

Cabinet
1 March 2022

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 1 March 2022 at 5.00 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors T. Kingsbury (Leader of the Council) (Chairman)
D. Bell (Deputy Leader and Executive Member, Resources)
S. Boulton (Executive Member, Environment, Planning, Estates and Development)
N. Pace (Executive Member, Governance and Public Health)
B. Sarson (Executive Member, Leisure and Community Safety)
F. Thomson (Executive Member, Housing and Climate Change)

OFFICIALS Chief Executive (K. Ng)
PRESENT: Head of Resources (R. Baker)
Head of Law and Administration (M. Martinus)
Governance Services Manager (A. Marston)
Communications Officer (A. Wildey)

90. MINUTES

The Minutes of the meeting held on 1 February 2022 were approved as a correct record and noted by the Chairman.

91. ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meeting on 1 February 2022 and for decisions taken by Cabinet Members exercising their individual delegated powers between 24 January 2022 to 21 February 2022 in the report of the Head of Law and Administration were noted.

92. NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 11

Notification had been given for an urgent item of business to be considered under Item 11. This item was urgent as the Independent Housing compliance review from Eversheds Sutherland was only published on 25 February 2022. Given the significance of the matter, Cabinet needed to discuss the report at the earliest opportunity.

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93. DECLARATIONS OF INTERESTS BY MEMBERS

Councillors S.Boulton, T.Kingsbury and F.Thomson each declared a non-pecuniary interest in items on the Agenda as Members of Hertfordshire County Council.

94. ITEMS REQUIRING KEY DECISION

The following items for decision in the current Forward Plan were considered:-

94.1. Procurement Boards (Forward Plan Reference FP1099)

Report of the Head of Law and Administration on a review of the Procurement Boards.

(1) The Decision Taken

RESOLVED:
(unanimous)

(1) In view of the fact that Executive Members were now able to exercise delegated decisions through Executive Member Decision Notices, Cabinet agreed that the General Procurement Board can be disbanded for the reasons set out in the report. Following Council approval of necessary changes to the Constitution, the approval process for procurements will be undertaken in accordance with the table in section 3.12 of the report.

(2) Cabinet recommended to Council that the Constitution is amended to reflect any approved consequential changes in the report, including Executive Member and Officer delegations.

(3) Cabinet also recommended to Council that the Contract Procedures Rules are amended to reflect the approved changes, as outlined in the report.

(2) Reasons for the Decision

The change would require amendments to both the Council's Constitution and Contract Procedure Rules.

The General Procurement Board was established in 2018 with a view to involving members in the procurement process.

In practice, and in the light of experience, the existence of the board had added delay and inefficiency to the process.

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Members had in reality been able to provide little effective input to a process that is highly formulaic. Discussions had almost invariably been about issues unrelated to procurement.

The fact that the General Procurement Board recommended to Cabinet has then created Cabinet agenda items. Furthermore, the timescales involved meant that the related pre-Cabinet agenda items had frequently been discussed before the General Procurement Board had made a recommendation, adding confusion.

As noted in the report, little member involvement in procurement existed in other Hertfordshire authorities.

Cross-party member involvement in major projects would be maintained, where it is considered appropriate, and can add value. But this will be with a view to involving members in the project as a whole, not just the procurement aspects.

The recommended changes should be seen as part of the Council's modernisation process. The proposed revised approval process was set out in Table 3.12 of the report.

94.2. Howlands House and Burfield Close Redevelopment (Forward Plan Reference FP1079)

Report of the Head of Community and Housing Strategy on the Construction Contract for Temporary Accommodation at Howlands and Burfield Close.

(1) The Decision Taken

RESOLVED:
(unanimous)

Cabinet delegated the decision to award the construction contract for temporary accommodation at Howlands House and Burfield Close to the Executive Member for Housing and Climate Change and the Executive Member for Resources by means of an Executive Member Decision, subject to Howlands House receiving planning permission.

(2) Reasons for the Decision

The Affordable Housing Procurement Board had overseen the procurement of the construction of the new proposed temporary accommodation at Howlands House, Welwyn Garden City and Burfield Close, Hatfield.

Burfield Close is a 25 unit scheme with planning approval to redevelop and deliver 43 units to be used as temporary accommodation.

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Howlands House currently provides temporary accommodation but looks tired and outdated and with proposals to deliver 72 modern flexible temporary accommodation units which include a number of fully adapted units to provide suitable housing to an individual or household with a disability.

The Affordable Housing Procurement Board had overseen the procurement route and tender evaluation criteria.

Due to Covid-19 outbreaks in earlier in January, bidders asked for a longer deadline to submit their tenders so that the adequate resources could be allocated to the tender preparation. This extension of time meant that the original procurement timetable could not be achieved.

To enable the project to commence as programmed, the report recommends to Cabinet to delegate the decision to award the construction contract to the Executive Member for Housing and Climate Change and to the Executive Member for Resources who chairs the Affordable Housing Procurement Board and this would be by means of Executive Members Decision Notice and subject to Howlands House receiving planning permission.

94.3. ANPR Vehicles (Forward Plan Reference FP1109)

Report of the Head of Environment on the procurement of Automatic Number Plate Recognition (ANPR) Vehicles and associated cameras.

(1) The Decision Taken

**RESOLVED:
(unanimous)**

Cabinet delegated the decision to award the contract for two electric vehicles with Automatic Number Plate Recognition (ANPR) cameras and two static cameras to the Executive Member for Resources by means of an Executive Member Decision, subject to the preferred bid being within the approved budget, as identified in paragraph 5.1 of the report.

(2) Reasons for the Decision

The Cabinet Planning and Parking Panel had approved the project, which would improve enforcement, and assist with public safety outside schools.

The General Procurement Board, on 12 January 2022, approved the evaluation criteria, and tender documents had been despatched. It is likely that bids would have been returned and evaluated by early March.

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To avoid delay, it was proposed that, subject to the preferred bid being within the approved capital budget, the contract award be approved by an Executive Member Decision Notice rather than going back to the General Procurement Board and Cabinet.

94.4. Sopra Steria Contract Expiry Progress Update (Forward Plan Reference FP1111)

Report of the Chief Executive on a progress update on the expiry of the Sopra Steria Contract.

(1) The Decision Taken

**RESOLVED:
(unanimous)**

- (1) Cabinet noted progress in preparation for the end of the contract for the three service strands.
- (2) Cabinet approved the insourcing of the Contact Centre and Reception service.

(2) Reasons for the Decision

The Council has a contract with Sopra Steria to cover Revenue and Benefits, the Contact Centre, and provision of Information technology services. (ICT). This will expire in December 2022.

A cross-party member board was established in October 2020 to oversee the replacement of the contract. Rather than replacing the contract on a like-for-like basis, it was decided to split the replacement into three distinct components.

For Revenues and Benefits, it had been decided to explore entering into a partnership with East Herts, rather than undertaking a new third party procurement.

For the contact Centre, the unanimous view of the cross-party board was to insource the operation, and then to explore the ways in which other similar contact centre functions within the Council could be integrated into a single function, generating efficiencies.

For the ICT component, a delivery partner had been procured, and the Council are working on preparing for the end of the Sopra Steria contract.

Unlike the General Procurement Board referred to in Agenda item 7A, it was not envisaged that this cross-party member board would be

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disbanded, as it provides valuable member oversight of the wider project.

95. THINK DIGITAL (DIGITAL STRATEGY) - PROGRESS UPDATE

Report of the Head of Resources on an update on progress against the strategy, outlining key activities for 2022 along with setting out the approach for the review of the strategy in 2022.

The purpose of the Digital Strategy was to guide the way in which the Council's services could be re-designed to take advantage of digital technology to enhance customer service and generate efficiencies. It was a key part of the Modernisation project, which was overseen by the Modernisation Board.

The Covid pandemic had undoubtedly provided considerable impetus to progress, as it had forced the Council to increase the use of technology.

The various strands of work were set out in the report. There was an overlap with the replacement of the Sopra Steria contract discussed in Agenda item 7D, as the way in which the Council replace the ICT component of the contract would be driven by the design of the ICT service model referred to in Section 3.13 of the report.

As the objective was service redesign to take advantage of technology, it made sense to integrate the Council's customer strategy with the digital strategy, and this was the key component of the strategy recommendation in Section 2.2 of the report.

**RESOLVED:
(unanimous)**

(1) Cabinet noted progress against the Digital Strategy.

(2) Cabinet noted and agreed the direction of travel for the review of the Strategy during 2022.

96. PERFORMANCE EXCEPTION REPORT - QUARTER 3 (2021-22)

Report of the Chief Executive on a summary of the Council's corporate performance data on an exception basis following the monitoring and review of performance reports and covers the period 1 October to 31 December 2021.

**RESOLVED:
(unanimous)**

Cabinet noted the contents of the report and approved any proposed actions highlighted in the appendices.

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97. COUNCIL ACHIEVEMENTS LIST - OCTOBER TO DECEMBER 2021

Report of the Chief Executive on the Council's key achievements and service improvements for the third quarter of 2021-22.

The report summarised corporate plan projects which were completed in quarter three, and press releases that were issued. Work across all five of the Council's corporate priorities was represented, and covered town centre and other regeneration work, community-based projects and events, maintaining quality green spaces, and tackling homelessness.

**RESOLVED:
(unanimous)**

Cabinet noted the report and contents of the Achievements List.

98. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION

The following item of such other business was considered:

98.1. INDEPENDENT HOUSING COMPLIANCE REVIEW

A report of the Chief Executive outlining the management actions in responding to the root causes of the issues identified in the Independent Housing Compliance Review report.

Following issues found in the way that housing compliance was managed, the Council made a decision to make a self-referral to the Regulator for Social Housing in May 2021.

The Regulator issued a notice to the Council but they decided against taking statutory enforcement action thus far on the basis of that the issues were being remedied. The Council also wrote to all tenants and leaseholders about the compliance issues and the Council's plan to achieve full compliance as quickly as practicably possible. The Executive Member for Housing and Climate Change issued a public apology at the time and reiterated their apologies to tenants and leaseholders who were let down by the failures in the Council's compliance programme.

Since the issue came to light, the Council's Housing Compliance Manager has made significant improvements in the way the Council manages the compliance service, the latest update in all the six compliance areas were summarised in paragraph 3.3 of the report and this was a much-improved position compared to the situation in May last year.

The Executive Member for Housing and Climate Change had also worked with the Council's Chief Executive to commission Eversheds Sutherland to carry

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out an independent review in order to provide further assurance that historic concerns had been identified and that the remedial measures that were being put in place by the Council would be effective. A copy of Eversheds report was shown in Appendix A.

It was fundamental for the Council to understand the root causes that lead to the housing compliance issue so that remedies would be put in place to prevent similar occurrences in the future.

The Chief Executive provided a summary of the management response to the root causes identified.

The Chief Executive apologised to the tenants and leaseholders that had been let down by the Council over the housing compliance issue.

Since the issue came to light, the Council put in a new management team to oversee the Housing Property service as the Corporate Director and Head of Service were no longer employed by the Council.

The independent review had identified twelve root causes and the Chief Executive highlighted a selection of actions that were going to be put in place. The details were contained in paragraph 3.7 of the report.

- There is more transparency on the sharing of compliance data. The Council's Housing Compliance Manager sends out compliance statistics covering all six compliance areas to senior management every fortnight. The Cabinet Housing Panel has also received an update on housing compliance in every meeting since November 2021. Both the Leader and Cabinet Member for Housing also received a monthly briefing.
- The Council now has a comprehensive record of the properties for which they are responsible for in terms of housing compliance. The Council has also put procedures in place to ensure the record would continue to be kept up to date.
- The Council's governance framework on the corporate reporting of Health and Safety matters had been strengthened, in particular there is a direct reporting line to the Corporate Governance group which is chaired by the Chief Executive. This ensures that significant health and safety issues are flagged to senior management at the earliest opportunity.
- A new asset system is due to go live in April 2022, which will create a centralised asset register in the housing property team.
- There is now a greater focus corporately on compliance matters.
- The proposed senior management structure, which is currently subject to staff consultation, will reduce silo working on health and safety matters. Once the structure is in place, there will be a comprehensive review and

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reset of the Council's organisation values and the Chief Executive will continue to hold regular staff briefings to nurture and develop an open and honest culture within the Council. The fact that the Council has decided to publish Eversheds report in the public domain showed the openness and transparency that the Council wants to develop.

The Council has also been meeting with the Regulator for Social Housing to keep them up to date with the progress on housing compliance. It was noted that the Council met with them on the 1 March 2022 together with Eversheds to discuss the findings of the independent review. They were pleased with the Council's progress so far and no concerns have been raised to date.

The Chief Executive thanked everyone involved in dealing with the housing compliance matters, it has been a very tough ten months. It was through great teamwork and with the support from Cabinet that the Council had managed to turnaround the service.

The Executive Member for Housing and Climate Change was assured by the Eversheds report, which states that the changes made during 2021/22 have put the Council in a much stronger position. The changes have created a sustainable solution to achieve compliance whilst also recognising the resource pressures and other challenges that exist in local government. There is now a transparency and frankness around matters of compliance that appeared to have been missing. The Executive Member for Housing and Climate Change was confident that the actions that officers are putting in place would put the Council in a much stronger position going forward.

Subject to agreement of the recommendations, it was agreed officers would circulate a copy of the report to the Cabinet Housing Panel members.

**RESOLVED:
(unanimous)**

- (1) Cabinet noted the contents of the report, in particular, the progress in meeting full compliance as detailed in paragraph 3.3 of the report and the Independent Compliance Review report produced by Eversheds Sutherland.
- (2) Cabinet noted the management response as outlined in paragraph 3.7 of the report to all the root causes identified in the Eversheds Sutherland report.
- (3) Cabinet noted the conclusion made by Eversheds Sutherland that changes made during 2021/22 had put the Council in a much stronger position and that there was now a transparency and frankness around matters of compliance as highlighted in paragraph 3.8 of the report.

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(4) Cabinet noted that monthly Housing Compliance meetings would continue to take place with the Leader of the Council, Cabinet Member for Housing and Climate Change, Chief Executive and Housing Compliance Manager.

99. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for Agenda items 13 and 14 (Minute 100 refer) on the grounds that they involved the likely disclosure of confidential or exempt information as defined in Section 100A(3) and paragraph 3 (private financial or business information) of Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

100. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION

The following items of an exempt nature for decision were considered:-

100.1. Bereavement Services (Forward Plan Reference FP1101)

Exempt report of the Head of Environment on Bereavement Services.

(Note: a more detailed record of the Cabinet discussion is contained in exempt item 100a).

100.2. Pest Control Contract (Forward Plan Reference FP1103)

Exempt report of the Head of Public Health and Protection on a Pest Control Contract.

(Note: a more detailed record of the Cabinet discussion is contained in exempt item 100b).

100.3. Electric Charging Point Contract (Forward Plan Reference FP1106)

Exempt report of the Head of Environment on Electric Vehicle Charging Points.

(Note: a more detailed record of the Cabinet discussion is contained in exempt item 100c).

Meeting ended at 5.27pm
AM