

Public Document Pack

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

TUESDAY, 14TH MARCH, 2023

SUPPLEMENTARY DOCUMENTS

Please find attached supplementary papers relating to the above meeting, as follows:

Agenda No	Item
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| 6. | <u>ITEMS REFERRED FROM OTHER COMMITTEES</u> (Pages 3 - 12) |
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Any Items referred from other committees will be circulated as soon as they are available.

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6C REFERRAL FROM OVERVIEW AND SCRUTINY COMMITTEE: 9 MARCH 2023 SUSTAINABILITY SPD

RECOMMENDED TO CABINET:

- (1) That the proposed structure and breadth of the draft Sustainability SPD be approved.
- (2) That the issues and points raised by the Cabinet Panel on the Environment be noted.
- (3) That, for the purposes of developing the draft SPD, Cabinet endorse the principles of:
 1. A tiered approach to assessing the sustainability of new buildings in terms of both built fabric and operational efficiency.
 2. Investigation of the application of parking standards, both residential and non-residential, with a view to reducing or offsetting them where appropriate.

REASON FOR RECOMMENDATION: To allow the Sustainability SPD to be progressed so that it may be publicly consulted upon with a view to being adopted in due course following its presentation and approval by Cabinet.

Audio recording – 7 minute 50 seconds

The Chair advised that due to illness there was no Officer in attendance to present the report. However, the Chair noted that, as this was an outline report to Cabinet, Members could contact the relevant Officer outside of the meeting should they have any questions or comments.

Councillor David Levett as Chair proposed and Councillor Claire Strong seconded, and following a vote, it was

RECOMMENDED TO CABINET:

- (1) That the proposed structure and breadth of the draft Sustainability SPD be approved.
- (2) That the issues and points raised by the Cabinet Panel on the Environment be noted.
- (3) That, for the purposes of developing the draft SPD, Cabinet endorse the principles of:
 1. A tiered approach to assessing the sustainability of new buildings in terms of both built fabric and operational efficiency.
 2. Investigation of the application of parking standards, both residential and non-residential, with a view to reducing or offsetting them where appropriate.

REASON FOR RECOMMENDATION: To allow the Sustainability SPD to be progressed so that it may be publicly consulted upon with a view to being adopted in due course following its presentation and approval by Cabinet.

NB: The report considered by the Overview and Scrutiny Committee at the meeting held on 9 March 2023 can be viewed here: [Agenda for Overview and Scrutiny Committee on Thursday, 9th March, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](#)

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**6D REFERRAL FROM OVERVIEW AND SCRUTINY COMMITTEE: 9 MARCH 2023 –
REGULATION OF INVESTIGATORY POWERS ACT ('RIPA') ANNUAL REVIEW**

RECOMMENDED TO CABINET: That the RIPA Policy be amended in light of the Police, Crime Sentencing and Courts Act 2022, as set out in section 8.5

REASON FOR DECISION: To comply with best practice guidance and the Committee's terms of reference.

Audio recording – 34 minute 44 second

Councillor Elizabeth Dennis-Harburg presented the report entitled 'Regulation of Investigatory Powers Act ('RIPA') Annual' review, including that the report highlighted a potential change required to the Policy, in relation to communications data as set out in recommendation 2.2 and section 8 of the report.

Councillor Alistair Willoughby proposed and Councillor Claire Strong seconded, and following a vote, it was:

RESOLVED: That the content of the report be noted by Committee.

RECOMMENDED TO CABINET: That the RIPA Policy be amended in light of the Police, Crime Sentencing and Courts Act 2022, as set out in section 8.5

REASON FOR DECISION: To comply with best practice guidance and the Committee's terms of reference.

NB: The report considered by Overview and Scrutiny Committee at the meeting held on 9 March 2023 can be viewed here: [Agenda for Overview and Scrutiny Committee on Thursday, 9th March, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](#)

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6E REFERRAL FROM OVERVIEW AND SCRUTINY COMMITTEE: 9 MARCH 2023 – LEISURE CONTRACT PROCUREMENT

RECOMMENDED TO CABINET:

- (1) To approve a Competitive Procedure with Negotiation (CPN) procedure for the procurement of the Leisure Management contract.
- (2) To approve the delegation of powers to the Director of Place in consultation with project board, in relation to decisions associated with the development of the procurement strategy.
- (3) To approve letting a 10-year contract with an option to extend by up to 5 years.
- (4) To approve combining the existing three contracts into a single contract, using the nationally recognised Sport England contract format, in order to secure economies of scale and to attract the most interest from the operator market.
- (5) To continue with the principle of the existing contractual shared risk approach to utilities and maintenance.

REASONS FOR DECISIONS: The leisure management contracts, expire on 31 March 2024. These recommendations ensure the procurement will be managed effectively to ensure the successful ongoing provision of leisure services in North Herts. The procurement offers an opportunity to review the existing specification and provide a clear policy position on its approach to the future delivery of sport, leisure, physical activity and wellbeing services across the district.

Audio recording – 27 minute 33 second

Sarah Kingsley, Service Director – Place, presented the report entitled ‘Leisure Management Contract Procurement’, including that:

- The current Leisure Management contracts expire on the 31 March 2024.
- It is proposed that the contracts for the Royston, Letchworth and Hitchin sites be combined based on the Sports England template.
- It is standard for Leisure procurements to have a 10 year contract with an option to extend for a further 5 years.
- The Council would continue to share risk, with regards to maintenance and utilities.

The following Members asked questions:

- Councillor David Levett
- Councillor Claire Strong

In response to the Member’s question, the Service Director – Place advised that there was another workshop scheduled which would have officers in attendance. It was expected that the matter would return to this committee in June with strategic strategies and guidelines for procurement going forward, before being presented to Cabinet.

In response to the Member’s questions, Louise Randall, Leisure Manager, advised that she believed the current contracts were for 10 years.

Councillor David Levett as Chair, proposed and Councillor Nigel Mason seconded and following a vote, it was:

RECOMMENDED TO CABINET:

- (1) To approve a Competitive Procedure with Negotiation (CPN) procedure for the procurement of the Leisure Management contract.
- (2) To approve the delegation of powers to the Director of Place in consultation with project board, in relation to decisions associated with the development of the procurement strategy.
- (3) To approve letting a 10-year contract with an option to extend by up to 5 years.
- (4) To approve combining the existing three contracts into a single contract, using the nationally recognised Sport England contract format, in order to secure economies of scale and to attract the most interest from the operator market.
- (5) To continue with the principle of the existing contractual shared risk approach to utilities and maintenance.

REASONS FOR DECISIONS: The leisure management contracts, expire on 31 March 2024. These recommendations ensure the procurement will be managed effectively to ensure the successful ongoing provision of leisure services in North Herts. The procurement offers an opportunity to review the existing specification and provide a clear policy position on its approach to the future delivery of sport, leisure, physical activity and wellbeing services across the district.

NB: The report considered by Overview and Scrutiny Committee at the meeting held on 9 March 2023 can be viewed here: [Agenda for Overview and Scrutiny Committee on Thursday, 9th March, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](#)

6F REFERRAL FROM OVERVIEW AND SCRUTINY COMMITTEE: 9 MARCH 2023 – COUNCIL DELIVERY PLAN 2023-2024

RECOMMENDED TO CABINET: That Cabinet considers and formally approves the Council Delivery Plan to be monitored throughout 2023/2024 by Overview & Scrutiny Committee.

REASONS FOR DECISIONS: An approved Council Delivery Plan provides the Cabinet with assurance that progress against achievement of the Council Plan objectives, will be monitored throughout 2023/24.

Audio recording – 46 minute 12 seconds

Rachel Cooper, Controls Risk & Performance Manager presented the report entitled 'Council Delivery Plan 2023-2024', including that the report set out the key Council projects for 2023-2024, identified the risks relating to delivery of these projects and set Performance Indicators (PIs) to measure progress.

The following Members asked questions:

- Councillor David Levett
- Councillor Claire Strong

In response to questions, Councillor Keith Hoskins clarified that some projects had been amalgamated into one overarching strategy and these would be started in the next financial year. He also commented that there may be a resourcing issue.

Councillor Alistair Willoughby proposed and Councillor Val Bryant seconded, and following a vote, it was:

RECOMMENDED TO CABINET: That the Cabinet considers and formally approves the Council Delivery Plan to be monitored throughout 2023/2024 by Overview & Scrutiny Committee.

REASONS FOR DECISIONS: An approved Council Delivery Plan, provides the Cabinet with assurance that progress against achievement of the Council Plan objectives, will be monitored throughout 2023/24.

NB: The report considered by Overview and Scrutiny Committee at the meeting held on 9 March 2023 can be viewed here: [Agenda for Overview and Scrutiny Committee on Thursday, 9th March, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](#)

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6G REFERRAL FROM OVERVIEW AND SCRUTINY COMMITTEE: 9 MARCH 2023 – QUARTERLEY UPDATE ON THE COUNCIL DELIVERY PLAN

RECOMMENDED TO CABINET:

- (1) That Cabinet notes the progress against Council projects as set out in the Council Delivery Plan (Appendix A) including changes to milestone dates and risks.
- (2) That Cabinet note the completion of the Business Recovery Grants, the EV Charging for Council Vehicles, and the Help Residents Make Payment at Convenient Location milestones for this year.
- (3) That Cabinet notes the reduction in the Local Plan risk score from a 9 to a risk score of 6 following the end of the Judicial review period.

REASONS FOR DECISION: The Council Delivery Plan (CDP) monitoring reports provide Cabinet with an opportunity to monitor progress against the key Council projects, and understand any new issues, risks, or opportunities.

Audio Recording – 36 minute 56 seconds

Rachel Cooper, Controls Risk & Performance Manager, presented the report entitled ‘Council Delivery Plan 2022-23 (Quarter 3 update)’, including that:

- The report detailed project risks and performance indicators, as well as a high level overview of progress made on projects in the Council Delivery Plan.
- Members can request more details of specific projects to be reported to the Committee and are able to log into view projects on Pentana.
- There were three completed projects this quarter; the Business Recovery Grant, the EV charging for Council vehicles and to help residents make payment at convenient locations.
- Any proposed change to milestones were now required to be approved by Cabinet.
- In the third quarter, changes to milestones had been requested for; Town Centre Recovery, Cycling Networks, Empty Home Strategy and Museum Storage as detailed in Appendix A.
- The Museum and Hitchin Town Hall recovery still had a red PI, but overall the two areas were showing a strong recovery from the pandemic.
- The EV charging project completed in quarter 3, however it was still marked with a red PI indicator, as the target was based on a usage for a full year.
- The Royston Leisure Solar-Thermal project was unable to get a supplier and it was likely to be absorbed into in the Solar-PV project, which was expected to be more attractive to bidders, as the procurement would be higher.
- Help residents make payments project remained with a red and yellow PI.
- It was unlikely the Supplier Self Service project would be moved forward in 2022/23, but was more likely to be incorporated into a wider project in 2023/24.
- Following the completion of the Judicial Review period on the Local Plan, the risk score had been reduced.

Councillors Alistair Willoughby and Claire Strong requested that further detail be provided on the Tourism Strategy and Town Centre Recovery at the next meeting of the Committee.

The Chair requested that concerns of the Overview and Scrutiny Committee regarding resourcing at the Council be noted and that an update be provided at the next meeting of the Committee.

Councillor David Levett, as Chair, proposed and Councillor Alistair Willoughby seconded and following a vote, it was:

RESOLVED:

- (1) That the Overview and Scrutiny Committee commented on the Council Delivery Plan Quarter 3 monitoring report.
- (2) That Overview and Scrutiny Committee determined any project that they want to receive more detail on as part of the next monitoring report, to include Town Centre Recovery and Tourism Strategy.

RECOMMENDED TO CABINET:

- (1) That Cabinet notes the progress against Council projects as set out in the Council Delivery Plan (Appendix A) including changes to milestone dates and risks.
- (2) That Cabinet note the completion of the Business Recovery Grants, the EV Charging for Council Vehicles, and the Help Residents Make Payment at Convenient Location milestones for this year.
- (3) That Cabinet notes the reduction in the Local Plan risk score from a 9 to a risk score of 6 following the end of the Judicial review period.

REASONS FOR DECISION: The Council Delivery Plan (CDP) monitoring reports provide Cabinet with an opportunity to monitor progress against the key Council projects, and understand any new issues, risks, or opportunities.

NB: The report considered by Overview and Scrutiny Committee at the meeting held on 9 March 2023 can be viewed here: [Agenda for Overview and Scrutiny Committee on Thursday, 9th March, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](#)