

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

**MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, GERNON ROAD,
LETCWORTH GARDEN CITY
ON TUESDAY, 24TH SEPTEMBER, 2019 AT 7.30 PM**

MINUTES

Present: *Councillors Martin Stears-Handscomb (Chairman), Paul Clark (Vice-Chairman), Ian Albert, Keith Hoskins, Steve Jarvis, Ruth Brown, Ian Mantle and Carol Stanier*

In Attendance: *David Scholes (Chief Executive), Ian Couper (Service Director - Resources), Ian Fullstone (Service Director - Regulatory), Howard Crompton (Service Director - Customers), Nigel Smith (Strategic Planning Manager), Geraldine Goodwin (Revenues Manager) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

Also Present: *At the commencement of the meeting 3 members of the public.*

37 APOLOGIES FOR ABSENCE

Audio recording – 10 seconds

Apologies for absence were received from Councillors Judi Billing, Elizabeth Dennis-Harburg, Gary Grindal, Sam North, Helen Oliver, Sean Prendergast and Kay Tart.

Jeanette Thompson, Service Director – Legal and Community sent her apologies that she was unable to attend.

38 MINUTES - 30 JULY 2019

Audio Recording – 35 seconds

It was proposed by Councillor Martin Stears-Handscomb, seconded by Councillor Paul Clark and:

RESOLVED: That the Minutes of the Meeting of the Committee held on 30 July 2019 be approved as a true record of the proceedings and be signed by the Chairman.

39 NOTIFICATION OF OTHER BUSINESS

Audio recording – 58 seconds

The Chairman advised that the Vice-Chairman of the Overview and Scrutiny Committee (in the absence of the Chairman of the Committee) had agreed for an urgent item to be heard. This item was listed on the agenda as Business Rate Pooling 2020/21 (Minute 48 refers).

40 CHAIRMAN'S ANNOUNCEMENTS

Audio recording – 1 minute 18 seconds

- (1) The Chairman welcomed those present at the meeting, especially those who had attended to give a presentation;
- (2) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chairman drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

41 PUBLIC PARTICIPATION

Audio recording – 2 minutes 39 seconds

There were no presentations by members of the public.

42 QUESTIONS BY THE PUBLIC

Audio recording – 2 minutes 42 seconds

In accordance with Standing Order 4.8.10(c), Mr Philip Devonald had presented a question for Councillor Steve Jarvis (Executive Member for Environment and Leisure) as follows:

"What progress has the Council made in addressing the climate emergency declared at the Annual Meeting in May?"

The Executive Member for Environment and Leisure provided the following response:

"There will be some similarities in the answer received at Council.

The Council recognises that responding to the climate emergency requires it both to address its own carbon emissions but, as these only represent a small proportion of the carbon footprint of the District, it's important that, if we are to make progress, we need to play a role in enabling residents and businesses to cut their emissions, where the Council can influence this directly, and also encourage residents and businesses to do this more widely, which is perhaps where the greatest dividends will result. We need to make progress in all of these areas if we are to make the biggest contribution toward a net zero contribution by the Council by 2030 and net zero contribution for Britain by 2040.

Clearly there are some very significant changes that can be made to meet those objectives, but it is important that we don't overlook the contributions of small changes that can be made as well and we need to encourage and persuade people to do what they can and recognise their achievements rather than criticise them for not achieving more, if we are going to build a community commitment.

I am committed that we need to do this by looking at ways to move forward by enabling people to live their lives in smarter ways to reduce the carbon impact of what they do such as travel by using renewables and lower energy transport, and it is important that we do that again takes the community with us.

As well as reducing emissions it is important that we look into ways of increasing the world's capability to deal with emissions that are either difficult or impossible to remove or eliminate.

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Clearly our scope in North Herts is relatively limited, but there is scope for planting trees and we must maximise the amount we do on Council land, and also find ways to encourage both the public sector and private citizens to do what they can in terms of tree planting and that could be significantly larger.

Since May we have taken a number of steps towards these goals, there are some things that it is possible to do quickly and some that take a little longer.

We have set up a Cabinet Panel to gather the views of interested and informed local groups to help the Council identify the things it can do most effectively. In the three areas of cutting its own emissions, enabling others to do so and encouraging them to do so and at the meeting we had a very worthwhile discussion on that evening, with some very valuable inputs. As a result the Panel has decided that it should address issues in a number of specific areas and that at the next meeting we should address the issue of planning and transport, on the basis that there are some quite significant areas in which the Council's policies can impact how effective we are at enabling citizens to achieve a reduction in carbon impact. I hope we will have a similarly productive meeting in October to go through that area in some detail.

We have started assessing what the Council's carbon output is and, to the extent that we can what the District's is. It is much easier to identify the Council's than it is for that of the District. Although this doesn't save anything directly, it is important that we know where we are and where we are starting from.

We have begun the process of switching the Council's energy supplies to renewable sources, this will be done very quickly for electricity, although gas will take a little longer, but is in the process of being done.

We are working on the process of investigating what we can do about panels on Council buildings, the capability for this is from building to building, but what can be achieved is being investigated.

In terms of Leisure Centres, we are looking beyond that and considering what we can do in terms of overall energy consumption, particularly of the swimming pools. Keeping a large volume of water at a comfortable swimming temperature uses a considerable amount of energy and we need to look at what we can do to minimise that, whilst recognising that actually we do need to heat the pools.

As mentioned, there is a whole series of issues around planning policies and their impact on, not so much the Council's emissions, but those of the rest of the community. We need to start looking at energy performance and what we can do in terms of specified energy performance of new homes and other buildings, particularly where we can go beyond the statutory requirements bar and the extent to which we can require renewable energy technology to be installed.

The other area to look at regarding the planning system is to consider what we can do to ensure that the developments that result from the Local Plan and otherwise, are as sustainable as possible and there are some challenges in terms of how we do that and there are some challenges in how the framework in which the Council has to operate helps, or doesn't help that.

We are working on a scheme to introduce more electric vehicle charging points both on street and in Council car parks and part of the development plan proposals need to consider what we can do to ensure there is sufficient electric vehicle charging points in new developments.

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We have tried to engage with the Woodland Trust, we are now looking at some alternative ways in which we might promote some tree planting, I still hope we might manage to engage with them but it has not proved as easy or as quick as I hoped it would be. We are looking at ways that we can encourage residents in the District to plant trees where they are able to. Separately we are looking at where there is scope for that on Council land and various other things that relate to wilding bits of Council land, unfortunately they are all relatively small, but they will make a small contribution. Doing this sort of thing encourages others to do likewise.

We have a new policy that new Council vehicles will be ultra low emission, subject to ensuring they are still capable of performing their role and we going to engage with the contractors for grounds maintenance and recycling of waste about how we can move that forward in the future. There is no carbon benefit, let alone any financial benefit in throwing away on year old refuse freighters in order to replace them with ones that would probably struggle to do the job whereas if we keep them to the end of their lifecycle, we will probably be able to replace them with vehicles that can do the job on an ultra low emissions basis.

We have provided an incentive for taxi operators to use hybrid vehicles by offering lower cost licenced for those.

We have done quite a lot in terms of supporting plastic free groups in Letchworth and Hitchin and that is now starting to extend elsewhere to reduce the use of single use plastics, promoting water bottle refilling schemes and we have 4 water fountains and others in leisure centres, to encourage people not to use single use water bottles.

Those are the steps that we have taken at the moment. We are working to put together a comprehensive climate change strategy and implementation plan during the course of the autumn and engaging with the groups that participate in the Cabinet Panel is an important part of that.

What I don't want to do is to give people the impression that we have already decided that their contribution is not valued because they have some interesting ideas. That potentially may make it take a little bit longer, but I think that is a price worth paying to ensure that we get the best ideas on board.

The next meeting of the Cabinet Panel is on 15 October 2019 and will deal with the Council's planning and transport policies."

Mr Devonald thanked Councillor Jarvis for his response and the officers for working hard on this issue and asked the following supplementary question:

"I appreciate that specific things are being done and am grateful for the actions that have been taken. In respect of the approach being taken, it looks piecemeal from the outside, it looks as if you are dealing with things in the margins.

The next report on the agenda regarding Strategic Planning Matters doesn't mention climate change or the environment. My argument would be that everything in this Council should be about climate change and the environment. It should run through every officer's report like a stick of Blackpool rock. It doesn't seem to inform the fundamental ways in which you operate.

Ticking things off individually is laudable, but this won't get the baby washed. I think you need a fundamentally different approach. I am not sure that your officers are on board.

Where is the letter to the Inspector telling him you are going to withdraw your Local Plan?

Why are you saying to taxi drivers that you can have a discount if you've got an electric car instead of saying in seven years time nobody will be allowed to have an internal combustion engine?

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You have the power to do that and if you don't do it now you can't enforce it in 7 years time.

Why are you pussyfooting around with little minute efforts of giving a discount. Tell taxi drivers so that they can plan their future, that they won't be able to have an internal combustion powered car in 7 years time.

You need to take a more radical fundamental approach that is right across every service and I'm not seeing it.

I don't want to be antagonistic, Planet Earth, the legal environmental charity, have issued letters before action to a number of local authorities. You are not one of them because you are working with us and I have said to them to leave you off the list.

We are grateful for what you do but can you please review, with your officers, the fundamental nature of where you are looking at. Please go for root and branch not changing things in the margins."

Councillor Stears-Handscomb responded that this is obviously an issue we are working on, however we have heard what you say. He stated that he was inspired to meet the climate strike people last week.

Councillor Jarvis responded as follows:

"Some of the points you make are perfectly valid and there is an intention to ensure that all reports consider environmental impact.

The whole position around the Local Plan is one that has a number of difficulties. There are some challenges about how we get from where we are to where we would like to be.

The specific issue regarding taxis was something that it was possible to do very quickly. We are not saying that they are not going to be ultra low emissions, but it happened to be possible within the timeframe to do something almost immediately that was a step in the right direction. It is not considered as job done, but it is important to take steps you can whilst recognising you need to take the bigger steps.

Making a significant change and making changes rapidly can be a challenge in local government."

Upon the invitation of the Chairman, Councillor Paul Clark, Executive Member for Planning and Transport, advised:

- That officers took the climate emergency extremely seriously;
- The Strategic Planning Document was a monitoring and updating document;
- That in October one of the changes would be to consider environmental impacts of developments in planning reports;
- That additional funding had been requested from Government to increase expertise in the area;
- That they wanted to take actions, but those actions must be right.

43 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 20 minutes 25 seconds

(A) Item Referred From Finance, Audit And Risk Committee: 16 September 2019 – Fraud Policy Review

RESOLVED: That the referral from the Finance, Audit and Risk Committee regarding the Fraud Policy Review be considered with the item on the agenda entitled Fraud Prevention Policy (Minute 45 refers)..

44 STRATEGIC PLANNING MATTERS

Audio recording – 20 minutes 38 seconds

The Executive Member for Planning and Transport presented the report entitled Strategic Planning Matters together with the following appendices:

- Appendix A – Letter from NHDC to Local Plan Inspector;
- Appendix B – Letter from Local Plan Inspector to NHDC.

He drew attention to the following:

- Other Plans and Examinations;
- NHDC would respond to the Inspector regarding the Local Plan on 29 November 2019;
- Actions, letters and responses regarding the Local Plan would be reported to the Project Board, which included Members from all parties, those Members would then feedback to the wider membership;
- CIL and S106 SPD would likely be considered by Cabinet in December 2019.
- In response to Councillor Thake's question at Full Council, Councillor Clark reported that Members of the Committee would be informed and would be able to feedback via the Local Plan Project Board on which all groups are represented.

The following Members asked questions and took part in the debate:

- Councillor Ian Albert;
- Councillor Steve Jarvis.

In response to questions the Executive Member for Planning and Transport advised:

- That the public would be kept informed of progress with the Local Plan through the Strategic Planning Matters report, Members Information Service and the response to the Inspector would be posted on the NHDC website.

RESOLVED:

- (1) That the report on strategic planning matters be noted;
- (2) That the letter in Appendix A be noted and endorsed;
- (3) That the Local Plan Inspector's letter at Appendix B be noted.

REASON FOR DECISION: To keep Cabinet informed of recent development on Strategic planning matters and progress on the North Hertfordshire Local Plan.

45 **FRAUD PREVENTION POLICY**

Audio recording – 26 minutes 27 seconds

The Executive Member for Finance and IT presented the report entitled Fraud Prevention Policy together with the following appendix:

- Appendix A- Fraud Prevention Policy.

He drew attention to the essential nature of training for Members regarding anti bribery, fraud etc and the low take up rates and suggested that Group Leaders encourage Members to undertake the relevant e-learning modules.

Cabinet considered the referral from the Finance, Audit and Risk Committee meeting held on 16 September 2019 which contained the following recommendation to Cabinet:

That the Fraud Prevention Policy attached at Appendix A be approved with the following amendment:

The first line of Paragraph 6 in Section 2 entitled Reporting, 'that are reported' be removed from the Fraud Prevention Policy so that it read:

"The Council will investigate all suspicions, and where deemed appropriate the matter raised may be:"

The Executive Member for Finance and IT was happy that the recommendation from the Finance Audit and Risk Committee be accepted.

Councillor Ruth Brown suggested that the Learning and Development Champions be requested to consider how to advertise e-learning modules and encourage Members to undertake essential learning.

It was proposed by Councillor Ian Albert, seconded by Councillor Martin Stears-Handscorn and

RESOLVED:

- (1) That the Fraud Prevention Policy attached at Appendix A be approved with the following amendment:

The first line of Paragraph 6 in Section 2 entitled Reporting, 'that are reported' be removed from the Fraud Prevention Policy so that it read:

"The Council will investigate all suspicions, and where deemed appropriate the matter raised may be:"

- (2) That the Learning and Development Champions be requested to consider how e-learning modules can be better advertised to Members and how Members can be encouraged to undertake essential training such as anti bribery and fraud prevention.

REASON FOR DECISION: The new policy provides all the information in relation to fraud and similar offences. This makes it more accessible, especially as the total length of documentation is shorter. By making it easier to read and understand policies, it should aid compliance.

46 COUNCIL TAX REDUCTION SCHEME 2020/21

Audio recording – 33 minutes 6 seconds

The Executive Member for Finance and IT presented the report entitled Council Tax Reduction Scheme 2020/21.

It was proposed by Councillor Ian Albert and:

RESOLVED:

- (1) That the CTRS position relating to this and previous financial years be noted:
- (2) That it be noted that a full review of the CTRS is underway and that further recommendations for changes to the Scheme will be presented to Cabinet in September 2020 for implementation in 2021/2022:
- (3) That amount to be distributed to Parish, Town & Community Councils be continued and maintained at £38,885:
- (4) That the following proposed changes to the CTRS for 2020/2021 be subject to consultation:
 - A) That a de minimis amount of £2.50 per week be introduced for reductions in entitlement, with no de minimis amount for increases in entitlement;
 - B) That any payments made under the Windrush Compensation Scheme be disregarded for the purposes of CTRS;
- (5) That a further report on the outcome of the consultation be presented to Cabinet at its meeting on 17 December 2019.

REASON FOR DECISIONS: To decide on whether any changes are proposed to the CTRS for 2020/2021 and enable the required consultation to be carried out.

47 REVIEW OF COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY

Audio recording – 40 minutes 20 seconds

The Leader of the Council presented the report entitled Review of Comments, Compliments and Complaints Policy together with the following appendix:

- Appendix A – Comments, Compliments and Complaints Policy.

He advised that the Policy had been considered by the Overview and Scrutiny Committee and that the report under consideration had been amended to take into account comments from that Committee.

The following Members asked questions and took part in the debate:

- Councillor Carol Stanier;
- Councillor Paul Clark;
- Councillor Steve Jarvis.

Comments included that there should be a mechanism for complaints to be made by Councillors on behalf of residents and that there should be a shortened version of the Policy that is easier to access by the public.

The Service Director – Customers advised that Councillors could act as advocates, however it was important that customers made the complaint rather than Councillors.

The document had become longer due to the many ways that people now communicated with the Council and a flow chart could be provided to make navigation of the document easier.

The Chief Executive advised that the vast majority of people accessed information through the website or through the Customer Service Centre, where relevant information is given. It was useful to have the full document available for those whose complaints are more complex.

RESOLVED: That the updated Comments, Compliments and Complaints Policy, as contained in Appendix A ,be approved with the following amendments:

- (i) The addition of a flow chart to help customers navigate the document;
- (ii) That a short version of the Policy be made available describing how to make a simple comment, compliment or complaint.

REASON FOR DECISION: To ensure that the NHDC Policy for Comments, Compliments and Complaints is up to date and clear and easy for customers and our staff to understand.

48 BUSINESS RATE POOLING 2020/21

Audio recording – 48 minutes 10 seconds

The Chairman reminded Members that the Vice-Chairman of the Overview and Scrutiny Committee had agreed for this item to be considered as an urgent item.

The Executive Member for Finance and IT presented the report entitled Business Rate Pooling 2020/21.

He proposed that Recommendation 2 be amended to read:

“That, if it is proposed that Council is part of an optimum pool, that the authorisation for the final agreement be delegated to the Service Director- Resources in consultation with the Executive Member for Finance and IT.”

It was proposed by Councillor Ian Albert, seconded by Councillor Martin Stears-Handscomb and

RESOLVED:

- (1) That it be approved in principle that the Council is part of a Hertfordshire Business Rates pool in 2020/21;
- (2) That, if it is proposed that Council is part of an optimum pool, that the authorisation for the final agreement be delegated to the Service Director- Resources in consultation with the Executive Member for Finance and IT.

REASON FOR DECISIONS: It is recommended that NHDC joins a Business Rates pool due to the expected financial benefits. The delegation is necessary due to the deadline imposed by the MHCLG.

The meeting closed at 8.21 pm

Chairman

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