

NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERNON ROAD, LETCHWORTH GARDEN CITY
ON TUESDAY, 14TH DECEMBER, 2021 AT 7.30 PM

MINUTES

Present: *Councillors: David Levett (Chair), Ruth Brown, Morgan Derbyshire, Terry Hone, Mike Hughson, Tony Hunter, Nigel Mason, Carol Stanier and Claire Strong*

In Attendance: *Rachel Cooper (Controls, Risk and Performance Manager), Steve Crowley (Service Director - Commercial), Melanie Stimpson (Democratic Services Manager), James Lovegrove (Committee, Member and Scrutiny Officer), Chloe Gray (Commercial Manager), Chris Jeffery (Interim Customer Service Manager) and Christopher Robson (Senior Estates Surveyor)*

Also Present: *At the commencement of the meeting there were no members of the public or registered speakers present.*

47 WELCOME

The Chair welcomed everyone to the Overview and Scrutiny Committee meeting that was being held in the Council Chamber and advised that the meeting was being streamed live on the Council's YouTube channel and some Officers were joining online.

The Chair invited the Committee, Member and Scrutiny Officer to explain how proceedings would work.

The Committee, Member and Scrutiny Officer undertook a roll call of those officers joining the meeting online to ensure that they could hear and be heard and gave advice regarding the following:

- Rules of Debate;
- Voting; and
- Covid Risk Assessment Measures.

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

48 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Daniel Allen, Kate Aspinwall, Jim McNally, Ian Moody and Terry Tyler.

Having given due notice, Councillor Morgan Derbyshire substituted for Councillor Ian Moody, Councillor Terry Hone substituted for Councillor Jim McNally and Councillor Ruth Brown substituted for Councillor Terry Tyler.

49 MINUTES - 14 SEPTEMBER 2021

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

RESOLVED: That the Minutes of the Meeting of the Committee held on 14 September 2021 be approved as a true record of the proceedings and be signed by the Chair.

50 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

51 CHAIR'S ANNOUNCEMENTS

- (1) The Chair advised that following the death of Cllr Paul Clark a minutes silence would be held.
- (2) The Chair advised Members that the meeting would be audio and video recorded in line with Council policy.
- (3) The Chair reminded Members that interests should be declared prior to an item and the detailed explanation of this was included on the agenda.
- (4) The Chair advised that there was a Part 2 Item on the agenda for this meeting and notified members of the public that the room would be emptied and the live stream would be stopped at this point.
- (5) The Chair notified Members of a change of order and Items 16 and 17, 'Exclusion of Press and Public' and 'Commercial Update Part 2', would come before Item 15, 'Commercial Update Part 1'.

52 PUBLIC PARTICIPATION

There was no public participation.

53 URGENT AND GENERAL EXCEPTION ITEMS

No urgent or general exception items were received.

54 CALLED-IN ITEMS

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

55 RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

Councillor Claire Strong raised a Point of Order to question why the use of the acronym NHC for North Herts Council was being used within Officer reports, when advice in recent Insight magazine said this acronym should not be used publicly due to possible confusion with North Herts College.

At this point of the meeting (19.37) Councillor Carol Stanier entered the Council Chamber.

The Democratic Services Manager advised that the question would be passed onto the Communications Team and Members subsequently informed.

The Democratic Services Manager presented the report entitled Resolutions of the Overview and Scrutiny Committee.

At this point of the meeting (19.39) Councillor Ruth Brown entered the Council Chamber.

The following Members asked questions:

- Councillor Claire Strong

In response to questions, Councillor David Levett advised:

- When the Task and Finish Group was initially conceived it was not expected that the Covid pandemic would last as long as it has. There would be a need to speak with Officers to find a different approach to move this work on.
- There was a possibility that the work proposed for the Task and Finish Group could be assigned to an Executive Member to progress the work.
- Would need to check the legal status of the Task and Finish Group in light of work from home advice but without changes to legislation to allow for remote decisions to be made.

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.

56 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The Democratic Services Manager presented the report entitled Overview and Scrutiny Committee Work Programme and drew attention to the following:

- Crime and Disorder Matters item was due before the Committee in January and requested that Members advise of topics under this remit, so invites can be sent to relevant partners.
- A supplementary document was added on 13 December 2021 and this was the most up to date version of the Forward Plan.
- Advised that the publication date of the Forward Plans had been changed to the beginning of the month, rather than the end.

In response to a question from Councillor David Levett, the Democratic Services Manager believed that the Waste Infrastructure item on the Forward Plan was still due to Cabinet at the December 2021 meeting.

Councillor David Levett suggested that a possible topic for the Crime and Disorder Matters item could be cybercrime and cyber-bullying.

Councillor Terry Hone suggested that the topics of Domestic Abuse and E-Scooters could be discussed under the Crime and Disorder Matters.

Councillor David Levett advised that these proposals could be put to the police to see what could be provided to the Committee on these topics.

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

RESOLVED:

- (1) That the Committee prioritises proposed topics for inclusion in the work programme attached as Appendix A and, where appropriate, determines the high level form and timing of scrutiny input.
- (2) That the Committee, having considered the Forward Plan attached as Appendix B, suggests a list of items to be considered at its meeting on 18 January 2022 and beyond

and will notify the Committee, Member and Scrutiny Manager of these, specifically relating to Crime and Disorder.

- (3) That the Corporate Peer Challenge Action Plan Extract, as attached as Appendix C, be considered.

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.

57 INTEGRATED PERFORMANCE MANAGEMENT

The Controls, Risk and Performance Manager presented the report entitled 'Integrated Performance, Project Monitoring and Risk' including:

- Outlined the changes to the processes which were included within the report.
- This proposal was to change the way project monitoring and risk was presented to the Committee with an integrated approach to monitoring Performance Indicators and the Council Plan.
- This Integrated Report would be provided to the Finance, Audit and Risk Committee and Cabinet, as well as this Committee.
- This should help to ensure both Committees receive the full picture and make the information published online more relevant to the public.
- Monitoring of the Council Plan will be done quarterly by Overview & Scrutiny and can be referred onto Cabinet, strengthening the role of the Committee.
- Finance, Audit and Risk would no longer receive updates on particular risk, but would have a view of the overall performance of Risk Management, which is hoped will remove overlap between the two Committees.
- A slight change to the Constitution would be required to extend the role of Overview & Scrutiny in risk monitoring, outlined in the report.
- The proposals would allow better alignment to the Council Plan, better Cabinet and Overview & Scrutiny oversight and will make information more accessible to Councillors, Officers and members of the public.
- An informal consultation had taken place with the Chairs of both Finance, Audit and Risk Committee and Overview & Scrutiny and the Finance, Audit and Risk Committee would also receive this report for commenting.
- The first report in the new format will be the Q1 reporting at the Committee meeting in September 2022.

The following Members asked questions:

- Councillor Terry Hone

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

- Consideration of resources (staff and financial) would be considered when drawing up the list of projects to be included in the delivery plan, as takes place during the budget setting process.
- Confirmed that it was proposed for the Chair of Overview & Scrutiny and Finance, Audit and Risk attend the Risk Management Group, but processes would need to be determined, agreed and put in place to manage this.

The Chair commented that it was positive to see that the reports would be linked up which would allow the Committees to monitor risk and performance as a whole and he welcomed the move.

Councillor David Levett, as Chair, proposed and Councillor Morgan Derbyshire seconded and, following a vote, it was:

RESOLVED: That the proposals set out in the report were approved, which relate to the creation and monitoring of an Integrated Council Delivery Plan.

RECOMMENDED TO COUNCIL: To approve the changes to the Constitution as detailed in Section 9.

REASON FOR DECISION: To improve the current processes that are in place which do not seem to be well integrated with each other or the Council Plan.

58 Q2 PERFORMANCE INDICATORS 2021-22

The Controls, Risk and Performance Manager presented the report entitled 'Quarter 2 PI Data' including:

- This report showed the data for 21 Indicators to the end of September 2021 and there were four green, two amber and three red Indicators. The remaining indicators were for information only and did not have targets.
- Sales Ledger collection was up on last year and improving month on month, but was still down on target.
- Payment collections from businesses were still facing issues with fewer court dates available to reclaim owed monies and payment deadlines being pushed back to February or March 2022.
- North Herts is performing well against other Herts authorities regarding Homeless Prevention and Relief, but down on performance from last year.
- Visits to leisure centres are continuing to perform well against the recovery plan.
- Residual Household Waste indicator was red and this was down primarily to food waste in residual bins, but public messaging was going out to target this.
- Outlined the other Waste Indicators and noted that recycling was improving on last year.

The following Members asked questions:

- Councillor David Levett
- Councillor Terry Hone
- Councillor Claire Strong

The Senior Estates Surveyor advised that the government moratorium on rent had been extended to 25 March 2022, but could be further extended.

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

- Generally sales ledger invoices were low value, therefore a few high value outstanding invoices have a big impact on collection levels.
- Communications on social media had been made to encourage residents to reduce food waste in residual bins.
- They were unsure of the breakdown of the 21 households in temporary accommodation and would look to provide Members with details of this following the meeting.

In response to questions the Deputy Executive Member for Recycling and Waste Management advised:

- Messages addressing food waste had been included in previous Outlook magazines.
- When food waste collections have had to be suspended, due to staffing shortages and the pandemic, the issue tended to get worse.

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- A previous composition waste analysis had been completed at the beginning of 2022, but it was difficult to monitor and repeat due to the scale of the project.
- Council messages had been clear on this, but this had been confused by different messages locally.
- The message had been consistently that food waste could go in the residual waste bin if no other alternative and while this was not ideal it was deemed a necessary short term measure.

Councillor Terry Hone advised that it would not be legal for the Council to tell residents to put food waste in their charged garden waste bin.

Councillor David Levett commented that the advice given relating to this may need a refresh to ensure the best information is being provided.

Councillor Terry Hone requested that Officers and Executive Members seek advice from other authorities regarding their actions on food waste and missed collections to explore other options and ensure best practice is followed. Councillor Carol Stanier advised that she would request the Executive Member raise this with the Hertfordshire Waste Partnership group.

Councillor Claire Strong proposed and Councillor Terry Hone seconded and, following a vote, it was:

RESOLVED: That the report entitled 'Q2 Performance Indicators 2021-22' be noted.

RECOMMENDED TO CABINET: To consider further messaging and communications, not exclusive to social media, to clarify the process for residents regarding food waste and the missed collection protocol.

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

59 PROGRESS AGAINST PROJECTS TO SUPPORT THE COUNCIL PLAN

The Controls, Risk and Performance Manager presented the report entitled '2ND Quarter Monitoring Report on Key Projects 2021-22' and drew attention to the following:

- The Status Report showed 10 projects with a green status, 3 with amber and 1 red.
- The equipment at Howard Park play area had been delivered and the final works were due for completion by 17 December 2021 and publicity would follow announcing the reopening.
- Crematorium project had ceased following the report to Cabinet on 21 September 2021 and Officers from Commercial and Green Space teams will explore alternative options for the site. Any alternatives identified would be reported to Cabinet by March 2022 and no further reports would come to Overview & Scrutiny.
- An enquiry regarding progress on the Local Plan had been on 10 November and this an the response had been published online. There was still no date given for the receipt of the report.

Councillor David Levett noted that it was positive to see the work progressing on the Howard Park play area after the delays experienced.

The following Members asked questions:

- Councillor Claire Strong

In response to questions Cllr Carol Stanier advised that, although 10,000 people had not signed up to the Tree Giveaway, of the people and groups who had signed up there were a

significant number who requested more than one. While numbers were limited initially, if there are leftover trees they will be offered to those who had already received trees.

Councillor Ruth Brown advised that 300 trees had been collected from Royston without having made a prior request.

Councillor Terry Hone commented that he had collected a tree and was very impressed with the level of service offered upon collection and noted that the operatives involved should be commended.

Councillor David Levett agreed that the Officers who carried out the work should be thanked for a successful project, which could hopefully be repeated in the future.

Councillor Terry Hone proposed and Councillor Nigel Mason seconded and, following a vote, it was:

RESOLVED: That the report entitled '2nd Quarter Monitoring Report on Key Projects for 2021-22' be noted.

REASON FOR DECISION: To enable achievements against the key projects for 2021-22 to be considered.

60 COMMENTS, COMPLIMENTS AND COMPLAINTS HALF YEAR REPORT

The Leader of the Council confirmed that there had been articles published in the last issue of the Outlook magazine on reducing food waste.

The Leader of the Council presented the report entitled 'Half Year Update on Comments, Compliments and Complaints (3C's)' and highlighted the following:

- There had been an error with the logging of 'Service Requests' as 'Comments' from Urbaser staff and this explains the large growth in Comments to the Waste team and this issue has now been resolved.
- The number of complaints surrounding Garden Waste Subscription was lower this year than previous years.
- Compliments were received most for Carline and Green Space teams.
- Complaints solved within 10 day target period was 2% down, but this was primarily due to the staffing shortages and given wider context this 2% drop is not too bad.
- 20 complaints had been escalated to Stage 2 – 15 of these were deemed not justified and one was sent to the Local Government Ombudsman, but was found to be outside of their remit.
- Service providers should be commended for the work they've continued to do in difficult circumstances.

The following Members asked questions:

- Councillor David Levett
- Councillor Claire Strong

In response to questions, the Leader of the Council advised:

- A Service Request would be logged if a resident initially raises a missed bin collection, if this is then not done after the request was made it would become a complaint.
- Comments can be difficult to identify and the Leader advised she would rather these be mis-recorded than not recorded at all.

- If a comment is clearly framed as a complaint, it would be recorded as such even if it was the first time contact over a missed bin collection.
- Some service requests following a missed bin collection do not automatically include a complaint as there is no explicit dissatisfaction.
- Missed bin collections had always been logged as a service request, unless there was an explicit expression of complaint.

Councillor Mike Hughson proposed and Councillor Claire Strong seconded and, following a vote, it was:

RESOLVED: That the Information Note entitled 'Half Year Update on Comments, Compliments and Complaints (3C's)' be noted.

REASON FOR DECISION: To update the Committee on the first six months performance of 2021/22 regarding the Comments, Compliments and Complaints (3C's) received for the Council and the contractors that provide services on the Council's behalf.

61 EXCLUSION OF PRESS AND PUBLIC

Councillor David Levett, as Chair, proposed and Councillor Morgan Derbyshire seconded and, following a vote, it was:

RESOLVED: That under Section 100A of the Local Government Act 1972 the Press and Public be excluded from the meeting on the grounds that the following report will involve the disclosure of exempt information as defined in Paragraph 3 of Part 1 Schedule 12A of Said Act (as amended).

62 COMMERCIAL UPDATE - PART 2

The Service Director – Commercial presented the report entitled 'An update of the Commercial Directorate's progress and future work programme – PART 2'.

The following Members asked questions:

- Councillor Claire Strong
- Councillor David Levett
- Councillor Tony Hunter
- Councillor Carol Stanier
- Councillor Ruth Brown

The Service Director – Commercial, Senior Estates Surveyor and Executive Member for Finance and IT responded to questions and gave advice.

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

RESOLVED: That the report entitled 'An update of the Commercial Directorate's progress and future work programme' be noted.

RECOMMENDED TO CABINET: To review the Harkness Court project in light of Overview and Scrutiny comments and concerns in relation to the climate emergency (greener solutions instead of the proposed gas installation), whether there are more commercially viable options to the leasing of the flats, as is currently proposed, to generate a better financial return, and if the approach taken remains the most suitable or if other options should be explored. The Overview and Scrutiny Committee request that the Cabinet report back to the Committee.

REASONS FOR DECISION: The report is following the request of the Committee for an update on the progress of the Commercial Directorate work programme and is for information only.

63 COMMERCIAL UPDATE

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

RESOLVED: That the report entitled 'An update of the Commercial Directorate's progress and future work programme' be noted.

RECOMMENDED TO CABINET: To review the Harkness Court project in light of Overview and Scrutiny comments and concerns in relation to the climate emergency (greener solutions instead of the proposed gas installation), whether there are more commercially viable options to the leasing of the flats, as is currently proposed, to generate a better financial return, and if the approach taken remains the most suitable or if other options should be explored. The Overview and Scrutiny Committee request that the Cabinet report back to the Committee.

REASONS FOR DECISION: The report is following the request of the Committee for an update on the progress of the Commercial Directorate work programme and is for information only.

64 MEMBERS' QUESTIONS

No questions had been submitted.

The meeting closed at 9.32 pm

Chair