

# East Herts

## Annual Scrutiny Report 2022-23



[eastherts.gov.uk](http://eastherts.gov.uk)





**Councillor John Wyllie**  
Chairman of the Overview  
and Scrutiny Committee

## **Introduction from the Chairman of the Overview and Scrutiny Committee, Councillor John Wyllie**

It is my pleasure to provide a summary of the work of the Overview and Scrutiny Committee over the last 12 months. This includes regular reviews of the East Herts corporate plan to ensure that the council's vision for East Herts and the provision of services are driven forward by our four 'SEED' principles: Sustainability; Enabling our Communities; Encouraging Economic Growth; and Digital by Default. These principles underpin the council's endeavours to support residents, to provide services which go above and beyond, and to strive for better as our town and villages grow.

**This report summarises the committee's activities during 2022-23, starting with our first quarterly meeting on 21 June. All reports and minutes are available on the council's website.**



## Meeting on 21 June 2022

### East Herts Climate Change Strategy

Ever conscious of the need to support environmental issues and sustainability initiatives, Committee Members were provided with an update on the Climate Change Strategy which detailed the council's vision and what changes would be made between now and 2030 to achieve its goal of being carbon neutral. The Overview and Scrutiny Committee sought assurances that other district council climate strategies had been reviewed in developing its own. Members stressed the need to reduce emissions, the promotion of car sharing and the need to provide electric vehicles for Officer work related use. They also challenged the consultation exercise and debated the strategy at length, seeking assurances on the need to include the Sustainable Planning Supplementary Planning Document (SPD) in the District Plan, to review the need for paper and plastic recycling, and the need to work with its partners in achieving carbon neutrality.

Members endorsed the draft Climate Change Strategy 2022–26 for consideration by the Executive.

The reports were subsequently reviewed by the Executive and agreed by Council. The agendas and minutes can be found via the following links:

[Executive 12 July 2022](#)

[Council 27 July 2022](#)

**S**ustainability at the heart of everything we do

**E**nabling our communities

**E**ncouraging economic growth

**D**igital by default



## Social Value Policy

Members considered the council's Draft Social Value Policy which would help in leveraging investment in the Council's "SEED" priorities through procurement. The new policy aimed to bring in an element of social value when scoring new bidders or suppliers of contracts to the council. Members endorsed the Social Value Policy, Maturity Index and Action Plan for improvements as detailed and the scheme of delegated authority to key officers.

## Corporate Annual Report 2021-22

An annual review of the Corporate Plan was presented to Members so that they could assess the progress and achievements over the last 12 months. In receiving the report, Members reviewed the current arrangements for the Launchpad facilities in the District and Members were provided with an update on telephone issues. Covid-19 related duties had impacted on Officers' abilities to determine Houses of Multiple Occupation (HMO) Licences and of on-going work by the council to work with landlords. An update was provided in relation to the Castle Park project. Members noted the report and recommended it to Council via the Executive.

**The agendas and minutes of these meetings can be found via the following links:**

[Executive 12 July 2022](#)

[Council 27 July 2022](#)

## Regulation of Investigatory Powers Act (RIPA) Policy Annual Review

Following an update to Members as part of the Annual Review Process, Members were advised that the Policy had been amended by the inclusion of the Covert Human Intelligence Sources (Criminal Conduct) Act (CHIS) which received Royal Assent on 1 March 2021. This gave a CHIS the ability to participate in conduct which would otherwise constitute a criminal offence. Public authorities were not given these powers. Members recommended to the Executive adoption of the RIPA Policy.

**The agenda and minutes of this meeting can be found via the following link:**

[Executive 12 July 2022](#)



## Meeting on 20 September 2022

### Council tax reduction scheme 2023-24

A report was submitted on the current Council Tax Support scheme (CTS) at East Herts and the Committee was asked to consider whether any changes to the scheme should be made for 2023-24. The current scheme required payments of 8.5% of council tax liability instead of the 100% awarded under the previous scheme. Members were provided with a statistical breakdown of who in East Herts received CTS equating to under 8% and those who were eligible to receive up to 100% support. Assurances were given that Officers worked closely with any resident experiencing difficulty and that arrangements were in place to avoid causing excessive hardship.

Members were happy that the current Council Tax Scheme should continue for 2023-24.

The reports were subsequently reviewed by the Executive and agreed by Council. The agendas and minutes can be found via the following links:

[Executive 25 October 2022](#)

[Council 14 December 2022](#)

### Review of potential opportunities for delivering more homes at social rent levels

Following concerns raised in the past regarding the need to provide more affordable homes with lower rents, the Overview and Scrutiny Committee was provided with the first draft of the Strategic Priority 1 Action Plan which had been prepared following consultation with other partner organisations. Members were advised that independent studies conducted by the Housing Quality Network in 2020 showed the benefits of greater numbers of homes with social rents and that there was a commitment to exploring all options for providing more homes for social rent. Members also considered the two regimes for setting rent and that social rents were set on a nationally defined formulae that did not factor in market rent.

The report was debated at length with Members discussing the options contained in the Priority Action Plan and the role of registered providers in the provision of more social housing. The Overview and Scrutiny Committee asked that their comments be forwarded to the Executive Member when finalising the documents prior to approval.

**The agenda and minutes for the Executive meeting can be found via this link:**

[Executive 12 July 2023](#)

## **First Homes Technical Advice note**

The Committee considered the First Homes Technical Advice note. First Homes, a new form of low-cost home ownership, would recommend that a developer provide homes to buy at a discount of between 30% to 50% of the market price.

Having analysed the approach, Officers explained why this was not suited to the East Herts housing market because this would reduce their ability to provide many or possibly any, other affordable housing and would make the inclusion of social rent homes all but impossible. Shared ownership was reported as being more affordable for working households in the District than a First Home, and the First Homes Technical Advice sought to strengthen the council's position when negotiating with developers about the inclusion of first homes.

The Overview and Scrutiny Committee recognised that this was not a suitable approach in East Hertfordshire but that this was a nationally recognised affordable tenure. Members endorsed the First Homes Technical Advice Note for consideration by the Executive.

**The reports were subsequently reviewed by the Executive and agreed by Council. The agendas and minutes can be found via the following links:**

[Executive 22 November 2022](#)

[Council 14 December 2022](#)

## **Licensed vehicles emissions update**

In supporting the Corporate Plan, the Committee reviewed a report which set out the work undertaken in relation to the emissions created by licensed vehicles, both hackney carriage and private hire vehicles. The report advised that 79 licensed vehicles were not Euro 6 emissions compliant. Members considered the impact this might have on specialised wheelchair accessible vehicles but that there would be exemptions in certain circumstances. The Overview and Scrutiny Committee were also reminded of the Hertfordshire-wide Climate Change Sustainability partnership and the work being done to roll out a policy in respect of low emissions.

Members of the Overview and Scrutiny Committee endorsed the work being undertaken to limit emissions from licensed vehicles.

## Planning enforcement 2022

The Overview and Scrutiny Committee considered a report regarding the council's approach to planning enforcement following the adoption and implementation of a new Planning Enforcement Plan. Although the level of complaints regarding planning enforcement remained high, Members noted that the triage system which was in line with Government guidance, was working effectively and had enabled Officers' time to be directed to those cases requiring further investigation, some of which were very complex and took time to resolve. The approach to those reporting anonymously to proposed breaches was debated. The issue of having sufficient resources in place to deal with the increase in cases was of concern to the Overview and Scrutiny Committee. Members also felt that having better communication with residents might reassure them that work was ongoing behind the scenes.

The Committee requested that their comments be referred to the Executive Member for Planning and Growth.

## Future service design of waste, recycling and street cleansing services

A report was presented to Members on proposals due to be referred to the Executive regarding the competitive dialogue for the procurement of waste and recycling collection and street cleansing contract which was due to expire in May 2025. The report had been drafted following comments from the Member-led Joint Working Group between East Herts and North Herts Council and set out the key changes which impacted across the shared service arrangements and the challenges faced by both councils. In addition to securing a more financially and environmentally sustainable service, Members considered the extended frequency of residual waste collections, transitioning to smaller 180L waste bins, the weekly separate food waste collections for houses and flats and the cessation of recycling bank services. Members debated the report at length, seeking assurances and clarification about the environmental sustainability of the refuse trucks, the length and flexibility of the contract, the frequency of residual collections, recycling arrangements for residents in flats (including that of food waste) and proposals to reduce the size of the residual bin size to 180 litres to encourage more recycling. Members requested that their comments and concerns be fed back to the Executive.

**The reports were subsequently reviewed by the Executive and agreed by Council. The agendas and minutes can be found via the following links:**

[Executive report 25 October 2022](#)

[Council 16 November 2022](#)



## Meeting on 8 November 2022

### Data Protection Policy

A new Data Protection Policy had been drafted for consideration by the Overview and Scrutiny Committee before its consideration by the Executive.

**Members debated its content and recommended its adoption to the Executive. The agenda and minutes for this meeting can be found via the following link:**

[Executive 22 November 2022](#)

### Surveillance Technologies Policy

A new Surveillance Technologies Policy had been drafted. Members were advised of the collaborative work with the Police and the CCTV Camera Partnership arrangements.

**Members supported the adoption of the Policy and recommended its adoption to the Executive. The agenda and minutes for this meeting can be found via the following link:**

[Executive 22 November 2022](#)

### Development management update

Members were provided with an update on the current situation with planning applications, the current challenges and the actions being taken to improve the service and address the backlog. The significant increase in the volume of applications reflected a national trend across the country alongside a national shortage of planners and a high turnover of staff. Members were concerned about the options available to assist the council and the interventions which could be implemented quickly including working with Hertfordshire Highways in assisting officers in determining planning applications. The Overview and Scrutiny Committee referred their concerns and observations to the Executive Member for Planning and Growth.

### Digital communications update

Members were presented with a report which reviewed progress against various priorities within the Corporate Plan. Members were keen to establish a wider circulation of the Network newsletter and asked if existing account set ups for business rates and council tax could include a sign-up option for Network. They also felt that the telephone system could be improved by the introduction of the call back option given the concerns expressed that only 75% of calls were answered within 10 minutes. The Overview and Scrutiny Committee was keen to ensure that those who were not comfortable using digital services would be supported. Members noted the follow up update following an earlier presentation.





## Meeting on 21 March 2023

### Information governance and data protection policies

Members of the Overview and Scrutiny Committee considered a report which provided an update on the Access to Information Policy, the Data Breach Policy and the Data Retention Policy as part of an annual policy review. The appendices to the report summarised the proposed changes for Members' consideration. The Policies had been amended to reflect new council policies, learning from data breaches, storage locations and backup arrangements following migration to Microsoft 365. Members received the update and requested that training should be provided following the May 2023 elections to ensure new Members and the council were protected from potential risks.

### Air quality management plan

Members of the Overview and Scrutiny Committee received a report which aimed to provide questions raised by Members at an earlier meeting about the council's air quality management areas and an air quality action plan. Members wanted to establish whether the current air quality action plan was fit for purpose, whether there was sufficient information on the website, whether statutory duties were being fulfilled, the impact of new housing developments on existing Air Quality Management Areas and whether Section 106 monies had been used from housing development to improve air quality.

A presentation was provided by the Executive Member for Environmental Sustainability which highlighted the fact that pollution levels had been reducing in the three air quality management areas of Bishop's Stortford, Hertford and Sawbridgeworth since 2014, nearly falling below the air quality management designation status. He explained that from the evidence presented, the recent growth in housing development had not impacted negatively on air pollution despite increases in car usage and additional school admissions.

Members acknowledged that a Government Grant of £126,408 had been received to deliver air quality projects and were given a summary of the council's achievements since 2020. This included the purchase of electric cars for Officer use, revised taxi policies, the sustainability policies, new pollution monitors and a new Climate Change Strategy. The Executive Member explained the timetabling proposed for the introduction of a new

Air Quality Action Plan. This would go out for consultation and approval by the Overview and Scrutiny Committee (21 September 2023), the Executive (January 2024) and to DEFRA (Department for Environment, Food and Rural Affairs).

Following a lengthy debate, Members considered the responses to some pre-submitted and supplementary questions given by the Executive Members for Environmental Sustainability and for Planning and Growth and by Hertfordshire County Councillors Eric Buckmaster, Bob Deering and Calvin Horner.

Members welcomed the work being done in the three air quality management areas and how the Council was using available resources to have a positive impact on public health and the extent to which it was fulfilling its statutory obligations. Members also noted the proposed timetable for the Draft Air Quality Action Plan and looked forward to scrutinising this on 21 September 2023.

### **Regulation of Investigatory Powers Act (RIPA) policy annual review**

A report was submitted which updated Members on the council's recent IPCO inspection. The report recommended a number of changes to the RIPA Policy following an inspection and why these were considered necessary to further strengthen the policy. Following the last inspection, Members were pleased to note that the Inspector had been both positive and complimentary regarding the changes made. The Inspector had suggested some modifications to the Council's RIPA Policy in order to address some recent changes pertaining to Communications Data in the Investigatory Powers Act, as well as some additional changes to the treatment of information on social media. Members welcomed the report and recommended the proposed changes to the Executive for adoption.