



Finance and Resources Overview & Scrutiny Committee 4 June 2024

Report for:	Finance and Resources Overview and Scrutiny Committee
Title of report:	Quarter 4 Performance Report – Corporate and Commercial Services
Date:	4 June 2024
Report on behalf of:	Councillor Michela Capozzi, Portfolio Holder for Corporate and Commercial Services
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix A – Key Performance Indicator report
Background papers:	None
Glossary of acronyms and any other abbreviations used in this report:	

Report Authors/ Responsible Officers

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Corporate Priorities	A clean, safe, and enjoyable environment Building strong and vibrant communities
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	<p>Ensuring economic growth and prosperity</p> <p>Providing good quality affordable homes, in particular for those most in need</p> <p>Ensuring efficient, effective and modern service delivery</p> <p>Climate and ecological emergency</p>
Wards affected	All
Purpose of the report:	To provide Members with the performance report for Quarter four 2023-24 in relation to the Corporate and Commercial directorate.
Recommendation (s) to the decision maker (s):	That Members note the performance of the service as set out in the report.
Period for post policy/project review:	Quarterly

1 Introduction

This paper will provide an update on service performance over Q4 2023/2024 for the Corporate & Commercial Directorate, including Commercial Development, Finance & Resources and Legal & Democratic Services. It will also highlight key service achievements over this same period.

2 Commercial Development

This section of the report provides an update on the performance during Q4 2023-24 of Commercial Development Services.

2.1 Procurement Compliance

A Procurement Assurance internal audit report recommends updating this Committee with any non-compliance procurement activities.

Table 1 - Number of times the Procurement Standing Orders have been set aside during Q4

Contract	Justification	Responsible Officer
InPhase Performance Mgt Software	The recommendation is to extend the contract for InPhase for 12 months. This will allow us to undertake a full solution review and working with key stakeholders to get feedback to better understand the system functionality and whether the systems support our ambitions for both our PMO and Performance Management in the future.	Head of Transformation

Table 2 – Known non-compliant procurement expenditure during Q4

Contract	Annual Value	Reason	Responsible Officer	Mitigation
Supply of Sacks for Environmental Services	£40,000	Contract expired	John Mooteealoo	Current demand on Environmental Service resource has resulted in this contract remaining as non-compliant, plans in place to have new contracts awarded in Q1 2024/25
Supply of Bins & Caddies	£40,000	No contract in place	John Mooteealoo	Current demand on Environmental Service resource has resulted in this contract remaining as non-compliant, plans in place to have new contracts awarded in Q1 2024/25
Haulage of Waste from Cupid Green	£45,000	No contract in place	John Mooteealoo	Current demand on Environmental Service resource has resulted in this contract remaining as non-compliant, plans in place to have new contracts awarded in Q2 2024/25
Supply & Fitting of Tyres to Commercial Fleet	£75,000	No contract in place	John Mooteealoo	Current demand on Environmental Service resource has resulted in this contract remaining as non-compliant, plans in place to have new contracts awarded in Q1 2024/25
Supply of Grounds Maintenance Equipment	£110,000	No contract in place	John Mooteealoo	Current demand on Environmental Service resource has resulted in this contract remaining as non-compliant, plans in place to have new contracts awarded in Q1 2024/25

2.2 Commercial Strategy & Programme

There are many strands of work relating to the Commercial Strategy, being undertaken throughout services, and commercial considerations are embedded in ongoing budget and service planning. A separate report on this activity will be presented to the Committee in 2024-25. The activity includes detailed reviews of fees & charges and of commercial income streams, as well as longer term planning to leverage best value from the Council's assets through current work on Strategic Asset Reviews. It also includes progression of certain proposals developed through Business Cases undertaken in 2022-23, including:

- **Light Industrial Units.**
Following agreement to take forward Business Case proposals to construct new light industrial/ small business units on former garage sites, a tender for the construction of these units was developed during Q2. It was advertised to the market in Q3, and evaluation has been taking place during Q4. A further update is expected in Q1 2024/25.
- **Legal Services**
Discussions have been ongoing during 2023-24 with neighbouring authorities about the potential for a shared service. The final assessment was undertaken in Q4 of 23-24, for review and decision as to whether there is a viable proposal to proceed in Q1 2024-25.
- **Parking Services**
Following work considering opportunities in relation to parking, proposals for changes to parking tariff and charging policy, and the potential for 'smart parking' technology, were reported to this Committee and approved by Cabinet to proceed to statutory consultation in February 2024. Work is also progressing on the renewal of the parking enforcement contract in time for a new contract start date in 2025, which includes consideration of how 'smart' technology might supplement this service to make it more effective and efficient.

Other commercial related projects underway, or that will commence in 2024 include:

- **Commercial Income Review** – The objective of this programme is to review ways to improve and increase the net position of the Council's General Fund and the income streams that contribute to the MTFS and ongoing financial sustainability. Phase 1 of this review was concluded in Q4, with analysis of financial data and the income and expenditure of income generating services across the Council. Future phases will conduct a deeper assessment for each service; analysing costs, income, trends and other factors, and identifying areas for improvement, growth and alternative delivery models if appropriate.

- **Garage Portfolio Review.** Forming part of the wider Strategic Asset Review programme, this project has continued through Q4 2023-24. Its objective is to undertake a comprehensive assessment of the portfolio's performance, analysing financial and other commercial data to assess the performance of assets and analyse opportunities to drive income and profitability of garage assets. This will inform the development of a new Garage Business Plan being developed during 2024-25. In addition, the review will also identify sites that could be used for alternative purposes that could deliver alternative commercial income returns to the Council. The review is due to be completed during Q2 2024-25.
- **Strategic Asset Review –** This programme has several project workstreams underway to review performance and strategic opportunities relating to the Council's assets. An update report on the programme will be presented to the Committee in 2024-25.
- **Procurement Transformation –** The Government's new procurement regime is being introduced through the Procurement Act 2023 and the Procurement Regulations Bill 2024, which was laid in parliament in March 2024. The public sector has 6 months to prepare for the significant changes the new regime will introduce, and a range of national learning and development material has been released to support this transformation. The Procurement Service will need to update procurement systems, process and documentation, providing a clear updated governance and compliance framework that officers will need to follow. Proposals for changes from the current procurement regulations will be presented to this Committee and Cabinet before the implementation date of 28 October 2024.

3 Legal and Democratic Services Q4 Performance Report

3.1 The Legal Team

The Legal team frequently represent the Council in the courts and tribunals, leading on injunctions, prosecutions and defending employment tribunal cases and judicial review proceedings. In the last quarter the Legal team presented the following cases in court:

JAN 2024
DBC Mr P Gumble – Fly tipping
On 31 st January 2024 at St Albans Magistrates Court, Dacorum Borough Council successfully prosecuted Mr Peter Gumble for a fly tipping offence that occurred last year.
Mr Gumble pleaded guilty to the unauthorised deposit of controlled waste in Barnes Lane, Kings Langley the 3 rd July 2023.

The defendant was fined £880, ordered to pay costs of £1807.50 and a victim surcharge of £352.
Total to pay £3,039.50.
FEB 2024
DBC v Mohammed Ammar Hussain
The Defendant pleaded guilty to offences relating to failure to license a House in Multiple Occupation (HMO) and management breaches. The Defendant was sentenced as follows:
Fine:
£5,000 failure to license a HMO in respect of property one
£5,000 failure to license a HMO in respect of property two
£1,150 – management breach relating to defective smoke alarm
£1,150 –management breach relating to defective smoke alarm
£1,500 – management breach in respect of defective electrical socket
The Defendant was ordered to pay prosecutors costs in full £29,856.00, VC, £2,000
The total to pay is £45,306

3.2 Corporate and Democratic Support

Democratic Services

During Quarter 4, Democratic Support carried out the following activities: -

1. Supported 18 Committee meetings, including agenda and video minutes
2. Supported 1 Full Council meeting including agenda and Video Minutes

3. Processed 8 New Portfolio Holder decisions and Published 10 Completed Decision including 1 urgent decision
4. Processed 11 Officer Decisions
5. Delivered the following member training/briefing sessions
 - a. Development Management Training 16th Jan
 - b. Community Infrastructure Levy 25th Jan
 - c. LCWIP Briefing 29th Jan
 - d. Housing Allocation training 18th March

During Q4 the team formally agreed the 2024/25 committee timetable and carried out the necessary works to book meeting rooms and send out diary holds to all Members and SLT/CLT. The team have worked hard processing video minutes using the new software, which they picked it up quickly and continue to upload them growing in speed and output each time. The team supported the Tring by-election which took place in February and subsequently delivered a new member induction for the successful candidate. The team have been working together to develop a 'to do' list of the tasks, big and small, that they wish to achieve this year; giving them focus for what is to be completed and to help drive improvements in the day-to-day delivery of the Democratic Services provision.

Digital Print & Post Room

In addition to the day-to day-workload and ad hoc requests for support and reprographics, during Quarter 4 the team.

1. Processed and franked a total of 76,748 outgoing mail items, at a total cost of £51,065.41 (includes NHS partners & CAB which is recharged)
2. Processed and banked 374 cheques with a total income of £132,776.98
3. Received and banked 7 emergency cash transactions with a total value of £3,789.10

Electoral Services

Electoral Register

During Quarter 4, the following 2378 changes were made to the Electoral Register: -

Additions 1207

Deletions 899

Changes 149

Movers 123

Election Act implementation

Proxy review

As part of the Elections Act 2022 Tranche 2, all permanent proxy voters had to renew their proxy by 31 January 2024. All 65 permanent proxy voters registered in Dacorum were contacted, advising them to renew their proxy votes by this date, and how to undertake their renewal. Any proxy voters who did not renew by this date had their proxy vote arrangements cancelled in accordance with the legislation with the Elections Act 2022 and were written to advised that this had happened and how to make a new application.

Overseas electors affected by this requirement were sent their letters via email to avoid delay in receiving the request. Of the 65 permanent proxy voters 37 electors re-applied within the timescale given and 28 were removed under the terms of the Act.

Overseas electors

In January 2024 the way Overseas electors could register changed. This moved the process to an online portal for overseas electors to be able to register to vote.

The 15yr rule (of having had to have been registered in the UK in the past 15yrs), was also lifted. This therefore now allows anyone living overseas who was previously resident or registered in the UK at some point, to register to vote.

The team co-ordinated comms on this via social media and the council website was updated. Any overseas elector who made contact was advised of the new processes.

Changes to how these applications are processed was changed as a result of the new requirements, so the team carried out the necessary training for this.

61 overseas applications were received in the first week following the changes.

Electoral Review

The Local Government Boundary Commission for England (LGBCE) have begun the electoral review for Dacorum.

The first phase looked at Councillor numbers. As part of the consultation, final suggestions were agreed by Full Council in February 2024, and we submitted a proposed number of councillors 53. All required data was submitted to the commission by the 11th of March 2024 deadline. This would then lead into preparations for phase 2 of the review.

Officers have been subsequently informed by the Boundary Commission that their preliminary recommendation is to remain with 51 councillors, but this will not be finally decided until May 2025 after the proposed warding arrangements have been considered.

Tring West & Rural by election

A borough by election was held on the 15th of February 2024, in the Tring West & Rural Ward. The team set up the staffing for the required number of polling stations and arranged the relevant notifications and social media posts. The verification and count were held after close of poll and saw a 27.2% turnout.

Police & Crime Commission election 2023

Q4 2023-24 saw final preparations for the PCC election to be held on the 2nd of May 2024. The team worked hard to ensure that all staff and all polling stations were up with an online account. This uses a system called a Mobile Election Application (MEA).

This would enable the ability to quickly communicate with staff and location booking agents through a secure portal. This also saves on resources as there is no need to print and send letters, and as MEA is fully integrated with Xpress Management, any responses or changes made by users in MEA will update the system once a sync process has been run from within Management.

The Notice of Election was published on the 15th of March, as advised by the PARO. All poll cards were issued on the same date.

The Elections Manager ran a training session for 15 Poll Clerks who were interested in being a Presiding Officer. This went well and all were considered for the PCC election as a PO.

The team held an awareness session on 'working at elections. This was held in The Forum in order to answer any questions people had and to try to encourage further volunteers.

Refresher sessions were also provided by the team, to the CSU in order to equip them with the knowledge required to answer elector queries.

Next Parliamentary election

The team are mindful that the next Parliamentary election must take place before January 2025. Therefore, considerations amongst the team are being made at every opportunity to try to mitigate any issues.

Discussions have also taken place with St Albans District Council and Three Rivers District Council as we would be working closely with them for a Parliamentary election due to the boundaries of Dacorum, crossing over to their areas.

3.3 Licensing

Applications

During this three-month period the Licensing Team dealt with the following:

376 licensing applications in total broken down as follows:

156 Licensing Act applications

114 Taxi licensing applications

61 Gambling Act applications/transactions (lotteries and machine permits)

12 Charity collections

+ a further 33 of other various miscellaneous licensing applications and registrations.

Licensing complaints

17 complaints were recorded and investigated.

FOIs and DPAs

6 FOIs and 4 DPAs, all answered within statutory timescale.

Taxi Ranks

Ongoing project to install and implement two part time evening/overnight taxi ranks in Berkhamsted High Street and Tring High Street completed. The aim is to improve accessibility to transport for customers during evening periods.

PACE interviews

One taxi driver was interviewed during this period, with a resulting 'no further action'.

Committees

January: Licensing of Alcohol and Gambling Sub-committee considered a premises licence application for the Artisan Restaurant – a new premises in Tring that had been objected to by local residents. Grant agreed.

March: Public Space Protection Orders – three-year extension to the alcohol prohibition order agreed by Cabinet on 17th March 2024. Order sealed and published.

Joint working

Visit to a local premises carried out with ECP and the Police in January to address a potential future breach at the premises.

The Compliance Officer (currently Acting Lead Officer) carried out a joint visit with the Police and Trading Standards in February to off-licences where illegal sales were suspected.

Across team working with Housing Tenancy, Legal, Licensing, and Fraud to investigate a premises with Animal Activity Licensing licence breaches.

3.4 Freedom of Information and Data Protection

FOI & DPA Stats for Q4 as follows:

Cat.	Total Number Received	on Target	Missed	% On Target
FOI	176	164	12	93.18%

DPA 14 14 0 100%

4 Finance & Resources Q4 Performance Report

4.1 Quarter 4 Finance and Resources performance report:

This report outlines the 2023/24 Quarter 4 (December to March) performance of the Finance and Revenues and Benefits services, the details of the quarterly KPI's are included in the enclosed Appendix A Corporate and Commercial Performance report.

The Performance appendix details the current performance against a range of agreed Key Performance Indicators and previous performance trends. These highlight that at present there are two red rated KPI's where performance requires improvement:

- FIN02a Time taken for debtors to pay
- FIN04 Housing Revenue Account Budget Variance against forecast

Since quarter 3 the financial performance of the capital programme has improved and hence FIN06 has moved from red to green quarter on quarter.

4.2 FIN02a Time taken for debtors to pay

Excluding Council Tax, Business Rates and Parking fees, the Council's income collection activity is split between teams within Housing Operations and Financial Services.

Council debtors have experienced two key macro- economic events since 2020; the economic impact of the coronavirus pandemic and the 'cost of living crisis's with the associated inflationary and interest rate increases. Both have impacted the Council's debt collection. This section of the report concerns the performance on income collected by Financial Services which is reflected in the corporate performance indicator FIN02a- Time taken for debtors to pay. FIN02 captures income collection performance for all income billed, monitored and collected by Financial Services, excluding Housing Benefit Overpayments.

Debt collection responsibilities

Income stream/ debt	Responsible service- debt recovery
Council Tax and Business Rates	Revenues and Benefits
Housing Benefit Overpayments	Financial Services (in consultation with Revenues and Benefits)
Housing Rent, Tenant Service Charges, Tenant Garage Rent and Temporary Accommodation	Housing and Property Services
Parking- penalty charge notices	Neighborhood Operations, via a third-party contractor Saba.
Sundry debt (all other debt for chargeable services not captured above), commercial property rent and housing leaseholder debt (charges to leaseholders for property works carried out by the Council)	Financial Services

Each income stream is supported by a local debt policy an overall revised consolidated corporate debt policy is currently being drafted for approval and will set out overarching principles supporting debt management in the Council going forward.

Current approach to debt management – Financial Services

Financial Services has a standard debt management process set out in its debt policies for the issue, monitoring and collection of debt. Reminders are sent out in line with these procedures. The service aims to maximise debt recovered by the Council by working with those owing money to the Council. If appropriate a payment plan may be set up with the debtor that goes beyond the standard due date. Recovery action involving third party debt collectors is an option open to the Council and is taken when other collaborative routes have been exhausted.

Current performance against debt collection- Financial Services

Debt collection performance in Financial Services is measured against the key indicator- debtor days- capture by performance indicator FIN02a. Debtor days take the value of outstanding debt at a point in time as proportion of income invoiced to Council customers on an annual basis. This is then expressed in days, giving an idea of the average length of time taken for debts to be paid.

A target of 40 debtor days for KPI FIN02a has been in place for a number of years and prior to the onset of the pandemic and the inflationary increases of recent years, performance of FIN02a was consistently at or not far off this target. During 2022 - 24 performance against this target varied from between 38 days to 64 days, usually below target.

Variations in month- on- month performance is a consequence of the quarterly nature of billing for key income streams, particularly commercial property income which is billed quarterly. Debtor days naturally rise when quarterly bills fall due and reduce as income is received over the following few months.

Debt management performance during the year has been investigated and the following conclusions reached:

Commercial property rent and leaseholder debt combined represents the majority of outstanding debt due at any time. As of 31st March, 75% of outstanding debt related to Commercial Property and Leaseholder charges.

Housing leaseholder related debt is the single biggest contributing factor to poor performance against FIN02a, with leaseholders taking on average 257 days to completely repay debt outstanding, with 65% of the total debt due on re-payment plans. The costs of property works being recovered from leaseholders is increasing, due to both rising costs and scope of works being undertaken. This is occurring against a backdrop of rising costs and the associated pressure on household budgets.

Commercial rent debtors are taking 58 days to repay their debt on average, with 34% of total debt on re-payment plans. The level of debt on repayment plans increased during Covid as businesses postponed rental payments when they were unable to trade, and these were set up over several years and hence this level has remained high and is expected to do so in the short term.

Excluding commercial rent and leaseholder debt from the indicator gives a performance of 37 days on average for the repayment of debt, within the target of 40 days. The average percentage of outstanding debt on payment plans is 15%.

In summary the overall day to day business operations of the council is paying their debts within the expected time period but the impact of Covid on the volume of commercial debt repayment plans and the increasing size of leaseholder bills has resulted in the overall debt performance declining in recent years.

Next Steps

Performance reporting on debt management to Members will be enhanced during 2024/25. This includes revisions to target following a corporate review of service KPIs undertaken. It will also include further detailed narrative to further explain the figures presented.

Income maximisation continues to be the key objective for the service, whilst being mindful of the financial pressures on residents and local businesses. Early engagement to secure income is seen as key to income maximisation, including the implementation of payment plans where appropriate.

The production of a single corporate debt policy will be created to amalgamate the existing policies. As part of the revised Corporate Policy, proposals will be made for the treatment of leaseholder debt and the payment terms that the council will outline for these charges going forward.

Debtor Days Tables

Table 1- 2023/24 FIN02a Debtor Days, including commercial property debt and housing leaseholder debt.

	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Debtor Days	38	46	50	56	50	59	60	66	62	60	51	64

Table 2- 2023/24 FIN02a Debtor Days, excluding commercial property debt and housing leaseholder debt.

	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Debtor Days	26	32	35	46	54	40	38	40	36	37	30	37

Table 3- 2023/24 FIN02a Debtor Days, commercial property debt only.

	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Debtor Days	30	40	52	56	37	61	57	51	59	47	39	58

Table 4- 2023/24 FIN02a Debtor Days, housing leaseholder debt only.

	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Debtor Days	141	151	137	132	126	171	195	290	228	260	255	257

4.3 FIN04 Housing Revenue Account Revenue Variance against Forecast

Pressures relating to repairs and maintenance costs are contributing to a reported overall pressure for the Housing Revenue Account. At quarter 3 the pressure reported was £620k, at present the provisional outturn report is still being concluded but the year-end position is projected to remain as a pressure.

Amber KPI's

There are two amber KPIs where performance is being closely monitored:

- RBF05 Council Tax Collection rate
- RB06 Average days taken to respond to a council tax related contact from a resident.

This is an improvement quarter on quarter as business rates collection rate levels improved at year end to exceed the target and the 22/23 performance level.

4.4 RBF05 Council Tax Collection Rate.

The Collection rate for Council tax has been a target that has been heavily impacted in recent years by wider economic circumstance and government policy, firstly related to the pandemic, then energy grants in 22/23 and now the current cost of living pressures.

These policies have meant collection performance monitoring has been very difficult to assess as both the amount due to be collected and the process of collection has been constantly changing. The Council has over this period consistently reported a small shortfall on in-year Council tax collection rates, or circa 0.7% on average. This has not had a significant impact on the Council's funding sources to date as a combination of funding smoothing policies and increased collection of historic arrears have made up the in-year cash shortfall.

As a result, the 2024/25 MTFS and Budget has remodelled the collection rate to a more realistic and achievable target to prevent future budget funding shortfalls.

5 Financial and value for money implications:

Poor performance or increased risk would indicate areas of concern and potential lack of best value, and these services and processes are reviewed as part of the ongoing corporate financial monitoring framework and reflected in the budget monitoring reports presented to Scrutiny and Cabinet.

6 Legal Implications

There are no direct legal implications arising from this report.

7 Risk implications:

The process of reviewing and reporting performance and operational risks is part of the wider risk management processes undertaken by the council, to ensure risk management and mitigation is undertaken where required and follows the strategic risk strategy outlined by the council.

8 Equalities, Community Impact and Human Rights:

No Community or equalities assessment has been undertaken specifically as part of this report. The services and the service delivery processes are assessed periodically to ensure these services reflect the Council's policies on service delivery.

9 Sustainability implications (including climate change, health and wellbeing, community safety)

N/A

10 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

N/A

11 Conclusions: Performance and risk are outlined in the appendices and summarised in the report, and the Committee are asked to note the report.