

NORTH HERTFORDSHIRE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

Meeting held at Foundation House, Icknield Way, Letchworth Garden City
on Tuesday, 21 March 2017 at 7.30 p.m.

MINUTES

PRESENT: Councillors Cathryn Henry (Chairman), Steve Hemingway (Vice-Chairman), Ian Albert, Steve Deakin-Davies, Elizabeth Dennis, Jean Green, Steve Jarvis, Ben Lewis, Paul Marment, Gerald Morris, M.R.M. Muir, Janine Paterson, Frank Radcliffe and Valentine Shanley.

IN ATTENDANCE: Councillor Lynda Needham (Leader of the Council), Councillor Julian Cunningham (Executive Member for Policy, Transport and Green Issues), David Scholes (Chief Executive), Ian Fullstone (Head of Development and Building Control), Louise Symes (Strategic Planning and Projects Manager), Andrew Mills (Service Manager - Grounds), Gavin Ramtohal (Contracts Solicitor), Stuart Izzard (Communities Manager), Rachel Cooper (Controls, Risk and Performance Manager), Brendan Sullivan (Scrutiny Officer) and Hilary Dineen (Committee and Member Services Officer).

ALSO PRESENT: At the commencement of the meeting 9 members of the public.

93. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Clare Billing and Bill Davidson.

94. MINUTES – 17 JANUARY 2017

RESOLVED: That the Minutes of the Meeting held on 17 January 2017 be approved as a true record of the proceedings and be signed by the Chairman.

95. MINUTES – 15 FEBRUARY 2017

RESOLVED: That the Minutes of the Meeting held on 15 February 2017 be approved as a true record of the proceedings and be signed by the Chairman.

96. NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Committee.

97. CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman reminded those present that, in line with Council policy, the meeting would be audio recorded;
- (2) The Chairman informed Members that there was no sound amplification and asked Members to speak loudly and clearly;
- (3) The Chairman welcomed Councillor Lynda Needham (Leader of the Council) to the meeting;
- (4) The Chairman advised Members that, in respect of the reports entitled Proposed Crematorium at Wilbury Hills Cemetery – Interim Report on Business Case, it would be necessary to consider the Part 2 report prior to the Part 1 report (Minutes 113 and 115 refer);
- (5) 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.

98. PUBLIC PARTICIPATION

North Hertfordshire Museum and Community Facility at Hitchin Town Hall

Ms Jacqueline McDonald thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation outlining her concerns and questions regarding the North Hertfordshire Museum and Community Facility at Hitchin Town Hall.

Ms McDonald advised that she had been asked to address the Committee regarding the ongoing saga of the museum by concerned members of the Hitchin and North Herts community.

An on-line petition, signed by 520 people, calling for an independent public enquiry into the project, had been delivered to Rt. Hon. Peter Lilley MP on 3 March 2017, who had promised to explore the possibility of such an enquiry.

The questions that she had been asked by the public to put to the Committee were:

- (1) How much was the project likely to cost.
Consultant's estimates had started at £2.34 million, which was now expected to be £7 million when and if completed.
- (2) Why had there been no financial report to the public since July 2015, when the main contractor finished.
- (3) Who gave authority for Section 106 monies from approximately 20 planning applications to be used.
Of this £45,250 was allocated and £29,250 was spent on a youth facility at Hitchin Town Hall, but where is this facility.
Had any Section 106 money been used on the District Museum.
- (4) Why had the Lucas Room been advertised for hire when it was not DDA compliant.
- (5) How long was the North Herts District Council Leader going to maintain legal silence on 14/15 Brand Street and what were the external legal costs so far.
- (6) When were the tax payers of North Herts going to see the proposed £30,000 per year savings.
- (7) Councillor Hone had stated that the Council did not need the former 14/15 Brand Street in order to operate the new Museum and Town Hall facility. If this was so, then what were the cost implications to the tax payers for the possible demolition of the building constructed on land that the Council did not own.

Ms McDonald concluded by stating that the public should have these questions answered and that she had made the presentation on behalf of the Future of Hitchin Town Hall Social Media Campaign Group and the public.

Members asked who the members of the campaign group were and what they did.

Ms McDonald advised that the group was a social media pressure group created by her and that there were many members of the group including a current Councillor.

The Chairman thanked Ms McDonald for her presentation.

The Chairman advised that the Overview and Scrutiny Committee were unable to answer the questions put by Ms McDonald, but the Committee did have the authority to ask these questions internally.

Members felt that the questions should be referred to the Executive Member for Community Engagement and Rural Affairs for any answers that could be given at this point.

They acknowledged that confidential negotiations were being undertaken at the moment, but felt an update to this Committee should take place. They noted that a review of the project would be undertaken and that discussion would be needed to determine how this would be undertaken.

The Chairman clarified that a review of the project would be undertaken by this Committee but that it was absolutely crucial that the review did not start until the project was fully complete.

It was important for this Committee to scrutinise and to hold the Executive to account, but the Committee must never hinder progress. The project was at a crucial moment and therefore this Committee should tread carefully regarding any actions taken at this time,

She advised that she had previously informed Ms McDonald that the Minutes of this meeting would be raised at the point when the review was undertaken and that she would be invited to talk to the review about the questions raised.

The Chairman had also encouraged Ms McDonald that to register to speak at Cabinet.

RESOLVED:

- (1) That the Scrutiny Officer be requested to retain the Minute of this item for presentation to the review of the North Hertfordshire Museum and Community Facility at Hitchin Town Hall, which would be undertaken at the completion of the project;
- (2) That the Executive Member for Community Engagement and Rural Affairs be requested to consider the questions posed in the above presentation and provide answers, wherever this is possible without causing detriment to the completion of the project, to this Committee and Ms McDonald.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee review of North Hertfordshire Museum and Community Facility, due to be held on the completion of the project, to consider all aspects of representations offered.

99. URGENT/GENERAL EXCEPTION ITEMS

No urgent or general exception items were received.

100. CALLED-IN ITEMS

Since the last meeting of this Committee, the decision regarding the Review of the Green Space Management Strategy had been called-in and considered by the Overview and Scrutiny Committee on 15 February 2017.

101. PRESENTATION BY THE LEADER OF THE COUNCIL

Councillor Lynda Needham, Leader of the Council, thanked the Chairman for the opportunity to address the Committee and gave a verbal presentation regarding the plans made for 2016/17 and the outcomes, aims for 2017/18 and how the Overview and Scrutiny Committee could assist in developing policy as follows:

Plans for 2016/17

Councillor Needham noted that the Committee had kept the projects identified in the Corporate Plan under review on a regular basis including receiving a report at this meeting and therefore would not repeat too much about what was in that report.

The Council had kept the same three Corporate Objectives being:

- Attractive and thriving;
- Responsive and efficient;
- Prosper and protect.

Significant progress had been made in the 2016/17 financial year regarding the projects identified in the Corporate Plan 2016 – 2021.

Completed projects included:

- Works at Bancroft Recreation Ground;
- Revisions to the Grant Funding Policy;
- Employment of a corporate Economic Development Officer;
- Conclusion of the innovative Building Control Service with six other Hertfordshire Authorities;
- Implementation of a new shared service focussed on Insurance and Risk Management with Hertfordshire County Council.

Many of the projects in the Corporate Plan span a number of years and had complexity in their implementation and the Plan to date was focussed on new projects being delivered in the District rather than areas of work undertaken on a day-to-day basis.

Given the financial constraints that all councils faced, it may be helpful to focus on those areas as well as articulate the work the District Council did for a small percentage of the North Hertfordshire Council Tax levy.

There were a number of projects identified in the Corporate Plan that were in progress and would complete in future years including:

- Bancroft Gardens play area and footpaths;
- Wheel sport provision at Norton Common;
- Play area renovation in Royston.

There were a number of important corporate schemes that were being worked on and were coming to a conclusion in the near future including:

- Renewal of the waste and street cleansing contract, the largest single contract that NHDC held;
- Progression of the North Hertfordshire Local Plan.

Councillor Needham was pleased to advise that, in relation to the waste and street cleansing contract, NHDC was the first local authority in the County to move forward with a shared service with one of neighbours, East Hertfordshire. This was seen as being ground breaking and had been the subject of much interest at the Hertfordshire County Council's Overview and Scrutiny Committee.

Working in partnership with another organisation often caused you to challenge your own beliefs, assumptions and ways of working and she was of the opinion that the end product, in terms of the contract and financial agreement for NHDC would be a significant benefit to the Council Tax payers.

The Overview and Scrutiny debate and discussion in relation to the outline business case and specifications for the waste and street cleansing contract had been extremely helpful and made a significant contribution.

The contract documentation had now been developed and would be going to tender later this month, with a timescale to award the contract in early summer 2017 and the contract commencing in May 2018. The period between awarding the contract and implementation was essential to ensure smooth mobilisation arrangements were in place.

Not only were NHDC joining with East Hertfordshire in the contract side of waste and street cleansing, but would also be moving forward with a shared client team which NHDC would host.

This was a very exciting project of critical importance to the residents of North Herts, although one measure of success would be how little the new contract implementation was noticed by our residents.

In respect of the year to date, Councillor Needham concluded by referring to the Local Plan. This was a key piece of work and one of the most controversial it has had to undertake for decades, as demonstrated by the considerable debate and public interest. The identification of sites to meet the objectively assessed need for housing had not been easy and making provision for 15,800 dwellings within the District in the period to 2031 had understandably caused many concerns.

One of the challenges for the Leader of the Council was to think about an overview for the whole District and meeting its needs. It was clear that meeting the housing need arising from our resident population was one of the most fundamental issues that could not be avoided.

It was important to remember that, whilst housing related land allocations caused much of the debate and concern, the Local Plan put in place robust arrangements to ensure that infrastructure was delivered with that housing, be it schools, roads or community facilities as well as making sufficient provision for affordable housing in the schemes which were coming forward. With a difficult set of circumstances it seemed that many of the early concerns had been allayed.

Full Council would receive a report in April 2017 which recommends the submission of the Local Plan to the Planning Inspectorate for progression to an independent examination. The outcome of the examination process would shape the District for the next 15 years, which emphasised its critical importance.

Aims for 2017/18

On the assumption that Council agrees, in April, to submit the Local Plan to the inspectorate, completing the examination into the North Hertfordshire Local Plan would form a key part of the aims for 2017/18.

Another key aim was the progression of the new waste and street cleansing contract, which would come into effect at the end of the next Civic Year.

The continued implementation of the Green Space Management Strategy would ensure that the District was attractive and thriving.

Councillor Needham urged community groups seeking to protect play areas that could no longer be maintained by the Council, to engage with officers and the Executive Member to move them into community ownership.

The North Herts Leisure Centre was undergoing an extensive redevelopment and refurbishment scheme which would complete in 2017/18. This would not only bring improved leisure facilities for the residents of the District, but would provide additional income for the Council.

Councillor Needham stated that she was also hopeful that matters relating to Hitchin Town Hall and the District Museum could be brought to a conclusion in 2017/18. Negotiations regarding this were in progress although NHDC had been asked to keep the detail of those negotiations confidential. She hoped there would be a positive outcome to that dialogue and welcomed the Overview and Scrutiny Committee's interest in the scheme and their agreement to undertake a review once the project was complete.

The Corporate Business Planning process for 2017/18 and the Medium Term Financial Strategy identified the key challenges that the Council faced in terms of delivering services over the next five years.

The updated Medium Term Financial Strategy provided the financial background to the Corporate Business Planning process for 2017/18 and beyond. In common with recent years, the report concluded that it may be necessary to revisit the MTFS on an annual basis

Financial modelling undertaken for the MTFS and Corporate Business Planning process projected that the overall budget gap for the four year period 2017/18 to 2020/21 was £3.5 million. This assumed that Council Tax would be increased by the higher of £5.00 or 1.9 percent each year and a managed use of reserves.

It would be necessary to use approximately £3.5 million of reserves to bridge the budget gap over the period of the MTFS, which would mean the total sum needed to enable the Council to reach a balanced budget in each of these years would be in excess of £7 million.

Ways in Which Overview and Scrutiny Can Help

Councillor Needham had already mentioned how helpful the debate and discussion regarding the outline business case for the waste and street cleansing contract were.

Members noted that the Local Plan allowed for 15,800 dwellings, which would mean 15,800 new families many with children, living in the District. Included in the Green Space Strategy was a proposal to close a number of play areas. Some of these play grounds could remain in play to serve the existing communities as well as the new families and asked how NHDC would meet its objectives in relation to children and families if these services were not available.

Councillor Needham advised that no play areas would be closed. Equipment would be removed from some of the play areas, but the area itself would remain available for young people to use. There was also an opportunity for local groups to come forward and work with officers to move ownership of some of the play areas into public ownership.

Members asked what plans were in place to lobby the Government regarding the plans to cut funding to this Council.

Councillor Needham advised that she had lobbied the Government for the last three years regarding this. She had written to the MPs and visited Ministers over that time. Some of the MPs had raised the difficulties faced by this Council on the floor of the House and one of our MPs writes to Ministers on a regular basis on our behalf and sends us all of that correspondence.

A Member representing a rural area commented that play areas in his area were maintained by Parish Councils rather than by the District Council and there was nothing to stop local communities joining together to take on play areas.

Members noted the importance of the MTFS in these difficult times and asked whether there was a risk that the focus on the budget was unduly influenced the policies pursued.

Councillor Needham acknowledged that there was a risk of this happening. The Council operated policy led budgeting rather than budget led policy making. The Council did consider budgets when making policies, but did everything they could to avoid this being the main driver.

In respect of Commercialisation of Council businesses and the employment of an Economic Development Officer, Members asked whether consideration had been given to how much money could be brought into the Council by this post.

Councillor Needham advised that it was hoped that the Commercialisation Board and the Economic Development Officer would generate funds for the Council, but it was too early to identify the level of income that might be generated.

Members noted that there were a number of pubs, the life blood of many communities, across the District that were faced with closure and asked what the Leader of the Council could do to support businesses such as pubs to remain open.

Councillor Needham reminded Members of the practice of giving 80 percent rate relief to the last pub in a village, however pubs in urban areas did not have this benefit and the question of remaining open was purely about the public using them.

A Member commented that pubs could be registered as an asset of community value, which allowed for local communities to consider whether they would wish to purchase it.

Councillor Needham confirmed that many pubs in the District had been registered as assets of community value

In response to a question Councillor Needham advised that whether or not she would be taking increased Members Allowances did not form part of the presentation given this evening.

Members noted that communication with residents was not always a strong point and asked whether NHDC should proactively inform residents of the joint waste contract.

Councillor Needham advised that residents of both North Herts and East Herts would be advised that the waste contract was a joint project. It was however hoped that the majority of residents would see no change to the service given. There may be a small percentage of residents whose bin emptying days would change, but that should be the only noticeable difference.

In respect of branding, this level of detail had not yet been discussed.

The Chairman thanked Councillor Needham for her presentation.

102. INFORMATION NOTE – REGULATION OF INVESTIGATORY POWERS ACT UPDATE

The Committee received an information note entitled Regulation of Investigatory Powers Act Update.

103. REVIEW OF NHDC MEMORANDUM OF UNDERSTANDINGS (ANNUAL GRANT AWARDS) – CITIZENS ADVICE NORTH HERTS, NORTH HERTS CENTRE FOR VOLUNTARY SERVICES & NORTH HERTS MINORITY ETHNIC FORUM

The Communities Manager presented the report of the Strategic Director of Finance, Policy and Governance entitled Review of NHDC Memorandum of Understandings (Annual Grant Awards) – Citizens Advice North Herts, North Herts Centre for Voluntary Services & North Herts Minority Ethnic Forum as follows:

Citizens Advice North Herts, North Herts Centre for Voluntary Services and North Herts Minority Ethnic Forum were the three main organisations that the Council had funded for many years.

Each of these groups had Councillors sitting on their Boards.

Funding provided was to support core services and helped these organisations to achieve funding from other sources.

In 2011 the MOUs were reduced significantly.

This process started in June 2015 with the revision of the grants policy and it was deemed that the two main groups would be funded for three years from April 2017 and that two further organisations would be reviewed.

Late last year the minor MOUs were reviewed.

The Communities Manager drew attention to the background documents and advised that information was received every six months from each of the groups detailing their financial position and the services that they offered.

The Communities Manager advised that communities engaged through these groups that were funded by NHDC and that it was important to recognise the support, advice and help that these organisations gave to the community.

He drew attention to the sample grant agreement, at Appendix 4 of the report, and explained that details of the services offered would be listed in the agreement, some of which would be specific work on behalf of NHDC. These contracts would be regularly reviewed as would the provision of services.

The key objective was to work with these groups to help them provide the services needed for the District's growing communities.

Members asked whether Citizens Advice North Herts could provide figures to demonstrate that the work they undertook saved NHDC money for instance help with payment of Council Tax.

The Communities Manager advised that details could be found on page 23 of the report and that for every pound spent approximately £13 was saved either by this Council or by the State.

Members asked whether consideration had been given to the amount of work undertaken and the number of people supported when the minor MOUs were reviewed.

The Communities Manager advised that funding for small MOUs were transferred to the Area Committees and these groups could still apply for grant funding through that route.

Members asked what plans there were to work with black and minority ethnic communities to address some of the issues faced by these communities.

The Communities Manager advised that officers would work with the groups to combine services and the Minority Ethnic Forum offered services such as translation services and form filling to clients of Citizens Advice.

In response to a question regarding what would happen to these groups when the funding agreements came to an end in April 2020 he informed Members that the authority had come a long way and continued to offer services that many other councils no longer provided. There was a will to support these groups, but there was no way of knowing what would happen in 3 years time.

Members asked where Citizens Advice North Herts got the rest of their funding from.

The Communities Manager advised that funding for Citizens Advice North Herts was mainly through grants from Letchworth Garden City Heritage Foundation and the County Council as well as donations. It should be noted that Citizens Advice Bureaux in other Districts had closed as the support was not available, but the Citizens Advice Bureau in this area was second to none.

Members noted that funding was received from other organisations but commented that this other funding was mainly through grant funding as opposed to core funding and therefore could cease at quite short notice.

They noted that Citizens Advice North Herts had a wealth of information and queried whether any of this information was or could be used to support the work of the Council such as Housing Benefit.

The Communities Manager advised that this was exactly the type of issue that was part of the contracts with these organisations.

Members felt that Housing Associations should also contribute financially to the work of North Herts Citizens Advice.

The Chairman asked that the detail of the services provided by organisations was scrutinised and it was checked that those services could not be funded from other funding sources.

RESOLVED:

- (1) That the recommendations contained in the report entitled Review of NHDC Memorandum of Understandings (Annual Grant Awards) – Citizens Advice North Herts, North Herts Centre For Voluntary Services & North Herts Minority Ethnic Forum be supported;
- (2) That the Strategic Director of Finance, Policy and Governance be requested to attend the next meeting of this Committee, due to be held on 6 June 2017, to advise the Committee of the amounts of grant funding awarded to Citizens Advice North Herts and from which organisations these grants were awarded;
- (3) That the Communities Manager be requested to scrutinise the detail of the services provided by each organisation and check whether any of those services could be funded from other funding sources.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider the report entitled Review of NHDC Memorandum of Understandings (Annual Grant Awards) – Citizens Advice North Herts, North Herts Centre for Voluntary Services & North Herts Minority Ethnic Forum prior to consideration by Cabinet on 28 February 2017.

104. PROPOSED OFF-STREET CAR PARKING TARIFFS

The Strategic Planning and Projects Manager presented the report of the Head of Development and Building Control entitled Proposed Off-Street Car Parking Tariffs.

The Strategic Planning and Projects Manager advised that this report would be considered by Cabinet. The report aimed to seek the approval of Cabinet for the proposed changes to the 2017/18 off street car parking tariffs in accordance with the Council's agreed Fees and Charging Policy as set out in the Medium Term Financial Strategy.

The report also sought approval of the proposed increases to the season ticket prices in line with the same Policy.

The agreed budget estimates included the expectation that income would be generated from car park and this was estimated to be £49,000 from tariffs and £8,000 from season tickets.

This report was not about increased Sunday, evening or bank holiday charges, this was part of further work being undertaken and consultation regarding this would take place with local Members and key stakeholders, with a further report being presented.

It was suggested that there were no increases to the resident parking scheme fees.

In previous years the Council sought to limit increases to particular price bands within certain car parks so as not to have an impact on the vitality of the Town Centres.

At the request of the Executive Member, a two phased full review of the existing Parking Strategy had been undertaken.

The first phase was to consider parking tariffs and the proposed tariff increases were backed by evidence which was available on the Council's website.

The proposal was to increase tariffs within Hitchin and Royston and increase the turnover during peak times in the short stay car parks in Hitchin whilst also trying to encourage people to stay longer during the afternoon periods. In Royston the aim was to prioritise the short stay car parking and bring them in line with each other whilst retaining the "Free after Three" subsidised scheme which was funded by the Royston and District Committee, County Councillor Locality Budget and Royston BID.

This approach sought to improve turnover and usage during the day, whilst supporting town centres.

Informal consultation had been undertaken with the Royston and Hitchin town centre managers who had given positive feedback and were supportive of the proposals.

It was not proposed to increase tariffs in Baldock or Letchworth.

A Member commented that certain car parks were more popular than others for a reason, such as being close to amenities and expressed concern that the policy to increase tariffs in some car parks whilst reducing them in others may not achieve the desired effect of redirecting people to under used car parks, but could be unduly punitive. She queried how much thought had been out into the geography of the area and whether the desired effects would be achieved.

The Strategic Planning and projects Manager advised that extensive survey work had been undertaken including user and number plate recognition surveys that yielded a lot of understanding about how the car parks were being used. This had shown that the short stay car parks, which were closest to retail areas, were the most utilised and were most used during the peak period in the morning, but were under utilised in the afternoons.

Discussions with the town centre managers had highlighted to wish to encourage people to stay in the town centres and visit after the afternoon school run. Taking this approach would hopefully stimulate the afternoon economy, however it was difficult to predict visitor behaviour.

When tariffs had been increased in the past, income had dropped slightly in the short term, but had increased as people got used to the new charges. This was a very different approach, which would be monitored and one example of this was that people using car parks in Royston during the Free after Three period would now be required to take a ticket, which would enable close monitoring of usage.

Members asked whether any research had been undertaken regarding using charging as a method of changing behaviour and the resulting outcome.

Councillor Cunningham advised that the background report included a lot of information on the elasticity of demand. It also gave details of the significant amount of work undertaken to analyse the effects of changing tariffs in NHDC car parks over the last seven years. The result of all of this research was the proposals contained in the report.

Members queried whether consideration had been given to operating a "money off purchases" scheme that may encourage people into the town centre and help encourage a change in parking behaviour.

The Head of Development and Building Control advised that one of the first actions when starting the process was to hold a workshop with the town centre manager and the key stakeholders at which all issues were discussed. Examples of the outcome of this workshop included that Royston BID decided to continue to fund the Free after Three scheme, but Hitchin BID decided to monitor the effect of these proposals before

making a decision regarding a similar scheme and Royston BID were considering whether to introduce and part fund a season ticket for lower paid workers. There were a number of schemes an initiatives being looked at and considered by the business community and NHDC would consider any funded scheme suggested.

Members were expressed some concern that these proposals were being implemented without Members having had the opportunity to study the full background report and without having a completely reviewed Parking Strategy in place and knowledge of the recommendations from phase two of the process.

A Member expressed concern that the Free after Three scheme in Royston was part funded by a County Councillor Locality Budget, which could not be guaranteed long term funding.

Councillor Cunningham acknowledged this concern and advised that if a particular funding stream for this scheme ceased then the position would have to be reviewed and the potential risks had been discussed with the current funders.

The Chief Executive informed Members that an indicative tariff had been included in Appendix B to the report for just this reason.

A Member commented that a number of residents had been unable to park at the Lairage car park, Hitchin as users of Archers Gym were able to use that facility for free when their own car park was full yet the report indicated that the Lairage was underutilised.

Councillor Cunningham advised that Stevenage Leisure Limited paid the Council a contribution towards the costs of the free car parking for Archers members.

Members asked when the outcomes regarding the hoped for changes in parking behaviour would be reviewed.

Councillor Cunningham advised that the evidence was that the Free after Three scheme had been and continued to be successful in changing behaviour and the Hitchin town centre manager had indicated that he was happy with the proposals. The schemes would be reviewed next year.

RESOLVED:

- (1) That the recommendations contained in the report entitled Proposed Off-Street Car Parking Charges be supported;
- (2) That Officers be commended for the work undertaken in support of the review of off-street car parking charges.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider the report entitled Proposed Off-Street Car Parking Tariffs prior to consideration by Cabinet on 28 February 2017.

105. 3RD QUARTER PERFORMANCE INDICATORS MONITORING REPORT 2016/17

The Controls, Risk and Performance Manager presented the report entitled 3rd Quarter Performance Indicators Monitoring Report 2016/17.

The Controls, Risk and Performance Manager advised that the exception report had been circulated to Members on 22 February 2017 and drew attention to the following:

BV6 – Percentage of Invoices Paid on Time

Performance had been dropping recently although this equated to only 19 invoices being paid late out of the 3,711 invoices processed to date.

BV10 – Percentage of NNDR Collected in Year

Although this was showing as amber for December, this was now back on track. The Revenues Manager had advised that as more businesses were opting to pay over 12 monthly instalments, collection rates fluctuated more.

BV12a- Working Days Lost due to Short Term Sickness Absence per FTE employee

This was still an area of under performance and projections suggested that it may be difficult to meet the target by the end of the year.

LI034 – Percentage of Housing and Public Protection Service Programmes Inspections Completed

This target fell behind in quarter one due to a vacancy in the team. The team had made good inroad into the backlog with the indicator moving from red to amber in this quarter. The team was hopeful that the target could be met by the year end.

NI192 – Percentage of Household Waste Sent for Reuse, Recycling and Composting

The figure in the report had not been adjusted for the street sweeping figures. These figures had now been received and the figure had increased to 60.92 percent, although this had not changed the status.

In response to a comment the Controls, Risk and Performance Manager advised that LG Benchmarking Data showed that Nationally top quartile figures were between 58.21 percent and 68.29 percent and that NHDC figures were within this range and were ranked 7th out of 55 authorities.

The Chief Executive informed Members that a lot of the items that were recycled, although bulky were lighter in weight.

Members praised the high level of recycling achieved in North Herts.

Future Reports

Members considered that it would be more useful for reports to highlight any issues and asked for them to be re-ordered into status order, from red to green, rather than by Executive Member.

RESOLVED:

- (1) That the report entitled 3rd Quarter Performance Indicators Monitoring Report 2016/17 be noted;
- (2) That the Controls, Risk and Performance Manager be requested to reorder entries on future reports from red to green rather than the current Executive Member based report.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to monitor performance against targets.

106. PERFORMANCE MANAGEMENT MEASURES FOR 2017/18

The Controls, Risk and Performance Manager presented the report of the Strategic Director of Finance, Policy and Governance entitled Performance Management Measures for 2017/18.

The Controls, Risk and Performance Manager advised that, as agreed the Performance Workshop for Members was no longer taking place and targets were now set by Heads of Service in conjunction with the Executive Members.

She drew attention to Table 1 of the report, which laid out the proposed changes for 2017/18 as follows:

NI157ai – Percentage of Major Planning Applications Determined within the Relevant Statutory or Agreed Time Periods

The target was proposed to increase to 80 percent. Although the current performance was higher than this, the target took into account the anticipated increase in workload as the Local Plan was progressed.

MI LI015 – Number of Visits to Leisure Facilities

The target had been increased by 5.4 percent in anticipation of the new facilities being opened.

Other Performance Measures

Table 2 of the report detailed all of the other performance measures, which would remain unaltered and there were no additional performance measures or deletions for 2017/18.

Members asked several questions as follows:

NI192- Percentage of Household Waste Sent for Reuse, Recycling and Composting

Members had noted that the target in the previous report was 61 percent and asked for clarification.

The Controls, Risk and Performance Manager advised that the monitoring report included profiled percentages, which in the case of this target had to achieve an increased figure in Q3 in order to meet the year end target of 60 percent.

BV9 – Percentage of Council Tax Collected in Year

Members asked what happened when Council Tax was not successfully collected.

The Chief Executive advised that this was a target that considered collection with the year. There were other issues that meant that Council Tax may be collected post year end or payment plans that spread over a number of years.

Members asked for clarification of the actual collection rate and the procedures in place to collect outstanding amounts.

MI LI015 – Number of Visits to Leisure Facilities

Members asked how pertinent this was in respect of whether this Council could have any impact on the result, given that the leisure facilities were operated by third parties.

The Chief Executive advised that patronage of the leisure centres was very important in terms of public health, but also in terms of the contract element.

Contract meetings were held regularly and NHDC liked to be proactive in looking at performance and exploring ways in which footfall could be increased either with small amounts of investment or by considering programme changes.

Other Issues

Members noted that the proposed indicators were very similar to the existing indicators and asked whether this was realistic when two senior managers had left the organisation.

The Chief Executive advised that a lot of the indicators had a lot of history to refer to for instance benchmarking data. Performance Indicators were reported to the Senior Management Team on a regular basis. The capacity of the teams was always a challenge, as was the financial circumstances of all local authorities.

It was clear that over the years performance levels had improved despite reduced resources, demonstrating that the Council was being more effective in the use of resources and more effective in ways of working.

The Chairman clarified that the Performance Targets were now set by Heads of Service in conjunction with the Executive Members. In previous years Performance Workshops had been organised for Members to attend, at which attendance by Members had been abysmally low.

This was a particular process that this Committee had been asked to be involved with at an early stage, but Members did not take up the opportunity to do so.

RESOLVED:

- (1) That the recommendations contained in the report entitled Performance Management Measures for 2017/18 be supported;
- (2) That the Chief Executive be requested to advise Members of the Overview and Scrutiny Committee of the exact percentage of Council Tax collected in year (BV9) and the procedures used to collect outstanding amounts.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to consider the report entitled Performance Management Measures for 2017/18 prior to consideration by Cabinet on 28 February 2017.

107. 2016/17 REPORTING AGAINST PROJECTS IDENTIFIED IN THE CORPORATE PLAN

The Controls, Risk and Performance Manager presented the report entitled 2016/17 Reporting against Projects Identified in the Corporate Plan and drew attention to the following:

Status Summary

One project had been completed being grant funding organisations sharing in the delivery of our objectives.

Three projects had moved to amber status and, as agreed, John Barker Place had now been removed from monitoring.

Walsworth Common Pavilion

This project had been moved to the 2020/21 capital programme to allow time to secure further Section 106 contributions.

Walsworth Common Pitch Improvements

This project was fully dependent on Section 106 contributions. The developer had delayed the scheme and therefore funds would not now be available until 2018/19.

Replacement of Walsworth Common Access Bridge

This project was underway, but the completion date had been moved to May 2017. Therefore the project would not be completed within timescales.

Multi Use Games Area Bancroft Recreation Ground

This project was fully dependent on securing external grant funding. Sport England closed its grant scheme in 2016 with the new scheme not being open to Local Authorities. Further funding sources were being investigated.

Redeveloping and Improving the North Herts Leisure Centre

There had been a delay to the completion of this scheme and the completion date was now shown as June 2017.

Redevelopment of the Council's Office Accommodation

Substantially more asbestos than had been expected had been found and removal of this would extend the completion date, which was now set at February 2018.

Community Centre Leases

Agreement had now been reached with Coombes Community Centre and the lease agreements were being drawn up ready for signature.

Walsworth Community Centre and St Michael's Mount Community Association were being supported to prepare bids to the Community Facilities Capital Fund. If the bids were successful both associations would be prepared to sign full repairing leases.

Members commented that the status indicators were not consistent for the various projects, with projects marked amber being either delayed by a month or two or delayed with an unknown completion date. They felt that the status indicators should be more in line with the expectation that a project would complete within a reasonable timescale.

The Controls, Risk and Performance Manager explained that currently red status only applied to those projects that would definitely not continue. Amber status indicated that a project was either behind schedule or would continue at some future date. It was possible to change the use of the status indicators for instance record projects that were unable to continue at this present time as red.

Members felt that the report should be made more transparent and this could be achieved by using amber for projects that were delayed, but had a reasonable new completion dates, whilst projects that had halted, with no indication of when they might restart should be marked as red.

The Chief Executive advised that the detail and important information was included in the commentary for each project.

Members agreed that future reports should be reordered from red to green.

Members queried why projects from previous years that had not yet been completed were not included in the report for example the District Museum and Community Facility at Hitchin Town Hall.

The Controls, Risk and Performance Manager advised that this report only contained projects listed in the current Corporate Plan.

Councillor Cunningham advised that, over the years, this Corporate Plan had been refined from an overlong list of projects and it now listed the high level projects. This report included projects included in the strategies referenced in the Corporate Plan was intended as the means to monitor all of the projects.

Members noted that the issues regarding the Community Centre Leases were continuing and that they were being supported to bid for Community Facilities Capital Funding. They queried whether they were also being supported to apply for Section 106 funding.

The Chief Executive advised that the Communities Team were supporting the groups through the process of bidding for Community Facilities funding they were also supporting them to look at other ways to move forward. They were working towards a sustainable solution.

RESOLVED:

- (1) That the report entitled 2016/17 Reporting against Projects Identified in the Corporate Plan be noted;
- (2) That the Controls, Risk and Performance Manager be requested to reorder entries on future reports from red to green rather than the current Executive Member based report;

- (3) That the Controls, Risk and Performance Manager be requested to mark projects that have been halted or were unlikely to progress further as red;
- (4) That the Controls, Risk and Performance Manager be requested to include details of projects from previous years that have not yet been completed in future reports.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to monitor delivery of key projects against targets.

108. KEY PROJECTS FOR 2017/18

The Controls, Risk and Performance Manager presented the report of the Strategic Director of Finance, Policy and Governance entitled Key Projects for 2017/18.

The Controls, Risk and Performance Manager advised that this report detailed the key projects to support the Corporate Plan for 2017/18 and would form the basis of the monitoring report that would be considered by this Committee on a quarterly basis.

The majority of the projects were a continuation of those contained in the previous Corporate Plan with the additional projects being agreed through the Capital Programme.

Appendix A of the report detailed the projects and the key milestones for reporting which would remain unchanged.

Where the project spanned more than one year the project milestones would only reflect those actions due to be achieved during 2017/18 reporting year.

Some of the projects had been identified as top risk to the Council and would also be monitored quarterly by the Finance, Audit and Risk Committee and these were:

- The Local Plan;
- Office Accommodation;
- Asset Management;
- The Waste and Street Cleansing Contract.

Members requested that projects from previous years, that had not yet been completed, be included in the monitoring report.

Councillor Cunningham noted that Members were being asked to consider which projects to monitor without having considered the Corporate Plan.

Members noted the action, included under the heading Investigating a Range of Options to Improve use of Council Assets, to set up a property company, but then no other actions and queried whether this was the only action being considered.

Members also noted that the renovation of Jackmans Play area had no milestones and queried how this could be monitored.

They were concerned that when objectives were set, they included objectives and milestones for the whole year.

RESOLVED:

- (1) That the key projects, subject to capacity, that will be the key focus for the Council in 2017/18 be noted:
- (2) That outstanding key projects from previous years be monitored alongside those projects identified in (1) above.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to monitor delivery of key projects.

109. MEMBERS' QUESTIONS

No questions had been submitted.

110. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Scrutiny Officer presented the report entitled Annual Report of the Overview and Scrutiny Committee.

The Scrutiny Officer advised that this was a draft version of the report that would be submitted to Council and drew attention to the following:

Paragraph 5.2 of the Report

Listed a number of details that had not yet been completed. These would be completed following the meeting of Cabinet due to be held on 28 March 2017.

There would not be another meeting of this Committee before Annual Council, when this report would be considered and therefore the Committee was asked to authorise the Chairman to approve the final version of the report.

Paragraph 5.5 of the Report

There had only been two Task and Finish Groups this year due to difficulties arranging meetings. The Committee had agreed at a previous meeting that, in future, Task and Finish Groups would be held on fixed dates.

Paragraph 5.6 of the Report

The Committee had revised the Task and Finish Protocol in May 2016 after having established a small working group to come up with recommendations.

It was probably time to review the Protocol and he suggested that a survey of Members was the best way forward.

RESOLVED:

- (1) That, subject to (2) below, the draft Annual Report of the Overview and Scrutiny Committee be agreed;
- (2) That the Chairman of the Overview and Scrutiny Committee be authorised to approve the final version of the Annual Report prior to consideration by Council;

REASON FOR DECISION: To enable the Committee to comment on the Annual Report of the Overview and Scrutiny Committee 2016/17 prior to consideration by Council.

111. RESOLUTIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE

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

Minute 50 – September 2015 – Task and Finish Group on the Commercialisation of Council Services & Minute 103 – March 2016 – Task and Finish Group on the Quality of Council Reports

The expected follow up reports had not yet been received and Members may wish to consider having an agenda item at future meetings regarding feedback on Task and Finish Groups.

The Chairman agreed to look into the issue of actions taken following Task and Finish Groups and report back to the Committee.

The Chief Executive advised that a report regarding commercialisation would be considered by Cabinet on 28 March 2017.

RESOLVED:

- (1) That the actions resulting from the resolutions of the Overview and Scrutiny Committee be noted;
- (2) That Chairman be authorised to look into the issue of actions taken following Task and Finish Groups and report back to this Committee on her conclusions.

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

112. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The Scrutiny Officer presented the report entitled Overview and Scrutiny Work Programme, the following issues were discussed:

Executive Member Comments and Suggestions

Councillor Cunningham commented that one of the issues to consider was the distinction between Overview and Scrutiny.

The Corporate Plan was due to be considered in June 2017 and there were several issues to confront regarding the tightening of finances.

A large proportion of the work of the Council was what could be clarified as “business as usual”, this was work that nobody noticed until there was a problem or the Council stopped doing it, such as collection of waste.

The ideal measure of the success of “business as usual” was that nobody noticed any changes and the complaint levels did not increase, although this was not the most sensible way to consider issues from the Council’s point of view.

He was thinking carefully about how the Corporate Plan would be presented and considered that the highlights of “business as usual” matters should be included in the next version.

The Overview and Scrutiny Committee could then take a more comprehensive view of the contents of the Corporate Plan and offered to organise a Corporate Plan Workshop to discuss what should be included and the sorts of issues that this Committee would be keen to monitor and therefore what performance measures were relevant to ensure that a project delivers what was expected.

It was important that the Overview and Scrutiny Committee were involved in the early stages as well as monitoring outcomes.

It should be noted that the Council was policy led, but had to maintain a keen eye on the finances and the Corporate Plan should detail the realistic aims of the Council and enable the Overview and Scrutiny Committee to effectively hold the Administration to account.

Members were supportive of including a wider range of Council activities in the Corporate Plan and that more “business as usual” items should be included.

There was some concern expressed at the comment that residents shouldn’t notice the difference in terms of implementation of the waste contract as the aspiration should be to look at ways to improve services.

Members commented that the major criticisms made about the Council were in regard to the timeliness of the completion of projects and that the Council needed to consider why so many projects were not completed on time and queried whether staff reductions meant that there were now insufficient staff to enable timely delivery. They asked whether these problems would continue if staff levels continued to reduce.

The Chairman agreed to have further discussions with Councillor Cunningham to refine the prospective future process and that Members should make all efforts to attend and take part in any workshops offered.

Councillor Cunningham asked Members to let him know what background information they would require to support the proposed workshops.

Review of the District Museum and Community Facility at Hitchin Town Hall

A Member suggested that this was undertaken as a single item meeting of this Committee and that the meeting start earlier to allow maximum time for the review.

The Chairman advised that the review would likely be held over a number of meetings as it was a large piece of work.

Input into Policy

The Scrutiny Officer reminded Members that they had been keen to investigate ways in which they could have an earlier input into policy changes and suggested that the Committee consider whether they wish to look at the following documents:

- Service Plans;
- Key Projects Monitoring Report;
- Capital Programme Monitoring Report;
- Corporate Plan;
- Forward Plan;
- Risk Register.

The Committee could look at all of these documents or ask someone to review them on the Committee's behalf in order to identify the topics that would likely come to fruition in that Civic Year and therefore consider the actions being taken at an earlier stage.

Members were supportive of trialling a system by which future decisions could be identified at an earlier stage and agreed that the Scrutiny Officer, in conjunction with the Chairman of the Committee, should be tasked with reviewing the above documents and bringing a shortlist of items to the Committee as soon as possible in the process.

RESOLVED:

- (1) That the Overview and Scrutiny Committee Work Programme be noted;
- (2) That Members of this Committee be requested to consider what background information they would require to support a proposed workshop on the Corporate Plan and send their suggestions to the Scrutiny Officer;
- (3) That the Scrutiny Officer, in conjunction with the Chairman of the Overview and Scrutiny Committee, be requested to review the documents listed above and bring a shortlist of items for the Committee to consider as soon as possible in the development stage.

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

113. PROPOSED CREMATORIUM AT WILBURY HILLS CEMETERY – INTERIM REPORT ON BUSINESS CASE

This item was considered after the Part 2 item (Minute 115 refers).

The Committee considered the report entitled Proposed Crematorium at Wilbury Hills Cemetery – Interim Report on Business Case.

Members expressed concern that Cabinet very seriously consider and review the latest Business Case and financial information before deciding whether or not to proceed and that the cost officer time spent on this project, both to date and moving forward be included in the business case in order to reflect the full costs.

RECOMMENDED TO CABINET:

- (1) That, subject to (2) and (3) below, the recommendations contained in the report entitled Proposed Crematorium at Wilbury Hills Cemetery – Interim Report on Business Case be supported;
- (2) That the cost of Officer time spent on this project both to date and moving forward be included in the Business Case;
- (3) That Cabinet be requested to seriously consider and review the latest Business Case and financial information, including (2) above before deciding whether to proceed with this project.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to comment on the report entitled Proposed Crematorium at Wilbury Hills Cemetery – Interim Report on Business Case prior to consideration by Cabinet.

114. EXCLUSION OF PRESS AND PUBLIC

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 Paragraphs 3 and 5 of Part 1 of Schedule 12A of the said Act.

115. PROPOSED CREMATORIUM AT WILBURY HILLS CEMETERY – INTERIM REPORT ON BUSINESS CASE

This item was considered prior to the Part 1 item (Minute 113 refers).

The Service Manager – Grounds presented the report of the Head of Leisure and Environmental Services entitled Proposed Crematorium at Wilbury Hills Cemetery – Interim Report on Business Case.

RESOLVED: That the contents of the report entitled Proposed Crematorium at Wilbury Hills Cemetery – Interim Report on Business Case be noted.

REASON FOR DECISION: To enable the Overview and Scrutiny Committee to comment on the report entitled Proposed Crematorium at Wilbury Hills Cemetery – Interim Report on Business Case prior to consideration by Cabinet.

The meeting ended at 10.40 p.m.

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Chairman