

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY 7
NOVEMBER 2023, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors P Boylan, E Buckmaster,
R Carter, N Clements, N Cox, C Horner,
G McAndrew, S Nicholls, C Redfern,
M Swainston, G Williams and
D Woollcombe

ALSO PRESENT:

Councillors B Crystall, J Dumont, V Glover-
Ward and C Wilson

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
Katie Mogan	- Democratic Services Manager
Sara Saunders	- Head of Planning and Building Control

203 APOLOGIES

An apology for absence was submitted from Councillor Thomas. It was noted that Councillor Marlow was substituting for Councillor Thomas. It was noted that Councillors Redfern and Williams would be joining the meeting slightly later.

204 MINUTES - 12 SEPTEMBER 2023

The Minutes of the meeting were submitted. Councillor Clements suggested that there should be an amendment to paragraph 6 of Minute 132 (Community Grants Policy and Priorities 2023/24). He suggested that the paragraph should be amended as follows:

Delete "on priorities and providing support to those who needed mental health support with gaining employment".

Insert "Councillor Clements commented on priorities and the provision of support to young people in gaining employment". This amendment was supported.

Councillor Boylan explained that he had not attended the meeting on 12 September and had sent his apologies for that meeting and that Councillor Williamson had substituted for him. He asked that the list of those in attendance be amended to add "Councillor Williamson".

In relation to Minute 130 (Pedestrian Safety) Councillor Nicholls referred to “children’s” perception of speed and asked that this paragraph be amended to reflect this. This was supported.

Councillor Clements proposed and Councillor Nicholls seconded, a motion that the Minutes of the meeting held on 12 September 2023, as amended, 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 12 September 2023, as amended, be confirmed as a correct record and signed by the Chairman.

205 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman’s announcements.

206 DECLARATIONS OF INTEREST

There were no declarations of interest.

207 DRAFT ‘A LISTENING COUNCIL: EAST HERTS COUNCIL’S PRINCIPLES FOR INFORMATION GIVING, ENGAGEMENT AND CONSULTATION’ DOCUMENT

The Executive Member for Resident Engagement submitted a report which provided Members of the Overview and Scrutiny Committee with the opportunity

to consider and provide comments on the draft proposed set of principles governing how the council will inform, engage and consult residents, businesses and stakeholders.

In response to a query from Councillor McAndrew regarding the inclusion of the two agenda items, at the request of the Chairman, the Head of Legal and Democratic Services explained the processes involved before reports are added to an agenda.

Councillor McAndrew also referred to the future development of the Work Programme and proposed changes. The Chairman assured Members that he was in discussion with the Leader regularly in terms of the Forward Plan and its impact on the Work Programme of Overview and Scrutiny Committee.

The Executive Member for Resident Engagement welcomed the opportunity to discuss the document before Members. He explained that the report had been driven by the low electoral turnout at the District Elections in May 2023 and the need to ensure that the council engaged in a more diverse manner with residents and at the earliest opportunity especially on key issues such as housing, planning, licensing in order to hear more diverse views. He said that the paper before Members addressed a new approach to engagement and consultation.

The Executive Member acknowledged the council's past record and practices but felt that there was a greater opportunity to work in a more open and transparent, engagement process. The report before

Members drafted a simple and straightforward set of principles which the council would follow when seeking to inform, and consult with residents, businesses and stakeholders.

The Chairman made the point that the council worked in an open and transparent way and that the meeting was a public meeting. He added that the information was open to inspection but that residents will only be interested in what they are interested in.

Following extensive debate, Members felt that:

- the role of Ward Members and the role of Overview and Scrutiny should be emphasised more in the draft document;
- there was a need to ensure that people's expectations were managed in an open and transparent way and of the limitations which may be placed on officers from the viewpoint of planning;
- the document should reflect an ability to say "no" from the viewpoint of resources and budget constraints. It was acknowledged that a forum was needed to hear what the community wanted whether this was a citizens' forum or other tried and tested forums for public engagement to listen to views;
- the views of young people must be reflected in the document, including an explanation of how these might be collated;

- further information should be included on how the council's policies would be amended to reflect the principles set out in the draft document.
- the role of councillors working in their wards was acknowledged and there was a need to improve internal communication in the consultation process in working with, Members, Officers and stakeholders;
- there was a need to reach out into other sectors of the community for example, for the LGBT community, disabled and those whose first language was not English;
- there should be acknowledgement that the council worked with three tiers of local government i.e. Town and Parish, County and District and the need to ensure that work was not duplicated;
- the culture of the council was changing and of the need to not only co-ordinate with Town and Parish Council groups but Neighbourhood Planning partners;
- the principles in the document should become good practice and guidance for Officers and Members to follow;
- the Council may have to invest to communicate and the pressure this may place on the council, including the communications team in being able

to disseminate information to different audiences in different ways.

The Executive Member for Resident Engagement acknowledged that the document was a starting point and that there was a need to engage in a more diverse manner including with young people, the LGBT community, disabled groups and those who do not have English as a first language. He explained that it was about hearing views early on and being able to tailor the consultation to a particular circumstance. The Executive Member accepted that there was a need to consider limitations, expectations and the resources available. Specifically, being transparent early in the process and explaining to groups what's happening and making sure that the principles by which the council adhered to were heard by Officers and stakeholders.

Members also felt that there was a need to:

- ensure that the document did not impact on the council's reputation from a risk viewpoint and to emphasise its limited resources;
- to take into account potential cost implications if staff, Town and Parish council officers needing training;

The Executive Member for Resident Engagement said it was key that residents were engaged in the early stages and said by example, that the report on Air Quality was one such issue which he would have liked to have been consulted on. He explained that it was

for all Members to find better ways to consult with residents.

The Executive Member for Corporate Services referred to the need to ensure that documents such as consultation letters should be written clearly and concisely and without jargon as he felt that this was important to encourage public consultation.

In response to a question from the Chairman, the Executive Member said that success would be reflected in better election turn out figures, speaking to more people more often and receiving less complaints from residents.

The Chairman acknowledged that Members' comments would be submitted to the Executive. The Chairman sought Members' views on reviewing the draft document at a future meeting. The Head of Housing and Health explained that it was usual for Overview and Scrutiny Committee to see a new policy after it had been through the consultation process. He said that what was before Members was a pre-consultation version of a policy document.

The Chairman was concerned that the document as presented, indicated that the proposal would not impact financially on the council. He said that non-online data methods usually had cost implications and that this issued needed further thought. The Chairman accepted that there needed to have a formalised methodology to work with partners and stakeholders. The Chairman queried why it was necessary for it to be submitted to the Executive by the end of the month.

The Executive Member for Resident Engagement explained that he was keen to get a set of principles together as soon as possible, so that both officers and Members had a document to work towards and that the document could be reported back to the Overview and Scrutiny Committee for further review if necessary and after comments from the Executive. The Head of Housing and Health suggested that this early review of the pre-policy document would give all Members and Officers a chance to feed into the process.

The Chairman explained that at this point, Members were being asked to exercise their opportunity to consider the pre-policy and comment rather than being asked to endorse what was before Members. This approach was supported.

Members welcomed the proposal. Councillor Buckmaster proposed and Councillor Boylan seconded, a motion that Members have acknowledged the opportunity to consider and comment on the proposal prior to its submission to the Executive. Furthermore, that the report should be presented to Overview and Scrutiny Committee at a future date for review.

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

RESOLVED – that (A) Members have commented on the proposals as detailed above, prior to the proposal being submitted to the Executive; and

(B) that the report be presented to Overview and Scrutiny committee at a date to be agreed for review.

208 COMMUNITY FORUM AND DEVELOPMENT MANAGEMENT FORUM

The Executive Member for Planning and Growth submitted a report which provided Members of the Overview and Scrutiny Committee with the opportunity to consider and provide observations on the proposal to set up Community Forums for Strategic Sites across the district and the proposal to establish a Development Management Forum.

The Executive Member for Planning and Growth explained that the establishment of regular Community Forums for large strategic sites for developers, residents, community groups, elected Members and Officers would allow all groups to engage and raise issues of concern over the lifetime of a development and this would enhance the quality of community life and communication. Additionally, the development of a Development Management Forum for planning applications (for 50 or more homes) arranged prior to a planning decision would enable residents to share their concerns in an in an open and transparent way.

The Executive Member for Planning and Growth explained how the forums and their respective remits would operate.

Members debated the proposal at length commenting as follows:

- that in terms of the Community Forums for strategic sites, the opportunity to steer and influence a development was a positive step forward;
- in relation to Development Management forums, concerns were raised from the viewpoint of resources;
- that there was already a Statement of Community involvement and that a Community Forum was seen as a duplication of effort. The Head of Planning and Building Control provided explained that the SCI was being phased out as a result of the Government's planning reforms and replacing it with an engagement strategy for use in the preparation of the District Plan;
- that there would be considerable resources from the viewpoint of planning Officers and administrative staff needed to set up Community Forums and of the impact this would have on the planning service including from an enforcement issue;
- of concerns not just on East Herts Officers but other Councils such as Hertfordshire County Council Officers.

Examples of good practise were provided in relation to Bishop's Stortford South where a forum had been

established, versus Bishop's Stortford North where one had not. In terms of the latter example, the Executive Member for Planning and Growth referred to the amount of Officer and Councillor time that had been spent on Bishop's Stortford North complaints, Freedom of Information Requests etc and the negative impact this had on Officers and Members' time.

The Head of Planning and Building Control explained that the council had a Stewardship Planning Officer and there was capacity to use that Officer and work with case officers and the enforcement team in supporting the forums.

Members:

- hoped that the establishment of Development Management Forums might deter some developers from putting forward speculative developments.
- sought assurances that all stakeholders would be included in the forum process as some neighbourhood planning groups had been aggrieved in the past.

Members acknowledged that the Community Forum sought to manage the lifespan of a project. A concern was expressed with regard to the Development Management Forum and how this could impact when there was a Masterplan adding that if a Masterplan was done properly at the time, it should allow everyone the chance to comment and question and so shape development positively.

The Head of Planning and Building Control explained that Masterplans usually worked well, but that there were occasions when speculative planning applications were submitted for areas where Masterplans were in place. She said these areas could benefit from the additional support from a Development Management Forum with the applicant being invited to listen to residents' concerns.

The Executive Member for Planning and Growth explained that Community Forums would be set up for strategic sites once consents had gone through. The Development Management Forum would provide a more interactive forum for residents to feedback and also for developers to feedback their concerns.

The Head of Planning and Building Control explained that Cambridge Council had established such forums and that they had worked well over the last 20 years. The forums would allow residents to come forward and have their issues addressed early on in the process for discussions.

The frequency of the forums was debated.

The Chairman queried how the proposal would be resourced. The Head of Planning and Building Control explained the capacity in planning services.

The Executive Member for Planning and Growth responded to several Members separate queries.

In response to a query from the Chairman on how success could be assessed, the Executive Member for Planning and Growth said, by a reduction in the level of complaints, abusive emails and a reduction in the level of abuse generally and in abuse aimed at planning staff. The Executive Member for Planning and Growth assured Members that she would submit their comments to the Executive.

With Members' support, the Chairman queried whether this issue could be reviewed in two years' time to allow the collation of meaningful data. The Head of Legal and Democratic Services confirmed that this could be reviewed if Members wished. This was supported.

Councillor Nicholls proposed and Councillor Clements seconded, a motion that Members' comments be forwarded to the Executive and that the issue be reviewed in two years' to allow the collation of meaningful data.

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

RESOLVED – that Members' comments be forwarded to the Executive and that the issue be reviewed in two years' to allow the collation of meaningful data.

(Councillors E Buckmaster and McAndrew abstained from voted).

209 OVERVIEW AND SCRUTINY COMMITTEE - DRAFT WORK PROGRAMME

The Scrutiny Officer submitted the work programme report and sought Members' comments on items for inclusion on the agenda for the meeting on 16 January 2024. She drew Members' attention to the Appendix to the report and provided an update on the programme.

The Scrutiny Officer explained that summary bulletins had been circulated in advance of the meeting on various topics requested by Members at a previous meeting.

The Chairman noted concerns expressed in relation to the Air Quality Action Plan and suggested that depending on content of the report, a further review could be undertaken at a future date.

It was noted that information was awaited from Social Housing providers (in relation to questions raised by Members) and that depending on content, Members might wish to explore this further at the January meeting.

Members agreed that the agenda for the meeting on 16 January 2024 should comprise:

- Air Quality Action Plan
- Thriving Together – A new Health and Wellbeing Plan for East Herts 2023 – 2027
- Social Housing providers report (complaints, repairs etc) – to be confirmed)

Members noted that Councillor Glover-Ward would not be available to attend the January meeting (if necessary) to respond to questions in relation to the UK Share Prosperity Money (Levelling up how UKSPF is being used). It was agreed that this item should be moved to the March meeting in 2024.

The Scrutiny Officer explained that she had been advised there had been some minor changes to the Data Protection and Governance Policies which were normally reported to Overview and Scrutiny. Members agreed that in view of the fact that the changes were minor and grammatical in content that this could be circulated as a Summary Bulletin. This was supported.

The Chairman assured Members that he met regularly with the Leader to ensure the co-ordination of the Council's Forward Plan and the Work Programme of the Overview and Scrutiny Committee.

Councillor Clements proposed and Councillor Nicholls seconded, a motion that, subject to the above changes, the Overview and Scrutiny Committee work programme in Appendix 1 for 2023-24 as amended, be agreed. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that, subject to the above changes the work programme in Appendix 1 for 2023-24 as amended, be agreed.

There was no urgent business.

The meeting closed at 9.10 pm

Chairman

Date