



James Ellis

Head of Legal and Democratic Services

MEETING : OVERVIEW AND SCRUTINY COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 22 MARCH 2022
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillor John Wyllie (Chairman)

Councillors S Bell, M Brady, R Buckmaster, A Curtis, I Devonshire,
H Drake, J Frecknall, M Goldspink (Vice-Chairman), D Hollebbon,
D Snowdon, M Stevenson, N Symonds and A Ward-Booth

Substitutes

Conservative Group: Councillors D Andrews and I Kemp
Green Councillor B Crystall
Labour: Councillor C Redfern

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

CONTACT OFFICER: PETER MANNINGS
01279 502174
PETER.MANNINGS@EASTHERTS.GOV.UK

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- 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;
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AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes - 18 January 2022 (Pages 5 - 32)

To approve as a correct record the Minutes of the meeting held on 18 January 2022.

3. Chairman's Announcements

4. Declarations of Interest

To receive any Members' Declarations of Interest.

5. Street Cleansing Contract Performance (Pages 33 - 60)

6. Waste Shared Service Governance Report (Pages 61 - 82)

7. Digital Exclusion (Pages 83 - 88)

8. Overview and Scrutiny Draft Work Programme 2022/23 (Pages 89 - 110)

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.

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY 18
JANUARY 2022, AT 7.00 PM

PRESENT: Councillor J Wyllie (Chairman)
Councillors M Brady, R Buckmaster,
B Crystall, A Curtis, I Devonshire, H Drake,
M Goldspink, D Hollebon, D Snowdon,
M Stevenson, N Symonds and A Ward-
Booth

ALSO PRESENT:

Councillors E Buckmaster, L Haysey,
G McAndrew, C Redfern, P Ruffles and
G Williamson

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Jonathan Geall	- Head of Housing and Health
Helen George	- Housing Development and Strategy Manager
Jess Khanom- Metaman	- Head of Operations

Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Nanci Pomfrett	- Trainee Environmental Health Practitioner
Ian Sharratt	- The Leisure and Parks Development Manager
Ben Wood	- Head of Communications, Strategy and Policy

284 APOLOGIES

Apologies for absence were submitted on behalf of Councillor Bell and Councillor Frecknall. It was noted that Councillor Crystall was substituting for Councillor Frecknall.

285 MINUTES - 2 NOVEMBER 2021

Councillor Ward-Booth proposed and Councillor Symonds seconded, a motion that the Minutes of the meeting held on 2 November 2021 be confirmed as a correct record and signed by the Chairman.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 2 November 2021, be confirmed as a correct record and signed by the Chairman.

286 CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that if any Member wished to discuss any matters relating to page 181 of Agenda Item 8, regarding Electric Vehicle Charging Tariffs, the Committee would need to exclude the press and public.

The Chairman reminded Members to wipe down their desk and chair after the meeting had concluded.

287 DECLARATIONS OF INTEREST

There were no declarations of interest.

288 THE EAST HERTS HOUSING STRATEGY 2022 TO 2027

The Head of Housing and Health submitted a report on the draft East Herts Housing Strategy 2022 – 2027. Members were advised that the current East Herts Council Housing Strategy for 2016 to 2021 now required replacement and new Strategy for 2022 to 2027 had been drafted to respond to new legislation, changing market conditions and evolving trends in housing need.

The Head of Housing and Health said that it was not statutory requirement for a local authority to have a housing strategy, but there were a number of benefits of having a housing strategy. These benefits include allowing oversights of the need for affordable housing

development, housing demand among people with special needs, and the measures which could be undertaken to improve housing standards and sustainability.

The Head of Housing of Health referred to the four strategic priorities of the housing strategy within the report, as well as the set of objectives associated with each strategic priority. He highlighted a number of key issues including increasing the supply of new homes at the lower end of affordable rent spectrum, the need to focus on housing need in rural communities, and working with partners to tackle issues such as housing support for rough sleepers.

Councillor Goldspink asked if the Executive Member had investigated the statement from the Local Government Association (LGA) in relation to seeking more funding to provide additional homes for social rent, as there was insufficient affordable housing for social rent in this area.

The Head of Housing and Health said that the Housing Strategy recognised the need to increase all forms of affordable housing, including homes for social rent. He said that this matter had been identified as a strategic priority within the strategy and a detailed set of actions would be prepared in due course, as outlined in the report.

The Head of Housing and Health said that the LGA had promoted the case for more funding to be made available to Homes England to support affordable housing development. Members were advised that all

forms of funding were being explored and at present, almost all affordable housing developments in East Herts were funded through planning agreements. The Homes England grant for affordable housing was not available in these circumstances, as the subsidy was provided by the private developer.

Councillor Goldspink asked if the Council could provide some pre-fabricated housing units, sometimes referred to as pods, for homeless people. Other Councils had provided low cost separate individual units of this kind for homeless people. The Head of Housing and Health said that the Council was always open to considering methods for increasing accommodation for homeless households. An additional 17 self-contained units had been acquired and provided in East Herts during the past 12 months, with a further two self-contained temporary accommodation units were being developed in Ware.

The Head of Housing and Health said that homeless households often required packages of care and support, and homeless people needed to feel part of the wider society. He said that the use of bed and breakfast accommodation could set people apart from communities and the use of pods could be seen as segregation or stigmatisation of those most in need of support.

Councillor Brady asked what steps, if any, were open to the Council to control the spiralling cost of housing in the area, and if those steps were being actively pursued. The Executive Member for Financial Sustainability said that the housing market was subject

to free market movement with house prices and private rents being determined by a complex range of social and economic factors. He said that local authorities had very few mechanisms to control the housing market.

The Executive Member for Financial Sustainability said that it was important that the Council did all it could to influence the supply of affordable homes with lower levels of rent. He referred to the Affordable Housing Supplementary Planning Document and the wording in the Tenancy Strategy that stipulated that registered provider rent should be no higher than the prevailing Local Housing Allowance rates and certainly no higher than 80 per cent of local rents.

The Executive Member for Financial Sustainability said that shared ownership homes were a form of affordable housing and Millstream provided homes at the lower level of the rents in the private rental market. He confirmed that the Council was looking at how best to use its resources to bring forward properties for social rent.

Councillor Wyllie, on behalf of Councillor Redfern, asked if the Council could raise Council Tax rates on second homes or introduce legal requirements, as was the case in Wales and Cornwall, in order to control or restrict second home ownership which might help control spiralling house prices in the area.

The Executive Member for Financial Sustainability said that English Authorities did not have powers to raise Council Tax on second homes. He said that the

Council had used its powers to reduce the Council Tax discount to zero on second homes and the Council Tax payable on empty homes was subject to an increasing scale of fees where a property was empty for two or more years. Members were reminded that the number of second homes in East Herts was low. The level of Council Tax on second homes in East Herts would be unlikely to unduly affect the open market.

Councillor Goldspink asked if the Executive Member for Neighbourhoods would consider the establishment of a cross party working group to explore what steps the Council can take to provide more homes for social rent.

The Head of Housing and Health relayed the thoughts of the Executive Member for Neighbourhoods in that he would be considering the next steps to be taken to develop the detailed action plans that were needed to deliver the strategy. Members were advised that the suggestion from Councillor Goldspink would be considered as part of those next steps.

Councillor Symonds referred to the Equality Act 2010 and the Council's obligation to meet a diverse range of housing including the needs of people with protected characteristics. She said that there was not much in the way of housing for people in wheelchairs. Councillor Symonds asked what the Council could do to persuade the biggest housing providers in East Herts to allow people to move into supported housing usually designated for older people when under the age of 55.

The Head of Housing of Health said that one of the

objectives of the strategy was to expand the range of housing options for people with special needs. East Herts Council was working with Hertfordshire County Council (HCC) to identify the housing needs of those with learning and physical disabilities. He said that the Council worked very closely with HCC on assessing the level of need coming forward for supported accommodation.

The Head of Housing and Health said that he had noted the comments of Councillor Symonds and one of the ongoing elements of the strategy would be year on year refining and reviewing of detailed action plans. He said that there was a balance between meeting the needs of those already in accommodation with the needs of others coming forward to apply for accommodation.

Councillor Curtis referred to tables one and two on page 42 and the minimum income required to purchase a property in East Herts. He commented on the unjust and unfair situation where the majority of his generation would struggle to have any hope of affording a detached or semi-detached home where they had grown up. He asked on what could be done with viability assessments to address what was a very inefficient market.

The Head of Housing and Health drew Members' attention to table seven and the affordability of shared ownership accommodation allowing people to access an ownership product that was within their grasp. He said that the question of viability could be followed up with colleagues in planning and he commented on

viability assessments and the advice that Officers had sought from external consultants.

Councillor Crystall questioned whether there were specific ideas in the strategy to achieve the objectives of ensuring good quality accommodation, energy efficiency and sustainable construction, in addition to what was already being done within Planning Supplementary Planning Documents (SPDs) and the District Plan. The Head of Housing of Health referred to the views of the Executive Member for Neighbourhoods in terms of detailed action plans that would be coming forward to support the Housing Strategy. He referred to the grants and loans regime in the Private Sector Housing Policy and talked about work with registered providers in respect of upgrades to their existing housing stock.

Councillor Crystall sought and was given an assurance that the wording on page 40 of the strategy document in respect of embodied carbon would be clarified with planning colleagues. Councillor Symonds thanked the housing team for the work that they do. She referred in particular to new accommodation in Stanstead Abbots and the need for support for rough sleepers and for vulnerable people with particular needs.

Councillor Curtis commented on the challenge of steps that could be taken to level the playing field between large and small housebuilders to make the housing market more efficient. The Head of Housing and Health said that he and the Housing Development and Strategy Manager had been noting down the large scale and complex points that had been made in terms

of whether these could be explored over the lifetime of the strategy.

Councillor Goldspink highlighted the problem that the cost of homes classed as affordable, based upon an affordability percentage, was still very expensive and way beyond the reach of someone on an average income. She suggested a change to the first of the four key priorities on page three of the strategy, to add 'and more social rented homes'.

Councillors Curtis and Snowdon made a number of comments about the trade-offs between the overall quantity of affordable housing which was developed and the level of rents. Provision of homes at lower rents (social rent) could lead to a lower supply of affordable housing overall. Councillor Goldspink said that she would accept the trade-off as there really was a need for more social homes for rent.

Councillor Goldspink proposed and Councillor Brady seconded, a motion for a change to the first of the four key priorities on page three of the strategy, to add 'and more social rented homes'. After being put to the meeting and a vote taken, the motion was declared CARRIED.

Councillor Goldspink proposed and Councillor Brady seconded, a motion for a new second bullet point on page 23 of the strategy to investigate all possible ways of financing the provision of homes for social rent.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

There was a discussion about setting up a cross party working group to investigate possible ways to finance the provision of homes for social rent. Councillor Goldspink accepted that she should raise this matter later in the meeting as part of the discussion on the Overview and Scrutiny Committee work programme.

Councillor Curtis proposed and Councillor Snowdon seconded, a motion that the comments and observations of the Overview and Scrutiny Committee on the draft East Herts Housing Strategy for 2022 to 2027, be provided to the Executive Member for Neighbourhoods prior to the presentation of the strategy to the Executive.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) a change to the first of the four key priorities on page three of the strategy, to add ‘and more social rented homes’;

(B) a new second bullet point be added to page 23 of the strategy: ‘to investigate all possible ways of financing the provision of homes for social rent’; and

(C) the comments and observations of the Overview and Scrutiny Committee on the draft East Herts Housing Strategy for 2022 to 2027 be provided to the Executive Member for Neighbourhoods, prior to the presentation of the strategy to the Executive.

289 PARKS AND OPEN SPACES STRATEGY (2022 - 2027)

The Executive Member for Wellbeing submitted a report in respect of the Parks and Open Spaces Strategy for 2022 – 2027. He said that the draft strategy had been updated to reflect feedback that had been received following a public consultation held in the autumn of 2021.

Members were advised that parks provided a vital opportunity for residents to enjoy the outdoors and green spaces were central to the Council's vision of offering health and wellbeing to all and they also provided a calm environment for all generations to relax and exercise.

The Executive Member for Wellbeing said that sustainable habitats provided an abundance of wildlife. He mentioned the Queen's diamond jubilee and touched on the topic of carbon capture from trees and hedgerows. Members were reminded of the work of volunteers and were also reminded that the strategy would operate alongside the Council's wider plans outlined in the corporate objectives.

The Executive Member for Wellbeing said that the strategy would support environmental sustainability and would sit alongside the Council's Cultural and Health and Wellbeing Strategies. He stated that the aim of the Council was to deliver cost effective services and explore inventive solutions to ensure that the parks could continue to meet the needs of communities as well as generating sustainable income.

The Executive Member for Wellbeing said that the parks and open spaces were appreciated and were well used during the lockdowns. He said that a couple of them consistently won green flag award status and there was a lot to be proud of in the parks and open spaces.

Councillor Snowdon said that he welcomed the ban on the release of helium balloons and sky lanterns. He asked if the Executive Member for Wellbeing would consider adding a ban on the release of fireworks in non-organised displays.

Councillor Snowdon also noted that there were only two mentions of Parish and Town Council's in the document. He asked if the Executive Member for Wellbeing could elaborate further on what the Council could do to work with the Towns and Parishes to further engage them in terms of the management of the parks and open spaces.

The Executive Member for Wellbeing said that the matter of fireworks was covered in government legislation and they were illegal in streets and public spaces. He said that the authorisation of really well organised formal public displays would be included in the Council's operational policies.

The Executive Member for Wellbeing said that the strategy did commit the Council to exploring alternative delivery models for play areas. He said that the Council would work with the local community and was open to discussions regarding bespoke arrangements for the management of parks and open

spaces.

Councillor Goldspink asked why there was no mention within the strategy of access for people with disabilities. The Executive Member for Wellbeing said that the strategy did focus strongly on promoting equality and access for all. He said that all of the protected characteristics had been considered as part of the equality impact assessment for this strategy. He reassured Members that the wording of the strategy would be made clearer as suggested by Councillor Goldspink.

Councillor Brady asked if the Executive Member for Wellbeing had considered how the Council could reduce the dangers of diesel emissions from ice cream vans idling in park and open spaces. The Executive Member for Wellbeing said that from an air quality point of view, the Council should be discouraging any kind of emissions from cars and the food vending tender was currently being drafted, and there would be a target period in which successful vendors should adapt their vehicles to a requirement to ensure that ice cream vans were not sitting in parks with diesel generators running.

Councillor Hollebon made a number of observations in respect of the cost of power points, the prohibition of animals in circus settings and the matter of overflowing litter bins. She expressed a concern that the cleaning of sandpits in play areas three times a week was insufficient.

The Leisure and Parks Development Manager said that

a lot of research had been done regarding sand pits and three times a week had been found to be sufficient in the past and there was no specific guidance. He said that Officers did patrol the parks to make sure that dogs were kept under control. The Chairman made a point that the wording animal faeces could be used in the strategy document as that wording covered any detritus.

Councillor Drake said that she was also concerned about litter and waste on football pitches. She said that she did not feel it was acceptable for dog walkers to be told to carry dog waste in a bag for any length of time.

Councillor Drake emphasised that more bins were needed and she was really concerned by seeing bins overflowing onto the street as it impacted on people's quality of life impact. The Executive Member for Wellbeing referred to the complexity of the situation in that the Council looked at what it felt was an appropriate level of provision in terms of dog waste and litter bins. He referred to the wider issue of people taking responsibility for their waste.

The Leisure and Parks Development Manager said that Officers worked closely with the clubs to ensure that their supporters were encouraged not to drop litter. He said that action could be taken in terms of future rentals if problems persisted and Officers were very conscious of problems on Monday mornings. He said that contractors had been clearing up in parks on Sunday evenings and a wider audit of Parks and Open Spaces bins was ongoing.

Councillor Drake said that consideration could be given to renting out areas of parks for electric coffee vans or for boot camps or yoga.

Councillor Curtis referred to the equalities impact assessment and said that there was no mention of learning disabilities. He said that the Council could reach out to the voluntary sector to seek advice on that to ensure that the document was as inclusive as possible for vulnerable people.

The Executive Member for Wellbeing commented on the idea of reaching out to as many organisations as possible to support particular people. He referred in particular to a garden that had been designed on different levels for wheelchair users.

Councillor Redfern said that she did not understand why dog walkers could not bury dog waste rather than using plastic bags. She said that dog walkers must be more responsible.

Councillor Crystall said that this was a very positive step forward for future use of parks and open spaces. He asked if there was any pesticide or herbicide use policy for parks and open spaces as he had received questions from residents on this. The Leisure and Parks Development Manager said that the Council required its contractors to comply with regulations and to strive to use as little herbicide as they can. Councillor Crystall said that some wording to that effect could be included in the strategy document.

Councillor Curtis proposed and Councillor Devonshire

seconded, a motion that the comments of Overview and Scrutiny Committee on the Parks and Open Spaces Strategy for 2022 - 2027 be provided to the Executive. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the comments of Overview and Scrutiny Committee on the Parks and Open Spaces Strategy for 2022 - 2027 be provided to the Executive.

290 INTRODUCTION OF ELECTRIC VEHICLE (EV) CHARGING TARIFFS

The Executive Member for Environmental Sustainability submitted a report that outlined proposals to introduce a tariff for the use of electric vehicle (EV) charging points within the car parks managed by the Council in line with the Council's fees and charges policy, as approved in December 2021.

Members were advised that the proposed tariff was 25p/kwh and the report set out the plan to replace the free EV chargers with charging points with a tariff for use. The Executive Member for Environmental Sustainability said that subject to funding for upgrading the infrastructure, a strategy for the implementation of future electric vehicle bays and the infrastructure was currently being developed and would be brought forward in due course.

The Executive Member said that some current projects were nearing completion and a pricing strategy needed to be determined before these projects could

be made available to the public and be enforceable.

Councillor Wyllie, on behalf of Councillors Crystall and Devonshire, asked if the Executive Member for Environmental Sustainability could confirm if any approaches had been considered regarding introducing ultra-fast chargers and what might the associated costs be.

The Executive Member for Environmental Sustainability said that the report covered the introduction of tariffs for use in Council provided EV chargers, rather than the Council's overall approach to charger provision. He said that the mainstay of the current provision consisted of fast destination charges able to dispense 7 to 11kwh.

Members were advised that rapid chargers could be located in some Council owned locations, for example for taxi charging.

The Executive Member for Environmental Sustainability said that rapid chargers were best placed near to main roads with easy access routes in and out. He said that recent high level modelling by the Council had indicated a cost of £35,000 plus for two rapid charging points, with the actual cost dependent on whether additional electricity infrastructure was required.

The Executive Member for Environmental Sustainability said that if suitable locations were identified and agreed with external operators, one feasible approach could be to offer sites on a

concession basis. He said that ultra-fast chargers represented a further step forward in technology.

Members were advised that ultra-fast chargers of 100kwh to 300kwh were outside of the reach of the Council as they were very expensive to install and had a very significant electricity supply capacity. The locations being focussed on were existing petrol station forecourts or dedicated ultra-fast charging hubs.

The Executive Member for Environmental Sustainability said that East Herts Council was unlikely to own land of the appropriate size and location to interest the market. He said that the Council was looking to locate to extend the EV charging network into more rural parts of the District. Members were advised that Officers were drawing up a funding bid to the Office of Zero Emission Vehicles in consultation with a number of Parish Councils and village hubs.

The Executive Member for Environmental Sustainability said that meetings had taken place with Tesla about possible sites for super chargers. He said dialogue had also been opened with other providers about any opportunities that might arise.

Councillor Devonshire set out the background to the question in that ultra-rapid chargers of 50kwh could charge a car in half an hour to 40 minutes. The Executive Member for Environmental Sustainability said that infrastructure all had to be paid for and the increases to electricity substation provision could cost millions of pounds.

Councillor Crystall said that he was of the view that the Council was not charging enough when considering the price difference being paid for the cost of driving 100 miles in an electric or fossil fuel vehicle. He referred to Appendix B and the demographic of electric vehicle drivers.

Councillor Crystall said that he would urge the Council to charge more, perhaps 5 or 10p per unit. He said that Shell and Osprey and other suppliers had substantially increased their prices. Councillor McAndrew commented on the validity of the point that had been made by Councillor Crystall. He said that the Council was setting out to be open and fair with the proposed pricing structure and he was fully aware that the price of electricity would fluctuate in line with the Consumer Prices Index (CPI).

The Head of Operations said that the formulae were based on the new fees and charges policy that was approved by the Council in December, on the basis of full cost recovery.

Councillor Devonshire said that he did not agree with charging more as the Council was trying to encourage people to use electric vehicles. He said that the electricity was cheaper as the cost of an electric car was higher.

Councillor Drake questioned why a maximum stay of five hours had been chosen over three hours for EV bays. She commented on the turnover rate being better with three hours and this should avoid people

breaking down with flat batteries. The Executive Member for Environmental Sustainability said that one consideration was long stay parking and the option for people to stay in town whilst charging their vehicle. He said that usage would be reviewed after a year and the five hour option could be reduced when there were more vehicles to be charged.

Councillor Drake asked if someone would receive a parking ticking if they had parked in the EV charging bay but their car was not plugged in. The Executive Member for Environmental Sustainability confirmed that it was his understanding that if a vehicle had exceeded the time paid for or was not plugged in it would be liable to get a parking ticket.

Councillor Drake asked whether any surveys had been carried out regarding what other providers were charging. She asked about any linkages to wholesale prices and whether there could be reinvestment into further EV bays.

Councillor Devonshire asked about response times if EV charging equipment was out of order when a motorist arrived at an EV charging bay. The Executive Member for Environmental Sustainability said that the Member of Parliament responsible for EV Chargers had stated that he was looking into what legislation could be put in place for the maintenance of EV charging points.

Councillor R Buckmaster proposed and Councillor Drake seconded, a motion that the recommendation in the report be endorsed and Officers conduct an

equivalent commercial benchmarking survey in respect of EV charging provision with any commercial operators in the eastern side of Hertfordshire.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the principle of, and approach to, charging for the use of electric vehicle charging points in Council managed car parks, as outlined in the report, in order to inform the Executive’s consideration of the proposal for adoption, be endorsed; and

(B) Officers conduct an equivalent commercial benchmarking survey in respect of EV charging provision with any commercial operators in the eastern side of Hertfordshire.

291 CORPORATE PLAN REFRESH 2022/2023

The Leader of the Council submitted a report inviting the Overview and Scrutiny Committee to review and comment on the Corporate Plan priorities ahead of them being adopted by Council alongside the 2022/23 budget.

The Leader said that this was the third revision of the Corporate Plan which had been set after the elections three years ago. She said the first revision reflected the aspirations of the Council and the plan was also revised due to COVID-19 in order to support residents and communities through the pandemic.

The Leader said that this latest revision to the Corporate Plan was based providing adequate and sufficient support to communities, residents and businesses. She said that full details were in Appendix A and she summarised the four key themes of SEED. She welcomed questions from the Committee and said that the Head of Communications, Strategy and Policy was also present to take questions.

Councillor Goldspink referred to the sustainability section and asked if the Council could do its own tree planting as well as encouraging other initiatives.

The Executive Member for Wellbeing said that he had been invited to several tree planting projects around the District. He said that there had been funding that had gone to Hertfordshire County Council and it was possible to bid for funding through Sustainable Hertfordshire. He said that Officers were looking at a number of places where trees could be planted in parks and open spaces.

Councillor Goldspink commented that if there were tree planting initiatives taking place then it should be publicised. The Leader recognised the possibility of including some suitable wording. She said that it was important to ensure that any wording was accurate.

Councillor Goldspink referred to digital by default and asked that those less able to access the internet were not forgotten. She stated that such people did need face to face meetings and assistance and were not able to access services digitally online.

The Head of Communications, Strategy and Policy said that the Council had not lost sight of the importance of catering for people who were digitally excluded. He referred to subsequent work programme item in respect of digital exclusion and what this meant in East Herts. He said that he had invited external speakers to address Overview and Scrutiny Committee regarding case studies elsewhere in the hope that this would stimulate some debate on this important topic.

Councillor Goldspink said that she would prefer that the point that she had made was included. The Leader said that the change of wording to digital by default was to ensure that those who can access services digitally could do so and also ensure that the Council resources were available to ensure that those who did not have access to a computer or did not know how to use one could access services in person.

Councillor Curtis proposed and Councillor Snowdon seconded, a motion that the report be received and that Members' comments in respect of tree planting initiatives and digital by default be forwarded to the Executive.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the report be received; and

(B) Members comments in respect of tree planting initiatives and digital by default be forwarded to the Executive.

292 EAST HERTS HEALTH HUBS – PROMOTING EASIER ACCESS TO HEALTH AND WELLBEING ADVICE AND SUPPORT

The Executive Member for Wellbeing submitted an information only update report in respect of East Herts Healthy Hubs. Members were invited to review progress to date provide any observations or recommendations to the Executive Member for Wellbeing or the Head of Housing and Health.

Councillor Curtis said that he would like it noted that the Committee was grateful for the work that had been done by the Executive on delivering this scheme. He said that the Committee should encourage the Executive Member for Wellbeing and Officers to continue to expand the output of the delivery of healthy hubs. Members received the report.

RESOLVED – that the update report be noted.

293 COMMITTEE WORK PROGRAMME

The Democratic Services Manager said that this was the usual work programme Members received at each meeting of Overview and Scrutiny Committee. She said that an email had been sent to the Committee inviting Members to consider items for inclusion on the work programme for the 2022/23 civic year.

The Democratic Services Manager referred to the refreshed corporate plan that had been discussed this evening and she asked Members to complete the scrutiny proposal form that had been sent to Members by the Scrutiny Officer.

Councillor Goldspink suggested that a working group be set up to investigate the possible ways in which the District Council could support organisations operating in East Herts to secure suitable funding for the provision of homes for social rent.

The Head of Legal and Democratic Services reminded Members of the review of the Overview and Scrutiny process that had been completed in the 2020/21 Civic Year. He mentioned the possibility of a rapid review.

The Democratic Services Manager said that the idea of a rapid review was for there to be a full day session where Members would invite external presentations and a report would come back to Overview and Scrutiny Committee. She said that a Task and Finish Group would be a longer process involving a number of meetings.

The Head of Legal and Democratic Services suggested that Members liaise with Officers outside of the meeting to reach a conclusion as to what might be best suited to what Members were trying to achieve. Councillor Goldspink said that she was happy with that suggested approach.

The Chairman confirmed that the topic of a rapid review in respect of investigating the possible ways in which the District Council could support organisations operating in East Herts to secure suitable funding for the provision of homes for social rent would be added to the Agenda for the meeting in March 2022.

The Chairman said that a Member has asked that street cleansing be discussed on the 22 March 2022, as the contract was due for renewal in the near future, so that Members comments could be passed on to those who would be looking at the new contract.

The Chairman also mentioned the confusing nature of the signage in Council car parks. Members were supportive of this matter being added to the work programme along with the matter of the rapid review. It was proposed by Councillor Hollebon and seconded by Councillor Goldspink, that the amended Committee Work Programme be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the main agenda items for the next meeting be agreed.

(B) the amended Committee Work Programme be approved.

294 URGENT ITEMS

There was no urgent business.

The meeting closed at 9.09 pm

Chairman
Date

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East Herts Council Report

Overview and Scrutiny Committee

Date of meeting: 22 March 2022

Report by: Jess Khanom-Metaman – Head of Operations

Report title: Street Cleansing Contract Performance

Ward(s) affected: All

Summary

This report provides an overview of the performance of street cleansing activities delivered by contractors on behalf of East Herts Council.

RECOMMENDATION FOR OVERVIEW AND SCRUTINY COMMITTEE

A. To review and provide comments on the update report on street cleansing.

1.0 Proposal(s)

1.1 To provide an update on street cleansing services in East Herts.

2.0 Background

2.1 At the request of the overview and scrutiny committee the following matters were requested to be reported on by the Shared Waste Service for review by the Committee:

- a) Road cleaning and sweeping on roads and pavements
- b) Litter Picking on the highway

2.2 The following report will cover these items:

- Overview of Service
- Overview of performance

- Key challenges and areas for improvement

2.3 The Council is due to either extend or reprocure its waste and street cleansing contract, for implementation in May 2025, and with negotiations beginning later this year. Due to the Council's partnership working arrangements with North Herts Council. A cross-party joint Member working group will be set up to look at the strategic direction of the service, review the current contract and look at future contract design. Further information can be found in the Shared Service Governance report also presented to this meeting of the Overview and Scrutiny committee.

Overview of Service:

2.4 In May 2018 East Herts Council implemented a Joint Waste contract with North Herts. The contract was awarded to Urbaser and managed by a newly formed joint client team across the two authorities (North Herts and East Herts).

2.5 A partnership board was also developed to oversee the monitoring and performance of the contract above and beyond the role of the contract monitoring team. The partnership board consists of key officers and members from both Councils including the Chief Executive, the Executive/Cabinet member for Waste and Recycling, Director/Head of Service responsible for Waste, finance and legal officers and the Shared Waste Service Manager.

2.6 Section 89(1) of the Environmental Protection Act 1990 places a duty on certain bodies to ensure that their land (or land for which they are responsible) is, so far as is practicable, kept clear of litter and refuse. Section 89(2) places a further duty on local authorities in respect of publicly maintainable highways in their area (except motorways and some major trunk roads), to ensure that the highway or road is, so far as is practicable, kept clean. This is in addition to the section 89(1) requirement and therefore means removal of detritus as well as litter and refuse. The removal of detritus is deemed to be practicable from metalled surfaces only. It is recommended, but not a duty, that detritus is also removed from

other hard surfaces.

- 2.7 The day-to-day performance of the contract is closely monitored by the shared waste, recycling and street cleansing service. This includes daily checks and inspections, weekly and monthly meetings with key members of staff at varying levels from both our contractor and the shared waste service.
- 2.8 Street cleansing/litter picking forms part a wider waste management contract. Services consist of mainly mechanical sweeping, on street litter bin emptying and manual litter picking across the District. This contract does not cover litter picking or bin emptying within our parks and open spaces.
- 2.9 A number of key performance indicators (KPIs) underpin the monitoring and contract compliance of the service delivered by our contractor.
- 2.10 The contract is predominantly “output based”, which means for normal street cleansing operations these are to be carried out at a frequency to ensure that cleansing does not drop below a required level specified within the contract. The contract does not require a set number of cleansing operations in the majority of the district, but the majority of this work is scheduled based on need.
- 2.11 To manage this type of output-based cleansing, regular monitoring is performed by the East and North Herts Shared Waste Service across the whole district to determine if the standards are being maintained sufficiently. If it is deemed that an area has fallen below standard the shared waste service requires a rectification to be undertaken, continued rectifications can lead to a location being classed as a ‘Hotspot’. If problems persist a default may be issued which incurs financial deductions. Each town centre is visited at least weekly to monitor cleansing standards. This forms the bulk of inspections completed by the Shared Waste Service see Graph 2. The shared waste service also undertakes a combination of post cleanse inspections and random inspections across the district. Aiming to proactively visit every street at least once over the course

of a year, however this is impacted by staff vacancies and complaint levels related to other disruptions to services, such as waste collections.

2.12 The Council's street cleansing and litter picking function covers the following areas:

- a) All public highways (excluding motorways), including adjacent footways and ancillary features (e.g., roundabouts and traffic islands).
- b) Separate public footways and alleyways.
- c) Small defined private forecourts and private shop entrances abutting the Highway. (usually demarcated with studs in the path.)
- d) Verges, open spaces (such as market squares) forming part of the public Highway (with the exception of those footpaths crossing parks maintained under the Grounds Maintenance Contracts)
- e) Public car parks.
- f) Cleansing around 'Recycling Bring Bank Sites' located on public Highways and in public car parks.
- g) The removal of fly tipped waste, abandoned shopping trolleys and discarded hypodermic needles.
- h) Cleansing following special events (e.g., carnivals, Remembrance Sunday, charity runs etc.)

2.13 The general cleansing requirements of the contract are:

- a) The sweeping of all metalled hard surfaces including kerbside road channels and around traffic islands.
- b) The removal of Litter, debris, dead weeds and other Detritus from all areas (the chemical weed treatment of weeds is not included within this contract).
- c) The emptying and cleansing of litter bins.
- d) The removal of leaf and blossom fall.
- e) Emergency cleansing of roads following accidents including the removal of animal carcasses.

3.0 Reason(s)

3.1 To provide an update performance of services across East Hertfordshire.

Update on performance

3.2 As mentioned, the contract is output based, in order to manage the cleansing programme, the areas of work have been divided up into zones based on the Code of Practice for Litter and Refuse (COPLAR) each zone is then considered by intensity of use in order to determine the response/recovery times for restoring land to acceptable cleanliness levels if it falls below the required standard. This is shown in Table 1 below.

Table 1: Performance Zones

Zone	Intensity	Indicative total length (m)
Housing/Residential	High	4,410
Retail, Office, Commercial		9,790
Road – Up to 40mph		2,110
High Speed Road – 50mph or greater		48,000
Housing/Residential	Medium	200,730
Retail, Office, Commercial		1,290
Road – Up to 40mph		56,399
High Speed Road – 50mph or greater		47,350
Industrial Areas		2,480
Other Areas		1,210
Housing/Residential	Low	90,680
Road – Up to 40mph		419,574
High Speed Road – 50mph or greater		460
Other Areas		910
Total		885,393

- 3.3 The contract does not wholly follow COPLAR, and response times have been set to meet the needs of the district whilst balancing the costs of the contract. During monitoring by the shared waste service, streets are graded according to the information in 3.6 below.
- 3.4 Litter is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded and left by members of the public; or are spilt during business operations as well as waste management operations. As a guideline a single plastic sack of rubbish should usually be considered fly-tipping rather than litter. Chewing gum although classed as litter when dropped, the standards in the Code of Practice on Litter and Refuse do not apply to trodden-in chewing gum. Duty bodies are not required to employ special cleansing methods to remove compacted gum or gum staining over and above normal cleansing regimes.
- 3.5 Detritus, which comprises small, broken down particles of synthetic and natural materials, arrive at the site through the same displacement effects associated with mechanical, human, animal and natural actions, most of which also determine the distribution of litter. Detritus includes dust, mud, soil, grit, gravel, stones, rotted leaf and vegetable residues, and fragments of twigs, glass, plastic and other finely divided materials. Leaf and blossom falls are to be regarded as detritus once they have substantially lost their structure and have become mushy or fragmented.

3.6 Photos and descriptions of Grades

Grade A:

- 3.6.1 Grade A is where there is no visible litter or detritus. This is most often seen immediately after cleansing activities have taken place. Areas completely free of litter or detritus are often unrealistic when cleansing frequencies may be days, weeks or months apart.

Litter



Detritus



Grade B:

3.6.2 Grade B is the grade considered acceptable, this is where there may be one or two pieces of litter or small patches of detritus but is predominantly litter and detritus free.

Litter



Detritus



Grade C:

3.6.3 Widespread distribution of litter and/or detritus with minor accumulations.

Litter



Detritus



Grade D:

3.6.4 Heavily littered and/or affected by detritus with significant accumulations.

Litter

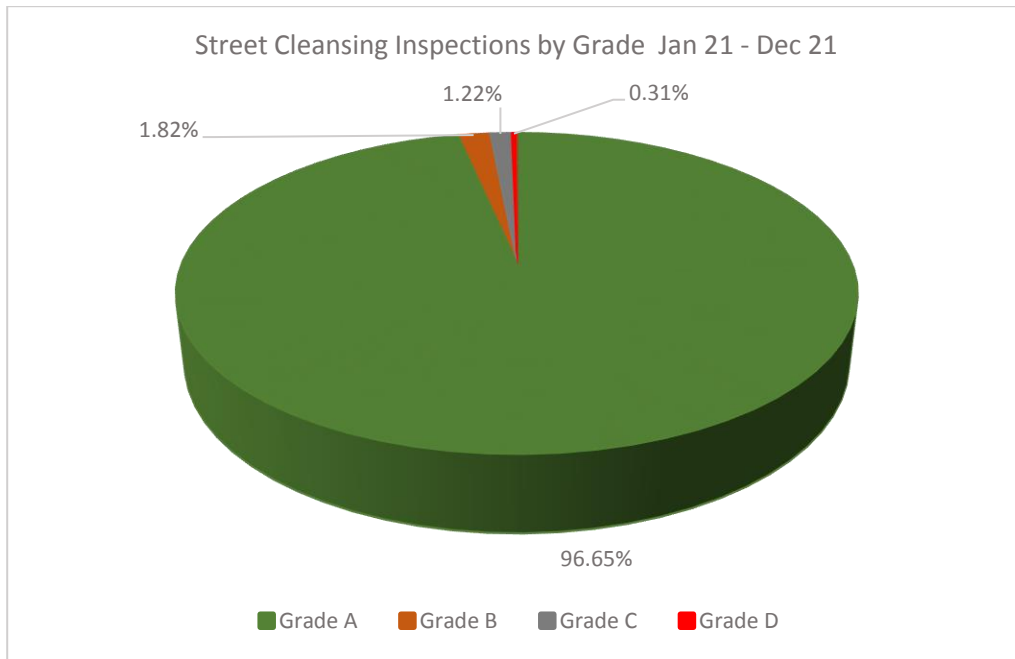


Detritus



3.6 The current performance levels for this service are illustrated in Graph 1 below, it demonstrates that overall, where monitoring has taken place the vast majority of streets are kept at Grade B or above, which is the stipulated level required contractually.

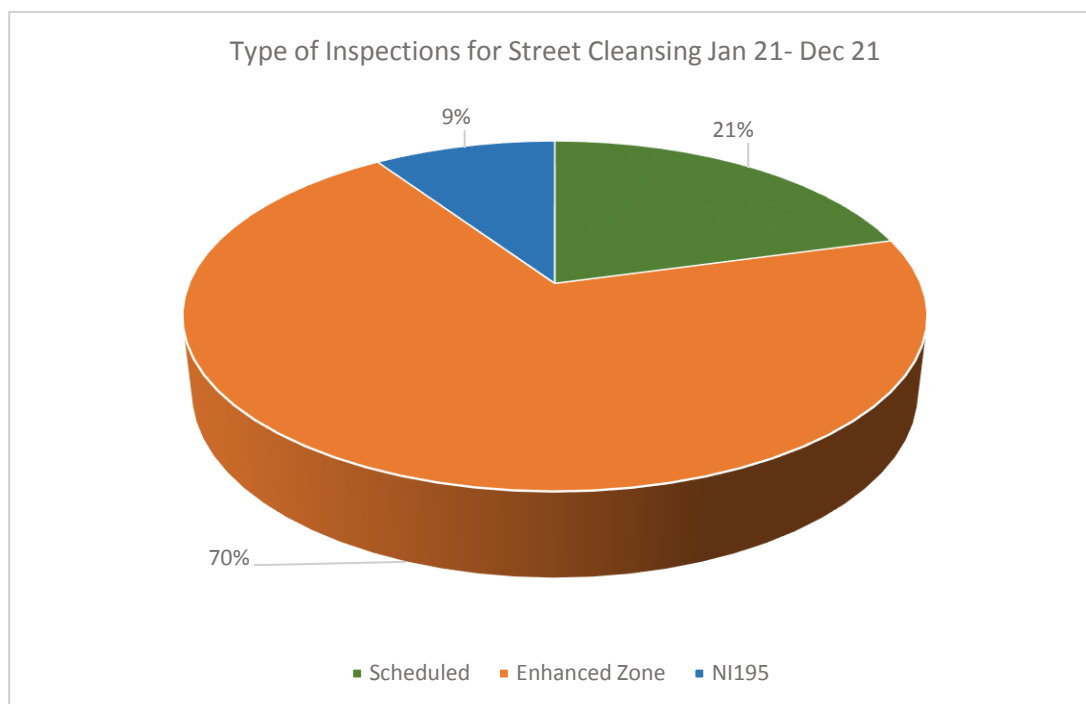
Graph 1: Street Cleansing Performance 2021



3.7 Due to the potential for a few hours to pass between cleansing and inspection. We also use a grade B+ which has been added to the A grades for this report. The B+ represents post cleanse inspections which may have very minor littering and detritus possibly moved due to recent weather, and therefore do not need immediate rectification.

3.8 Graph 2 shows the breakdown of the type of inspections that have taken place across 2021.

Graph 2: Breakdown of Inspections by Type



- 3.9 As an outcome from the previous report to Overview and Scrutiny, the Shared Waste Service changed the format of a proportion of the inspections for street cleansing. Historically the majority of these inspections were 'post-cleanse' essentially checking the work of our contractor. The graph above identifies that the majority of inspections are completed in Enhanced Cleansing Zones these are our town centres with the highest footfall.
- 3.10 The new format inspections, we have called NI195, and follow more closely the original National Indicator local environmental quality inspections. These began during 2021 and will continue throughout the contract to ensure that all streets are assessed for graffiti, fly posting, litter and detritus. Completing the NI195 ensures that a proportion of inspections are 'at random' ensuring the shared waste service are also reviewing the standard of cleanliness 'between' cleansing operations. By not only completing post cleanse inspections we can ensure the needs of individual streets in relation to the frequency of cleanses are assessed regularly.

3.11 Where performance levels have dropped below a Grade B, our contractor is issued a rectification and is required to complete works within the times set out in Table 3 below:

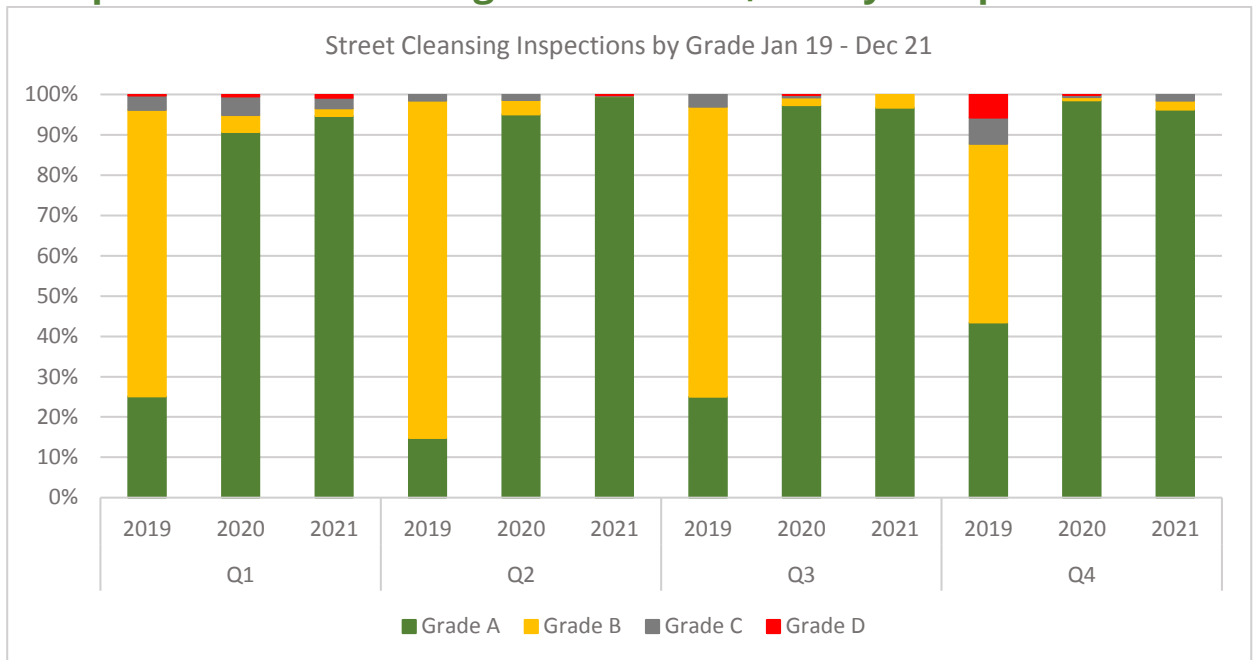
Table 3: Rectification Times

Cleansing Grade	Grade B <i>Predominantly free from Litter, Waste and Detritus apart from some small items</i>	Grade C <i>Widespread distribution of litter/waste/detritus with some accumulations</i>	Grade D <i>Heavily affected by litter/waste and/or detritus with significant accumulation</i>
Retail/Office/Commercial (High intensity of use)			
Town Centres Shopping Centres Shopping Streets	3 hours	2 hours	1 hour
<i>Sites to be restored daily to Grade A by 08:00</i>			
Retail/Office/Commercial (Medium intensity of use)			
Shopping parades/ School entrances Central Car Parks Attraction/ Park entrances	12 hours	6 hours	3 hours
<i>Sites to be restored daily to Grade A by 10:30</i>			
Housing/Residential Areas (High intensity of use)			
	2 days	6 hours	3 hours
Housing/Residential Areas (Medium intensity of use)			
	7 days	24 hours	6 hours
Housing/Residential Areas (Low intensity of use)			
	28 days	72 hrs	48 hrs
Industrial Areas (Medium intensity of use)			
		5 days	48 hrs
Industrial Areas (Low intensity of use)			
		7 days	48 hrs
Roads (High intensity of use)			
Rural/suburb Commuter routes Main roads into towns, Usually, 40mph routes		3 days	24 hrs
Roads (Medium intensity of use)			

	Grade B <i>Predominantly free from Litter, Waste and Detritus apart from some small items</i>	Grade C <i>Widespread distribution of litter/waste/detritus with some accumulations</i>	Grade D <i>Heavily affected by litter/waste and/or detritus with significant accumulation</i>
Cleansing Grade			
Rural/suburb commuter routes Other Car Parks		7 days	48 hrs
District and local roads (Low intensity of use)			
Paved Areas and Verges		14 days	7 days
High Speed Roads			
Paved Areas and Verges			60 or 28 Days (dependant on road closure requirements)

- 3.12 As you will note, there are some areas in which we do not have rectification periods as they are predominantly industrial areas and roads and are not deemed to need a rectification under the contract until they reach a Grade C. These areas will still receive scheduled cleansing activities.
- 3.13 The shared waste service carry out regular monitoring to manage the performance of our contractor, aiming to complete 1000 inspections across the contract (both East and North, including waste inspections) each month. Another key indicator of performance of contract is customer complaints. Complaints are followed up and investigated by the shared waste service to determine if a complaint is justified against the requirements set out in the contract. It is important to note that the contract levels of cleanliness and customer expectations of these levels can differ.
- 3.14 Graph 3 below shows the inspection grades carried out by the contract officers and compares them by quarter by year. Please note 2018 and 2022 have not been included as they do not have full year's data, and therefore do not show a true reflection of the inspection grades. 2019 data does not differentiate the B+ standard which are reported with Grade A standard from 2020.

Graph 3: Street Cleansing Performance, Yearly Comparison



- 3.15 As you can see from the graph, the grades fluctuate based on seasonal changes, showing higher reports of grade C and D in Q1 and Q4 (by calendar year) which spans the winter months when detritus is at its worst.
- 3.16 You will also see a change in reporting grades from 2019 and 2020, this shows the introduction of B+ to the local grading system.
- 3.17 Overall, of the 10,209 inspections carried out since the beginning of the contract in May 2018, only 3% of the streets across the district have been graded below a grade B. As you can see below there has been a huge improvement since the beginning of the contract and with continued understanding from new staff, we believe this will continue through this year and the remainder of the contract.

2018 – 407 street inspections, 29% below grade B
 2019 – 1593 street inspection, 6% below grade B
 2020 – 3166 street inspections, 1% below grade B
 2021 – 4514 street inspections, 2% below grade B
 2022 – 529 street inspections (at time of report), 3% below grade B
 winter months only.

3.18 The heat mapping from 2021 is shown below. These show the areas in which the grading of streets has been below a grade B at inspection.

Map 1: Heat map of street inspections below grade B in 2021

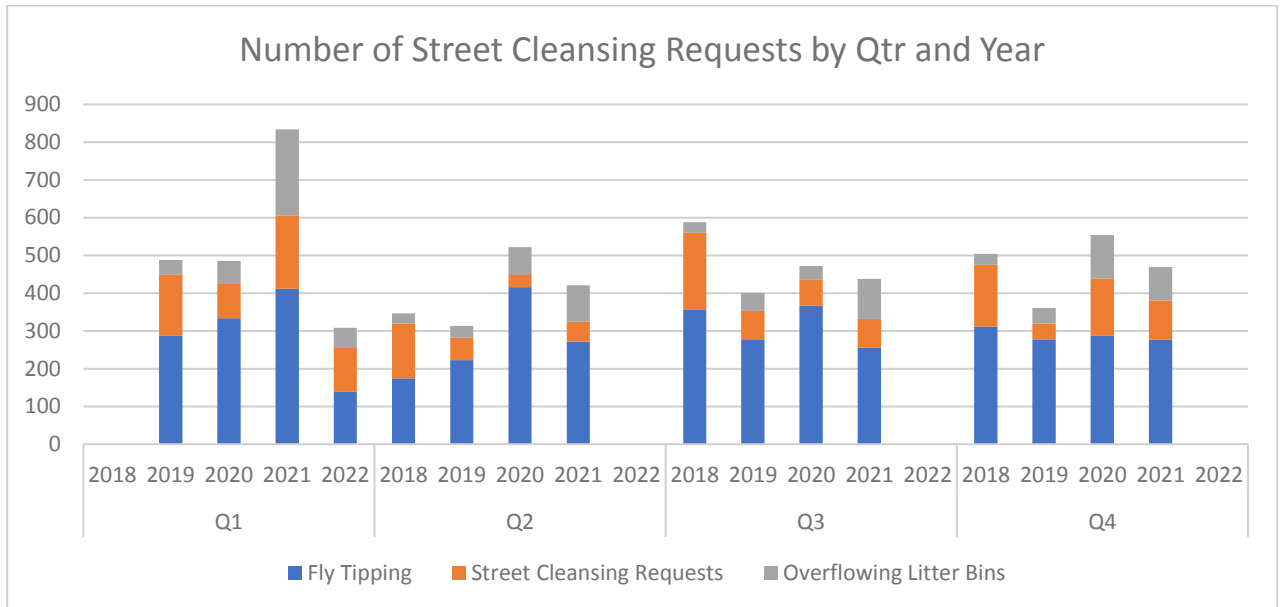


3.19 From the map above you can see the areas that have been graded below B. We look at heat mapping along with the inspections on a quarterly basis to ensure that scheduled cleansing is completed effectively, as well as ensuring that the frequency of the schedule is accurate.

3.20 Graph 4 below shows contacts relating to street cleansing. Please note 2022 has been included for reference, however, will only show full data for Jan 22. The majority of contacts received relate

to instances of fly tipping. The data below shows that on average approximately 23% of enquiries are street cleansing requests.

Graph 4: Street Cleansing Requests, Yearly comparison



3.21 We have seen an increase in Street cleansing requests since the last overview and scrutiny report, the previous report states 15% of enquiries were related to street cleansing requests, this looked at the period Sep 19 – Feb 20.

3.22 Street cleansing request increases can be attributed to a number of factors. These include:

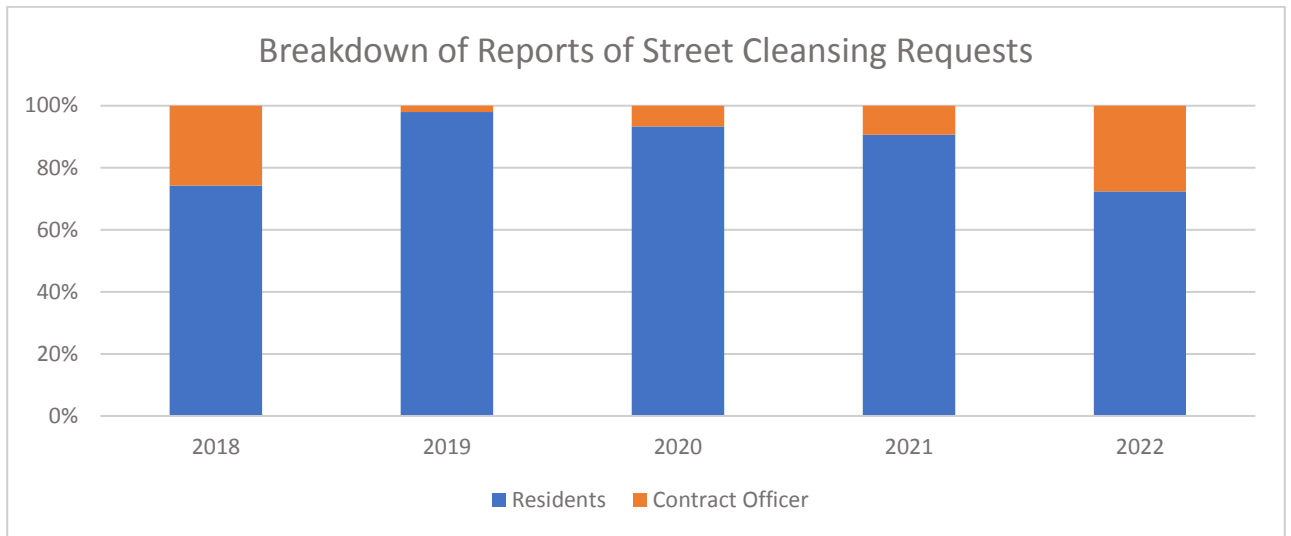
3.22.1 Changes in resident and visitor behaviour – higher footfall/more litter

3.22.2 Higher public expectations

3.22.3 Intermittent service provision – resourcing difficulties

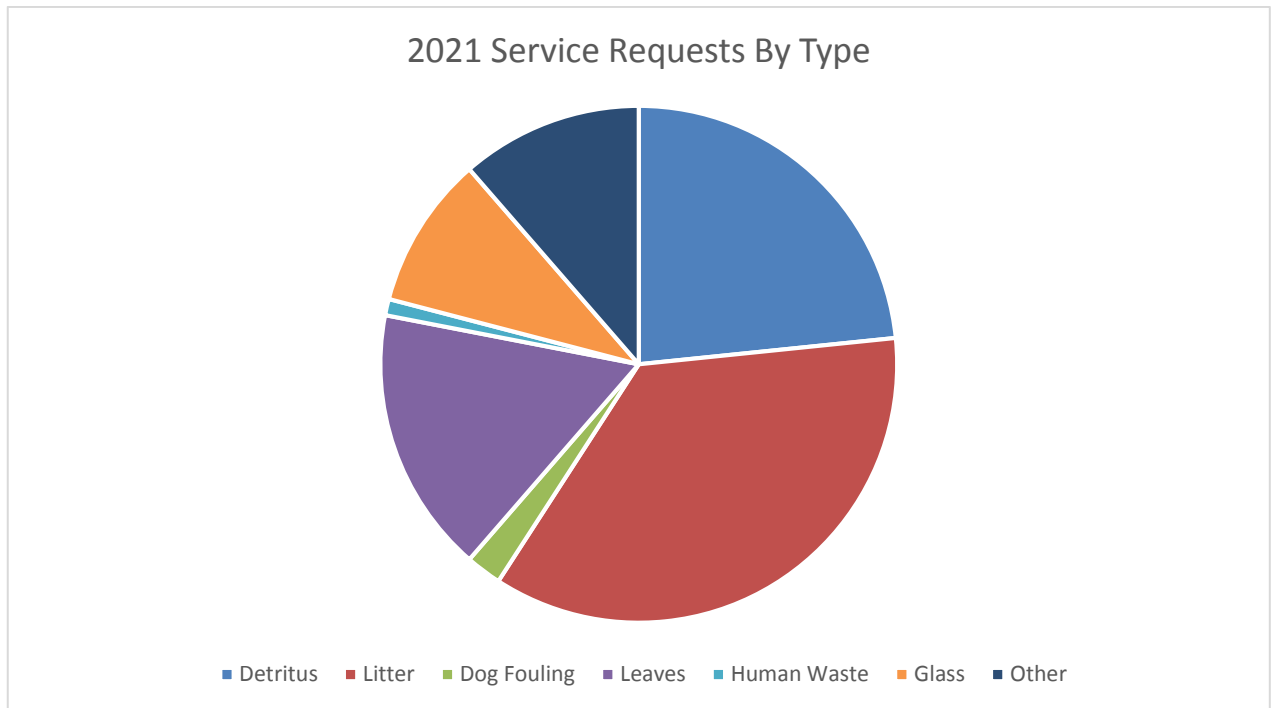
3.23 Graph 5 shows the % of Resident reported street cleansing requests and those raised by the contract officers. Again, to note, 2022 has been included however only shows full data for Jan 22.

Graph 5: Street Cleansing Requests breakdown, Yearly comparison



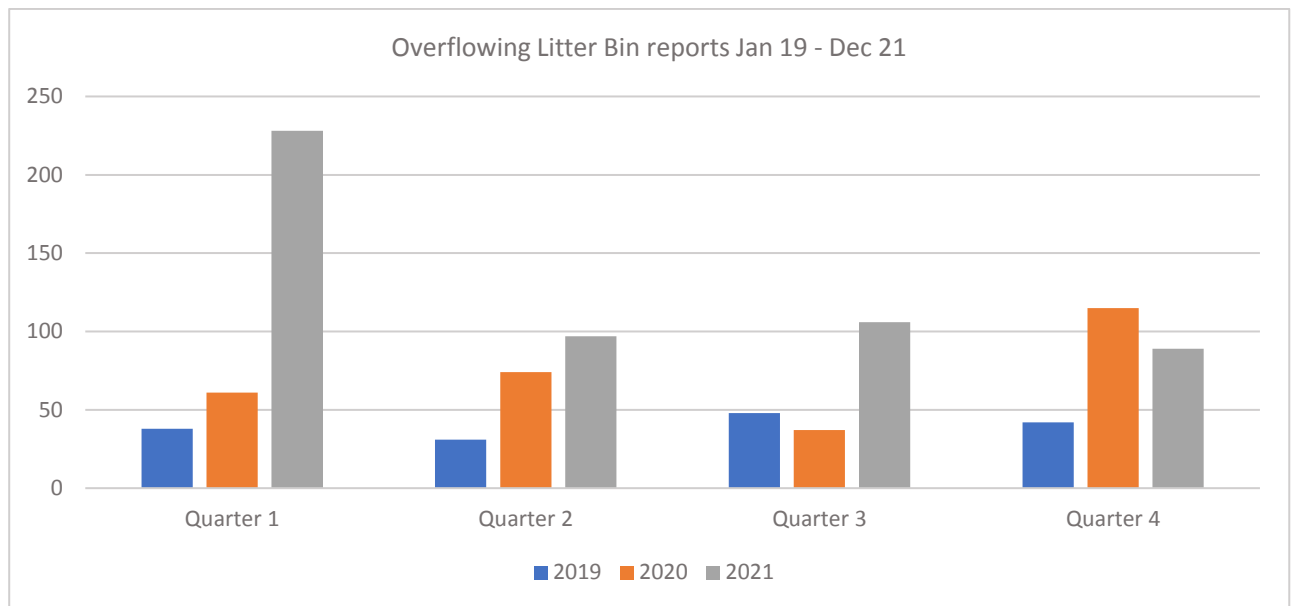
3.24 Street cleansing requests from residents and contract officers can vary in nature. The majority of the street cleansing requests raised by contract officers will be for ad-hoc street cleansing, roads/channels/litter picking that isn't due on the schedule, however, needs to be cleansed. Requests from residents can range from dog fouling to detritus and is inclusive of clearance of human waste and drug paraphernalia.

Graph 6: Street Cleansing Requests by Type



3.25 Since the last overview and scrutiny update in June 2020 overflowing litter bin 'hotspots' have been introduced. These were initially collated in September 2021. This means that any litter bin that has been recorded as overflowing 3 times in a 6-month period will be monitored by our contractor for frequency changes and/or misuse by the general public. This remains as a hotspot until such time as there are fewer than 3 reports in a 6-month period to allow for continuous monitoring over an extended period.

Graph 7: Overflowing Litter bin Reports



3.26 The number of reported overflowing litter bins has decreased in Q4 of 2021, this we believe is due to the frequency review of the litter bins that have been carried out as part of the implementation of the hotspot list.

4.0 Options

Challenges:

- 4.1 Since the COVID-19 outbreak and the national driver's shortage, it has been difficult for our contractor to ensure that they have sufficient staffing levels to complete the scheduled work. Vacancies accrued over the last year have been difficult to fill with permanent staff and as a consequence, vacancies are covered by agency staff, this means that staff are not consistent across cleansing operations and not always as knowledgeable of the area or issues as full-time members of staff.
- 4.2 There has been a national shortage of labour resources, which has also has also been felt locally by our contractor. Increased incentives have been offered to help with the recruitment drive, however this is yet to yield any significant increased levels of staff

resource.

- 4.3 Although a number of agencies are used to back fill vacancies it is inevitable that higher than planned levels of sickness absence or unexpected 'no shows' at the beginning of the day will impact on operations where agency staff cannot be sourced at short notice. In these instances, some backfilling occurs with supervisory staff and an officer of the Shared Waste Service who has an HGV licence has also been assisting by driving on waste collection rounds.
- 4.4 It is necessary, when staff shortages affect services, to focus on ensuring the waste collection service is delivered to residents and this is to the detriment of street cleansing operations where it is necessary to run with only skeleton staffing. Monitoring has shifted focus in street cleansing to ensure that broadly standards are being met even when scheduled cleanses have been 'missed' due to intermittent staff resources.
- 4.5 In addition to staff resource issues, during 2021 we have also encountered ongoing issues with one of our street cleansing vehicles. Availability of parts has become an increased problem since Brexit and vehicles have been off the roads for long periods than would be normal awaiting servicing This puts pressure on the ability to complete the scheduled works with reactive works (rectifications and defaults) also often pulling resources from schedule works. This is currently being reviewed by the new management team to determine if there is a more efficient allocation of available resource.
- 4.6 Service specific challenges during litter picking operations relate to undertaking works safely, this is particularly difficult in rural parts of the district with either narrow or no verges and where footpaths are not adjacent to roads. The majority of rural roads are classed as 'high speed' requiring additional safety measures (often road or lane closures in agreement with Hertfordshire Highways) in order to undertake litter picking safely. Road/lane closures are disruptive and also costly requiring additional resources to manage traffic.

Areas of Improvement

- 4.7 In March 2021 the Shared Waste Service introduced a new 'Adopt an Area' initiative. This facilitates residents who wish to regularly litter pick the district by providing equipment (part funded by our contractor) and arrangements for the collection of litter picked waste and recycling. During the initial promotion we had 59 residents sign up and we will be promoting this again this year alongside promoting the Great British Spring Clean campaign.
- 4.8 The Shared Waste Service also provided the opportunity for parish councils to purchase litter picking equipment at cost through us, enabling them to benefit from our purchasing contracts. 11 parish councils took up this opportunity.
- 4.9 Vacancies over the last year have meant a change in staffing and supervisors, this has given us an opportunity to provide some additional retraining for the streets team, ensuring they fully understand the requirements of the contract. We can already see the changes in the service provided, using Cats Hill as a case Study Example. Please see further details of the issues and resolutions below in 4.23.
- 4.10 Given the size and nature of the District the inspections by the shared waste service span across a large area and currently focus on town centres. Although regular monitoring is carried out to ensure our contractor is carrying out their duties in accordance with the contract. Inspection levels may also vary with complaint work being prioritised over scheduled monitoring to ensure customer service standards are maintained particularly during times of officer leave.
- 4.11 There will be an opportunity at the cross party joint working group identified in the Shared Service Governance report to review how the shared service monitoring operates and whether for example prioritising town centre cleansing should remain the priority for the service.

- 4.12 Staffing levels in the shared waste service have also been affected by vacancies and with the size of the district residents and Members are encouraged in the first instance to report issues to the Customer Service Team at EHC, where reports are directly logged on the waste management IT system they are sent immediately to our contractor for action or investigation. This provides valuable additional information, which is analysed, and long term will improve the service we provide by informing frequency needs.
- 4.13 In addition, work requests in the waste management IT system are included in the Performance Management Regime. Each having specific contractual Service Level Agreements (SLAs) which; if not completed within specified timeframes may result in defaults being issued under the scheme.
- 4.14 Reports coming in by other means such as email may inadvertently by-pass the logging process, being passed between officers for action.
- 4.15 As part of the contract, we have identified hard to reach areas in which there is typically a large amount of parking on streets. This is often the case close to town centres or railway stations. The Shared Waste Service have developed a yearly schedule to ensure these areas are receiving a deep clean on an annual basis. Letters are sent to residents and signage mounted to street furniture informing residents prior to the cleanse that vehicles will need to be moved on the scheduled day of cleansing to achieve the best results. This process has been implemented to ensure that the difficult areas to cleanse receive more attention and to prevent them dropping below standard.
- 4.16 In 2022 we will be implementing a programme of annual 'walkabouts' for each major town and will be inviting our contractor and local councillors along to allow them to see what we do and how the grading is decided. This will give councillors the opportunity to understand some of the difficulties our contractor faces, as well as giving the opportunity to raise specific queries or concerns

regarding areas within their ward.

- 4.17 In advance of the extension/retendering of the waste and street cleansing contract a cross party, joint working group will be formed. The shared waste service will be facilitating workshops in the coming months to discuss service provision across the contract including street cleansing.
- 4.18 As part of our litter and dog waste bin review we have been working with the parks and open spaces team to review all the litter bins in the district in order to make reporting of issues easier for residents, having a combined mapping system will enable all staff including customer service staff, to ensure that any overflowing bins are reported to the correct department, ensuring their swift rectification. We will also be looking to carry out a review of the parish council litter bins to assess operational and cost efficiency.
- 4.19 The review of litter bins has helped the Shared Waste Service identify areas where litter bins are too close together, where by moving bins the coverage of litter bins could be improved. This work will be ongoing through the spring and summer to monitor the effectiveness of any changes.
- 4.20 Larger wheeled-bins have been trialled in some high speed road laybys to determine if this improves the problem of littering in laybys. However, at the moment despite being installed in frames they are tending to attract some mis-use with people dumping in the bins rather than reducing littering and dumping in the laybys.
- 4.21 As part of the High-Speed Road cleansing programme we work alongside Hertfordshire Highways and utilise the traffic management plan they have in place for grass cutting in order to litter pick the verges and central reservation before the grass is cut. The partnership hasn't been operating effectively over recent years, as partnership working was suspended in 2020 due to Covid 19 working arrangements. However, in 2021 our contractor and the grass cutting contractor worked on aligning schedules to

ensure that we could piggyback on the planned road and lane closures. Liaison throughout the grass cutting season ensured we were all aware of any changes to schedules to allow us to redeploy resources. This approach to cleaning high speed roads does limit our ability to cleanse roads relying on planned closures only but does enable the Council to undertake cleansing at reduced cost. The traffic management associated with closure of high-speed roads is expensive and disruptive to road users.

4.22 We will be sharing our 'deep clean' schedules with Hertfordshire Highways in 2022 in the hope that this will give gully cleaning operations a an opportunity to clear hard to access drainage gullies.

4.23 Cats Hill Case Study

4.23.1 A joint inspection was carried by two Contract officers and a street inspection worksheet was raised as the footpath was found not to be at standard. The street inspection worksheet was raised 8th Feb with follow up contact made on the 9th Feb via a local councillor who informed us that Cat's Hill footpaths had not been cleansed and that there were leaves and detritus running the whole length of the footpath.



4.23.2 The photos above show the pictures that were taken on inspection and this was graded a D, as the footpath hadn't been cleared as

part of the scheduled cleanse.

4.23.3 Our contractor returned and marked the work as complete in our IT system within the required timescales. However, the Contract Officer revisited to ensure it had been cleared to standard and it was apparent an operative has not followed the instructions fully having cleared the road rather than the footpath.

4.23.4 A more formal 'rectification' was then raised in order for our contractor to return, which they did on the 9th February. Please see below pictures of outcome of footpath cleanse.

4.23.5 The level of Contract Officer resource is limited and therefore the Shared Waste Service are unable to return to check all work requested is undertaken to standard by our Contractor. We therefore prioritise our sampling of requested work based on the initial grading. This area being graded a D meant that a reinspection was necessary.



5.0 Risks

5.1 Insufficient resources both operationally and in the shared waste service may have an impact on performance levels, complaints and have financial implications.

5.2 This is a risk that the expectations of standards of street cleansing may be greater than contractual requirements.

5.3 There are reputational risks if performance levels expected from the contract do not meet the expectations of residents.

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Not applicable

Contact Member

Councillor Graham McAndrew, Executive Member for Environmental Sustainability. Graham.McAndrew@eastherts.gov.uk

Contact Officer

Jess Khanom-Metaman – Head of Operations, Tel 01992 531693
Jess.Khanom-Metaman@eastherts.gov.uk

Report Authors

Jess Khanom-Metaman – Head of Operations, Tel 01992 531693
Jess.Khanom-Metaman@eastherts.gov.uk

Chloe Hipwood-Norton – Shared Service Manager – Waste Management
Chloe.Hipwood@north-herts.gov.uk

Jeanette Lowden – Waste Shared Service, Contracts Manger
Jeanette.Lowden@north-herts.gov.uk

Lisa Tilbrook – Waste Shared Service, Senior Contracts Officer
Lisa.Tilbrook@north-herts.gov.uk

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East Herts Council Report

Overview and Scrutiny Committee

Date of Meeting: 22 March 2022

Report by: Councillor Graham McAndrew –Executive Member for Environmental Sustainability

Report title: Shared Waste Service Governance Report

Ward(s) affected: All

Summary

- The shared client team for waste services has been in operation with oversight from the Joint Partnership Board for waste since December 2017. This report identifies options around governance of the shared service to support future partnership working and service resilience.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY

- (A)** To review and provide comments on the new overarching aim of the shared services and principles outlined in 3.10 and 3.12;
- (B)** To recommend that the Executive endorse the formation of a joint cross party working group. The terms of reference for the working group are outlined in **Appendix A** and the outline work programme is described in 3.19; and
- (C)** To support the proposal to explore the future options for governance of the Shared Waste Service, including consideration of a joint committee consisting of representation by both East Herts Council and North Herts Council.

1.0 Proposal(s)

- 1.1 A new overarching aim of the shared services and principles outlined in 3.10 and 3.12
- 1.2 The formation of a joint cross party working group. The terms of reference for which are outlined in **Appendix A** and the outline work programme described in 3.19
- 1.3 To explore the future options for governance of the Shared Waste Service, including consideration of a joint committee consisting of representation by both East Herts Council and North Herts Council

2.0 Background

- 2.1 East Herts Council (EHC) and North Herts Council (NHC) entered into a Shared Service arrangement in 2017 and a joint contract was let beginning in May 2018.
- 2.2 A Councillor led Joint Partnership Board for waste meets twice per year and monitors the performance of the contract.
- 2.3 The service comprises a 'client' management structure located at the Buntingford Depot and two operational hubs comprising separate management teams and separate workforces for East and North Herts Councils.
- 2.4 The Contractor is responsible for the collection of waste and recycling from approximately 124,000 households and over 1920 commercial customers.
- 2.5 In 2014 the Councils agreed to progress from a Strategic Outline Case to an outline Business Case for the shared service specifically exploring potential additional savings in joint contracts, savings in client overheads including depot

costs, governance and management proposals and jointly agreed policies to form the basis of a joint specification.

- 2.6 Prior to the formation of the shared service client team in December 2017, both Councils made unilateral decisions on the service offering to residents for waste, recycling and street cleansing services which formed the basis of the joint contract with Urbaser.
- 2.7 The independent decision making at each authority led to different decisions being made by North Herts Council and East Herts Council regarding the provision of services to residents, despite an original commitment to joint policies.
- 2.8 In some areas service differences are considered minimal, for example EHC do not permit collection staff to collect side recycling whereas NHC do. However, the most significant at the time was the decision by North Herts Council to charge for garden waste collections and the decision by East Herts Council not to.
- 2.9 In almost all cases differences have led to differing operations, differing administrative requirements and have contributed to differences in recycling performance and/or cost and will contribute to the culture and ethos surrounding the service for each authority.
- 2.10 During changes to services the clients focus will be on one authority where the change is not being made by both, this can mean that resources are unbalanced. Undertaking projects at differing times of the year, for example route optimisation means that no efficiencies were found across the contract and that the client was involved in a protracted project timeline taking away from day-to-day customer queries and proactive educational campaigns which help

manage recycling stream contamination and increase participation in services.

- 2.11 If we were to wholly align service efficiencies could be found in marketing and campaign work, planning consultations and customer enquiries all leading to an increased ability for the client to support the services and increase promotion of both domestic and commercial services.
- 2.12 Administrative efficiencies could be found in the financial management of services, procurement, data reporting, tonnage allocation, invoicing, variation processing, performance management, and complaint handling through standardisation of responses and policies.
- 2.13 As a short summary the list below identifies some examples of areas of the current services which are not aligned.

Public conveniences	EHC part of waste contract	NHC separate contract
Parish Litter picking grants	EHC only	
Commercial clinical waste services	EHC only	
Dual recycling litter bins		NHC only
Separate weekly food waste collection		NHC only
Residual waste collection	EHC 240l black bin	NHDC 180l purple bin
Services at flats		NHC separate weekly food waste
Recycling (Paper and Textiles) Bring Banks	EHC only	
Kerbside textile collections		NHC only

Kerbside battery collections		NHC only
Customer Service	EHC in house	NHC in contract
Garden Waste in sacks	EHC only	
Leaf fall collection		NHC only
Paper Box provision	EHC 45l inner caddy (55l option with optional lid)	NHC 55l box
Extra recycling collection	EHC larger bins policy	NHC collection of 'side' recycling

- 2.14 The lack of alignment in some areas has meant that some operational inefficiencies exist. It is hoped that with further alignment opportunities can be explored for cross boundary working, potentially reducing the carbon impact of the services.
- 2.15 At the moment our contractor has little choice but to run services independently for each authority and although some synergies can be found from a joint contract, such as the sharing of spare vehicle resources, it is not currently possible to fully optimise the collections or administrative processes.
- 2.16 The consistency agenda is a key topic in the government's resources and waste strategy and has so far been the subject of two government consultations. It is clear that there is a driving desire from central government to see consistency across service provision with the primary aim of ensuring that services provided to the public are simple to use.
- 2.17 In other areas the lack of alignment creates additional administrative burdens, which if reduced should ensure that

the client is able to more effectively manage the contract and deliver services.

- 2.18 For example, the client team are currently managing two separate garden waste portals, with two separate pricing structures and differing service delivery models.
- 2.19 Governance of waste services is wholly the responsibility of the individual authorities with the Waste Partnership Board set up to review the performance of the contract and services.
- 2.20 An Inter Authority Agreement (IAA) exists between East Herts Council and North Herts Council which outlines the responsibilities of each party.
- 2.21 This report explores the aim and principles of the shared waste service and how service design should be reviewed and agreed in the future, exploring opportunities related to a joint waste committee.

3.0 Reason(s)

Shared Service Aims and Principles

- 3.1 The shared waste service currently operates as one client team operating two separate service specifications. Although the overall performance of the contract for both authorities is good, operational and administrative efficiencies would exist should further alignment be agreed.
- 3.2 Although administrative efficiencies could be realised in the short and medium term, it is unlikely that genuine operational efficiencies (to the benefit of the Councils) could be realised prior to 2025 when the contract is due for renewal or extension.

- 3.3 Taking a long-term strategic look at where the services need to be in 10-20 years' time and reflecting back on the necessary changes which need to be implemented to ensure the Council reaches these goals will future proof the service, develop the workforce to respond accordingly and promote a culture that focusses on waste minimisation.
- 3.4 A further strategic consideration is the performance level for each strand of the service and whether the councils long-term aim would be to maintain standards or want to meet (or exceed) government targets or performance norms.
- 3.5 In 2020/21 Hertfordshire achieved its highest recycling rate to date with an overall recycling rate of 52.4% with EHC achieving 51.5% and NHC achieving 55.9%.
- 3.6 In terms of national performance NHC is currently ranked 28th and EHC is ranked 87th out of 338 Councils/waste partnerships.
- 3.7 As identified in 3.5 recycling rate performance for both authorities currently differs significantly. Much of this difference is as a consequence of EHC operating residual waste services with a 240L wheeled bin and NHC operating residual waste collections with a 180L wheeled bin, meaning residents are more likely to recycle everything they can. The shared service wishes to develop a mechanism to support services transitioning to alignment in the long term.
- 3.8 In June 2016 the Greater Cambridge Shared Waste Service agreed to the aggregation of recycling and waste performance for official reporting to the Government's national Waste Data Flow system, our current service differences mean this is not possible for EHC and NHC. This change came about after South Cambridgeshire District Council and Cambridge City Council agreed to align services, (South Cambs got rid of their

separate paper box) and this demonstrates how the alignment of services through shared services can lead to wider administrative efficiencies.

- 3.9 In consideration of the ability of EHC and NHDC to align services which differ significantly without significant additional Capital costs it will be necessary to determine the long-term vision, aims and service design rather than only consider immediate and restrictive options for change.
- 3.10 It is therefore proposed that the shared service should operate under the a new overarching aim of, ***'Delivering high quality and well performing services which are both financially and environmentally sustainable.'***
- 3.11 A set of principles is suggested, by which, the shared service should operate and decision making be based, to encompass both EHC's and NHDC's aspirations for the future of the shared service.
- 3.12 The principles proposed are:
- A. Maintain and/or improve service standards through efficient working.
 - B. Achieve service improvements, greater resilience, efficiencies, cost reductions or better performance through service alignment
 - C. Deliver service changes aligned with the government's Resources and Waste Strategy which demonstrate a net environmental benefit
 - D. Work in partnership with contractors to develop and evolve a carbon management plan identifying how operations can deliver year on year carbon savings and move towards services with net zero carbon emissions.

- E. Improve efficiencies and enhance the offering for chargeable waste and recycling services and explore commercial opportunities
- F. Work in partnership with contractors to explore new opportunities to reduce costs and ensure the delivery of financially sustainable services
- G. Providing residents and customers with improved and enhanced online self-serve opportunities delivering any service changes with this in mind
- H. Work in partnership with contractors to improve and modernise working practices and make our services an attractive place to work
- I. Work with the Herts Waste Partnership and other partners to share knowledge, best practice, reduce waste and embed circular economy principles in service delivery.

Resources and Waste Strategy – Service Design

- 3.13 In December 2018 the government released its Resources and Waste Strategy. There have subsequently been a number of government consultations linked to this strategy. The industry is currently waiting for the outcomes of these consultations and any subsequent policy or legislative updates.
- 3.14 Outcomes are expected shortly in relation to these recent government consultations on the Resources and Waste Strategy and it is anticipated that some outcomes will impact on the current services and change the way services will need to be delivered in the future.
- 3.15 The joint waste and street cleansing contract is due for extension or re-procurement for 2025 and it is therefore necessary for the shared client team to develop a new service design and specification for this in the coming months.

- 3.16 In order for the shared client team to develop a service design reflective of the principles set out in 3.12 and which meets the anticipated changes in legislation from the Resources and Waste Strategy, it is proposed to set up a joint cross party working group between EHC and NHC.
- 3.17 Each authority would nominate cross-party members to participate in the working group and help shape the proposals for service design going forward. The Portfolio holders for each authority would also be invited. A report with key recommendations will then either be presented to a potential joint waste committee or respective meetings of the councils' Executive.
- 3.18 A key aim of the joint cross party working group will be to secure further alignment of services which will in turn present operational and administrative efficiencies over the medium and longer term.
- 3.19 The key areas intended for consideration by the working group are proposed as:
- Customer Services
 - Street Cleansing Non-Core Services
 - Street Cleansing Core Services
 - Chargeable Garden Waste Collections
 - Waste and Recycling Non-Core Services, for example textiles collections
 - Waste and Recycling Core Services
 - Chargeable Waste and Recycling Services
- 3.20 Draft terms of reference for the joint cross party working group are attached in **Appendix A**.

Delegated Decision Making

- 3.21 For the 2021/22 financial year both Councils agreed to the alignment of commercial waste and bulky waste charging across the two authorities by discussion and liaison with Executive Members and Chief Finance Officers. This was ratified at Full Council at each authority.
- 3.22 In order to achieve swift aligned decision making in the future it may be necessary to explore opportunities to amend the delegations for Executive Members in some areas to ensure consistency between each Councils decision making processes. However, until wider consideration of opportunities around aligned decision making is explored this is not proposed.

Joint Committee

- 3.23 An alternative to further delegation of decision making to the Executive Members would be to form a joint committee between the two Councils with Members from each authority.
- 3.24 The purpose of the joint committee is to act as a combined decision-making body for a the two local authorities. However, as joint committees do not have separate legal personality, they are not capable of owning assets, employing staff or of being a party to a contract.
- 3.25 One partner authority (often called the 'administering' authority) employs staff, holds assets and enters into any contracts for and on behalf of all of the member authorities. The joint committee can, in effect, act as the client to any contracts with third parties or act as the governing body for a joint staff team, but it will be the administering authority that will enter into contracts or act as the employer.
- 3.26 As well as service design the joint committee could potentially make decisions into the necessary assets needed to operate

services for the benefit of the whole joint service, potentially achieving benefits from economies of scale and more sharing of resources.

- 3.27 It would still be necessary to have and maintain an Inter Authority Agreement (IAA) to ensure that the roles of the administrative authority, the partner authorities and key staff are defined.
- 3.28 In addition, an IAA would identify how risk is allocated to the partner authorities and the provision of indemnities.
- 3.29 The IAA would identify how arrangements for budget setting and adopting business/service plans are made and how costs are to be shared. At the moment this is done separately by each authority with separate financial management systems being administered by the shared client team.
- 3.30 Formal joint scrutiny of executive decisions delegated to a joint committee is not possible under current local government law. This means that the ultimate power of individual authority scrutiny committees to call-in decisions of the joint committee under the provisions of their own constitutions would continue.
- 3.31 In theory, this could lead to a convoluted decision-making process whereby a decision could be called in several times by different scrutiny committees before ultimately coming into force. A possible approach towards joint scrutiny would be for the partner authorities to form a separate joint committee with delegated authority to scrutinise the partnership's decisions and operation.
- 3.32 A less formal alternative would be for the chairs of the relevant scrutiny committees in each partner authority to meet regularly with the aim of keeping local committees up to

speed with the joint committees' activities and help to minimise risk of call-in.

- 3.33 It is common for partnerships to seek to limit the role of the administering authority (in a similar way to current limitations agreed under the current IAA) to strictly administrative duties in order to ensure that, on the substantive strategic, policy and operational service issues, all partner authorities have an influence commensurate with their relative membership of the joint committee. In practice, the administering authority will generally take day-to-day responsibility for HR, finance and legal issues, as well as acting as employer, contracting authority and holder of assets and liabilities on behalf of the partnership.
- 3.34 The membership of the joint committee would need to be agreed but would likely be a number of members appointed by each authority. Voting would normally be in accordance with usual local authority principles of simple majority with chair acting as casting vote.
- 3.35 A key advantage of a joint committee is quicker decision making under a tried and tested model. It ensures that 'key' decisions, as a consequence of them affecting all wards can be heard and decided to ensure the swift implementation operationally mid contract. It would also ensure joint decision making during times of service disruption (such as Covid) can be made jointly and residents across East and North Herts can see consistency in service delivery and resilient business continuity planning.
- 3.36 Almost all decisions regarding the Shared Waste Service could be key decisions as they will most often affect all wards. From time-to-time decisions regarding relatively small changes to service design may be required. For which a decision by the Executive may be considered overly onerous or unnecessary for example where a change does not adversely impact on the

provision of services but may be being made to improve operational performance, service delivery or reduce costs.

- 3.37 Decisions made jointly by committee regarding fundamental service design would ensure the most effective and financially sustainable model is agreed for the shared service and ensure the long-term aspirations of the service are not lost.
- 3.38 In a scenario where a joint committee is formed, this would also open up the opportunity for consideration of a new limited company or Limited Liability Partnership to act on its behalf, rather than establishing a lead/administering authority.

4.0 Alternative Options

- 4.1. To retain existing governance structures, without changes to decision making processes, however this has led to unilateral decisions being made which are contrary to the principles of the shared waste service as outlined in 2.5.
- 4.2. Existing arrangements for governance are informal but underpinned by a legally binding Inter Authority Agreement. The existing Waste Partnership Board has no decision making powers.
- 4.3. The setting up of a Joint Waste Authority would involve the creation of a new local authority concerned specifically with the delivery of prescribed waste functions of the partner authorities. A Joint Waste Authority is a statutory body in its own right and will require an establishment order by the Secretary of State for the Environment, Food and Rural Affairs and for this reason is currently excluded from consideration.

4.4. The current structure retains independent decision making for the Councils and is relatively inexpensive to operate as it fits within the existing committee framework for each authority.

5.0 Risks

5.1 Regardless of the decision making processes agreed; each authority will retain a level of control due to the contribution of the Executive and other elected Members in all scenarios. It is however likely that an element of compromise may be required when certain decisions are being taken and it is therefore necessary to ensure the risks of unfair or unsustainable decision making is mitigated in all options by robust principles set out in the Inter Authority Agreement.

5.2 There may be the risk of a decision being made which is on balance the most advantageous solution for the partnership but may not be the most advantageous solution for an individual authority.

5.3 Risks associated with business continuity should reduce as a consequence of more alignment and a combined workforce to deliver services.

6.0 Implications/Consultations

6.1 Members at the Joint Partnership Board identified concerns that the shared service is not wholly aligned in its operation and administration and requested officers explore mechanisms to facilitate the alignment of services

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

Yes

The revenue implications associated with this report predominantly sit with Committee Services at one of the authorities and the need for the resources and budget to manage an additional cycle of committees, this would be determined, and options discussed with both authorities, should the recommendations be agreed. Other short term revenue implications are considered negligible however in the medium-term alignment of services should see economies of scale in some areas of service provision.

The longer-term influence of changes to decision making may impact on the revenue position for each authority in the future. The principle of maintaining financially sustainable services is therefore paramount.

There are no capital implications associated with this report.

Health and Safety

No

Human Resources

Yes

Current governance arrangements require a level of duplication of work for the shared client team which could reduce in a joint committee scenario. The management of an additional cycle of committees will have resource implications for Committee Services at one authority

Human Rights

No

Legal

Yes

Any proposed changes to the constitution at each Council require approval by Council at NHC and the Executive at EHC. Changes to the constitution regarding charging policies require approval by Full Council.

The Executive may establish a joint committee with the other respective authority to exercise functions of the Executive, and currently only Executive Members may be appointed to the proposed joint committee. Under the Constitution either the Council or the Executive can set up a joint committee. The joint committee may then appoint subcommittees for purposes determined by it. The creation of a joint committee may require Council approval depending on what decision making powers/remit the proposed joint committee will have. Decisions relating to the budget are reserved to Council, therefore if the joint committee will have budgetary control the appointment may have to be made by Council. Meetings of the Committee will be conducted in accordance with the Council Procedure Rules. The Council or the Executive will set out the terms of reference of the joint committee (including any limitations on its powers) upon its establishment, which may be reviewed annually.

Section 101(5) of the Local Government Act 1972 and section 9EA, 9EB and to the extent necessary section 105 of the Local Government Act 2000 permit two or more local authorities to appoint a joint committee to discharge any of their functions jointly.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 **Appendix A** – Draft terms of reference – Cross Party Joint Working Group

7.2 [*2020/21 overall performance - letsrecycle.com*](#)

Contact Member

Councillor Graham McAndrew, Executive Member for Environmental Sustainability. Graham.McAndrew@eastherts.gov.uk

Contact Officer

Jess Khanom-Metaman, Head of Operations, Tel: 01992 531693
jess.khanom-metaman@eastherts.gov.uk

Report Author

Chloe Hipwood, Shared Service Manager (Waste Management), Tel: 01462 474304. chloe.hipwood@north-herts.gov.uk

Appendix A

Draft Terms of Reference – Waste Cross Party Joint Working Group

1. Identify the core aims and priorities in terms of service performance, identifying our current performance levels and how these are benchmarked, considering the long-term objectives of both Councils.
2. Consider the impending changes to legislation, including environmental and financial pressures. Reviewing the current service design in relation to these factors.
3. Identify best practice and where opportunities may exist to transition towards best practice where this is both financially and environmentally sustainable.
4. Seek to achieve consensus and greater consistency of services endeavouring to benefit from greater stability and efficiencies from a common contract.
5. Identify opportunities for financial efficiencies and cost reduction in service design and delivery.
6. Consider and identify the optimal long term service design options for the Councils and how these will deliver the Councils objectives and aims and principles of the shared service.
7. Specifically, the working group will focus on:
 - a. Customer Services
 - b. Street Cleansing Non-Core Services
 - c. Street Cleansing Core Services
 - d. Waste and Recycling Non-Core Services, for example textiles collections
 - e. Waste and Recycling Core Services
 - f. Chargeable Garden Waste Collections
 - g. Chargeable Waste and Recycling Services

East Herts Council Priorities

- **Sustainability at the heart of everything we do**
 - We will make changes to how the council manages its own premises, people and services
 - We will use our regulatory powers to promote action by others
 - We will influence and encourage others to be more environmentally sustainable
- **Enabling our communities**
 - We will invest in our places
 - We will ensure all voices in the community are heard
 - We will support our vulnerable residents
- **Encouraging economic growth**
 - We will develop new sources of income
 - We will support business growth
 - We will create viable places
- **Digital by Design**
 - We will improve the customer experience for those who use council services
 - We will work with partners to ensure our communities are digitally enabled

North Herts Council Priorities

- **People First** - People make North Herts work. We value all our residents, businesses, staff, contractors, councillors, and other partners, and place them at the heart of everything we do.
- **Sustainability** - We recognise the challenges our towns and district face and are committed to delivering services which are relevant and sustainable. In doing so we will place our environmental responsibilities, as well as sound financial planning, at the centre of our policy making.
- **A brighter future together** - We are far-sighted and plan for the long term to secure the best outcomes for our people, towns and villages, and the local economy, ensuring North Herts continues to thrive.

Waste Shared Service Aim

Delivering high quality and well performing services which are both financially and environmentally sustainable.

Waste Shared Service Principles

- a. Maintain and/or improve service standards through efficient working.
- b. Achieve service improvements, greater resilience, efficiencies, cost reductions or better performance through service alignment
- c. Deliver service changes aligned with the government's Resources and Waste Strategy which demonstrate a net environmental benefit
- d. Work in partnership with contractors to develop and evolve a carbon management plan identifying how operations can deliver year on year carbon savings and move towards services with net zero carbon emissions.
- e. Improve efficiencies and enhance the offering for chargeable waste and recycling services and explore commercial opportunities

- f. Work in partnership with contractors to explore new opportunities to reduce costs and ensure the delivery of financially sustainable services
- g. Providing residents and customers with improved and enhanced online self-serve opportunities delivering any service changes with this in mind
- h. Work in partnership with contractors to improve and modernise working practices and make our services an attractive place to work
- i. Work with the Herts Waste Partnership and other partners to share knowledge, best practice, reduce waste and embed circular economy principles in service delivery.

East Herts Council Report

Overview and Scrutiny Committee

Date of meeting: 22 March 2022

Report by: Councillor George Cutting, Executive Member for Corporate Services

Councillor Jonathan Kaye, Executive Member for Community Engagement

Report title: Digital Exclusion

Ward(s) affected: All

Summary

- At its October meeting, Overview and Scrutiny Committee Members expressed an interest in the *Transforming East Herts* programme and identified “digital exclusion” as a specific topic to be debated. Committee Member views will be used to inform policy direction and debate around the Council’s approach to digital exclusion.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY COMMITTEE

A. Committee Members consider and debate digital exclusion and recommend some high level policy objectives for Executive to consider within the Corporate Plan.

1.0 Proposal(s)

- 1.1 That the Committee consider digital exclusion and a policy response from the Council.

2.0 Background

2.1 The Council's current approach to digital provision of services is expressed through the "Digital by Default" theme of the Corporate Plan. This was adopted at Full Council on 1 March 2022 and can be found here: [Corporate Plan](#)

2.2 The objectives within this theme focus on maximising self-service through use of the council's website and working with partners (for example the Digital Innovation Zone) on creating digital places. At their October meeting Overview and Scrutiny Committee Members were keen to understand and debate how people in our communities who are less confident or less able to use digital services could be supported within this overall approach.

2.3 With that in mind two external speakers have been invited to the Scrutiny Meeting:

- Michael Francis, Head of Customer and Digital at Herts County Council. Michael will deliver a presentation on how the County Council are addressing digital exclusion as a direct provider and commissioner of services as well as a partner/ enabler working through others.
- Cindy Withey, Connect Dacorum Manager. Cindy will deliver a presentation on the "Staying Connected" project aimed at supporting residents in Dacorum with building digital skills and confidence

2.4 Both speakers will provide some good insight about what digital exclusion means in practice and what potential responses could look like in East Hertfordshire. Some key lines of enquiry for Members to consider are:

- Who are the digitally excluded in the district and what do we know about them?

- What is the Council's role in working with partners and stakeholders to address digital exclusion?

2.5 Committee Members views will be used to inform the policy direction and next steps for the council on Digital by Default within its *Transforming East Herts* programme.

2.6 To assist in the debate, various reports and studies have been produced regarding digital exclusion, especially in the context of Covid-19 and how it has driven behaviour change. Some interesting, recent studies include:

- Report from the Co-operative Councils Innovation Network on the digital divide post pandemic, which can be found [here](#).
- Report commissioned by the Centre for Ageing Better, looking at good practice on supporting those who are digitally excluded, which can be found [here](#).

3.0 Reason(s)

3.1 Committee Members have requested this issue be discussed.

4.0 Options

4.1 N/A

5.0 Risks

5.1 N/A

6.0 Implications/Consultations

6.1 At this stage there are no consultations required however should the council wish to develop its policy position on digital

exclusion further, engagement with residents will be required

Community Safety

No

Data Protection

No

Equalities

Should the council wish to develop its policy position on digital exclusion further, an equalities impact assessment will be required

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 None

Contact Members

Councillor George Cutting, Executive Member for Corporate Services.

Councillor Jonathan Kaye, Executive Member for Community Engagement.

Contact Officer

Benjamin Wood, Head of Communications, Strategy and Policy,
Tel: 01992 531699. benjamin.wood@eastherts.gov.uk

Report Author

Benjamin Wood, Head of Communications, Strategy and Policy,
Tel: 01992 531699. benjamin.wood@eastherts.gov.uk

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East Herts Council Report

Overview and Scrutiny Committee

Date of Meeting: 22 March 2022

Report by: Scrutiny Officer

Report title: Overview and Scrutiny – Draft Work Programme 2021/22

Ward(s) affected: All

Summary

- This report considers actions for inclusion in the committee's existing Draft Work Programme and proposes amendments to the ongoing Draft Work Programme in the light of the recent refresh of the Corporate Plan and "SEED" Priorities.

RECOMMENDATION FOR OVERVIEW AND SCRUTINY COMMITTEE, that:

- (A) The main agenda items for the next meeting be agreed;**
- (B) A Rapid Review group of four Members be established to review affordability of housing in the District on the Terms of Reference outlined in paragraph 1.4. Additionally that the Head of Housing and Health be asked to determine whom to invite as expert witnesses.**
- (C) The proposed Work Programme, included at Appendix A, be approved.**

1.0 Proposal(s)

- 1.1 The Appendix setting out the draft work programme is presented as a single report.
- 1.2 In deciding what items the committee should consider, Members' should have regard to the Corporate and Forward Plans and what is due to be considered at the next Executive.
- 1.3 Specifically, Members' agreement is sought in relation to:

a) The establishment of a Rapid Review comprised of four members of the Overview and Scrutiny Committee, from all political parties, to review the affordability of housing in the district, to be held over half a day with expert witnesses to be determined.

b) Agreement to the proposed terms of reference below:-

To explore options on providing more properties with or without opening a Housing Revenue Account;

Explore where the Council can secure funding to build homes without opening a HRA and could this come from a Homes' England via a Grant?

Review the current arrangements around S106 agreements and what could be done to provide more affordable housing;

Explore how the Council can secure more properties with lower rents; and

What is in the housing strategy which makes provision for more units at lower rents?

c) To seek nominations from the four selected Members for who should Chair the Rapid Review. In chairing the Rapid Review, the Member will be responsible for consolidating the views expressed and prepare and present a report with

recommendations as appropriate to the 21 June O&S Committee and then on to the Executive.

d) Agree who might be invited as expert witnesses following advice from the Head of Housing and Health

1.4 Members have been asked for their questions and potential topics on affordability of housing in a separate email and those questions or topics that do not fit within the terms of reference contained at 1.3 (b) above will be responded to separately.

1.5 Members will also recall that the Executive recently agreed to a refresh of the Corporate Plan and its “SEED” Priorities. Looking forward, there are a number of new issues which have been included on the Work Programme into the next civic year. Members’ views are sought on the issues included and guidance sought in terms of timescales.

2.0 Background

2.1 The draft agenda items for 2022/23 meetings of the Overview and Scrutiny Committee is shown in **Appendix A**. The timing of some items shown may have to change depending on availability of essential data (e.g. from central government) external sources and officers.

2.2 The draft agenda at Appendix A is not a final document, and it is for Members to decide which items they wish to scrutinise, and which they do not, for the various meetings.

2.3 Members are reminded that for a topic to be valid for Scrutiny it needs to be relevant to the work of the council and impact on a number of residents / or the wider area. In addition, there needs to be evidence, whether readily quantifiable or anecdotal, that this is an issue requiring investigation.

2.4 Members are welcome to submit a scrutiny proposal at any

time by completing a Scrutiny Proposal Form (available from the Scrutiny Officer) which will provide officers with sufficient information to assess if it is appropriate for Scrutiny and to ensure their specific questions are addressed. The Scrutiny Officer will then liaise with officers and the Scrutiny Chairman to consider the best way to address the subject and complete a scoping document.

2.5 Members are also asked whether there is any training relevant to scrutiny or to the function and remit of the Overview and Scrutiny Committee that they wish to suggest.

3.0 Reason(s)

3.1 This report provides an update on the current situation in relation to issues raised by Members.

4.0 Options

4.1 The Work Programme will be kept under review by the committee throughout the coming year. It is worth noting that this is a draft work programme which is continually reviewed and will evolve as the work programme develops triggered by external and internal influences

5.0 Risks

5.1 The establishment of an Overview and Scrutiny Committee is enshrined in the Local Government Act 2000 (section 9). The 2000 Act obliges local authorities to adopt political management systems with a separate Executive. Various sub sections (of the 2000 Act), set out the powers and duties for Overview and Scrutiny Committees including the right to investigate and make recommendations on anything which is the responsibility of the Executive. Legislative provisions can also be found in the Localism Act 2011 (Schedule 2) with options to retain or re-adopt a "committee system" (section 9B).

5.2 Potential risks arise for the council if policies and strategies are developed and/or enacted without sufficient scrutiny. Approval of an updated Work Programme contributes to the mitigation of this risk by ensuring key activities of the council are scrutinised.

6.0 Implications/Consultations

6.1 Scrutiny is an important part of the local democratic process and represents the interests of residents. It holds the Executive to account on behalf of residents and helps review and improve services and functions run by the Council and its local partners.

6.2 The proposed Work Programme has implications for Members' time and the resources of the council devoted to scrutinizing the issues included.

Community Safety

No

Data Protection

No

Equalities

Yes – scrutiny of the services provided e.g. by registered providers of social housing will investigate how some of the most vulnerable people in the district, including those with protected characteristics, receive housing services.

Environmental Sustainability

Yes – although not subject to a further Task and Finish Group, the proposed Work Programme envisages the Overview and Scrutiny Committee receiving reports on the progress of the council's Environmental and Climate Forum.

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes - scrutiny is enshrined in Statute (the Local Government Act 2000) as amended by the Localism Act 2011.

Specific Wards

No

7.0 Background papers, appendices and other relevant material**7.1 Appendix A – Draft Work Programme**

Contact Officer: James Ellis, Head of Legal and Democratic Services, Tel: 01279 502170.

james.ellis@eastherts.gov.uk

Report Author: Lorraine Blackburn, Scrutiny Officer, Tel: 01279 502172. lorraine.blackburn@eastherts.gov.uk

“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

Date	Report title/Strategy	SEED Priority	Background information	Officer invitee	Portfolio Holder	Executive Date
22 March 2022	Shared Waste Services Governance Report		Report seeking the establishment of a Task and Finish Group to explore service design for the new waste and street cleansing prior to the contract’s revision	Jess Khanom-Metaman	Cllr McAndrew – Environmental Sustainability (<i>Waste</i>)	
	Street Cleanings Contract Performance		Report which reviews performance of the contract	Jess Khanom-Metaman	Cllr McAndrew Environmental Sustainability (<i>Waste</i>)	

“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

	<p>Transformation Programme Digital Exclusion</p>	<p>“D” Digital by Default</p>	<p>As the Council moves away from what might be termed a traditional front of house, with more services taking place online or via automated options, what risk is there for residents in terms of digital exclusion and what should be done to protect against it?</p> <p>Cindy Withey to provide a presentation on “Staying Connected” and Michael Frances a presentation on 10 Steps to digital success.</p>	<p>Michael Francis Head of digital/ customer transformation) and Cindy Withey Project Lead Dacorum to talk about their approach?) Report from comms on what we are currently doing, and/or a presentation on the night a discussion. Possible Recommendation s to Executive</p>	<p>Cllr Haysey (Lead Executive Member on Transformation) Ben Wood and Helen Standen</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

	Rapid Review of Housing Affordability in the District Agreement to a) establish a Rapid Review (over half a day) b) terms of reference for the RR; c) Nomination of four Members to serve on the RR and who should Chair d) Agreement as to who might be invited as expert witnesses		Issue raised at previous meetings of O&S Committee by Councillor Goldspink following concerns about social rent levels and the lack of affordable housing generally O&S to be asked for their agreement in relation to a – d . Members should note that any questions not on the issue of affordability should be forwarded to the Scrutiny Officer who will co-ordinate with the Head of Housing and Health	Jonathan Geall	Councillor P Boylan – Neighbourhoods (Affordable Housing)	
21 June 2022	RIPA - Update report		Note: Annual reports review	James Ellis		
	Climate Change Strategy		Approval of a high level document which sets out the Council’s approach to achieving climate change aspirations by 2030	Jonathan Geall	Cllr McAndrew (Environmental Sustainability)	12 July 2022
	Report from the Rapid Review Group on Affordable Housing findings			Chairman of the Rapid Review to report on the findings	Cllr Boylan - Neighbourhoods (Affordable Housing)	

“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

	<p>Planning - How we are going to improve the [planning] service, considering the increase in work load?</p> <p>Requested by Chairman and Vice chairman</p>		<p>Note The Head of Planning has advised that the Planning Service is undergoing a restructure in March 2022 and it's therefore suggested that this be deferred until June after the restructure has been implemented.</p>	<p>Sara Saunders</p>	<p>Cllr Goodeve – Planning and Growth</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

<p>20 September 2022</p>	<p>We will use our regulatory powers to promote action by others</p> <p>2a. Publish revised Parking Standards Supplementary Planning Document covering new development, including provision for e-v charging points at new residential properties and locations.</p> <p>2b. Incorporate the findings of the Hertfordshire-wide Biodiversity Baseline study into planning guidance</p> <p>2c Implement stricter taxi emission requirements for all new vehicle applications and</p>	<p>Sustainability at the heart of everything we do</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>One of; Sara Saunders, David Thorogood, or Jonathan Geall</p>	<p>Cllr Goodeve – Planning and Growth</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

	<p>Influence and encourage others to do things</p> <p>3a In partnership seek external funding to introduce e-v chargers in more rural locations in the district.</p> <p>3b Promote domestic energy efficient improvements supported by the national Local Authority Delivery 2 Scheme and the domestic energy efficiency assessment</p> <p>3c. Work with Hertfordshire County Council and community Groups to promote tree planting as part of the national Queens Green Canopy initiative.</p> <p>3d. Promote The Council’s E-car pool scheme to</p>	<p>Sustainability at the heart of everything we do</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>One of; Jess Khanom-Metaman, Linda Meehan, or David Thorogood</p>	<p>Cllr McAndrew – Environmental Sustainability</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

<p>8 November 2022</p>	<p>We will support our vulnerable residents</p> <p>3a. Relaunch the East Herts Healthy Hub to promote easier access to health and wellbeing advice and support</p> <p>3b. Provide specialist support to those facing or recovering from homelessness</p>	<p>Enabling our communities</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Either Simon Barfoot (Ben Wood), or Claire Bennett (Jonathan Geall)</p>	<p>Cllr Boylan – Neighbourhoods (Affordable Housing)</p>	
	<p>We will invest in our places</p> <p>1c. Deliver the Castle Park project</p> <p>1d. Deliver the Cultural Strategy</p>	<p>Enabling our communities</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Either Ian Sharratt (Jess Khanom-Metaman), or Nick Phipps (Jonathan Geall)</p>	<p>Cllr Goodeve – Planning and Growth</p>	

“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

<p>17 January 2023</p>	<p>We will support town centres with post COVID recovery</p> <p>2a. Deliver the ERDF Launchpad 2 project</p> <p>2b. Work in partnership to support recovery of town centres and deploy ‘Welcome Back’ funding</p> <p>2c. Deliver the Jobsmart employment support programme</p> <p>2d. Continue to support administration of businesses grants</p>	<p>Encouraging economic growth</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Either Chris Smith Andrew Figgis (both Ben Wood), or Su Tarran</p>	<p>Cllr Kaye – Communities Cllr Goodeve – Planning and Growth</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

	<p>We will create viable places</p> <p>3a. Support the Herts Growth Board with presenting a case for additional infrastructure investment in Hertfordshire</p> <p>3b. Complete construction of the multi-story car park on the Old River Lane site</p>	<p>Encouraging Economic growth</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>One of, Richard Cassidy</p> <p>Rob Mayo (Ben Wood)</p> <p>Sara Saunders</p>	<p>Cllr Kaye – Communities</p> <p>Cllr Goodeve – Planning and Growth</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

<p>21 March 2023</p>	<p>We will ensure development is viable</p> <p>3c. Deliver an SPD and Masterplan for the Old River Lane site</p> <p>3d. Delivery of the strategic sites allocated in the District Plan in accordance with the housing trajectory.</p>	<p>Encouraging Economic Growth</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Sara Saunders</p>	<p>Cllr Kaye – Communities Cllr Goodeve – Planning and Growth</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

<p>June 2023</p>	<p>We will ensure all voices in the community are heard</p> <p>2a. Grow our digital communications channels (Instagram, Twitter, Facebook and LinkedIn</p> <p>2b Continue to deliver Equalities, Diversity and Inclusion Strategies</p>	<p>Enabling our communities</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>One of, Lindsey Creed or Corinne Crosbourne (both Ben Wood)</p>	<p>Cllr Kaye – Communities</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

	<p>We will support our vulnerable residents</p> <p>3a. Relaunch the East Herts Healthy Hub to promote easier access to health and wellbeing advice and support</p> <p>3b. Provide specialist support to those facing or recovering from homelessness</p>	<p>Enabling our communities</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Either Simon Barfoot (Ben Wood), or Claire Bennet (Jonathan Geall)</p>	<p>Cllr Kaye – Communities Cllr Goodeve – Planning and Growth Cllr Buckmaster – Wellbeing Cllr Boylan - Neighbourhoods</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

<p>September 2023</p>	<p>Keeping communities Safe 4a Support roll out of testing and vaccination centres 4b support national and county let campaigns on vaccine roll out and vaccine hesitancy 4c Provide regulator advice and support to business for safe re-opening</p>	<p>Enabling our communities</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Jonathan Geall</p>	<p>Cllr Kaye - Communities</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

	<p>We will encourage greater use of the website and self-service for customers</p> <p>1a Expand use of the appointment booking system for customers who need to see us</p> <p>1b. Expand use of the chat box to help customers resolve their queries.</p>	<p>Digital by default 2022/23</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Ben Wood</p>	<p>Cllr Kaye Communities Cllr Cutting – Corporate Services</p>	
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“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

<p>November 2023</p>	<p>We will work with partners to ensure our communities are digitally enabled</p> <p>2a ensure fibre to the premise (FTTP) is provided on all new developments</p> <p>2b Support joint delivery of Harlow and Gilston Garden Town as a fully sustainable and digital “place”</p> <p>2c Support the Digital Innovation Zone to lobby for investment in our towns and villages.</p>	<p>Digital by Default 2022/23</p>	<p>Scrutiny on progress with the corporate plan.</p>	<p>Ben Wood Sara Saunders</p>	<p>Cllr Boylan – Neighbourhoods Cllr Goodeve – Planning and Growth Cllr Kaye - Communities</p>	
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A number of items have been included for Members’ consideration following a refresh of the Corporate Plan agreed by the Executive on 8 February 2022

Members’ views are sought regarding the timetabling of issues which Members may wish to review.

“SEED” Priorities, Sustainability, Enabling, Encouraging and Digital by Default

Wproc\$/Stortford/BSWP/NPS/Overview and Scrutiny/2021 – 2021/Committee Work Programme Appendix