

<b><u>Meeting</u></b> <b>Environment and Climate Change Committee</b>
<b><u>Date and time</u></b> <b>Monday 21st November, 2022</b> <b>At 7.00 pm</b>
<b><u>Venue</u></b> <b>Hendon Town Hall, The Burroughs, London NW4 4BQ</b>

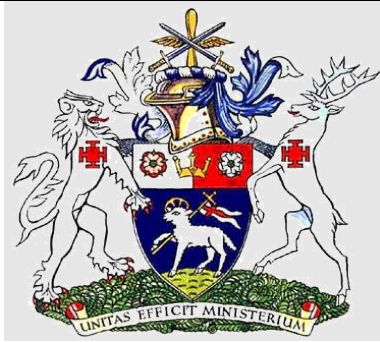
Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
12	Q2 Performance Report	3 - 16

Tracy Scollin Tel 020 83592315 [tracy.scollin@barnet.gov.uk](mailto:tracy.scollin@barnet.gov.uk)

This page is intentionally left blank



## Environment and Climate Change Committee

21 November 2022

<b>Title</b>	<b>Q2 2022/23 Contracts Performance Report</b>
<b>Report of</b>	Chair of Environment and Climate Change Committee
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix A – Tarmac Kier Joint Venture Performance
<b>Officer Contact Details</b>	<p>Tim Campbell, Interim Assistant Director Commercial and Procurement  <a href="mailto:tim.campbell@barnet.gov.uk">tim.campbell@barnet.gov.uk</a></p> <p>Alaine Clarke, Head of Programmes, Performance &amp; Risk  <a href="mailto:alaine.clarke@barnet.gov.uk">alaine.clarke@barnet.gov.uk</a></p>

### Summary

This report provides an overview of Quarter 2 (Q2) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee.

Overall, performance is going well, with the vast majority of KPIs achieving their targets. The council continues to work with its contracted partners to address areas of concern, particularly on ensuring that progress is being made where backlogs have occurred due to the impact of the Covid-19 pandemic.

### Officers Recommendations

The Committee is asked to note the Quarter 2 (Q2) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee.

## 1. PURPOSE OF REPORT

### Introduction

1.1 This report provides an overview of Quarter 2 (Q2) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee (listed in alphabetical order):

- Food Hygiene/Standards Inspections
- Hendon Cemetery and Crematorium
- Highways
- Licensing and Trading Standards
- Scientific Services and Pest Control

1.2 The report does not include budget information, which is provided separately to Policy and Resources Committee.

### Overview

1.3 As at the end of Q2, the food inspections backlog has reduced to 93 inspections from 1,121. It has not been possible to complete the backlog by the end of September 2022 as previously expected due to the remaining premises to be inspected having access difficulties, for example due to late opening or home caterers. However, progress is ahead of the deadlines set by the Food Standards Agency and in the main, performance has improved compared to last quarter and last year.

1.4 Hendon Cemetery and Crematorium service has continued at full business as usual levels following the completion of the cremator relining works and the complete lifting of restrictions post pandemic.

1.5 Highways performance remained positive with all KPIs achieving target in Q2, and good progress continued to be made with the 2022/23 programme of delivery of footway and carriageway schemes.

### Note on tables

1.6 The targets listed are both for the year 2022/23 and the current reporting period, Q2 2022/23 unless indicated otherwise. Actual performance is for the current reporting period, Q2 2022/23.

### Food Hygiene/Standards Inspections

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Conducting Food Hygiene Inspections - Target A - Number of completed Food Hygiene Inspections due and overdue	Bigger is Better	%	100	92.2	18.8	Improved
Conducting Food Hygiene Inspections - Target B - Number of completed Food Hygiene Interventions due and overdue	Bigger is Better	%	85	70	20	Improved
Conducting Food Hygiene Inspections - Target C - Number of completed Food Hygiene Inspections of new unrated premises within 28 days of discovery date	Bigger is Better	%	90	37.1	28.7	Improved

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Food Standards Inspections (Category B) - Number of B rated interventions completed on or before the next due intervention	Bigger is Better	%	100	100	100	Same
Food Standards Inspections (unrated premises) - Unrated: Number of unrated premises inspected at the same time as the first food hygiene inspection	Bigger is Better	%	100	100	100	Same
Improvement in food hygiene in the highest risk premises	Bigger is Better	%	90	89.7	95.7	Worsened
Food Standards Inspections (Category A) - Number of A rated interventions completed within 28 days of due date	Bigger is Better	%	100	No Activity <sup>1</sup>	No Activity	Not comparable
Safer workplaces – A higher level of compliance with health and safety legislation in the known most unsafe workplaces	Bigger is Better	%	75	100	100	Same
Implementing Health & Safety Inspection Programme - Compliance with legislation, departmental, statutory and service standards	Bigger is Better	%	100	No Activity <sup>2</sup>	100	Not comparable
Food & Drinking Water Sampling Inspections	Bigger is Better	%	100	106	172.2	Worsened

1.7 There are ten KPIs for Food Hygiene/Standards Inspections. Four indicators achieved the Q2 target and two reported no activity. Two indicators did not meet target, and two indicators narrowly missed the target, all of which relate to the backlog of inspections caused by the Covid-19 restrictions.

1.8 The Food Hygiene Inspections (Targets A, B and C, and Improvement in the highest risk premises) KPIs did not meet the Q2 targets due to the impact of previous Covid-19 restrictions on the hospitality sector that required the closure of restaurants. This has resulted in inspections not taking place as planned and generated a substantial backlog.

1.9 The initial backlog totalled 1,121. In Q2, the service carried out 45 inspections and removed a further 43 cases from the list as they were found to be no longer trading. It was found in Q2 through a data cleansing exercise that the number of cases cleared up to the end of Q1 2022/23 was incorrect and, in fact, a higher volume of cases had been completed than originally reported. As at the end of Q2, 93 premises remained in the backlog and this further reduced to 76 as at the end of October 2022.

1.10 The remaining premises to be inspected have access difficulties such as restricted opening times or are home caterers that are difficult to contact and where officers do not have an automatic power of entry. None of the outstanding cases have been confirmed as "not broadly compliant".<sup>3</sup> While completion of the backlog has not been achieved as initially projected, the project is well on course to be completed ahead of the deadline set by the Food Standards Agency's Local Authority Recovery Roadmap (March 2023).

<sup>1</sup> There were no Category A food standards inspections due within Q2 and the service is up to date with these inspections as per the Food Standards Agency requirements.

<sup>2</sup> There were no high risk Health and Safety inspections due within Q2. There are two projects planned for this financial year, the first one will start in Q3 (welfare provision for couriers to restaurants and takeaways) and the second is being planned for Q4.

<sup>3</sup> Broad Compliance is determined by the risk rating and used by the Food Standards Agency and food authorities to separate premises in each category that pose the higher risks.

## Hendon Cemetery and Crematorium

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Meeting religious burial requests timescales	Bigger is Better	%	95	100	100	Same

- 1.11 There is one KPI for Hendon Cemetery and Crematorium which achieved the Q2 target.
- 1.12 Both cremators are fully up and running having been relined in the last 12-14 months: work on Cremator 2 was completed during Q2. The service is now operating at full business as usual levels following the completion of the cremator works and the complete lifting of restrictions post pandemic.
- 1.13 Grass cutting has been ongoing since 1 February this year and, in a change to operations, will continue as long as weather permits. Historically cutting used to stop at the end of September.

## Highways

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Emergency Defects Rectification Timescales completed on time	Bigger is Better	%	100	100	100	Same
Response to complaints relating to a drainage malfunction and/or flooding event	Bigger is Better	%	100	100	No Activity	Not comparable
Response in dealing with Highway Licence applications	Bigger is Better	%	100	100	100	Same
Processing of Vehicle Crossover Applications - timescale for providing quotes	Bigger is Better	%	100	100	100	Same
Timely construction of Vehicle Crossovers following receipt of payment	Bigger is Better	%	100	100	100	Same
Timely response to Permit requests (LoPS)	Bigger is Better	%	100	100	100	Same
Appropriate conditions attached to Permits (LoPS)	Bigger is Better	%	100	100	100	Same
Appropriateness of approved and rejected extension requests (Permit Extension Requests, LoPS)	Bigger is Better	%	100	100	100	Same
Compliance with Sample Inspection regime (Compliance with chargeable inspection regime to quality-check works on highways (New Roads and Street Works Act)	Bigger is Better	Number	1709 <sup>4</sup>	496	516	Worsened
Level of Withdrawn Defects. Levels of passed and failed Highways works inspections <sup>5</sup>	Smaller is Better	%	15	0	9.6	Improved
Activity in relation to dealing with Section 50 (S50) Requests (TMA)	Bigger is Better	%	100	100	100	Same
Section 74 (S74) compliance and sanctions correctly imposed for failures (NRSWA)	Bigger is Better	%	100	100	100	Same

<sup>4</sup> Target is for the year, performance is monitored quarterly and will be RAG rated at the end of the year.

<sup>5</sup> Level of Withdrawn Defects = any failed defects which have been upheld.

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Interventions (from DfT or similar agencies) regarding Traffic Manager Duties (TMA)	Smaller is Better	%	0	0	0	Same
Processing of Vehicle Crossover Appeals	Smaller is Better	%	100	100	No Activity	Not comparable
Category 1 Defects Rectification Timescales completed on time	Bigger is Better	%	100	100	100	Same
Category 2 Defects Rectification Timescales completed on time	Bigger is Better	%	100	100	100	Same
Insurance Investigations completed on time (14 days)	Bigger is Better	%	100	100	96.8	Improved

1.13 There are 17 KPIs for Highways. 16 achieved the Q2 target and one is monitor only.

1.14 The service is operating to normal and continuing to perform well in progressing the 2022/23 programme of footway and carriage schemes.

1.15 The council has received an update from Transport for London (TfL) with regards to the Local Implementation Plan (LIP) funding, setting out the programme for the remainder of 2022/23 and 2023/24 when the current funding round ends. It also detailed the process for submitting the borough's proposed projects for 2023/24 and 2024/25.

1.16 A significant issue continues to be the recruitment of engineering and specialist services within a buoyant market. As a result of this issue the service has looked to utilise a third party engineering resources while recruitment is carried out. Currently the service has circa ten vacancies out of an establishment of 109, which is a reduction of two compared to the end of last quarter (12 vacancies).

1.17 The service continues the review of policies. The Highways Infrastructure Asset Management Plan was approved at the Environment and Climate Change Committee on 6 September 2022 and the Highways Streetscape Design Manual scheduled for this committee

## Licensing and Trading Standards

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Business license applications processed in a timely manner	Bigger is Better	%	95	100	100	Same
Effectiveness of Trading Standards department interventions undertaken within a 12-month period	Smaller is Better	%	10	6.9	2.1	Worsened
Effectiveness of Licensing department interventions undertaken within a six-month period	Smaller is Better	%	5	0.3	0.6	Improved
Appropriate response to statutory deadlines. Ensuring that all statutory time scales are being adhered to. Within the Licensing and Gambling Act	Bigger is Better	%	100	100	100	Same
Appropriate response to service requests. Service requests dealt with to present standards to the satisfaction of customers	Bigger is Better	%	90	99.2	97.3	Improved

1.22 There are five KPIs for Licensing and Trading Standards. All achieved the Q2 target.

1.23 In Q2, an age-related test purchasing session was carried out, resulting in one illegal sale of cigarettes and one of vapes. In addition, a prosecution case concerning illicit hand rolling tobacco was submitted to Legal Services for prosecution licensing.

1.24 Two successful street trading prosecution cases were heard this month which resulted in £2,100 worth of fines / victim surcharge / costs being awarded.

## Scientific Services and Pest Control

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
LAPPC Part 2a and 2b processes intervention programme	Bigger is Better	%	100	100	133.3	Worsened
Implementing the Animal Welfare Inspection Programme - Compliance with legislation, departmental, statutory and service standards	Bigger is Better	%	100	100	No Activity	Not comparable

1.25 There are two KPIs for Scientific Services and Pest Control. Both achieved the Q2 target.

1.26 The Noise Team and Public Health and Nuisance Teams have been merged to create additional capability and resilience.

1.27 The Noise Service has received a number of compliments about the attitude and helpfulness of staff members and has successfully defended a complaint to the Local Government Ombudsman.

1.28 Consultation has started on the new Air Quality Action Plan for 2022-27.

1.29 Pest Control saw a rise in treatment requests over the summer period but fewer wasp cases than expected.

## 2. REASONS FOR RECOMMENDATIONS

2.1 This report provides an overview of Quarter 2 (Q2) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee.

## 3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 None.

## 4. POST DECISION IMPLEMENTATION

4.1 None.

## 5. IMPLICATIONS OF DECISION

## 6. Corporate Priorities and Performance

6.1 Performance monitoring is essential to ensure robust management of the council's



strategic contracts and supports commercial discussion and decision making. It also ensures resources are adequately and appropriately directed to support delivery and achievement of corporate priorities.

6.2 Relevant council strategies and policies include the following:

- Re Contract

## 7. **Resources (Finance and Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

7.1 The report does not include budget information, which is provided separately to Policy and Resources Committee.

## 8. **Legal and Constitutional References**

8.1 Section 151 of the Local Government Act 1972 states that: “without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. Section 111 of the Local Government Act 1972 relates to the subsidiary powers of local authorities to take any actions which are calculated to facilitate, or are conducive or incidental to, the discharge of any of their functions. Robust contract management assists with ensuring the proper administration of the council’s financial affairs.

8.2 The council’s Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Environment and Climate Change Committee.

(1) Responsibility for all borough-wide or cross-area matters relating to the local environment including:

- Air Quality
- Cycling, Walking and Healthy Streets
- Biodiversity
- Transport and Public Transport
- Grounds Maintenance
- Highways
- On-Street and Off-Street Parking
- Road Safety
- Lighting
- Street Cleaning
- Environmental Crime (including littering, fly-tipping fly-posting, and graffiti)
- The council’s Fleet
- Waste and Recycling
- Waterways
- Parks and Open Spaces (including allotments and trees)
- Cemeteries, Crematoria and Mortuary
- Trading Standards and Environmental Health (except Environmental Health functions relating to housing and fire safety)

(2) Responsibility for the council’s response to the climate emergency including:

- Setting and overseeing implementation of carbon reduction targets, both in relation to the council as an organisation and Barnet as a place
  - Developing strategies to meet those carbon reduction targets
  - Developing strategies for the mitigation of the impacts of climate change, both on the council as an organisation and Barnet as a place
  - Implementing the elements of those strategies that relate to functions listed in (1) above.
- (3) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.
- (4) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
- (5) To receive reports on relevant revenue and capital expenditure, contracts, performance information and risk on the services under the remit of the Committee.

## **9. Insight**

- 9.1 The report identifies performance information in relation to the council's strategic contracts for Quarter 2 (Q2) 2022/23. The report covers delivery from Regional Enterprise (Capita).

## **10. Social Value**

- 10.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders. As set out in the council's Contract Procedure Rules, commissioners should use the Procurement Toolkit, which includes Social Value guidance. The Contract Management Toolkit should also be used to help ensure that contracts deliver the expected services to the expected quality for the agreed cost. Requirements for a contractor to deliver activities in line with Social Value will be monitored through the contract management process.

## **11. Risk Management**

- 11.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. Risks are reviewed quarterly (as a minimum) and any high-level (scoring 15+) joint risks with strategic partners are included in this report, as well as being reported to Policy and Resources Committee as part of a wider corporate risk report.

## **12. Equalities and Diversity**

- 12.1 The Equality Act 2010 requires organisations exercising public functions to

demonstrate that due regard has been paid to equalities in:

- Elimination of unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advancement of equality of opportunity between people from different groups.
- Fostering of good relations between people from different groups.

12.2 The Equality Act 2010 identifies the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership, pregnancy and maternity; race; religion or belief; sex and sexual orientation; marriage and civil partnership.

12.3 In order to assist in meeting the duty the council will:

- Try to understand the diversity of our customers to improve our services.
- Consider the impact of our decisions on different groups to ensure they are fair.
- Mainstream equalities into business and financial planning and integrating equalities into everything we do.
- Learn more about Barnet's diverse communities by engaging with them.

This is also what we expect of our partners.

12.4 This is set out in the council's Equalities Policy, which can be found on the website at:

<https://www.barnet.gov.uk/your-council/policies-plans-and-performance/equality-and-diversity>

### **13. Corporate Parenting**

13.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

### **14. Consultation and Engagement**

14.1 Obtaining customer feedback is part of the contract management process to inform service delivery, service development and service improvement.

### **15. Environmental Impact**

15.1 There are no direct environmental implications from noting the recommendations. Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact, or at least it is neutral.

### **16. BACKGROUND PAPERS**

16.1 None

This page is intentionally left blank

## Appendix A – Tarmac Kier Joint Venture Performance

- 1.1 The Tarmac Kier Joint Venture (TKJV) is the operational delivery partner contracted to deliver the council's Highways Term Maintenance activities, including the operational delivery of reactive and planned maintenance across the council's 700km of highway network. The Term Maintenance Contract with TKJV commenced on 1 April 2021. Following committee approval in January 2022, work has started to commence negotiations with TKJV to develop the terms of a potential future service provision post September 2023, it is intended to bring a report to the January meeting of this committee setting out the outcomes of the negotiations with TKJV and planned actions post September 2023.
- 1.2 The contract has defined performance and defects schedules, with a range of KPIs covering Health and Safety, Financial Management, Planned and Reactive Maintenance and Emergency Response.
- 1.3 The performance of the TKJV contract is set out in the table below. The service has achieved target for 16 out of 19 key performance indicators compared to 15 out of 19 in Q1. However, there has been an identified trend in Q2 regarding contract performance on gully emptying, category 2 and 3 reactive defects, still not achieving target, however are starting to show an in month improvement in October 2022, which will be reported to the January 2023 meeting of this committee.

Indicator	Polarity	Target	Q2 2021/ 22 – Q2 2022/23				Direction of Travel (Q2 to Q1)	YTD Sep 21-Sep 22
			Q3 2021/22 Result	Q4 2021/22 Result	Q1 2022/23 Result	Q2 2022/23 Result		
Cl 1.1 Pre-Construction Information Plan and Construction Phase Plan (r) <sup>1</sup>	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
Cl 1.2 Timely Reporting of Incident Investigation Reports (r)	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
Cl 1.3 All Accident Frequency Rate (r)	Smaller is Better	1	0	0	0.54	0.30	Improved	0.2
Cl 1.4 Utility Strike Rate (r)	Smaller is Better	6	0	0.67	1.3	2	Worsened	0.9
Cl 1.5 Submission of Accurate Pricing Information (r)	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
Cl 1.6 Effective Risk Management (r)	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
Cl 1.7 Defects Rate (r)	Bigger is Better	90%	99.9%	99.9%	99.7%	90%	Worsened	97.6%
Cl 1.8 Correction of Scope Defects (r)	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
2.1 Cleaning (Gully, Catchpit, Soakaway) – Annual (r)	Bigger is Better	90%	117%	115%	81%	74.3%	Worsened	94.2%
2.4 - Emergency Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	100%	100%	98%	100%	Improved	99.5%
2.5 Category 1 Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	97%	96%	93%	93%	Same	94.4%
2.6 Category 2 & 3 Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	96%	91%	91%	81.3%	Worsened	88.8%
2.8 Category 4 Planned Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	100%	96%	81%	94.7%	Improved	91.8%
Sl.3.1 Emergency Call Outs (r)	Bigger is Better	93%	100%	100%	100%	100%	Same	100%
Sl.3.2 Category 1 Defects (r)	Bigger is Better	92%	97%	95%	94%	93%	Worsened	94.4%
Sl.3.3 Category 2 Defects (r)	Bigger is Better	92%	94%	87%	83%	81.7%	Worsened	85.7%

Indicator	Polarity	Target	Q2 2021/ 22 – Q2 2022/23				Direction of Travel (Q2 to Q1)	YTD Sep 21-Sep 22
			Q3 2021/22 Result	Q4 2021/22 Result	Q1 2022/23 Result	Q2 2022/23 Result		
Sl.3.4 Activity Task Orders - On-Time Completion (r)	Bigger is Better	90%	97%	100%	100%	100%	Same	99.4%
Sl.3.5 Project Tasks Orders - On-time Completion (r)	Bigger is Better	85%	100%	99%	81%	94.3%	Improved	94.1%
Sl3.6 Quality of the Contractor's Programme Submission (r)	Bigger is Better	93%	100%	100%	100%	100%	Same	100.0%

1.4 The contract performance has been formally raised with the TKJV Managing Director, and as a result of this TKJV are progressing with the delivery of a Service Improvement Plan including the following:

- Refreshed Senior Contractor Management
- Refreshed commitment to Health and Safety training
- Increased management site audits to ensure compliance
- Increased felt 'visible' leadership through TKJV Senior Managers
- Review of approach to utility strikes including training and lessons learnt
- Review and implement necessary resource provision aligned to the level of reactive maintenance (Cat1 to Cat3) works being submitted
- Implement joint best practice review between the council's highways engineer and TKJV Senior Highways Inspectors in relation to the future management of reactive maintenance works
- Weekly review by senior management from the council and TKJV to maintain the focus on contract performance to ensure the service returns to compliant levels.

1.5 Performance of the TKJV contract will continue to be reported to the Environment and Climate Change Committee to ensure the necessary focus is maintained.



This page is intentionally left blank