

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, 7TH JANUARY, 2025 AT 7.30 PM

MINUTES

Present: *Councillors: Matt Barnes (Chair), Tina Bhartwas, Jon Clayden, Ralph Muncer, Louise Peace, Martin Prescott, Claire Winchester, Donna Wright, Daniel Wright-Mason and Emma Fernandes.*

In Attendance: *Ian Couper (Service Director - Resources), Sarah Kingsley (Service Director - Place), James Lovegrove (Committee, Member and Scrutiny Manager), Jeevan Mann (Scrutiny Officer) and Callum Reeve (Electoral Services Assistant).*

Also Present: *At the commencement of the meeting no members of the public were present.*

Councillor Daniel Allen, as Leader of the Council, Councillor Ian Albert, as Executive Member for Finance and IT, Councillor Amy Allen, as Executive Member for Recycling and Waste Management, and Councillor Val Bryant, as Executive Member for Community and Partnerships, were in attendance.

57 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 23 seconds

Apologies for absence were received from Councillors Tom Tyson and Laura Williams.

Having given due notice, Councillor Emma Fernandes substituted for Councillor Williams.

Councillor Elizabeth Dennis was absent.

58 MINUTES - 12 NOVEMBER 2024

Audio Recording – 1 minute 41 seconds

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 12 November 2024 be approved as a true record of the proceedings and be signed by the Chair.

59 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 30 seconds

There was no other business notified.

60 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 35 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.
- (5) The Chair advised of a change to the order of the agenda and Agenda Item 13 would be taken after Agenda Item 16.

61 PUBLIC PARTICIPATION

Audio recording – 3 minutes 42 seconds

There was no public participation at this meeting.

62 URGENT AND GENERAL EXCEPTION ITEMS

Audio recording – 3 minutes 47 seconds

The Chair advised that he had agreed to one item under the Urgent Proceedings regarding the Leisure Centre Decarbonisation Project and provided detail on the reasons for urgency. The Chair noted that the full Urgency Notice had been published on the Council website.

63 CALLED-IN ITEMS

Audio recording – 4 minutes 54 seconds

There have been no called-in items.

64 MEMBERS' QUESTIONS

Audio recording – 4 minutes 58 seconds

No questions had been submitted by Members.

65 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 5 minutes 04 seconds

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

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

66 LEISURE AND ACTIVE COMMUNITIES AGENCY MODEL - PART 2

N.B. This item was considered in restricted session and therefore no recordings were available.

Councillor Mick Debenham, as Executive Member for Environment, Leisure and Green Spaces, presented the report entitled 'Leisure and Active Communities Agency Model – Part 2'.

Councillor Matt Barnes, as Chair, proposed and Councillor Claire Winchester seconded and, following a vote, it was:

RECOMMENDED TO CABINET: That Overview and Scrutiny recommend to Cabinet that:

- (1) Cabinet agrees in principle to entering into an Agency Agreement with SLM (Everyone Active) for the operation of our leisure facilities, subject to the Council obtaining favourable VAT Tax advice, and varying the Contract in accordance with the external Part 2 Appendix C legal advice and Part 2 legal implications.
- (2) That the final decision on entering into the Agency Agreement be delegated to the Service Director – Place, in consultation with the Executive Member for Leisure, Environment and Green Spaces and Service Directors – Resources and Legal & Community.

REASON FOR RECOMMENDATION: To ensure the maximum financial sustainability of our leisure services, in line with our council priorities.

67 LEISURE AND ACTIVE COMMUNITIES AGENCY MODEL - PART 1

Audio recording – 50 minutes 09 seconds

Councillor Mick Debenham, as Executive Member for Environment, Leisure and Green Spaces, presented the report entitled 'Leisure and Active Communities Agency Model – Part 1' and advised that:

- In March 2023, HMRC announced changes to the VAT applicable to leisure services which meant that these could now be treated as non-business.
- Therefore, leisure services sold, for example a gym membership, would no longer need to charge VAT.
- Several leisure providers were now looking at how arrangements could be improved for both operators and authorities.
- A proposal had been received from SLM by the Council following this announcement and this had been discussed in detail in Part 2.

In response to a question from Councillor Ralph Muncer, the Service Director – Place advised that the new proposed scheme would commence from 1 April 2025, subject to legal agreements.

The following Members took part in the debate:

- Councillor Jon Clayden
- Councillor Ralph Muncer

Points raised during the debate included:

- There were clear opportunities presented, and the reasons provided were clear, however there was concern that there were risks involved and would not be able to support this.

- All decisions of the Council have risk, and these must be balanced against the potential benefits.
- If the risks could be managed effectively within contract negotiations, the proposal would lead to a substantial amount of money being available to the Council to invest in services in the district.

Councillor Matt Barnes, as Chair, proposed and Councillor Tina Bhartwas seconded and, following a vote, it was:

RECOMMENDED TO CABINET: That Overview and Scrutiny recommend to Cabinet that:

- (1) Cabinet agrees in principle to entering into an Agency Agreement with SLM (Everyone Active) for the operation of our leisure facilities, subject to the Council obtaining favourable VAT Tax advice, and varying the Contract in accordance with the external Part 2 Appendix C legal advice and Part 2 legal implications.
- (2) That the final decision on entering into the Agency Agreement be delegated to the Service Director – Place, in consultation with the Executive Member for Leisure, Environment and Green Spaces and Service Directors – Resources and Legal & Community.

REASON FOR RECOMMENDATION: To ensure the maximum financial sustainability of our leisure services, in line with our council priorities.

68 CRIME AND DISORDER MATTERS

Audio recording – 55 minutes 14 seconds

Chief Inspector Hannah Treadwell, Inspector James Land, and PS Taz Gill, from Hertfordshire Constabulary, provided a presentation, including slides and videos, on Youth Engagement and Crime Prevention and advised of the following, that:

- The purpose of this presentation was to offer Members information on Youth Engagement and Crime Prevention.
- The Control Strategy allowed the police to deal with everything and could pick specific areas for focus depending on statistics, including anti-social behaviour figures. This meant that different priority areas within a county might be focussed on by different Community Safety teams.
- There were several organisations involved in the prevention of youth crime and providing engagement activities with young people, including the County Children and Young Peoples team, the Child Online Safeguarding team, Missing Persons teams, as well as others both internal at Herts Police and external.
- Overall engagement with young people at North Herts schools was good and teachers and support staff were supportive of hosting engagement activities.
- The Police had liaised with a group called the 'Crucial Crew' who provided engagement services to schools. The first of these sessions took place in October 2024 and over 1000 students attended across the 10 day period and included representatives from British Transport Police, Herts Fire and Rescue and the Ambulance service.
- These were really important sessions to look at preventing harm and risk to young people.
- Feedback from the events was good and plans were being made to run similar events in the future.
- These events required a large input of resources, but it was important to provide opportunities like this to save time and money down the line by trying to prevent crime from an early age, and make young people aware of the impacts of crime.
- The force had carried out knife and alcohol test purchases at sites in North Herts, with involvement from students at North Herts College. Of the 12 stores visited, 4 failed the test. The force had made videos for social media to promote these activities.

- They had distributed literature to hotels in the area outlining their responsibility to raise safeguarding concerns and had followed this up with tests, alongside students, at the hotels to ensure that processes were followed and that staff were aware of potential signs of abuse.
- Sessions had previously been delivered to primary students on Violence Against Women and Girls, which was a priority for the force and the Council. It was hoped this could be expanded to secondary students and focus on the incel movement with young boys.
- Overall there was an attempt to provide young people with a voice to direct actions taken by the police.
- Previous priority setting had taken place on platforms which young people did not access and this was being addressed through different engagement styles, including completing work with younger people to understand their concerns in the community.
- They were actively working with primary schools to engage their students and understand their concerns and take this on board going forward, with a view to set priorities for young, mid and older generations.

The following Members asked questions:

- Councillor Tina Bhartwas
- Councillor Daniel Wright-Mason
- Councillor Matt Barnes
- Councillor Ralph Muncer
- Councillor Jon Clayden

In response to questions, the Hertfordshire Constabulary representatives advised that:

- Misogyny was, from a crime recording perspective, not a listed criteria, but this could be fed back to national recording authorities and a conversation could be had as to whether this should be introduced.
- School engagement was taking place alongside charities who provide the sessions. The force had developed good relationships with these charities, as well as the teachers and support staff in schools.
- Topics of conversation overheard in playgrounds can be raised with the police, who could provide targeted presentations on these areas, where required.
- The local police teams were not closely linked to the Prevent referral scheme, but the strong relationships developed with schools and colleges helped to ensure risks were picked up early on in the process.
- It was difficult to measure the success of the programmes provided, as often higher reports of crime meant people felt more confident in reporting crime, rather than more crime happening. Would need to consider statistical data, alongside reports from residents.
- Hertfordshire was within the top few for out of court disposal and work was ongoing to try and drive this up across all crime types. When victims have the out of court disposal options explained, these are often favourable for those not wanting to go to court.
- There were two known crime groups operating in North Herts but these were drug based and not generally involving juveniles.
- Councillors could support this by being the eyes and ears for their community and liaising with their respective police officers to develop relationships.
- There were more plans for dedicated days to focus on one type of crime, and resources would be directed accordingly to support this, which had been received well previously. Councillors could be invited when this next took place in their wards.

Councillor Val Bryant noted that Officers were also working on this within her portfolio and if Members had any feedback on a larger scale, she could raise this at Police and Crime Commissioner meetings.

The Chair thanked Chief Inspector Treadwell, Inspector Lant and PS Gill for their presentation.

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 21.40.

70 COUNCIL DELIVERY PLAN 2024-25 (QUARTER 2 UPDATE)

Audio recording – 2 hours 9 minutes 54 seconds

Councillor Ian Albert, as Executive Member for Finance and IT, introduced the report entitled 'Council Delivery Plan 2024-25 (Quarter 2 Update)' and advised that:

- The Council Delivery Plan had been developed with important input from this Committee and tried to simplify and target information to focus on the key issues.
- Colleagues outside of this Committee should be encouraged to review this report as it provided a snapshot of the key areas being progressed with Council projects and the milestones around these.

The Service Director – Resources presented the report entitled 'Council Delivery Plan 2024-25 (Quarter 2 Update)' and advised that:

- There was 1 red indicator in this quarter and a further two marginal amber indicators, which were outlined at paragraph 8.4 of the report.
- Previously the report had contained a summary listing all projects reported with their current status, but had been taken out in quarter 1, as all projects were green, and had been omitted from this report by mistake.
- There were currently 6 green projects and 5 amber projects and the appendix contained detail of these, with amber projects first, followed by green projects.

The Service Director – Place provided an update on the Urgent Item relating to the Leisure Centre Decarbonisation Project, as outlined in Agenda Item 6, and advised that:

- The Cabinet paper on this had been circulated to Members of this Committee earlier today.
- During the design stage, whilst looking at heat pump options, there were identified issues regarding the projected running costs of these, which had increased.
- The grant front loading in 2024/25 and in order to claim the funding, evidence must be provided that the spend was incurred in the correct financial year and that the asset was owned by the Council.
- The Council was advised that bespoke designed heat pumps could not be provided in time for the grant funding requirements. Therefore, an off-the-shelf option was required.
- Tables 1 and 2 of the report provided the best and worst case scenarios for increases in costs. However, it should be noted these figures do not take into account additional improvements to centres being made, and further detail on these figures was expected from the contractor.
- Table 3 of the report provided the same scale of potential increases but for the larger heat pumps.
- There were four options being presented in the Cabinet report, and subject to agreement from Salix that the Council could pay upfront for the bespoke heat pumps and provide this as evidence of spend in the correct year, Option 4 would be recommended as the preferred option.
- One option proposed was to only continue with the work at Royston leisure centre, as there was still a small saving possible there, and some grant funding would still be available.
- Further detail to the report would be added as a supplement to Cabinet, once available.

The following Members asked questions:

- Councillor Jon Clayden
- Councillor Louise Peace
- Councillor Ralph Muncer
- Councillor Matt Barnes

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

- It was not possible to extend the grant timeframes, and the funding could not be carried over into the next financial year. This has been confirmed by Salix.
- A range had been estimated of between £150k and £320k increase per annum for the small heat pumps.
- An estimated increase of £70k had been provided for the large heat pumps and she would check with the contractor whether there was a potential range for this increase.
- The previous gas combined heat and power (CHP) contract for North Herts Leisure Centre and Hitchin Swim Centre had not yet been terminated, as Officers were awaiting a final timeline for the programme before confirming this with Centrica.
- If Cabinet chose option 2 or 3, the current gas boilers in the centres would need to be replaced very soon as they are end of life. However, if the Council were to install new gas boilers in these sites, then the Council would not be eligible for future rounds of funding.
- As part of the new leisure and active communities contract, condition surveys had been carried out on the buildings and no major issues were identified.
- Rationalisation of the three existing centres into a new, energy efficient centre had not been considered.
- The Royston centre currently has no gas CHP boilers, whereas the other two centres did have these. The CHP generates electricity, which helps to reduce bills, therefore when replacing them with an air source heat pump, it would mean replacing both the gas and electricity the CHPs generate, meaning an increase in electricity bills.
- The termination fee for ending gas CHP agreements would be reduced the longer the agreement continued.
- A workshop had been held with Everyone Active prior to Christmas to look at how works could be completed to minimise disruption to customers. They had considered options to mitigate against closures and consider how services could still be provided, even if parts of the centres needed to be closed.
- There would be a comprehensive communication plan developed once required closures had been confirmed and Members would be informed.
- Salix were keen to work with the Council to ensure the funding could be provided and confirmed the removal of two centres from the project would be fairly straightforward.
- There were currently enough of the smaller heat pumps in stock for all three of the leisure centres.

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

- There would be lots of investments in the leisure centres with these changes, including replacement of windows and walls for the work to be conducted, and no plans were being made for closure of the centres themselves.
- It was likely that a corporate risk relating to proposed changes to local government would be added in the next quarterly report.
- There were currently no plans on the resourcing of proposed local government changes. There were discussions between Chief Executives at district level, however no formal responsibility for this project had been agreed.

Councillor Daniel Allen, as Leader of the Council, advised that nothing further had been confirmed regarding local government reorganisation proposals from central government, but he would keep the Committee updated on any progress.

Councillor Matt Barnes, as Chair, proposed and Councillor Tina Bhartwas seconded and, following a vote, it was:

RESOLVED: That Overview and Scrutiny Committee determined any project that they want to receive more detail on as part of the next monitoring report.

RECOMMENDED TO CABINET: That Overview and Scrutiny Committee commented on the Council Delivery Plan Quarter 2 monitoring report, including the recommendations made to Cabinet:

- (1) That Cabinet notes the progress against Council projects as set out in the Council Delivery Plan and approves the changes to the milestones (Appendix A).
- (2) That Cabinet notes the performance against the performance indicators and confirms the actions detailed in paragraph 8.4.

REASON FOR RECOMMENDATION: The Council Delivery Plan (CDP) monitoring reports provide Overview and Scrutiny Committee, and Cabinet, with an opportunity to monitor progress against the key Council projects, and understand any new issues, risks, or opportunities.

71 GARDEN WASTE CHARGE 2025-26

Audio recording – 2 hours 36 minutes 40 seconds

Councillor Amy Allen, as Executive Member for Recycling and Waste Management, presented the report entitled 'Garden Waste Charge 2025-26' and advised that:

- The new garden waste charge would be effective from 1 April 2025.
- The recommendation to Cabinet was to increase the charge to £55 per year. The 50% discount for households eligible for Council Tax reduction would continue.
- It was not a legal requirement to collect garden waste and not all households required this service. Therefore, only households who choose to use the service would pay the fee.
- The charge would be effective from April, rather than October, as the previous charge had been for 18 months. This would align the service better with gardening seasons and would be in line with the process in East Herts.
- Under the new waste contract, the overall cost of garden waste collection would rise by 42% and a further inflationary increase would apply in May 2025.
- The current charge in North Herts was one of the lowest in the county.

The following Members asked questions:

- Councillor Ralph Muncer
- Councillor Louise Peace
- Councillor Claire Winchester
- Councillor Matt Barnes

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

- They had not explored the option of applying a reduction to residents with multiple garden waste bins.
- The 42% rise related to the cost of garden waste collection in the contract. The charge to residents was not rising by this percentage.
- Future changes to the price charged were within the remit of Cabinet, but current forecasts included the £55 per year rate for future years.

- Only one collection of the garden waste should have been missed over the Christmas period and individual issues with this would be discussed with the relevant Members.
- She could not currently confirm any increases by neighbouring Councils, as these had not yet been published. However, it was expected that they would be increasing charges and they may be available ahead of the Cabinet decision.

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

- The 2% drop off included in the report was an estimate to reflect the potential for people to leave the service. Based on previous increases to the charge, there had not been a drop in numbers, however there may be a tipping point in charging and there was potential for more than 2% to leave.
- No commercial alternatives were known of in the area.
- The 42% rise was specific to the unit rate for the garden waste collection in the contract and other costs had been factored into that rise.

Councillor Ian Albert advised that he had spoken to the Service Manager – Waste, who had advised there was a small error in the communication around collections over the Christmas period and a garden waste collection would take place on Saturday 11 January. The Council would be providing communication of this to residents.

As part of the debate, Councillor Ralph Muncer noted that he was not supportive of the new waste contract in general and, as a representative of multiple rural communities, his residents generally had multiple garden waste bins, and they would be impacted twice.

Councillor Matt Barnes, as Chair, proposed and Councillor Donna Wright seconded and, following a vote, it was:

RECOMMENDED TO CABINET: That Cabinet approve the garden waste subscription charge for the period 1 April 2025 – 31 March 2026, at £55.

REASON FOR RECOMMENDATION: To ensure the Council's garden waste service is financially sustainable, in line with the priorities of the Council and of the Shared waste service.

72 SCRUTINY DECISIONS AND MONITORING TRACKER

Audio recording – 2 hours 51 minutes 59 seconds

The Scrutiny Officer presented the report entitled 'Scrutiny Decisions and Monitoring Tracker' and advised that the referrals had been presented by the Chair and these had been agreed by Cabinet at the meeting on 19 November 2025.

The Chair noted that there was an error in the published document in relation to the Museum Storage referral and that going forward this report would be included in the Work Programme report.

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

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

69 **OVERVIEW AND SCRUTINY WORK PROGRAMME**

Audio recording – 2 hours 54 minutes 00 seconds

The Scrutiny Officer presented the report entitled 'Overview and Scrutiny Work Programme' and advised that the Chair had agreed with relevant Officers that a briefing note would be provided to Members ahead of the Task and Finish Group on S106 contributions, and this would be supplemented by Officer led training on 13 January 2025, to ensure the Group was focussed and relevant.

The Chair noted that the Corporate Peer Challenge report would come to a future Committee, alongside the Action Plan being developed by Officers, and the Integrated Care Board for Herts and West Essex were due to attend a future meeting to provide an update on dentistry provision.

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

RESOLVED:

- (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) 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.
- (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 10.27 pm

Chair