

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, GERON ROAD,
LETCWORTH GARDEN CITY
ON TUESDAY, 28TH JANUARY, 2020 AT 7.30 PM

MINUTES

Present: *Councillors: Martin Stears-Handscomb (Chair), Councillor Paul Clark (Vice-Chair), Ian Albert, Judi Billing, Elizabeth Dennis-Harburg, Gary Grindal, Keith Hoskins, Steve Jarvis, Ian Mantle, Sam North and Carol Stanier.*

In Attendance: *Councillor David Levett (Chair of the Overview and Scrutiny Committee), David Scholes (Chief Executive), Anthony Roche (Deputy Chief Executive), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Steve Crowley (Service Director - Commercial), Ian Fullstone (Service Director - Regulatory), Nigel Smith (Strategic Planning Manager), Geraldine Goodwin (Revenues Manager), Christopher Robson (Senior Estates Surveyor), Peter Lapham (Interim Property Consultant), Jamie Sells (Service Manager - Waste and Recycling), Reuben Ayavoo (Policy and Community Engagement Manager), Claire Morgan (Community Engagement Team Leader) and Hilary Dineen (Committee, Member and Scrutiny Manager).*

Also Present: *At the commencement of the meeting approximately 4 members of the public.*

74 APOLOGIES FOR ABSENCE

Audio recording – Session 1 – 20 seconds

Apologies for absence were received from Councillors Ruth Brown and Kay Tart.

75 MINUTES - 17 DECEMBER 2019

Audio Recording – Session 1 – 32 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 17 December 2019 be approved as a true record of the proceedings and be signed by the Chair.

76 NOTIFICATION OF OTHER BUSINESS

Audio recording – Session 1 – 47 seconds

There was no other business notified.

77 CHAIR'S ANNOUNCEMENTS

Audio recording – Session 1 – 51 seconds

- (1) The Chair welcomed those present at the meeting;
- (2) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chair 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;
- (4) The Chair reminded those present that the Council had declared a Climate Emergency and had not only set up a Cabinet Panel on the Environment, but were also beginning to work on issues within the organisation.

78 PUBLIC PARTICIPATION

Audio recording – Session 1 – 2 minutes 37 seconds

There were no presentations by members of the public.

79 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – Session 1 – 2 minutes 41 seconds

6a ITEM REFERRED FROM LETCHWORTH COMMITTEE: 7 JANUARY 2020 – GRANT POLICY REVIEW

RESOLVED: That the referral from the Letchworth Committee meeting held on 7 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

6b ITEM REFERRED FROM SOUTHERN RURAL COMMITTEE: 8 JANUARY 2020 – GRANT POLICY REVIEW

RESOLVED: That the referral from the Southern Rural Committee meeting held on 8 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

6c ITEM REFERRED FROM HITCHIN COMMITTEE: 14 JANUARY 2020 – GRANT POLICY REVIEW

RESOLVED: That the referral from the Hitchin Committee meeting held on 14 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

6d ITEM REFERRED FROM ROYSTON AND DISTRICT COMMITTEE: 15 JANUARY 2020 – GRANT POLICY REVIEW

RESOLVED: That the referral from the Royston and District Committee meeting held on 15 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

6e ITEM REFERRED FROM BALDOCK AND DISTRICT COMMITTEE: 27 JANUARY 2020 – GRANT POLICY REVIEW

RESOLVED: That the referral from the Baldock and District Committee meeting held on 27 January 2020 regarding the Grant Policy Review be considered with Item 11 (Minute 84 refers).

6f ITEM REFERRED FROM FINANCE, AUDIT AND RISK COMMITTEE: 20 JANUARY 2020 – REVENUE BUDGET

RESOLVED: That the referral from the Finance, Audit and Risk Committee meeting held on 20 January 2020 regarding the Revenue Budget be considered with Item 17 (Minute 90 refers).

6g ITEM REFERRED FROM FINANCE, AUDIT AND RISK COMMITTEE: 20 JANUARY 2020 – INVESTMENT STRATEGY

RESOLVED: That the referral from the Finance, Audit and Risk Committee meeting held on 20 January 2020 regarding the Investment Strategy be considered with Item 18 (Minute 91 refers).

6h ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 21 JANUARY 2020 – FAIR COLLECTION POLICY

RESOLVED: That the referral from the Overview and Scrutiny Committee meeting held on 21 January 2020 regarding the Fair Collection Policy be considered with Item 13 (Minute 86 refers).

6i ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 21 JANUARY 2020 – GARDEN WASTE SERVICE

RESOLVED: That the referral from the Overview and Scrutiny Committee meeting held on 21 January 2020 regarding the Garden Waste Service be considered with Item 10 (Minute 83 refers).

6j ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 21 JANUARY 2020 – DRAFT DEVELOPER SPD

RESOLVED: That the referral from the Overview and Scrutiny Committee meeting held on 21 January 2020 regarding the Draft Developer SPD be considered with Item 10 (Minute 88 refers).

80 STRATEGIC PLANNING MATTERS

Audio recording – Session 1 – 3 minutes 34 seconds

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

- Appendix A – Host Authorities Joint Technical Response on London Luton Airport Expansion Statutory Consultation – October 2019;
- Appendix B – NHDC Response on London Luton Airport Expansion Statutory Consultation – October 2019.

The Executive Member for Planning and Transport advised of the following updates to the report including:

NHDC Local Plan

- The Local Plan Inspector had advised that there would be further hearings regarding the NHDC Local Plan and these were likely to take place during the weeks commencing 16 and 22 March 2020;
- Housing figures had been reduced to approximately 14,000, although the sites remained the same.

St Albans Local Plan

- This had been found to be unsound.

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

- Councillor Steve Jarvis.

RESOLVED:

- (1) That the report on strategic planning matters be noted.
- (2) That the submissions in Appendices A and B be noted.

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

81 BALDOCK, BYGRAVE AND CLOTHALL NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION

Audio recording – Session 1 – 7 minutes 50 seconds

The Executive Member for Planning and Transport presented the report entitled Baldock, Bygrave and Clothall Neighbourhood Plan – Regulation 16 Consultation.

RESOLVED: That public consultation for the Baldock, Bygrave and Clothall Neighbourhood Plan be approved.

REASON FOR DECISION: To enable public consultation on the proposed submission Baldock, Bygrave and Clothall Neighbourhood Plan 2019 – 2031 before the neighbourhood plan is submitted for examination by an independent examiner.

82 STATEMENT OF COMMUNITY INVOLVEMENT - DRAFT FOR PUBLIC CONSULTATION

Audio recording – Session 1 – 8 minutes 52 seconds

The Executive Member for Planning and Transport presented the report entitled Statement of Community Involvement – Draft for Public Consultation together with the following appendices:

- Appendix A – Revised draft Statement of Community Involvement for public consultation – January 2020;
- Appendix B – Equalities Impact Assessment for the revised draft Statement of Community Involvement – January 2020.

The Strategic Planning Manager advised that the draft Statement of Community Involvement stated sites of 500 or more whilst the Constitution stated sites of 100 or more and these documents needed to be aligned.

RESOLVED:

- (1) That the Council's current Statement of Community Involvement be revised and replaced having regard to the factors outlined in this report;
- (2) That the revised draft Statement of Community Involvement (SCI), attached as Appendix A to this report, be noted and approved for a six-week public consultation.

REASON FOR DECISIONS: Officers consider that the SCI should be updated to reflect changes in legislation, technology and Regulations.

83 GARDEN WASTE SERVICE

Audio recording – Session 1 – 13 minutes 7 seconds

The Executive Member for recycling and Waste Management presented the report entitled Garden Waste Service.

Councillor David Levett, Chair of the Overview and Scrutiny Committee, presented the referral from the Committee meeting held on 21 January regarding the Garden Waste Service. He advised that the Committee supported the recommendations in the revised report.

The following Members took part in the debate:

- Councillor Judi Billing.

RESOLVED:

- (1) That the concessionary rates principles as proposed in para 8.2 be agreed;
- (2) That the decision regarding whether the implementation of Direct Debits is practicable for August 2020 be delegated to the Service Director - Place, in consultation with the Executive Member for Recycling and Waste Management.

REASONS FOR DECISIONS: To deliver objectives set out in the Councils plan and to implement the recommendations in 2020/21.

84 COMMUNITY GRANTS POLICY REVIEW

Audio recording – Session 1 – 21 minutes 46 seconds

The Executive Member for Community Engagement presented the addendum report entitled Community Grants Policy Review together with the following appendices:

- Appendix 1 - Draft Grant Policy Review;
- Appendix 2 - Draft Grant Policy Review – with comments from Area Committees;
- Appendix 3 - Final Grant Policy amended following consultation;
- Appendix 4 - Terms of Reference for the District Wide Community Facilities Capital & Revenue Grant Panel;
- Appendix 5 - Policy with comments from all Area Committees.

The Chair drew attention to the referrals from the Area Committee (6a – 6e) and Appendix 5 which summarised the comments made by the Area Committee.

RESOLVED:

- (1) That, subject to the following, the updated Community Grant policy and criteria be approved:
 - (i) That the heading in the table at Paragraph 3.1 of the Policy be amended to read “Eligible and Not Eligible”;
 - (ii) That it be made clear in the table at Paragraph 3.1 of the Policy that event hosted by community organisations and charities would be eligible;
 - (iii) That Paragraph 4.3 of the Policy be amended to read; “Community grant applications are considered at the relevant Committee or Panel and a listing of application deadlines is published on the Councils website.”
 - (iv) That Paragraph 6,2 of the Policy be amended to read: “The Council will require details of how the grant was spent and the provision of receipts within 1 year of the decision and that this be reported back to the relevant Committee or Panel.”

- (2) That the updated Terms of Reference for the District Wide Community Facilities Capital and Revenue Grant Panel be approved

REASON FOR DECISIONS: The awarding of grant funding awards to organisations, charities and voluntary groups, and the use of grant budgets devolved to Area Committees allows the Authority to further its aims and overarching Priorities of the Council and District.

85 CLIMATE CHANGE STRATEGY 2020-2025

Audio recording – Session 1 – 29 minutes 20 seconds

The Executive Member for Environment and Leisure presented the report entitled Climate Change Strategy 2020-2025 together with the following appendices:

- Appendix 1 – Climate Change Strategy;
- Appendix A - Completed Actions;
- Appendix B - Proposed Actions.

The following Members took part in the debate:

- Councillor Paul Clark;
- Councillor Martin Stears-Handscorn;
- Councillor Sam North.

Councillor Martin Stears-Handscorn proposed a further recommendation that the Policy and Appendices be kept under review and updated as required.

RESOLVED:

- (1) That Cabinet the amended Climate Change Strategy and accompanying appendices, which sets out the Council’s strategic priorities to reduce the organisation’s impact on the environment be approved;

- (2) That the following documents be adopted and updated as required:
 - Appendix 1 Climate Change Strategy 2020 -2025;
 - Appendix A – Completed Actions;
 - Appendix B – Proposed Actions.

- (3) That the Strategy and Appendices be kept under review and updated as required

REASON FOR DECISIONS: In 2019, the Council passed a motion to declare a Climate Emergency, in this motion the Council pledged their commitment to achieve a target of zero carbon emissions by 2030. The revised strategy sets out how the council will do this.

86 FAIR COLLECTION POLICY

Audio recording – Session 1 – 36 minutes 10 seconds

The Executive Member for Finance and IT presented the report entitled Fair Collection Policy together with the following appendices:

- Appendix 1 - Fair Collection Policy;
- Appendix 2 - Stop the Knock;
- Appendix 3 - Penham Excel Ltd - Information Leaflet;
- Appendix 4 - Penham Excel Ltd - Vulnerability Policy;
- Appendix 5 - Penham Excel Ltd - Vulnerability Policy Notes;
- Appendix 6 - Council Tax Protocol;
- Appendix 7 - Equality Impact Assessment;
- Appendix 8 - Standard Financial Statement.

Councillor David Levett, Chair of the Overview and Scrutiny Committee presented the referral from the meeting of the Committee meeting on 21 January 2020 regarding the Fair Collection Policy.

He advised that the Committee recommended to Cabinet that the Draft Fair Collection Policy be adopted.

RESOLVED:

- (1) That the Fair Collection Policy at Appendix 1 be adopted;
- (2) That the Council Tax Protocol at Appendix 6 2 be approved and adopted;
- (3) That it be noted that the Council now uses the Standard Financial Statement developed by the Money & Pension Service.

REASONS FOR DECISIONS:

- (1) To incorporate existing practices used for the collection of money owed to the Council into an overarching policy;
- (2) To confirm the Council's practices and procedures especially those relating to potentially vulnerable customers.

87 COUNCIL TAX PREMIUMS & DISCOUNTS ON EMPTY PROPERTIES

Audio recording – Session 1 – 40 minutes 52 seconds

The Executive Member for Finance and IT presented the report entitled Council Tax Premiums & Discounts on Empty Properties together with the following appendices:

- Council Tax Premiums Discounts on Empty Properties – Addendum;
- Appendix 1 – Summary of consultation responses;
- Changes to Council Tax Premiums, Discounts on Empty Properties - Appendix 1 – Addendum.

The Executive Member for Finance and IT proposed recommendations 2.1.2 and 2.2.

The Service Director – Customers explained that there was a balance to be struck between the intention of the proposal to encourage empty properties to be brought back into occupation and charging too much.

The following Members took part in the debate:

- Councillor Martin Stears-Handscomb.

RESOLVED:

- (1) That in accordance with Section 11B of the Local Government Finance Act 1992 as amended by Section 2 of the Rating (Properties in Common Occupation) & Council Tax (Empty Dwellings) Act 2018, that from 1 April 2020 a 100% Premium is levied on all properties empty for more than two years;
- (2) That under Section 11A of the Local Government Finance Act 1992, amended by Section 11 of the Local Government Finance Act 2012, the Council creates a locally defined Council Tax Discount of 100% for the first fifty-six days that a property is unoccupied and substantially unfurnished and does not fall into any Council Tax Exemption Class, and zero % for any period after fifty-six days.

REASONS FOR DECISIONS:

- (1) To support the principle of getting unoccupied properties back into occupation whilst also considering the implications of collection.
- (2) To provide more time to turn around empty properties and reduce the number of small value Council Tax bills produced.

88 DRAFT DEVELOPER CONTRIBUTIONS SPD

Audio recording – Session1 – 10 minutes 27 seconds

The Executive Member for Planning and Transport presented the report entitled Draft Developer Contributions SPD together with the following appendix:

- Appendix A - Draft Developer Contributions SPD.

Councillor David Levett, Chair of the Overview and Scrutiny Committee presented the referral from the meeting held on 21 January 2020 regarding the Draft Developer Contributions SPD.

He advised that the Committee recommended to Cabinet that:

- (1) That the draft Developer Contributions SPD, attached as Appendix A to this report, be endorsed and approved for a six-week public consultation;
- (2) That Officers be instructed to conduct a review a to consider the feasibility of introducing a Community Infrastructure Levy for residential sites of 10 units or less.

The Executive Member for Planning and Transport proposed that the words “of ten units or less” be removed from recommendation 2.2.

RESOLVED:

- (1) That the draft Developer Contributions SPD, attached as Appendix A to this report, be endorsed and approved for a six-week public consultation;
- (3) That Officers be instructed to conduct a review to consider the feasibility of introducing a Community Infrastructure Levy for residential sites.

REASONS FOR DECISIONS:

- (1) To allow the Developer Contributions SPD to be progressed so that it may be
 - (i) adopted at the same time as, or shortly after, any future decision to adopt the new Local Plan and
 - (ii) taken into account in relevant planning decisions.
- (2) To determine whether there is scope to introduce a levy for small sites which are not normally subject to requests for contributions but which, collectively, result in additional burdens upon local infrastructure.

89 PROPERTY ACQUISITION & DEVELOPMENT STRATEGY

Audio recording – Session 1 – 50 minutes 26 seconds

The Executive Member for Enterprise and Cooperative Development presented the report entitled Property Acquisition & Development Strategy together with the following appendices:

- Appendix A - Property Acquisition & Development Strategy;
- Appendix B - Property Scrutiny Group (PSG): Terms of Reference;
- Appendix C - Asset Criteria;
- Appendix D - Scoring Matrix;
- Appendix E - Statutory Powers & Provisions.

The Senior Estates Surveyor advised that this was a framework document which included the guiding principles and governance principles.

RECOMMENDED TO COUNCIL: That the Property Acquisition & Development Strategy, including Appendices be approved

REASONS FOR DECISION:

- (1) To give effect to the Property Acquisition & Development Strategy so NHDC has in place a clear basis for pursuing property opportunities that are for the purposes of its functions or the benefit, improvement or development of its area.
- (2) To put in place a framework of robust and practical guiding principles that apply governance and rigorous appraisal to property acquisition and development decisions by NHDC, in order to safeguard the necessary capital expenditure and taxpayers' resources.

90 **REVENUE BUDGET 2020/21**

Audio recording – Session1 – 52 minutes 57 seconds

The Executive Member for Finance and IT presented the addendum report entitled Revenue Budget 2020/21 together with the following appendices:

- Appendix A - Financial Risks;
- Appendix B - Savings and Investments;
- Appendix C - General Fund Estimates;
- Appendix C - General Fund Estimates (addendum).

The Leader of the Council introduced the referral from the Finance, Audit and Risk Committee meeting held on 20 January 2020 regarding the Revenue Budget and drew attention to the recommendations to Cabinet.

The following Member took part in the debate:

- Councillor Sam North.

RESOLVED:

- (1) That the decrease in the 2019/20 working budget of £187K, as detailed in table 6 be approved;
- (2) That the carry-forward of £88K of budget into 2020/21, as detailed in table 6 be approved.

RECOMMENDED TO COUNCIL:

- (1) That the transfers from reserves to the General Fund as detailed in 8.4.3 to 8.4.4 be approved;
- (2) That the forecast savings target for future years be noted and the approach to balancing the budget, as detailed at Paragraph 8.9.4 be confirmed;
- (3) That the position on the Collection Fund and how it will be funded be noted;
- (4) That the position relating to the General fund balance and that due to the risks identified a minimum balance of £2.45 million is recommended be noted;
- (5) That the saving and investments as detailed in Appendix B be approved;
- (6) That a net expenditure budget of £15.124m, as detailed in Appendix C be approved;
- (7) That a Council Tax increase of £5 for 2020/21 for a band D property, with other increases pro rata for this (as per the Medium Term Strategy) be approved.

REASON FOR DECISIONS:

- (1) To ensure that all the relevant factors are taken into consideration when arriving at the proposed Council Tax precept for 2020/21;
- (2) To ensure that Cabinet recommends a balanced budget to Full Council on 6 February 2020.

91 INVESTMENT STRATEGY (INTEGRATED CAPITAL AND TREASURY)

Audio recording – Session 1 – 1 hour 2 minutes 6 seconds

The Executive Member for Finance and IT presented the report entitled Investment Strategy (Integrated Capital and Treasury) together with the following appendices:

- Appendix A - Investment Strategy;
- Appendix A1- Full Capital Programme;
- Appendix A2- New Capital Schemes.

RECOMMENDED TO COUNCIL:

- (1) That the Investment Strategy (as attached at Appendix A), including the capital programme and prudential indicators be adopted:
- (2) That the four clauses in relation to the Code of Practice on Treasury management (as detailed in paragraphs 8.11 to 8.16) be adopted.

REASONS FOR DECISIONS:

- (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.

92 LAND ADJACENT TO 1 NORTH END, KELSHALL, HERTS

Audio recording – Session1 – 1 hour 7 minutes 2 seconds

It was proposed by Councillor Keith Hoskins (Executive Member for Enterprise and Cooperative Development), seconded by Councillor Steve Jarvis and:

RESOLVED: That the item entitled Land Adjacent to 1 North End, Kelshall, Herts be deferred.

REASON FOR DECISION: To enable consideration at the appropriate time.

93 LAND ADJACENT TO 9 NORTH END, KELSHALL, HERTS

Audio recording – Session 1 – 1 hour 7 minutes 46 seconds

It was proposed by Councillor Keith Hoskins (Executive Member for Enterprise and Cooperative Development), seconded by Councillor Steve Jarvis and:

RESOLVED: That the item entitled Land Adjacent to 9 North End, Kelshall, Herts be deferred.

REASON FOR DECISION: To enable consideration at the appropriate time.

94 ROYSTON TOWN HALL ANNEXE SITE

Audio recording – Session1 – 1 hour 8 minutes 5 seconds and Session 2 – 9 seconds

Councillor Carol Stanier declared a declarable interest in that she was a Member of Royston Town Council. She advised that she would speak under the Councillor speaking rights and then leave the room and take no part on the debate or vote.

Councillor Stanier moved to the public speakers chair.

The Executive Member for Enterprise and Cooperative Development presented the addendum report entitled Royston Town Hall Annexe Site together with the following appendix:

- Appendix A - Location Plan of Royston Town Hall.

Councillor Carol Stanier informed Members that:

- Royston Town Council had a repairing lease on the annexe;
- They currently used the building, which held the Clerk's office and meeting rooms;
- It was unclear how the Clerk could continue without access to the office;
- The meeting rooms increased revenue for the Town Council therefore removing these rooms would reduce income;
- The office and meeting rooms were in regular use;
- The annexe was old and underutilised and the Town Council was reluctant to spend money on a building that they did not own;
- Any development of the site should include an office and meeting rooms for Royston Town Council.

Councillor Stanier left the room.

The Part 2 report was considered, following which the meeting returned to Part 1 and it was:

RESOLVED:

- (1) That redevelopment options to replace the existing annexe building and redevelop for alternative uses be noted;
- (2) That following full negotiations with interested parties, including Royston Town Council, terms of any agreed transaction and form of development should be presented to the Cabinet for approval;

REASONS FOR DECISIONS:

- (1) To provide additional rental income for the District Council.
- (2) To reduce ongoing maintenance costs for this property
- (3) To bring a valuable town centre asset into full economic use.

95 EXCLUSION OF PRESS AND PUBLIC

Audio recording – Session 1 – 1 hour 15 minutes 18 seconds

RESOLVED: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

96 ROYSTON TOWN HALL ANNEXE SITE

Audio recording – This part of the meeting was not audio recorded

The Part 2 Report was considered following debate of the Part 1 report, but prior to any decisions on the Part 1 report.

Members considered the Part 2 report entitled Royston Town Hall Annexe Site and the associated appendix.

A detailed discussion took place following which it was:

RESOLVED: That the contents of the Part 2 Report entitled Royston Town Hall Annexe Site be noted.

The meeting closed at 9.30 pm

Chair