

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 NOVEMBER, 2024 AT 7.30 PM

MINUTES

Present: *Councillors: Matt Barnes (Chair), Tom Tyson (Vice-Chair), Tina Bhartwas, Jon Clayden, Elizabeth Dennis, Ralph Muncer, Martin Prescott, Laura Williams, Claire Winchester, Donna Wright, Daniel Wright-Mason and Sean Prendergast.*

In Attendance: *Steve Crowley (Service Director - Enterprise), Philip Doggett (Principal Estates Surveyor), Chloe Gray (Enterprise Manager), Frank Harrison (Environmental Health Manager), Chris Jeffery (Customer Service Manager), Martin Lawrence (Strategic Housing Manager), Susan Le Dain (Committee, Member and Scrutiny Officer), James Lovegrove (Committee, Member and Scrutiny Manager), Jeevan Mann (Scrutiny Officer) and Robert Orchard (Culture and Facilities Services Manager).*

Also Present: *There were no members of public present for the duration of the meeting.*
Councillors Daniel Allen, Ian, Albert, Val Bryant and Dave Winstanley were also in attendance as Executive Members.

42 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 42 seconds

Apologies for absence were received from Councillor Louise Peace.

Having given due notice, Councillor Sean Prendergast substituted for Councillor Peace.

43 MINUTES - 3 SEPTEMBER 2024

Audio Recording – 1 minute 57 seconds

Councillor Ralph Muncer thanked the Chair for his work in developing the Scrutiny Charter, and noted recent feedback from the Peer Review which highlighted recent improvements in the scrutiny processes.

Councillor Matt Barnes, as Chair, proposed and Councillor Ralph Muncer seconded and, following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 3 September 2024 be approved as a true record of the proceedings and be signed by the Chair.

44 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 59 seconds

There was no other business notified.

45 CHAIR'S ANNOUNCEMENTS

Audio recording – 3 minutes 4 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (3) The Chair advised that for the purposes of clarification clause 4.8.23(a) of the Constitution does not apply to this meeting.
- (4) The Chair reminded Members of the adopted North Herts Scrutiny Charter and the need to ensure that the meeting was conducted with independence, initiative and integrity. The full Charter was available to Members via the Scrutiny Intranet pages.

46 PUBLIC PARTICIPATION

Audio recording – 4 minutes 5 seconds

There was no public participation at this meeting.

47 URGENT AND GENERAL EXCEPTION ITEMS

Audio recording – 4 minutes 10 seconds

No urgent or general exception items were received.

48 CALLED-IN ITEMS

Audio recording – 4 minutes 17 seconds

There have been no called-in items.

49 MEMBERS' QUESTIONS

Audio recording – 4 minutes 21 seconds

No questions had been submitted by Members.

50 3Cs HALF YEAR 24/25 UPDATE

Audio recording – 4 minutes 27 seconds

Councillor Val Bryant, as Executive Member for Community and Partnerships, presented the Information Note entitled '3Cs Half Year Update 2024/2025' and advised that:

- This note provided a half year update on the performance regarding the Comments, Compliments and Complaints (3Cs) of the Council.
- The number of complaints and comments received had increased compared to the previous year.
- The number of complaints received by the Council and its contractors had increased due to the change of the Council leisure contract as detailed in paragraph 3.10.
- The percentage of Stage 1 complaints resolved within 10 days had increased to 90%, against a target of 80%.

- Council contractors had received 80 compliments across a variety of services as shown at Appendix B.
- 16 Stage 2 complaints had been received across service areas, but only 8 were justified.
- The Local Government Ombudsman (LGO) had received 3 complaints this period. One was not upheld, one had been assigned to an investigator and one had been upheld as detailed in the Information Note.
- One complaint had been received outside of the reporting period as outlined in paragraph 3.19, however it had been included within this note due to the recommendations from the LGO, prior to consideration by Cabinet on 26 November.

The following Members asked questions:

- Councillor Elizabeth Dennis
- Councillor Ralph Muncer
- Councillor Sean Prendergast
- Councillor Matt Barnes
- Councillor Jon Clayden
- Councillor Daniel Wright-Mason
- Councillor Tom Tyson

In response to a question the Executive Member for Community and Partnerships advised that the increase in complaints regarding the new leisure provider were mainly associated with people getting used to the new booking system.

In response to questions the Customer and Digital Services Manager advised that:

- Complaints were received for a variety of reason. He could provide a full breakdown of the complaints received and would circulate this to Members.
- As changes were still ongoing at the leisure centre, there was no data available yet to show if the number of complaints had reduced.
- Complaints were directed through the customer service centre and staff were trained to correctly allocate the 3Cs.
- He would check with the leisure provider to ensure they were of the policy of the Council to respond to complaints within 10-20 days.

51 SUPPORTED HOUSING SCHEME FOR WOMEN

Audio recording – 18 minutes 4 seconds

Councillor Dave Winstanley, the Executive Member for Housing and Environmental Health presented the report entitled 'Supported Housing Scheme for Women' and advised that:

- This proposal was to be put forward to Cabinet on 26 November 2024.
- The aim was to help address the growing need for housing by single homeless women in North Hertfordshire.
- This scheme would help homeless women who have support needs, such as suffering from domestic abuse, mental health issues and substance abuse.
- This was a two-year pilot which would be run in partnership by Hertfordshire County Council and Druglink, which was a Hertfordshire based substance misuse charity.
- An allocation of £73k was required to match fund a commitment from HCC.
- In December 2022 Cabinet had previously agreed funding of £73 of Ministry of Housing, Communities and Local Government (MHCLG) ring fenced Homeless Prevention Grant (HPG) to support a similar scheme, which had fallen through.
- This proposal would offer a tailored safe space for women to empower them to gain independence.

- This initiative would not only meet a critical local need but would support the commitment of the Council to tackle domestic violence in line with the White Ribbon accreditation.

The following Members asked questions:

- Councillor Ralph Muncer
- Councillor Jon Clayden
- Councillor Laura Williams
- Councillor Tina Bhartwas
- Councillor Daniel Wright-Mason

In response to questions, the Executive Member for Housing and Environmental Health advised that this scheme would provide a six bedded unit for homeless single women and that Druglink were a very experienced charity which ran similar schemes elsewhere.

In response to questions, the Strategic Housing Manager advised that:

- It was hard to estimate the turnaround of the 6 units until the scheme was up and running as the circumstances for each resident would vary.
- Costs associated with this scheme would be similar to costs associated with the previous scheme that had fallen through.
- If the scheme was successful, after the end of the two-year pilot, all parties would consider funding options nearer the time.
- Druglink were very experienced and looked at a broad spectrum of services, providing support for needs such as poor mental health, domestic abuse and substance misuse.
- Meeting the support needs of survivors of domestic abuse was a key priority for the Council.
- The Council would be supporting HCC with a 50/50 stake in the two-year pilot.
- This scheme would be run in a building already owned by HCC and the service would be closely monitored.
- If this scheme was approved, it could be publicised as part of a wider article about the issues faced by homeless people in winter.
- The police would be notified once the scheme was approved in line with safeguarding procedures.

Councillor Matt Barnes proposed the recommendation and Councillor Tom Tyson seconded and following a vote, it was:

RECOMMENDED TO CABINET: That the Cabinet supports the allocation of £73k of ring fenced MHCLG Homelessness Prevention Grant to HCC to match fund the two-year pilot of Druglink's Supported Housing Scheme for Women.

REASON FOR RECOMMENDATION: This proposal has been made in order to enable the two-year pilot to go ahead.

52 ENTERPRISE DIRECTORATE UPDATE

Audio recording - 33 minutes 53 seconds

Councillor Tamsin Thomas, as Executive Member for Enterprise and Arts, presented the report entitled 'Enterprise Directorate Update' and advised that:

- This report provided an update on the progress of the Enterprise directorate.
- The Council Plan was a key document which sets out the objectives of the Council for each portfolio including the Enterprise department.

- The Enterprise department played a key role in managing external relationships of the Council, for example with the Business Improvement Districts (BIDs).

The Service Director – Enterprise advised that the department generated a significant of revenue and capital for the Council and details of the work programme could be found in Appendix A.

The following Members asked questions:

- Councillor Ralph Muncer
- Councillor Matt Barnes
- Councillor Daniel Wright-Mason
- Councillor Donna Wright
- Councillor Martin Prescott
- Councillor Elizabeth Dennis
- Councillor Tina Bhartwas
- Councillor Matt Barnes
- Councillor Tom Tyson

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

- Figures in the report could be separated for the Museum and Town Hall and this information would be provided to Members at a future meeting.
- Staff recruitment had been successful in the Estates portfolio, but there were still more positions to be filled within the directorate.
- Relationships developed with the BIDs were in a stronger position than in the past.
- The aim of the new Economic Development Strategy was to ensure the right structures and mechanisms were in place in the future.

In response to questions, the Service Director – Enterprise advised that:

- £250k had been allocated within the capital for the development of Churchgate to employ professional experts.
- Whilst developing the new Economic Development Strategy, relationships were being built which would be beneficial going forward with the work programme.
- The Enterprise directorate worked alongside other department in the Council with their initiatives.
- The fire at the Baldock Industrial State had been a challenge with no simple way to resolve and several companies were working together to find a way forward. However, this was not a project of the Council.
- Staff shortages in the directorate had slowed down completion of tasks, including the action plan for the Economic Development Strategy.
- The key lesson learnt from the previous Economic Commercial Strategy was to be realistic of what can be achieved and to make sure the right resources, and accompanying action plans, were in place.

In response to questions, the Culture and Facilities Manager advised that:

- A lot of work had been completed at the Town Hall, including a new website and two new bars.
- Internal events at the Town Hall had been profitable and a new booking system had been introduced for efficiency.
- Museums were not a profitable business and the benefits were social.
- Revenue generated had increased compared to the year before.
- The directorate was working on an initiative to support art and culture county wide in collaboration with the University of Hertfordshire.

- There was a North Herts Arts and Culture networking group and many arts groups were run in the district.

In response to questions, the Enterprise Manager advised that:

- The directorate was looking to organise business networking forums to help businesses succeed.
- The development of Churchgate was a large project and the department was producing a new Economic Development Strategy to include an Action Plan with measurable KPIs.
- The Action Plan was currently in a draft form.
- The brief for writing the Economic Development Strategy focused on why North Herts was a good place to start a business and to work.
- The Shared Prosperity Fund had been delivered under the Economic Development Strategy for the past three years which made a real difference to the community and enabled funds to be allocated to parishes and local groups.
- The Enterprise directorate worked closely with the Chamber of Commerce for data and networking.

N.B. During the questions on this item, Councillor Muncer left the Chamber and returned at 20.47 and Councillor Daniel Wright-Mason left the Chamber and returned at 20.51.

Councillor Matt Barnes, as Chair, proposed and Councillor Jon Clayden seconded and, following a vote, it was:

RESOLVED: That the Overview and Scrutiny Committee noted the report.

REASON FOR DECISION: The report is following the request of the committee for an update on the progress of the Enterprise Directorate and is for information only.

N.B. Following the conclusion of this item there was a short break in proceedings, and the meeting reconvened at 21.15.

N.B. Councillor Martin Prescott left the Chamber during the break and did not return to the meeting.

53 MUSEUM STORAGE OPTIONS APPRAISAL

Audio recording: 1 hour 47 minutes 21 seconds

Councillor Tamsin Thomas, as Executive Member for Enterprise and Arts, presented the report entitled 'Museum Storage Options Appraisal' and advised that:

- The purpose of this report was to showcase the range of options that have been explored to resolve the museum storage issues.
- The primary objective of this report was to focus on the most viable options to put forward to Cabinet on 19 November 2024.
- The museum service provided a continual historical record of this district and the collection had been accumulated over a few hundred years.
- The collection continued to grow and there was not enough space in the current building for safe storage.
- The current site at Bury Mead Road was not designed to be used for a long-term storage area and the building was past its life span.
- A long-term solution was required to protect the heritage collection which would have been considered as part of the museum obtaining accreditation from the Arts Council, last awarded in 2019.

- Accreditation by the Arts Council was a valuable status which allowed the museum to host exhibitions and this also allowed the museum to apply for project and capital-based grants.
- This paper highlighted three shorter term options, A, B and C, which only addressed the current issues and provided solutions only in the shorter term.
- It was therefore preferable to find a longer-term solution to protect the ever-growing fragile collection.
- Option A was in the report to provide a baseline for comparison. Option B was a minimal solution to maintain commitments to the collection and option C provided this with the addition of some extra storage facilities.
- Option D, E and H provided the clearest long-term solutions which were worth further explorations and costings.
- Option F explored the possibility of a leasehold solution, but a leasehold property would not address the strategic long-term challenges faced and would not meet the eligibility criteria for the largest grant option for which Officers could submit an application.
- Option G explored whether there was a suitable asset already within the ownership of the Council which could be utilised.

The following Councillors asked questions:

- Councillor Tom Tyson
- Councillor Ralph Muncer
- Councillor Matt Barnes
- Councillor Laura Williams
- Councillor Jon Clayden
- Councillor Elizabeth Dennis
- Councillor Donna Wright

In response to questions, the Culture and Facilities Service Manager advised that:

- Option H had not been mentioned in recommendation 2.4 as the property was not owned by the Council and therefore it would be for a third party to continue to explore this option, and for Officers to maintain open lines of communication over such developments.
- The allocation of £30k for option D, would be used to allow the Council to progress investigations up to the planning application stage of the warehouse proposal.
- The allocation of £20k for option E, would only be used if a suitable property became available on the property market, eliminating the needing to seek approval before being able to explore suitability.
- Option D involved redevelopment of the existing site.
- Whilst Option E appeared to be more expensive than option D, it would have fewer financial risks for the Council being a freehold property.
- Option E would facilitate a capital receipt or long term income generation from the whole site at Bury Mead Road, whereas option D would not.
- Option B would be too small in total space to accommodate the collection.
- Option C would provide storage space but would not properly care for the collection in terms of delivering the desired stability of the internal environment.
- If accreditation was lost, this would impact on the Council in four ways. The recruitment and retention of staff, the possible inability to secure future grants, fall out from loss of reputation in the museum sector, and the inability to secure most travelling exhibitions which in turn would have a significant impact on footfall.
- It would not be preferable to explore other options outside of the district or county as this would restrict residents access to their own heritage.
- The collection was insured, however most objects were irreplaceable and had limited monetary value, therefore the loss of these would not be covered by the financial insurance cover.
- To obtain a grant from the largest grant funder of projects like these, the Lottery Heritage Fund, the property needed to be freehold or have a long lease of over 100 years.

- All options from C onwards would free up the current museum collection storage use in the former Letchworth Museum.
- Although option F would solve the problem for a number of years, as it was a leasehold proposal, this would not preserve the collection permanently, and a museum collection would be expected to need preservation in perpetuity.
- Thomas Bellamy House was not large enough to store the entire collection and as the collection was very fragile, it required moving as little as possible.
- The Ashe Construction proposal in option D was based on costing provided through the SCAPE procurement framework. This proposal would require considerable funding upfront to establish more accurately the overall cost estimate. This would present a higher level of risk in comparison with the pursuit of greater clarity on the costs of a warehouse based approach.

In response to questions, the Principal Estates Surveyor advised that:

- The allocation of £30k capital for option D was for professional fees to work up more detailed costings up to planning application stage, to ensure suitability of the scheme.
- The allocation of £20k for option E was to enable the Council to obtain valuation and acquisition advice quickly if a suitable property became available on the property market.
- Option E would enable a ground lease rental value of approximately £50k to be obtained from the existing site as a levelled, hardstanding surface, secure yard. Sale of the site would be approximately £500k and this could potentially be improved by planning permission.
- Suitable industrial properties rarely become available on the property market.
- The current value of the Letchworth Museum was not known, but it was a substantial building in central Letchworth and therefore expected to be significant dependent upon suitable future use.
- External surveyors had agreed with the Estates team view that it would be beneficial for the Council to have regard to investment value and a potential future income generating asset, and flexibility of use for a new building.

In response to a question, the Executive Member for Enterprise and Arts advised that:

- Future sustainability of all the options had been considered and the warehouse proposal in option D would provide the ability to limit certain areas to be dedicated to cooling.
- The Arts Council was the main provider of grants and if accreditation was lost it would be hard to regain.
- The 40-year lease as outlined in option F, was a standard period for a lease for a property of this type.
- Thomas Bellamy House, Hitchin, as detailed in option G, was a heritage building.

In response to questions, the Executive Member for Finance and IT advised that the principal cost involved for a 40-year period lease could be less than predicted if current interest rates fell.

Councillor Matt Barnes proposed that recommendations 2.2, 2.4 and 2.6 be amended to provide more clarity for Cabinet and for all recommendations to be voted on separately.

Councillor Matt Barnes proposed, as amended, and Councillor Claire Winchester seconded and, following individual votes for each recommendation, it was:

RECOMMENDED TO CABINET:

- (1) That Cabinet note the current projected costs, advantages and disadvantages of each option.

- (2) That Cabinet approve use of £30k of the allocated £4m budget in the current capital programme for this project to develop more detail on the costs of Option D (warehouse proposal) and to acquire the necessary details for a planning application to be made.
- (3) That Cabinet approve use of £20k of the allocated £4m budget in the current capital programme for this project to develop more detail on the costs of Option E (Purchase of a freehold/long leasehold building (new or existing), should a suitable property become available.
- (4) That Cabinet consider and give approval for officers to apply for grant funding towards the investigations mentioned in 2.2 and 2.3 and recognise the need to align investigations with grant funding timetables in this instance.
- (5) That Cabinet resolve to discount options A, B and G and recommend that they are no longer developed or explored further.
- (6) That Cabinet indicates that Options C, F and H outlined within the report should be pursued further.

REASONS FOR RECOMMENDATION:

- (1) Officers do not have the capacity or financial budget to progress all 8 options to an advanced stage and some early decisions are required in order to focus time and budget on pursuing the most advantageous options based on the best information available to officers and members at the present time.
- (2) In addition, the pursuit of greater detail on a number of the options will require expenditure on external reports and consultants which officers are seeking Cabinets approval to progress. Estimated figures are included in the main body of the report which can be found in Appendix 1 and are summarised in the Executive Summary Grid in Appendix 2.

N.B. Following the conclusion of this item Councillor Sean Prendergast left the Chamber and did not return.

54 TASK AND FINISH GROUP ON SECTION 106 CONTRIBUTIONS - DRAFT SCOPING DOCUMENT

Audio recording – 3 hours 15 minutes 6 seconds

The Scrutiny Officer presented the report entitled 'Task and Finish Group on Section 106 Contributions – Draft Scoping Document' and advised that:

- Councillor Ralph Muncer had raised a request to conduct a Task and Finish Group to investigate Section 106 funding at North Herts and possible alternatives.
- The report and scoping document could be found in Appendix A.

Councillor Muncer advised that Section 106 funding in North Herts was not necessarily delivering the benefits to residents that it should and there was limited specific community benefit. The Task and Finish Group would look at whether Section 106 should continue in North Herts or whether it should be replaced.

The following Members asked questions:

- Councillor Elizabeth Dennis
- Councillor Ralph Muncer
- Councillor Daniel Wright-Mason
- Councillor Matt Barnes

Councillor Daniel Allen noted his support for the topic proposed and requested that the work conducted should not hold up the upcoming Local Plan Review.

In response to questions, Councillor Muncer advised that:

- The Task and Finish Group would investigate other stakeholders and ensure any Section 106 funds were being used correctly and details could be found on page 138 of the scoping document.
- Communicating with residents and local organisations in the community was important and should be included in the scope and would be best placed in Section 3.
- The Task and Finish Group would submit information for the Local Plan to ensure residents benefited from and Section 106 funds and this would not delay any Local Plan reviews.

Councillor Matt Barnes, as Chair, proposed and Councillor Ralph Muncer seconded and, following a vote, it was:

RESOLVED: That the Overview and Scrutiny Committee:

- (1) Reviewed and commented on the draft scoping document as attached at Appendix A.
- (2) Noted the Task and Finish Group Protocol 2020 as attached at Appendix B.
- (3) Endorsed the principles of the review and approves consultation with Group Leaders to appoint members and a Chair for the Task and Finish Group, subject to recommendation 2.4.
- (4) Delegated authority to the Scrutiny Officer, in consultation with the Chair of the Overview and Scrutiny Committee, to update and finalise the Scoping Document for the Task and Finish Group on Section 106 Contributions.

REASONS FOR DECISIONS:

- (1) To ensure that the final scoping document takes into account suggestions from Members and relevant officers.
- (2) To allow Members to be appointed to the Task and Finish Group.

55 OVERVIEW AND SCRUTINY WORK PROGRAMME

Audio recording – 3 hours, 28 minutes 9 seconds

The Scrutiny Officer presented the report entitled 'Overview and Scrutiny Committee Work Programme' and advised that:

- The work programme was compiled following conversations with the Chair and Vice-Chair and includes annual reports, items from the Forward Plan and possible items for scrutiny as in Appendix A.
- North Herts Police would be attending the Overview and Scrutiny Committee meeting in January 2025 to provide an update on Youth Engagement and Youth Crime Prevention.
- Any suggested topics for the Work Programme or Task and Finish Groups can be sent to the Chair, Vice Chair or Scrutiny Officer.
- The LGA review actions were included in Appendix C so Members could review the progress of actions.

The following Members asked questions:

- Councillor Daniel Wright-Mason
- Councillor Ralph Muncer
- Councillor Matt Barnes
- Councillor Claire Winchester

In response to questions the Chair advised that the Overview and Scrutiny Committee would be looking at dentistry at a future meeting and that he would consider adding social care to the work programme.

Councillor Matt Barnes, as Chair, proposed and Councillor Tom Tyson 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, determines the high-level form and timing of scrutiny input.
- (2) That the Committee, having considered the most recent iteration of the Forward Plan, as attached at Appendix B, suggested a list of items to 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.

56 SCRUTINY DECISIONS AND MONITORING

Audio recording – 3 hours, 33 minutes 57 seconds

The Scrutiny Officer presented the report entitled 'Scrutiny Decisions and Monitoring' and advised that the referrals and recommendations in the Decisions and Monitoring tracker were considered and noted by Cabinet on 10 September 2024

Councillor Matt Barnes, as Chair, proposed and Councillor Elizabeth Dennis seconded and, following a vote, it was:

RESOLVED: That the content of the Decisions and Monitoring Tracker be noted.

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

The meeting closed at 11.05 pm

Chair