

Minutes



To: All Members of the Special Cabinet Panel, Chief Executive, Chief Officers, All officers named for 'actions'

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

SPECIAL CABINET PANEL – WEDNESDAY, 6 MAY 2020

ATTENDANCE

MEMBERS OF THE SPECIAL CABINET PANEL

For this meeting the membership was: -

J Bennett-Lovell, R C Deering, S B A F H Giles-Medhurst, E M Gordon, T C Heritage (Chairman), F R G Hill, T W Hone, S K Jarvis, R M Roberts, R Sangster, R G Tindall, C B Woodward

OTHER MEMBERS IN ATTENDANCE

Upon consideration of the agenda for the Special Cabinet Panel meeting on Wednesday, 6 April 2020 as circulated, copy annexed, conclusions were reached and are recorded below:

You can view this meeting on the Councils Website [Special Cabinet Panel - 6 May 2020](#)

PART I ('OPEN') BUSINESS

1. MINUTES

- 1.1 The minutes of the previous meeting held on 17 April 2020 were agreed.

2. HERTFORDSHIRE COUNTY COUNCIL'S RESPONSE TO COVID-19

[Officer Contact: Scott Crudginton, Director of Resources, Tel: 01992 555601]

- 2.1 Members received a report which provided an update on the COVID-19 pandemic since the last report to Cabinet on 20 April 2020 and the work that Hertfordshire County Council had undertaken with partners to address the challenges faced.
- 2.2 The Chief Executive began by detailing four significant changes since the last report. Firstly, an update was provided on Personal Protection Equipment (PPE) and the guidance around application

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and supporting distribution. Secondly, the work being undertaken around infection control and the work with care providers and care homes, including a recent webinar provided around infection control. Thirdly, Members were updated on testing in Hertfordshire and the increased number, including pop up test sites in Hertfordshire. Finally, an update was given on the increased work taking place around recovering services. Sincere gratitude was expressed to all partners/workers.

- 2.3 An overview of the changes to the financial position for the County Council was provided. It was noted that the original sum of £26 million had been received and that following the announcement of additional Government funding, a further £21 million would be directly received by the County Council. It was noted that budget pressures would be monitored and should circumstances lead to costs exceeding funding, further lobbying to Government would take place. Members heard that returns were being made to Central Government on a monthly basis and that good dialogue was being maintained.
- 2.4 Members were advised that each County Councillor would receive an additional £5,000 of ring-fenced funding as part of their locality budget to support local groups and charities affected by Covid-19.
- 2.5 In response to Member concerns regarding the mental health of front-line staff, particularly in care or private care homes, officers advised that support was being made available to all staff on the front-line. An employee assistance scheme was available as well as web-based support materials, right the way through to counselling for those that had experienced significant trauma. Officers advised that if the uptake was not as expected then further promotion would take place.
- 2.6 Members expressed concerns regarding domestic abuse and the pressures on refuges and asked what action was being taken to stop victims being placed in bed and breakfasts. Officers advised that the domestic abuse partnership was meeting regularly to ensure that victims were being supported appropriately. It was also noted that the domestic abuse agenda was being promoted and that additional funding had been made available to support the cause.
- 2.7 In response to a Member question regarding who would fund the £12million required for the Clinical Commissioning Groups (CCG) bed placements, officers advised that whilst negotiations were still on-going, but that the pressure would be met by and large by the NHS.
- 2.8 Members queried if any additional financial support was available for town and parish councils from the Central Government

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funding. Officers advised that if third tier councils needed support, the position remained that they would need to contact their District Council or the County Council to initiate funding conversations.

2.9 The Panel discussed the possible reopening of schools for some year groups and asked what guidelines and testing arrangements were in place for the safety of teachers and school workers. Officers advised that Government advice on school reopening had not yet been given and that arrangements were in place to test all key workers. In addition, officers provided reassurance that the County Council was working closely with the Head Teachers Association and Herts for Learning to support schools through the possible scenarios of schools reopening.

2.10 Members queried how many pupils were attending school and what was being done with regards to getting vulnerable children back into school. Members heard that data was being gathered but it was not easy to increase numbers with parents worried about infection. Schools had however seen a weekly increase in children attending. It was noted that procedures varied from school to school but follow up checks were taking place for vulnerable children and in some cases school workers had visited children on their doorsteps. It was requested that education updates were provided in the Members daily bulletin.

Simon Newland

2.11 In response to a Member question regarding what mitigation plans were in place in case of a care provider failure, officer advised that since late March the County Council had been offering financial support to providers to guarantee cash flow. It was noted that officers were communicating with providers on a daily basis and that providers were also offering mutual aid between them, whether it be financial or additional staffing.

2.12 Members discussed the impressive distribution of food parcels and prescriptions and noted that some people were receiving parcels that did not require them and asked for assurance that there were not any gaps in residents that did need them. Officers advised that whilst the Government had a food parcel scheme, the County Council also had its own complementary scheme where officers phoned ahead before delivering parcels. Officers advised that a regional shielding team was being established and that this would enable more partners to work together to ensure any gaps were diminished. It was noted that a letter was sent to all Hertfordshire residents signposting them to where they could access help if they needed it.

2.13 With regards to communications with District Councils, officers advised that all briefings sent to MP's were also shared with all district leaders.

- 2.14 In response to a Member question regarding why only selected Household Waste Recycling Centres were re-opening, Members heard that the sites re-opening were the larger sites that had been selected on the basis of ease of access and the ability to maintain safe distancing for the public/operatives.
- 2.15 The full debate on this item can be found here [Special Cabinet Panel Item 2 - Covid-19 Update](#) at 08:33.

Conclusion:

- 2.16 The Panel noted the contents of the report.

3. SUPPORTING ADULTS WITH COMPLEX NEEDS STRATEGY 2020

[Officer Contact: Sukhvinder Rai, Development Manager, Strategic Partnerships Team, Tel: 01992 588479)

- 3.1 The Panel received a report which invited the Special Cabinet Panel to comment on and endorse the Hertfordshire Supporting Adults with Complex Needs Strategy, attached as Appendix 1 to the report.
- 3.2 Members were supportive of the initiative going forward and hoped it would continue after the pilot period.
- 3.3 The Panel were informed that the County Council was working with district and borough councils to collect data to help inform future commissioning intentions.
- 3.4 In response to a Member concern in relation to people with drug and alcohol problems not always being able to access mental health facilities or support and being passed through various services and then slipping through the net, it was noted that in the current pilot programme in Broxbourne the County Council have been working with Herts Partnership Foundation Trust (HPFT) to eliminate any issues around these concerns.
- 3.5 A Member stated she welcomed the report and believed there was better consistency for people with substance abuse, but would like to see better provision for women with substance abuse as these were a section of the community who had difficulty dealing with substance abuse and who could not see a way to control it.
- 3.6 The full debate on this item can be found here [Special Cabinet Panel Item 3 - Supporting Adults with Complex Needs](#) at 51:21.

Conclusions:

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3.7 The Special Cabinet Panel:

1. Noted and commented on the information contained within the report and recommend to Cabinet that Cabinet agrees the Hertfordshire Supporting Adults with Complex Needs Strategy.
2. recommended to Cabinet that Cabinet agrees a planning period to help shape commissioning intentions in discussion with stakeholders.

4. APPOINTING AN ORGANISATION TO DELIVER A COUNTY WIDE DIGITALLY ENABLED ASSISTIVE TECHNOLOGY SERVICE

[Officer Contact: Helen Maneuf, Assistant Director Planning & Resources 01438 845502]

4.1 Members considered a report which provided detail on the proposed provision of a future assistive technology provider from April 2021.

4.2 Officers advised that there were currently two services in operation for community alarms, one with North Herts District Council Careline and the other with Serco. It was noted that both services offered a similar provision, however the Serco contract was due to end and therefore a single provider was being proposed to provide a streamlined service and reduce the duplicate managerial operation. Officers noted that a collaboration with North Herts District Council Careline was in the process of being mapped out to combine services from April 2021.

4.3 Members welcomed the approach and agreed that bringing the services under the control of one provider would be beneficial and provide clarity for service users. The importance of the service to enable residents highlight to remain living independently was acknowledged.

4.4 The full debate on this item can be found here [Special Cabinet Panel Item 4 - Assistive Technology Service](#) at 01:06:00.

Conclusions:

4.5 The Special Cabinet Panel:

- i) supports to further develop the collaboration with North Herts District Council Careline, with a view to them being the preferred partner to work with the County Council both to deliver a county wide telecare service from April 2021 and to work in partnership to develop and deliver aspects of the emerging assistive technology offer.

- ii) noted that the Assistive Technology team will come back to Panel with full details and costings of the County-wide service in the summer once these have been developed.
- iii) supports the future Member and Cabinet decision process planned to conclude in May 2020 (as detailed in paragraph 2.6 above).
- iv) recommended to Cabinet that Cabinet approves North Herts District Council Careline to undertake this service from April 2021 with delegated authority then being passed to Adult Care Service's Chief Officers to resolve the specific arrangements to bring the expanded partnership into place including finalising costs and the detailed partnership agreement.

5. CHANGES TO TRANSPORT PROVISION FOR VOLUNTARY DAY SERVICES

[Officer Contact: Nadine Raenke, Deputy Head of Service – Community Commissioning Adult Disabilities, Tel: (01438) 844668]

- 5.1 The Panel received a report with a proposal for the introduction of transport charges to some voluntary sector day services which were currently funded by Hertfordshire County Council, to ensure fairness with other voluntary sector activities.
- 5.2 Members agreed there should be a standardised service, although some concern was raised by various Members on the roll-out of charges in 2021 for those residents that would have further to travel or those that lived in rural areas where facilities were not nearby who would incur higher travelling costs due to cost being calculated per mile, it was believed this would be an impact on some individuals financial circumstances. The Panel were informed the County Council could help with hardship assistance.
- 5.3 In relation to a concern on carer breakdown, Members were informed complete a carer assessment to see where the County Council would be able to assist.
- 5.4 Officers agreed to monitor and provide data for a future meeting to show if the rise of the transport costs had an adverse impact on the day service.

5.5 *J Bennett-Lovell requested it be recorded that he was against this proposal.*

5.6 The full debate on this item can be found here [Special Cabinet Panel Item 5 - Proposed changes to voluntary sector transport](#) at 01:10:40

Conclusions:

5.7 The Special Cabinet Panel noted and commented on the report and recommended to Cabinet that Cabinet approves that the new charges be phased in from 1 July 2020.

6. PROCUREMENT OF A DELIVERY VEHICLE FOR THE EMERGING URBAN EXTENSION AT BALDOCK AND PROPOSALS ON THE GOVERNANCE ARRANGEMENTS TO TAKE THE PROJECT FORWARD

[Officer Contact: Mike Evans, Head of Development, Tel: 01992 555634]

6.1 Members of the Panel reviewed a report which provided an update on the Baldock Urban Extension and the procurement of a delivery vehicle and governance arrangements.

6.2 Officers informed members that the emerging urban extension to the north of Baldock was a major long-term project likely to include the development of 3,500 houses and 60,000sq.m of employment space. It was noted that a key part of the project was to work alongside a partner with place shaping expertise. Officers advised that if the recommendation was supported, the OJEU process would take place with the aim to have a short-list by July 2020 and the appointment of a partner by December 2020.

6.3 In response to a Member concern regarding visibility to Members for the way in which a partner was selected, officers assured Members that they would be engaged at key milestones of the OJEU procurement process. Officers advised Members that two really strong criterions had been set to deliver on and that these could be shared with Members.

6.4 Members supported the approach noting that it was best practise to search for the most experienced master developer and noted that extensive conversations had taken place with Morgan Sindall (Chalkdene Developments Ltd.), Herts Living's joint venture partner and they were still able to put in a tender for the Baldock site if they wished. Officers added that there was a possibility in terms of the OJEU process for Chalkdene Developments Ltd to access a proportion of housing for direct build.

Sass Pledger

- 6.5 In response to a Member question regarding the OJEU outcome being brought back to Panel, Members heard that the OJEU process was designed to lead to a conclusion and Member input would not be sought at the final stages as this could lead to the final decision being challenged. Officers advised that the OJEU process was a collaborative piece of work and that Members would have input throughout the key decision-making points. Officers advised that a document would be sent out which set out the points at which Members would be involved.
- 6.6 Members discussed the recommendations and it was agreed that a further recommendation would be added to signify the importance of Member involvement throughout the initial key stages of the OJEU process.
- 6.7 The full debate on this item can be found here [Special Cabinet Panel Item 6 - Urban Extension at Baldock](#) at 01:20:45.

Conclusions:

- 6.8 The Special Cabinet Panel recommended to Cabinet that Cabinet:
1. notes the appointment of Carter Jonas and Sharpe Pritchard as the consultants to work with the Council to procure a delivery partner for the emerging urban extension at Baldock;
 2. notes the procurement of the delivery vehicle will allow such services to be called upon for further large-scale property development opportunities as required; and
 3. delegates to the Director of Resources, in consultation with the Executive Member for Resources and Performance:
 - (i) to approve the selection of the preferred delivery partner following the conclusion of the Official Journal of the European Union procurement exercise;
 - (ii) to enter into a formal contractual or corporate arrangement with the preferred delivery partner and
 - (iii) agree that cross-party and local Members will be invited to comment on the OJEU scheme objectives and there will be member involvement at key milestones in the OJEU procurement process.

7. OPTIONS FOR HERTFORDSHIRE’S RESIDUAL LOCAL AUTHORITY COLLECTED WASTE POST 2023

[Officer Contact: Jo Hawes, Team Leader Waste Performance & Audit Tel: 01992 555326 / Matt King, Head of Waste Management & Environmental Resource Planning, Tel: 01992 556207]

- 7.1 The Panel received a report on the future provision of treatment/disposal of Hertfordshire’s residual Local Authority Collected Waste (LACW).
- 7.2 The Executive Member for Community Safety and Waste Management expressed his disappointment that the planning application for an energy for waste facility was refused in 2019 by the Secretary of State. The refusal of this application meant the County Council needed to move the county’s residual waste across borders to neighbouring authorities.
- 7.3 Members heard that the recommendations did not prevent alternative more sustainable modes of waste transport being investigated in the future, such as use of the railways. The Panel supported this suggestion to support the future reduction of lorry movements.
- 7.4 Members were supportive of the proposals but, for clarity, requested the contract term should be for a ten-year period with an option for a five-year extension.
- 7.5 It was noted officers work closely with district and borough councils to investigate the assets available and infrastructure required. Members noted the need to consider whole system costs in waste collection, transfer and treatment.
- 7.6 In response to a Member question as to whether a transfer station would need to be built, it was noted that there is little resilience in waste transfer options beyond the Waterdale transfer station and that an eastern transfer station was vital. Officers confirmed that they had investigated discussions with adjoining councils on potential joint facilities.
- 7.7 Members noted that although railway infrastructure was expensive it would remain on the agenda, but it could only work if the rail line was connected to where Hertfordshire’s waste was sent.
- 7.8 The full debate on this item can be found here [Special Cabinet Panel Item 7 Options for Hertfordshire waste](#) at 1:41:30.

Conclusions:

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- 7.9 That the Special Cabinet Panel recommended to Cabinet that Cabinet agrees:
1. That the Assistant Director – Transport, Waste & Environmental Management be authorised to commence a procurement process to put in place long-term service contracts for the treatment and disposal of residual LACW arising in Hertfordshire.
 2. That, in light of the lack of in-county residual LACW treatment options, that the Council’s LACW Spatial Strategy be updated to reflect the urgent need for an updated waste transfer station network.
 3. That the Assistant Director – Transport, Waste & Environmental Management, in consultation with the Chief Finance Officer, the Executive Member for Resources, Property and the Economy and the Executive Member for Community Safety and Waste Management, be authorised to proceed with the development of an Eastern Transfer Station in the financial year 2020/21.

8. FUTURE DIRECTION OF THE HOUSEHOLD WASTE RECYCLING CENTRE SERVICE

[Officer Contact: Matt King, Head of Waste Management & Environmental Resource Planning, Tel: 01992 556207]

- 8.1 Members reviewed a report which provided an update on the Household Waste Recycling Centre (HWRC) service contract further to the 7 November 2019 meeting of the Community Safety and Waste Management Cabinet Panel, including the outcome of negotiations with the contracted service provider, Amey, around an agreed early exit.
- 8.2 Officers highlighted the conclusion of the negotiations and the recommendations, as detailed within the report and noted that after considering various options, the proposal was to bring the service back in-house, this would provide the most flexibility in the short-term and allow the County Council to consider either continuing to manage the service, look at setting up a Local Authority Traded Company or consider re-procurement in the future.
- 8.3 Officers noted that Amey had continued to work well with the County Council throughout the negotiation process and noted that there was still a lot of detail to be worked through before the planned contract exit at the end of September. Officers advised that they were confident that an amicable exit could be agreed however the planned timescale was not certain at this time.

- 8.4 Members queried whether the process had been robust enough when entering into the contract as this early exit would not have been expected. Officers advised that the process has been very robust with due diligence and that a good deal had been obtained, with the risks placed with Amey. It was noted that Amey was a large international company used to negotiating contracts, however it was thought that the early exit was due to genuine reasons and a change in market conditions. Officers advised that any future changes would continue to seek value for money for residents.
- 8.5 In response to a Member questions, officers provided assurance that the priority is to ensure there would not be disruption to the service for residents from the 1 October 2020, if the contract exit took place on 30 September 2020.

**PART II ('CLOSED') AGENDA
EXCLUSION OF PRESS AND PUBLIC**

- 8.6 The Panel agreed to move into Part II ('closed' session').
- 8.7 That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 8.8 Following discussion on the Part II Report, the Panel moved back into Part I (open session) to agree the Part I recommendations. Members agreed to bring the Part II recommendations into Part I excluding the commercially sensitive information.
- 8.9 The full debate on this item can be found here [Special Cabinet Panel Item 8 Future of Household Waste Recycling Service](#) at 2:05:00.

Conclusions:

- 8.10 The Panel recommended to Cabinet that:
- i) it notes the further work on alternative delivery models and risks in this Part I report and the detailed costing, terms of exit and opportunities in the Part II paper to this report
 - ii) it approves the request by Amey to exit the Agreement for the operation of the Hertfordshire HWRCs on 30 September 2020,

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- iii) it approves that the services are brought back under the direct control of the Council, that is, an 'in-house' delivery option, from 1 October 2020.
- iv) it authorises the Assistant Director Transport, Waste and Environmental Management to enter into a Deed of Exit ("DoE") with Amey by 1 September 2020 at the latest to end the current contract on 30 September 2020 subject to agreement from Amey and the fulfilment of all contractual obligations that would arise at the natural expiry date of the Agreement and otherwise comply with the DoE and
- v) subject to iv) above, Cabinet Authorises the Assistant Director Transport, Waste and Environmental Management to sign and approve any necessary documents to facilitate an early end of the Agreement.

8.11 The Panel noted that officers will provide updates to Panel in July 2020 and September 2020 on the progress of ii) above.

9. PUBLIC PETITIONS

9.1 There were no public petitions.

10. OTHER PART 1 BUSINESS

10.1 There was no other Part I business

QUENTIN BAKER
CHIEF LEGAL OFFICER

CHAIRMAN _____

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