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NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD IN THE FOUNDATION HOUSE,
ICKNIELD WAY, LETCHWORTH GARDEN CITY
ON TUESDAY, 12TH DECEMBER, 2017
AT 7.30 PM

MINUTES

Present: *Councillors Councillor Cathryn Henry (Chairman), Councillor Steve Hemingway (Vice-Chairman), Ian Albert, Clare Billing, John Booth, Steve Deakin-Davies, Jean Green, Steve Jarvis, Michael Muir, Janine Paterson and Martin Stears-Handscomb (In place of Elizabeth Dennis)*

In Attendance: *David Scholes (Chief Executive), Rachel Cooper (Controls, Risk and Performance Manager) and Hilary Dineen (Committee and Member Services Officer)*

Also Present:

62 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bill Davidson, Elizabeth Dennis, Gerald Morris, Frank Radcliffe and Val Shanley.

Having giving due notice Councillor Martin Stears-Handscomb substituted for Councillor Dennis.

63 MINUTES - 19 SEPTEMBER 2017

RESOLVED: That the Minutes of the Meeting held on 19 September 2017 be approved as a true record of the proceedings and be signed by the Chairman.

64 MINUTES - 9 OCTOBER 2017

RESOLVED:

(1) That the penultimate paragraph on page 3 of the Minutes of the meeting held on 9 October 2017 read:

“The Head of Leisure and Environmental Services advised that it would be difficult to have two client teams for one contract. The staff consultation process had started and a new client team would be implemented at least three months before the commencement of the contract and this team would be based at Buntingford which is the main base for the contractor. NHDC would be the administrative authority responsible for employing staff and managing the team.”

(2) That, subject to the amendment in (1) above, the Minutes of the Meeting held on 9 October 2017 be approved as a true record of the proceedings and be signed by the Chairman.

65 MINUTES - 8 NOVEMBER 2017

RESOLVED: That the Minutes of the Meeting held on 8 November 2017 be approved as a true record of the proceedings and be signed by the Chairman.

66 NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Committee.

67 CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman welcomed Chief Inspector Julie Wheatley, who would be giving a presentation to this Committee;
- (2) The Chairman reminded those present that, in line with Council policy, the meeting would be audio recorded;
- (3) The Chairman informed Members that there was no sound amplification and asked Members to speak loudly and clearly;
- (4) The Chairman 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.

68 PUBLIC PARTICIPATION

There were no presentations by members of the public.

69 URGENT AND GENERAL EXCEPTION ITEMS

No urgent or general exception items were received.

70 CALLED-IN ITEMS

Since the last meeting the Committee had considered a Call-In of the Shared Waste Contract – Selection of Options on 9 November 2017.

71 PRESENTATION BY CHIEF INSPECTOR JULIE WHEATLEY, HERTFORDSHIRE CONSTABULARY

Chief Inspector Julie Wheatley, Hertfordshire Constabulary, thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation regarding the work, challenges and finances of the Hertfordshire Constabulary in North Herts.

Chief Inspector Wheatley offered apologies for the Chief Constable and the Crime Commissioner, who both had to attend another engagement.

She informed Members that she had been the area commander for North Herts for the last three years and gave a summary of performance and issues as follows:

- Hertfordshire Constabulary had a good history of making savings since 2010/11;
- Current reserves were £48 million;
- Response in terms of local policing maintained;
- The Chief Constable and Police and Crime Commissioner had made a commitment to the continuation of neighbourhood policing and community support officers;

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- Neighbourhood policing was key to the success of Hertfordshire Constabulary as it was the front line, face to face contact;
- £10.3 million had been invested in new areas of demand such as safeguarding, domestic abuse, missing persons and cybercrime;
- Since 2010/11 there had been an 11 percent reduction in Police Officers and a 17 percent reduction in staff;
- Hertfordshire was now recruiting for more officers and specials. However North Herts did not and never had a problem in retaining staff to work in the area;
- 30 percent of organisational resources were now working collaboratively with Beds, Cambs and Herts, which had generated approximately £12 million of savings per annum for Hertfordshire;
- Nationally crime was up by 3 percent, in North Herts crime had increased by 17 percent (approximately 789 offences);
- 1/3 of the reported crimes were domestic abuse for which North Herts had a really high outcome rate;
- There were no significant policing issues in North Herts
- Relationships between partners, including NHDC were good.

Members asked for clarification that North Herts remained one of the safest places in Hertfordshire.

Chief Inspector Wheatley confirmed that North Herts was and extremely safe place with the second lowest levels of recorded crime in Hertfordshire.

Members asked for information regarding reoffending and conviction rates and queried whether people trafficking was an issue in North Herts.

Chief Inspector Wheatley advised that they worked using integrated reoffender management which involves working with repeat offenders to try to prevent their reoffending, but where repeat offenders commit a crime the Constabulary would always seek to prosecute.

In respect of people trafficking, there had been three significant cases within North Herts.

The Chief Executive advised that there appears to be some significant patterns in Hertfordshire regarding people trafficking and modern day slavery. NHDC needed to be aware that such cases occurred in order to be more alert regarding safeguarding issues.

Members asked how NHDC and Hertfordshire Constabulary worked together and what processes were in place to facilitate close working.

Chief Inspector Wheatley advised that there were several levels of partnership working that involved many different agencies including:

Responsible Authorities Group – Strategic level meetings
Joint Action Group – Tactical/operational group
Individual case working and liaison.

Members asked what actions were being taken to address the 17 percent increase in crime in North Hertfordshire, how the issue of rough sleepers was being handled and whether there had been any increase in the level of hate crime in the area.

Chief Inspector Wheatley informed Members that of the increase in overall crime 335 offences related to violent crime which could range from a minor assault, such a touching to murder and part of this figure related to domestic abuse. The increase was partly due to the increase in recording of crime by the Police and most of this increase was about very low levels of assault.

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Research had been undertaken and this increase could not be attributed to the night-time economy in Hitchin or any specific premises.

There had been an increase in shoplifting, however there had also been an increase in the outcome rate.

In respect of homeless people, the Police had worked closely with NHDC around safeguarding and referring people to relevant agencies and this work was continuing.

There had not been an increase in hate crime in the area and the incidents were generally low level. The Police had a hate crime officer who was working to raise awareness in Hitchin town centre and in schools.

A Member commented that the new regulations regarding GDPR and CCTV was having an impact on smaller organisations such as Parish Councils and asked whether there was any information available to guide these organisations

It was suggested that the Chief Executive include an item in MIS regarding this issue with information on where support can be obtained, such as the Council's CCTV Company and the Information Commissioner.

The Chairman asked whether there was anything that Councillors could do to add value or support the work of the Police.

Chief Inspector Wheatley advised that Councillor input was important regarding community engagement and how neighbourhood priorities were set.

It was suggested that Chief Inspector Wheatley forward any requests through the Committee and Member Services Officer and that, if required an informal session with Councillors, prior to a full Council meeting could be arranged.

The Chairman thanked Chief Inspector Wheatley for her presentation.

RESOLVED: That the Chief Executive be requested to include an item in MIS regarding the possible impact that the new regulations regarding GDPR and CCTV was having on smaller organisations such as Parish Councils and include information regarding where support can be obtained, such as the Council's CCTV company and the Information Commissioner.

REASON FOR DECISION: To provide information to organisations such as Parish Councils regarding where to receive help and guidance regarding the new regulations on CCTV.

72 REGULATION OF INVESTIGATORY POWERS ACT

RESOLVED: That the report entitled Regulation of Investigatory Powers Act – Quarterly Update be noted.

REASON FOR DECISION: To comply with best practice guidance and the Committee's terms of reference

73 SECOND QUARTER PERFORMANCE INDICATORS MONITORING REPORT 2017/18

The Controls, Risk and Performance Manager presented the report entitled Second Quarter Performance Indicator Monitoring Report and drew attention to the following:

Actions from September Meeting

Actions arising from the September meeting were in progress and any information requested at that time would either be included in a future report or circulated to Members.

LI 034 – Percentage of Housing and Public Protection Service Programmed Inspections Completed

The main reason for the programme of inspections being behind schedule was that the Licensing Team had been focussing on the review of and consultation on a number of key policies that require updating over the next 6 months.

The Service Manager remained confident that the inspection target would be met at year end.

Members expressed some concern that inspections of HMOs were not up to date.

The Chief Executive advised that the figures in relation to HMOs were quite small and that the Team were working to meet year end targets.

Members expressed an interest in looking at any policies that may be referred regarding HMOs.

NI 157e – Percentage of all Planning Applications determined within the relevant statutory or agreed time periods

Increased workload and staff turnover had affected performance, particularly over the summer months.

Two full time members of staff were now in post and further recruitment was taking place.

NI 192 – Percentage of Household Waste sent for Reuse, Recycling and Composting
NHDC remained in the top quartile, being ranked 9 out of 52 District Councils.

Members expressed concern that the introduction of a chargeable garden waste collection could reduce the amount sent for composting and the general reduction in the use of paper would likely reduce the recycling ratios. The aim to generally reduce the use of plastic packaging would also affect recycling rates.

The Controls, Risk and Performance Manager advised that these issues would be considered when providing information about national figures. Initial indications were that recycling rates were dropping nationally however, the main aim was to maintain NHDC's position in the top quartile.

Members considered that performance indicators regarding waste needed to be multi-dimensional, in order to monitor any changes, particularly in regard to garden waste. They asked that the Executive Member for Waste, Recycling and Environment be requested to set a separate target to monitor the level of green waste collected and that figures regarding garden waste be reported to this Committee for at least 12 months.

The Chief Executive advised that it was important to monitor trends over time and aim to anticipate what may improve performance change behaviours regarding recycling.

Performance Setting for 2018/19

Targets would be set in January 2018.

RESOLVED:

- (1) That the second quarter 2017/18 Performance Indicators be noted:
- (2) That the Forward Plan be monitored and any policies relating to Houses in Multiple Occupation (HMO) be referred to this Committee:
- (3) That the Executive Member for Waste, Recycling and Environment be requested to consider introducing a separate Performance Indicator Target regarding the amount of garden waste collected and that this be monitored closely;

- (4) That the Controls, Risk and Performance Manager be requested to include any Performance Indicator Monitoring figure regarding the collection of garden waste on every monitoring report for at least one year;

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider and comment on the Second Quarter Performance Indicator Monitoring Report.

74 SECOND QUARTER MONITORING REPORT ON KEY PROJECTS FOR 2017/18

The Controls, Risk and Performance Manager presented the report entitled Second Quarter Monitoring Report on Key Projects for 2017-18 and drew attention to the following:

Bancroft Gardens MUGA

As agreed at the last meeting of this Committee, the Bancroft Gardens MUGA had been removed from the report, as it was fully dependent on securing additional funding. This project would be added back into the report, once funding had been secured

Office Accommodation

There had been a lot of progress on this project with a few floors already having been snagged. The project was on target to handover in January 2018.

Community Facility at Hitchin Town Hall and District Museum

Members asked for an update regarding the Museum

The Chief Executive advised that negotiations regarding the acquisition of 14/15 Brand Street were continuing.

Community Leases

Royston Community Association had signed a 25 year lease regarding Coombes Community Centre.

In respect of the Grange, constitutional issues were being investigated and worked on.

Members asked for an update regarding St Michaels Mount and Walsworth Community Association

The Controls, Risk and Performance Manager advised that work was continuing and moving forward regarding these community centres.

Development of a Crematorium in North Hertfordshire

The project was marked as amber due to the decision to present a pre-planning application.

The pre-planning application had been submitted to Central Beds Council and the outcome was favourable

The outline planning permission was currently being prepared with a view to being submitted later in the year.

Consultation had begun with North Herts residents via the District Wide Survey.

Members queried whether there had yet been any response from Central Beds regarding the pre-application stage.

The Chief Executive advised that the pre application response had been very positive and that work was being undertaken towards submitting a full application.

Local Plan

The timetable set for the Local Plan was no longer achievable as the examination, that was initially due to end in December 2017 had been extended into March 2018.

Circulation of Report prior to the Meeting

The Controls, Risk and Performance Manager asked Members whether they still wished for this report to be circulated one month in advance of the meeting.

Members agreed that circulating the report was valuable, however a deadline should be set for Members to comment.

General Comments

A Member noted that a significant number of projects were behind schedule and that this demonstrated an issue about the process that the Council used to deal with matters.

Either there was not a satisfactory and efficient process or targets that were being set were unrealistic and unachievable.

The Chief Executive advised that there was an issue as to whether NHDC was in sole charge of a project or working with other parties.

Working with other parties could remove control over deadlines, but that did not mean that realistic deadlines should not be set.

Members discussed whether the recommendations of the Task and Finish Group on Larger Projects should be reviewed in order to assess whether those that had been accepted had the expected effect and whether those that had not been accepted would have made a difference.

They also considered whether the right staff were leading and managing projects and whether project managers should be employed to oversee specific projects.

Members suggested that the Chief Executive investigate whether other authorities employed people with specialist knowledge for specific projects.

They acknowledged that it was necessary on occasion to amend target dates and deadlines, but felt that the original dates should be retained and reported for reference.

Members asked that the Chief Executive present a list of lessons learnt from previous projects to the next meeting of this Committee so that the Committee can discuss this further.

RESOLVED:

- (1) That delivery against the key projects for 2017/18 be noted;
- (2) That the Controls, Risk and Performance Manager be requested to include a deadline for comment when circulating monitoring reports to Members prior to a meeting;
- (3) That the Chief Executive be requested to present a list of lessons learnt from previous projects to the next meeting of this Committee;

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider and comment on the Second Quarter Monitoring Report on Key Projects for 2017-18.

75 MEMBERS' QUESTIONS

No questions had been submitted.

76 **RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

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

Min 106 – Mar 17 – Performance Management Measures for 2017/18

The requested information had been circulated to Members

Min 16 – June 17 – Work Programme

A proposal regarding the suggested workshop would be developed and possible dates circulated to Members.

Min 100 – Mar 15 – Task and Finish Group Report on Parking

The District Wide Parking review was due to be considered by Cabinet

Members asked that the District Wide Parking review be considered by this Committee.

Min 50 – Sept 15 – Task and Finish Group on the Commercialisation of Council Services

A Cabinet Sub-Committee had been formed, which would be responsible for aspects of commercialisation.

Members were concerned that the Project Board had never reported back to Cabinet and therefore this Committee had not had a resolution.

The Chief Executive undertook to try to resolve this issue.

Min 103 – Mar 16 – Task and Finish Group on the Quality of Council Reports

Members were keen to trial a paperless committee as soon as it was practical to do so.

General Comments

Members noted that there were items in this report that had been reported over a number of years and asked that the Chief Executive consider all of the historic items with a view to providing a response or finding other ways in which to move forward and ultimately remove the item from the report.

RESOLVED:

- (1) That the actions resulting from the resolutions of the Overview and Scrutiny Committee be noted;
- (2) That the Overview and Scrutiny Committee consider any report regarding the District Wide Parking Review, expected to be available in January 2018;
- (3) That the Chief Executive be requested to identify a method by which Members could be advised of the outcome of the work of the Project Board on Commercialisation;
- (4) That the Chief Executive be requested to consider all of the historic items reported and either provide responses or suggest other ways in which these could be moved forward and removed from the report;
- (5) That the Democratic Service Manager be advised that the Overview and Scrutiny Committee would like to trial a paperless committee meeting as soon as this option is available.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to review and monitor the progress of resolutions made.

77 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The Chief Executive presented the report entitled Overview and Scrutiny Work Programme and drew attention to the following:

Work Programme

Members agreed that they wished to consider the Proposed Establishment of a Housing Company, due to be considered by Cabinet in January 2018 and the District Wide Survey, due to be considered by Cabinet in March 2018.

Members agreed that the proposed review of the Community Facility at Hitchin Town Hall and District Museum should be added to the list of work to be scheduled.

Review of Projects

Members expressed concern that any reviews of projects undertaken by this Committee may not be comprehensive, as they were restricted from considering financial details.

They considered whether regular meetings between the Chairmen of Finance, Audit and Risk Committee and Overview and Scrutiny Committee on a regular basis to discuss forthcoming work programmes would be helpful.

They also considered the merits of one Member from the Finance, Audit and Risk Committee being seconded onto the Overview and Scrutiny Committee and Visa Versa, when considering issues that may cross the boundaries of those committees.

Members asked that the Terms of Reference of this Committee be reviewed in order to clarify the position.

New Settlement

Members were keen to remain involved and updated regarding the discussions about a new settlement and questioned how this could be achieved.

The Chief Executive advised that the key issues being considered was the governance and delivery of infrastructure and planning

NHDC needed to consider whether the Government would require Local Authorities to work together in a different way.

Task and Finish Groups

Members also considered whether the scope of Task and Finish Groups were sufficiently detailed and specific in order to meet the challenges identified by the Committee and that it may be worthwhile reviewing the recommendations of Task and Finish Groups, after the process had been completed for a period of time, to assess whether they had produced the desired effect and whether those recommendations not accepted would have made a difference.

RESOLVED:

- (1) That the Overview and Scrutiny Committee Work Programme be noted;
- (2) That the Overview and Scrutiny Committee consider the following items from the Forward Plan:
 - (i) Proposed Establishment of a Housing Company – January 2018
 - (ii) District Wide Survey 2017 – March 2018.

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- (3) That the Chief Executive be requested to consider the Terms of Reference of the Overview and Scrutiny Committee in order to clarify that the Committee can consider finances when reviewing projects;
- (4) That consideration be given to how the Overview and Scrutiny Committee can remain involved and updated regarding the discussions about a new settlement;
- (5) That the proposed review of the Community Facility at Hitchin Town Hall and District Museum be added to the "Work to be Scheduled" list.
- (6) That the Scrutiny Officer be requested to consider a diary system and method by which the Overview and Scrutiny Committee could review the recommendations of Task and Finish Groups in order to assess whether they had produced the desired effects.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to plan and carry out its workload efficiently and effectively.

The meeting closed at 9.30 pm

Chairman