

## **NORTH HERTFORDSHIRE DISTRICT COUNCIL**

### **OVERVIEW AND SCRUTINY COMMITTEE**

**MEETING HELD AS A VIRTUAL MEETING  
ON TUESDAY, 8TH DECEMBER, 2020 AT 7.30 PM**

#### **MINUTES**

**Present:** *Councillors: David Levett (Chair), Kate Aspinwall (Vice-Chair), Val Bryant, Sam Collins, Tony Hunter, Jim McNally, Lisa Nash, Sue Ngwala, Adem Ruggiero-Cakir and Claire Strong*

**In Attendance:** *Jeanette Thompson (Service Director - Legal and Community), Rachel Cooper (Controls, Risk and Performance Manager), Jo Dufficy (Service Director - Customers), Chris Jeffery (Customer Service Manager), Helen Rae (Community Health and Wellbeing Team Leader), Gemma Mitchell (Safeguarding Support Officer), Rebecca Coates (Community Protection Manager), Steve Crowley (Service Director - Commercial), Chloe Gray (Commercial Manager), Christopher Robson (Senior Estates Surveyor), Hilary Dineen (Committee, Member and Scrutiny Manager), Anna Gouveia (Committee, Member and Scrutiny Officer) and William Edwards (Committee, Member and Scrutiny Officer)*

**Also Present:** *Councillor Martin Stears-Handscomb (Leader of the Council), Councillor Ian Albert (Executive Member for Finance and IT), Councillor Judi Billing (Executive Member for Community Development), Councillor Elizabeth Dennis-Harburg (Executive Member for Recycling and Waste Management), Councillor Keith Hoskins (Executive Member for Enterprise and Co-operative Development), Councillor Helen Oliver (Deputy Executive Member for Enterprise and Co-operative Development)*

## **50 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY**

*Audio recording - 16 seconds*

The Chair welcomed everyone to this Overview and Scrutiny Committee meeting that was being conducted with Members and Officers at various locations, communicating via audio/video and online. There was also the opportunity for the public and press to listen to and view proceedings.

The Chair invited the Committee, Member and Scrutiny Officer to explain how proceedings would work and to confirm that Members and Officers were in attendance.

The Committee, Member and Scrutiny Officer undertook a roll call to ensure that all Members, Officers and registered speakers could hear and be heard and gave advice regarding the following:

Extracts from the Remote/Partly Remote Meetings Protocol were included with the agenda and the full version was available on the Council's website which included information regarding:

- Live Streaming;
- Noise Interference;
- Rules of Debate;
- Voting; and
- Part 2 Items

Members were requested to ensure that they were familiar with the Protocol.

The Chair of the Overview and Scrutiny Committee, Councillor David Levett started the meeting proper.

## **51 APOLOGIES FOR ABSENCE**

*Audio recording – 4 minutes 42 seconds*

Apologies for absence were received from Councillors Terry Hone and Tom Tyson.

Having given due notice Councillor Morgan Derbyshire advised that he would be substituting for Councillor Terry Hone.

## **52 NOTIFICATION OF OTHER BUSINESS**

*Audio recording – 4 minutes 59 seconds*

There was no other business notified.

## **53 CHAIR'S ANNOUNCEMENTS**

*Audio recording – 5 minutes 4 seconds*

- (1) The Chair welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded as well as filmed. The audio recordings would be available to view on Mod.gov and the film recording via the NHDC YouTube channel.
- (3) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

## **54 PUBLIC PARTICIPATION**

*Audio recording – 5 minutes 30 seconds*

There were no presentations by members of the public.

## **55 URGENT AND GENERAL EXCEPTION ITEMS**

*Audio recording – 5 minutes 34 seconds*

The Chair advised that he had agreed, as Chair of Overview and Scrutiny Committee, that an urgent report regarding Business Rate Pooling be considered by Cabinet.

## **56 CALLED-IN ITEMS**

*Audio recording – 5 minutes 51 seconds*

Since the last meeting, no decisions had been called-in by the Overview and Scrutiny Committee.

## 57 RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

*Audio recording – 5 minutes 55 seconds*

The Committee, Member and Scrutiny Manager presented the report entitled Resolutions of the Overview and Scrutiny Committee and drew attention to the following:

### Page 9 - Commercial Update

The Service Director - Commercial would be presenting the Commercial Update at this evening's meeting.

### Page 9 - Devolution and Recovery

The Managing Director had advised that the White Paper regarding Devolution and Recovery had been delayed therefore his attendance before the Committee on this matter would be deferred until a revised timetable was known.

### Page 10 – Design SPD

This would now be considered by Cabinet in March so it would come to the Committee at that time.

### Page 10 – Waste Routes

Councillor Dennis-Harburg was in attendance at this evening's meeting to discuss waste routes under Item 13 – 2<sup>ND</sup> Quarterly Performance Against PIs.

**RESOLVED:** That the report entitled Resolutions of the Overview and Scrutiny Committee be noted.

**REASON FOR DECISION:** To enable the Overview and Scrutiny Committee to review and comment on actions and feedback received regarding resolutions previously made.

## 58 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

*Audio recording – 7 minutes 33 seconds*

*NB Councillor Val Bryant joined the meeting at 7.38pm*

The Committee, Member and Scrutiny Manager presented the report entitled Overview and Scrutiny Committee Work Programme together with the following appendices:

- Appendix A – Work Programme for Future Committee Meetings;
- Appendix B – Forward Plan for 16 November 2020;
- Appendix C – Corporate Peer Challenge Action Plan in regard to the Overview and Scrutiny Committee;
- Appendix D – Current Task and Finish Protocol (March 2016)
- Appendix E – Proposed Task and Finish Group Protocol

and drew attention to the following:

### Crime and Disorder Meeting

The Annual Overview & Scrutiny Committee crime and disorder meeting would be held in January. The Committee, Member and Scrutiny Manager asked Members to email her with any subjects that they would like this presentation to focus on.

### Task and Finish Group Protocol

The revised Task and Finish Protocol was attached at Appendix E. The Committee, Member and Scrutiny Manager had reviewed Task and Finish Protocols of 10 other authorities and found NHDC's to be extremely comprehensive in comparison. Members were asked to choose which of 3 options of they would prefer for paragraphs 1.10 and 4.2 which referred to the procedure regarding presentation of the Leadership Team's report.

The following Members took part in debate:

- Councillor Kate Aspinwall;
- Councillor Claire Strong;
- Councillor David Levett;
- Councillor Tony Hunter.

Members discussed the benefits of being able to see the Leadership Team's report in advance and having the opportunity to provide comment on it.

Members congratulated the Committee, Member and Scrutiny Manager for her work on the Protocol.

### **RESOLVED:**

- (1) That the report entitled Overview and Scrutiny Committee Work Programme be noted;
- (2) That Members be requested to contact the Chair and the Committee, Member and Scrutiny Manager to advise them of any topics for consideration under the Crime and Disorder agenda item of the January Overview and Scrutiny Committee meeting and that the following subjects be considered:
  - Policing during the Covid-19 pandemic;
  - Domestic violence, particularly in relation to the Covid-19 pandemic;
  - Anti-social behaviour, particularly in relation to the Covid-19 pandemic.
- (3) That Members be requested to inform the Chair and the Committee, Member and Scrutiny Manager of any items to be considered at the Overview and Scrutiny Committee meeting of 19 January 2021 and beyond.
- (4) Councillor David Levett proposed and Councillor Kate Aspinwall seconded that the Task and Finish Protocol attached at Appendix E be approved to include the following paragraphs (as per Option 3):

Paragraph 1.10 to read:

"The report of the Leadership Team will accompany the Task and Finish Group report to Cabinet/Council/Executive Member however the Overview and Scrutiny Committee/Chairman may opt for this report to also be considered by the Overview and Scrutiny Committee at the same time as the Task and Finish Group report."

Paragraph 4.2 to read:

“The Scrutiny Officer will share all drafts of the report with the lead officer. The lead officer will seek the comments of the Leadership Team and prepare a report on their behalf. This report will accompany the Task and Finish Group report to Cabinet/Council/Executive Member however the Overview and Scrutiny Committee/Chairman may opt for this report to also be considered by the Overview and Scrutiny Committee at the same time as the Task and Finish Group report.”

**REASON FOR DECISION:** To allow the Committee to set a work programme which provides focussed Member oversight, encourages open debate and seeks to achieve service improvement through effective policy development and meaningful policy and service change.

**59 ANNUAL REVIEW OF SAFEGUARDING AND PROTECTING CHILDREN AND ADULTS (2019-20)**

*Audio recording - 23 minutes 11 seconds*

Councillor Judi Billing, Executive Member for Community Engagement presented the report entitled Annual Review of Safeguarding and Protecting Children and Adults (2019-20) together with the following appendices:

- Safeguarding Adults at Risk – Action Plan for Recommendations arising from HSAB Self-Assessment Process (September Quarterly Update);
- North Herts District Council Modern Slavery and Human Trafficking Action Plan (Apr 20 to Mar 21).

The Executive Member for Community Engagement informed Members that the report covered the period up to March 2020 when the pandemic started.

The following Members asked questions and took part in discussion:

- Councillor David Levett;
- Councillor Sue Ngwala;
- Councillor Claire Strong

Member discussion included:

- an acknowledgement that the pandemic would affect the reporting and identifying of abuse due to lockdowns and that lower reporting figures might not reflect the real-life situation;
- reporting figures were reviewed monthly at the Police and Crime Commissioner meetings;
- there was a real risk that some safeguarding issues may not be picked up due to the circumstances brought about by lockdowns;
- there was also a risk that older people had suffered from neglect as a result of the pandemic but it was also noted that the pandemic had brought many communities closer together;
- the role of schools and social landlords checking in on people was noted;
- safeguarding training had been very useful and was recommend to all Members.

The Community Health and Wellbeing Team Leader drew attention to the following:

- Section 8.8 of the report looked at the impact of Covid-19 on safeguarding;
- Some analysis had been done comparing the period of April to September 2019 to 2020;

- Referrals for both children and adults for reasons other than domestic abuse had remained static or dropped slightly in 2020;
- It was known that more abuse was taking place within homes as a result of the pandemic conditions;
- Domestic abuse referral rates had risen significantly in 2020;
- Any reduction of referrals was thought to be down to a decrease in contact with professionals so the safeguarding team, in conjunction with Herts County, the Police and all agencies involved, were trying to encourage members of the public to be observant and report any concerns.

Members thanked the Safeguarding Team for their valuable work in safeguarding children and adults in the community.

**RESOLVED:**

- (1) That the annual report of progress made against the Council's fulfilment of the statutory duty to maintain an effective safeguarding function with regard to children be noted;
- (2) That the annual report of progress made against the Council's fulfilment of the statutory duty to maintain an effective safeguarding function with regard to adults be noted;
- (3) That it be agreed that sufficient and robust processes were in place at NHDC for application and review of safeguarding processes, and that an annual review and presentation to this committee should continue.

**REASON FOR DECISIONS:** To fulfil the statutory and lawful obligations within the approved budget and officer resources, and to ensure that a regular corporate review exists.

**60 INFORMATION NOTE: HALF YEAR UPDATE ON COMMENTS, COMPLIMENTS AND COMPLAINTS (3CS)**

*Audio recording - 37 minutes 38 seconds*

The Leader of the Council presented the Information Note entitled Half Year Update on Comments, Compliments and Complaints (3Cs) together with the following appendices:

- Appendix A – Dashboard;
- Appendix B – Breakdown by Service Area.

He drew attention to the following:

- The number of comments, compliments and complaints during the first six months of the 2020/2021 period which included the pandemic were down on the same period last year;
- The number of complaints had decreased significantly from 446 in the previous period to 233, almost a 50% reduction;
- 58% of complaints related to services delivered by key contractors, while 53% of compliments received related to the same contractors: waste and the leisure centres;
- The percentage of 3Cs resolved within 10 days had improved again (79%) compared to the same period last year, which reflected an increase in monitoring and chasing to accompany the automatic escalations;
- There had been 13 stage 2 complaints and 5 complaints escalated to the Local Government Ombudsman, one of which was upheld relating to Planning and Development as noted in the main report.

The Leader of the Council gave the Committee a verbal report on social media including:

- From April to September 2020, Facebook fans had increased by 1,800 bringing the total number of fans to 4,600. Twitter followers had increased by 701 bringing total followers to 11,000;
- In total, Facebook posts had reached 1.6 million people from April to September;
- Engagement on Twitter had increased. The most popular tweet which gained the most likes and retweets was in May 2020 about food and garden waste collections resuming. The post had over 50 likes and 27 retweets;
- On both Twitter and Facebook the most popular inbound message topics (all Facebook comments, Twitter mentions and direct messages) were coronavirus and waste;
- Less posts had been shared on Twitter and Facebook compared to April – September 2019 but engagement was higher suggesting the quality of posts was better;
- Instagram was becoming more popular – by the end of September 2020 NHDC had 1,499 followers, up from 788 at the start of April 2019. The most popular post on Instagram had been an image of the Broadway Gardens fountain with blue water to show support for NHS, care workers and key support workers with 110 likes.

The following Members took part in discussion:

- Councillor David Levett;
- Councillor Martin Stears-Handscorn;
- Councillor Sam Collins;
- Councillor Claire Strong.

Member discussion included:

- There had been an increase in the number of people watching the Council's YouTube videos;
- The number of views on the YouTube Channel was higher than the number of members of the public who had attended meetings in person;
- The possibility of continuing to live-stream meetings from the Council Chamber after the pandemic was being actively explored;
- The lockdown had meant that more people were looking for information on social media;
- The Council needed to remain mindful of reaching those who did not have access to social media;
- A Task and Finish Group for Community Engagement was due to be initiated as part of the Committee's forward work programme;
- The Waste Task and Finish Group was scheduled for February 2021, however it was noted that the waste team was currently under a lot of pressure which may cause some delay.

**RESOLVED:** That the Information Note entitled Half Year Update on Comments, Compliments and Complaints (3Cs) and appendices be noted.

**REASON FOR DECISIONS:** To update the Committee on the first six months performance of 2020/21 regarding the Comments, Compliments and Complaints (3Cs) received for the Council and the contractors that provide services on the Council's behalf.

## 61 PRIORITIES FOR THE DISTRICT - KEY PROJECTS HALF YEAR MONITORING

*Audio recording – 50 minutes 57 seconds*

The Leader of the Council introduced the report entitled 2<sup>ND</sup> Quarter Monitoring Report on Key Projects for 2020-21 together with the following appendix:

- Appendix A – 2<sup>nd</sup> Quarter Monitoring against Key Projects for 2020/2021

He drew attention to the following:

- It was the last week of the Local Plan examination hearings, after which the deliberations of the Planning Inspector would be awaited;
- There would be one or two further sessions in the new year related to particular items.

The Controls, Risk and Performance Manager gave an update and drew attention to the following:

- The status of the 14 projects could be seen on page 72;
- There were 9 projects with Green Status, 3 Amber, 1 Completed and 1 Pending (the Churchgate project);
- The full list of projects was attached at Appendix A;
- The crematorium (paragraph 8.5) was showing as Amber status, the hearing had been changed to an inquiry to be held on 22<sup>nd</sup> February 2021. A barrister had been appointed and the Statement of Common Ground was being prepared.

The following Members took part in discussion:

- Councillor David Levett;
- Councillor Claire Strong.

Comments from Members included:

- The Brexit Project Board was meeting regularly;
- The Museum Storage Solution project had been ongoing for a long time.

The Service Director – Commercial confirmed that the Museum Storage Solution project was on target within the programme of work which had been set out.

**RESOLVED:** That delivery against the key projects for 2020/21 be noted.

**REASON FOR DECISIONS:** To enable achievements against the key projects for 2020/21 to be considered.

## 62 2ND QUARTERLY PERFORMANCE AGAINST PIs

*Audio Recording – 57 minutes 06 seconds*

The Controls, Risk and Performance Manager presented the report entitled 2020/21 Quarter 2 PI Data and drew attention to the following:

### Summary

The summary showed that there were 6 red indicators. This was mainly due to the impacts of Covid-19.

### RES 1 – Electricity and gas energy consumption (kWh)

This indicator continued to remain green although this was due to the District Council Office only being partly used during the pandemic.

### MI P&R 001 – Percentage of raised sales invoices due for payment that have been paid

This indicator remained red. Recovery processes had been relaxed in order to support customers during the Covid-19 lockdown. Collection rates continued to increase each month.

The Leadership Team and Corporate Debt Management Group continued to monitor the debt closely.

BV 10 – Percentage of NNDR collected in year

There were indications that some businesses continued to struggle which would have an ongoing negative effect on collection rates.

REG 2 - Rate of homelessness prevention and relief

Rates were much improved on this time last year due to the hard work of officers reflecting the government's 'Everyone In' initiative, however this had an impact on the number of households living in temporary accommodation (LI 035a).

REG 3 – Percentage of Environmental Health programmed inspections completed

This indicator was red. Formal food inspections had resumed at a much reduced level due to businesses being shut down but it was unlikely that the target would be achieved by year end.

MI LI 015 – Number of visits to leisure facilities

This was a red indicator with August and September figures lower than expected in the recovery plan. Following the second lockdown, officers were working with SLL to discuss the implications for the recovery plan.

NI 191 – Kg residual waste per household and NI192 – Percentage of household waste sent for reuse, recycling and composting

These indicators were red and it was thought that these figures would be unlikely to recover by the end of the year.

The Controls, Risk and Performance Manager advised that a report would be taken to Cabinet in January with proposed changes to targets in-year to reflect the current position caused by the pandemic. The Overview and Scrutiny Committee would be given the chance to review the report and make recommendations to Cabinet at its January meeting.

The following Members took part in debate and asked questions:

- Councillor David Levett;
- Councillor Claire Strong.

Comments from Members included:

- There was some concern over how meaningful any revised targets could be due to the uncertainty caused by the pandemic;
- It was hoped that the pre-pandemic targets could be re-instated in future.

In response to questions the Controls, Risk and Performance Manager advised:

- The intention was to make the scrutiny more meaningful by adjusting the targets;
- In keeping the same targets, the PIs would remain at red status and not reflect the progress being made.

Members noted the Shared Internal Audit Service (SIAS) report dated November 2020 concerning performance indicators.

Members were reminded to challenge the performance data, which was now circulated one month in advance of each Overview and Scrutiny Committee meeting, to ensure that the relevant Executive Members or officers could be invited to address the Committee.

The Executive Member for Recycling and Waste Management gave a verbal update on waste routes and advised that a spreadsheet containing the waste routes was available and could be circulated to Members. She advised that an online map had been considered but this would be resource and cost intensive to produce.

The following Members asked questions and took part in debate:

- Councillor Sam Collins;
- Councillor Claire Strong;
- Councillor Kate Aspinwall.

Comments from Members included:

- The matter had been ongoing for some considerable length of time;
- There were areas where waste collections had been repeatedly missed;
- A website page was available where a postcode could be input to find the date of collection;
- Routes had been changed which had made collections more inconvenient for some areas due to traffic congestion;
- The situation had improved over time, but there were still areas where the routes/scheduling could be improved.

**RESOLVED:**

- That the Quarter 2 Update on Performance against Performance Indicators be noted;
- That the Committee, Member and Scrutiny Manager be requested to circulate the spreadsheet containing waste route map information to the Committee;
- That any Members who were aware of any issues with regard to waste collection routes be requested to inform the Executive Member for Recycling and Waste Management so that this information could be passed on to the contractor;
- That Recommendation No.2 of the Shared Internal Audit Service (SIAS) report dated November 2020 concerning performance indicators, which concerned the role of Overview and Scrutiny Members in challenging performance data, be noted.

**RECOMMENDED TO CABINET:**

- (1) That Cabinet be requested to consider reviewing the PIs for Environmental Health to allow for the lockdown period where no business was possible;
- (2) That Cabinet be requested to consider revising the PI in relation to usage figures for the leisure centres in line with the revised recovery programme, due to the loss of business caused by the Covid-19 pandemic.

**REASON FOR DECISIONS:** To update the Committee on the performance indicators as well as other indicators that officers have updated and activated on Pentana Risk.

**63 MEMBERS' QUESTIONS**

*Audio recording – 1 hour 25 minutes 35 seconds*

No questions had been submitted.

64 **UPDATE OF THE COMMERCIAL DIRECTORATE'S PROGRESS AND FUTURE WORK PROGRAMME**

*Audio recording – 2 hours 29 minutes 58 seconds*

*NB This item was discussed after Item 17.*

The Committee, Member and Scrutiny Officer undertook a roll call to ensure that all present could hear and be heard.

The Executive Member for Enterprise and Co-operative Development presented the report entitled Update of the Commercial Directorate's Progress and Future Work Programme.

The following Members took part in the debate and asked questions:

- Councillor Kate Aspinwall;
- Councillor Tony Hunter;
- Councillor Sue Ngwala;
- Councillor David Levett.

Comments from Members included:

- Members were aware of the amount of re-deployment which had taken place within the commercial team during the year due to the pandemic. Even in light of that there had been some significant progress and congratulations were conveyed to the Commercial Team;
- Members' thanks were given to all those across the community and workforce who had taken on extra workload to progress the commercial agenda during the pandemic.

The Service Director - Commercial advised that:

- A lot of work had been done to look at the viability of a Community Lottery and it was thought it should be able to make money as it would be run by a company rather than an officer which had been looked at previously;
- The lottery 'player population' included those of an eligible age to play the lottery and the figure could be confirmed after the meeting;
- The idea of using Think Tanks rather than consultants could usefully be explored;
- An external consultant had been used due to the vacancy in the Commercial Team; this individual had been very effective in the work they had done and had achieved completion of projects and taken many reports to Cabinet;
- Other consultants were only used when required for their specialist skills;
- The team was looking at acquiring assets to improve the financial position as well as disposal.

**RESOLVED:**

- (1) That the report entitled Update of the Commercial Directorate's Progress and Future Work Programme be noted;
- (2) That the Service Director – Commercial be requested to provide the Committee with the figures for the 'player population' of the Community Lottery;
- (3) That the Service Director – Commercial be requested to consider the potential benefits of using of Think Tanks in the development of future projects.

**REASON FOR DECISIONS:** To update the Committee on the work of the Commercial Directorate and its Future.

**65 EXCLUSION OF PRESS AND PUBLIC**

*Audio recording – 1 hour 26 minutes 11 seconds*

**RESOLVED:** That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

**66 UPDATE OF THE COMMERCIAL DIRECTORATE'S PROGRESS AND FUTURE WORK PROGRAMME PART II REPORT**

*This item was considered prior to the Part 1 Item of the same name (Minute 64 refers).*

*There is no audio recording of this item as it formed part of a private meeting in accordance with Minute 65 above.*

The Committee, Member and Scrutiny Officer undertook a roll call to ensure that all present could hear and be heard.

The Executive Member for Enterprise and Co-operative Development presented the Part 2 report entitled Update of the Commercial Directorate's Progress and Future Work Programme.

The following Members took part in debate and asked questions:

- Councillor Claire Strong;
- Councillor Helen Oliver;
- Councillor Terry Hone;
- Councillor Sam Collins;
- Councillor Keith Hoskins;
- Councillor Kate Aspinwall;
- Councillor Sue Ngwala.

The Service Director – Commercial responded to the questions asked by Members.

**RESOLVED:** That the report entitled Update of the Commercial Directorate's Progress and Future Work Programme Part II Report be noted.

**REASON FOR DECISION:** To update the Committee on the work of the Commercial Directorate and its Future.

The meeting closed at 10.14 am

Chair