This is evident in the very high usage of the recently delivered schemes at Montrose Playing Fields, Silkstream Valley, Victoria Recreation Ground and Victoria Park which demonstrates that the social, environmental, economic and health benefits to the community are significant.

2.4.4 In recognising this value, masterplan proposals continue to be developed for West Hendon Playing Fields, Barnet Playing Fields, Copthall Sports Hub, Heybourne Park, Colindale Park and Rushgrove Park, with individual business cases for investment to be brought forward at a future date.

2.4.5 We are embarking on a journey to consider sustainability and to integrate policies and practices across the council to improve the environment. This will build on central government's work on green recovery and the environment bill. Our Tree Planting Programme and the value of Barnet's Natural Capital Account (a methodology for recognising the value of our parks) will play a key role within the development of this workstream.

2.4.6 Building on the considerable success of the charged for Green Waste service (which has the highest take up rate in London), we will use the additional funding to embark on delivering a much improved Street Cleansing programme with area based teams responding more locally to residents, area committees and ward members. We are also planning new initiatives to reduce fly tipping and to grow our service to Trade Waste customers.

2.5 Environment Committee Savings

2.5.1 To achieve a balanced budget in 2021/22 and to meet the MTFs savings 2022/23 to 2024/25, indicative savings proposals have been identified for Environment Committee. Environment Committee are being asked to consider the savings programme for the next four years. The full range of savings and / or income generation proposals within Environment Committee's area of responsibility can be seen in Appendix A, these total £6.558m.

2.5.2 Appendix A covers the MTFs period 2021/22 to 2024/25. We are focussing on 2021/22 savings and the principle areas of savings are;

- Parking – acceleration of CPZ programme and expansion of scope and funding to bring in more areas where there are requests and/or anticipated need and traffic management obligations. This will potentially see additional income generated which may aid in offsetting some of the unchanged operational costs of existing areas of control (including car parks) which have seen lower income generation than usual as a result of COVID-19.
- Green Waste – the green waste charging project has been more successful than we had originally anticipated which has enabled us to expand the street cleaning service. The additional surplus generated in 2020/21 which was not previously in the MTFs has been carried forward in to 2021/22. For commercial waste the current focus in year is to recover the impact of the Covid 19 pandemic on income generation with the view to further income growth in future financial years.
- Street Lighting – explore the possibility of the flexible control mechanism that is installed in the new lighting to identify where additional optimisation opportunities exist.

2.6 Fees & Charges for 2021/22

2.6.1 Fees and charges are reviewed on an annual basis to ensure that the costs of chargeable services are covered and the Council is achieving value for money. Appendix B sets out the new and changed fees and charges for 2021/22 for services within the Environment Directorate.

2.6.2 The CPI forecast built into the MTFs for 21/22 is 1.3% based on the Office Budget Responsibility (OBR) update in July 2020. Therefore, where fees and charges have increased in line with inflation the rate used is 1.3%.

2.6.3 A number of new fees and charges are proposed which require approval from Environment Committee. For example, an annual license for tennis coaching and fitness instructors using Barnet's parks and greenspaces.

2.6.4 The general principles that have been applied to the fees and charges for 2020/21 is as per the table below:

Service	Fees and Charges - brief description of changes
Parking	No changes are being made to the fees and charges published in 2020/21
Greenspaces	Increase in line with inflation
Street Scene	Apart from new charges and where no increases have taken place all other charges are increased in line with inflation
Street Lighting, DLO & EV Charging	No changes are being made to the fees and charges published in 2020/21. This is due to the charges for Banners being within a range depending on the specific requirements of each request. For the proposed EV charges this is also within a range with a maximum charge of £0.34 per kilowatt hour.
Cemetery and Crematorium	Increase in line with inflation; in some cases this is less due to rounding, where applicable these fees and charges will also be charged at Milesplit Cemetery.
Highways	All existing Fees and Charges are increased in line with inflation, other than where it is due to either (a) the charge being statutory and as such is not subject to inflation, (b) where a new charge has been added, (c) a few charges have been removed as they are no longer required.
Trading Standards and Licensing	All existing Fees and Charges are increased in line with inflation, other than those which are statutory and as such is not subject to inflation
Environmental Health	All existing Fees and Charges are increased in line with inflation, other than where it is due to either (a) the charge being statutory and as such is not subject to inflation, (b) food safety training courses have remained the same due to market rate for these products or (c)

	increased higher than inflation to reflect that the cost of delivering the service was not reflected in the previous charges.
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2.7 Recovery Plan

2.7.1 The Covid-19 pandemic provides an extremely challenging situation for Barnet, its residents and the wider borough. In response to the pandemic, the council had to focus on critical services, including a number of new services to directly respond to the needs of residents.

2.7.2 As lockdown restrictions eased, the council then moved to focusing on recovery, initially around a framework of deciding which services to restore in their previous form, which to retain from the lockdown and which to re-invent by bringing back in a new way. A programme of recovery planning has been set up to co-ordinate this process and deal with the challenges that recovery will bring for the council, the borough and its residents. This committee will contribute to the Clean, Safe and Well Run workstream, Family Friendly workstream and Thriving workstream.

2.7.3 All Environment services have now recommenced, however some services within Re Highways have not returned to the same business as usual pre Covid.

- The Local Implementation Plan funding from TfL which was suspended has just been reinstated for the balance of this year (as noted in above).
- The majority of projects and other activities have resumed, including work on the MTFS projects.
- However some partners, operators etc have been affected which impacts our projects. For example, the Advertising market is still hugely impacted by the effects of COVID-19 and all providers we are dealing with are not anticipating any recovery until next financial year.
- The additional £500k invested in Street Cleansing in 18/19 has been maintained for 19/20 and a further £600k investment is being made into this service to enhance borough cleanliness and will carry through to 2021/22.
- Parking enforcement fully recommenced on 8 June 2020, revenue recovery is being monitored but is still lower than before the pandemic.

3. REASONS FOR RECOMMENDATIONS

3.1 **Recommendation 1:** Local Government continues to face significant reductions in funding and increased demand for services, as set out in the

above context. These challenges require 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 balanced budget. These proposals are the best way of doing that by meeting financial requirement and delivering outcomes and ambitions for Barnet.

3.3 **Recommendation 2:** It is recommended that the Environment Committee notes the proposed fees and charges for 2021/22, as it is considered good practice to review fees and charges annually to ensure that the costs of providing the services are recouped. In addition, a number of new fees and charges are proposed which require approval from Environment Committee.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

4.1 The alternative option is not to approve the MTFS. This, however, is not considered to be good practice and may expose the council to the risk of not achieving the savings targets or being able to set a balanced budget. There is a statutory requirement to set a balanced budget and submit budget returns to the Ministry of Housing, Communities and Local Government (MHCLG).

4.2 The alternative approach is to not review the fees and charges or to adjust the current fees and charges, or to not add new ones where appropriate. This, however, is not considered good practice, and will potentially expose the Council to the risk of not recovering the costs of the provision of the service, or potentially, over recovery, where the charge is set at a cost recovery level. Given the financial pressures currently faced by the Council the only viable option for continuing to provide services is to levy and appropriate fee or charge.

5. POST DECISION IMPLEMENTATION

5.1 If the Environment Committee approves recommendation 1 made by this report, then the savings proposals will be referred to Policy and Resources Committee on 8th December 2020 as part of the council's Medium-Term Financial Strategy (MTFS). Public consultation on the MTFS will commence in December.

5.2 If the Committee is minded to approve Recommendation 2, then the fees and charges will be considered for agreement by the Policy and Resources Committee as part of the Council wide budget setting. Once the budget is approved by full Council the fees and charges will be posted on the Council's website and, where a statutory duty requires it, advertised in the approved publication, and appropriate location. The new fees and charges will be implemented from April 2021.

6. IMPLICATIONS OF DECISION

6.1 Corporate Priorities and Performance

6.1.1 This report supports the council's corporate priorities as expressed through the Corporate Plan for 2019-24 which sets out our vision and strategy for the next 5 years. This includes the **outcomes** we want to achieve for the borough, the **priorities** we will focus limited resources on, and our **approach** for how we will deliver this.

6.1.2 Our 3 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

6.1.3 The approach for delivering on this is underpinned by four strands; ensuring residents get a fair deal, maximising on opportunities, sharing responsibilities with the community and partners, and working effectively and efficiently.

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 MTFS. 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.

6.2.2 Adjusting fees and charges will ensure effective cost recovery for delivering the service; prices listed do not include VAT, which will only be charged where indicated. The Constitution requires that all changes to fees and charges should be included in the budget proposals submitted by theme Committees to the Policy & Resources Committee.

6.3 Social Value

6.3.1 None applicable to this report, however the council must take into account the requirements of the Public Services (Social Value) Act 2012 to try to maximise the social and local economic value it derives from its procurement spend. The Barnet living wage is an example of where the council has considered its social value powers.

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 savings proposals are to be recommended to Policy and Resources Committee. They will then be subject to consultation and a cumulative equality impact assessment before being referred on to Council so that Council may set the Council Tax, being mindful of any equality impacts and consultation responses.
- 6.4.5 The Council's Constitution (Article 7, Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all Council Committees.
- 6.4.6 Responsibilities for Environment Committee include:
- 1) Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.
 - 2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.
 - 3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget (including fees and charges). No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
 - 4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.

- 6.4.7 The council's Financial Regulations can be found at: <https://barnet.moderngov.co.uk/documents/s60716/Appendix%20L%20-%20Financial%20Regulations%20Tracked.pdf>
- 6.4.8 Changes to fees and charges should be included in the budget proposals submitted by theme Committees or the relevant committee to the Policy & Resources Committee. The budget recommended by Policy and Resources Financial Committee to Full Council will incorporate the latest projection of income from fees and charges. Full Council will approve all fees and charges as part of the budget report.
- 6.4.9 Local authorities have a variety of powers to charge for specific statutory services set out in statute. The Local Government Act 2003 also provides a power to trade and a power to charge for discretionary services, the latter on a costs recovery basis. Discretionary services are those that a local authority is permitted to provide under statute but is not obliged to do so. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service or if there is a specific power to charge for it or if there is a prohibition on charging for the service.
- 6.4.10 Additionally, the Localism Act 2011 provides local authorities with a general power of competence that confers on them the power to charge for services but again subject to conditions/limitations similar to those noted above.
- 6.4.11 Where authorities have a duty to provide a statutory service free of charge to a certain standard, no charge can be made for delivery to that standard, however delivery beyond that point may constitute a discretionary service for which a charge could be made.
- 6.4.12 Some of the proposals, relate to savings resulting from operational decisions being made in a different way and are therefore estimated savings. The saving is therefore an indicative saving and its deliverability will be dependent on a number of factors. As part of the budget setting process, Policy and Resources Committee will consider the need for an appropriate contingency to cover any savings that are indicative and may not be met due to operational decisions. Some of the proposals in the MTFS relate to proposals that are at a very early stage. These proposals will be subject to further business planning and decision making to test whether they can be delivered and what the impact of such a proposal will be. These proposals will be considered in further detail during future business planning reports.
- 6.4.13 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).

6.5 Risk Management

6.5.1 The Council has taken steps to improve its risk management processes by integrating the management of financial and other risks facing the organisation. The allocation of an amount to contingency is a step to mitigate the pressures that had yet to be quantified during the budget setting process.

6.5.2 The allocation of budgets from contingency seeks to mitigate financial risks which have materialised.

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 Equality Act 2010 and the Public-Sector Equality Duty within it expects that elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place. The equalities duties are continuing duties they are not duties to secure a particular outcome. The objectives of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

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

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

6.6.4 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:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- 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;
- 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.

6.6.5 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.

6.6.6 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:

- Tackle prejudice, and
- Promote understanding.

6.6.7 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 (to a limited extent)

6.6.8 This is set out in the council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.

6.6.9 Where there are changes to service delivery or changes to staff, these will impact on individuals in different ways. However, at each stage of the process, the council will conduct an equalities impact assessment (EqIA) where appropriate to ensure that where persons are impacted, proper measures are considered to mitigate the effect as far as possible. Those affected by any changes resulting from any of the proposals will be engaged, as set out in Appendix A under 'Consultation'. Where necessary, proposals will not be implemented or agreed until members have fully considered the equality impacts and responses to any consultation.

6.6.10 The revenue savings sheet shown at Appendix A indicates that an equalities impact assessment has been carried out for one saving proposal for the West Hendon Playing Fields Masterplan. For the majority of savings proposals, the need for an equality impact assessment will be kept under review as the specific proposals develop and will be carried out if required. In addition, for the Chargeable Garden Waste proposal an equalities impact assessment was completed for the introduction of the chargeable service and so this will be reviewed and refreshed to account for any change.

6.6.11 All human resources implications will be managed in accordance with the Council's Managing Organisational Change policy, which supports the Council's Human Resources Strategy and meets statutory equalities duties and current employment legislation.

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. To this end, great attention has been paid to the needs of children in care and care leavers when approaching business planning, to ensure decisions are made through the lens of what a reasonable parent would do for their own child.

6.7.2 The Council, in setting its budget, has considered the Corporate Parenting Principles both in terms of savings and investment proposals. The Council proposals have sought to protect front-line social work and services to children in care and care leavers and in some cases, has invested in them.

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 The council will perform a budget consultation during December 2020 through to January 2021. This consultation will cover any proposals to increase council tax together with seeking views on the council's budget overall.
- 6.8.4 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. Service specific consultations will take place where necessary in line with timescales for any changes to be implemented.
- 6.8.5 If when council sets the budget envelope some service specific consultations have not been completed, then Council will allow a contingency so that decision makers may make alternative decisions should there be undesirable equalities impacts.
- 6.8.6 Where appropriate, separate service specific consultations have already taken place for some of the savings and a link to the report presenting findings of the consultation is provided within the MTFS spreadsheet (Appendix A). In addition, it has been noted in the appendix that for a number of savings proposals the requirement for a consultation will be considered as the proposals are developed.

6.9 **Insight**

- 6.9.1 None in the context of this report

7. **BACKGROUND PAPERS**

Business Planning Report to Policy & Resources Committee on 06/01/2020

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=10084&Ver=4>

Fees and Charges Report - 2020/2021 to Environment Committee on 20/01/20

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=9909&Ver=4>