

# NORTH HERTFORDSHIRE DISTRICT COUNCIL

## DECISION SHEET

Meeting of the Council held as a virtual meeting  
on Thursday, 21st January, 2021 at 7.30 pm

### 1 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

The Chair welcomed everyone to this virtual Council meeting that was being conducted with Members and Officers at various locations, communicating via audio/video and online. There was also the opportunity for the public and press to listen to and view proceedings.

The Chair invited the Committee, Member and Scrutiny Manager to explain how proceedings would work and to confirm that Members and Officers were in attendance.

The Committee, Member and Scrutiny Manager undertook a roll call to ensure that all Members and Officers could hear and be heard and gave advice regarding the following:

The meeting was being streamed live onto You Tube and recorded via Zoom.

Extracts from the Remote/Partly Remote Meetings Protocol was included with the agenda and the full version was available on the Council's website which included information regarding:

- Live Streaming;
- Noise Interference;
- Rules of Debate and
- Voting

Members were requested to ensure that they were familiar with the Protocol.

The Committee, Member and Scrutiny Manager advised Members that, due to a software update by Zoom, our usual voting procedure had been disrupted and would no longer work as required. This was not something that we had any control over or could do anything about.

For the purposes of this meeting Member will vote using the raise hand button. For each vote those voting for a motion would be asked to use the raise hand function. Once counted, the votes will be cleared and Members voting against the motion would be asked to use the raise hand button, once counted the votes would be cleared and the process would be repeated for those who wished to Abstain. This process would extend the time taken to vote therefore Members were asked to please be patient.

The Vice-Chair of the Council, Councillor Val Bryant started the meeting proper.

### 2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bill Davidson, Steve Deakin-Davies, Gary Grindal, Kay Tart, Terry Tyler and Michael Weeks.

### 3 MINUTES - 6 FEBRUARY 2020 TO 12 NOVEMBER 2020

#### **RESOLVED:**

- (1) That the Minutes of the meetings of Cabinet held on 6 February 2020, 27 February 2020, 16 April 2020, 4 June 2020, 9 July 2020, 27 August 2020, 24 September 2020, 8 October 2020 and 12 November 2020 be approved as a true record of the proceedings;

- (2) That, with the authorisation of the Vice-Chair, her electronic signature and initials be attached to the Minutes approved in (1) above.

#### 4 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

#### 5 CHAIR'S ANNOUNCEMENTS

- (1) Audio Recording

The Vice-Chair advised that, in accordance with Council policy this meeting was being audio recorded as well as filmed. The audio recordings would be available to view on Mod.gov and the film recording via the NHDC YouTube channel.

- (2) Climate Emergency

Members were reminded that this Council had declared a Climate Emergency. This was a serious decision and meant that, as this was an emergency, all of us, officers and Members had that in mind as we carried out our various roles and tasks for the benefit of our District.

- (3) Declarations of Interest

Members were reminded to make declarations of interest before an item, the detailed reminder about this and speaking rights was set out under Chair's Announcements on the agenda.

- (4) Rules of Debate

The Vice-Chair reminded Members that the normal procedure rules in respect of debate and times to speak would apply:

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion had been seconded.

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

In accordance with the Constitution Members was asked to ensure that no speech exceeded five minutes without the consent of the Vice-Chair.

- (5) Comfort Break

The Vice-Chair advised that, if the meeting was still in progress at 9pm, she would call a comfort break at an appropriate place.

- (6) Order of Business

The Vice-Chair advised that the order of the agenda did not accord with the order of business that was set out in the Constitution, which was a mistake when the agenda was compiled.

Having been made aware of this and on reflection, with the aim of improved community engagement, she had agreed to these items being moved earlier in the agenda, when members of the public were more likely to be engaged and wish to participate and watch.

Future agendas would reflect that as set out in the constitution.

In respect of the Items regarding Covid-19 Leisure Contracts Recovery, the Vice-Chair would take Item 15 the Part 2 item prior to Item 13 the Part 1 item.

## 6 PUBLIC PARTICIPATION

Ms Rosie Waters, Citizens Advice North Herts thanked the Chair for the opportunity to address Council.

The Chair thanked Ms Waters for her presentation.

## 7 QUESTIONS FROM MEMBERS

In accordance with Standing Order 4.8.11(b), three questions had been submitted by Members of the Conservative Group by the deadline date for questions set out in the Council's Constitution.

### (A) Unlawfully Parked Vehicles

Councillor Jim McNally to Councillor Paul Clark (Executive Member for Planning and Transport).

### (B) Progress of Work on the New Settlement

Councillor David Levett to Councillor Paul Clark (Executive Member for Planning and Transport).

### (C) Local Election Safeguards

Councillor Morgan Derbyshire to Councillor Martin Stears-Handscorn (Leader of the Council).

## 8 NOTICE OF MOTIONS

No motions had been submitted.

## 9 ITEMS REFERRED FROM OTHER COMMITTEES

### A Referral from Cabinet: 15 December 2020 - IT Capital - Purchase of Laptops

#### **RESOLVED:**

- (1) That the capital programme for IT spend is amended as detailed in 7.4 Table 2 to enable IT to progress the procurement of laptops for staff to facilitate more effective home working arrangements. The net impact is an increase in spend in 2021/22 of £55k as detailed in 7.5 and shown in Table 3;
- (2) That £50k of the capital is bought forward into this year's budget so that the IT Manager can progress the procurement of the first batch of laptops so that delivery to staff can happen at the earliest opportunity.

#### **REASONS FOR DECISIONS:**

- (1) To enable a continued agile way of working which has been brought about by the Coronavirus pandemic, increasing flexibility and business continuity resilience and ensuring a future proofed approach;

- (2) To avoid additional capital costs associated with a requirement to increase Microsoft licences where users have a personal computer in the office and an NHDC provided device at home;
- (3) To respond to feedback from the staff survey regarding the need for staff to be provided with equipment that have cameras and microphones to enable council wide participation in meetings and similar activities;
- (4) To enable the procurement, build and distribution of laptops to take place ahead of the new financial year, considering supplier lead in times and scheduling of resources in the IT team.

B Referral from Cabinet: 15 December 2020 - Investment Strategy (Capital and Treasury) Mid-Year Review 2020-21

**RESOLVED:** That the position of Treasury Management activity as at the end of September 2020 be noted.

**REASONS FOR DECISION:**

- (1) Cabinet is required to approve adjustments to the capital programme and ensure the capital programme is fully funded;
- (2) To ensure the Council's continued compliance with CIPFA's code of practice on Treasury Management and the Local Government Act 2003 and that the Council manages its exposure to interest and capital risk.

C Referral from Cabinet: 15 December 2020 - Covid-19 Leisure Contracts Recovery

The Chair advised that this referral would be taken with Items 13 and 15.

## 10 COUNCIL TAX REDUCTION SCHEME

**RESOLVED:**

- (1) That Council notes the CTRS position relating to this and previous financial years.
- (2) That Council notes that a full review of the CTRS has commenced and been postponed due to the consequences on the Scheme of the COVID-19 pandemic.
- (3) That Council confirm that the amounts continue to be distributed to Parish, Town & Community Councils in 2021/22.
- (4) That no changes to the CTRS be made for 2021/2022.

**REASON FOR DECISIONS:** To update Council on how the Scheme is working and to note that the full review planned to take place during 2020/2021 was postponed due to the impact of the COVID-19 pandemic.

## 11 REVIEW OF MEMBERS' ALLOWANCES SCHEME

Councillor Martin Stears-Handscomb proposed and Councillor Judi Billing seconded the proposals in the report.

Councillor David Levett proposed and Councillor Simon Harwood seconded the following amendments:

- (1) That there be an additional recommendation to thank the IRP for their work.
- (2) That the following words be added to the end of recommendation 2:  
"Defer the application of the rise until 2022/23 .

The Service Director – Legal and Community advised that, in respect of the second part of the proposed amendment, any increase could not be deferred as Members would have to consider any report of the IRP next year.

Councillor David Levett proposed that the cost of living rise not be taken.

Councillor Martin Stears-Handscomb raised a point of order in that the recommendations should be taken as they stood

The Service Director Legal and Community advised that the proposed amendment to not take the cost of living rise was not a valid amendment as it negated the recommendation rather than amended it.

Councillor Sam Collins called for a recorded vote on recommendation 2.2 and a separate vote by raise of hands on recommendations 2.1, 2.3 and 2.4 together.

A recorded vote was taken regarding recommendation 2.2 the result being:

**For:**

Councillors: Ian Albert, Daniel Allen, Kate Aspinwall, Clare Billing, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Elizabeth Dennis-Harburg, Keith Hoskins, Mike Hughson, Ian Mantle, Sue Ngwala, Sam North, Helen Oliver, Adem Ruggiero-Cakir and Martin Stears-Handscomb.

**Total For: 17**

**Against:**

Councillors: David Barnard, Sam Collins, Morgan Derbyshire, Faye Frost, Jean Green, Simon Harwood, Terry Hone, Tony Hunter, Steve Jarvis, David Levett, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Lisa Nash, Sean Prendergast, Mike Rice, Valentine Shanley, Carol Stanier, Claire Strong, Richard Thake and Tom Tyson.

**Total Against: 22**

**Abstain:**

Councillors: John Bishop and George Davies.

**Total Abstain: 2**

Therefore the motion was lost

Councillor Martin Stears-Handscomb proposed and Councillor Judi Billing seconded:

1. That the 2020/21 Members' Allowances Scheme continue unchanged for 2021/22;
2. That the increase to the Independent Person and Reserve Independent Persons allowances as detailed in Appendix A and 8.9 of the report be agreed;
3. That the IRP be thanked for their work.

Upon the vote it was:

**RESOLVED:**

- (1) That the 2020/21 Members' Allowances Scheme continue unchanged for 2021/22;

- (2) That the increase to the Independent Person and Reserve Independent Persons allowances as detailed in Appendix A and 8.9 of the report be agreed;
- (3) That the IRP be thanked for their work.

**REASON FOR DECISIONS:** To ensure that the Council meets its statutory requirements of an annual review and adoption of the scheme.

*NB: At 9.20pm the Chair announced there would be a 5 minute comfort break.*

## 12 ELECTORAL SERVICES - SCALE OF FEES 2021/22

*NB: The meeting resumed at 9.25pm*

*The Committee, member and Scrutiny Manager undertook a roll call to ensure that all could hear and be heard.*

*The Democratic Services Manager recused herself from being present during the item due to her responsibilities as Returning Officer.*

**RESOLVED:** That the Scale of Fees for 2021/22 as set out in Appendix A be agreed.

**REASON FOR DECISION:** To enable the Council to remunerate the Returning Officer and the staff employed to carry out tasks during electoral events and to be open and transparent regarding other payments. Previously this was dealt with under Delegated Decision prepared by the Democratic Services Manager for the then Returning Officer (the Chief Executive). Following the Council decision to appoint the Democratic Services Manager as the Returning Officer, this is no longer appropriate.

## 72 COVID LEISURE CONTRACTS RECOVERY

*NB This Item was considered following the Part 2 Item of the same name (Minute 79 refers)*

*The Committee Member and Scrutiny Manager undertook a roll call to ensure that all present could hear and be heard.*

Prior to the item being discussed Councillor Claire Strong advised that she was a member of Archers Gym and would therefore not take part in the debate or vote.

Prior to the item being discussed Councillor Jim McNally advised that he regularly attended North Herts Leisure Centre and would therefore not take part in the debate and vote.

Councillor David Levett called for a recorded vote on recommendation 2.1 and a separate recorded vote on the recommendations contained in the Part 2 report.

**RESOLVED:**

- (1) That the Council supports the continued delivery of leisure facilities in the District to support the health and wellbeing of our residents;

- (2) That financial support is provided on an open-book basis to SLL to enable the leisure facilities to be open when Covid-19 restrictions allow. The support provided will reimburse any losses. The support to SLL in 2020/21 is forecast to be £2.45m (assuming the leisure facilities will now remain closed until the 31 March 2021). Future levels of support will depend on any further restrictions and the speed of recovery. It is assumed to be an additional £2m in 2021/22, but realistic scenarios show that it could be as low as £1.3m in 2021/22 (no further restrictions), or as much as £4.4m across 2021/22 (£3.1m) and 2022/23 (£1.3m).
- (3) That Council notes that the cost of not supporting SLL and closing the facilities could be as high as the cost of providing support.
- (4) That (following an initial payment to cover losses to date) payments to SLL are made on a monthly basis following submission of management accounts showing the extent of any losses. These accounts will be reviewed by the Service Director: Place in consultation with the Service Director: Resources, Executive Member for Environment and Leisure and Executive Member for Finance and IT. The affordability of payments will be kept under constant review by the Service Director: Resources, in consultation with the Executive Member for Finance and IT.
- (5) That Council notes that, in the event of higher levels of support being provided, budget savings in future years (2022/23 onwards) will need to be delivered more quickly than currently forecast.

**REASON FOR DECISIONS:** To seek approval to provide financial support on an open-book basis to SLL to enable the leisure facilities to be open when Covid-19 restrictions allow.

The recorded vote regarding Resolution (1) was as follows:

**For:**

Councillors: Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, John Bishop, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Faye Frost, Jean Green, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Ian Moody, Gerald Morris, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Valentine Shanley, Carol Stanier, Martin Stears-Handscomb, Richard Thake and Tom Tyson.

**Total For: 39**

**Total Against: Nil**

**Total Abstain: Nil**

The recorded vote regarding resolutions (2), (3), (4) and (5) was as follows:

**For:**

Councillors: Ian Albert, Daniel Allen, Kate Aspinwall, Clare Billing, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Elizabeth Dennis-Harburg, Keith Hoskins, Mike Hughson, Steve Jarvis, Ian Mantle, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb and Tom Tyson.

**Total For: 23**

**Against:**

Councillors: John Bishop, Gerald Morris and Michael Muir.

**Total Against: 3**

**Abstain:**

Councillors: David Barnard, George Davies, Morgan Derbyshire, Faye Frost, Jean Green, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Ian Moody, Mike Rice, Valentine Shanley and Richard Thake.

**Total Abstain: 13**

**14 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** 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 Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

**74 COVID-19 LEISURE CONTRACTS RECOVERY**

*NB: This item was not audio recorded or filmed*

*NB This Item was considered prior to the Part 1 Item of the same name (Minute 77 refers)*

*The Committee, Member and Scrutiny Manager undertook a roll call to ensure that all present could hear and be heard.*

Prior to the item being discussed Councillor Claire Strong advised that she was a member of Archers Gym and would therefore not take part in the debate or vote.

Prior to the item being discussed Councillor Jim McNally advised that he regularly attended North Herts Leisure Centre and would therefore not take part in the debate and vote.

**RESOLVED:**

- (1) That financial support is provided on an open-book basis to SLL to enable the leisure facilities to be open when Covid-19 restrictions allow. The support provided will reimburse any losses. The support to SLL in 2020/21 is forecast to be £2.45m (assuming the leisure facilities will now remain closed until the 31 March 2021). Future levels of support will depend on any further restrictions and the speed of recovery. It is assumed to be an additional £2m in 2021/22, but realistic scenarios show that it could be as low as £1.3m in 2021/22 (no further restrictions), or as much as £4.4m across 2021/22 (£3.1m) and 2022/23 (£1.3m).
- (2) That Council notes that the cost of not supporting SLL and closing the facilities could be as high as the cost of providing support.
- (3) That (following an initial payment to cover losses to date) payments to SLL are made on a monthly basis following submission of management accounts showing the extent of any losses. These accounts will be reviewed by the Service Director: Place in consultation with the Service Director: Resources, Executive Member for Environment and Leisure and Executive Member for Finance and IT. The affordability of payments will be kept under constant review by the Service Director: Resources, in consultation with the Executive Member for Finance and IT.
- (4) That Council notes that, in the event of higher levels of support being provided, budget savings in future years (2022/23 onwards) will need to be delivered more quickly than currently forecast.

**REASON FOR DECISIONS:** To seek approval to provide financial support on an open-book basis to SLL to enable the leisure facilities to be open when Covid-19 restrictions allow.

**Thursday, 21st January, 2021**