

NORTH HERTFORDSHIRE DISTRICT COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE
MEETING HELD AS A VIRTUAL MEETING
ON TUESDAY, 8TH SEPTEMBER, 2020 AT 7.30 PM

MINUTES

Present: *Councillors: David Levett (Chair), Kate Aspinwall (Vice-Chair), Val Bryant, Sam Collins, Terry Hone, Tony Hunter, Jim McNally, Lisa Nash, Sue Ngwala, Adem Ruggiero-Cakir, Claire Strong and Tom Tyson*

In Attendance: *Ian Fullstone (Service Director - Regulatory), Howard Crompton (Service Director - Customers), Jo Dufficy (Customer Services Manager), Rachel Cooper (Controls, Risk and Performance Manager), Louise Symes (Strategic Infrastructure and Projects Manager), Helen Leitch (Principal Landscape and Urban Designer), David Martins Hesp (Assistive Technology Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and Anna Gouveia (Committee, Member and Scrutiny Officer)*

34 WELCOME AND INTRODUCTION

Audio recording – 7 seconds

The Chair welcomed everyone to the meeting and advised that it was being conducted with Members and Officers at various locations, communicating via audio/video and online. There was also the opportunity for the public and press to listen and view proceedings.

The Committee, Member and Scrutiny Manager undertook a roll call of Members and Officers to ensure that they could hear and be heard and gave the following advice.

The meeting was being streamed live on the Council's You Tube channel and also recorded via Zoom. If live streaming failed the meeting would adjourn. If the live stream could not be restored within a reasonable period then the remaining business would be considered at a later date.

Please stay in view of the camera at all times.

If for any reason the meeting was not quorate an Officer would notify attendees by interjecting the meeting. The meeting would adjourn immediately. Once the meeting was quorate the meeting would resume. If connection could not be restored within a reasonable period, then the remaining business would be considered at a later date.

If a remote Member lost connection the Chair may adjourn the meeting for a short period to enable connection to be re-established. If the Chair did not adjourn the meeting the Member would be deemed to have left the meeting at the point of failure and be deemed to have returned at the point of re-establishment. Only Members present for the entirety of debate and consideration of an item are entitled to vote.

Mobile phones and other noise emitting devices should be muted and the mute button on tablets and computers should be muted when not speaking.

When requested to vote, voting would be via the Green tick for “Yes”, Red Cross for “No” and Blue Raise Hand for “abstain” functions.

The Chair of the Overview and Scrutiny Committee, Councillor David Levett, started the meeting proper.

35 APOLOGIES FOR ABSENCE

Audio recording – 4 minutes 5 seconds

There were no apologies for absence.

36 NOTIFICATION OF OTHER BUSINESS

Audio recording – 4 minutes 12 seconds

There was no other business notified.

37 CHAIR'S ANNOUNCEMENTS

Audio recording – 4 minutes 17 seconds

- (1) The Chair advised that, in accordance with Council policy, this meeting was being audio recorded as well as filmed. The audio recordings would be available to view on Mod.gov and the film recording via the NHDC YouTube channel.
- (2) Members were reminded to make declarations of interest before an item, the detailed reminder about this and speaking rights was set out under Chair's Announcements on the agenda.
- (3) The Chair informed Members that he would take Item 9 – Draft Design SPD immediately after Item 6 – Called in Items.

38 PUBLIC PARTICIPATION

Audio recording – 4 minutes 57 seconds

There were no presentations by members of the public.

39 URGENT AND GENERAL EXCEPTION ITEMS

Audio recording – 5 minutes 2 seconds

No urgent or general exception items were received.

40 CALLED-IN ITEMS

Audio recording – 5 minutes 9 seconds

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

41 RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

Audio recording – 49 minutes

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

September 19 – Minute 44 (2)

Dates had now been set for the Local Plan Examination to take place via Zoom.

The Chair noted that the proposed Task and Finish Group Protocol would be considered by the Committee at the meeting due to be held on 8 December 2020.

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

42 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

Audio recording – 50 minutes 7 seconds

The Committee, Member and Scrutiny Manager presented the report entitled Overview and Scrutiny Committee Work Programme together with the following appendices:

- Appendix A – Work Programme for future Committee meetings;
- Appendix B – Forward Plan for 14 August 2020;
- Appendix C – Corporate Peer Challenge Action Plan in regard to the Overview and Scrutiny Committee.

The following Members took part in the debate and asked questions:

- Councillor David Levett;
- Councillor Kate Aspinwall.

Member comments included:

- That the Finance, Audit and Risk Committee and Overview and Scrutiny Committee needed to work in conjunction with each other in scrutinising the commercial functions of the Council;
- The Commercial functions should be accountable and monitored;
- Monitoring of this area of work required performance indicators to be set so that there could be effective monitoring;
- That regular updates on commercial activity should be presented to the Committee.

RESOLVED:

- (1) That the report entitled Overview and Scrutiny Committee Work Programme be noted;
- (2) That the Service Director – Commercial be requested to attend the Overview and Scrutiny Committee meetings in March and December annually to provide an update;
- (3) That the Managing Director be requested to provide a report and update on Devolution and Recovery at the meeting due to be held on 19 January 2021.

REASON FOR DECISION: To allow the Committee to set a work programme which provides focussed Member oversight, encourages open debate and seeks to achieve service improvement through effective policy development and meaningful policy and service change.

43 DRAFT DESIGN SPD

Audio recording – 5 minutes 15 seconds

The Executive Member for Planning and Transport, Councillor Paul Clark, presented the report entitled Draft Design SPD together with the following documents:

- Draft Design SPD – Addendum;
- Appendix A - Draft Design SPD.

The Principal Landscape and Urban Designer informed Members:

- That the SPD supported the emerging Local Plan;
- That this was an update to the current policy;
- The Design SPD had been structures to give guidance.

The following Members took part in the debate and asked questions:

- Councillor Sam Collins;
- Councillor Toy Hunter;
- Councillor David Levett;
- Councillor Claire Strong.

Member discussion included:

- That this was an opportunity to be more prescriptive;
- That minimum standards should be applied to new housing or redevelopment;
- There were sections that did not give much guidance;
- Wording throughout the document needed to be stronger;
- Higher standards such as BREEAM or PACIF should be required;
- That words like “expected to” should be replace with “required to” for example in Paragraph 5.1.3;
- That the section regarding shopfronts be amended to take into account DDA accessibility requirements such as wider doorways and ramps;
- Paragraph 6.27 should include parking facilities for town centre apartments;
- The document should be a set of specific regulations rather than guidance;
- Council in February had agreed three years of funding for Town Centre Strategies from April 2021.

In response to questions the Executive Member for Planning and Transport advised:

- That this was an update to the 2011 version;
- The consultation would be directed by the Consultation Strategy and would be publicised and promoted;
- Parish Councils would be consulted.

The Service Director - Resources advised:

- That a bid had been submitted for a single policy review for environmental reasons;
- That the Government were limiting standards to Future New Homes Standards;

- This document showed an initial direction of travel, however officers were looking for a stronger policy upon adoption of the Local Plan;
- That, in respect of the Design Review Board, Officers could refer prior to getting payment. There may be cases where the Council would make the referral and absorb the costs;
- That town centre parking had been used as a reason for refusal, only to be overturned.

RESOLVED: That the Chair of the Overview and Scrutiny Committee and Councillor Sam Collins be requested to consult with the Executive Member for Planning and Transport, the Service Director – Regulatory and the Principal Landscape and Urban Designer to consider strengthening the wording of the document in accordance with the comments made in the body of the Minutes, prior to the Cabinet meeting where the report would be considered.

RECOMMENDED TO CABINET:

- (1) That the Draft Design SPD be amended to take into account the comments made by the Overview and Scrutiny Committee, as detailed in the Minute above;
- (2) That the Draft Design SPD be amended in line with the outcome of the meeting mentioned in the resolution above;
- (3) That the consultation period on the Draft Design SPD be extended from the standard 6 weeks.

REASON FOR DECISIONS: To enable the Overview and Scrutiny Committee to comment on the report entitled Draft Design SPD prior to consideration by Cabinet.

44 QUARTER 1 2020/21 PERFORMANCE AGAINST PERFORMANCE INDICATORS

Audio Recording – 56 minutes 14 seconds

The Controls, Risk and Performance Manager presented the report entitled Quarter 1 2020/21 Performance Against Performance Indicators and drew attention to the following:

Summary

The summary showed that there were 6 red indicators. This was mainly due to the impacts of Covid-19.

RES 1 - Gas and electricity energy consumption

This was a new indicator. As the District Council Offices were currently closed, with very few staff working on site and the air conditioning turned off at the moment, this showed a very low consumption rate.

MI P&R 001 - Percentage of raised sales invoices due for payment that have been paid

This indicator was red. The Council had supported customers by providing initiative such as payment holidays. The resulting debt was being closely monitored.

The collection rate for July was 66.9 percent.

BV 10 - Percentage of NNDR collected in year

This indicator was red. A lot of businesses took up the offer of deferred payments. Some businesses were continuing to struggle.

REG 3 - Percentage of Environmental Health programmed inspections completed

A lot of businesses were not open during lockdown and therefore could not be inspected. Food and Hygiene Standards had now given permission for inspections to take place.

MI LI 015 - Number of Visits to Leisure Facilities

Leisure facilities had remained closed during April to June 2020 due to Covid-19 restrictions. They had reopened in July 2020 and attendance was increasing as demonstrated by the figure below:

July 2020 6,126

August 2020 35,412.

145 subscriptions (15 percent) had been cancelled.

NI 191 - Kg residual waste per household and NI 192 - Percentage of household waste sent for reuse, recycling and composting (Government target is 50% by 2020)

These targets may not recover to target.

The following Members took part in the debate and asked questions:

- Councillor David Levett;
- Councillor Terry Hone;
- Councillor Claire Strong;
- Councillor Sam Collins;
- Councillor Kate Aspinwall.

Comments from Members included:

- That all waste collected had increased during lockdown;
- That, in respect of collection routes, there were a number of routes which included roads with schools in where bins were being collected at school drop off and collection times;
- That the request for route maps remained outstanding and that route optimisation should be considered by this Committee.

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

- That, in respect of missed bins, each property was counted separately.

RESOLVED:

- (1) That the Quarter 1 Update on Performance against Performance Indicators be noted;
- (2) That the Controls, Risk and Performance Manager be requested to clarify protocols regarding route optimisation and how many routes include collection from roads with schools in at school drop off and collection times;
- (3) That the Executive Member for Recycling and Waste be requested to attend this Committee to discuss Waste Collection Route Maps and Optimisation.

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

45 1ST QUARTER MONITORING REPORT ON KEY PROJECTS FOR 2020/21

Audio recording – 1 hour 13 minutes 1 second

The Controls, Risk and Performance Manager presented the report entitled 1st Quarter Monitoring on Key Projects for 2020/21 together with the following appendix:

- Appendix A - 1st Quarter Monitoring against Key Projects 2020/21.

She drew attention to the following:

- The Local Plan virtual Examiner Hearings would take place between 28 September 2020 and 19 October 2020;
- The Planning Inspector's hearing regarding the crematorium would be held on 27 October 2020;
- The purpose-built depot, transfer facility and household waste recycling centre was delayed for at least 12 months and it was proposed that this be removed from the monitoring report for 2020/21 and that monitoring resume in 2021/22.

The following Members took part in the debate and asked questions:

- Councillor Terry Hone;
- Councillor Martin Stears-Handscomb.

RESOLVED:

- (1) That delivery against the key projects for 20/21 be noted;
- (2) That monitoring of the project to provide a purpose-built depot, transfer facility and household waste recycling centre be removed from the monitoring report for 2020/21 and that monitoring resume in 2021/22.

REASON FOR DECISIONS: To enable achievements against the key projects for 2020/21 to be considered.

46 MEMBERS' QUESTIONS

Audio recording – 1 hour 16 minutes 48 seconds

No questions had been submitted.

NB: The Committee took a comfort break at 8.49pm. The meeting resumed at 8.58 pm

The Committee Member and Scrutiny Manager undertook a roll call to ensure that all present could hear and be heard.

47 CARELINE FUTURE PROVISION

Audio recording – 1 hour 28 minutes 5 seconds

The Chair advised that most of the discussion would necessarily be in Part 2 therefore the Part 2 report would be considered before consideration of the Part 1 report.

The Executive Member for Housing and Environmental Health presented the report entitled Careline Future Provision together with the following appendix:

- Appendix 1 – Scope of Delegation Section 9EA Agreement.

RESOLVED: That the report entitled Careline Future Provision be noted.

RECOMMENDED TO CABINET:

- (1) That the Overview and Scrutiny Committee did not believe that the project was ready for delegation and that Cabinet consider the comments and recommendations contained in the Part 2 Minute;

(2) That the recommendations contained in the Part 2 referral be considered.

REASON FOR DECISIONS: To secure the on-going viability of the Careline Service and the excellent service to customers that it provides.

48 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 1 hour 28 minutes 25 seconds

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

49 CARELINE FUTURE PROVISION PART II REPORT

This item was not audio or video recorded.

The Part 2 report was considered prior to the Part 1 report

The Committee, Member and Scrutiny Manager undertook a roll call to ensure that all present could hear and be heard.

The Executive Member for Housing and Environmental Health presented the Part 2 report entitled Careline Future Provision.

Due to the content of the discussion and the decisions made the Minute for this item is confidential and is therefore a Part 2 Exempt Minute [not for publication by virtue of paragraph (3) of Schedule 12A to the Local government Act 1972].

The meeting closed at 9.41 pm

Chair