

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, GERNON ROAD,  
LETCHWORTH GARDEN CITY ON TUESDAY, 16TH JULY, 2019 AT 7.30 PM

#### MINUTES

**Present:** Councillors David Levett (Chairman), Kate Aspinwall (Vice-Chairman), Val Bryant, Sam Collins, George Davies, Morgan Derbyshire (In place of Terry Hone), Tony Hunter, Lisa Nash, Sue Ngwala, Helen Oliver, Adem Ruggiero-Cakir, Carol Stanier, Claire Strong and Tom Tyson

**In Attendance:** Vaughan Watson (Service Director - Place), Jamie Sells (Service Manager- Waste and Recycling), Reuben Ayavoo (Policy and Community Engagement Manager), Jo Dufficy (Customer Services Manager), Sarah Kingsley (Communications Manager), Geraldine Goodwin (Revenues Manager), Kirstie Wilson (Temporary Scrutiny Officer) and Hilary Dineen (Committee, Member and Scrutiny Manager)

#### 14 APOLOGIES FOR ABSENCE

*Audio Recording – 12 seconds*

Apologies for absence were received from Councillors Terry Hone and Jim McNally

Having given due notice Councillor Morgan Derbyshire advised that he would be substituting for Councillor Hone.

#### 15 MINUTES - 4 JUNE 2019

*Audio recording – 27 seconds*

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 4 June 2019 be approved as a true record of the proceedings and be signed by the Chairman.

#### 16 NOTIFICATION OF OTHER BUSINESS

*Audio recording – 1 minute 13 seconds*

There was no other business notified.

#### 17 CHAIRMAN'S ANNOUNCEMENTS

*Audio recording – 1 minute 17 seconds*

- (1) The Chairman welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) 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.

- (4) The Chairman advised that Item 15 – Draft Developer Contributions SPD had been withdrawn pending clarification regarding the recent Planning Inspector's letter regarding the Local Plan. This item would be considered at a later meeting.
- (5) The Chairman advised that this was Kirstie Wilson's (Temporary Scrutiny Officer) last O&S meeting. She rose to the challenge of helping the Committee for more than a year and has been instrumental in getting the Hitchin Town Hall Review off to a flying start.
- (6) The Chairman reminded Members that the hearings for the Hitchin Town Hall Review would be held on 17 July 2019 in the Council Chamber and 18 July 2019 in Brotherhood Hall. The agenda, including statements of witnesses, were available on the public website. These meeting would be chaired by an independent person.

## **18 PUBLIC PARTICIPATION**

*Audio recording – 4 minutes 2 seconds*

There were no presentations by members of the public.

## **19 URGENT AND GENERAL EXCEPTION ITEMS**

*Audio recording – 4 minutes 7 seconds*

No urgent or general exception items were received.

## **20 CALLED-IN ITEMS**

*Audio recording – 4 minutes 12 seconds*

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

## **21 MEMBERS' QUESTIONS**

*Audio recording – 4 minutes 16 seconds*

No questions had been submitted.

## **22 PRESENTATION BY THE LEADER OF THE COUNCIL**

*Audio recording – 4 minutes 24 seconds*

Councillor Martin Stears-Handscorn, Leader of the Council, thanked the Chairman for inviting him to address the Committee. He gave a verbal presentation as follows:

- This presentation had traditionally considered the preceding year but for obvious reasons he would not be covering this;
- He expressed his commitment to Overview and Scrutiny and its role in being a critical friend to the Administration;
- He noted that the Committee had asked for a dedicated Scrutiny Officer and stated that he was sympathetic to the idea. The previous Administration agreed to provide support through Committee, Member and Scrutiny Services and the Committee should see how this worked, however he would review the situation in the Autumn. It was important there was sufficient support to service the activities of the Committee, with a level of independence;
- Work was being undertaken with the Local Government Association to institute a Peer Review as soon as possible with Overview and Scrutiny being part of the process;

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- How support and resources was provided was dependent of the financial situation;
- It is regrettable that there was no knowledge of how much the settlement would be for the coming year;
- Austerity was a political choice that almost squeezed the life out of Local Government;
- He was confident that, whilst working with what was available, the Council could work together to make a difference for the community;
- He was delighted that the Council had agreed to become a Co-operative Council;
- He wanted to engage and work with the communities and how this was done was important. The Council needed to be constructive, inclusive, manage expectations, learn from mistakes and make every effort to reach those who are hard to reach;
- Want to ensure that all 49 Councillors have an opportunity to input into Council decisions;
- Committed to a thorough review of our governance and the Constitution;
- Some Councils had gone back to a Committee structure and he may wish to talk to one of those Councils to learn about their experience
- Cabinet Panels and Task and Finish Groups were methods of involving other members of the Council;
- This Council had become very centralised and he was committed to expanding the work of Area Committees so that they could take more of a lead in their communities;
- Want to learn from the approach of other innovative Councils and be ambitious and proactive for our Council;
- It was notable that our towns are not included in larger infrastructure issues and it was important that our voice was heard;
- In respect of Churchgate they were talking to people about options and to pursue all avenues
- In respect of the Local Plan, he was disappointed at the change of goalposts by the Inspector;
- In respect of the Waste Contract, he had been kept up to speed, Urbasr had made changes to the staff teams and were taking actions to improve access to the payments system. Next year they would be including the option to pay by Direct Debit.

The following Members commented and asked questions:

- Councillor David Levett

The Chairman thanked Councillor Stears-Handscorn for his presentation.

## **23 COUNCIL PLAN 2020-2025 AND COUNCIL OBJECTIVES 2020-2025**

*Audio recording – 17 minutes 4 seconds*

The Leader of the Council presented the report entitled Council Plan 2020-2025 and Council Objectives 2020 – 2025 together with the following appendix:

- Appendix A - Draft Council Plan 2020-2025 Outline.

He advised that they would not be not asking Cabinet to adopt a Plan at the next meeting, but were starting a process.

Due to the change of Administration, the all Members workshop had been postponed.

The paper being considered was a top-level document which included the 5 main objectives:

- Be a more welcoming and inclusive council;
- Building thriving and resilient communities;
- Responding to challenges to the environment;
- Enabling an enterprising and co-operative economy;
- Supporting the delivery of good quality and affordable housing.

Cabinet would take into account any comments from this Committee.

Each Executive and Deputy Executive Member had been asked to consider what should be incorporated into the Plan from their area.

The all Member workshop would take place on 18 September 2019 where the Executive Members would present the priorities for their area and the view of Members would be taken into account.

An additional Cabinet meeting in October would then consider the Plan, which would then be considered by Council in November 2019.

He was indebted to the Policy and Community Engagement Manager for his work on this Plan.

The following Members commented on the Plan:

- Councillor Tony Hunter;
- Councillor David Levett.

Comments included:

- The objectives may be difficult to achieve as the Council had to work within legal frameworks;
- Budgetary issues probably have an impact on delivery of some of the objectives, particularly those regarding housing;
- In respect of Supporting Parishes and Neighbourhood Plans, the Government was no longer providing funding for this;
- Notes this was Policy led budgeting, but there was some caution that plans and actions be within the means of the council

The Leader of the Council acknowledge that some of the area would be difficult to achieve, but they aimed to do whatever they could. Housing was a difficult area, but there was a need and much of the work would be undertaken with Housing Associations.

**RESOLVED:** That the report entitled Council Plan 2020-2025 and Council Objectives 2020 – 2025 be noted:

**RECOMMENDED TO CABINET:** That the comments above be taken into consideration during the process of drawing up and adopting the Council Plan and Council Objectives.

**REASON FOR DECISION:** To enable the Overview and Scrutiny Committee to consider the report entitled Council Plan 2020-2025 and Council Objectives 2020 – 2025 prior to consideration by Cabinet.

## 24 WASTE COLLECTION FROM MULTI OCCUPANCY PROPERTIES (MOP)

*Audio Recording – 24 minutes 50 seconds*

The Executive Member for Recycling and Waste presented the report entitled Waste Collection from Multi Occupancy Properties (MOP) together with the following appendix:

- Appendix A - Urbasers financial claim to retain weekly collections except recycling.

The Executive Member for Recycling and Waste advised that the figure, highlighted in yellow, in recommendation 2.2 of the report should read £163,947.44 per annum.

The section, highlighted in yellow, in section 5.3 of the report should be deleted as this would not be included in the report to be presented to Cabinet.

Cabinet was not being asked to look at the history of this contract, however she was aware that Overview and Scrutiny may wish to ask questions.

There had been a decision to postponed phase two of the contract. Having looked at comprehensive data, collated by officers, it was shown that 61 percent of these properties were not suitable for fortnightly collections.

The alternatives were considered such as the costs of fortnightly collections and the reputational issues of doing this.

The additional costs had been fully costed.

The following Members made comments and asked questions:

- Councillor David Levett;
- Councillor Kate Aspinwall;
- Councillor Sam Collins;
- Councillor Tony Hunter.

In response to questions the Service Director Place referred Members to Paragraph 7.1 of the report. At the time the contract was let the Council was in receipt of £850.000 of DCLG funding for the collection of weekly food waste. Officer pulled together a report to support harmonising of collections from Multi Occupancy Properties, however, with hindsight there wasn't sufficient data.

The tender was based on moving to fortnightly collection of residual waste but, due to the initial issues, the contractors delayed implementation.

Officers noticed that further data was required prior to implementing fortnightly residual collections, however the contractor tendered on this basis.

Not moving to fortnightly collections meant that Urbaser could not make the savings they were expecting as part of the contract.

As it was Urbaser's choice to delay moving to fortnightly collections, they absorbed the costs for 14 months.

In respect of paragraphs 9.3, 9.4 and 7.3, the tender process needs to be considered and a written response provided regarding the question posed by Councillor Aspinwall.

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The Executive Member for Waste and Recycling advised that the Overview and Scrutiny Committee planned review of the Waste Contract may be best placed to look at any issues regarding the contract and procurement issues.

The Chairman advised that the planned Task and Finish Group on Waste would take place once the current Task and Finish Group had been completed.

**RESOLVED:** That the Service Director – Place be requested to provide a written answer to the question raised by Councillor Kate Aspinwall regarding the contract.

**RECOMMENDED TO CABINET:** That the recommendations contained in the report be endorsed.

**REASON FOR DECISION:** To enable the Overview and Scrutiny Committee to consider the report entitled Waste Collection from Multi Occupancy Properties (MOP) prior to consideration by Cabinet.

## **25 REVIEW OF COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY**

*Audio recording – 48 minutes 10 seconds*

Councillor David Levett advised Members that his wife worked in the Customer Services Department, however she had no input into any facts or figures used in this report.

The Customer Services Manager presented the report entitled Review of Comments, Compliments and Complaints Policy together with the following appendix:

- Appendix A – Comments, Compliments and Complaints Policy Updated May 2019.

She advised that

- The current Policy was well embedded and received good feedback from customers;
- 3Cs were recorded corporately on the Customer Relationship Management System;

She drew attention to the following paragraphs of the Policy that had been amended:

- Paragraph 4.4 - an additional paragraph regarding complaints regarding contractors;
- Paragraph 4.5 – regarding complaints about staff members;
- Paragraph 7.3 – an additional paragraph regarding social media;
- A separate Policy was in place regarding unreasonable and unacceptable behaviour;

Benchmarking had taken place against neighbouring authorities and NHDC was leading the way. The Local Government Ombudsman was content with the approach.

The following Members commented and asked questions:

- Councillor David Levett;
- Councillor Kate Aspinwall;
- Councillor Helen Oliver;
- Councillor Sue Ngwala.

Members were concerned that there were no definitions regarding unreasonable and unacceptable.

In response to questions the Customer Services Manager advised that in respect of Paragraph 4.4 and 4.5 of the Policy Data was received regarding 3Cs from contractors, the aim was to enable the contractor to put things right in the first instance and there were regular contract meetings to discuss issues.

It was very rare for a decision to cease contact with a customer was made and if this action was taken, there was a review process undertaken before action was taken.

If there was an issue contacting a contractor, customer services would take complaints.

**RESOLVED:**

- (1) That the report be noted;
- (2) That Paragraph 4.4 of the policy be reworded to ensure that the Council's responsibility and willingness to take complaints was made clear and to set out steps to be taken;
- (3) That definitions be included regarding unreasonable, unacceptable and vexacious.

**REASONS FOR DECISIONS:** To enable the Overview and Scrutiny Committee to comment on the report entitled Review of Comments, Compliments and Complaints Policy.

**26 INFORMATION NOTE - FULL YEAR UPDATE ON COMMENTS, COMPLIMENTS AND COMPLAINTS**

*Audio recording – 1hour 5 minutes 10 seconds*

The Customer Service Manager presented the information note entitled Full Year Update on Comments, Compliments and Complaints together with the following appendices:

- Appendix A – Dashboard;
- Appendix B - Breakdown by Service Area;
- Appendix C – Facebook Dashboard;
- Appendix D – Twitter Dashboard;
- Appendix E – Instagram Dashboard.

She drew attention to Section 3 of the report that detailed a significant increase in the receipt of 3Cs, which were mostly regarding the changes to the waste service. A separate chart had been provided to show complaints regarding waste.

Careline was a service that received high numbers of compliments.

There were increased amounts of feedback from leisure centres following installation of feedback machines.

10 complaints had been taken to the Local Government Ombudsman. Unusually 4 complaints were upheld, 3 related to Planning and it had been identified by NHDC that a fault had occurred in the process. The enquiry by the Ombudsman echoed the internal findings and found that the remedies already put in place were sufficient, or that no further action was required.

One complaint was upheld by the Ombudsman where a remedy was required and it was recommended that a payment be made to the complainant also that processes be put in place to prevent this happening again.

The Ombudsman had very useful information and learning points, which was accessed by officers.

The following Members asked questions:

- Councillor David Levett;
- Councillor Val Bryant;
- Councillor Claire Strong;
- Councillor Tony Hunter;
- Councillor Sue Ngwala.

The Customer Services Manager advised that to her knowledge, process had been put in place to prevent further occurrences of events that generated the complaints to the Ombudsman.

The reason for the increase in feedback from Hitchin Swim Centre was the installation of feedback machines.

If somebody phoned for the first time with a complaint, this would be accepted as such, however if they were contacting us about an issue such as a missed bin this would be considered a service request, although further contact about the same issue would be recorded as a complaint.

Members asked that the link to the Local Government Ombudsman be sent to all Members and substitutes of the Committee.

North Herts Leisure Centre received an increase in complaints during the period that building work was being undertaken.

**RESOLVED:**

- (1) That the Customer Services Manager be requested to circulate the link to the Local Government Ombudsman website to all Members and Substitutes if this Committee;
- (2) That the Customer Services Manager be asked to clarify the reasons for the increased number of complaints regarding the Hitchin Swim Centre and reduced number of complaints for North Herts Leisure Centre;
- (3) That the information note be noted.

**REASON FOR DECISIONS:** To enable the Overview and Scrutiny Committee to consider the report entitled Full Year Update on Comments, Compliments and Complaints.

**27 FAIR COLLECTION POLICY**

**RESOLVED:**

- (1) That the Revenues and Benefits Manager be asked to undertake further work on the definitions within the Policy;
- (2) That the Revenues and Benefits Manager be requested to collect data available from Councils undertaking ethical debt collection and provide this detail to Members of this Committee and Cabinet;
- (3) That the Revenues and Benefits Manager be requested undertake some feedback checks on those customers that have been visited by collection agents.

**REASON FOR DECISIONS:** To enable the Overview and Scrutiny Committee to comment on the draft Fair Collection Policy.



**28 DRAFT DEVELOPER CONTRIBUTIONS SPD**

*Audio Recording – 1 hour 54 minutes 16 seconds*

The Chairman had previously advised that the report entitled Draft Developer Contributions SPD had been withdrawn pending clarification regarding the recent Planning Inspector's letter regarding the Local Plan and that this item would be considered at a later meeting.

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

*Audio recording – 1 hour 54 minutes 20 seconds*

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

March 19 - Min 13 (5)

The first update regarding the waste contract was issued in MIS on 5 July 2019

June 19 - Min 10 (3) & (4)

Responses were sent on 19 July 2019.

June 19 - Min 12 (3)

The Waste Manager advised that the routes for waste collections had not changed, it was the timings that had changed.

Members were disappointed that the route maps had not been circulated.

June 19 - Min 13 (2)

Members were disappointed that the Service Director – Commercial had not yet attended the meeting to give a presentation and answer questions and asked that he be invited to the next meeting of the Committee.

**RESOLVED:**

- (1) That the report entitled Resolutions of the Overview and Scrutiny Committee be noted;
- (2) That the Service Director – Place be urgently requested to provide maps for the waste collection routes, or a suitable link that enables access to them and that this be circulated to all Members within the next 4 weeks;
- (3) That, if resolution (1) above is not able to be actioned, the Service Director – Place be requested to explain why;
- (4) That the Service Director – Commercial be requested to attend the next meeting of this Committee to provide a presentation and answer questions.

**REASON FOR DECISIONS:** To enable the Overview and Scrutiny committee to monitor actions following resolutions made at previous meetings.

### 30 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME FOR 2019/20

*Audio recording – 2 hour 4 minutes 35 seconds*

The Temporary Scrutiny Officer presented the report entitled Overview and Scrutiny Committee Work Programme for 2019/20 together with the following appendices:

- Appendix A - Work Programme for future Committee meetings;
- Appendix B - Forward Plan - 1 July 2019.

She drew attention to the following:

#### Hitchin Town Hall Review / North Hertfordshire Museum Project

The review hearings regarding the Hitchin Town Hall start on 17 July 2019  
Agendas for these meetings were available on the Council's website.

The Committee, Member and Scrutiny Manager advised that the report from this Task and Finish Group may not be presented to the Committee in September as planned as a number of witnesses could not attend the first two days if hearings and therefore a further day will need to be scheduled

#### Task and Finish Group on Waste

The Chairman asked that the Task and Finish Group on Waste be scheduled to start as soon as the current Task and Finish Group is completed.

#### Commercial Strategy Update

The Service Director – Commercial had provided an update regarding the Commercial Strategy at Appendix C.

Members were disappointed at the lack of update regarding the Commercial Strategy for this Committee.

They felt that the Commercial Strategy was one of the most crucial activities for the success of this Council.

Target setting and being held responsible were issues to be discussed. Not much had been achieved as yet and the Committee needed to be made aware of the actions being taken, the projects being considered and what success would look like

#### Forward Plan

This was provided at Appendix B

#### Recommendation 2.2

This recommendation should read:

"That the Committee agrees the list of items to be considered at its meeting on 17 September 2019.

**RESOLVED:**

- (1) That the report entitled Overview and Scrutiny Work Programme for 2016/20 be noted;
- (2) That the Committee, Member and Scrutiny Manager be asked to liaise with the Chairman to schedule in the Task and Finish Group on Waste to start as soon as the current Task and Finish Group is concluded;
- (3) That the Service Director – Commercial be made aware of the requirements of this Committee as detailed above.

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

The meeting closed at 9.42 pm

Chairman