

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices, Gernon Road, Letchworth Garden City on Thursday, 7th February, 2019 at 7.30 pm

PRESENT: Councillors Councillor John Bishop (Chairman), Councillor Jean Green (Vice-Chairman), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Julian Cunningham, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Sarah Dingley, Faye Frost, Nicola Harris, Simon Harwood, Terry Hone, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Bernard Lovewell, Ian Mantle, Paul Marmont, Ian Moody, Michael Muir, Lisa Nash, Lynda Needham, Sue Ngwala, Helen Oliver, Janine Paterson, Mike Rice, Deepak Sangha, Val Shanley, Harry Spencer-Smith, Martin Stears-Handscomb, Claire Strong, Richard Thake and Michael Weeks

IN ATTENDANCE: Anthony Roche (Deputy Chief Executive), Ian Couper (Service Director - Resources), Melanie Stimpson (Democratic Services Manager) and Mark Robinson and Graham Seal (Welwyn Hatfield Borough Council)

ALSO PRESENT: Morag Norgan, Chairman Hitchin Initiative.

79 APOLOGIES FOR ABSENCE

Audio Recording – Start of Item – Session 1 - 13 seconds

Apologies for absence were received from Councillors Clare Billing, Bill Davidson, Gary Grindal, Cathryn Henry, Ben Lewis, Jim McNally, Gerald Morris and Terry Tyler.

80 MINUTES - 17 JANUARY 2019

Audio Recording – Start of Item – Session 1 - 50 seconds

The Chairman informed Members that the Minutes of the Council meeting held on 17 January 2019, marked “to follow” had not been prepared in sufficient time to be presented to the meeting due to pressures on resource issues. Therefore the Minutes would be presented to the next ordinary meeting of Council.

Councillor Paul Clark stated that he was very disappointed and this was unacceptable. The Deputy Chief Executive responded that this criticism was unfair as it was a result of recruitment difficulties and the Minutes would be finalised shortly.

The Service Director – Legal and Community reported that all possible action was being taken to rectify this, including support from another authority, but there had been some issues with this support.

81 NOTIFICATION OF OTHER BUSINESS

Audio Recording – Start of Item – Session 1 - 3 minutes 10 seconds

There was no other business notified.

82 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start of Item – Session 1 - 3 minutes 20 seconds

(1) **Declarations of Interest**

The Chairman reminded Members that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and Members were required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.

(2) **Paperless Meetings**

As previously advised from 1 January 2019 Members will no longer receive papers from Committee Services, unless you advise them otherwise.

From the beginning of the next Civic Year all meetings would be paperless.

In preparation for using tablets at future meetings, prior to any meeting, Members should ensure that the agenda was downloaded onto the tablet. This would also ensure that if there was any updates required that this was completed prior to the tablet needing to be used at a particular meeting.

Any issues with the tablets prior to a meeting please contact IT in advance. However, IT support would be available in the IT training room from 6pm prior to Council, Cabinet and Planning and Finance Audit and Risk Meetings.

The final vote of the budget would be a recorded vote. Each Member would be called to vote individually. When called please declare whether your vote was For, Against or in Abstention of the recommendation and then press the respective button on the base unit. Before the vote please ensure the base unit is flashing.

(3) **Refreshments**

All Councillors were invited to refreshments after the meeting in Committee Rooms 2/3.

(4) **Comfort break**

If the meeting went on beyond 9pm the Chairman would call a 5 minute comfort break. Please remain in the room prior to this to ensure you can vote.

(5) **Order of Agenda Items**

The Chairman advised that Agenda Items 13 and 14 would be considered in conjunction with Agenda Item 10 – Voluntary Redundancies with the remaining business as per agenda.

(6) **Rules of Debate**

In accordance with the Constitution Members were asked to ensure that no speech exceeded five minutes without the consent of the Chairman.

(7) **Welwyn Hatfield**

The Chairman welcomed Graham Seal from Welwyn Hatfield Borough Council who was providing support at the meeting.

(8) **Civic Dinner and Awards Ceremony**

For those attending, the Chairman looked forward to Members company. One other note for your diaries was the event being hosted during the evening on 6 April 2019. Details of the event would be circulated once confirmed.

83 PUBLIC PARTICIPATION

Audio Recording – Start of Item – Session 1 - 7 minutes 28 seconds

The Council was addressed by Morag Norgan, Chairman Hitchin Initiative.

Ms Norgan circulated her presentation at the meeting and spoke on behalf of community, business and civic groups to welcome the report and recommendations set out before the Council at Agenda Item 6 – Regeneration of Churchgate Shopping Centre – Update and Alternative Options and wished to express their gratitude to officers and elected members for their resilience in dealing with Churchgate issues yet again.

Ms Norgan stated that Hitchin was fortunate that several Architects and fellow professionals had worked and were continuing to work pro bono to work up visionary schemes for the regeneration of the Churchgate area. Some ideas were new to the table, others had been championed for decades. The willingness of these groups to work together for the common good was inspiring. Their aim was not to be in competition but through the process to merge ideas and concepts to work up a viable supported scheme that meets the aspirations of our community, Hitchin Markets Limited and North Hertfordshire District Council.

The catalyst that brought this work together was the recent failure of the Shearer Property Group scheme and the launch of the Future High Streets Fund. The opportunity was not without its challenges. Failure to swiftly purchase the Leasehold interest and gain control of the site left the possibility of a third party developer taking another option with Hammersmatch. The simple solution to avoid this was for the Council to enter into an immediate option or lockout agreement with Hammersmatch which secured the interest from third party involvement and had the added advantage of limiting financial risk.

Hitchin Markets Limited faces a more immediate challenge and a need for action. They had confirmed 100% support of the phase 1 feasibility bid as shown by their inclusion in the United Group's list. However, the lack of delivery of a viable Churchgate scheme to date and therefore lack of investment over so many years continued to damage an already fragile market. Hitchin ('Historic Market Town') remained by far the most important retail-and-related-service centre of the District and Council assets should logically be used to support that very long established role thereby boosting the economy of the whole district. Hitchin Initiative urges the Council to act decisively to avoid the need for Hitchin Markets Ltd to look at a Plan B and the consequential dilution of focus from what is a truly exciting opportunity.

This group remained ready to assist wherever possible and urged Councillors to be decisive and provide clarity on two specific aspects:

- (1) Approval of the principle of purchasing the Leasehold interest in Churchgate Shopping Centre.
- (2) Approve the principle of entering into a swift option or lockout agreement with Hammersmatch if required.

- (3) Confirm the Churchgate Area of Hitchin as the phase 1 bid for the Future High Streets Fund.

84 REGENERATION OF CHURCHGATE SHOPPING CENTRE – UPDATE AND ALTERNATIVE OPTIONS

Audio Recording – Start of Item – Session 1 - 12 minutes 30 seconds

Councillor Julian Cunningham introduced the item and moved the recommendations in the report which were seconded by Councillor Lynda Needham.

The following amendment to recommendation 2.6 in the report was moved by Councillor Judi Billing and seconded by Councillor Ian Albert:-

“That the Chief Executive, Deputy Chief Executive, and Director of Resources, in consultation with:-

- (1) The Leader of the Council, Executive member for Finance and IT, and Opposition Group Leaders
- (2) Hertfordshire County Council
- (3) The Hertfordshire LEP; and
- (4) Appropriate local civic and business groups

progress the proposal for the Churchgate area of Hitchin as the Phase 1 bid for the Future High Streets Fund.”

On being put to the vote:-

the Amendment was declared LOST.

An Amendment to recommendation 2.6 in the report was then moved by Councillor Martin Stears-Handscorn and seconded by Councillor Ian Albert:-

“and the outcome be reported back to Full Council for decision.”

On being put to the vote:-

the Amendment was declared CARRIED.

It was then moved by Councillor Simon Harwood and seconded by Councillor Ian Albert that the amendment be further amended by a fourth bullet point to be added to recommendation 2.6 in the report, with the following wording being added:-

“and appropriate local community and business groups”

On being put to the vote the amendment was carried:-

The recommendation as amended, was moved by Councillor Judi Billing and seconded by Councillor Daniel Allen.

On being put to the vote:-

the recommendation, as amended, was declared CARRIED.

RESOLVED:

- (1) That Full Council notes the outcome of the bid to the Hertfordshire Local Enterprise Partnership and that the proposed regeneration with Shearer Property Group previously endorsed by Full Council will therefore not proceed.
- (2) That Full Council approve the principle of purchasing the leasehold interest for the Churchgate Shopping Centre, subject to further consideration of the economic case for doing so.
- (3) That Full Council agrees that any regeneration of Churchgate and the surrounding area must be a viable investment that maintains a return to the Council.
- (4) That officers are instructed to continue to consider a range of potential solutions in order to allow the flexibility needed to identify possible viable investments, subject to further Council decision in due course on the acceptability of any such solutions.
- (5) That Full Council agrees the previously approved transfer of up to £130k from the Special Reserve be used to progress the further work required by resolutions 2.2 and 2.4.
- (6) That the Chief Executive, Deputy Chief Executive and Director of Resources, in consultation with:-
 - (1) the Leader of the Council, Executive Member for Finance and IT and Opposition Group Leaders;
 - (2) Hertfordshire County Council;
 - (3) Hertfordshire LEP; and
 - (4) Appropriate local community and business groups

Progress the proposals for Phase 1 bids for the Future High Streets Fund and the outcome be reported back to Full Council for decision.

REASONS FOR RECOMMENDATIONS: The Council had been seeking to regenerate the Churchgate Centre for a number of years and a number of different proposals had been considered during that time, with none of those proposals progressing to a successful conclusion. The lessons learned from those previous unsuccessful attempts to regenerate the Churchgate Centre and surrounding area show that having control over the whole site (including the Churchgate Centre by owning the long leasehold interest) and being flexible as to potential solutions would increase the chances of success.

The meeting was adjourned @8:43pm.

85 ITEM REFERRED FROM CABINET: 29 JANUARY 2019 - REVENUE BUDGET 2019/20

Audio Recording – Start of Item – Session 2 - 1 hr 05 minutes 39 seconds

Resumed meeting at 8.56pm

Members were referred to the addendum report of the Service Director – Resources to inform Council of the changes made by Cabinet to the Revenue Budget for 2019/20 onwards at their meeting on 29th January 2019. As with the rest of the budget, the changes were subject to approval by Full Council.

The report also informed Council of the precepts demanded by all the local precepting authorities in the District and the resulting total District Council Tax Requirement.

Thursday, 7th February, 2019

Councillor Lynda Needham introduced the budget and Councillor Julian Cunningham made the budget speech moving the recommendations as referred to in the supplementary agenda pack which were seconded by Councillor Lynda Needham.

The Chairman invited Opposition Spokespersons/Group Leaders, Councillors Martin Stears-Hardscomb and Steve Jarvis to respond to the budget speech.

The Service Director – Resources reported that notification had been following publication of the agenda from Clothall and Kelshall of their precept requirements, which were shown as to be confirmed in the report.

Clothall had a total funding requirement for 2019/20 of £1,000, which after reflecting the CTRS grant equated to a precept demand of £881.88. This resulted in a Band D Parish precept of £10.89.

Kelshall have a total funding requirement for 2019/20 of £3,000, which after reflecting the CTRS grant equated to a precept demand of £2,850.45. This resulted in a Band D Parish precept of £37.21.

As a result table 1 of the addendum report would require an update. There were consequential impacts on recommendations 2.3 and 2.4. In 2.3 the total would be £1,160,095 (rather than £1,156,362). In 2.4 the total would be £12,551,161 (rather than £12,547,429).

It was moved by Councillor Ian Albert and seconded by Councillor Judi Billing that the following new item be added to the recommendations:-

“That Council agrees to remove E7 ‘Rolling Reduction in Area Committee Grants’ from the efficiency proposals in Appendix B at a cost of £10,000 in 2019-20, £19,000 in 2020-21, £25,000 in 2021/22 and £31,000 in 2022/23 onwards and that the tables in Appendix A be amended accordingly. And that the rules for awarding grants be reviewed to enable Area Committees to more effectively support community groups in their areas.”

On being put to the meeting:-

the amendment was declared LOST.

It was moved by Councillor Helen Oliver and seconded by Councillor Martin Stears-Hardscomb that the following new item be added to the recommendations:-

“That Council agrees an Investment Proposal to add an additional sum of £25,000 in 2019/20 as potential match-funding and to bring together stakeholders to investigate ways of providing for those who formerly used the Health Shuttle and that the tables in Appendix A be amended accordingly.”

On the basis of response Councillor David Levett stated that the matter would be considered as part of the Transport Users Forum, and it was agreed that the amendment be withdrawn.

It was moved by Councillor Deepak Sangha and seconded by Councillor Sue Ngwala that the following new item be added to the recommendations:-

“That Council agrees an Investment Proposal to add an additional sum of £25,000 in 2019-20 to provide for additional Economic Development staffing equivalent to one full time post and that the tables in Appendix A be amended accordingly. This reflects the existing plans to fund half of a joint post from the Strategic Priorities Fund in 2019-20 and to look at it further for future years.”

On being put to the vote:-

the amendment was declared CARRIED.

It was then moved by Councillor Ruth Brown and seconded by Councillor Paul Clark that the recommendations be amended as follows:-

“Item PE 10 to be deleted” from Appendix B and this saving be not included as it does not represent value for money.”

On being put to the vote:-

the amendment was declared LOST.

It was moved by Councillor Julian Cunningham and seconded by Lynda Needham that the recommendations in the supplementary agenda pack, as amended, including the precept requirements reported at the meeting, be approved.

The recommendations, as amended, were then put to the meeting and it was a recorded vote being required in accordance with 4.8.16(e) of The Constitution.

RESOLVED:

(0 voting AGAINST, 24 voting FOR and 17 ABSTENTIONS)

Voting FOR: David Barnard, John Bishop, Julian Cunningham, Steve Deakin-Davies, Sarah Dingley, Faye Frost, Jean Green, Nicola Harris, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Bernard Lovewell, Paul Marment, Ian Moody, Michael Muir, Lynda Needham, Janine Paterson, Michael Rice, Valentine Shanley, Harry Spencer-Smith, Claire Strong, Richard Thake, Michael Weeks

ABSTENTIONS: Ian Albert, Daniel Allen, Kate Aspinwall, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Elizabeth Dennis-Harburg, Mike Hughson, Steve Jarvis, Ian Mantle, Lisa Nash, Sue Nawala, Helen Oliver, Deepak Sangha, Martin Stears-Handscomb

- (1) That Council notes the changes detailed in this addendum report when approving a proposed net budget of £15.2m for 2019/20.
- (2) That Council approve the resultant increase in the level of Council Tax for the North Hertfordshire District Council element of 2.99%.
- (3) That Council notes, with two parish precept notifications currently outstanding, the Parish and Town Council precept requests received totalling £1,160,095.
- (4) That Council notes that, with two parish precept notifications currently outstanding, the total District Council Tax Requirement is £12,551,161 and approves this figure for inclusion in the Council Tax Resolution.
- (5) That Council agrees an Investment Proposal to add an additional sum of £25,000 in 2019-20 to provide for additional Economic Development staffing equivalent to one full time post and that the tables in Appendix A be amended accordingly. This reflects the existing plans to fund half of a joint post from the Strategic Priorities Fund in 2019-20 and to look at it further for future years.

REASONS FOR RECOMMENDATIONS: To ensure that all relevant factors are taken into consideration when arriving at the proposed Council Tax precept for 2019/20.

86 **ITEM REFERRED FROM CABINET: 29 JANUARY 2019 - INVESTMENT STRATEGY (INTEGRATED CAPITAL AND TREASURY)**

Audio Recording – Start of Item – Session 2 - 1 hr 22 minutes 50 seconds

The Council had produced an Investment Strategy in response to guidance from the Ministry for Housing, Communities and Local Government and the Chartered Institute of Public Finance and Accountancy as submitted with the report of the Service Director – Resources. This replaced the Capital Programme and Treasury Strategy that had previously been produced.

The Investment Strategy provided additional information that was not contained within the previous separate reports and this was explained in section 8.

The Investment Strategy contained the following key information:

- A capital programme for 2019/20 of £8.213m, and £11.303m for the period 2019/20 to 2023/24.
- Recommendations on Prudential Indicators and other Treasury Indicators that would be monitored and reported on during the year (2019/20)
- Changes to the scope of treasury investments to be included within the strategy.

It was moved by Councillor Julian Cunningham, seconded by Councillor Lynda Needham and

RESOLVED:

- (1) That Council adopts the Investment Strategy (as attached at Appendix A), including the capital programme and prudential indicators.
- (2) That Council adopts the four clauses in relation to the Code of Practice on Treasury Management (as detailed in paragraphs 8.17 to 8.23).

REASONS FOR RECOMMENDATIONS:

- (1) To ensure that the capital programme meets the Council's objectives and officers can plan the implementation of the approved schemes.
- (2) To ensure the Council's compliance with CIPFA's code of practice on Treasury Management, the Local Government Act 2003, statutory guidance from the Ministry of Housing, Communities and Local Government and the CIPFA Prudential Code. As well as determining and managing the Councils risk appetite in respect of investments.

87 **PAY POLICY STATEMENT 2019/20**

Audio Recording – Start of Item – Session 2 - 1 hr 30 minutes

Council was presented with the report of the Corporate Human Resources Manager which set out a Pay Policy Statement 2019/20 (Appendix 1) for the Council's consideration and approval in accordance with the requirements of Section 38 of the Localism Act 2011, associated guidance issued under Section 40 of the Act, the Local Government Transparency Code 2015 and any other relevant legislation. The Statement incorporated elements of existing policy and practice and was required to be agreed annually.

It was moved by Councillor Lynda Needham, seconded by Councillor Julian Cunningham and

RESOLVED:

- (1) That Council endorse the 2019/20 Pay Policy Statement attached at Appendix 1 of the submitted report.
- (2) That Council agrees to delegate authority for revisions made in year to the Pay Policy Statement, to the Corporate Human Resources Manager, in consultation with the Leader. Revisions which might arise in the year include changes in structure, changes to employment benefits, subsequent pay awards agreed nationally and new legislative requirements.

REASONS FOR RECOMMENDATIONS: To comply with the requirements of Section 38 of the Localism Act 2011, Statutory Guidance issued under s40 and the Local Government Transparency Code 2015.

The meeting was adjourned @10:30pm for a comfort break.

88 EXCLUSION OF PUBLIC AND PRESS

It was moved, seconded and

RESOLVED:

(32 voting FOR, 1 AGAINST and 1 ABSTENTION)

That under Section 100A(4) of the Local Government Act 1972, the public and press 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 Paragraphs 3 and 5 of Part 1 of Schedule 12A of the said Act.

89 VOLUNTARY REDUNDANCIES

Audio Recording – Start of Item – Session 3 - 1 hrs 41 minutes 52 seconds

The meeting resumed at 10.40pm

Director – which sought approval of the Council for two voluntary redundancies, where the cost of each exceeded the threshold of £100,000 as set out in the Pay Policy Statement.

It was moved by Councillor Julian Cunningham and seconded by Councillor Tony Hunter and

RESOLVED:

That Council approves: Voluntary Redundancy 1 and Voluntary Redundancy 2, the details of which were presented in the Part II Report.

REASONS FOR RECOMMENDATIONS:

- (1) To meet the financial challenges to the Council in light of reducing Government support.
- (2) To facilitate the phase 2 restructure and assist with meeting the Council's corporate financial budgetary requirements in the longer term.

90 VOLUNTARY REDUNDANCIES

As this part of the meeting was discussed in Part 2 there was no audio recording.

The Council considered an exempt report of the Service Director – Customer and Service Director – Legal and Community on voluntary redundancies.

The information in the Part II report was taken into account when reaching the decisions as recorded in Part I.

The item was considered prior to the part I item (Minute No. 90 refers).

Having debated the matter the meeting resumed in public session.

91 NOTICE OF MOTIONS

There was no other notice of motions considered.

92 QUESTIONS FROM MEMBERS

Audio Recording – Start of item – Session 3 – 3 hours 20 minutes 25 seconds

In accordance with Standing Order 4.8.11(b), three questions were submitted by Members within the required timescale as prescribed in the Council's Constitution.

(A) Chairman's Photographs, Civic Crest and other civic regalia

Councillor David Levett to Councillor Lynda Needham (Leader of the Council):

"Could the Leader of The Council confirm to Council when, the Past Chairmans' Board and photographs which recognise the contribution made by those individuals and also the Council over which they presided, the Civic Crest which recognises the history of the towns and urban districts which were brought together to form North Hertfordshire District Council, together with the other civic regalia which was removed temporarily whilst the DCO was refurbished, will be returned to their rightful place in the Council Chamber and Civic Suite?"

Answer

Now that the new technology has been installed in the Chamber window. One crest will go above the fire exit and the second crest will be on a blind behind the Chairman.

We are looking at a location for the photographs, as there was insufficient space to display them in a single location. Therefore, the photographs will be remounted and displayed along the corridor to the Council Chamber entrance.

The original Chairmans' board needs to be renovated and in view of the costs of updating it each year, a more modern solution was being considered.

The original board would be moved and displayed in the corridor with the charter and the old Chairman's Chair. This would be completed by the Annual Council Meeting.

(B) Food Waste Collection Costs

Councillor Steve Jarvis to Councillor Michael Weeks (Executive Member for Waste Management, Recycling and Environment)

"What is the cost to the Council of the weekly Food Waste Collection Service?"

Answer

This information was commercially sensitive and was an element of the service.

(C) Waste and Recycling Rounds

Councillor Lisa Nash to Councillor Michael Weeks (Executive Member for Waste Management, Recycling and Environment):

“What steps are being taken to ensure that when the waste and recycling rounds are revised in May this year, this does not result in a disruption to the service?”

Answer

The project plan will include consultation with the Council, workforce and unions. Regular updates would be provided. We are seeking routes that are balanced and acceptable to all parties.

The Council will provide support to Urbaser and we are already talking to communications. There is an optimisation plan and the Council Member will hold workshops with Urbaser. The Council will monitor Urbaser.

The meeting closed at 11.15 pm

Chairman