

Finance and Resources Overview & Scrutiny Committee 3 September 2024

Report for:	Finance and Resources Overview and Scrutiny Committee
Title of report:	Quarter 1 Performance Report – Corporate and Commercial Services
Date:	3 September 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:	

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Corporate Priorities	<p>A clean, safe, and enjoyable environment</p> <p>Building strong and vibrant communities</p> <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 1 2024-25 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 Q1 2024/2025 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 Q1 2024/25 of Commercial Development Services.

2.1 Key Performance Indicators

The key performance indicators for Commercial Development can be found at Appendix A.

2.2 Procurement Activity

The Procurement team are currently supporting the delivery of a number of commissioning and tendering activities in compliance with the Council's Commissioning & Procurement Standing Orders.

2.3 Procurement Compliance

Table 1 - Number of times the Procurement Standing Orders have been set aside during Q1

Contract	Justification	Responsible Officer
<p>Urgent critical work to repair 12 x Twin Back Geesink refuse vehicles</p>	<p>Coopers are currently subcontracted the retrofit works from Geesink but there have been payment and delayed delivery issues by going through Geesink. The Council also understands that Geesink may shortly be entering into administration. Accordingly, and in order to protect the continuity of the retrofit works required the Council is intending to contract directly with the Cooper Group. The work to the vehicles is urgent to ensure that the Council can continue to deliver its waste service. It is also anticipated that Coopers will have a significant level of new work instructions if Geesink do go into administration and therefore it is important to contract with them urgently to ensure that the Council can secure priority for the works.</p> <p>The Council's Procurement Standing Orders (section 12) allows for contracts to be awarded under a tendering exception; however, this exemption cannot be used if the contract value will be above the WTO financial threshold, which it will in this case.</p> <p>An option that would enable the Council to directly award a contract to Coopers, will be for the Council to publish a Voluntary Ex Ante Transparency Notice (VEAT Notice). This notifies the market that the Council intends to award a contract to Coopers and gives the market 10-day period to challenge this decision. The Council are unable to award this contract until a 10-day standstill period has concluded following the publication of the VEAT Notice.</p>	<p>Head of Neighbourhood Operations</p>

Table 2 – Known non-compliant procurement expenditure during Q1

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 Q2 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 Q2 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 Q3 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 Q3 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 Q3 2024/25

2.4 Commercial Strategy & Programme

There are many strands of work relating to the Commercial Strategy being undertaken across services, and commercial considerations are embedded in ongoing budget and service planning. 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 23/24. It was advertised to the market in Q3 23/24, and evaluation took place during Q4 23/24. Following the evaluation of the tendered prices, it has become clear that the above inflation cost increases for construction means the cost to deliver the LIU exceeds the approved budget in 2023. Therefore, in Q1 it was agreed this project is commercially unviable for the Council to continue. The garage locations will now be moved into the Garage Portfolio Review.

- **Legal Services**

Following discussions during 2023-24 with neighbouring authorities about the potential for a shared service, the final assessment was undertaken in Q4 of 23-24, and in Q1 2024-25 the decision was made to discontinue this project. It became clear that the costs for joining a shared legal service have significantly increased and it has been agreed that this would no longer be a viable option for the Council to continue to progress.

- **Parking Services**

Opportunities for changes to parking tariff and charging policy, were reported to this Committee, and approved by Cabinet to proceed to statutory consultation in February 2024. The statutory consultation was due to start in Q1 but was postponed due to the General Election. The consultation will be undertaken in Q2, and a summary report presented to the Portfolio Holder in Q2. Work has also progressed on drafting of the tender documentation for the Parking Enforcement contract, and it is expected that this tender will be advertised in Q2.

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/increase the net position of the Council's General Fund and the ongoing financial sustainability of the MTFs. Sprint 1 of this review concluded in Q4 23/24, with analysis of corporate financial data and the income and expenditure of income generating services. Sprint 2 commenced in Q1 24/25 and conducted a deeper assessment for the following services, analysing costs, income, trends, identifying areas for improvement, growth and alternative delivery models if appropriate:

- Commercial Waste
- Garages Pricing Strategy
- Parking Pricing Strategy
- Facility Hire

A report on the commercial opportunities identified in Sprint 2 is due in Q2.

- **Garage Portfolio Review** - Forming part of the wider Strategic Asset Review programme, this project has continued through Q1 24/25. 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 Q1 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:

April 2024

Mr Paul Coulter - SJP (littering of cigarette butt)

Sentenced as follows:

- Fine - £101
- Victim Surcharge - £40
- Costs in full - £309.85

Total to pay: £450.85 to be paid in full by 28 day Collection Order.

May 2024

Ms Marie Mamtora - Fly-tipping

Sentenced as follows:

- Compensation Order - £148
- Contribution to our costs - £400

Total: £548

June 2024

Ms Sharon Smith - Injunction to gain access to the property to carry out gas safety inspection Injunction to access premises – GRANTED

3.2 Corporate and Democratic Support

Democratic Services

During Quarter 1, Democratic Services carried out the following activities:

- Supported 14 Committee meetings, including agenda and video minutes
- Supported 1 Full Council meeting including agenda and Video Minutes
- Supported Annual Council Including Agenda and video minutes
- Processed 7 New Portfolio Holder decisions and published 10 completed decisions
- Processed 12 Officer Decisions
- Delivered the following member training/briefing sessions
6th June, Code of Conduct Training

The team provided support to colleagues in Elections in relation to the PCC election in May, the Bovington Planning referendum election held on the 13th June and running the postal votes during June for the July 2024 General Election. This involved providing direct support to election processes, including working at Polling Stations for the referendum, ensuring committee meetings dates could be moved to accommodate room availability and ensuring items going to committee were not in breach of the pre-election period.

The team managed the postal vote opening processes for the PCC and General elections, working with the following returned ballot pack volumes:

- May 2024 Police Crime Commissioner election had a postal vote electorate of 17,182 registered postal voters, of which we received a 57.86% return, so a total of 9,942 postal ballot packs were received and processed through the 2 stage verification process. This included a total of 213 postal votes that were accepted by hand at either The Forum or a Polling Station.
- July 2024 General Election postal vote opening took place during June 2024 in the lead up to the election. There was a postal vote electorate of 11,567 and a return rate of 83.81%, so a total of 9,694 postal ballot packs were received and processed. This included a total of 490 postal votes that were accepted by hand with their accompanying form.

Electoral Services

Electoral Register

During Quarter 1, the following 8481 changes were made to the Electoral Register: -

Additions 2490

Deletions 1549

Changes 4130

Movers 312

EU ECR - Eligibility Confirmation Review

As part of the ongoing implementation of the Elections Act, all authorities are required to conduct a one-off review of the eligibility of all EU citizens on the electoral register.

Eligible electors must be a citizen of a country with which the UK has bilateral Voting and Candidacy Rights (VCR) treaty, (Luxembourg, Poland, Portugal, Denmark & Spain); resident in the UK with any form of leave to remain; or do not require such leave.

Alternatively, they must be an EU citizen with retained rights if they are a citizen of a country with which the UK does not have bilateral Voting and Candidacy Rights (VCR) treaty but have been legally resident in the UK since before the UK left the EU on 31/12/2020.

DBC's review:

- 20th of May - identified 3869 of the current 5714 EU electors on the register qualified as eligible electors and had their eligibility confirmed in writing to them.
- Remaining 1845 electors were sent the first review letter advising of the changes, and the requirement to respond either yes or no to the prescribed question: *Have you been legally resident in the UK since before the UK left the EU on 31/12/2020?*
 - Electors who answer YES: would receive a letter advising their continued registration
 - Electors who answered NO: would receive a letter advising that due to their response they were no longer eligible to remain registered
- 498 responses were received to the first communication, most responded online
- It was at this point that the snap General Election was called, and the review had to be put on hold until after 4 July 2024.

Electoral Review

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

Having completed phase 1, consultation begun on warding arrangements. This consultation period began on the 7th May and originally ran until 15 July. However, due to the snap General election being called, the consultation period was extended until the 9th of September.

Work amongst the political parties has been ongoing in order to submit proposals for the warding arrangements.

Bovingdon Neighbourhood Planning Referendum

A Neighbourhood Planning Referendum (NPR) was held in the Bovingdon area on the 13th June 2024. 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 20.43% turnout.

Police & Crime Commission election 2024

The PCC election was successfully completed on the 2nd May 2024. The verification was held on the 3rd May and the count on the 4th May.

This was the first election which saw all employed staff and all polling station contacts use the Mobile Election App (MEA) account, which is an online process for recruitment and bookings. This successfully allowed all those involved to efficiently liaise with the elections team.

The Dacorum area received a total of 23,468 votes across the four candidates, which was a 20.66% turnout.

Parliamentary election

The Parliamentary election was called on the 22nd May 2024, for it to take place on the 4th July.

This was an immense task for the elections team, who were still processing payments, audits and statistical data returns for the May PCC election. The task set was to successfully deliver the General election in 6 weeks (a task which usually requires 6 months).

Below are a few key statistics involved in the successful delivery:

- In the first 4 weeks of the election being called:
 - o Over 6200 new people applied to be on the electoral register
 - o A further 300 overseas electors applied to be registered.
 - o A further 4000 electors requested a postal vote
 - o A further 700 electors requested a proxy vote.
 - o Over 100 people applied for a Voter Authority Certificate.

- 84 polling stations booked across 63 sites (we booked the sites for the Hemel Hempstead constituency and also those for the Harpenden & Berkhamsted constituency, run by St Albans District Council)
- Over 400 staff were appointed to the various election jobs required
- 5 candidate nominations and deposits were processed
- 9219 postal votes processed
- 44,277 ballot papers verified and counted

3.3 Licensing

Applications

During the period the Licensing Team dealt with:

456 applications broken down as follows:

- 220 Licensing Act 2003 applications
- 124 Hackney and Private Hire applications
- 64 lottery registrations/returns/annual fee payments
- 11 Skin piercing registrations, both operator and premises
- 13 Street and House to house collections
- 6 street trading consents
- pavement licence applications
- 2 Animal Activity Licence applications (plus 3 further interim inspections)
- 1 Hypnosis authorisation
- 12 Miscellaneous applications

Complaints/Investigations:

20 Complaints investigated:

- 9 Licensing Act
- 7 Taxi complaints
- 2 Animal welfare Licensing
- 2 Street trading
- 1 driver interviewed under PACE – submitted to Committee.
- 1 Revocation of Animal Activity Licence for breaches of the Licence conditions. The Licence holder has appealed.

Committees:

2 Licensing of Alcohol and Gambling Sub Committees:

April 1 premises licence application with objections – Granted with amendments

May

1 Review of Premises Licence for Immigration Offences, initiated by the Home Office – granted following removal of the Designated premises Supervisor and addition of conditions.

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	201	186	15	92.54
DPA	22	21	1	95.45

4 Finance & Resources Q1 24/25 Performance Report

4.1 Quarter 1 Finance and Resources performance report:

4.2 This report outlines the 2024/25 Quarter 1 (April to June) 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.

4.3 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:

- FIN04 Housing Revenue Account Budget Variance against forecast,
- FIN06 Capital Variances

These 2 performance indicators are reported in detail in the Q1 financial report presented as part of agenda item X on the OSC agenda.

4.4 There is 1 indicator that is reported as amber but performance is very close to expected levels.

- RBF06 Average days taken to resolve a council tax related contact from a resident.

This target is always very challenging during the first quarter of the year due to the annual council tax billing process. During Q1 the service had the additional pressure of the staff restructure and consultation process and hence performance was below expected levels. This performance is expected to improve in Q2.

The service has implemented additional functionality in the citizen access portal in 2024 that have allowed residents to deal with more changes to their Council Tax accounts online which will hopefully expand in the near future and improve the service delivered to residents.

4.5 The finance and Revenues and Benefits service has 6 other KPIs reported in the appendix where service delivery is good/green and above targeted performance levels indicating a strong start to the financial year.

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.