

NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

**MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH
ON TUESDAY, 6TH DECEMBER, 2022 AT 7.30 PM**

MINUTES

Present: *Councillors: Councillor David Levett (Chair), Adam Compton, Alistair Willoughby, Claire Strong, Ian Moody, Nigel Mason, Phil Weeder, Raj Bhakar, Tamsin Thomas and Tony Hunter*

In Attendance: *James Lovegrove (Committee, Member and Scrutiny Manager), Melanie Stimpson (Democratic Services Manager), Jeanette Thompson (Service Director - Legal and Community), Rachel Cooper (Controls, Risk and Performance Manager), Robert Orchard (Operations and Facilities Manager), Steve Crowley (Service Director - Commercial), Georgina Chapman (Policy Officer), Chris Jeffery (Customer Service Manager), Christopher Robson (Senior Estates Surveyor) and Chloe Gray (Commercial Manager)*

Also Present: *At the commencement of the meeting Councillors Steve Jarvis, Ian Albert and Keith Hoskins were in attendance. There were no members of public present.*

153 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 53 seconds

Apologies for absence were received from Councillors Carol Stanier and Val Bryant.

154 MINUTES - 6 SEPTEMBER 2022, 28 SEPTEMBER 2022

Audio Recording – 2 minutes 10 seconds

The Chair advised that he would take the votes on the two sets of Minutes separately, so that Members present at one meeting could vote.

Councillor David Levett proposed to approve the Minutes of the meeting of the 6 September 2022 and this was seconded by Councillor Nigel Mason and, following a vote, it was:

RESOLVED: That the Minutes of the meeting held on the 6 September be approved as a true record of proceedings and signed by the Chair.

Following the vote, the Chair moved onto the Minutes of the extraordinary meeting held on the 28 September 2022.

Councillor David Levett, as Chair, proposed and Councillor Phil Weeder seconded.

Councillor Claire Strong was concerned with the Minutes of the discussion on the Shared Waste Service Agreement item, which did not reflect fully the points raised by Members. The Minutes stated that Members had 'concerns' about the proposals, but this did not highlight the genuine doubts and misgivings presented by Members during the discussion. Also these doubts were not limited to the volume of waste, but the smell this would cause.

The Chair and Councillor Adam Compton advised that they agreed with the comments made by Councillor Strong on the Minutes of the 28 September and the amendments were agreed with the consent of Members present.

Having been proposed and seconded and, following a vote, it was:

RESOLVED: That the Part 1 Minutes of the meeting held on the 28 September 2022, as amended as follows, be approved as a true record of proceedings and signed by the Chair.

Councillor Strong raised issues with the Part 2 Minutes of the meeting held on the 28 September and was advised by the Chair that this could be discussed in the Part 2 section of this meeting.

N.B. The Part 2 Minutes of the meeting held on the 28 September 2022 were not approved at this meeting and are being presented to the next Overview and Scrutiny Committee meeting.

155 NOTIFICATION OF OTHER BUSINESS

Audio recording – 7 minutes 37 seconds

There was no other business notified.

156 CHAIR'S ANNOUNCEMENTS

Audio recording – 8 minutes 30 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be 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.
- (3) The Chair paid tribute to Councillor Judi Billing MBE following her death on the 24 November 2022 and advised that formal tributes would be welcomed at the Extraordinary Full Council meeting on 19 December 2022.

157 PUBLIC PARTICIPATION

Audio recording – 9 minutes 37 seconds

There was no public participation.

158 URGENT AND GENERAL EXCEPTION ITEMS

Audio recording – 9 minutes 46 seconds

No urgent or general exception items were received.

159 CALLED-IN ITEMS

Audio recording – 9 minutes 48 seconds

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

160 MEMBERS' QUESTIONS

Audio recording – 9 minutes 50 seconds

No questions had been submitted.

161 RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

Audio recording – 9 minutes 58 seconds

The Committee, Member and Scrutiny Manager presented the report entitled Resolutions of the Overview and Scrutiny Committee and proposed that the Shared Waste Service Agreement be removed from the Resolutions document, following the adoption at Cabinet on 25 October 2022.

The following Members asked questions:

- Councillor Claire Strong
- Councillor Adam Compton

In response to questions the Committee, Member and Scrutiny Manager advised:

- Nominations to the Task and Finish Group had not yet been sought due to staff changes and shortages within the Committee Services Team.
- It was expected that Group Leaders would be consulted on nominees for the Task and Finish Group, as well as appointing a Chair of the Group, before the Christmas close down.
- The Design and Sustainability SPDs resolution had not yet been started as work could not progress until the adoption of the Local Plan. As the Plan had now been adopted work could begin on this item by the Strategic Planning Team.

The Chair recognised that Members had waited a significant amount of time for the Task and Finish Group, but urged patience and understanding on this while the team was significantly under resourced.

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

RESOLVED: That the document 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.

162 CLIMATE CHANGE STRATEGY 2022-2027

Audio recording – 14 minutes 33 seconds

Councillor Steve Jarvis presented the report entitled 'Climate Change Strategy 2022-2027' and advised of the following:

- This was an update to the previously adopted Climate Change Strategy and was updated to reflect changes, nationally and locally, that had occurred.
- There were mitigation and adaption proposals included and some of these would be taken alongside partners, such as the Herts Climate Change and Sustainability Partnership (HCCSP).

- Objectives of the strategy, such as achieving carbon neutral Council by 2030, creating Council operations that are resilient to Climate Change, achieving a net zero district by 2040 and creating resilience across the district, remain unchanged.
- The principle areas of action, taking action on the emissions of the Council, enabling emissions savings in the community and inspiring the community to reduce emissions, also remain unchanged.
- A lot of work had been done to understand what the emissions of the Council were and what could be done to offset these. It was clear from this that it would require a combination of tree planting and renewable energy generation, but there was still work to be done to understand how the required level of offsetting could be met.
- There were proposals to move away from requiring new vehicles to be Ultra-Low Emission Vehicles, to be required to be zero emissions from 2025, where possible.
- Progress to date had been provided in the report.

The following Members asked questions:

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

In response to questions, Cllr Jarvis advised:

- There had been a lot of work to estimate the emissions of the Council and it was around the level to be expected.
- One issue with comparisons is that various authorities have approached this in different ways. Scope 1 and 2 emissions have to be included, these are the direct emissions of the Council and the indirect emissions respectively, but some, including North Herts, have included Scope 3 emissions, which regard the emissions of staff.
- There was also an appreciation that the emissions of contractors employed to run services should be included.
- There had been a number of considerations on working from home and the effect of this would depend on the nature of the job and the personal circumstances of the employee. There may be instances where emissions could be reduced by working in an office, but this would not always be the case.
- Instilling behavioural changes was the most difficult part of the Strategy, but it was also the most rewarding if done correctly. As the Council amounted for less than 1% of the district emissions, there was a need to bring the communities with it.
- Some members of the public had reported an interest in solar panels following the Council's bulk buy scheme, despite not formally signing up to the scheme at the time, which demonstrated the community leadership of the Council.
- Changing behaviour is complex and needs to be carried out in various ways. North Herts had the Cabinet Panel on Environment to involve those already engaged and was set to attend an event a year in each of the towns in the district to promote Council actions and support. Engagement with schools had not yet been possible due to issues accessing schools during the pandemic.
- One of the five themes of the HSSCP is on behavioural change and it was important that the Council worked with community groups and partners across the district on this aspect.
- The emissions of contractors providing Council services, such as John O'Connor and Urbaser, have been included in the Scope 1 and 2 emissions of the Council, due to the nature of these relationships. The Scope 3 emissions of contractors was not currently being monitored.
- The leisure centres in the district were included within the Scope 1 and 2 emissions of the Council. The figure could be reduced by 60% if the leisure centre emissions were removed from the calculations.

- There was the possibility that the review of the procurement process could take into account the policies in the Strategy.
- Some suppliers are custom built services for the Council and it was deemed appropriate to include these, others are “off the shelf” or occasional services and it was felt that there was no need to put a disproportionate response into contractors which represent a small amount of emissions.
- The emissions of big or industrial businesses in the district was better for the LEP to deal with, and the LEP represented on the HCCSP.
- There was a scheme run by West Suffolk Council in which the Council would install solar panels on the roofs of industrial buildings and then sells the energy produced back to the companies, which is being explored by the Enterprise team at North Herts.

In response to questions the Policy Officer advised that the LGA had started to look at the relationship between working from home and emissions, but at this stage it remained in the early stages and was dependents on a lot of factors. The impression at the moment was that there was a benefit with regard to emissions for those who work in the office and live within 20 minutes commute.

Councillor Phil Weeder proposed and Councillor Adam Compton seconded and, following a vote, it was:

RECOMMENDED TO CABINET:

- (1) That Cabinet adopt the following documents, taking into consideration the additional actions proposed under each priority area:
 - Appendix 1 Climate Change Strategy 2022-2027
 - Appendix A Proposed Actions
 - Appendix B Achievements
- (2) That Cabinet reflects the Climate Change Strategy for contracted services when considering the revision of the Procurement Policy.

REASON FOR RECOMMENDATIONS: In 2019, the Council passed a motion to declare a Climate Emergency. In this motion the Council pledged their commitment to do everything within their power to become carbon neutral by 2030. This iteration of the Strategy has been revised to reflect the latest legislation, research, and best practice; and includes additional proposed actions under each priority area to respond to gaps we have identified. Appendix B Achievements lays out progress against each action.

163 EQUALITY, DIVERSITY AND INCLUSION STRATEGY 2022-2027

Audio recording – 39 minutes 06 seconds

The Policy Officer presented the report entitled ‘Equality, Diversity and Inclusion Strategy 2022-2027’ and advised of the following:

- This was to replace the previous strategy adopted in 2017, which focussed on Equality, but not Diversity or Inclusion.
- The document sets out the legal duties on the Council, as well as the Equality, Diversity and Inclusion policies outside of the legal requirements.
- There were four objectives to approve; two relating to residents and communities, one relating to the Council as an employer and one regarding the consistency of measuring impacts.

The following Members asked questions:

- Councillor Claire Strong
- Councillor Adam Compton
- Councillor Raj Bhakar

The Chair noted that the term 'unconscious bias' was not included within the Glossary, despite being a frequently used term.

In response to questions the Policy Officer advised:

- The term 'people of colour' used in the Glossary under the BME/BAME glossary item should have been in quotation marks. It currently reads as though this is a term being used, but rather this should be a term whose usage is being referred to. It should be included within quotation marks to identify this as such. An explanation could be extended to highlight negative connotations with the term and that it is not universally accepted.
- The Glossary could be added to or changed if new terms become appropriate.
- There should be a definition of the term 'people of colour' included and this should detail that some people, as with the term 'BME or BAME', find the use of this term objectionable or offensive.

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

RECOMMEND TO CABINET: That Cabinet:

- (1) Approve the Council's Equality, Diversity and Inclusion Strategy 2022-2027 as attached at Appendix 1, subject to the amendment regarding the explanation of the term 'people of colour' and 'BME/BAME' in the Glossary and that the Glossary remains a live document which can be amended as required.
- (2) Approve the Equality objectives as set out below:
 1. Work with young people through youth engagement to make it easier for them to have their voices heard in local decision-making and democracy.
 2. Improve our engagement with marginalised, seldom heard, and new communities to make it easier for them to participate in local decision-making and democracy, and to have their views and experiences heard by the council.
 3. Improve our understanding of broader EDI issues and their impacts, such as neurodiversity and economic disadvantage; as well as the intersections between inequalities, using our Inclusion Group as a channel.
 4. Achieve consistency in measuring the likely equality impacts of our emerging policies and services.

REASON FOR RECOMMENDATIONS: The previous Corporate Equality Strategy (2017) was revised to ensure consistency with the latest public sector equality legislation and obligations. The refresh of the Strategy reflects the Council's ongoing commitment to fulfil our legal obligations as set out in the Equality Act and to set out the new equality objectives.

164 3Cs HALF YEAR UPDATE (APRIL - SEPTEMBER 22)

Audio recording – 51 minutes 54 seconds

The Customer Service Manager presented the Information Note entitled '3Cs Half Year Update' and advised of the following:

- This note covered the 6-month period from April 2022 regarding the performance of the Council and its contractors.

- Across the period the number of compliments increased and the number of comments and complaints each decreased.
- In this period the North Herts Leisure Centre went from 12 compliments in the same period last year, to 56 compliments this year.
- The number of direct complaints to the Council decreased by 38%.
- Planning Control and Environmental Health saw increases in the number of complaints received.
- There were 18 complaints which moved to Stage 2 in this period, and following investigation only four of these were found to be justified.
- Eight complaints had been submitted to the ombudsman, with just one being upheld, but no action was required as the Council had already remedied the situation.

There were no questions from Members.

165 NORTH HERTS MUSEUM STRATEGY 2022-2026

Audio recording – 54 minutes 16 seconds

Councillor Keith Hoskins presented the report entitled 'North Herts Museum Strategy 2022-2026' and advised that this was an update to the previous adopted strategy and that the detailed expectations were included in a succinct way within the report.

The Chair noted that there was a good response to the consultation questionnaires which supported the production of this report.

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

RECOMMENDED TO CABINET:

- (1) That the current draft of the Museum Strategy 2022 – 2026 be approved.
- (2) That Cabinet adopt the strategy for the years 2022 – 2026.

REASON FOR RECOMMENDATION: The previous Arts, Museums and Heritage Strategy expired some years ago and a new strategy will guide the ambitions of the museum service in the years ahead.

166 QUARTERLY UPDATE ON THE COUNCIL DELIVERY PLAN

Audio recording – 56 minutes 04 seconds

The Controls, Risk and Performance Manager presented the report entitled 'Quarterly Update on the Council Delivery Plan' and advised of the following:

- This remained a live document with different projects included throughout the year and risks would change as projects progressed. It was to a high-level overview of projects, but further details could be provided on any particular project, if requested by Members.
- There were 30 projects included on Appendix A, with three as a red indicator and one amber, and also some proposed changes to milestone dates on projects.
- The Museum Hitchin Town Hall Recovery project was currently red, but it was expected that visitor numbers over the Christmas period would bring this back on track.
- The Cycling Network project currently had some missed milestones on this project, but this is reliant on Herts County Council (HCC) timelines and it was proposed to change the milestones in line with HCC.

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- The EV Charging for Council Vehicles project had been delivered, but the PI was currently red as the target was based on a full year usage and the charging stations were only installed in August 2022. It was also noted that the full range of vehicles had not yet been upgraded to EV.
- The project to help residents make payments at convenient locations was mostly delivered, with some ongoing communications to residents, but the PI was red due mainly to late payment of one particular customer. This debt has now been cleared. It was expected to take a while for the effect of the project to filter through to the PI for electronic payments.
- The Local Plan had been adopted and the milestones for 2022/23 had been completed, with further milestones to be included for 2023/24. The risk level remains high on this as it is still within the 6-week period for judicial review, following this period the risk level will be reviewed and dropped.
- The project on the Shared Waste Contract was on track, but there was an amber indicator for recycling rates, this was due to the impact on the amount of garden waste collected during the dry period over summer.
- All details are available for Members to access on Pentana, with details on how to access the available on the Intranet.

The following Members asked questions:

- Councillor David Levett
- Councillor Claire Strong

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

- Once the 6-week judicial review period for the Local Plan was completed the Service Area would review the item and remove risks which were no longer valid. Different risks would evolve as implementation of the plan progresses and will be presented in the report.
- They were unaware of where the Shared Prosperity Fund submission was located but could provide this for Members following the meeting.

Councillor Levett noted that the report was now achieving the aims set out by the Overview and Scrutiny Committee.

Councillor Alistair Willoughby proposed and Councillor Nigel Mason seconded and, following a vote, it was:

RESOLVED:

- (1) That Overview and Scrutiny Committee commented on the Council Delivery Plan Quarter 2 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.

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 notes the completion of the Local Plan milestones for this year.

REASONS FOR DECISIONS AND REFERRALS: 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.

167 UPDATE OF THE ENTERPRISE DIRECTORATE WORK PROGRAMME - PART 1

N.B. There was a technical issue in the Chamber in the return to public broadcast and the full discussion of this item was not recorded.

There were no further comments from Members on this update following the discussions in Part 2.

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

RESOLVED: That the Committee noted the report.

REASON 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.

168 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 66 minutes 04 seconds

Councillor David Levett, as Chair, proposed and Councillor Claire Strong 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 Tuesday, 6th September, 2022 likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

169 UPDATE OF THE ENTERPRISE DIRECTORATE WORK PROGRAMME - PART 2

Details of decisions taken on this item are restricted due to the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of Section 200A(4) of the Local Government Act 1972.

170 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

Audio recording – 91 minutes 27 seconds

The Committee, Member and Scrutiny Manager presented the report entitled 'Overview and Scrutiny Committee Work Programme' and drew attention to the following:

- Point 8.7 in the report should refer to Action Plan at Appendix C, not Appendix B as written.
- Following this meeting the items up to December had been completed.
- The Call to Account had taken place and the Chair was finalising his report to present to the Committee, it was hoped this would be at the January meeting.
- The Lord Lister Update from the Strategic Housing Manager needed to be scheduled.
- Proposed an Anti-Social Behaviour in Town Centres update from the Police and a Telephone Scams update from a relevant organisation for the Crime and Disorder Matters item in January.

The Chair advised that Councillor Val Bryant had requested a specific focus to look at safe walking at night as part of the Anti-Social Behaviour update.

The following Members took part in the discussion:

- Councillor Claire Strong

- Councillor David Levett
- Councillor Adam Compton

Points raised in the discussion included:

- It would be beneficial to receive feedback from the Police as to why the reports provided by them to Planning Control Committee meeting is not in line with the incidents highlighted by residents.
- Requested that the Police outline how they record and register crimes and the effect this can have on reports to the Planning Control Committee.
- There appeared to have been an increase in burglaries recently.
- A regular report on Climate Change and the proposed actions from the new strategy, including on where progress is being made and what actions are proposed for the Council and contractors.
- Requested feedback on the installation of solar panels on the roof of the District Council Offices, as part of the regular update on the Climate Change Strategy.

Councillor Claire Strong requested that as part of the Strategic Housing Managers report to be scheduled on the Work Programme, this include an overview of the allocation of DLUHC grant funds for homelessness.

The Chair noted that an updated version of the Peer Review document had been received by the Council but not yet released publicly. The Chair suggested to remove the recommendation 2.3 of the report for future meetings.

Councillor Adam Compton proposed and Councillor Ian Moody 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 most recent iteration of the Forward Plan, as attached as Appendix B, suggests a list of items to be considered at its meetings in the coming civic year.
- (3) That the Corporate Peer Challenge Action Plan Extract as attached as Appendix C was considered and to be updated with the most recent version for future meetings.

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 9.13 pm

Chair