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NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERNOH
ROAD, LETCHWORTH, SG6 3JF
ON TUESDAY, 12TH DECEMBER, 2023 AT 7.30 PM

MINUTES

Present: *Councillors: Elizabeth Dennis (Chair), Ruth Brown (Vice-Chair), Ian Albert, Amy Allen, Keith Hoskins, Steve Jarvis, Sean Prendergast and Alistair Willoughby.*

In Attendance: *Deborah Coates (Principal Strategic Planning Officer), Ian Couper (Service Director - Resources), Susan Le Dain (Committee, Member and Scrutiny Officer), Chloe Hipwood (Service Manager), Sarah Kingsley (Service Director - Place), James Lovegrove (Committee, Member and Scrutiny Manager), Omar Ezzet (Strategic Planning Officer), Anthony Roche (Managing Director) and Jeanette Thompson (Service Director - Legal and Community).*

Also Present: *At the commencement of the meeting there was one member of press.*

Councillor Tom Tyson was also in attendance as Deputy Executive Member.

232 APOLOGIES FOR ABSENCE

Audio recording – 2 minutes 7 seconds

There were no apologies for absence received.

233 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 22 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded.
- (2) Members were reminded that this Council had declared a Climate Emergency. This was a serious decision and meant that, as this was an emergency, all of us, officers and Members had that in mind as we carried out our various roles and tasks for the benefit of our District.
- (3) 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 listed.
- (4) The Chair advised for the purpose of clarification that 4.8.23(a) of the Constitution did not apply to this meeting.

234 PUBLIC PARTICIPATION

Audio recording – 3 minutes 32 seconds

There was no public participation at the meeting.

235 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 3 minutes 53 seconds

The Chair advised that the items referred from the Overview and Scrutiny Committee would be taken with the respective items on the agenda.

236 DRAFT SUSTAINABILITY SPD

Audio recording – 4 minutes 42 seconds

Councillor Ruth Brown, Executive Member for Planning and Transport, presented the report entitled 'Draft Sustainability SPD' and advised that:

- She wanted to thank the Cabinet Panel on the Environment for their input to this report which had been very helpful.
- This report reflected the current sustainability aspirations of the Council.
- It was important to raise aspirations regarding sustainability as things have changed since the Local Plan was written.
- This was part of the actions taken by the Council to address the climate emergency which would provide robust guidance for developers and drive-up standards.
- The report proposed three standards of sustainability, bronze, silver and gold.
- Bronze level was the legal requirement and the levels of silver and gold could be achieved if higher standards were met.
- There was an incentive for applications to achieve the higher standards of silver and gold as they would be given positive consideration when officers were looking at the planning balance.
- Public consultation had enabled people to comment on what they felt was the best approach and to make recommendations of how it should be applied.

In response to a question from Councillor Alistair Willoughby, Councillor Ruth Brown advised that the clear objective criteria needed to achieve gold, silver and bronze standards was set out in Appendix A.

Councillor Ruth Brown proposed and Councillor Keith Hoskins seconded and, following a vote, it was:

RESOLVED:

- (1) That Cabinet endorsed and approved the draft Sustainability SPD, attached as Appendix A to the report, for a six-week public consultation from 4 January 2024 to 16 February 2024.
- (2) That the Hertfordshire Development Quality Charter attached as Appendix C was endorsed and that developers of strategic and significant sites in the District (as defined by the Local Plan) were encouraged to voluntarily sign and commit to its pledges.

REASONS FOR DECISIONS:

- (1) To allow the draft Sustainability SPD to be progressed to public consultation so that it may be developed and eventually adopted to support the adopted Local Plan.
- (2) To support a common standard for design quality and sustainability across Hertfordshire.
- (3) To reinforce and deliver the Council's pledges and ambitions as set out in the Climate Emergency and Ecological Emergency declarations.

237 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 12 minutes 12 seconds

Councillor Elizabeth Dennis proposed and Councillor Alistair Willoughby seconded and, following a vote, it was:

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).

238 WASTE, RECYCLING AND STREET CLEANSING CONTRACT SERVICE DESIGN - PART 2

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

The Executive Member for Recycling and Waste presented the report entitled 'Waste, Recycling and Street Cleansing Contract Design – Part 2'.

Councillor Amy Allen proposed and Councillor Ian Albert seconded and, following a vote, it was:

RESOLVED:

- (1) That Cabinet agreed the service changes described in 8.2 c) of the report relating to the three-weekly collection of separated paper and cardboard predominantly in bins and the three weekly collection of the remaining dry mixed recycling (A 3,3,3 cycle as described in Appendix 3) be implemented as part of the new waste recycling and street cleansing contract which commences in 2025, the implementation date shall be delegated to the Service Director: Place in consultation with Project Board (in any event to be within four months of contract commencement).
- (2) That Cabinet agreed that in the event that the Council is required to make a decision to provide fortnightly collection of residual waste that the dry recycling service shall be fully commingled.
- (3) That Cabinet agreed the service changes described in 8.2 d) of the report relating to the removal of the requirement for a continuous street cleansing presence in town centres and moving the back to standard time to 9am be implemented as part of the new waste recycling and street cleansing contract in 2025.
- (4) That Cabinet agreed the service changes described in 8.2 e) relating to a removal of approximately 30% of litter bins from predominantly outside the town centres be implemented during the mobilisation of new waste recycling and street cleansing contract for 2025.

- (5) That Cabinet agreed the service changes described in 8.2 f) relating to a change to an input specification for high-speed road cleansing to once per year be implemented as part of the new waste recycling and street cleansing contract in 2025.
- (6) That Cabinet agreed the service changes described in 8.2 g) relating to the removal of dedicated seasonal leaf fall management be implemented as part of the new waste recycling and street cleansing contract in 2025.
- (7) That Cabinet agreed the service changes described in 8.2 h) relating to an extension of the bin delivery/repair Service Level Agreement (SLA) from 5 days to 9 days being implemented as part of the new waste recycling and street cleansing contract in 2025.
- (8) That Cabinet agreed the service changes described in 8.2 i) relating to an extension of the missed bin rectification SLA from 5pm the next working day to 72 hours except for missed whole streets which will remain 5pm the next working day, being implemented as part of the new waste recycling and street cleansing contract in 2025.
- (9) That Cabinet agreed the service changes described in 8.2 j) relating to a change in street cleansing SLAs being implemented as part of the new waste recycling and street cleansing contract in 2025.
- (10) That Cabinet agreed the service changes described in 8.2 k) relating to reducing the number of items collected as part of bulky waste services from six to three being implemented as part of the new waste recycling and street cleansing contract in 2025.
- (11) That Cabinet noted that the Capital expenditure identified in 10.3 of this report will need to be added to the Capital programme as part of the 2024/25 budget process.

REASONS FOR DECISIONS:

- (1) The initial tenders that were received identified that significant cost increases are likely from the waste, recycling and street cleansing services in the next contract. The competitive dialogue procurement process allows the Council to explore service design options which may present benefits to the Council.
- (2) Officers have considered the initial offers from bidders and discussed opportunities for specification changes with them, which are aligned with the Council's aims for high performance, but that will reduce the costs to the Council with minimal impacts on perceived performance.

239 WASTE, RECYCLING AND STREET CLEANSING CONTRACT SERVICE DESIGN - PART 1

Audio recording – 22 minutes 40 seconds

The Executive Member for Recycling and Waste presented the report entitled 'Waste, Recycling and Street Cleansing Contract Service Design' and advised that:

- This was the largest spend on service contracts each year for the Council and it was a very high-profile service.
- This service had a significant impact on finances and it also influenced the ability to reach carbon reduction.
- The decision reached would also affect our partner East Herts Council and Hertfordshire County Council.
- During the summer of 2022 officers had worked with Members and partners to design a service to meet financial and environmental sustainability objectives.

- Officers had taken this to the market through a procurement process and were currently in dialogue with the bidders.
- The aim was to reduce the burden of significant cost increases that the Council would face if changes were not made at this stage of the procurement.
- The proposed changes to waste collection gave residents more opportunities to recycle by providing more recycling capacity.
- The financial implications were discussed in Part 2 of the report.
- The procurement timeline was tight and Members were asked to be mindful of the significant negative impact that would result by delays in procurement.

The following Members asked questions:

- Councillor Alistair Willoughby
- Councillor Elizabeth Dennis
- Councillor Ruth Brown

In response to questions, the Service Manager – Waste advised that:

- There would be a window of opportunity to change the contract once signed in relation to anticipated changes, such as decisions arising from the outcome of the government consultation to waste collection guidance.
- The specification of three weekly residual waste collections presented financial and environmental benefits.
- Extended Producer Responsibility targeted to be introduced from October 2024. However, the charging system to businesses was unknown and Councils would need to be able to demonstrate that they were effective and efficient in their operations. The definition of effective and efficient was also unknown.
- The government wanted to implement the introduction of the deposit return scheme in 2025.
- The Council was still waiting for clarity regarding the new burdens funding.
- For extended producer responsibility the government expects it to generate new funding for Councils to improve collection of packaging waste. Our new service design includes the collection of soft plastics from 2025 alongside the new three weekly collection service.
- The bidders generally operate zonal systems for waste collections which means that they would still collect missed bins swiftly. But allowing a longer target allows the bidders to reduce their risk pricing against the performance management regime.
- The proposals would help manage costs with no significant impact to residents on service levels.
- The SLA on bin deliveries ensured that residents would always have a bin for their next collection.

During the debate, Councillor Ian Albert advised that the Council needed to make sure it provided a quality and affordable service that worked well for its residents.

Councillor Elizabeth Dennis advised that the Council had a statutory duty to provide waste collection for its residents despite local government finances being tight. She was proud that North Herts Council put its people first by working hard to find positive solutions when there was uncertainty around what the government would propose regarding recycling and waste.

Councillor Steve Jarvis advised that the proposed arrangements for the collection of waste would go some way to addressing the problems that residents raised and that this proposal would increase recycling and make the service easier to use.

The Service Manager – Waste advised that North Herts Councils household waste per head was less than the top performing council, which was an achievement.

Councillor Ruth Brown advised that this service design would not only meet residents needs and reduce carbon emissions, but would also encourage people to recycle more and reduce their overall waste consumption.

Councillor Amy Allen proposed and Councillor Steve Jarvis seconded and, following a vote, it was:

RESOLVED:

- (1) That Cabinet agreed the service changes described in 8.2 c) of the report relating to the three-weekly collection of separated paper and cardboard predominantly in bins and the three weekly collection of the remaining dry mixed recycling (A 3,3,3 cycle as described in Appendix 3) be implemented as part of the new waste recycling and street cleansing contract which commences in 2025, the implementation date shall be delegated to the Service Director: Place in consultation with Project Board (in any event to be within four months of contract commencement).
- (2) That Cabinet agreed that in the event that the Council is required to make a decision to provide fortnightly collection of residual waste that the dry recycling service shall be fully commingled.
- (3) That Cabinet agreed the service changes described in 8.2 d) of the report relating to the removal of the requirement for a continuous street cleansing presence in town centres and moving the back to standard time to 9am be implemented as part of the new waste recycling and street cleansing contract in 2025.
- (4) That Cabinet agreed the service changes described in 8.2 e) relating to a removal of approximately 30% of litter bins from predominantly outside the town centres be implemented during the mobilisation of new waste recycling and street cleansing contract for 2025.
- (5) That Cabinet agreed the service changes described in 8.2 f) relating to a change to an input specification for high-speed road cleansing to once per year be implemented as part of the new waste recycling and street cleansing contract in 2025.
- (6) That Cabinet agreed the service changes described in 8.2 g) relating to the removal of dedicated seasonal leaf fall management be implemented as part of the new waste recycling and street cleansing contract in 2025.
- (7) That Cabinet agreed the service changes described in 8.2 h) relating to an extension of the bin delivery/repair Service Level Agreement (SLA) from 5 days to 9 days being implemented as part of the new waste recycling and street cleansing contract in 2025.
- (8) That Cabinet agreed the service changes described in 8.2 i) relating to an extension of the missed bin rectification SLA from 5pm the next working day to 72 hours except for missed whole streets which will remain 5pm the next working day, being implemented as part of the new waste recycling and street cleansing contract in 2025.
- (9) That Cabinet agreed the service changes described in 8.2 j) relating to a change in street cleansing SLAs being implemented as part of the new waste recycling and street cleansing contract in 2025.

- (10) That Cabinet agreed the service changes described in 8.2 k) relating to reducing the number of items collected as part of bulky waste services from six to three being implemented as part of the new waste recycling and street cleansing contract in 2025.
- (11) That Cabinet noted that the Capital expenditure identified in 10.3 of this report will need to be added to the Capital programme as part of the 2024/25 budget process.

REASONS FOR DECISIONS:

- (1) The initial tenders that were received identified that significant cost increases are likely from the waste, recycling and street cleansing services in the next contract. The competitive dialogue procurement process allows the Council to explore service design options which may present benefits to the Council.
- (2) Officers have considered the initial offers from bidders and discussed opportunities for specification changes with them, which are aligned with the Council's aims for high performance, but that will reduce the costs to the Council with minimal impacts on perceived performance.

240 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 50 minutes 8 seconds

Councillor Elizabeth Dennis proposed and Councillor Ruth Brown seconded and, following a vote, it was:

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).

241 LEISURE MANAGEMENT CONTRACT AWARD - PART 2

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

The Executive Member for Environment and Leisure presented the report entitled 'Leisure Management Contract Award – Part 2'.

Councillor Steve Jarvis proposed and Councillor Ian Albert seconded and, following a vote, it was:

RESOLVED: That Cabinet agreed to award the Leisure and Active Communities Contract to the successful bidder highlighted in the Part 2 report. Subject to Standstill period.

REASON FOR DECISION: The leisure management contracts expire on 31 March 2024. The recommendation ensures the procurement can be undertaken and completed within the project timescales, enabling the successful ongoing provision of leisure services in North Herts.

242 LEISURE MANAGEMENT CONTRACT AWARD - PART 1

Audio recording – 1 hour 4 minutes 25 seconds

The Executive Member for Environment and Leisure presented the report entitled, 'Leisure Management Contract Award' and advised:

- The leisure management contract expired on 31 March 2024 and a process of procuring a new operator had been undertaken.
- The procurement process for a new contract had begun with five leisure operators, which had been reduced to two bidders where quality, price and social value had been evaluated.
- Officers and consultants had provided advice and insights into custom and practice and ensuring correct responses were received from the bidders.
- A preferred bidder had been identified in Part 2 of the report.
- The identity of the new bidder could not be announced until the end of the Standstill period.
- He wanted to thank Stevenage Leisure, the current leisure provider for North Herts, for the very good service they had always given the Council over a significant period of time.

In response to a question from Councillor Ruth Brown, the Service Director – Place advised:

- There was capital funding allocated for the Royston gym extension.
- Both bidders had provided additional capital investment in their submissions which would be put into facilities and that this would become clear after the Standstill period.
- Both bidders had provided comprehensive responses on how they would deliver programmes which would assist with different types of fitness and how they would target different age groups.
- The priority for both bidders was not just the leisure centres they would run, but also the outreach facilities they would deliver.

Councillor Steve Jarvis proposed, and Ian Albert seconded, and following a vote, it was:

RESOLVED: That Cabinet agreed to award the Leisure and Active Communities Contract to the successful bidder highlighted in the Part 2 report. Subject to Standstill period.

REASON FOR DECISION: The leisure management contracts expire on 31 March 2024. The recommendation ensures the procurement can be undertaken and completed within the project timescales, enabling the successful ongoing provision of leisure services in North Herts.

The meeting closed at 9.46 pm

Chair