



MEETING : OVERVIEW AND SCRUTINY COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 13 JUNE 2017
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillor M Allen (Chairman)
Councillors D Abbott, M Casey, G Cutting, B Deering, I Devonshire,
H Drake, M Freeman, J Goodeve, Mrs D Hollebon, P Moore, P Phillips,
M Stevenson and N Symonds

Substitutes

Conservative Group: Councillors P Kenealy, C Snowdon, R Standley
and K Warnell

*(Note: Substitution arrangements must be notified by the absent Member
to Democratic Services 24 hours before the meeting)*

**CONTACT OFFICER: LORRAINE
BLACKBURN**
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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
 - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
 - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
 - participate in any discussion or vote on a matter in which a Member has a DPI;
 - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Public Attendance

East Herts Council welcomes public attendance at its meetings and will provide a reasonable number of agendas for viewing at the meeting. Please note that there is seating for 27 members of the public and space for a further 30 standing in the Council Chamber on a “first come first served” basis. When the Council anticipates a large attendance, an additional 30 members of the public can be accommodated in Room 27 (standing room only), again on a “first come, first served” basis, to view the meeting via webcast.

If you think a meeting you plan to attend could be very busy, you can check if the extra space will be available by emailing committee.services@eastherts.gov.uk or calling the Council on 01279 655261 and asking to speak to Democratic Services.

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Chairman's Announcements

2. Appointment of Vice Chairman

3. Apologies

To receive apologies for absence.

4. Declarations of Interest

To receive any Member(s)' Declaration(s) of Interest and Party Whip arrangements.

5. Leisure Strategy: Part 1 - Funding approval to support a proposed future direction of travel for Council Managed leisure facilities; Part 2 Funding consideration for a proposal to develop the leisure and sports provision in Bishop's Stortford

"To follow"

6. Priorities for Parking Enforcement (Task and Finish Group) (Pages 5 - 14)

7. Review of Planning Enforcement (Pages 15 - 18)

8. Draft Work Programme 2017 /18 (Pages 19 - 28)

9. Urgent Items

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

EAST HERTS COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE: 13 JUNE 2017

REPORT BY CHAIRMAN OF OVERVIEW AND SCRUTINY COMMITTEE

PARKING ENFORCEMENT CONTRACT SCRUTINY TASK AND FINISH GROUP – TERMS OF REFERENCE AND SCOPE

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To confirm the scope and draft Terms of Reference of the Parking Enforcement Contract Scrutiny Task & Finish Group as outlined in **Essential Reference Paper 'B'**.

RECOMMENDATION FOR DECISION

That:

(A)	the scope and Terms of Reference of the Parking Enforcement Contract Scrutiny Task and Finish Group set out in Essential Reference Paper 'B' be endorsed;
(B)	Members' comments or suggestions relating to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.

1.0 Background

1.1 The Council's parking enforcement contract is about to be re-tendered, with a commencement date of 16 January 2019. Officers have gained from the experiences of the twelve years since parking enforcement in East Herts was 'decriminalised', to craft a contract that meets the changing needs of the district for the next 5+ years.

1.2 Members play an important community leadership and representative role and are ideally placed to reflect the views of East Herts residents and business community. Accordingly they

are invited to contribute to the process of crafting the next generation contract, primarily by confirming the Council's enforcement priorities.

2.0 Report

2.1 The Terms of Reference and Scope is set out at **Essential Reference Paper "B"**.

2.2 The aim of the Task and Finish Group is to allow Members to inform the operation of the Council's parking enforcement service over the period 2019-2014 by confirming its enforcement priorities for the coming years.

2.3 The work of the Task and Finish Group will contribute to the following outcomes:

- A contract (and therefore a parking enforcement service) that is fit for purpose and which reflects the changing nature of our communities;
- A service that provides East Herts residents' with value for money.

2.4 Members are asked to note the constraints as detailed in **Essential Reference Paper "B"**.

2.5 The Task and Finish Group is due to meet 3 or 4 times in June and July 2017 and its findings will be reported back to the Committee at its meeting on 12 September 2017. It is anticipated that this timeframe will allow recommendations and priorities identified to inform the writing of contract specification to be undertaken by officers in autumn 2017.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers: none

Contact Member: Overview and Scrutiny Committee Chairman: Cllr
Mike Allen
mike.allen@eastherts.gov.uk

Contact Officer: Andrew Pulham, Parking Services Manager
alison.stuart@eastherts.gov.uk

Report Author: Fiona Corcoran, Scrutiny Officer
fiona.corcoran@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives: 2017/18 wording	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy Effective use of the scrutiny process contributes to the Council's ability to meet one or more of its corporate objectives.
Consultation:	Potential topics for scrutiny are always invited from the Executive and all Members and the public are asked through an annual item in the 'council tax' edition of LINK magazine which is delivered to every household. Members of each scrutiny committee are consulted at every meeting as their work programme is a standing item on the agenda.
Legal:	According to the Council's constitution, the scrutiny committees are responsible for the setting of their own work programme in consultation with the Executive and in doing so they shall take into account wishes of members on that committee who are not members of the largest political group on the Council.
Financial:	Any additional meetings and every task and finish group has resource needs linked to officer support activity and time for officers from the services to make the required input.
Human Resource:	None
Risk Management:	Matters which may benefit from scrutiny may be overlooked. The selection of inappropriate topics for review would risk inefficient use of resources. Where this involved partners, it could risk damaging the reputation of the council and relations with partners.
Health and wellbeing – issues and impacts:	The broad remit of scrutiny is to review topics which are of concern to the public, many of which have an indirect impact on the general wellbeing of residents of East Herts.

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SCRUTINY REMIT:

Parking Enforcement Contract Procurement Scrutiny Task and Finish Group

OBJECTIVE:

To allow Members to inform the operation of the Council’s parking enforcement service over the period 2019-2024 by confirming our enforcement priorities for the coming years.

BACKGROUND:

The Council’s parking enforcement contract is about to be re-tendered, with a commencement date of 16 January 2019.

Officers want to gain from the experiences of the twelve years since parking enforcement in East Herts was ‘decriminalised’ to craft a contract that meets the changing needs of the district for the next 5+ years.

Members play an important community leadership and representative role and are ideally placed to reflect the views of East Herts residents and our business community. Accordingly they are invited to contribute to the process of crafting the next generation contract, primarily by confirming the Council’s enforcement priorities.

EXAMPLE OF QUESTIONS TO BE ADDRESSED:

- Should we place greater emphasis on enforcement of the evening economy?
- Do areas around schools need greater enforcement attention?
- What attention should be given to on-street enforcement versus car park enforcement and do we have any priorities within each area?
- Would ANPR equipped vehicles be an appropriate enforcement tool, albeit in the limited circumstances permitted in law?
- Should the council accept requests for enforcement from members of the public and if so, under what circumstances?

OUTCOMES:

- A contract (and therefore a parking enforcement service) that is fit for purpose and which reflects the changing nature of our communities.
- A service that provides our residents with value for money.

CONSTRAINTS:

- Members are not being asked to write the contract specification but rather will be invited to identify the Council’s enforcement priorities for the next five+ years
- Many aspects of the parking enforcement function are governed by statute or codes of practice and any proposed changes will have to conform to these (and to relevant EHDC policy).
- The Council’s budget for the parking enforcement contract is fixed and some solutions may not be feasible on cost grounds.

WITNESSES (individuals)

- Andrew Pulham – Parking Manager
- HCC Highways (TBA)
- Another Hertfordshire parking manager (TBA)
- Council’s consultant assisting with the preparation and retendering of the contract. (Mr Peter Lowe – RTA Associates Ltd).

EVIDENCE (i.e. organisations e.g. HCS)

- Town Councils
- Chambers of Trade

METHOD:

Task & Finish Group
 Three fortnightly meetings (Evenings)
 One meeting with external witnesses (daytime) TBC

MEMBERSHIP:	
Jonathan Kaye (Chair)	Holly Drake
Mark Pope	George Cutting
Jeff Jones	Ian Devonshire
Colin Woodward	

SUPPORT:	
Scrutiny Officer:	Fiona Corcoran
Lead Officers:	Andrew Pulham

EHC Corporate Priorities:

how this item helps deliver the Priorities *delete as appropriate*

Priority 2 - Enhance the quality of people's lives	Attractive places
	Future development best meets the need of the district and its residents
Priority 3 - Enable a flourishing local economy	Support for our businesses and the local economy
	Vibrant town centres
	Working with others, to have achieved the right infrastructure for our businesses and communities

CfPS ACCOUNTABILITY OBJECTIVES: *delete as appropriate*

1. Transparent – opening up data, information and governance
2. Inclusive – listening, understanding and changing
3. Accountable – demonstrating credibility

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EAST HERTS COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE – 13 JUNE 2017

REPORT BY DIRECTOR, HELEN STANDEN

UPDATE ON PLANNING ENFORCEMENT

WARD(S) AFFECTED:

Purpose/Summary of Report

- Provide an update on the current position in regard to the Council's Planning Enforcement Service

<u>RECOMMENDATIONS FOR Overview and Scrutiny:</u>	
That:	
(A)	Members note the update and a full action plan be presented to the next Overview and Scrutiny Committee

1.0 Background

Following the raising of concerns expressed over the timeliness of enforcement action in some cases, the Portfolio holder and Director met with Planning Enforcement to review the current position.

2.0 Report

2.1 A task and finish group (set up in September 2015) considered and revised the Enforcement Plan, culminating in a report back to Environmental Scrutiny Committee in February 2016.

2.2 The Plan was adopted but not fully integrated within the service area and due to increasing workloads within the team, integration has halted.

2.3 The recommended 0.5FTE has not been recruited to with a number of capacity issues cited along with the subsequent restructure proposal for the whole Planning Service which

commenced in September 2016. There have been failings within the Council which have meant that the appropriate support has not been provided in order to progress matters as members would have expected.

- 2.4 As a result, the predicted improvements to the Planning Enforcement Service have not materialised. This is partly due to capacity issues but also due to the lack of drive and momentum to change ways of working and embrace the new Plan.
- 2.5 Following an initial evaluation by the Director, a clearer picture is emerging and a full review has commenced to determine how we drive the service forward, address capacity issues and relieve undue pressure on the team.
- 2.6 By 12 June 2017, it is anticipated that 1.5 FTE will have been recruited to the team. Consideration is being given and advice sought (due 16 June 2017) on outsourcing the Council's backlog to a specialist planning enforcement company. Further integration with Uniform IDOX computer system is anticipated.
- 2.7 Resources will be made available to ensure that the action plan is successful.
- 2.8 It is therefore proposed that this update is received and a full action plan to deal with the issues arising is presented to Overview and Scrutiny Committee in September 2017. This will enable officers to develop and apply the robust action required.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers: none

Contact Member: Suzanne Rutland-Barsby
Suzanne.Rutland-Barsby@eastherts.gov.uk

Contact Officer: Helen Standen - Director
Contact Tel No - 1405
helen.standen@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (<i>delete as appropriate</i>):	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy
Consultation:	This is an update report and will be followed up with a full action plan and report on progress at the September 17 Overview and Scrutiny meeting
Legal:	None
Financial:	Estimates for outsourcing the backlog are currently being obtained.
Human Resource:	None
Risk Management:	None
Health and wellbeing – issues and impacts:	None

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EAST HERTS COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE: 13 JUNE 2017

REPORT BY CHAIRMAN OF OVERVIEW AND SCRUTINY COMMITTEE

DRAFT WORK PROGRAMME 2016/17

WARD(S) AFFECTED: *none*

Purpose/Summary of Report

- To review and determine Overview & Scrutiny(OS) Committee's future work programme

<u>RECOMMENDATION FOR DECISION:</u>	
That	
(A)	the work programme as detailed, be agreed

1.0 Background

1.1 Items previously required, identified or suggested for the OS work programme are set out in **Essential Reference Paper "B"**.

2.0 Report

2.1 The draft agenda for 2017/18 meetings of Overview and Scrutiny Committee is shown in **Essential Reference Paper "B"**. The timing of some items shown may have to change depending on availability of essential data (eg. from central government).

2.2 Members are asked whether there are any additional topics they wish to put forward for inclusion on any future agenda. Suggestions can be made at the meeting or by completing the form attached as **Essential Reference Paper "C"** and submitting to the Scrutiny Officer. The Committee will also be given the chance to contribute suggestions and select new topics for consideration at a work programme planning meeting; the date of which will be confirmed in due course.

- 2.3 Members are asked to consider the following suggestions:
- (a) To invite one or more of the Executive Members to attend a particular meeting for a specific agenda item.
 - (b) To invite one or more of the Executive Members to attend a particular meeting to present an update and answer questions on their portfolio.
- 2.4 Members are asked whether there is any training relevant to scrutiny or to the function/remit of Overview and Scrutiny as a committee which they would like to have arranged. This could be done as a separate session open to all scrutiny members or as an item on a future Overview and Scrutiny agenda (as appropriate).
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers: none

Contact Member: OS Committee Chairman: Cllr Mike Allen
mike.allen@eastherts.gov.uk

Contact Officer: Alison Stuart, Head of Legal and Democratic Services
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Report Author: Fiona Corcoran, Scrutiny Officer
fiona.corcoran@eastherts.gov.uk

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Financial:	Any additional meetings and every task and finish group has resource needs linked to officer support activity and time for officers from the services to make the required input.
Human Resource:	None
Risk Management:	Matters which may benefit from scrutiny may be overlooked. The selection of inappropriate topics for review would risk inefficient use of resources. Where this involved partners, it could risk damaging the reputation of the council and relations with partners.
Health and wellbeing – issues and impacts:	The broad remit of scrutiny is to review topics which are of concern to the public, many of which have an indirect impact on the general wellbeing of residents of East Herts.

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Overview & Scrutiny (OS) Committee Work Programme 2017/18 – DRAFT

Meeting Date (Scrutiny Officer)	Topic	Lead Officer	Notes
12 September 2017 (Claire Pullen)	Report back from 'Priorities for Parking Enforcement ' T&F group	Head of Service and Parking Service Manager	
	Report on Fuel Poverty (postponed from March 2017).	D Thorogood	D Thorogood to update on what best date for this to come
	Work Programme	Fiona Corcoran	
17 October 2017 (Fiona Corcoran)	Report on Integration of Public Health within the council's core services - review ?	Lead officer + Heads of Service	Item from HWB scrutiny Committee – check with Claire Pullen
	<i>And/or to HWB forum?</i>		
	Work Programme	Fiona Corcoran	
12 December 2017 (Fiona Corcoran)			
	Work Programme	Fiona Corcoran	
20 February 2018 (Claire Pullen)	2018/19 Corporate Service Plans	Ben Wood	All heads of service to be present

	Work Programme	Fiona Corcoran	
	Work Programme	Fiona Corcoran	

Other items/notes:

POSSIBLE ITEMS:

- Municipal Waste Incinerators study – proposal received from John Webb of Herts Without Waste
- Waste and Street Cleansing Contract – t&f group to reconvene once contract specifications and negotiations were sufficiently advanced for us to assess how the service designs and options which featured in T&F meetings had developed – what is timeframe for this?

Overview & Scrutiny Committee – Deadlines for Papers

DATE OF MEETING	AGENDA DISPATCH	REPORT DEADLINE
12 September 2017	4 September 2017	30 August 2017
17 October 2017	9 October 2017	4 October 2017
12 December 2017	4 December 2017	29 November 2017
20 February 2018	12 February 2018	7 February 2018
17 April 2018	9 April 2018	4 April 2018

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ESSENTIAL REFERENCE PAPER C

Scrutiny Proposal form

Name of proposer:

What would you like to suggest for investigation / review by scrutiny?

Why would you like this to be reviewed? (Include the main issues / concerns to be considered)

Please continue on a separate sheet if necessary

What would be the likely benefits and outcomes of carrying out this investigation / review?

Estimated resource implications on staff and councillors (e.g. research group, one-off report, dedicated meeting etc) to achieve the likely outcome. The outcome must be proportionate to the cost of carrying out the review.

Suggested witnesses, documentation and consultation required

Will this investigation / review contribute to one or more of the Council's Strategic Priorities? If so, which (please tick)?

Improve the health and wellbeing of our communities

Enhance the quality of people's lives

Enable a flourishing local economy

Will this investigation / review meet one of the criteria below? If so, which (please tick)?

Public Interest: The issue has been identified as a concern by local people

Impact (Value): The issue will make a significant difference to the social, economic and environmental wellbeing of residents, and has the potential for outcomes that could lead to real improvements

Relevance: The issue is relevant and does not duplicate existing work being undertaken elsewhere

Partnership working or external scrutiny: The issue involves moving towards collective action and community leadership

Would you like to be involved in the investigation / review?

Yes

No

Date of request:

Signed:

Please return this form to the: Scrutiny Officer, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ Email: fiona.corcoran@eastherts.gov.uk