

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY 21
JUNE 2022, AT 7.00 PM

PRESENT: Councillor J Wyllie (Chairman)
Councillors M Brady, A Curtis, I Devonshire,
H Drake, J Frecknall, M Goldspink,
D Hollebbon, S Rutland-Barsby, D Snowdon,
N Symonds and C Wilson

ALSO PRESENT:

Councillors C Redfern, G McAndrew and
G Williamson

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Scrutiny Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Jonathan Geall	- Head of Housing and Health
Steven Linnett	- Head of Strategic Finance and Property
Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Ben Wood	- Head of

Communications,
Strategy and
Policy

56 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor Snowdon and seconded by Councillor Hollebon, that Councillor Goldspink be appointed Vice-Chairman of the Overview and Scrutiny Committee for the 2022/23 civic year.

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

RESOLVED – that Councillor Goldspink be appointed Vice-Chairman of the Overview and Scrutiny Committee for the 2022/23 civic year.

57 APOLOGIES

An apology for absence was submitted on behalf of Councillor Kemp.

58 MINUTES - 22 MARCH 2022

Councillor Snowdon proposed and Councillor Goldspink seconded, a motion that the Minutes of the meeting held on 22 March 2022 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 22 March 2022, be confirmed as a correct record and signed by the Chairman.

59 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillor Wilson to his first meeting of Overview and Scrutiny Committee. He also welcomed Councillor Redfern to the meeting and reminded Members to use the microphones.

60 DECLARATIONS OF INTEREST

There were no declarations of interest.

61 EAST HERTS CLIMATE CHANGE STRATEGY 2022 – 2026

The Executive Member for Environmental Sustainability explained that the Council already had a detailed living sustainability action plan in place, which was reviewed and published on a monthly basis. He said that this new strategy would add to the action plan by clearly and succinctly laying out the Council's overall vision and approach.

The Executive Member for Environmental Sustainability said that importantly and unlike many local authorities' strategies, the East Herts Climate Change Strategy makes clear what the Council was already doing and what changes would be assessed between now and 2030, in order to meet the goal in the climate change declaration of being carbon neutral by 2030.

Members were advised that the strategy had been

subject to public consultation with 35 responses being received from individuals and community groups. The Executive Member for Environmental Sustainability said that analysis of the responses was included in the covering report. He said that he was concerned that the majority of respondents had disagreed that the Council had got the overarching priorities right. He welcomed comments from Members and said that the strategy had been rewritten to make clearer the links between the ambitions of the respondents and those of the Council.

Councillor Wilson asked if the Council had looked at other similar district councils' climate strategies when developing its own and if so, how East Herts' strategy compared to theirs. The Executive Member for Environmental Sustainability said that other Hertfordshire district strategies and other districts outside Hertfordshire had been considered which had been highly rated in the climate coalition's recent review. He explained that the East Herts Strategy set out a road map for the actions that the Council would need to consider year by year to become carbon neutral by 2030.

Councillor Wilson asked if advice and schemes for councillors could be incorporated into the strategy, to help reduce the Council's contributions to emissions etc by encouraging car shares, and by hosting civic events in places that were more accessible via public transport.

The Executive Member for Environmental Sustainability said that providing training for Members

was already included in the environmental sustainability action plan as well as a timescale for this to be provided.

Councillor Frecknall asked if there was any plan to replace the electric vehicle (EV) car club and could this be included in the strategy. The Executive Member for Environmental Sustainability referred Councillor Frecknall to a detailed answer he had given on a related question from Councillor Crystall. He explained that the DEFRA funding had ended and the Council would soon be replacing five diesel vans with electric vehicles, which would be available for Officers as an e-car club and then available to the public once the e-car club was up and running.

Councillor Frecknall asked if there could be a direct referral to the re-writing and refresh of the District Plan in 2023, and in particular the inclusion of the Sustainable Planning SPD into the District Plan. The Executive Member for Environmental Sustainability explained that this matter was included in the table on page 24 of the draft strategy and he would be happy for this to be made clearer.

Councillor Symonds asked if there was any way for paper and plastic recycling to be separated. The Executive Member for Environmental Sustainability referred to the joint waste contract which was currently under review and said that there would be nine workshops to discuss matters such as how waste would be managed and collected separately from other materials going forward.

Councillor Wilson said that the access to the council building was not pedestrian friendly and it was not easy to cross the road at the entrance on Pegs Lane. He asked if representations could be made so that this can happen. The Executive Member for Environmental Sustainability said that any Member could directly approach the highways team or the lead Member at Hertfordshire County Council regarding road improvements.

Councillor Wilson asked if the responses to the consultation had suggested that the strategy was perceived as a PR exercise. He asked if there was any evidence from these responses that this perception was due to the following things:

- Failure of the District Plan to impose strict environmental standards for the building of new developments
- Built car parks (if you build car parks, cars will come)
- Not written a Local Cycling and Walking Infrastructure Plan (LCWHIP)
- Charge for garden waste, meaning food waste had to go in the residual waste, causing an increase in emissions
- Agreement to build over the River Stort causing environmental damage
- Presiding over a car-dominated environment, with AQMAs still in place?

The Executive Member for Environmental Sustainability said that only one of the 35 respondents had made a specific comment that the strategy

appeared to be a PR exercise. He said that two respondents had mentioned the term “green washing” and they had been particularly keen to see cars taken off the road.

Members were advised that figure four in the covering report clearly showed that a sizeable proportion of respondents regarded the issues referred to by Councillor Wilson as priorities.

Councillor Frecknall asked if there could be a removal of the sentence stating that the strategy only accounted for 0.4% of the carbon emissions across the District. He said that he did not believe that this struck the right tone given that the Members were elected leaders and they should be indicating what they could do, rather than what Members were limited to.

The Executive Member for Environmental Sustainability said the strategy was aiming to demonstrate that the Council’s direct emissions formed only a small part of the overall picture. He commented that the emphasis was on the Council using its regulatory powers and influence to bring about a wider change and said that he was open to the views of the Overview and Scrutiny Committee as to how best to make this point.

Councillor Frecknall asked if there was any way that the Council could show leadership and use more positive language in the strategy document rather than simply stating what the Council had achieved and what it could not do.

Councillor Snowdon said it was essential that the Council was seen to lead and that this did happen. He asked the Executive Member how confident he was that the Council would achieve carbon neutrality by 2030. The Executive Member for Environmental Sustainability said that he was very confident and Officers were fully engaged with the process to make this happen.

Councillor Curtis said that he would be cautious about removing the examples of good work that had already been achieved by the Council. He commented on whether consideration had been given to how the Council could show leadership by liaising with partners as to how they could reduce emissions. The Executive Member said that he was open to any ideas that the Overview and Scrutiny Committee could put forward.

The Head of Housing and Health assured Members that the action plan was not just focussed on the Council's own work and emissions and the document did reach out to partner networks. He confirmed to Councillor Devonshire that the Council was working with housing associations in respect of moving towards achieving carbon neutrality.

Councillor Devonshire proposed and Councillor Curtis seconded, a motion that the draft Climate Change Strategy 2022 – 2026, as amended, be endorsed for consideration by the Executive for approval by Council.

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

RESOLVED – that the draft Climate Change Strategy 2022 – 2026, as amended be endorsed for consideration by the Executive and approval by Council.

62 SOCIAL VALUE POLICY

The Executive Member for Financial Sustainability submitted a report that presented the Council's Draft Social Value Policy, which detailed a set of local Themes, Outcomes and Measures ("TOMs") that would assist in leveraging investment in the Council's SEED priorities through procurement and, on a voluntary basis, until the District Plan was revised for major development planning applications.

The Executive Member for Financial Sustainability said that this was a new policy which aimed to bring in an element or dimension of social value when scoring new bidders or suppliers of contracts to the Council. He said that this policy had been developed as a result of the Public Services Social Value Act 2012 and the Council's need to consider how the procurement process might improve Economic, Social and Environmental Wellbeing of East Herts.

The Executive Member for Financial Sustainability said that securing the improvements for East Herts was in alignment the Council's corporate priorities. He explained that the Council would achieve the improvements by aligning with the national social value measurement framework, more commonly known as ("TOMs"). He referred Members to the detail of what was to be included in the policy in Appendix A.

He said that Appendix B covered specific matters that already existed within the framework. Members were also referred to Appendix C and the Social Value Maturity Index.

Councillor Goldspink welcomed the new policy and said that the proposals were a very good approach.

Councillor Curtis proposed and Councillor Hollebon seconded, a motion that the four recommendations detailed in the report be supported by Overview and Scrutiny Committee.

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

RESOLVED – that (A) the Social Value Policy at Appendix A, be endorsed;

(B) the delegation of authority to the Head of Legal and Democratic Services to amend Contract Procedure Rules to reflect the new policy, be endorsed;

(C) the Social Value Maturity Index results and the suggested action plan items for improvement at Appendix C, be endorsed; and that

(D) Councillor Williamson be endorsed as the Lead Member for Social Value and the Head of Strategic Finance and Property be the Lead Officer with responsibility for reporting, managing and delivering Social Value across

procurement and commissioning.

63 CORPORATE ANNUAL REPORT 2021/22

The Executive Member for Financial Sustainability submitted a report updating Members in respect of progress against the Corporate Plan priorities over the 2021/22 year.

The Head of Communications, Strategy and Policy presented a video of the Council's actions and achievements over the last 12 months. Councillor Curtis asked that a list of bike rack locations could be disseminated to Members.

Councillor Symonds asked if the Launchpad facility included Ware as well as Bishop's Stortford. The Head of Communications, Strategy and Policy said that the figures included the successful satellite facility in Ware. He said that demand for co-working space was stronger than ever.

The Head of Communications, Strategy and Policy confirmed to Councillor Symonds that a number of venues had been looked at including Jackson Square for small business to move into subject to the key milestones of the Old River Lane development and the planning permissions being determined.

Councillor Devonshire commented on the possibility of improvements to the telephone system. The Head of Communications, Strategy and Policy acknowledged that the telephone system had been an issue and a number of staff had left the organisation in quick

succession. He said that replacing staff and training new starters in taking calls took time. He said that four Officers had started in the last 6 weeks and two of these Officers were now trained and taking calls.

Councillor Wilson asked why the targets for the HMO applications had been missed and what was being done to avert this and what was the likelihood of this occurring again. The Executive Member for Financial Sustainability explained that in 2021/2022 only eight of the twenty four HMO licences were determined within eight months of the receipt of a valid application. He explained that Environmental Health Officers had been prioritising COVID-19 related duties and Officers had also been working with landlords to resolve any problems found during property inspections.

The Executive Member for Financial Sustainability said that the target time had been breached on four occasions whilst landlords carried out further works so that a positive determination could be made where it was known that a landlord was working closely with the Council. He explained that performance was improving now that COVID-19 pressures had dropped and Officers were working closely with genuine landlords. Members were advised that HMOs could be operated by landlords once a valid application had been made so long as there were no serious health and safety risks.

Councillor Wilson asked about the Castle Park project in Hertford and queried the intended completion date. He sought further information about what might happen if lottery funding was not secured in January.

He also asked what reduced costs might mean for this project.

The Executive Member for Financial Sustainability said that a report on Castle Park was to be submitted to the Executive on 12 July. He confirmed that the lottery funding was not in jeopardy.

Councillor Rutland-Barsby proposed and Councillor Drake seconded, a motion that the contents of the report be noted and the report be recommended to Council via the Executive.

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

RESOLVED - that (A) the contents of the report be noted; and

(B) the report be recommended to Council via the Executive.

64 REGULATION OF INVESTIGATORY POWERS ACT (RIPA)
POLICY ANNUAL REVIEW

The Head of Legal and Democratic Services submitted a report updating Members on the Council's current use of RIPA and reports on the annual policy review. He said that the policy was now seldom used and a report was submitted to Members annually. The last time it was reported there was nothing to update Members about.

The Head of Legal and Democratic Services said that

the policy remained fit for purpose since the last time it was reported to Members. He advised that on this occasion, there was a slight addition to the policy as the Covert Human Intelligence Sources (Criminal Conduct) Act had received royal assent on 1 March 2021 and was operational from 15 September 2021.

Members were provided with an explanation of the aim of the legislation and were also advised of the definition of CHIS (CC) A). The Head of Legal and Democratic Services explained that the powers that this gave the police and other public authorities did not extend to local authorities. He said that it was important this was included in the RIPA policy as this demonstrated that the Council was aware of the change and could inform people that the policy included wording that the Authority was aware of the new powers granted to the police and other public bodies.

Councillor Symonds referred to the need for clarification in terms of the use of cameras in respect of fly tipping and rubbish. The Head of Legal and Democratic Services said that the policy did cover the use of covert surveillance technology where covert cameras were in use.

Members were advised that the Authority tended to make its cameras overt so as to avoid going through a lengthy legal process at the magistrate's court.

Councillor Curtis proposed and Councillor Snowdon seconded, a motion that the content of the report had been considered by the Overview and Scrutiny

Committee and observations provided to the Head of Legal and Democratic Services and the revised Regulation of Investigatory Powers Act (RIPA) Policy be recommended for adoption by the Executive.

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

RESOLVED – that (A) the report be considered by the Overview and Scrutiny Committee; and

(B) the revised Regulation of Investigatory Powers Act (RIPA) Policy be recommended to the Executive for adoption.

65 OVERVIEW AND SCRUTINY - DRAFT WORK PROGRAMME 2022/23

The Scrutiny Officer said that this report was the usual draft work programme which was attached to the report as an appendix. She referred to a number of suggestions in the report in terms of what the Committee might wish to scrutinise during the 2022/23 civic year.

Members were advised that the aim was to achieve a confirmed work programme beyond November 2022 and that Members were welcome to suggest items for scrutiny.

The Head of Legal and Democratic Services said that it would be good to establish a skeleton outline of work programmed for the remainder of the civic year. He

referred in particular to having SEED priority forward plan items on the work programme for January and March 2023, furthermore this would also make it easier for Executive Members to plan ahead to attend future meetings.

Councillor Frecknall talked about the possibility of having Planning and in particular Enforcement on the Agenda for the September 2022 meeting. The Chairman said that September was already a heavy meeting in terms of agenda items and commented that the Head of Planning and Building Control had already discussed with him the issue of the Planning Enforcement and Pre-Planning Advice reports and why these needed to be deferred until November.

Councillor Goldspink said that she was pleased that the Housing Strategy item was in the work programme for September 2022 and she would not wish another matter to impact on the discussion on the Housing item.

Members agreed that the issue of Parking Signage at North End Car Park be included on the agenda for the September meeting. Members expressed concern that the Car Park at Charringtons House had generated so many PCNs.

It was proposed by Councillor Devonshire and seconded by Councillor Curtis, that the Committee Work Programme, as amended, 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; and

(B) the proposed Overview and Scrutiny Committee Work Programme, as amended, be approved.

66 URGENT ITEMS

There was no urgent business.

The meeting closed at 8.03 pm

Chairman
Date