

# Annual Scrutiny Report 2019 – 20

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## Introduction from the Leader of the Council - Councillor Linda Haysey

Following the District Elections in May 2019, East Herts welcomed a number of new Councillors on board. To assist Members in their new roles, an intensive induction and ongoing training programme aimed at supporting Members was provided to ensure that all Members had the skills and knowledge to prepare them for their roles and to enable them to work in a supported and all-encompassing environment for the collective good of the District and its residents.

The Executive is East Herts' principal decision making body for those decisions not reserved for Council and a primary role of Overview and Scrutiny Committee is to ensure that it holds the Executive to account for the decisions it makes by the process of scrutiny. Our scrutiny process allows councillors to look closely at the council's services and issues which affect the lives of local people, reviewing the effectiveness of existing policies by examining, questioning and evaluating what we currently have in place, the aim being to achieve improvement and best value in the provision of services regardless of political allegiances.

Like all authorities, Covid-19 has impacted tremendously on the council's income streams and Medium Term Financial Plan and in line with many

other authorities the council has had to ensure that its commitment to its capital projects can be achieved during these difficult times.

The Executive thanks Overview and Scrutiny Committee for the Parking Task and Finish group's substantial piece of work which was set up to examine elements of East Herts' current parking policies. The Task and Finish group met seven times to consider issues within their terms of reference which resulted in a number of recommendations being made which are being kept under review by the Head of Operations.

Going forward, the council continually endeavours to improve the provision of its services and the way it works and with this in mind we asked the Centre for Public Scrutiny (CfPS), (now called the Centre for Governance and Scrutiny – CfGS) to review our current approach to scrutiny and how we can better serve the needs of our residents when considering on the decisions we, as a council need to make. Having regard to the national health emergency, the review took place in May 2020, with the CfGS virtually interviewing selected Members, from political all groups, and key officers. Their final report was published in December 2020 and a Scrutiny Workshop organised by the CfGS took place on 3 December 2020.

The Workshop provided Members of both Overview and Scrutiny and Audit and Governance Committees with an opportunity to consider the CfGS's final report and ask questions. One particular thread running through the report, and which formed part of the recommendations, was the need to hold the Executive to account for the decisions it makes, focusing on strategic issues rather than having items for discussion. The CfGS said that early intervention and being more closely aligned to what the Executive was doing played an important role in ensuring a strategic approach to Scrutiny, including the need to be the "voice of the public". The CfGS emphasised the importance of the Forward Plan, containing key decisions to be taken by the Executive and stressed that early intervention and challenge was the key to good scrutiny. This as well as understanding the "journey" of the decision which should be started early and a robust Forward Plan which is regularly reviewed by Overview and Scrutiny Committee would place Scrutiny Members in a better position to question and challenge; the aim being to improve the provision of services and make savings. The Officer from the CfGS said that Executive Members should be invited to attend meetings of O&S to answer questions about policies and strategies, not just about performance, guided by both past and future decisions.

The Scrutiny Officer will be liaising with key officers to see how best the council can move forward with the CfGS's recommendations.

It is with this expectation that we continue to move forward to be the best that we can be both as a provider of services, a supportive partner and as a local employer, in the knowledge that our residents will always come first.

Linda Haysey



## Introduction from the Chairman of Overview and Scrutiny Committee

I have had the pleasure of being the Chairman of Overview and Scrutiny Committee for 3 years. During that time, I can say without a shadow of a doubt, that the council has continued to strive to provide the best for its residents with vision and ambition, taking on a number of major projects such as the redevelopment of the Old River Lane project in Bishop's Stortford and Hertford Theatre improvements, enhanced leisure facilities throughout the district ensuring East Herts remains a great place to live and work. The Council and the Executive continue to have a positive, open and supportive approach to scrutiny which in my view as Chairman of Overview and Scrutiny Committee, is lead from the top without political bias; the common goal at all times is to provide the best for the district and its residents.

Scrutiny as a process requires time and commitment and I am always heartened by the willingness of both Members and Officers to challenge, review and evaluate. Without their professionalism, enthusiasm and inquiring viewpoint, scrutiny would not be possible. I would therefore like to thank my fellow Members and Officers for their continued support, commitment and positivity in making East Herts a council to be proud of.

John Wyllie

## What is Scrutiny?

Scrutiny is about reviewing, challenging and making sure that the policies and services in place are the best that they can be.

Issues for a scrutiny review need to be evidenced based and must affect more than one individual. Reviews are not restricted to council services – they can look at anything that has an impact on the quality of life of people in the district, including those working with the council in partnership such as with North Hertfordshire council in relation to refuse provision and Stevenage Borough Council in relation to revenues and benefits with housing associations. If there is evidence that something is wrong or can be improved, then the process of gathering information can begin, sometimes by a task and finish group for a more “in-depth dive” or by officers gathering relevant information, inviting partners’ and interested / relevant individuals to attend meetings, The aim is to ultimately identify, recognise what and if any , improvements can be made and recommend these to the Executive based on what has been established.

Performance and how well the council’s services are doing is another aspect which can be reviewed to establish whether targets are being met. An assessment of performance can be made in any number of ways; qualitatively, quantitatively or anecdotally. While performance monitoring was previously split between both Overview and Scrutiny Committee and the former Performance Audit and Governance Oversight Committee, (now Audit and Governance committee) this now sits solely within the remit of O&S Committee. This approach was adopted by Council in May 2020 so as to ensure that

there is clarity and to avoid duplication of function. At the heart of all the work is consideration of what impact the Executive’s plans will have on the local community.

In summary, the purpose of Overview and Scrutiny Committee is to:

- hold the Executive to account for the decisions it makes;
- develop new policies and review the effectiveness of existing policies by examining, questioning and evaluating what we currently have in place in order to achieve improvement and best value in the provision of services;
- use research and questioning techniques to make recommendations based on evidence;
- encourage public participation in policy development and review, so that issues of public concern can be examined on any matter which affects the district or its residents and over which the council has a measure of influence or control.

The Overview and Scrutiny function is not meant to be confrontational or seen as deliberately set up to form an opposition to the Executive, rather both Committees should be regarded as ‘different sides of the same coin’. The two should and do complement each other and work in tandem to contribute to the development of the work of the council, ensuring that there is cross party representation of Members on all Panels and Task and Finish Groups.

# Overview and Scrutiny Committee

The Overview and Scrutiny Committee consists of 14 Members. The Chairman is a Member of the majority group (Conservative) and the Vice Chairman is a Member of an opposition Group (Liberal Democrat). Its terms of reference are set out in Part 2g Chapter 7 of the Council's Constitution – December 2020



## Summary:

Effective overview and scrutiny is essential to enhance the accountability and transparency of the decision-making process. The Council has appointed an Overview and Scrutiny Committee to discharge the functions conferred by section 9F of the Local Government Act 2000 and any regulations. This scrutiny committee will discuss issues in public and take a cross-cutting approach to their work. In accordance with section 9FA of the above Act it may appoint one or more sub-committees to carry out any of their functions. They will seek to improve the delivery of policies and services by:

- (i) holding the Executive to account for its actions;
- (ii) advising on the development and implementation of new policy and corporate projects;
- (iii) testing whether existing policies and practices are effective and efficient and suggesting how they might be improved; and
- (iv) ensuring the rigour and objectivity of performance management and service reviews.

# How and what Overview and Scrutiny Committee decided to scrutinise in the 2019/20 (including part of 20/21) civic year

The remit of a scrutiny committee is to be responsive and flexible to change whether this is in the external or internal environment in order to ensure that the topics examined are relevant and meaningful.

Members of Overview and Scrutiny Committee (and the public) are encouraged to submit proposals for scrutiny at any point throughout the year and the development of a work plan starts around January each year. Any decision to review must be driven by clear evidence, and a flow chart has been developed to help guide the process of scrutiny. The topics selected are issues which Overview and Scrutiny Committee believe to:

- be of local public interest or concern;
- be linked to the council's corporate priorities and over which the council has some measure of influence or control;
- have the potential to impact on the lives of residents; and
- not be subject to scrutiny by another body

At East Herts, Members feel that it is important to spend time scrutinising issues that:

- reduce risk for residents and the council;
- might incur significant costs, such as large projects; or
- could create substantial savings to the Council

To aid the process, Overview and Scrutiny Committee uses the council's corporate priorities to focus its work. As the economic environment and local issues change, these are reviewed regularly to keep them relevant. During the 2019/20 civic year, the Council updated its priorities and summarised them in the acronym "SEED":

- Sustainability at the heart of everything we do
- Enabling our communities
- Encouraging Economic Growth
- Digital by Design

In summary, the council has reinforced its commitment to sustainability and being greener; a place where people will want to live and work supplemented by much needed housing supported by proper infrastructure and investment.



## What we reviewed in the last civic year – a summary

The following is a summary of some key issues which were submitted for scrutiny during the civic year. Some issues were investigated by officers reporting back to Overview and Scrutiny Committee, some led to the establishment of Task and Finish Groups for a “deep dive” into information and some matters were researched with no further action being taken as there was insufficient evidence to support the need for further action or the use of resources.





## East Herts Environmental and Climate Change

Climate Change has long been supported within East Herts' vision of sustainability. East Herts first adopted a Climate Change Strategy and Action Plan in December 2009 which concentrated on internal activities within the council's own estate. This Action Plan was reviewed by Overview and Scrutiny Committee on an annual basis to track progress and the vast majority of the actions have been implemented. These include the introduction of zoned lighting and installation of a voltage regulator at Wallfields and the use of pool covers/new air handling plant at swimming pools.

A subsequent Task and Finish Group, initially established on 13 September 2016 by Environment Scrutiny Committee was superseded by O&S Committee. On 12 February, 2019 the Chairman of the Climate Change Task and Finish Group presented to the Executive a range of actions as well as several key principles relating to potential measures to reduce carbon emissions both within the direct control of the Council and across those areas over which it has influence. This approach was supported by the Executive on 12 February 2019. This reinforced an earlier report to Overview and Scrutiny Committee (on 18 December 2018) to consider ideas and proposals both internally and externally to tackle climate change.

More recently the Council took a decision on 24 July 2019 to agree a Climate Change Motion Link to Motion and Minutes (which acknowledged the Council's new corporate priorities – "SEED"). Officers have been working on progressing actions / decisions based around three strands namely:

- Making changes to the council's own premises, people and services (for example further improving the sustainability of the council's own buildings and investigating a switch to electric corporate vehicles);
- Utilising the council's regulatory powers to promote action by others (e.g. through the effective use of local planning powers / policies);
- Influencing and encouraging others to take action (for example promotion of higher standards for new build and increased engagement with local businesses and the community on carbon reduction activity).

On 23 October 2019 Environment and Climate Change Forum was established to drive forward and oversee action on Climate Change locally. The first meeting of this Forum took place on 15 January 2020 at Fletcher's Lea, Ware.



Over 120 people attended the event including local residents, businesses, political representatives, local community and environmental groups together with third sector organisations. The workshops sessions looked at 5 broad themes:

- waste and recycling,
- transport,
- energy,
- planning and development and
- bio-diversity and resources.

Ideas generated from the event are being included in the council's Environmental Sustainability Action Plan, which is one of the strands of "SEED".

The Forum meets on a quarterly basis, with each meeting considering an individual theme in more depth.



The Sustainability Action Plan has been published with updates on the council's website every month. The plan sets out how the council will seek to deliver its ambitious carbon emission reduction targets which were agreed as part of the Council's Climate Motion. It includes a wide range of activities, which will be continually developed with input from the third sector organisations and the local community to develop and build upon the delivery of the 2030 carbon neutrality aspirations. This is a working document which will be being monitored by the Executive Member for Environmental Sustainability and officers on a monthly basis.





## Parking Policy Review – Task and Finish Group

On 11 June 2019 the council's Overview and Scrutiny Committee agreed to examine elements of East Herts' current parking policies and a Task and Finish group was established to move this forward. Its terms of reference were to review:

- Town centre parking policies, focussing on Bishop's Stortford and Hertford, but looking also at the needs of other towns and villages
- Resident Permit Zone (RPZ) policy
- Parking standards within planning policies
- Climate change/sustainability implications of parking policy

This was a substantial piece of work with the Parking Task and Finish Group meeting seven times to consider issues within their terms of reference. The final report of the Parking Task and Finish Group was reported to Overview and Scrutiny Committee on 10 December 2019, which supported a number of recommendations affecting car parks generally, Town Centre Parking Policies in Hertford, improved bicycle parking at all stations, improved public transport, a redesign of RPZ's, Charging Bays /Facilities and car clubs to name some recommendations. A detailed summary of the report can be found contained within the Overview and Scrutiny Committee Agenda - 10 December 2019.

The Executive on 11 February 2020 received the findings of the Parking Task and Finish Group and agreed that the Head of Operations, in consultation with the Chairman of the Overview and Scrutiny Committee, the Chairman of the Parking Task and Finish Group, and the Executive Member for Environmental Sustainability were tasked with assessing the full viability of the recommendations by the Executive and to report back to the Executive setting out cost implications. This matter was included in the context of the council's Medium Term Financial plan in terms of increasing parking income but due to Covid-19 the Council ceased parking charges and lost a significant level of income (approx. £900k). Additionally, as a result of Covid-19 parking behaviour has changed in the short term and there are fewer commuters in the council's Car Parks.

Since the report was published and considered by the Executive in February 2020, the landscape of parking has changed substantially and the council now needs to explore how best to respond to that change. The Executive received a further report on 24 November 2020 and supported a number of recommendations and deferred some recommendations so that the Head of Operations might keep the mater under review.

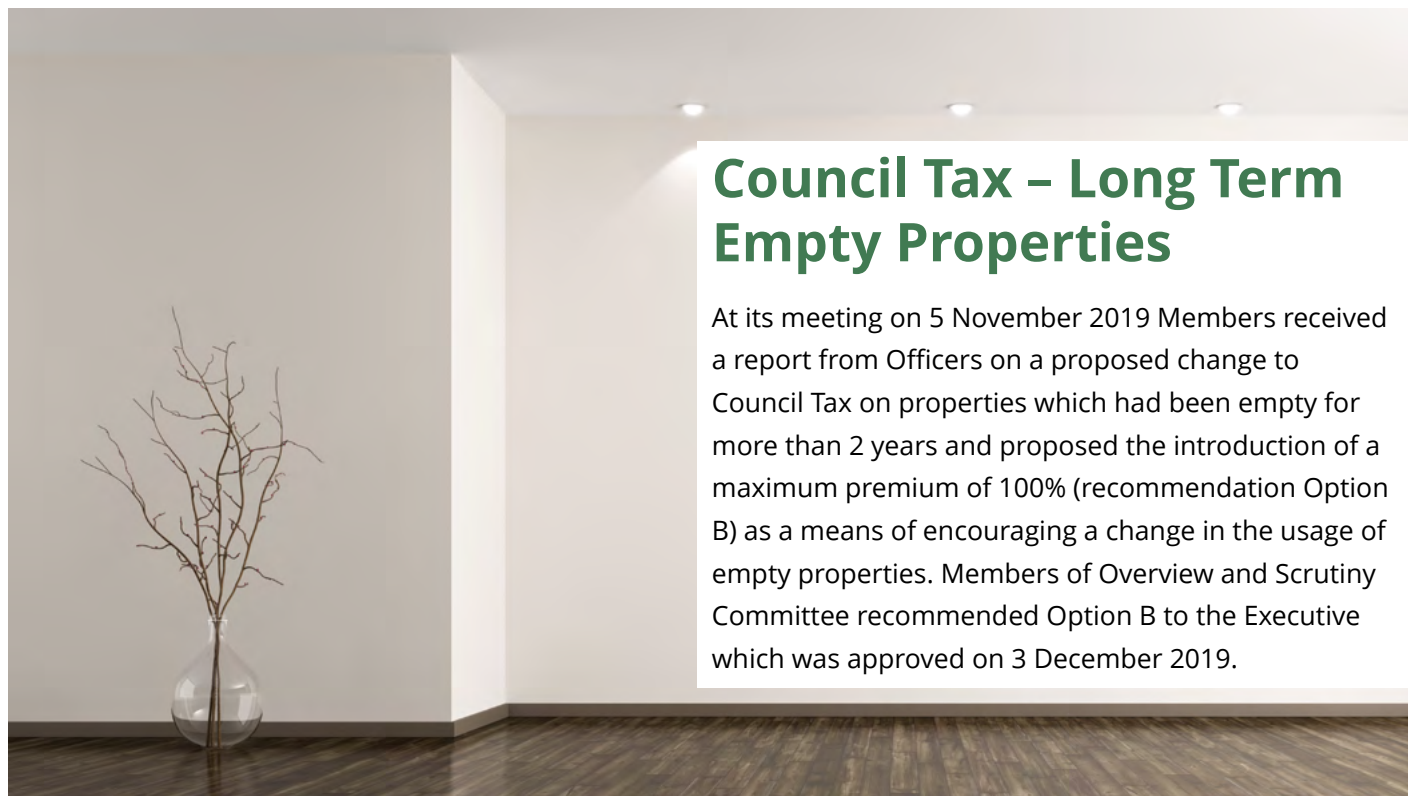
## Urbaser and the Waste Management Service

Since the implementation of the new contract to Urbaser in May 2018 some areas of concern were highlighted from the viewpoint of performance and complaints, For example (missed bin collections per 100,000 – 30 or less per month had not been achieved since the start of the contract) and recycling levels which at times, were below average for the county. A report was presented to Overview and Scrutiny Committee on 5 November 2019 (Waste Management Report) when the Contractor was invited to attend. The Head of Operations advised Members that Officers were satisfied with the performance of Urbaser in East Herts and in particular, that the rate of missed bins per 100,000 collections was very good. In terms of the recycling rate of 50%, the Head of Operations said that a future option might be to reduce the bin-size from 240 Litres to encourage an increase in the recycling rate across the District. Members noted the update and agreed that no further action should be taken.



## Council Tax – Long Term Empty Properties

At its meeting on 5 November 2019 Members received a report from Officers on a proposed change to Council Tax on properties which had been empty for more than 2 years and proposed the introduction of a maximum premium of 100% (recommendation Option B) as a means of encouraging a change in the usage of empty properties. Members of Overview and Scrutiny Committee recommended Option B to the Executive which was approved on 3 December 2019.





## Hertford Town Centre - Economic Viability

Following concerns expressed by one Member about the economic viability of Hertford Town Centre, the issue was scoped as an initial step in the process. Two detailed independent surveys were reviewed by the Scrutiny Officer which concluded that Hertford Town Centre was economically viable and popular (for example there is full occupancy of shops) but that there were strong concerns following site clearance work around Bircherley Green and how this impacted negatively on the local environment. The issue was essentially about residents' perceptions of a lack of progress during ongoing plans to redevelop the site.

The Chairman and Vice Chairman were briefed on the research available and both felt that having reviewed the information available, there was insufficient evidence to support scrutiny of the issue. The Chairman did feel that the new owner of the Bircherley Green site should be allowed time to submit a Planning Application. The initial planning application submitted in December 2019 was refused, a subsequent planning application for a shopping centre at Bircherley Green with mixed use of commercial and residential consisting of 3419 square metres of commercial floor space, 86 bed roomed hotel, 98 residential accommodation units, enhanced car park, and Bus Station, was approved by the Development Management Committee on 25 June 2020.

# Cycling Provision in Bishop's Stortford

A Member highlighted residents' concerns about insufficient levels of cycling provision / storage in and around Bishop's Stortford (and the railway station); a review of evidence was initiated as an initial step in the process. Officers from a number of organisations including Hertfordshire County Council, Greater Anglia (Rail Liaison Team) and Bishop's Stortford Town Council were contacted. Additionally, independent research and commissioned studies confirmed that there was ample cycle storage provision at the railway station and locally and of the progressive on-going work by the council's partners, key organisations and the Town Council to provide cycle facilities and routes beyond the town centre. Studies supported the view that cycle storage was not a problem and referred to the comprehensive improvements for cyclists within the town and its environs. Members agreed on 4 February 2020 to take no further action to review the issue.



# Social Housing – Review of relationship between the council and social housing providers

Members, at their meeting on 5 November 2019, requested that a Task and Finish Group (T&FG) be set up to evaluate the relationship between the Council and the main social housing providers and how it interacted with the two major providers (i.e. Network Homes and Clarion Housing) within the District and whether there were opportunities for improvement.



The T&FG, comprising four cross-party Members met on 19 December 2019 and agreed an approach going forward which was to convene three meetings: one with tenants' representatives from both Housing Associations (which met on 10 March 2020) and two separate meetings; one with Senior Officers from Network Homes (which met on 16 March 2020) and one with Senior Officers from Clarion Housing (arranged for 25 March 2020) – the latter meeting was subsequently cancelled due to the virus pandemic but was re-scheduled to meet on 25 June, 2020 (adjourned) and then on 30 June 2020. The Minutes of all meetings and any recommendations were reported to O&S Committee on 15 September with a number of recommendations to the Executive on 5 January 2021 in relation to the report on "Affordable Housing Research and Overview and Scrutiny Review."

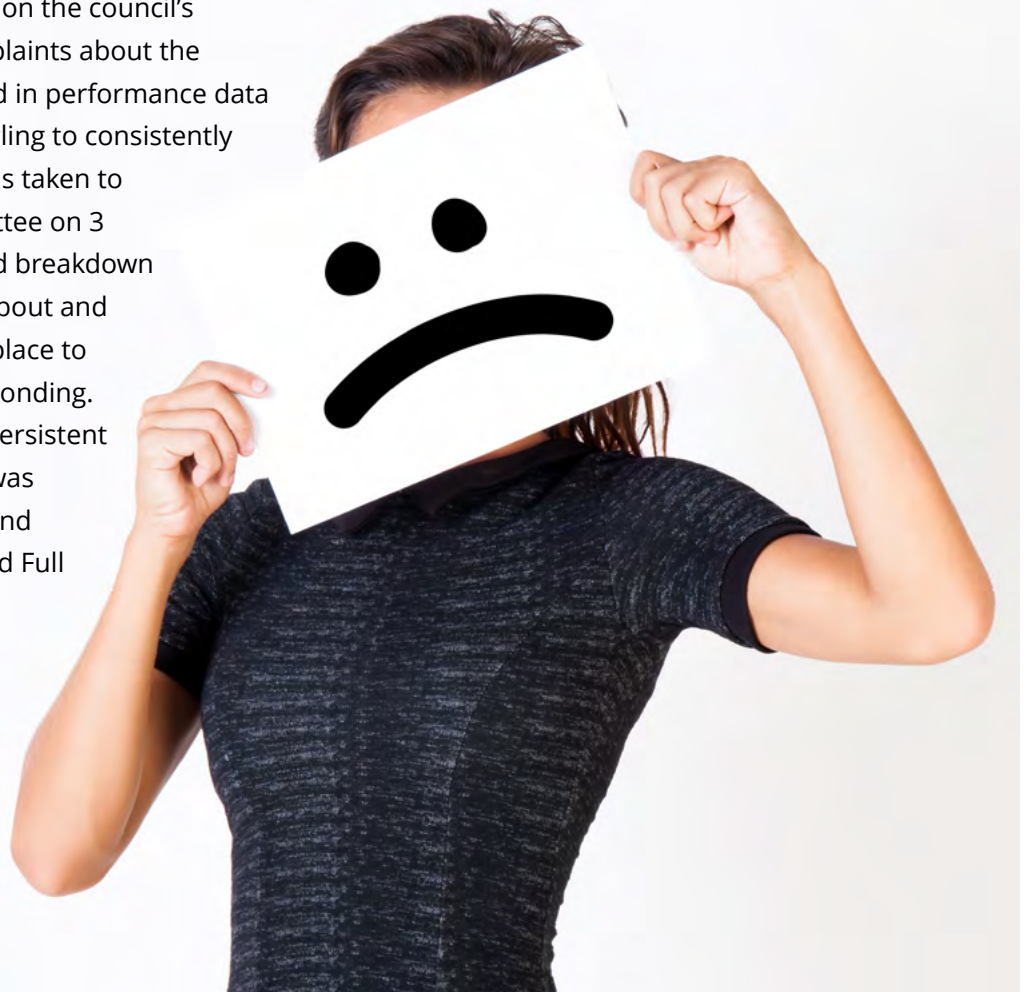
## Review of Website Satisfaction

Members asked for a review of the performance of the Council's website at their meeting on 11 June 2019 . This followed on from Members' identifying trends in regular performance reports that website satisfaction scores had been struggling to consistently meet target. This was reported to Overview and Scrutiny Committee on 4 February 2020 when the Head of Communications Strategy and Policy addressed a number of points raised by Members, concluding that he was confident that the newly structured website format (which had been redesigned to address the new 2019 European Union Regulations to achieve the AA accessibility rate) would address past issues of concern. Members agreed that the matter should be kept under review as part of the regular performance reports to Overview and Scrutiny Committee.



## Review of Complaints to the Council

Members asked for an update on the council's approach to dealing with complaints about the council after identifying a trend in performance data indicating services were struggling to consistently meet their targets. A report was taken to Overview and Scrutiny Committee on 3 November 2020 with a detailed breakdown of what customers complain about and a number of measures put in place to strengthen the process of responding. A new policy for dealing with persistent and unreasonable behaviour was also considered by Members and recommended to Executive and Full Council for approval.



# How can local people get involved?

Scrutiny gives our residents the opportunity to right things which you feel aren't working in your community and there are various ways in which you can get involved.

You can suggest a topic for scrutiny in several ways:

- Firstly there's a form at the back of this report that you can complete and return. Alternatively, forms are available at Council reception areas or you can complete one online here [Scrutiny Referral Form](#)
- You can attend a scrutiny meeting, details of which are on the Council's website. During the current pandemic measures were introduced by the Government to allow for virtual meetings and you can observe the live streams of Overview and Scrutiny Committee meetings via the Council's YouTube Channel.

- Panels quite often seek feedback from local people and partner organisations in connection with specific topics.
- If you're a member of a group, you may be invited to contribute your views on issues related to your areas of interest.
- To keep up to date with what the Council is doing follow us on Facebook and Twitter

<https://twitter.com/EastHerts>

<https://www.facebook.com/eastherts.council>



## East Hertfordshire – Best Place to Live! We think so too!!

Scrutiny is important, it can shape and improve all our lives and save money in the process. In the Annual Halifax Quality of Life Survey, East Hertfordshire was ranked No.1 as the best place to live in 2020 - 50 Best Places to live in Britain.

What makes East Hertfordshire such a good place to live, according to the survey?

- Residents feel fit and well with 97 per cent reporting good or fairly good health.
- East Hertfordshire has the 12th highest weekly earnings of any local authority across England, Scotland and Wales.
- The latest ONS figures indicate adults living in East Hertfordshire are among the most happy and content in Britain, with high life expectancies.
- Schools in the area also achieve excellent exam results,

**We think East Hertfordshire is a great place to live; we want to keep it that way.  
Be interested and get involved.**

