

Minutes



To: All Members of the Community
Safety & Waste Management
Cabinet Panel, Chief
Executive, Chief Officers, All
officers named for 'actions'

From: Legal, Democratic & Statutory Services
Ask for: Michelle Diprose
Ext: 25566

COMMUNITY SAFETY & WASTE MANAGEMENT CABINET PANEL THURSDAY, 7 NOVEMBER 2019

ATTENDANCE

MEMBERS OF THE PANEL

J Bennett-Lovell, J Billing (*substitute for J G L King*), S N Bloxham, M Bright, S J Featherstone, J S Hale, F R G Hill, T W Hone (*Chairman*), R Smith (*substitute for P V Mason*), T J Williams, C B Woodward (*Vice Chairman*), J F Wyllie

OTHER MEMBERS IN ATTENDANCE

Upon consideration of the agenda for the Community Safety & Waste Management meeting on Thursday, 7 November 2019 as circulated, copy annexed, conclusions were reached and are recorded below:

PART I ('OPEN') BUSINESS

ACTION

1. MINUTES

- 1.1 The Minutes of the Cabinet Panel meeting held on 19 September 2019 were confirmed as a correct record and signed by the Chairman.

2. PUBLIC PETITIONS

- 2.1 There were no public petitions received.

3. HERTFORDSHIRE POLICE & CRIME COMMISSIONER UPDATE REPORT

[Officer Contact: Dr Amie Birkhamshaw, Director of Delivery & Commissioning (Tel: 01707 806154)]

- 3.1 The Panel considered the Police & Crime Commissioner report detailing the update in activity undertaken by the Office of the Police & Crime Commissioner (OPCC) since the last meeting of the Panel.
- 3.2 Members heard updates to the following items:
- Recruitment of frontline officers
 - Hertfordshire Independent Stop and Search Community Scrutiny Panel – Meeting in Public
 - Retail Crime Seminar for Hertfordshire Businesses 23 October 2019
 - Community Connection Days
 - Hertfordshire Problem Solving Conference 2019
 - Launch of the Hertfordshire Fraud and Scams Strategy
 - Beacon Fraud Hub
 - Local Partnership Reserve: Funding to Support Crime and ASB Reduction Initiatives 2019/20
 - Community Safety Grant 2020/21
- 3.3 In relation to priority setting meetings which had recently disappeared, Members were pleased to hear the OPCC were working on guidance to ensure appropriate contact measures were received to county and district councillors.
- 3.4 In response to a Member query in relation to stop and search and ‘no action’ being taken to 69% of those stopped and search, the Panel heard that it did not mean individuals had not been found in possession of anything, but not enough found on said possession to warrant being referred to court.
- 3.5 The Panel were pleased to note the Independent Business Advisory Groups seminar which gave advice on how to prevent business becoming victims of cybercrime and the current legal obligations for business would be rolled out to small business.
- 3.6 Members were pleased to see the Fraud Strategy, attached as Appendix 1 to the report and were informed that the OPCC were paying as much attention to commercial fraud as it was to personal fraud and the focus was very much for prevention of fraud.
- 3.7 The Panel were informed that there was no intention to remove the existing provision of PCSO’s. However, a number of PSCO’s wanted to transfer to Warranted Officers at some point to progress their career

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and this created PSCO vacancies.

CONCLUSION:

3.8 The report of the Police and Crime Commissioner for Hertfordshire was noted.

4. POLICE AND CRIME PANEL UPDATE

[Colin Woodward – Vice-Chairman of the Community Safety and Waste Management Cabinet Panel and Police & Crime Panel Representative]

4.1 The Cabinet Panel were advised the Police and Crime Panel (P&CP) had met on 19 September 2019, the Agenda can be found on the [Police & Crime Panel](#) website. It was noted there were no public questions due to no public presence. The minutes had not yet been finalised.

4.2 The Police and Crime Panel representative advised that it had been noted that the reports on Police Officer Welfare and the performance against budget requested by the P&CP at its previous meeting were not on the last P&CP Agenda. It was noted the Community Safety and Criminal Justice Plan (CS&CJP) constituted as much of the meeting discussions.

4.3 Items raised at the meeting by the P&CP members included the following:

- Whether there was enough space to accommodate the increase in Police officers
- Apparent lack of information in relation to cybercrime in the CS&CJP, (an Officer for the PCC disagreed)
- Acronym list to support understanding of the CS&CJP
- Low prosecution rates for rape
- Stop and search
- Online Watch Link (OWL)
- How partners can assist with early intervention to avoid under 25 year olds, who constitute the bulk of offenders, becoming set on a criminal career
- Councillors being made aware of meetings. Mostly district and borough councillors not as aware as had been assumed of what was being discussed locally at Community Safety Partnerships. There was a commitment from the OPCC to roll out information on meeting dates and times

4.4 The Cabinet Panel heard the next meeting of the Police & Crime Panel had been cancelled due to the forthcoming election, the next meeting

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had yet to be scheduled.

- 4.5 In response to a question by a Member of the Cabinet Panel in relation to if the Community Safety Partnership should be chaired by an elected Member and not the PCC as stated in the Community Safety Partnership policy, the P&CP representative undertook to try to clarify this for the Cabinet Panel at a future meeting although CSP's were not directly within the remit of the P&CP. It was also requested if the Community Safety Partnership meeting could be scheduled on different times to other local district meetings.

CONCLUSION:

- 4.6 That the Cabinet Panel noted the update

5. INTRODUCE A NEW FORMULA FOR CALCULATING THE CHARGE FOR PROVIDING SERVICES AT INCIDENTS UNDER THE AUSPICES OF THE FIRE & RESCUE ACT 2004.

[Officer Contact: Gus Cuthbert, Assistant Chief Fire Officer, Hertfordshire Fire & Rescue Service, Tel: 07879487581]

- 5.1 The Panel received a report which provided information on the need for mutual assistance from neighbouring fire and rescue services and the limited cost recovery from other authorities and vice versa. Members noted it had been identified that the mutual assistance was imbalanced and Hertfordshire Fire & Rescue Service (HFRS) level of assistance was increasing whilst the same level from neighbours was not required.
- 5.2 The Chairman reiterated to the Panel that the recharging of fire services from neighbouring authorities was not a profit-making exercise, the County Council were looking to reclaim costs to assist efficiencies in the Council's budgets. Members were also reassured this would not impact on the support across borders, the County Council were recouping costs incurred.
- 5.3 In response to a Member question it was noted the money recouped would be placed into the Council's budget and it would be the Council's decision on how it would be distributed. It was also noted the recharging was not due to a shortage of firefighter cover or would it take away the risk of sending firefighters across border away from local incidents. A Member raised concern that the recharged income would not be ringfenced to HFRS.
- 5.4 Members were informed there would be an incentive for the requesting fire service to utilise their own resources to cover an incident as soon as practicable therefore releasing HFRS assets.
- 5.5 A Member queried the lack of information in the report relating to the

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costs incurred, Members were informed there was a number of formulas that could be implemented but the fee needed to be proportionate and fair, it was believed the LGA rate was an acceptable charge but rather than recharged per incident the charge should be based on per hour and include the number of appliances sent to an incident. The recommended option was that HFRS continued to utilise the LGA rate as detailed in option 2 of the report as this was based on the current charging rate, but this should also be charged on an annual basis at an hourly rate for each appliance requested by the bordering authority i.e. *charge = the LGA Rate x the total number of hours per annum.*

- 5.6 Following debate on the ways of re-charging and the rules on re-charging, officers clarified the London Fire Brigade (LFB) charge was £339 per hour and if HFRS used the same formula it would recharge at £199 per hour.
- 5.7 In response to a Member question in relation to the risk if this arrangement was not agreed, the Panel heard there were five formal cross border agreements, it was the responsibility of the individual fire service as to how it provided fire cover and used its resources, the risk to life was not increased. Officers reiterated the *LGA rate x the total no of hours per annum* was a cost-effective option compared to providing dedicated resources to provide their own fire cover. The Panel were also advised the LFB was used as a benchmark as data was readily available and could be utilised to provide indicative costings within Hertfordshire.
- 5.8 Members were informed that assets originally supplied by the Government had now been transferred to HFRS and grant funding was given to the County Council for operating costs.
- 5.9 The Chairman invited Members to vote on the recommendation as detailed in the report. Upon a vote being taken 7 voted in favour of supporting the recommendation, 4 voted against. Therefore, the vote was won.

Conclusions:

- 5.10 The Cabinet Panel:
1. supported the proposed change to charging as outlined within the report and the new charge which was based on the Local Government Association (LGA) Rate x The Total No. of hours per annum; and
 2. recommended to Cabinet that Cabinet approves the proposed changes to charges as detailed in this report to generate efficiencies by renegotiating the mutual aid arrangements with bordering Fire and Rescue Services.

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6. HOUSEHOLD WASTE RECYCLING CENTRE CONTRACT UPDATE

[Officer Contact: James Holt, Team Leader Waste Operations and Strategy Tel: (01992) 556318]

- 6.1 The Panel received a report which provided an update on the Household Waste Recycling Centre (HWRC) service contract further to the report presented to the Cabinet Panel on 28 June 2019.
- 6.2 The Panel were informed that since the last meeting of this Panel in June 2019, officers had met with representatives from Amey and had been provided with additional information to confirm that the contract with Amey was making a loss of £1.2 million per annum. It was noted that officers had exhausted the potential 'easement measures' with Amey who had confirmed that they wished to seek an early exit to the contract.
- 6.3 The Chairman advised the Panel that the service contract was performing at a good level and very few complaints from residents had been received. He reiterated that, should the Council agree satisfactory terms of exit, then it wanted to part on pleasant terms with Amey and whilst doing so seek the best options for the residents of Hertfordshire. The Chairman also noted that accurate and regular information being provided to the Amey operatives was vital for a smooth transfer.
- 6.4 A member queried if the County Council could continue with the contract by giving Amey an increase in financial support, as some of the losses may be classed as a '*force majeure*' which would be out of Amey's control. Members were informed that contract clauses to that effect had been explored and it was clear that they could not be used. It was Amey that wanted to dissolve the contract as their losses could not be offset within the scope or time period of the contract. It was also noted that the waste side of Amey's business was up for sale and they wanted to exit contracts of this nature but they were happy to work with the Council for a mutual exit to be achieved. The Panel were informed that the scale of losses at a £1.2 deficit was significant and even if it could be met, it may not be sufficient to keep the contract going for the remaining term.
- 6.5 Several alternative delivery models had been considered, these were attached as Appendix A to the report and would be presented in more detail in a report to this Panel, alongside a recommendation in February 2020. The initial assessment suggested that an inhouse or local authority company model of operation would be the best method of future service delivery but more work had to be undertaken to refine the options.

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- 6.6 In response to a Member question into 'compaction costs' it was noted that the County Council had invested in equipment at the Rickmansworth HWRC and the operation in Rickmansworth was working well. It was noted there was a Capital bid in the Integrated Plan for more equipment to be purchased which would belong to the County Council and could contribute to the mitigation of future pressures arising from any agreed end to the Amey contract.
- 6.7 A member noted that it was the service to residents that had to be sufficient and it was requested that the February 2020 report explain what benefits could be achieved if the County Council were to have greater control after agreeing to an exit with the Amey contract.
- 6.8 The Panel were informed that a further report would be presented to the February 2020 meeting of the Cabinet Panel with an update on the negotiations with Amey to facilitate a managed exit from the contract whilst ensuring the County Council's interest and financial position were protected as much as possible.

CONCLUSION:

- 6.9 That the Panel:
1. Noted the request by Amey to exit the contract for the operation of the Hertfordshire HWRCs by December 2020 (at the latest) due to substantial annual losses that cannot be mitigated to an acceptable level within the current scope or period of the existing contract.
 2. Noted the work on alternative delivery models in the report and provide an initial view on the outline models for adoption if a managed exit can be successfully negotiated by officers.
 3. Recommended to Cabinet that Cabinet agrees for officers to continue negotiations with Amey to try and facilitate a managed exit from the contract while ensuring the County Council's interests and financial position are protected.
 4. Noted that officers will bring a further report to the Panel in February 2020 with an update on the negotiations as detailed at conclusion 3 above so the Panel can recommend a course of action to Cabinet.
 5. Noted that the February report would also include a final recommendation for the future service direction if terms of a managed exit can be satisfactorily achieved.

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7. SUSTAINABLE HERTFORDSHIRE STRATEGY – UPDATE

[Officer Contact: Simon Aries, Assistant Director Transport, Waste & Environmental Management Tel: (01992) 555255]

- 7.1 The Panel received a report which gave an update on the work and progress made in responding to the declaration of a Climate Emergency made at County Council on 16 July 2019. The report presented the scope of future work identified in order to meet the December 2019 deadline to prepare a Sustainable Hertfordshire Strategy.
- 7.2 Members were asked for their suggestions on ideas that they thought could be implemented to assist in the climate change emergency. Some suggestions were as follows:
- Planting of trees on parcels of county owned land
 - Solar panels on council buildings
 - Reviewing charges to schools in relation to recycling
 - Electric vehicle usage by the council
 - Supermarket packaging – introducing penalties
 - More recycling receptacles to encourage more recycling
 - Trees with TPO's that have been felled to be replaced
- 7.3 Members were informed in relation to trees the strategy would look to plant trees on the some of the ten thousand acres of land which the County Council owns.
- 7.4 It was acknowledged that liaising with district and borough councils who had also declared a Climate Emergency was vital to bring the strategy together.
- 7.5 Members were thanked for their input and noted that the final Sustainable Hertfordshire Strategy would be presented to the Cabinet Panel in February 2020.

CONCLUSION:

- 7.6 The Panel noted the content of the report, the project Scope prepared by consultants WSP attached as Appendix A to the report, the Hertfordshire County Council project briefing note attached as Appendix B to the report and the programme timetable attached as Appendix C to the report.

8. OTHER PART I BUSINESS

- 8.1 None.

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**QUENTIN BAKER
CHIEF LEGAL OFFICER**

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