

NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
LETCWORTH GARDEN CITY
ON MONDAY, 13TH JUNE, 2022 AT 7.30 PM

MINUTES

Present: *Councillors: Councillor David Levett (Chair), Adam Compton, Carol Stanier, Claire Strong, Nigel Mason, Phil Weeder, Raj Bhakar, Tamsin Thomas, Kay Tart, Morgan Derbyshire, Sean Nolan and Tony Hunter*

In Attendance: *Rachel Cooper (Controls, Risk and Performance Manager), Christopher Robson (Senior Estates Surveyor) Steve Crowley (Service Director - Commercial), James Lovegrove (Committee, Member and Scrutiny Officer), William Edwards (Committee, Member and Scrutiny Manager) and Chloe Gray (Commercial Manager)*

Also Present: *At the commencement of the meeting there were no members of the public. Councillor Keith Hoskins and Councillor Ian Albert were present as Executive Members.*

94 APOLOGIES FOR ABSENCE

Audio recording – 3 minutes 27 seconds

Apologies for absence were received from Councillors Val Bryant, Ian Moody and Alistair Willoughby.

Having given due notice Councillor Kay Tart substituted for Councillor Val Bryant, Councillor Sean Nolan substituted for Councillor Alistair Willoughby and Councillor Morgan Derbyshire substituted for Councillor Ian Moody.

95 MINUTES - 15 MARCH 2022

Audio recording – 3 minutes 46 seconds

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 15 March 2022 be approved as a true record of the proceedings and be signed by the Chair.

96 NOTIFICATION OF OTHER BUSINESS

Audio recording – 4 minutes 23 seconds

There was no other business notified.

97 CHAIR'S ANNOUNCEMENTS

Audio recording – 4 minutes 28 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (2) 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.

98 PUBLIC PARTICIPATION

Audio recording – 4 minutes 53 seconds

There was no public participation.

99 URGENT AND GENERAL EXCEPTION ITEMS

Audio recording – 4 minutes 55 seconds

The Chair advised that he had approved two items to be presented at Cabinet without the statutory notice due to urgency. These items related to Careline and Churchgate.

100 CALLED-IN ITEMS

Audio recording – 5 minutes 32 seconds

There were no Called-In Items.

101 MEMBERS' QUESTIONS

Audio recording – 5 minutes 36 seconds

No questions had been submitted.

102 RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

Audio recording – 5 minutes 42 seconds

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

- Advised new Members that this was a report to keep record of decisions made at Overview and Scrutiny and where they are referred to other committees.
- As the Covid situation normalises, there can now be work put into scheduling the Task and Finish group. An item would need to be added to the Work Programme to look at the Terms of Reference.
- If Members are content with the three completed items, these can be removed from future reports.
- The Democratic Services Manager had received an update regarding the Shared Waste Service Management and five Members will be appointed to the cross-party joint working group.

Councillor Claire Strong highlighted that there was some outstanding debate regarding the Harkness Court project and that a full update has not yet been received, so cannot be marked as complete. In response to this, Councillor David Levett advised that Cabinet had considered the concerns and recommendations raised by Overview and Scrutiny and therefore that element of reporting is complete.

Councillor David Levett, as Chair, proposed and Councillor Carol Stanier seconded and, following a vote, it was:

RESOLVED: That the report entitled 'Resolutions of the Overview and Scrutiny Committee' was noted.

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

103 LORD LISTER HOTEL - PROPOSED SCRUTINY WORK

Audio recording – 9 minutes 25 seconds

The Chair advised Members that, following a request at Annual Council, the Overview and Scrutiny Committee would look into the process behind the decisions taken on the Lord Lister Hotel, Hitchin. The Chair noted that whilst it was possible to establish a Task and Finish group for this, he felt it was more suitable to call relevant Members and Officers to give their account under item 6.3.9 of the Constitution.

The Chair advised that he would be requesting Anthony Roche, Chief Executive and decision maker, Martin Lawrence, who made the decision request and authored the report, and Councillor Elizabeth Dennis-Harburg, who co-signed the decision, to give their account to the Committee.

The areas the Committee would be looking into included; the timeline of the process, the award of the contract including who was involved in this, any alternatives explored, the contract agreement and the performance against that contract to date and any lesson learnt through this process. It was expected that this would be presented to the Overview and Scrutiny Committee at their next meeting on the 12 July 2022.

The following Members asked questions:

- Councillor Claire Strong
- Councillor Adam Compton
- Councillor Nigel Mason
- Councillor Tony Hunter

In response to questions, the Chair advised:

- There were two parts to explore regarding this and the Committee would look at both the contracts agreed regarding the service and the grants awarded to provide the service.
- No prior discussion of this has taken place and this was the first time the proposed work had been explored.
- It was hoped that the grant funds allocated to North Herts Council would also be explored when Members and Officers gave their account.
- Members needed to be aware that this was subject of a planning application and Overview and Scrutiny Committee could not look into the planning aspect, or any licensing issues. The Committee was limited to look at the decision making process and the extent to which these align with Council policy and their performance.
- The timescales were quite short before the next meeting, but this is a call to account not a task and finish group. After the July meeting, the report can be referred onto Full Council or, if further work was required, it can be brought back to a future Overview and Scrutiny Committee.
- The call to account would allow relevant Officers and Members to explain the processes undertaken and it was important Members of the Committee heard this side of the story and did not base decisions on media reports or public comments.

- The Committee would look at whether the decision was taken in line with Council policy, as well as the Council Constitution.
- The decisions taken relating to this item have already been taken and should have done so in line with Council policy. There would be no new reports or decisions needed ahead of the July Committee meeting, therefore the timescales should be suitable for this.

The Chair advised that any Members who sat on both the Planning Control and Overview and Scrutiny Committee should seek advice from the Monitoring Officer if they feel they may have a disclosable interest.

The Chair noted that the Committee had never before used the call to account procedure and this was an opportunity for the Committee to use this to look into this decision, as was suggested in a recent Peer Review.

104 COMMERCIAL TEAM UPDATE

Audio recording – 22 minutes 50 seconds

Councillor Keith Hoskins, Executive Member for Enterprise and Arts, gave a verbal update on the Commercial Team for Members, including:

- An operational review of the Commercial Team was being presented to Political Liaison Board in light of changes to central government legislation and how Councils are now allowed to invest.
- Public Works Loan Board finance is no longer available primarily for financial gain but can be for service related or regeneration projects.
- The Lottery had now launched and was performing above expectations and it was hoped that the set-up costs would be covered in Year 1.
- Work on Churchgate continues to move along and remains Council policy to try and purchase the leasehold.
- Financial analysis is underway looking at the viability of development of Bury Mead for storage facilities for the North Herts Museum.
- Work on Harkness Court is progressing well, and first inhabitants are expected from September 2022 following the completion of the final minor works.
- A feasibility study is underway at Wilbury Hills to explore a renewable energy project on this site. This had previously been explored and was deemed non-viable, but with changes in technology this is now being explored again.
- Land disposals were planned for areas in Barkway, Preston and Baldock.
- The Estates Team are in advanced negotiations with three of North Herts Council's major investment tenants to renegotiate their terms.
- Three respondents had expressed an interest in working with the Council to redevelop Charnwood House, Hitchin and two further groups suggested they would be interested in using the space once developed. The building was now fully empty and asbestos appraisals were due for the next month.
- The Royston Town Hall annexe was set to be remarketed and liaison was ongoing with the Royston Town Council Clerk.

The following Members asked questions:

- Councillor David Levett
- Councillor Claire Strong
- Councillor Tony Hunter

In response to questions, the Executive Member for Enterprise and Arts advised:

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- The Wilbury Hill Energy Project referred to the fields next to the cemetery, which was earmarked for future expansion, but could be used for other means in the time being.
- There was an operational review of the Commercial department ongoing and would be presented to Political Liaison Board this week and, if adopted, there would be additional items brought to Overview and Scrutiny.
- He, alongside Officers, would look at producing a more in-depth report for future meetings. They would need to look at what work is already being done and would need to identify a way to present an all-encompassing look at commercial returns.

Councillor Strong noted that this Commercial Update was requested at the last Overview and Scrutiny Committee meeting and, whilst the verbal update was appreciated, a more details written update would be required to look at commercial projects in line with proposals. She noted that it was requested that the Commercial Update be added to all future meeting agendas.

Councillor Levett agreed and advised that this was a last minute addition to this agenda, as it had been omitted initially. He requested that a full Commercial Update be provided to all future Overview and Scrutiny Committee meetings.

105 PERFORMANCE MONITORING FOR 2021/22 - YEAR END

Audio recording – 36 minutes 17 seconds

The Controls, Risk and Performance Manager presented the report entitled '4th Quarter Updates on Performance Indicators' and advised Members of the following:

- This report had the full year data through to the end of March 2022.
- There were 7 green, 1 amber and 1 red project within this report.
- Short term absences had continued to rise as restrictions have eased and more social interactions are taking place, but North Herts was still joint 20th out of 52 District Councils regarding this indicator.
- Residual Waste per Household targets had not been met but were within the tolerance levels.

Councillor Adam Compton requested that further detail be provided for some of these indicators, for example a breakdown by area in relation to missed bin collections.

The Controls, Risk and Performance Manager would signpost Members to already available information and would speak with the Shared Waste Service Manager to see what further detailed breakdown could be provided.

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

RESOLVED: That the content of the report entitled '4th Quarter Updates on Performance Indicators' was noted.

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

106 END OF YEAR MONITORING REPORT ON KEY PROJECTS FOR 2021 - 22

Audio recording – 40 minutes 50 seconds

The Controls, Risk and Performance Manager presented the report entitled 'End of Year Monitoring Report on Key Projects for 2021-22' and advised Members of the following:

- This report covered to the end of March 2022 and contained 3 completed and 7 amber projects. The items marked as completed would no longer be reported to this Committee.
- All trees for the Tree Giveaway project had now been distributed.
- Some projects had moved from green to amber during this quarter, for example the provision of housing at market rent, the trial of EV charging points in North Herts and the disposal of surplus land. The report detailed where these projects were at currently.
- The Local Plan was still outstanding, however an update had been received with advice that the draft report had been passed onto the Department for Levelling Up, Housing and Communities and will then go through a final audit, before returning to the Council for fact checking ahead of final publication.

In response to a question from Councillor David Levett, the Controls, Risk and Performance Manager advised that no idea of timeline had been provided in connection with the Local Plan.

Councillor Levett noted that the 9 June 2017 was the date the Plan was submitted, so this marked the 5th anniversary.

Councillor Claire Strong proposed and Councillor Adam Compton seconded and, following a vote, it was:

RESOLVED: That delivery against the key projects for 2021-2022 was noted and commented on by the Overview & Scrutiny Committee and that those marked as completed can be removed from future reports.

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

107 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

Audio recording – 46 minutes 00 seconds

The Committee, Member and Scrutiny Manager presented the report entitled Overview and Scrutiny Committee Work Programme and advised that two of the Committee meeting dates on Appendix A were listed incorrectly. The correct meeting dates were the 12 July 2022 and 24 January 2023, not 13 July 2022 and 14 January 2023 as listed on the printed report.

Councillor David Levett commented that the July meeting will include the report from Officers on the Lord Lister Hotel and requested that the Commercial Update be added to all future Overview and Scrutiny agendas.

Councillor Claire Strong noted that the Levelling Up Agenda and North Herts item was a large topic and suggested it be explored at the July meeting.

Councillor Adam Compton advised that he and other Members would be attending workshops regarding the Shared Waste Service arrangements and suggested it would be useful to discuss this at July meeting so any North Herts concerns and comments can be raised at these workshops. Councillor Levett advised that he would look at what is happening with this and whether it was being considered at any other committees.

Councillor Claire Strong proposed and Councillor Adam Compton 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.

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- (2) That the Committee, having considered the most recent iteration of the Forward Plan, made suggestions of items to be considered at its meetings in the coming civic year and further suggestions could be made to the Committee, Member and Scrutiny Manager.
- (3) That the Corporate Peer Challenge Action Plan Extract as attached as Appendix B was 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

The meeting closed at 8.23 pm

Chair