

30 October 2023

Our Ref Overview and Scrutiny Committee
7 November 2023
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To: Members of the Committee: Adam Compton (Chair), Val Bryant (Vice-Chair), Matt Barnes, Clare Billing, Mick Debenham, Dominic Griffiths, David Levett, Nigel Mason, Ian Moody, Ralph Muncer and Daniel Wright-Mason

Substitutes: Councillors Daniel Allen, David Barnard, Raj Bhakar, Sam Collins, James Denselow, Lisa Nash, Sean Nolan and Mandi Tandi

NOTICE IS HEREBY GIVEN OF A

MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

to be held in the

**COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERON
ROAD, LETCHWORTH, SG6 3JF**

On

TUESDAY, 7TH NOVEMBER, 2023 AT 7.30 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda **Part I**

Item		Page
1. APOLOGIES FOR ABSENCE	Members are required to notify any substitutions by midday on the day of the meeting. Late substitutions will not be accepted and Members attending as a substitute without having given the due notice will not be able to take part in the meeting.	
2. MINUTES - 12 SEPTEMBER 2023	To take as read and approve as a true record the minutes of the meeting of the Committee held on the 12 September 2023.	(Pages 5 - 12)
3. NOTIFICATION OF OTHER BUSINESS	Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
4. CHAIR'S ANNOUNCEMENTS	Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
5. PUBLIC PARTICIPATION	To receive petitions, comments and questions from the public.	
6. URGENT AND GENERAL EXCEPTION ITEMS	The Chair to report on any urgent or general exception items which required their agreement. At the time of printing the agenda, the Chair had not agreed any urgent or general exception items.	
7. CALLED-IN ITEMS	To consider any matters referred to the Committee for a decision in relation to	

a call-in of decision. At the time of printing the agenda, no items of business had been called-in.

8. MEMBERS' QUESTIONS

To receive and respond to any questions from Members either set out in the agenda or tabled at the meeting.

9. RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE (Pages
REPORT OF THE SCRUTINY OFFICER 13 - 14)

To consider the outcome of Overview and Scrutiny Committee resolutions.

10. 3C'S HALF YEAR UPDATE 2023/2024 (Pages
INFORMATION NOTE OF THE CUSTOMER SERVICE MANAGER 15 - 22)

A half year update for Comments, Compliments & Complaints for 2023/2024.

11. CALL TO ACCOUNT ON THE HARKNESS COURT REFURBISHMENT (Pages
REPORT OF THE SERVICE DIRECTOR - ENTERPRISE 23 - 60)

To provide an account of the Harkness Court refurbishment project.

12. EXCLUSION OF PRESS AND PUBLIC

To consider passing the following resolution:

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 likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

13. PART 2 MINUTES - 20 JUNE 2023 61 - 62

To take as read and approve as a true record the Part 2 minutes of the meeting of the Committee held on the 20 June 2023.

14. WASTE, RECYCLING AND STREET CLEANSING CONTRACT SERVICE 63 - 68
DESIGN - PART 2
REPORT OF THE SHARED SERVICE MANAGER

Officers are currently undergoing a competitive dialogue procurement and are seeking a decision from Cabinet on further service design options that can be considered in order to achieve the long-term financial sustainability of the service and the Council.

15. WASTE, RECYCLING AND STREET CLEANSING CONTRACT SERVICE (Pages
DESIGN - PART 1 69 - 78)
REPORT OF THE SHARED SERVICE MANAGER

Officers are currently undergoing a competitive dialogue procurement and are seeking a decision from Cabinet on further service design options that can be considered in order to achieve the long-term financial sustainability of the service and the Council.

16. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME
REPORT OF THE SCRUTINY OFFICER

(Pages
79 - 98)

To consider the issues that the Overview and Scrutiny Committee plans to review at future meetings and the activities of its sub-groups.

Public Document Pack Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERONON ROAD, LETCHWORTH GARDEN CITY, SG6 3JF
ON TUESDAY, 12TH SEPTEMBER, 2023 AT 7.30 PM

MINUTES

Present: *Councillors: Councillor Val Bryant (Chair), Clare Billing, Mick Debenham, Dominic Griffiths, David Levett, Nigel Mason, Ian Moody, Ralph Muncer, Daniel Wright-Mason and Lisa Nash*

In Attendance: *Jeanette Thompson (Service Director - Legal and Community), Rachel Cooper (Controls, Risk and Performance Manager), Eleanor Hopcraft (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager) and Lisa McDonnell (Safeguarding Team Ledaer)*

Also Present: *There were no members of the public present for the duration of the meeting.*

Councillors Alistair Willoughby, Elizabeth Dennis and Ian Albert were also in attendance.

224 APOLOGIES FOR ABSENCE

Audio recording – 2 minutes 38 seconds

Apologies for absence were received from Councillors Matt Barnes and Adam Compton.

Having given due notice Councillor Lisa Nash substituted for Councillor Matt Barnes.

225 MINUTES - 20 JUNE 2023

Audio Recording – 2 minutes 57 seconds

Councillor Val Bryant, as Chair, proposed and Councillor Nigel Mason seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 20 June 2023 be approved as a true record of the proceedings and be signed by the Chair.

226 NOTIFICATION OF OTHER BUSINESS

Audio recording – 3 minutes 44 seconds

There was no other business notified.

227 CHAIR'S ANNOUNCEMENTS

Audio recording – 3 minutes 48 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.
- (3) The Chair advised that for the purposes of clarification clause 4.8.23(a) of the Constitution does not apply to this meeting.

228 PUBLIC PARTICIPATION

Audio recording – 4 minutes 38 seconds

There was no public participation at this meeting.

229 URGENT AND GENERAL EXCEPTION ITEMS

Audio recording – 4 minutes 45 seconds

No urgent or general exception items were received.

230 CALLED-IN ITEMS

Audio recording – 4 minutes 54 seconds

There have been no called-in items.

231 MEMBERS' QUESTIONS

Audio recording – 4 minutes 59 seconds

No questions had been submitted by Members.

232 RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

Audio recording – 5 minutes 07 seconds

The Scrutiny Officer presented the report entitled 'Resolutions of the Overview and Scrutiny Committee' and drew attention to the following:

- Following consultation with the Chair and Vice-Chair the Task and Finish Group had been cancelled.
- The Draft Sustainability SPD had moved to November Cabinet meeting and there was work ongoing on the Design SPD.
- The LGA Peer Review Action Plan had been included as an appendix to the Work Programme report to monitor progress, with most actions currently ongoing.
- A section had been added to this report to list referrals from this Committee, so that the Committee can review the outcomes.
- All referrals from the June meeting had been approved.

Councillor Ralph Muncer welcomed the Scrutiny Officer to their first Committee meeting in their new role.

Councillor Dominic Griffiths proposed and Councillor Nigel Mason 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.

233 ANNUAL SAFEGUARDING REPORT 2023

Audio recording – 7 minutes 15 seconds

Councillor Alistair Willoughby, as Executive Member for Community and Partnerships, presented the report entitled 'Annual Safeguarding Report 2023' and advised that:

- There were 658 referrals made in the year 2022-2023, which was the same as the previous year with a slight change in type. There were 370 adult safeguarding referrals, which marked a 6% decrease, and 288 child safeguarding referrals, which marked an 8% increase.
- There had been an increase in mental health referrals due to the impacts of the cost of living crisis, with statutory and third sector organisations noting that these issues can be distressful for the individual and time consuming for officers.
- The Council continued to work with SADA, particularly in areas where there was an underreporting of domestic abuse. It was noted that some domestic abuse survivors were being forced to stay with abusers due to the cost of living crisis.
- Member completion of safeguarding training was low and all Members should be encouraged to complete the training.
- Actions completed this year were included at paragraph 8.2 of the report.
- Future plans included a continuation of promoting national and local campaigns, introducing bespoke training on mental health and hoarding and a continuation of the partnership with SADA.
- The Shared Internal Audit Service (SIAS) had completed an audit, with the action plan, including any progress updates, included as Appendix B to the report.

The following Members asked questions:

- Councillor Clare Billing
- Councillor Ralph Muncer
- Councillor David Levett
- Councillor Daniel Wright-Mason

In response to questions, the Safeguarding Team Leader advised that:

- Most referrals from the previous three years had been received from Council staff.
- In 2020/2021 9 external referrals were made, in 2021/2022 6 external referrals were made and in 2022/2023 3 external referrals were made.
- They did not have comparative figures for County Council, or other district councils, but could provide these outside of the meeting.
- Without reviewing referrals from recent years, it would not be possible to indicate why there was an increase in both adult and child referrals where the individual was 'at risk of significant harm', but this could be completed and provided outside of the meeting.
- The numbers in table 1 of the report included those with no recourse to public funds who were referred under the National Referral Mechanism for Modern Slavery.

In response to questions, the Service Director – Legal and Community advised that:

- At an employee level it is now agreed that an appropriate level of training will be undertaken and that all staff, since July 2023, have been required to complete the e-learning module within the first days of employment.
- Members at this Committee have previously recommended Members safeguarding training be made mandatory but would need to be agreed to be taken forward.

- The e-learning module took around 30 minutes to complete and all, staff and Members, should be encouraged to complete this.
- A self-audit of training took place with Members previously and it was felt from this that mandatory training was not required.

The Chair advised that discussions had taken place between the Chair, Vice-Chair and Officers regarding the presentation of information to Members in the Members Information Service and that some commentary on the data would be provided in future published updates.

In response to a question, Councillor Willoughby noted that concerns that fall below the threshold were already detailed in the table within the report, so this should already be picked up on. Should the threshold be lowered further, then this would be addressed and captured.

Councillor Muncer noted that it was reassuring to hear increases were not reflective of an increase in abuse in communities and commended the actions of the Council to raise awareness of domestic abuse. He noted that more work needed to be completed, but that it was positive to see Council, and Officers, working on this and the annual report for 2023/24 would indicate the impact of these actions.

Councillor David Levett proposed and Councillor Dominic Griffiths seconded and, following a vote, it was:

RESOLVED: That the Committee:

- (1) Received and commented on the annual report of progress made against the Council's fulfilment of the statutory duty to maintain an effective safeguarding function regarding children, adults, modern slavery and domestic abuse.
- (2) Noted the recent Shared Internal Audit Service (SIAS) audit (Appendix A) and its Action Plan tracker (Appendix B).
- (3) Agreed that sufficient and robust processes are in place at the Council for application and review of safeguarding processes, and that an annual review and presentation to this committee should continue.

REASON FOR DECISIONS: The recommendations made are the best course of action that can be accommodated within the approved budget and officer resources, that will fulfil our statutory and lawful obligations but also ensure that a regular, corporate review exists.

234 Q1 2023-2024 UPDATE ON THE COUNCIL DELIVERY PLAN

Audio recording – 27 minutes 29 seconds

The Controls, Risk and Performance Manager presented the report entitled 'Q1 2023-2024 Update on the Council Delivery Plan' and advised that:

- This was the first quarter update on Council projects, as approved by Cabinet, and was intended to be an evolving document and could be updated following feedback from Members.
- Point 8.2 of the report detailed the changes to milestones, which were highlighted in yellow in Appendix A.
- Point 8.4 of the report clarified that the completion status was based on the current milestone, therefore if milestones were changed the original date would not be visible. It was being explored how this could be presented without referring to past reports.
- It was expected those projects with higher priority would have fewer milestone changes.

- Project prioritisation had been discussed at the previous Committee meeting and informal discussions were taking place with Executive Members on this, with a view to present this alongside the second quarter report.
- All projects, risks and milestones were available for Members to view on Pentana.
- As previously requested, an update on resourcing at the Council had been provided at point 8.7 of the report.
- The progress bar in Appendix A highlighted the progress on the current milestone, not the entire project, and this only reported on milestones within this financial year.
- The 27 projects and their status were included on page 68 of the report pack, with those as amber status included at the front of the report.
- There were five projects highlighted amber, three were green with some requests for date changes and there were four new Performance Indicators included on projects.
- The report was intended to be an overview of projects, but further details could be provided on specific projects if requested by Members.
- Questions submitted by Councillor Matt Barnes had been responded to via email prior to the meeting, and circulated to Members.

The following Members asked questions:

- Councillor Ralph Muncer
- Councillor David Levett
- Councillor Daniel Wright-Mason
- Councillor Nigel Mason

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

- A consultant had been appointed on the Churchgate project, however a longer lead in time was required before they could begin, which had led to the date slippage.
- There had been resourcing issues which had affected the digital hubs.
- They were keen to add transparency by adding detail around the changing dates to make it easier for Members. However, there was an auditable trail back through Overview and Scrutiny reports of any date slippage.
- Detailed updates could be provided on projects, including the history of that project, should Members make these requests.
- HR had been doing a lot of recruiting in different ways to address resourcing issues, including social media, making the role more attractive and promoting the benefits of working in local government.
- There were some areas that were difficult to recruit into, despite actions being taken by HR, and this was common in these areas across local authorities.
- The use of agency staff in these areas highlighted the problem and even the recruitment of agency staff in these areas was becoming increasingly difficult.
- The Council was unable to offer more pay for roles, therefore there was a need to promote other aspects of the roles.
- The Council had previously shared officer posts with other authorities and the Council currently had a joint Waste Service Manager with East Herts Council.
- The milestones highlighted under the Delivery of Housing on Council Land project were to have their dates reviewed to the end of September. There were no further milestones on this project in this financial year, unless new milestones were added.

In response to questions from Councillor Muncer, the Chair requested that specific questions be addressed to the Officer outside of the meeting to ensure a full answer could be provided. Councillor Muncer accepted the comment of the Chair, but noted that it was for the Committee to hold Executive Members to account by asking questions.

Councillor Clare Billing proposed and Councillor Daniel Wright-Mason seconded and, following a vote, it was:

RESOLVED: That the Committee:

- (1) Noted the progress against the Council projects as set out in the Council Delivery Plan (appendix A) including changes to milestones, performance indicators and risks, and makes any recommendations or comments to Cabinet.
- (2) Considered the presentation of the report for future meetings, especially in relation to milestones and project status, and made any recommendations or comments to Cabinet.

REASON FOR DECISIONS: 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.

235 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

Audio recording – 51 minutes 07 seconds

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

- The LGA Peer Review Action Plan had been included with the report at Appendix C to review progress on actions.
- The Crime and Disorder Matters item had been scheduled for 29 January 2024 and requested Members make suggestions on topics.
- The Strategic Housing Policy Update, requested in March 2023, had been added to the Work Programme.
- There were ongoing discussions with the Chair, Vice-Chair and Officers regarding how best to provide Enterprise Directorate updates to the Committee.
- The Call To Account for Harkness Court had been provisionally scheduled for November and there would be a pre-meeting briefing for Members arranged before.
- Members were welcome to make other suggestions for topics.

Councillor David Levett requested that the Update on the Common Housing Allocation Scheme and the Biodiversity Strategy 2023-2028 be added to the Work Programme from the Forward Plan. In response to this, the Scrutiny Officer advised that these could be added, however the Biodiversity Strategy item had been delayed, but would be added as to be scheduled.

In response to a question from Councillor Ralph Muncer the Scrutiny Officer advised that the invitation to settle had been sent this week.

Councillor Clare Billing proposed and Councillor David Levett seconded and, following a vote, it was:

RESOLVED:

- (1) That the Committee prioritised topics for inclusion in the work programme attached as Appendix A and, where appropriate, determined 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 at Appendix B, suggested that the 'Update to Common Housing Allocation Scheme' and 'Biodiversity Strategy 2023-2028' items be considered at its meetings in the coming civic year.

- (3) That the Corporate Peer Challenge Action Plan as attached at Appendix C was considered.

REASONS FOR DECISIONS:

- (1) To allow the Committee to set a work programme which provides focused Member oversight, encourages open debate and seeks to achieve service improvement through effective policy development and meaningful policy and service change.
- (2) The need to observe Constitutional requirements and monitor the Forward Plan for appropriate items to scrutinise remains a key aspect of work programming.

The meeting closed at 8.26 pm

Chair

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RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

COMMITTEE RESOLUTIONS

REFERENCE	RESOLUTION	RESPONSE/OUTCOME	STATUS
	LOCAL PLAN IMPLEMENTATION		
MARCH 21 MIN 93 (4) Agenda for Overview and Scrutiny Committee on Tuesday, 9th March 2021	Recommended to Cabinet: That a Member working group be arranged to discuss the Design and Sustainability SPDs prior to consideration of these by Cabinet.	The Strategic Planning Team presented an update on the draft Sustainability SPD at the Cabinet Panel on the Environment on 27 September 2023 Agenda for Cabinet Panel on the Environment on Wednesday 27th September 2023 Following discussion with the Chair and Vice-Chair, the draft Sustainability SPD is due to be brought to the meeting scheduled for 5 December 2023.	In progress
	CORPORATE PEER CHALLENGE ACTION PLAN		
JUNE 23 MIN 46 Agenda for Overview and Scrutiny Committee on Tuesday 20th June 2023	The Chair asked for a progress report on the Action Tracker at the next meeting of the Committee, to ensure that required actions were monitored by the Committee.	An Action Tracker with the recommendations from the CPC report would be included as an appendix to every Work Programme report.	In progress

	IDEAGEN (FORMELY PENTANA) TRAINING		
SEPT 23 MIN 42 Agenda for Overview and Scrutiny Committee on Tuesday 12th September 2023	Following discussion on the Council Delivery Plan Report, the Vice-Chair requested training on the risk monitoring software, Ideagen (formerly Pentana).	Following discussion with the Chair, a refresher video will be made by Risk/IT on how to use the Ideagen software, which Councillors will have access to when made. A guide has been circulated to Members on how to access and use Ideagen.	In progress

PREVIOUS REFERRALS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

REFERENCE	RESOLUTION	RESPONSE/OUTCOME	
SEPT 23 Agenda for Overview and Scrutiny Committee on Tuesday, 12th September, 2023, 7.30 pm North Herts Council (north-herts.gov.uk)	One referral was made to Cabinet from the Committee on 12 September 2023: 1. Q1 Update on the Council Delivery Plan 2023-24	Referral was considered, and all report recommendations were approved by Cabinet on 19 September 2023: Agenda for Cabinet on Tuesday, 19th September, 2023, 7.30 pm North Herts Council (north-herts.gov.uk)	Complete

OVERVIEW & SCRUTINY COMMITTEE

PART 1 – PUBLIC DOCUMENT

TITLE OF INFORMATION NOTE: Half Year Update on Comments, Compliments and Complaints (3C's) 23/24

INFORMATION NOTE OF THE CUSTOMER SERVICE MANAGER

EXECUTIVE MEMBER: COUNCILLOR ELIZABETH DENNIS

PRIORITY: PEOPLE FIRST

1. SUMMARY

- 1.1 This information note is to provide an update on the half year (23/24) performance regarding the Comments, Compliments and Complaints (3C's) for the Council and the contractors that provide services on the Council's behalf. This briefing note accompanies the 3C's dashboard at Appendix A, and the breakdown of 3C's by service and type at Appendix B.

2. STEPS TO DATE

- 2.1 The Council has a well embedded policy and procedures for handling customer feedback; the 3C's Policy. We welcome feedback from our customers about our services so that we can continue to learn about how we can make improvements and what we do well.
- 2.2 The 3C's policy sets out clearly the definition of a comment, compliment, and complaint as well as how to escalate a complaint either to stage 2 of the process or the Local Government Ombudsman (LGO). Customers can give feedback in a number of ways and can do this directly to the Council or to the contractors who provide key services on our behalf.
- 2.3 The 3C's policy was updated and refreshed and was adopted by Cabinet in September 2022. The updated policy has ensured the Council and communities we serve know how to access help, and that a safe and compassionate system to deal with complaints is in place.

3. INFORMATION TO NOTE

- 3.1 Between April and September 2023, the number of complaints received directly by North Herts Council has decreased in volume compared to the same period in the previous year. The number of compliments has increased, whilst the number of comments received increased by one.
- 3.2 The areas that generally receive the highest amount of feedback are those where there is the highest level of contact or interactions from residents, such as the waste and recycling service and the leisure facilities.
- 3.3 The number of complaints received by both the Council and our contractors has marginally increased from 203 in April to September 2022, to 209 in the same period in

2023. Of the total 209 complaints, 123 (59%) relate to services delivered by our key contractors, including waste and recycling (53) and the leisure centres (70). It is also worth noting that out of the 203 compliments received, 122 (60%) relate to the same contractors – waste and recycling (47) and the leisure centres (75).

- 3.4 The percentage of complaints resolved within 10 days between April and September is 79%, 1% below the target of 80%. In summary, 4 out of the 6 months in this period were above the 80% target. May saw the highest number of complaints logged (20) with 85% resolved within the 10 & 20 day targets.
- 3.5 As part of the 3C's policy refresh at the end of 2022, the deadline for responding to stage 2 complaints was increased from 10 days to 20 days. This was to allow sufficient time for officers to investigate and consider complaints which are usually complex in nature.
- 3.6 Environmental Health had the highest number of complaints not resolved within 10/20 days (6); however, this is generally due to the complexity of Environmental Health issues, combined with high workloads, staff absences and recruitment challenges. Complainants were kept updated regarding changing timeframes.
- 3.7 The summary dashboard at Appendix A shows annual comparisons of both 3C's received directly at North Herts Council and 3C's received by our contractors. The dashboard also details the percentage of interactions resulting in a formal complaint. It is worth noting that the percentage of interactions/collections/visitors resulting in a complaint remains at less than 1%.
- 3.8 Appendix B provides a breakdown of all 3C's received by service and type. The areas of highest complaints reported directly were Careline (16) & Planning Control & Conservation (15).

Some specific areas of the Careline complaints were regarding:

- Handling of calls from customers – A customer, following an FOI, complained that the call handler did not listen to his father's symptoms on the original call, and this could have had adverse consequences.
- Failure to maintain voicemail inbox – A customer complained that technical support was not available as their mother could not leave a voicemail due to the voicemail inbox being full.
- Failure to adhere to procedure – A customer complained that a Careline staff member arrived at her mother's property and did not have any identification to show when they were asked to provide it.

Some specific areas of the Planning complaints were regarding:

- General handling of planning applications – A customer was displeased that their application was refused and believed the reasons given were not substantive.
- Incorrect application fees – A customer was unhappy with the fact they had been charged an incorrect amount for their planning application.
- Inconsistent criteria for acceptance – A customer complained that the reasons given for his refusal were not applied to a number of properties in the same area, and if they were, these applications should have also failed.

- 3.9 It is worth noting that although Planning Control & Conservation received 15 complaints, this has decreased by 32% compared to the same period in the previous year (22 in Apr-Sept 2022)
- 3.10 As seen on the 3C's dashboard at Appendix A, the volume of 3C's received by all Contractors has decreased, with the total 3C's being 352 in Apr-Sept 2022 and 307 in Apr-Sept 2023.
- 3.11 The volume of 3C's received by the leisure centres has also decreased, with the total 3C's being 274 in Apr-Sept 2022 and 190 in Apr-Sept 2023.
- 3.12 Some specific complaints in respect of the leisure centres included:
- Opening times too restrictive - Hitchin
 - Car park too full/busy – NHLC
 - Cleanliness of Changing rooms - Royston
- 3.13 Some specific compliments in respect of the leisure centres included:
- "I just wanted to commend your lovely lady who was on reception" - Royston
 - "Swim teacher extremely helpful with my daughter who's petrified of water" - NHLC
 - "The outdoor pool looks beautiful." - Hitchin
- 3.14 Urbaser have seen a 36% increase in complaints logged; with 39 in April – September 2022 to 53 complaints logged in the same period in 2023. This may be because per the 3C's policy, our Customer Service Team have encouraged customers to log their complaint with the contractor in the first instance to allow them the chance to rectify the issue and avoid double counting. Some of the most common complaints to Urbaser included:
- Bins not collected
 - Bin not returned to correct property / near enough to property
 - Standard of driving by driver of Refuse Vehicle
 - Spillage of refuse during collection
 - Noise created by bin collection
- 3.15 Urbaser also received several compliments (47). Some specific compliments included:
- "Resident phoning to report that the crew were very respectful and accommodating yesterday when a funeral car was passing down Millers Lane around 12:30 yesterday. Thanks"
 - "Called to say thank you and appreciates how quickly the paper box was delivered and how much sturdier it is than the last one."
- 3.16 There were 81 compliments received directly to the Council between April & September. The Careline service received the highest number, with 35. These are generally submitted by a client's family following an incident where the Careline staff had provided an emergency response service. The Green Space team received the second highest with 14, including compliments such as:
- RE Overgrown Hedges – "I wanted to say how pleased I was with the quick service. People complain about the council but everything I have ever asked about has been addressed. Thank you very much."

- RE Cemeteries – “It can be difficult sometimes to get things done from such a great distance, but everyone has been so kind and helpful, and our family is extremely grateful. I can't thank you enough.”

3.17 There were 17 stage 2 complaints between April and September; 6 of which were for Planning Control (however 5 complaints were not justified) and the rest for various service areas. Of the 17 stage 2 complaints, only 2 were deemed to be justified and 1 did not meet the criteria to be accepted as a stage 2.

3.18 If a complainant remains dissatisfied with the complaint outcome after completing our process, they may escalate their complaint to the Local Government Ombudsman (LGO). Complaints escalated to the LGO will usually have exhausted our internal complaints process.

3.19 The LGO received 1 complaint during this period. It's prudent to note there may be some cases that do not reach the Council, as they are premature and will be referred to go through the 3C's procedure (for example). These cases will then be shown in the Annual Review Letter received from the LGO in July 2024.

3.20 The 1 complaint received was not upheld nor investigated by the LGO as it did not meet their criteria.

4. NEXT STEPS

4.1 3C's performance will continue to be monitored and reported to this Committee on a six-monthly basis.

4.2 The Customer Service Manager (CSM) will continue to keep up to date with guidance and case studies from the LGO, sharing any key learning. The CSM will also provide regular updates to the Leadership Team.

5. APPENDICES

5.1 Appendix A – Dashboard

5.2 Appendix B - Breakdown by service area

6. CONTACT OFFICERS

6.1 Chris Jeffery
Customer Service Manager
Chris.Jeffery@north-herts.gov.uk
01462 474505

6.2 Jo Dufficy
Service Director - Customers
Johanne.Dufficy@north-herts.gov.uk
01462 474555

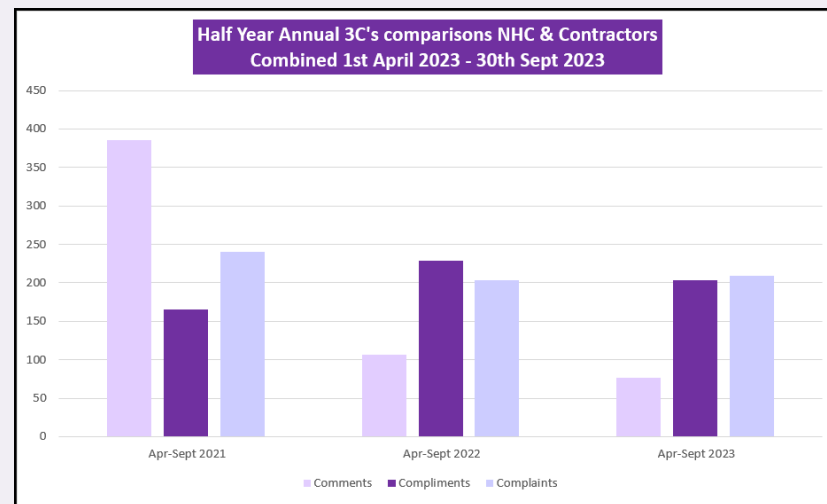
7. BACKGROUND PAPERS

None.

3C's Performance Summary: April – Sept 2023

3C's Received directly at NHC - 6 Monthly Comparisons			
	2021 Apr - Sept	2022 Apr - Sept	2023 Apr - Sept
Number of Comments received	12	14	15
Number of Compliments received	87	67	81
Number of Complaints received	169	105	86
Total received	268	186	182
% complaints resolved within 10 working days	77%	74%	79%
Complaints received by the LGO	4	8	1

[The case received by LGO this year was not investigated by them]



Contractor Complaints Data (all contractors)			
	2021 Apr - Sept	2022 Apr - Sept	2023 Apr - Sept
Number of Comments received	374	92	62
Number of Compliments received	78	162	122
Number of Complaints received	71	98	123
Total received	523	352	307

Percentage of interactions resulting in a formal complaint		
	Number of interactions / collections / visitors	% of interactions/collections/visitors resulting in complaint
NHDC	70179 interactions	0.001%
Urbaser	3.86million* collections	0.003%
North Herts Leisure Centre	291697 visitors	0.003%
Hitchin Swim Centre & Archers	266127 visitors	0.006%
Royston Leisure Centre	190607 visitors	0.016%

* [This figure is the total average number of lifts per month]

Combined Totals			
	2021 Apr - Sept	2022 Apr - Sept	2023 Apr - Sept
Number of Comments received	386	106	77
Number of Compliments received	165	229	203
Number of Complaints received	240	203	209
Total received	791	538	489

Waste and Recycling Data (combined)				
	Comments	Compliments	Complaints	Totals
April – September 23	19	54	61	134
April – September 22	10	32	53	95

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Breakdown of 3C's by service area – 1st April to 30th September 2023

Regulatory	Comments	Compliments	Complaints
Environmental Health – Protection	0	0	9
Environmental Health - Commercial	0	1	2
Housing Needs	0	2	9
Parking Services	1	0	2
Planning Control & Conservation	1	3	15
Place	Comments	Compliments	Complaints
Leisure	0	0	1
Active Communities	0	2	0
Parks & Open Spaces / Green Space	1	14	6
Waste Management	2	7	8
Customers	Comments	Compliments	Complaints
Benefits	0	1	4
Careline	2	35	16
Customer Service Centre	6	4	2
MSU Post & Administration	0	5	2
Revenues Billing and Recovery	1	0	10
Legal & Community	Comments	Compliments	Complaints
Committee Services	1	0	0
Communities & Community Safety	0	5	0
Enforcement / Environmental Crime	0	1	0
Licensing	0	1	0
Totals	15	81	86
Contractor Data	Comments	Compliments	Complaints
Waste (Urbaser)	17	47	53
North Herts Leisure Centre	4	12	22
Hitchin Swim Centre	25	45	17
Royston Leisure	16	18	31
Contractor Totals	62	122	123
Combined Totals	77	203	209

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<p style="text-align: center;">OVERVIEW AND SCRUTINY COMMITTEE 7 NOVEMBER 2023</p>
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<p>PART 1 – PUBLIC DOCUMENT</p>
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Call to account with regards to the Harkness Court Refurbishment

TITLE OF REPORT: Harkness Court Refurbishment

REPORT OF: Service Director – Enterprise

EXECUTIVE MEMBER: Executive Members for Enterprise and Arts.

COUNCIL PRIORITY: SUSTAINABILITY AND A BRIGHTER FUTURE TOGETHER

1. EXECUTIVE SUMMARY

1.1. To provide an account of the Harkness Court refurbishment project.

2. BACKGROUND TO PROJECT

- 2.1. As part of the 2016/17 budget setting process the Council approved revenue and capital funding in relation to the provision of housing at market rents. This included revenue funding for feasibility work and £3m capital funding over 2017/18 to 2019/20.
- 2.2. In March 2018, a report to the Cabinet Sub-Committee (Trading Companies) and Cabinet determined that the approach for the £3m should be focused on development and conversion of existing Council land and buildings. That report was also considered by Overview and Scrutiny. That report highlighted that Careline would be moving into the District Council Offices. That would free up Harkness Court (in Hitchin) as a property that would be suitable to be developed.
- 2.3. The aim of the project was to refurbish the former Careline offices into four residential flats to generate income from the property. As mentioned above, this was initially part of a much wider strategy to acquire and develop residential property. The changing regulatory landscape (e.g. in relation to Council borrowing and the financial costs associated with that borrowing) have affected the scope of the overall strategy, but the target of redeveloping Council land/ property has been continued.
- 2.4. The sale of the property once planning permission for the conversion had been granted was considered. This was discounted as (1) it would remove the potential to generate income and (2) the increase in the capital value post-development was expected to be greater than the value with planning plus the cost of the development.
- 2.5. The exit route of a sale of the property (either as a block or as four individual flats) is still possible, and will remain as a possibility.
- 2.6. There wasn't a detailed project plan, however, the following is an extract from an email dated 14 August 2018.

The stages of the project are as follows:

<i>Prepare plans</i>	<i>Done</i>
<i>Obtain planning permission</i>	<i>Done – 6 August 2018</i>
<i>Obtain building regulations</i>	<i>In progress by Architects</i>
<i>Specification for conversion</i>	<i>To be prepared by Architects</i>
<i>Tender the conversion work</i>	<i>Architects (Winter 2018)</i>
<i>Appoint contractor</i>	<i>NHDC (Spring 2019)</i>
<i>Hand over of finished flats</i>	<i>Contractor (2019)</i>
<i>Setting up the NHDC company</i>	<i>NHDC</i>
<i>Research letting / sale values</i>	<i>NHDC</i>
<i>Appointment of letting agents</i>	<i>NHDC (2019)</i>
<i>Letting of flats</i>	<i>Letting agent</i>
<i>Management of the flats</i>	<i>Letting agent</i>

- 2.7. Based on the above the target completion date of the building works was Autumn 2019.
- 2.8. Fairly early into the project, it was identified that the garden was under the ownership of Settle, therefore, officers of the Council and Settle worked together to ensure the land was transferred back to North Herts Council.
- 2.9. The project was then held up further due to the electrical intake (covered in detail in para 5.1.4), which meant the Council could not award the refurbishment work until this was resolved.
- 2.10. The commencement date was then further impacted by COVID-19, as the Council wanted to ensure there was clarity from the Government with regards control measures and any associated restrictions, prior to commencement. Once this was fully understood the contract was awarded and work commenced on 5th August 2020 with the programme of conversion works scheduled to complete by the end of January 2021. However, it was noted by the Council that there could be delays due to the impact of COVID-19, and the target date could easily slip.
- 2.11. The building works commenced, however, there were further delays which are set out in detail in section 5 (Lessons identified) of this report.

3. CONTRACTUAL AGREEMENTS AND MANAGEMENT

- 3.1. The Council appointed Stevenage Borough Council to assist with this refurbishment, their role was to write the specification, tender the work, gain planning and building control approval, monitor the work of the contractor to ensure it was completed to the specification (including Building Control and Planning requirements).
- 3.2. Officers from North Herts Council were responsible for project managing the work of Stevenage Borough Council officers, liaising with Settle with regards utilities and land access and producing a business case to determine whether the site should be sold or retained following the refurbishment.
- 3.3. The contractor who undertook the building work was appointed using a JCT (Joint Contracts Tribunal) Minor Works Building Contract with Contractors Design and this type of contract is commonly used within the construction sector. The Council's legal team prepared a Form of Agreement in accordance with the JCT Minor Works Contract.

4. COST VERSUS ESTIMATE

- 4.1. The Council incurred £23k of costs prior to the contractor starting work on site. This would have included the costs of obtain approvals (planning permission and building control) and resolving the issues referenced in paragraphs 2.8 and 2.9. As the Council then carried out the construction work, these costs were treated as capital costs.
- 4.2. The value of the property with planning and building regulation approvals was estimated to be £425k. It was estimated that the value of the fully converted property would be £760k, i.e. a £335k increase.
- 4.3. The original estimate was that the main construction works would be around £210k. With professional fees and other contractors' costs, the total cost would have been expected to be around £255k. (excluding the £23k referenced in paragraph 4.1).
- 4.4. As a result of the issues described in this report, the actual construction cost to date has been just under £340k (excludes the £23k references in paragraph 4.1). As detailed in section 6 there are still some further costs to be incurred. On reflection. Based on the original estimates and focusing on capital value only, it would have been better to sell the property once planning and building regulations approval had been obtained. Due to the passage of time the capital value of the property has increased above the costs incurred.
- 4.5. The Council's plan is to lease the completed flats to Broadwater Hundred Property Management Ltd (the Council's wholly owned trading company). The original business case set out that Broadwater Hundred Property Management Ltd would rent it to the open market and provide a revenue income of £16K to the Council. This will need to be reviewed to reflect current market conditions, and may now be higher. The Council have lost income during the 4 year delay, which in basic terms would be £64k. The Council have incurred the capital expenditure later, so will have off-set some of that loss by being able to invest those funds. During the period of the delay there has been some very high inflation, and it also looks like there may be a need for high interest rates to be in place for a sustained period. The delay will help ensure that the lease arrangement with Broadwater Hundred Property Management Ltd adequately reflects those economic conditions, which would not have been evident in 2019.

5. LESSONS IDENTIFIED

- 5.1. To ensure lessons can be learned from this project a lesson learned document is provided in appendix 1 which has been produced by officers of North Herts Council and Stevenage Borough Council. Also, the Council Shared Internal Audit Service (SIAS) have undertaken a review of the project, their findings are provided in appendix 2. The key findings from both documents are set out below:
 - 5.1.1. **Project Management** – there is no evidence to demonstrate this project was formally set up using the Council Project Management Framework, therefore, although officers were working on the refurbishment, there was no clear person that was responsible for the project. Therefore, the project lacked coordination and momentum raising confusion at times and preventing resolution of some issues in a timely manner.

- 5.1.2. **Building Control** - Better understanding of Building Control requirement. Full plans were not fully assessed following Building Control approval (with conditions) prior to a start on site. This has caused significant delays, including an item with regards the travel distance from the car park to the property.

Due to a change in Building Regulations (prior to the project commencing) a fire engine attending the site needs to be able to park and have access to the furthest point of the building with a travel distance of 45 meters or less. This item was not identified during the design stage and was picked up near to end of the refurbishment work (May 2022). It has taken approximately 17 months to find a solution to this item, therefore, causing significant delay and loss of income to the Council.

- 5.1.3. **Project Team** - Several key members of the Project Team departed at critical stages of the Project due to health reasons, leaving the work of three people in the hands of just one. This severely weakened resilience and efficiency of the Project Team.

Handover briefings of incomplete or ongoing tasks from former members to the single replacement member were either absent or insufficiently detailed in several cases. This adversely affected momentum and confidence levels in the Project Team and meant time had to be allocated to checking that tasks had been completed to the required standard.

- 5.1.4. **Utilities** - Insufficient investigation and research into the existing building to be refurbished, including the provision and adequacy of existing mains services.

Arrangements for the installation of mains gas, electricity and water with three separate external statutory undertakers were not addressed sufficiently early in the Project. As such, parts of the main conversion work had to be paused or works re-sequenced in the Project to ensure the safe and correct installation of mains services.

- 5.1.5. **Land ownership discrepancies** - It was identified that parts of the property to be encompassed in the Project (specifically front entrance porch, rear garden and the site of a refuse bin store) had been incorrectly transferred to North Hertfordshire Homes as part of the wider Stock Transfer between North Hertfordshire District Council and this organisation in 2003. Rectifying these land ownership discrepancies took longer than anticipated due to staffing issues at both the Council and Settle Group.

This led to a delay of approximately 2 months pending completion of the transfer documentation for the three areas of land. Fortunately, the contractor agreed to hold their pricing on resumption of proceedings.

- 5.1.6. **Project Brief** – The project brief did not take into consideration all of work that would be required to rent out the properties, therefore, there were several items that were not included in the main building works. This included changing a couple of windows, flooring, kitchen works, new front door and landscaping. This caused further delays (approximately 3 months) and these works being carried out in a less efficient sequence.

- 5.1.7. **COVID-19 and the introduction of Government enforced site lockdowns**. Delays in progressing work due to awaiting for Government confirmation as to when restrictions on construction sites were to be lifted. This introduced delays into the project programme. Although construction sites were permitted to re-open relatively early following the first Covid-19 lockdown, the Project was required to be managed in accordance with health & safety advice regarding close proximity working and minimising

unnecessary contact. This inevitably reduced productivity of work on site. Furthermore, delays were experienced in securing certain materials during the Covid-19 pandemic. It is anticipated that this delayed the project by approximately 6 months.

6. NEXT STEPS

- 6.1. Although the project is near completion, there are still a few more tasks that need to be completed to finish this project, these are set out below:

Task	Start date	Completion date	Responsible
Planning Permission to provide a parking space for a Fire Engine		Approved at the 12 October 23 Planning committee	
Agree with Settle the works that have been approved as part of the Planning approval,	Already started	3 November 23	NHC/Settle
Get quote to undertake parking space and land scaping work	Done	Done	NHC
Lead in time for contractor	6 November 23	24 November 23	Contractor
Undertake parking space and landscaping work (3 weeks)	27 November 23	15 December 23	Contractor
Obtain Building Control approval including Parking, SAP and Energy Certificates	18 December 23	22 December 23	Stevenage BC
Ensure building is compliant and ready to hand over to Broadwater Hundred Property Management Ltd	Already started	22 December 23	NHC
Agree lease with Broadwater Hundred Property Management Ltd	Already started	1 December 23	NHC / Company
Handover to Broadwater Hundred Property Management Ltd	22 December 23	22 December 23	NHC / Company
Start advertising flats for renting		1 December 23	Company
Tolerance		6 weeks	
Complete project		2 February 2024	

- 6.2. A tolerance of 6 weeks has been provided for the remaining tasks, as many tasks are dependent on external organisations.
- 6.3. Once the flats are handed over to the Broadwater Hundred Property Management Ltd, the Council will start receiving the revenue income of £16k per annum and it will be the responsibility of the company to let them, therefore, no date has been stated with regard occupancy. However, the company will be keen to get these in use as soon as possible.

7. APPENDICES

- 7.1. Appendix 1: Lessons Learned Document - NHC
- 7.2. Appendix 2: Internal Audit Report North Herts Council – Harkness Court 2023/24

8. CONTACT OFFICERS

- 8.1. Steve Crowley, Service Director – Enterprise
Steve.crowley@north-herts.gov.uk / ext 4211
- 8.2. Nafees Parker, Building Surveyor
Nafees.parker@north-herts.gov.uk / ext 4454
- 8.3. Ian Couper, Service Director - Resources
ian.couper@north-herts.gov.uk / ext 4243

9. BACKGROUND PAPERS

- 9.1. None.



Project Name	Conversion of No.55 Harkness Court, Hitchin
Project Manager/s	Stevenage Borough Council lead officer Andrew Clements, North Herts Officers Nafees Parker and Chris Robson As explained below, no clear Project Manager was agreed, however the above officers have been involved in this project

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
<u>Category - Skills and Experience of Project Team</u>				

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
S1	<p>Event: No formal agreement of Project Manager for Project Team.</p> <p>Cause: No terms of reference agreed and documented prior to commencing Project.</p> <p>Effect: Project lacked coordination and momentum raising confusion at times and preventing resolution of some issues in a timely manner. Failure to adequately deal with the building control conditions prior to start on site.</p> <p>Identification of Risk: The importance of formally assigning a Project Manager and its role of allocating or delegating Project responsibilities was given insufficient regard at Project outset.</p> <p>Proposals for Improvement: Regular Project Team meetings were set up during the Project's currency to clarify task progress, agree manageable targets & deadlines, and agree on members of Project Team who would be assigned particular tasks. This injected clarity and momentum, albeit belatedly. Future projects must place greater emphasis on:</p> <ul style="list-style-type: none"> • Team selection and evaluation to ensure all members have the skills, experience and time to fully commit to project. • Team induction to ensure all parties are clear on their roles and responsibilities. • Producing written terms of reference for the Project Manager role and timetabling regular meetings of the Project Team. 	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. Terms of reference/engagement to be clarified, agreed, documented and communicated between Project Team and Client at the earliest opportunity. 2. Timetable regular meetings of Project Team to review progress, assess issues and adapt procedures as necessary. 3. Timetable regular communications between Project Team and Client to re-affirm or refine aims & objectives of project, evaluate progress against those aims & objectives and to generally improve dialogue fluidity between Project Team and Client. 4. Pursue training on project management.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
S2	<p>Internal resourcing. As part of the internal audit that was undertaken; One interviewee had raised the issue that there was a shortage of experienced staff to manage the contract for North Herts Council. The project became reliant on staff with no formal role in the project feeling obliged to make contributions to assist.</p> <p>Effect: Poorly controlled project, which has led to the project overrunning and increased costs.</p> <p>Proposals for Improvement: To review officers capability to run projects and if need be provide relevant training</p>	Steve Crowley	15-09-2023	To review training needs as part of 1-1's and regular performance reviews and provide relevant training if required.
S3	<p>Event: Better understanding of Building Control requirement.</p> <p>Cause: Full plans were not fully assessed following Building Control approval (with conditions) prior to a start on site.</p> <p>Proposals for Improvement: Ensure the full impact of Building Control conditions are fully considered to understand the impact on the project.</p>	Michael Clark	19-09-2023	Ensure any conditions that are set by Building Control are fully considered to understand the impact on the project.
<u>Category - Finance</u>				

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
F1	<p>Event: Better transparency of cost information</p> <p>Cause: The project was managed as part of an overall £3m capital budget allocation.</p> <p>Effect: The additional costs associated with the issues and delays were correctly managed and reported in line with the overall budget allocation, but setting a separate budget would have enabled improved transparency of cost changes.</p> <p>Proposals for improvement: To set capital budgets at an individual project level. These projects can still be shown as a sub-set of a larger allocation.</p>	Ian Couper	6-10-2023	To be noted for future capital project where there are distinct elements.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
F2	<p>Another item that was identified as part of the internal audit, was the issue surrounding capacity feed into another area in relation to cost models and options considered at the start of the project. The interviewee mentioned that while costing more, much of the risk involved in the project could have been outsourced by following the design and build procurement route. The Lessons Log may therefore look to include more information about the cost modelling carried out in the project planning phase and procurement options considered. The availability of trained and experienced project managers at the Council to manage any contract should be taken into consideration at this point.</p> <p>Effect: This was mentioned as part of an audit, and it is acknowledge that different approaches could have improved this project. However, it is hard to establish if these items were considered at the commencement of the project as many officers have left.</p>	Steve Crowley	15-09-2023	To ensure all options are considered as part of the feasibility assessment, which could include turnkey contracts.
F3	As identified as part of the internal audit. The need to undertake a full assessment, to understand the overall cost of this project.	Steve Crowley	15-09-2023	The inclusion of the results of any findings from work carried out examining the project costs.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
Category - Quality				
Q1	<p>Event: Items of work on building conversion not addressed in good time.</p> <p>Cause: The original Project specification was not sufficiently detailed to identify the entire scope of works required in the conversion. It is understood this is primarily due to staff continuity issues and limited handover within Stevenage Borough Council following departure of several key members of the Project Team.</p> <p>Effect: Snagging works left incomplete had to be addressed in a less coordinated ad hoc manner, causing the Project duration to extend beyond that feasible had a coordinated approach been embraced earlier on. Incomplete works, especially cosmetic items, detracted from the appearance of the converted property and risked harming credibility of the overall project quality amongst key stakeholders.</p> <p>Identification of Risk: Limited oversight of the original Project specification meant that the absence of a full list of tasks with granular detail was not flagged at an earlier time.</p> <p>Proposals for Improvement: A detailed Project specification should be produced, evaluated and refined with the input of the whole Project Team at the earliest opportunity, seeking external support (for example from a quantity surveyor) to ensure it is comprehensive, logically structured and practicable.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. To build in contingency professional support from external providers to ensure wider evaluation of Project specification, more robust specification drafting, and to generally add resilience to the Project Team in the event of loss of key team members.

Lessons Log

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
<u>Category - Time Frame</u>				

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
TI1	<p>Event: Insufficient investigation and research into the existing building to be refurbished, including the provision and adequacy of existing mains services.</p> <p>Cause: Project scope not fully clarified from Project outset.</p> <p>Effect: Additional tasks had to be factored into Project schedule and attended to on an ad hoc basis. This forced some ongoing tasks to be paused or deferred until completion of the new tasks, and partially disrupted sequencing of critical path tasks. This led to an element of confusion in Project Team creating delays in the project timeline.</p> <p>Identification of Risk: The Project involved refurbishment of an existing building. Refurbishment projects often encounter unforeseen issues, so the generic risk was previously identified but not the granular level risks.</p> <p>Proposals for Improvement: To focus more diligently on a holistic and forensic fact-finding mission of building projects prior to commencing work.</p> <p>To devise and agree project plan at earliest opportunity to identify tasks, sequencing dependencies and increase buy in from all parties and stakeholders, for example by way of a detailed Gantt chart.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. To ensure the full scope, aims and overarching objective of building and refurbishment projects are evaluated, clarified, agreed, documented and communicated between Project Team and Client at the earliest opportunity, seeking feedback and scrutiny to check understanding.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
TI2	<p>Event: Several key members of the Project Team departed at critical stages of the Project due to health reason, leaving the work of three members in the hands of just one.</p> <p>Cause: Unforeseen circumstances forcing members of Project Team to stand down.</p> <p>Effect: Severely weakened resilience and efficient functioning of Project Team. Handover briefings of incomplete or ongoing tasks from former members to the single replacement member were either absent or insufficiently detailed in several cases. This adversely affected momentum and confidence levels in the Project Team and meant time had to be allocated to checking that tasks had been completed to the required standard.</p> <p>Identification of Risk: The loss of three key Project Team members in fairly quick succession due to the retirement of two members and the long-term sickness of a third member during the currency of the Project was not identified as a risk. Although attempts were made to address the issue quickly, only a single member replacement to the Project Team was secured, and not without delay.</p> <p>Proposals for Improvement: To focus more intensely on considering Project Team resourcing, resilience and building in a contingency margin to ensure better preparedness for loss of key Project Team members.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. To widen due diligence of procurement and selection of Project Teams to encompass evaluation of resourcing levels, stability of resourcing and availability of contingencies. The aim is to improve resilience of Project Teams and help ensure Projects are kept on track, or at least able to respond to unforeseen resourcing issues more swiftly.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
Category – Legislation and Regulation				
L1	<p>Event: Limited continuity of input by Building Control.</p> <p>Cause: Apparent limited resource in external Building Control team occasionally resulted in an inefficient pattern whereby one Building Control officer raised an issue, the issue was addressed by the Project Team, but for the same issue to subsequently be raised again by a different Building Control officer at later date.</p> <p>Effect: Duplication of effort by Project Team in addressing issues raised by Building Control, prolonging programme.</p> <p>Identification of Risk: This risk was not identified prior to commencing Project.</p> <p>Proposals for Improvement: To ensure a member of the Project Team communicates with Building Control officer, with an aim to improve timeliness and flow of feedback and push for clarity on complex or ambiguous technical requirements.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. To focus early on establishing communication channels with key members of Building Control team to facilitate more proactive and efficient dialogue. Of course, this action will need to be mindful of managing actual or perceived conflicts of interest.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
L2	<p>As identified by the internal audit, the Council has not been able to find a contract for the agreement between North Hertfordshire and Stevenage Council.</p> <p>This would have enabled parties to be held accountable to signed terms.</p> <p>Proposals for Improvement: The need for signed contracts to be agreed with third parties that determine projects roles and responsibilities.</p>	Steve Crowley	15-09-2023	For all future projects ensure signed contracts are agreed with third parties to determine projects roles and responsibilities.
<u>Category - IT (Software Interdependencies, Licences, Server Capacity)</u>				
IT1	No issues identified.	Christopher Robson	19-06-2023	Not applicable.
IT2				
<u>Category - Interdependencies/Conflicts with Other Projects/Services</u>				

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
IN1	<p>Event: Late coordination of installation of mains services with external statutory undertakers.</p> <p>Cause: Arrangements for the installation of mains gas, electricity and water with three separate external statutory undertakers were not addressed sufficiently early in the Project. As such, parts of the main conversion work had to be paused or works re-sequenced in the Project to ensure the safe and correct installation of mains services.</p> <p>Effect: Productivity of several work elements was adversely affected to a degree.</p> <p>Identification of Risk: A fuller survey of the existing provision, capacity and condition of mains services to the property would have highlighted the need for new installations earlier in the Project, allowing this work to be programmed to avoid later task conflicts.</p> <p>Proposals for Improvement: As part of the feasibility study undertake thorough searches prior to commencing future refurbishment projects to include investigations and tests into the availability, capacity and condition of existing mains services. This proposal will support improvements to Project scheduling and productivity.</p> <p>Investigate a design and build procurement route whereby appointed contractor arranges the design and installation of utilities.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. To identify elements of the Project requiring third party input at the earliest opportunity. The purpose is to secure full buy-in and understanding amongst third parties regarding the nature of the Project and its issues. This action will help ensure third party work can be organised at a more convenient time in the project schedule, to avoid impinging on work productivity. 2. Investigate all types of build procurements, this could include a design and build procurement. Such route to include a liquidated damages clause to cover client losses (in this case rent and staff time), acting as a real incentive for the contractor to progress the works. 3. As part of the feasibility study ensure searches are undertaken to understand which services (gas, electricity, water, phone, board band) will need to be addressed as part of the project.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
IN2	<p>Event: Identification of land ownership discrepancies.</p> <p>Cause: It was identified that parts of the property to be encompassed in the Project (specifically front entrance porch, rear garden and the site of a refuse bin store) had been incorrectly transferred to North Hertfordshire Homes Limited as part of the wider Stock Transfer between North Hertfordshire District Council and this organisation in 2003. Rectifying these land ownership discrepancies took longer than anticipated due to staffing issues at both the Council and settle group.</p> <p>Effect: Time spent addressing the land ownership discrepancies encroached into the Project. This forced the start date of the conversion work to be postponed pending completion of the transfer documentation for the three areas of land. Fortunately, the contractor agreed to hold their pricing on resumption of proceedings. However, this delay could have impinged on project viability if the contractor chose not to agree to hold pricing or if the project had to be re-tendered from scratch.</p> <p>Identification of Risk: The land ownership issues were identified prior to Project commencing.</p> <p>Proposals for Improvement: Greater contingency time must be built into Project programming to allow for potential delays due to addressing common problems affecting key Project milestones, such as staff shortages.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. Land ownership issues are often complex and time-consuming to resolve. Sufficient time and contingency should be built into any property Project to allow for such issues to be fully investigated, rectified and documented conclusively. 2. At feasibility stage ensure all land ownership and easements are checked, or are in place and flag any potential issues.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
Category - Communications/Engagement with Stakeholders/Partners/Politicians				
C1	<p>Event: Development of Project brief/specification.</p> <p>Cause: The Project brief/specification was short on clarity and not comprehensive.</p> <p>Effect: Work items remained outstanding after the main building works had completed, i.e. replacing a couple of windows, flooring, kitchen works, new front door and landscaping. This caused further delays and some works being carried out in a less efficient sequence.</p> <p>Identification of Risk: Limited clarity as to Project management roles between North Herts Council and Stevenage Borough Council, combined with key staff members departing latter, impinged on brief development and confident communication of brief to team.</p> <p>Proposals for Improvement: The Project brief/specification should take central & early focus and be exhaustively discussed with all Project Team members to evaluate its practical implementation and refine prior to any work is commenced.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. Set out Project brief/specification and discuss at earliest opportunity with Project Team. 2. Based on each team member's input, iteratively refine the brief/specification to ensure practical and efficient implementation and buy-in by all team members.
C2				
Category - Procurement and Letting of Contracts				

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
P1	(As per row with Reference No.IN1	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. Prior to commencing Project, explain Project strategy and objectives to Procurement team, including anticipated issues. 2. Seek early advice of Procurement team on suitable procurement and contract options. 3. Seek early advice of both Procurement and Legal Services teams for tailoring the contract(s) to the nature and anticipated issues of the Project.
P2				
<u>Category - Maintaining Business as Usual</u>				

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
M1	<p>Event: Revision of Project programme.</p> <p>Cause: Unforeseen introduction of Government enforced site lockdowns during the Project following outbreak of Covid-19 pandemic.</p> <p>Effect: Delays in progressing work due to awaiting of Government confirmation as to when restrictions on construction sites were to be lifted. This introduced delays into the project programme. Although construction sites were permitted to re-open relatively early following the first Covid-19 lockdown, the Project was required to be managed in accordance with health & safety advice regarding close proximity working and minimising unnecessary contact. This inevitably reduced productivity of work on site. Furthermore, delays were experienced in securing certain materials during the Covid-19 pandemic.</p> <p>Identification of Risk: Covid-19 lockdowns prior to the Project commencing were not envisaged.</p> <p>Proposals for Improvement: Ensure contracts take into account similar events to try and protect the Council.</p> <p>Greater contingency planning for unforeseen events should be built into future projects based on the Covid-19 lockdown experience. This will be combined with wider risk assessments of sites, more flexible methodology statements and broader risk mitigation strategies in order to improve adaptability of Projects to similar restrictions in the future.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. To research and consult Legal Services more thoroughly on the options and legislative background for incorporating provisions in build contracts that focus on addressing Project delays due to unforeseen events. For example, greater emphasis will be placed on contractual force majeure and good faith clauses. The aim is to ensure the Project Team is clear on their rights and remedies should unforeseen events materialise. 2. The contract administrator should record all variations and extensions of time agreed between client and contractor. 3. The use of a liquidated damages clause within the contract should be considered.

Reference No.	Details of Lesson	Name of Officer	Date Recorded	Actions Taken
M2				
<u>Category - Training</u>				
TR1	<p>Event: Improved project management capability required.</p> <p>Cause: Limited project management training of Project Team.</p> <p>Effect: Restricted vision and forward planning of Project, limited clarity of roles of Project Team and limited coordination of tasks between team.</p> <p>Identification of Risk: Checking of the Project Team for formal training or experience in project management was limited to a few key members.</p> <p>Proposals for Improvement: Project management training should be mandated for all officers involved in any project (where feasible) and officers' understanding assessed following training.</p>	Christopher Robson	19-06-2023	<ol style="list-style-type: none"> 1. Recommended that project management training be mandated for all officers with significant involvement in Council projects, followed by appropriate assessment of knowledge.
TR2				
<u>Category - Governance and Probity</u>				
G1	No issues identified.	Christopher Robson	19-06-2023	Not applicable.
G2				

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Final Internal Audit Report

North Herts Council – Harkness Court 2023/24

September 2023

Issued to:	Nafees Parkar – Building Surveyor Michael Clark – Building and Facilities Manager Steve Crowley – Service Director (Enterprise)
Copied to:	Anthony Roche – Managing Director Ian Couper – Service Director (Resources) FAR Committee Members
Report Status:	Final
Overall Assurance:	N/A – Advisory
Recommendations:	Two Medium

INDEX

<u>Section</u>	<u>Page</u>
1. Executive Summary	3
2. Summary of Recommendations	9
Appendix A – Management Action Plan	10
Appendix B - Definitions of Assurance and Finding Priorities	14

1. EXECUTIVE SUMMARY

Introduction

- 1.1 Internal Audit provides North Herts Council (the Council) with an independent and objective opinion on the organisation's governance arrangements, encompassing internal control and risk management, by completing an annual risk-based audit plan. This consultancy assignment forms part of the approved 2023/24 Annual Audit Plan for the Council.
- 1.2 Number 55 Harkness Court is a 1980's building formerly comprising an operational office and call centre to accommodate the Council's Careline service. Careline's use of the property ceased on 22 April 2018, rendering the property redundant. Planning permission for conversion into 4 x one-bedroom self-contained residential flats was subsequently secured and the conversion has now substantially completed in accordance with the planning permission. The original tender for the project work was £207,713 and the projected final account is confirmed to be £271,908.
- 1.3 During the scoping of this review, it was brought to our attention that the project experienced several significant issues that led to delays in the completion and sign off of the project. Issues included:
- a) Disputes about land ownership rights,
 - b) Adequacy of utility connections, and
 - c) Compliance with building regulations.
- 1.4 The Council has drafted a 'lessons learnt' log that incorporates all risks, issues and concerns with the expectation that improvements can be made to existing controls and project management working practices.
- 1.5 It was agreed that this review would be a consultative assignment, so no audit opinion has been provided. The purpose of this review was to agree what the main root causes of the project challenges were and to document what the key issues and learnings are with suggestions for improvements.
- 1.6 The work of this consultancy assignment took the form of several interviews with those involved in the project, collating the different perspectives on the issues faced. Interviews were held with the following members of staff:
- Service Director (Enterprise)
 - Managing Director
 - Building and Facilities Manager
 - Senior Estate Surveyor
 - Building Surveyor
 - Service Director (Resources)
 - Project Manager (Stevenage)
 - Architectural Services Manager (Stevenage)
- 1.7 These interviews focused on the overarching issues and root causes rather on the specific day to day issues faced by staff members involved in the project. NHC Legal

were not spoken to as part of this audit.

Key Issues Identified

1.7 As a result of our interviews, we were able to summarise the key issues into the following themes:

- Lack of project leadership
- Training and experience of staff
- Turnover in staff
- Issues in dealing with Building Control
- Delays as a result of Covid

Key Issue Identified	Lesson to be Taken
<p>1. Lack of project leadership</p> <p>This was a key theme identified by all interviewed staff, with a lack of awareness of who the project managers were and where different responsibilities were assigned. A Project Manager role had not been defined and allocated to anyone involved in the project. The exact cause of this is not clear but there was possible complacency due to the perceived low risk of the project.</p> <p>The project could not be effectively managed by the Property Services Team due to a lack of capacity or the Estates Team who lacked experience in managing projects. Reliance was thought to have been placed on Stevenage Borough Council to manage the project, but no formal contract could be provided to confirm that this responsibility had been formally established and approved.</p> <p>The project became dependent on members of staff, who felt they had no formal role in the project, getting involved either as they were ‘dragged in’ or voluntarily contributing as they could see there were problems.</p> <p>The lack of a defined project manager meant there was no one to direct and ensure tasks were completed on</p>	<p>All projects, no matter the size or scale, need to be assigned a Project Manager. If the Council lacks qualified project managers with capacity to undertake these tasks, then this should be taken into consideration during the feasibility study and influence whether a turnkey contract may be more appropriate.</p> <p>The role of project manager should clearly set out in any agreement with external parties, especially where the external party is expected to take on this role, for the avoidance of any doubt.</p> <p>The Project Manager should be responsible for ensuring each project has a clear plan, which includes all the tasks involved and timescales for completion.</p> <p>The Project Manager should ensure the responsibilities of all parties are understood and regular meeting schedules are established to provide a forum for project monitoring and an opportunity to escalate issues.</p>

<p>schedule and a lack of monitoring of the projects progress, enabling projects to fall behind schedule.</p> <p>This was the biggest single issue identified and acknowledged by all staff interviewed and resulted in an escalation of all other problems encountered along the project. A designated project lead would have been able to monitor and coordinate activities, and work with stakeholders to address the issues encountered.</p>	
<p>2. Training and experience of staff</p> <p>One interviewee raised the issue of capacity and knowledge within the department to manage this project.</p> <p>They pointed to the fact that the Property Services department was small, while the Estates Team whom this work fell to, lacked the appropriate project management skills and experience of managing this type of project.</p>	<p>Capacity of experienced staff needs to be considered before engaging in future projects. The capacity of available project managers must be considered when feasibility studies are carried out.</p> <p>Consideration may be given to the training of staff in project management to increase the capacity to manage similar projects internally.</p>
<p>3. Turnover of staff at Stevenage Borough Council</p> <p>Those interviewed raised the issue of the high level of turnover in staff of those leading the project from Stevenage Borough Council also massively impacted the delivery of the project. This resulted in a lack of continuity and delays to project progression due to lengthy handovers.</p> <p>The Senior Architect initially appointed retired prior to completion of the project. A replacement was then appointed but also retired shortly afterwards resulting in another change. The newly appointed Architect then had to take long term sick leave requiring another member of staff to take over the work without a proper handover.</p>	<p>The need to keep team members informed of projects to ease transitions in handover in emergency cases.</p> <p>Clearly documented roles and responsibilities should be established early in the life of the project and be clearly documented to prevent any confusion.</p>

<p>Interviewees expressed the opinion that this turnover led to lack of continuity and direction from Stevenage Borough Council too.</p> <p>This turnover in staff would no doubt have contributed to an observed difference in the perceptions of staff at North Herts and Stevenage in terms of their respective roles in the project. Stevenage staff believed themselves to be working under the instruction of the Project Managers from North Herts whilst those at North Herts believed Stevenage had been appointed to lead the project.</p>	
<p>4. Building Control</p> <p>All parties interviewed referred to issues encountered in dealing with Building Control, co-owned by eight local authorities in Hertfordshire.</p> <p>Stevenage staff stated that Building Control had raised numerous issues that required resolution. They would offer potential solutions to these problems but found the Building Control team to be unresponsive, staff difficult to get hold of and struggled to get any engagement.</p> <p>North Herts staff corroborated what was conveyed by the Stevenage staff, citing a lack of staff within Building Control to be the cause of their delays in responding.</p>	<p>Responsibility for liaising with the Building Control team should be formally established and communication channels opened as early as possible in the lifespan of the project to facilitate the resolution of any issues.</p>
<p>5. Covid Delays</p> <p>It was agreed by interviewees that many of the delays to the project were caused by the outbreak of Covid-19 and the resulting site closures, problems in resourcing materials and staffing for contractors.</p> <p>One interviewee referred to the specific impact on an Electrical Mechanical</p>	<p>Future projects should ensure that robust business contingency plans are in place to address any significant issues and risks that projects may encounter.</p> <p>This should include key supplier reliance and resilience where the project is significant/high risk/high value.</p>

<p>company appointed to advise on utilities. They could no longer operate at full capacity, contributing to delays in the project and resulting in the issues encountered in relation to installation of mains utilities. The interviewee estimated these issues with utility companies caused an approx. 10-to-12-month delay to the project.</p>	
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Identification of Key Issues and Root Causes

- 1.8 The Council has started to draft a ‘lessons log’ compiling a list of issues arising during the project, their causes, and proposed actions for improvement. The draft version provided to Internal Audit contained lessons that may be summarised as:
- The lack of a formal agreement of a project manager.
 - Staff turnover within the project team.
 - Insufficient investigation into the existing building.
 - Continuity of performance by Building Control.
 - Late coordination of installation of mains.
 - Identification of land ownership discrepancies, and
 - revision of the project programme because of covid
- 1.9 Comparing the lesson log with the issues highlighted during our interviews we conclude that this document covers the majority of issues that were identified and provides logical actions to address these.
- 1.10 We noted some additional points raised by those interviewed that did not appear in the lessons log.
- 1.11 Firstly, while issues relating to capacity are referenced in the lessons log in relation to procurement and selection of project teams, there is nothing at present to address the issues of internal resourcing. One interviewee had raised the issue that there was a shortage of experienced staff to manage the contract for the Council. The project became reliant on staff with no formal role in the project feeling obliged to make contributions to assist.
- 1.12 The issues surrounding capacity feed into an area highlighted by another interviewee in relation to cost models and options considered at the start of the project. The interviewee mentioned that while costing more, much of the risk involved in the project could have been outsourced by following the design and build procurement route. The lesson log may therefore look to include more information about the cost delivery and procurement models carried out in the project planning phase. The availability of trained and experienced project managers at the Council to manage any contract should be taken into consideration at this point.
- 1.13 The lesson log contains the item ‘no formal agreement of Project Manager for Project Team’ and points to the lack of terms of reference as a cause. This point may be

expanded on further, elaborating on the fact that no contract existed between the two Councils, which would have enabled parties to be held accountable to signed terms.

- 1.14 The Service Director (Enterprise) referred to a piece of work to be undertaken to determine if, even with the issues and delays incurred, the project has still been financially beneficial or if it would have been more valuable for the Council to pursue other options available with the land. Any lessons that may be taken from this piece of work should also go towards influencing future decisions in relation to capital projects.

Lesson Learnt

- 1.15 The scope of our review included determining whether lessons learnt have been disseminated and shared with all stakeholders, and whether improvements have been made.
- 1.16 From our discussions held with staff it was clear that the lessons log has yet to be widely circulated.
- 1.17 The log is still to be finished with more detail set to be included based on the results of property service work projects to determine specific losses incurred from additional work, and loss of rental income from delays. Consideration is also being given to allowing officers from Stevenage the opportunity to reply to the document and whether the Council's Legal team may have any contribution to make. So far, the document only seems to have been shared with a small number of staff within Property Services and Estates.
- 1.18 As the log at draft has yet to be widely distributed, the actions for improvement identified within have yet to be implemented.
- 1.19 Consideration may be given to circulating a summary of the log in its current form so the lessons determined so far may be shared with stakeholders. Any actions for improvement identified may be provisionally assigned an owner to allow for timely improvement of controls.

Reporting and Monitoring

- 1.20 The scope of the review included determining if mechanisms are now in place to identify, escalate and report any potential risks and concerns from future projects managed by the Council's.
- 1.21 This will be achieved by the implementation of the actions set out on the lessons log, particularly with the key lesson logged as reference number S1 which identifies the lack of an assigned Project Manager and the need for regular meetings of the Project Team to evaluate progress and re-affirm aims.
- 1.22 With the lessons log still at a draft state and yet to be widely circulated the proposed actions to take have yet to be implemented. Therefore, we were unable to conclude that mechanisms are now in place to identify, escalate and report on any potential risks in future projects.

Summary of Recommendations

- 2.1 We have provided priority ratings as per our normal reporting practices, but these ratings do not inform an overall internal audit opinion on this advisory work as no assurance is being provided and are solely for prioritisation purposes. Implementation of the recommendations will however form part of the consideration of the Council's Annual Assurance Opinion provided by the Chief Audit Executive on completion of the 2023/24 Internal Audit Plan.
- 2.2 The two recommendations raised have both been classified as medium priority and relate to the following:
- a) Suggested additions to the Learning Log, and
 - b) Circulating lessons learnt.

Please see the Management Action Plan at Appendix A for further detail.





No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
1.	<p>Suggested additions to the Lessons Log</p> <p>Through comparison of our findings from our interviews and the Lessons log compiled by the Council, we were able to identify some notable gaps:</p> <ul style="list-style-type: none"> • Firstly, while issues relating to staff capacity are referenced in the Lessons log in relation to procurement and selection of project teams, there is nothing at present to address the issues of internal resourcing. One interviewee had raised the issue that there was a shortage of experienced staff to manage the contract for North Herts Council. The project became reliant on staff with no formal role in the project feeling obliged to make contributions to assist. • The issues surrounding capacity feed into another area in relation to cost models and options considered at the start of the project. The interviewee mentioned that while costing more, much of the risk involved 	Medium	<p>Consideration should be given to adjusting the Lessons log to include the following areas:</p> <ol style="list-style-type: none"> a) Internal resourcing and the lack of trained staff to manage projects. b) Feasibility assessments and the consideration of turnkey contracts. c) The need for signed contracts to be agreed with third parties that determine projects roles and responsibilities. d) The inclusion of the results of any findings from work carried out examining the project costs. 	<p>Management Response:</p> <p>Happy to add these additional issues.</p> <p>Responsible Officer: Service Director - Enterprise</p>	15 September 2023

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
	<p>in the project could have been outsourced by following the design and build procurement route. The Lessons Log may therefore look to include more information about the cost modelling carried out in the project planning phase and procurement options considered. The availability of trained and experienced project managers at the Council to manage any contract should be taken into consideration at this point.</p> <ul style="list-style-type: none"> • The Lessons log contains the item ‘no formal agreement of Project Manager for Project Team’ and points to the lack of terms of reference as a cause. This point may be expanded on further, elaborating on the fact that no contract existed between North Hertfordshire and Stevenage, which would have enabled parties to be held accountable to signed terms. • The Service Director (Enterprise) referred to a piece of work to be undertaken to determine if, even with the 				

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
	<p>issues and delays incurred, the project has still been financially beneficial or if it would have been more valuable for the Council to pursue other options available with the land. Any lessons that may be taken from this piece of work should also go towards influencing future decisions in relation to Capital Projects.</p> <p><u>Associated Risk</u></p> <p>Risk that the Lessons log is not inclusive of all issues encountered during the project, i.e., incomplete, and inaccurate and not providing a full picture of the acknowledged learning for future projects.</p>				
2.	<p>Circulating lessons learnt</p> <p>From our discussions, it was clear that the Lessons log has yet to be widely circulated and the recommended actions have yet to be implemented.</p> <p>The log is still being drafted, with more detail set to be included</p>	Medium	<p>Consideration should be given to:</p> <p>a) Circulating a summary of the Lessons log in its current form so the lessons</p>	<p>Management Response:</p> <p>Happy to share current lessons learned log in current form.</p> <p>Responsible Officer: Service Director – Enterprise</p>	15 September 2023

No.	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
	<p>based on the results of Property Service work projects to determine specific losses incurred from additional work, and loss of rental income from delays.</p> <p>Consideration is also being given to allowing officers from Stevenage to reply to the document and whether the Council’s Legal team may have any contribution to make. So far, the document only seems to have been shared with a small number of staff within Property Services and Estates.</p> <p>As the log at draft has yet to be widely distributed, the actions for improvement identified within have yet to be implemented.</p> <p><u>Associated Risk</u></p> <p>There is a risk that the lessons learnt will not be shared in time to have the desired impact on any projects set to begin imminently and may not have been contributed to by all relevant parties.</p>		<p>determined so far may be shared with stakeholders.</p> <p>b) Any actions for improvement identified be provisionally assigned an owner to allow for timely improvement of controls.</p>	<p>Management Response:</p> <p>Will be shared in the appropriate way to allow the Council to learn from this project. The only action that has a specific action immediately is training. Therefore, this will be raised with appropriate managers.</p> <p>All other actions are general project items and as the Lessons Learned document will be available for all officers undertaking project work there is not a need to assign specific task.</p> <p>Responsible Officer:</p> <p>Service Director – Enterprise</p>	<p>15 September 2023</p>

Assurance Level	Definition
Substantial	A sound system of governance, risk management and control exist, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.
Reasonable	There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.
Limited	Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.
No	Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.

Priority Level		Definition
Critical		Audit findings which, in the present state, represent a serious risk to the organisation as a whole, i.e. reputation, financial resources and / or compliance with regulations. Management action to implement the appropriate controls is required immediately.
High		Audit findings indicate a serious weakness or breakdown in control environment, which, if untreated by management intervention, is highly likely to put achievement of core service objectives at risk. Remedial action is required urgently.
Medium		Audit findings which, if not treated by appropriate management action, are likely to put achievement of some of the core service objectives at risk. Remedial action is required in a timely manner.
Low		Audit findings indicate opportunities to implement good or best practice, which, if adopted, will enhance the control environment. The appropriate solution should be implemented as soon as is practically possible.

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CABINET
14 November 2023

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: WASTE, RECYCLING AND STREET CLEANSING CONTRACT SERVICE DESIGN

REPORT OF: SHARED SERVICE MANAGER – WASTE MANAGEMENT

EXECUTIVE MEMBER: CLLR AMY ALLEN, EXECUTIVE MEMBER FOR RECYCLING AND WASTE

COUNCIL PRIORITY: SUSTAINABILITY

1. EXECUTIVE SUMMARY

Cabinet agreed the service design for the new waste, recycling and street cleansing contract on 25 October 2022, along with new aims and principles of the Shared Service, based around delivering services which are both financially and environmentally sustainable.

Officers are currently undergoing a competitive dialogue procurement and are seeking a decision from Cabinet on further service design options that can be considered in order to achieve the long-term financial sustainability of the service and the Council.

2. RECOMMENDATIONS

- 2.1. That the Service Director of Place in consultation with the joint Waste Project Board be delegated the authority to agree the waste and recycling service design changes identified in 8.2 of this report, subject to them being the most financially sustainable solution for the Council.
- 2.2. That the Service Director of Place in consultation with the joint Waste Project Board be delegated the authority to agree the street cleansing service design changes identified in 8.2 of this report, subject to them being the most financially sustainable solution for the Council.

3. REASONS FOR RECOMMENDATIONS

- 3.1. The competitive dialogue procurement process allows the Council to explore service design options which may present benefits to the Council. The process so far has identified that significant cost increases are likely from the waste, recycling and street cleansing services in the next contract.

- 3.2. Officers have considered the initial offers from bidders and discussed opportunities for specification changes with them, which are aligned with the Council's aims for high performance, but that will reduce the costs to the Council with minimal impacts on perceived performance.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. See Part 2 report

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Independent workshops were held with a small group of administration Councillors from East Herts Council (EHC) and North Herts Council (NHC) in September 2023 to discuss potential options for changes to the service specification on both waste and recycling and street cleansing. The findings from these workshops were then identified to Project Board on 2 October 2023.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on 13 October 2023.

7. BACKGROUND

- 7.1. East Herts Council (EHC) and North Herts Council (NHC) entered into a Shared Service arrangement in 2017 and a joint contract was let which commenced in May 2018.
- 7.2. The service comprises a 'client' management structure located at the Buntingford Depot and two operational hubs comprising separate contractor management teams and separate contractor workforces for East and North Herts Councils.
- 7.3. The current service covers the requirements for the collection of waste and recycling from approximately 124,000 households and over 1920 commercial customers as well as street cleansing services across East and North Hertfordshire.
- 7.4. In 2014, the Councils agreed to progress from a Strategic Outline Case to an Outline Business Case for the shared service specifically exploring potential additional savings in joint contracts, savings in client overheads including depot costs, governance and management proposals and jointly agreed policies to form the basis of a joint specification.
- 7.5. Prior to the formation of the shared service client team in December 2017, both Councils made unilateral decisions on the service offering to residents for waste, recycling and street cleansing services which formed the basis of the joint contract with Urbaser.
- 7.6. The independent decision making at each authority led to different decisions being made by North Herts Council and East Herts Council regarding the provision of services to residents.

- 7.7. At their respective Executive/Cabinet meetings on 19 April 2022 and 22 March 2022, new aim and principles for the shared service were agreed, focusing on efficient services which are environmentally and financially sustainable. The aim and principles are attached in Appendix 1.
- 7.8. At the respective Executive/Cabinet meetings on 25 October 2022 the service design for the new waste, recycling and street cleansing contract was agreed and minor changes to the specification were delegated to the Service Director of Place for NHC and Head of Operations for EHC, in consultation with Project Board.
- 7.9. On 21 October 2023 the government published its response to its consultation on the resources and waste strategy and resulting in proposed legislative and statutory guidance changes. Officers are in the process of reviewing the information and will be responding to a further consultation on the statutory guidance aimed at supporting the governments 'simpler recycling' proposals.
- 7.10. Some elements of the governments legislative and statutory guidance changes are not aligned with the current contract specification but at this stage there is insufficient clarity to make any further formal decisions. It is expected that further decisions will be required in late 2024 once more detail is known.
- 7.11. Officers will work with consultants Eunomia and legal representatives Sharpe Pritchard to ensure that the procurement exercise can progress on its current timeline and provide sufficient opportunities for any necessary changes required to the specification.

8. RELEVANT CONSIDERATIONS

- 8.1. Officers have been in dialogue with bidders to explore options regarding changes to the specification requirements, which may bring forward savings against the bid prices.
- 8.2. Officers are therefore seeking approval to consider alternative service design options in consultation with project board. The options being considered include:
 - a) A change from source separated paper to fully commingled dry mixed recycling
 - b) The monthly (four weekly) collection of separated paper
 - c) The three weekly collection of separated paper and cardboard predominantly in boxes and the three weekly collection of the remaining dry mixed recycling (A 3,3,3 cycle)
 - d) A removal of the continuous street cleansing presence in town centres and back to standard by 9am (including SLA changes identified in '1' below).
 - e) A removal of approximately 30% of litter bins from predominantly outside the town centres
 - f) A removal of the requirement to pay for traffic management for high-speed road cleansing, with this cost liability being with the Council.
 - g) A change to an input* specification for high-speed road cleansing to once per year
 - h) A change to an input* specification for high-speed road cleansing to twice per year
 - i) Removal of additional seasonal leaf fall clearance.
 - j) An extension of the bin delivery/repair SLA to from 5 days to 9 days.

- k) An extension of missed bin rectification SLA from 5pm the next working day to 72 hours with the exception of missed whole streets which will remain 5pm the next working day.
- l) A change in all of the following street cleansing SLAs

Type	Current Specification	Proposed
1 Cubic Metre fly tipping	2 working days	5 working days
10 Cubic Metre fly tipping	10 working days	10 working days or by agreement with the Supervising Officer
Grade B - Medium intensity Retail	6 hours	Remove rectification requirement for grade B.
Grade B - High Intensity Retail	3 hours	5 hours
Grade C - Medium Intensity Housing	48 hours	3 working days
Grade D - Medium Intensity Housing	24 hours	48 hours
Grade C - Low Intensity Housing	3 working days	5 working days
Grade D - Low Intensity Housing	48 hours	3 working days

** In an 'input' specification the Council prescribed the frequency of cleansing which may or may not meet the needs of an area but limits the resource requirements and cost liabilities of the contractor. In an 'output' specification which is as currently drafted the contractor must ensure that cleansing standards are maintained regardless of the resource requirements and the full cost liability sits with the contractor.*

- 8.3. A final decision on the specification will be made once dialogue is completed and this will be presented to Project Board for a decision to be made. Due to extremely tight timescales, it will not be possible to bring a further report to Executive and Cabinet.
- 8.4. This report does not contain full detail on the implications of each element of these potential changes, but this detail will be provided to Project Board, for a final decision to be made.

9. LEGAL IMPLICATIONS

- 9.1 The Cabinet has authority to decide to proceed with a Competitive Dialogue procurement for the waste & recycling collection and street cleansing contract. Cabinet terms of reference at 5.7.36 state that Cabinet may exercise the following functions: *“To determine those procurement matters reserved to Cabinet by the Contract Procurement Rules.”* The recommendation contained within this report will allow officers to consider alternative service design options within that Competitive Dialogue process in consultation with the Waste Project Board. Additionally, Cabinet has authority at 5.7.15 to *“oversee the provision of all the Council’s services other than those functions reserved to the Council.”*
- 9.2 Otherwise, see Part 2 report

10. FINANCIAL IMPLICATIONS

- 10.1. The Council's budget and Medium Term Financial Strategy has had a core assumption that the new contract would be in line with the current budget. That was on the basis that:
- There was no better information to go on, especially with unknown Government proposals in relation to consistent collections, Deposit Return Scheme and Extended Producer Responsibility.
 - We have already put in place measures in the new contract specification that should help reduce costs (e.g. three weekly collections), but the exact financial impact was unknown.
 - Whilst the Council does not provide capital funding for contract vehicles, it does capitalise the cost of the vehicles (this is in line with accounting regulations). This use of capital funding reduces the revenue cost of the contract. This revenue saving is currently added to a reserve for future vehicle funding. To help balance the budget the Council could choose not to fund the capital cost of the vehicles in this way.
 - In addition to the core assumption, a risk was highlighted that there could be a risk of higher costs with the contract. This risk is what has now happened.
- 10.2. As detailed in the risk section, there are uncertainties in relation to the recent announcement from DEFRA regarding frequency of residual waste collections. If it was not possible to extend the frequency of residual waste collections, then that would increase contract costs. Those costs could be higher than they would have been if DEFRA do not provide certainty as soon as possible. The availability of New Burdens funding for weekly food collection would help the Council's budget forecasts, but the amount of any funding is unknown and may not be known until later in 2024.
- 10.3. There are decisions that can be made in relation to waste services that affect the budget position, but do not relate to the contract specification (e.g. levels of fees and charges). These will have to be considered at some stage, but are not within the scope of this report.

11. RISK IMPLICATIONS

- 11.1 Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2 On 21 October 2023, DEFRA released details of their proposals in relation to 'simpler recycling' collections. It was positive that there was confirmation that there would be local choice on the extent to which recyclable materials could be commingled, as that reduces the risk in relation to the contract. However, there was an unexpected announcement that there would be a consultation on residual waste collections having to be at least fortnightly in frequency. That is a risk in relation to increased costs for service provision, but also adds complexity and risk into the contract procurement process. Officers are working with consultants Eunomia and legal advisors Sharpe Pritchard to mitigate these risks.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. An Equalities Impact Assessment was completed in October 2022 based on the current proposed service specification for the waste contract from 2025. Households producing large quantities of child or adult nappies will be supported by the provision of policies allowing for these properties to remain on fortnightly residual waste collections. A further assessment will need to be carried out depending on the nature of the final service specification options taken forward prior to contract award.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. As the recommendations in the report relate to a contract above the WTO GPA threshold, Social Value has been included by an evaluation model allocating 10% weighting for social value. This will result in a sufficiently high consideration of social value at tendering.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. Overall, to date there are forecasted to be positive environmental impacts from changes to the waste contract for East and North Herts. These come, amongst other things, as a result of proposals to reduce frequency of general refuse collections from fortnightly to three weekly, meaning a reduction in emissions for NHC and a mitigation of emissions for EHC resulting from refuse freighter journeys, and an anticipated increase in resident recycling rates over time. Whilst outside the scope of the decisions being made, it is clear that there would be negative environmental implications if there was a Government decision to require at least fortnightly collection of residual waste.
- 14.2. The proposed introduction of a Waste Awareness Officer will also allow us to run more campaigns and events to support residents to reduce their waste and develop greater understanding of which items are recyclable. This will help residents to adapt to the contract changes which include a proposal to introduce plastic film into the recycling bin.
- 14.3. An environmental impact assessment was carried out in October 2022, based on the current proposed service specification for 2025 onwards. A further assessment will need to be carried out depending on the nature of the final service specification options taken forward prior to contract award.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1. There are no direct human resource implications as a result of this report.

16. APPENDICES

- 16.1. Appendix 1 – Aims and Principles of the Shared Waste Service

16.2 Appendix 2 – See Part 2 Report

17. CONTACT OFFICERS

17.1 Chloe Hipwood, Shared Service Manager, Waste Management chloe.hipwood@north-herts.gov.uk

17.2 Sarah Kingsley, Service Director Place, sarah.kingsley@north-herts.gov.uk

17.3 Ian Couper, Service Director Resources, ian.couper@north-herts.gov.uk

17.4 Jeanette Thompson, Service Director Legal & Community, jeanette.thompson@north-herts.gov.uk

17.5 Isabelle Alajooz, Legal commercial Team Manager Isabelle.alajooz@north-herts.gov.uk

17.6 Reuben Ayavoo, Policy and Community Engagement Manager reuben.ayavoo@north-herts.gov.uk

18. BACKGROUND PAPERS

18.1 Other than those referred to above, and confidentially in the Part 2 report, none

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Appendix 1 – Aim and Principles of the Shared Waste Service

Waste Shared Service Aim

Delivering high quality and well performing services which are both financially and environmentally sustainable.

Waste Shared Service Principles

- a. Maintain and/or improve service standards through efficient working.
- b. Achieve service improvements, greater resilience, efficiencies, cost reductions or better performance through service alignment
- c. Deliver service changes aligned with the government's Resources and Waste Strategy which demonstrate a net environmental benefit
- d. Work in partnership with contractors to develop and evolve a carbon management plan identifying how operations can deliver year on year carbon savings and move towards services with net zero carbon emissions.
- e. Improve efficiencies and enhance the offering for chargeable waste and recycling services and explore commercial opportunities
- f. Work in partnership with contractors to explore new opportunities to reduce costs and ensure the delivery of financially sustainable services
- g. Providing residents and customers with improved and enhanced online self-serve opportunities delivering any service changes with this in mind
- h. Work in partnership with contractors to improve and modernise working practices and make our services an attractive place to work
- i. Work with the Herts Waste Partnership and other partners to share knowledge, best practice, reduce waste and embed circular economy principles in service delivery.

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**OVERVIEW AND SCRUTINY COMMITTEE
7 NOVEMBER 2023**

***PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME
2023-24**

REPORT OF THE SCRUTINY OFFICER

EXECUTIVE MEMBER: NOT APPLICABLE

COUNCIL PRIORITY: PEOPLE FIRST / SUSTAINABILITY / A BRIGHTER FUTURE
TOGETHER

1. EXECUTIVE SUMMARY

This report highlights items scheduled in the work programme of the Overview and Scrutiny Committee for the 2023-24 civic year. It also includes items that have not yet been assigned to a specific meeting of the Committee.

2. RECOMMENDATIONS

- 2.1. That the Committee prioritises topics for inclusion in the work programme attached as Appendix A and, where appropriate, determines the high-level form and timing of scrutiny input.
- 2.2. That the Committee, having considered the most recent iteration of the Forward Plan, as attached at Appendix B, suggests a list of items to be considered at its meetings in the coming civic year.
- 2.3. That the Corporate Peer Challenge Action Plan as attached at Appendix C be considered.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To allow the Committee to set a work programme which provides focused Member oversight, encourages open debate and seeks to achieve service improvement through effective policy development and meaningful policy and service change.
- 3.2. The need to observe Constitutional requirements and monitor the Forward Plan for appropriate items to scrutinise remains a key aspect of work programming.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. The Committee has varied its approach to overview and scrutiny activity over recent years. Currently it seeks to enter the process of policy development at an early stage and consequently may consider items associated with service action plans.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Each Committee meeting includes the opportunity for Members to comment on and input to the Committee's work programme.

6. FORWARD PLAN

- 6.1. This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.
- 6.2. The Chair and Vice-Chair of the Committee are sent the latest Forward Plan upon publication.
- 6.3. The Committee is asked to review the Forward Plan at each regular meeting to identify potential issues for inclusion in the work programme. Identification of a focus for the Committee's future activity should be identified at this stage wherever possible.

7. BACKGROUND

- 7.1. The LGA Peer Committee Support was undertaken in 2022 and finalised in January 2023, which focused on the Overview and Scrutiny and Finance, Audit and Risk Committees. Recommendations for Overview & Scrutiny were made and are set out in the Action Plan at Appendix C.
- 7.2. In line with the recommendation of the Corporate Peer Challenge 2023 Executive Members were invited to present reports that fall under their remit and to make presentations on specific issues that the Committee wish to consider.
- 7.3. The Committee now considers a wide range of issues, where appropriate, commencing its reviews early in the policy development process. By doing this it seeks to ensure assumptions are challenged at an early stage, mistakes are avoided, and eventual outcomes provide optimal benefit to the community.
- 7.4. The Committee seeks to ensure that consideration of agenda items minimises the additional burdens on staff resources. Wherever possible, requests are made for the presentation of documents already in existence rather than the production of new documents specifically for the Committee.

8. RELEVANT CONSIDERATIONS

Work Programme

- 8.1. The Committee's work programme for the year requires reviewing at each meeting and direction is sought from the Committee on items they wish adding. Appendix A contains the work programme for 2023-24.
- 8.2. When considering additional topics their risk assessment and prioritisation will ensure that the most appropriate items taking forward to the work programme.

Forward Plan

- 8.3. The Forward Plan for August at Appendix B. Members can view currently published forward plans here: [Browse plans - Cabinet, 2023 | North Herts Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk)
- 8.4. Members are reminded that the Forward Plan acts as public notification of key executive decisions during the next four months and beyond that it is a working document subject to regular amendments.

Corporate Peer Challenge Action Plan

- 8.5. The Committee agreed at the meeting held on 20 June 2023 that the actions regarding the Overview and Scrutiny Committee included in the Corporate Peer Challenge Action Plan be appended to all future reports in order to:
 - Act as an aide memoire when considering the work programme.
 - Consider any actions that need further work.
 - Assess the effectiveness of changes made.
- 8.6. The Committee is asked to consider the Action Plan and any update updates provided at Appendix C.

9. LEGAL IMPLICATIONS

- 9.1. Under section 6.2.5 the Constitution, the Committee is responsible for setting its own work programme however it must ensure it retains sufficient capacity within the programme to meets its statutory obligations.
- 9.2. Section 6.2.7 (u) of the constitution allows the Committee “to appoint time limited task and finish topic groups to undertake detailed scrutiny work and report back to the overview and scrutiny committee to make recommendations to the Cabinet.”
- 9.3. In accordance with the Council’s Constitution, the approval of the future scrutiny work programme falls within the remit of the Overview and Scrutiny Committee.

10. FINANCIAL IMPLICATIONS

- 10.1. Depending on how they are applied in practice, the scope of the options presented in Sections 7 and 8 have the potential to be wide reaching. As detailed in Section 14: Human Resource Implications, the wider the reach, the more significant the impact on Officer time in terms of report writing, data analysis, and committee meeting attendance. Given recent funding pressures and the consequent reduction in Officer numbers, significant requests for scrutiny work will limit officer time available to spend on activities such as identifying and delivering cost reductions, income generation and project management.
- 10.2. Although not significant, a committee attendance allowance of £25.17 per Officer per evening meeting is payable to officers in attendance. This is in addition to providing time off in lieu or overtime as an alternative.

11. RISK IMPLICATIONS

- 11.1. Effective overview and scrutiny of policy, administrative, service delivery, and expenditure decisions helps reduce the risk of an inappropriate decision being made. The scope and timeframe for scrutiny interventions should be considered in light of the potential impact of inappropriate scrutiny leading to decisions not being made, inappropriately made or not made at the right time.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. There are no direct equality implications arising from this report. Effective scrutiny is an essential part of ensuring the local government remains transparent, accountable and open which ensures that the delivery of public services benefits all aspects of the community, where practical.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and “go local” requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The widening of the reach of scrutiny reviews has the potential to significantly impact on officer time in terms of the reprioritisation of already agreed projects, their scope or timetabling or resources. There is also the potential for additional resource requirements in relation to report writing, information collection and analysis and committee attendance. Delivery of service plans to achieve the Council’s agreed Corporate Plan objectives might, therefore, be potentially negatively impacted.

16. APPENDICES

- 16.1. Appendix A – Work Programme of the Overview and Scrutiny Committee 2023-2024
- 16.2. Appendix B – Forward Plan – 13 October 2023
- 16.3. Appendix C – Corporate Peer Committee Support Action Plan in regard to the Overview and Scrutiny Committee

17. CONTACT OFFICERS

- 17.1. Eleanor Hopcraft, Scrutiny Officer, ScrutinyOfficer@north-herts.gov.uk , ext 4514
- 17.2. James Lovegrove, Committee, Member and Scrutiny Manager, James.Lovegrove@north-herts.gov.uk , ext 4204

- 17.3. Isabelle Alajooz, Legal Commercial Team Manager and Deputy Monitoring Officer, Isabelle.Alajooz@north-herts.gov.uk , ext 4346
- 17.4. Tim Everitt, Performance and Risk Officer, Tim.Everitt@north-herts.gov.uk , ext 4646
- 17.5. Maggie Williams, Senior HR and Contracts Manager, Maggie.Williams@north-herts.gov.uk , ext. 4506

18. BACKGROUND PAPERS

- 18.1. Previous Reports to the Overview and Scrutiny Committee and Forward Plans.

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PROGRAMME FOR FUTURE COMMITTEE MEETINGS 2023-24

DATE	REPORTS	Report Author	Portfolio Holder
7 November 2023	Resolutions Report Work Programme 3C's Half Year Update 2023-24 Waste, recycling and street cleansing service design Call to Account on Harkness Court	Eleanor Hopcraft Eleanor Hopcraft Chris Jeffery Chloe Hipwood Steve Crowley	- - Elizabeth Dennis Amy Allen Keith Hoskins
5 December 2023 NEW, Extraordinary	Leisure Management Contract Draft Sustainability SPD	Louise Randall Deborah Coates	Steve Jarvis Steve Jarvis
9 January 2023	Resolutions Report Work Programme Update to the Common Housing Allocation Scheme Lord Lister Call to Account Chair's Report Harkness Court Call to Account Chair's Report	James Lovegrove James Lovegrove Martin Lawrence David Levett Adam Compton	- - Sean Prendergast - -
29 January 2023	Crime and Disorder Matters Invitation to: settle Resolutions Report Work Programme Q3 Update on the Council Delivery Plan 2023-24 Recovery Plan	- - James Lovegrove James Lovegrove Rachel Cooper	Alistair Willoughby - - - Ian Albert
12 March 2024	Resolutions Report Work Programme Annual Report of the Overview and Scrutiny Committee 2023-2024 Council Delivery Plan Strategic Housing Policy Update Implementation of the Leisure Contract	James Lovegrove James Lovegrove Chair of Overview & Scrutiny Rachel Cooper Martin Lawrence Louise Randall	- - - Ian Albert Sean Prendergast Steve Jarvis
	To be scheduled: Greenspaces Enterprise Service Area Updates Biodiversity Strategy 2023-24	Andrew Mills Enterprise Team Sarah Kingsley	Steve Jarvis Keith Hoskins Steve Jarvis

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Forward Plan of Key Decisions - 13 October 2023

The Forward Plan contains brief details of Key Decisions that the Council is likely to take over the next four month period and beyond. You will also find details of contacts who can provide further information and hear your views. **Please note that the dates of some of the decisions may change from month to month, please check with Committee, Member and Scrutiny Services on (01462) 474655 before deciding to attend a meeting.**

Decision required	Overview and Scrutiny	Decision Maker	Date of Decision	Documents to be submitted to Decision Maker	Contact Officer from whom documents can be requested	Confirmation that other documents may be submitted to the Decision Maker	Procedure for requesting details of other documents
Refugee resettlement and Home Office funding update		Cabinet	19 Sep 2023		Martin Lawrence, Strategic Housing Manager martin.lawrence@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Proposed Off Street Car Parking Tariffs 2023-24		Cabinet	19 Sep 2023		Louise Symes, Strategic Planning and Projects Manager louise.symes@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Statement of Community Involvement		Cabinet	19 Sep 2023		Clare Skeels, Senior Planning Officer clare.skeels@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Q1 update on the Council Delivery Plan 2023-24		Cabinet	19 Sep 2023		Rachel Cooper, Controls, Risk and Performance Manager rachel.cooper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
HITCHIN, LETCHWORTH AND ROYSTON BUSINESS IMPROVEMENT DISTRICTS (BIDs)		Cabinet	19 Sep 2023		Andrew Figgis, Economic Development Officer andrew.figgis@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6

Page 87

Decision required	Overview and Scrutiny	Decision Maker	Date of Decision	Documents to be submitted to Decision Maker	Contact Officer from whom documents can be requested	Confirmation that other documents may be submitted to the Decision Maker	Procedure for requesting details of other documents
RENEWAL							
FIRST QUARTER REVENUE BUDGET MONITORING 2023/24		Cabinet	19 Sep 2023		Ian Couper, Service Director - Resources ian.couper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
FIRST QUARTER INVESTMENT STRATEGY (CAPITAL AND TREASURY) REVIEW 2023/24		Cabinet	19 Sep 2023		Ian Couper, Service Director - Resources ian.couper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
LUHC's Single Homelessness Accommodation Programme		Cabinet	19 Sep 2023		Martin Lawrence, Strategic Housing Manager martin.lawrence@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Leisure Management Contract Options		Cabinet	19 Sep 2023		Louise Randall, Leisure Manager louise.randall@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Financial System Procurement		Service Director: Resources	Before 30 Sep 2023		Rachel Cooper, Controls, Risk and Performance Manager rachel.cooper@north-herts.gov.uk, Ian Couper, Service Director - Resources ian.couper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6

Decision required	Overview and Scrutiny	Decision Maker	Date of Decision	Documents to be submitted to Decision Maker	Contact Officer from whom documents can be requested	Confirmation that other documents may be submitted to the Decision Maker	Procedure for requesting details of other documents
Burymead Museum Storage Solution		Cabinet	14 Nov 2023		Robert Orchard, Operations and Facilities Manager robert.orchard@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Draft Sustainability SPD		Cabinet	14 Nov 2023		Deborah Coates, Principal Strategic Planning Officer deborah.coates@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Biodiversity Strategy 2023-2028		Cabinet	14 Nov 2023		Sarah Kingsley, Service Director - Place sarah.kingsley@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
The Allocation of Homelessness Prevention Grant from DLUHC		Cabinet	14 Nov 2023		Martin Lawrence, Strategic Housing Manager martin.lawrence@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Stray Dogs Policy		Cabinet	14 Nov 2023		Frank Harrison, Environmental Health Manager frank.harrison@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
The Continuation of the Air Quality Management Intervention		Cabinet	14 Nov 2023		Frank Harrison, Environmental Health Manager frank.harrison@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Public Health Burials Policy		Cabinet	14 Nov 2023		Frank Harrison, Environmental Health Manager	Yes	Via the Contact Officer named in Column 6

Decision required	Overview and Scrutiny	Decision Maker	Date of Decision	Documents to be submitted to Decision Maker	Contact Officer from whom documents can be requested	Confirmation that other documents may be submitted to the Decision Maker	Procedure for requesting details of other documents
					frank.harrison@north-herts.gov.uk		
Empty Homes Strategy		Cabinet	14 Nov 2023		Frank Harrison, Environmental Health Manager frank.harrison@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Waste, recycling and street cleansing service design		Cabinet	14 Nov 2023		Chloe Hipwood, Service Manager chloe.hipwood@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Leisure and Active Communities Contract Award		Cabinet	12 Dec 2023		Louise Randall, Leisure Manager louise.randall@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Annual review of the Risk Management Framework		Cabinet	12 Dec 2023		Rachel Cooper, Controls, Risk and Performance Manager rachel.cooper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Half Yearly report on Risk Management Governance 2023-24		Cabinet	12 Dec 2023		Rachel Cooper, Controls, Risk and Performance Manager rachel.cooper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Q2 2023-24 Progress against the Council Delivery Plan		Cabinet	12 Dec 2023		Rachel Cooper, Controls, Risk and Performance Manager rachel.cooper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6

Page 90

Decision required	Overview and Scrutiny	Decision Maker	Date of Decision	Documents to be submitted to Decision Maker	Contact Officer from whom documents can be requested	Confirmation that other documents may be submitted to the Decision Maker	Procedure for requesting details of other documents
Communications Strategy		Cabinet	16 Jan 2024		Christine Crofts, Communications Manager christine.crofts@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Update to Common Housing Allocation Scheme		Cabinet	16 Jan 2024		Martin Lawrence, Strategic Housing Manager martin.lawrence@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Metropolitan Thames Valley Housing Scheme		Cabinet	16 Jan 2024		Martin Lawrence, Strategic Housing Manager martin.lawrence@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
Local Plan Review		Cabinet	16 Jan 2024		Deborah Coates, Principal Strategic Planning Officer deborah.coates@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
SECOND QUARTER REVENUE BUDGET MONITORING 2023/24		Cabinet	16 Jan 2024		Ian Couper, Service Director - Resources ian.couper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
INVESTMENT STRATEGY (CAPITAL AND TREASURY) MID-YEAR REVIEW 2023/24		Cabinet	16 Jan 2024		Ian Couper, Service Director - Resources ian.couper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6

Decision required	Overview and Scrutiny	Decision Maker	Date of Decision	Documents to be submitted to Decision Maker	Contact Officer from whom documents can be requested	Confirmation that other documents may be submitted to the Decision Maker	Procedure for requesting details of other documents
Permit Review		Cabinet	16 Jan 2024		Louise Symes, Strategic Planning and Projects Manager louise.symes@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6
REVENUE BUDGET 2024/25		Cabinet	6 Feb 2024		Ian Couper, Service Director - Resources ian.couper@north-herts.gov.uk	Yes	Via the Contact Officer named in Column 6

EXTRACT OF ITEMS FROM THE CORPORATE PEER CHALLENGE ACTION PLAN THAT RELATE TO THE OVERVIEW AND SCRUTINY COMMITTEE

	Recommendation	Action	Led By	Timescale	Update
1	Define what you want your scrutiny panels to achieve.	<p>To be discussed with the scrutiny committee but approach based on the 4 principles of good scrutiny would make sense: -</p> <ul style="list-style-type: none"> • Provides critical friend challenge to policymakers and decision makers • Enables the voice and concerns to the public • Is carried out by independent-minded people who lead and own the scrutiny role • Drives improvement in public services 	Scrutiny Committee	Ongoing	
2	Put into place scrutiny training for the whole council (members and officers) and experiment with how training could be more effective for the 2024 new intake. Ensure all members understand the benefits and role of scrutiny.	<p>Will be incorporated within the Member training programme being developed.</p> <p>Group Leaders need to reinforce the importance of attending training with their groups.</p>	Democratic Services Member Champions Learning + Development	Before March 2024	Training provided on 18 May 2023 for Members, with recording of the session made available on GrowZone.
3	Consider how the provision of training can be improved to increase knowledge transfer and support members with ongoing training needs e.g., use of one-to-one coaching the provisional	Will be incorporated within the Member training programme being developed.	Democratic Services Member Champions Learning + Development	Before March 2024	

	feedback from live meetings, further training to fill any gaps in knowledge and skills.				
4	Urgently fund and recruit a dedicated scrutiny officer.	Budget has been identified for a part-time Scrutiny Officer subject to successful recruitment.	Democratic Services Manager/Committee, Member and Scrutiny Manager	Pending	Scrutiny Officer role vacant from 03/11/23
5	Members to actively review the Forward Plan and invitation of cabinet members to attend O&S. This could be overcome with a dedicated scrutiny officer in place.	This is already on every agenda and is done every meeting it will be for members to take forward with the Scrutiny Officer.	Scrutiny Committee Scrutiny Officer	Pending	Scrutiny Officer to discuss with Chair and Vice-Chair Forward Plan included in every Work programme report and Executive have been made aware of meeting dates.
6	Proper and effective reporting onwards to council and cabinet by O&S as required.	Chair and Scrutiny Officer will need to take this forward and consider the best way to report O&S discussion to cabinet and council. This can be done verbally. A report from a Task & Finish Group would be a written report.	Chair of Scrutiny Scrutiny Officer	Pending	Scrutiny Officer to discuss with Chair and Vice-Chair
7	Establish clear meeting protocols and associated processes for questioning cabinet members.	For Scrutiny Officer to work through with the Chair	Chair of Scrutiny Scrutiny Officer	Pending	Scrutiny Officer to discuss with Chair and Vice-Chair
8	Officers to always facilitate the bringing forward of future agenda items requested	This is accepted but felt to have been a one-off example. It would be for the Scrutiny Officer to ensure this happens.	Scrutiny Officer	Ongoing	Scrutiny Officer actively follows up on item requests at meetings.

	by O&S in a timely manner				
9	Training in scrutiny questioning skills (KLOE).	Has been and will continue to be incorporated within the Member training programme being developed.	Democratic Services Member Champions Learning + Development	Ongoing	
10	Specific O&S training for the opposition to encourage effective opposition role. There is specific scrutiny training for groups in opposition to assist with scrutiny work and assist them in being more effective throughout the council.	Will be incorporated within the Member training programme being developed.	Democratic Services Member Champions Learning + Development	Ongoing	Members of the opposition either attended the Scrutiny training session on 18 May 2023 or watched the recording on GROWzone. Other options of scrutiny training for the opposition will be explored.
11	Scrutiny needs to actively seek to implement the use of Task and Finish Groups.	This is for the Chair and Committee to consider with the support of the Scrutiny Officer.	Chair of Scrutiny Scrutiny Committee Scrutiny Officer	Ongoing	Scrutiny Officer has asked for nominations from the group leaders for the Task and Finish Group on Communication and Engagement. Once nominations have been received dates for the Task and Finish Group will be organised.
12	It was observed by some members that the preparation for the	For Scrutiny Officer to work through with the Chair.	Chair of Scrutiny Scrutiny Officer	Pending	Briefings will become standard before 'call to

	special scrutiny meeting on the 'call to account' was beneficial and lessons learnt on how this preparation helped scrutiny should be considered in taking forward scrutiny in the future.				account' to best prepare Members for the item.
13	Establish proactive annual programme of work and agenda setting.	This is for the Chair and Committee to consider, with the support of Scrutiny Officer.	Chair of Scrutiny Scrutiny Committee Scrutiny Officer	Ongoing	
14	Provide O&S training in Chairing Skills.	Will be incorporated within the Member training programme being developed.	Democratic Services Member Champions Learning + Development	Ongoing	Chairing Skills training provided on 12 June 2023
16	Ensure the scrutiny committee actively follow up on all recommendations.	This is already on every agenda. For Scrutiny Officer to work with the Chair and Committee to ensure it is actively looked at.	Chair of Scrutiny Scrutiny Committee Scrutiny Officer	Ongoing	Referrals will be included in the Committee's Resolutions report so the Committee can follow up on recommendations.
17	Consideration should be given by the cabinet and portfolio holders on how they can carry out their role in a way that supports scrutiny being able to act as effectively as possible.	This links to the vision for scrutiny in recommendation one this should be a two-way critical friend relationship to be included as part of training and potentially part of work planning. Cabinet to consider how to better engage with Scrutiny.	Cabinet Scrutiny Committee Chair of Scrutiny	Ongoing	
18	Ensure minutes reflect the decisions of the meeting – e.g., requests for agenda items to be	Committee Services and the Scrutiny Officer will make sure everything is accurately captured.	Scrutiny Officer	Ongoing	

	recorded in the minutes and added to the forward plan.				
19	Cabinet members should consistently and without exception be expected to attend O&S committee meetings where decisions from their area of responsibilities are being scrutinised.	Agreed. This is the current approach unless there is an emergency. Cabinet to consider as part of how to better engage with scrutiny.	Cabinet	Ongoing	Scrutiny Officer has advised the Executive of Committee dates for 2023-24 and will provide notice when required to attend meetings.
20	The scrutiny chair or their representative should attend all cabinet meetings to present scrutiny findings particularly to enable the thinking and debate around the recommendations to be clearly communicated with the cabinet to maximise the impact scrutiny can have on decisions.	Agreed.	Chair of Scrutiny	Ongoing	Scrutiny Officer has advised the Chair and Vice-Chair of Cabinet dates for 2023-24.
21	Where Cabinet do not accept an O&S recommendation, reasons should be given.	Agreed. Cabinet to consider as part of how to better engage with scrutiny	Cabinet	Ongoing	Reasons for a recommendation not being accepted by Cabinet will be included in the Committee's Resolutions report.

