

NORTH HERTFORDSHIRE DISTRICT COUNCIL



8 January 2021

Our Ref Council 21.01.21
Contact. Committee Services
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To: The Chair and Members of North Hertfordshire District Council

**NOTICE IS HEREBY GIVEN OF A
MEETING OF THE COUNCIL**

to be held as a

VIRTUAL MEETING

on

THURSDAY, 21 JANUARY 2021

at

7.30 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda **Part I**

Item	Page
1. WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY Members are requested to ensure that they are familiar with the attached summary of the Remote/Partly Remote Meetings Protocol. The full Remote/Partly Remote Meetings Protocol has been published and is available here: https://www.north-herts.gov.uk/home/council-and-democracy/council-and-committee-meetings .	5 - 6
2. APOLOGIES FOR ABSENCE	
3. MINUTES - 6 FEBRUARY 2020 TO 12 NOVEMBER 2020 To take as read and approve as a true record the minutes of the meetings of the Committee held on the following dates: 6 February 2020; 27 February 2020; 16 April 2020; 4 June 2020; 9 July 2020; 27 August 2020; 24 September 2020; 8 October 2020; 12 November 2020.	7 - 88
4. NOTIFICATION OF OTHER BUSINESS Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
5. CHAIR'S ANNOUNCEMENTS <u>Climate Emergency</u> Members are reminded that this Council has declared a Climate Emergency. This is a serious decision and means that, as this is an emergency, all of us, officers and Members have that in mind as we carry out our various roles and tasks for the benefit of our District.	

Declarations of Interest

Members are reminded 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 are required to notify the Chair 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.

6. PUBLIC PARTICIPATION

To receive petitions, comments and questions from the public.

7. QUESTIONS FROM MEMBERS

To consider any questions submitted by Members of the Council, in accordance with Standing Order 4.8.11 (b).

8. NOTICE OF MOTIONS

To consider any motions, due notice of which have been given in accordance with Standing Order 4.8.12.

9. ITEMS REFERRED FROM OTHER COMMITTEES

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Any Items referred from other committees will be circulated as soon as they are available.

10. COUNCIL TAX REDUCTION SCHEME

97 - 106

REPORT OF THE SERVICE DIRECTOR-CUSTOMERS

To approve the Council Tax Reduction Scheme (CTRS) for North Hertfordshire for 2021/2022.

11. REVIEW OF MEMBERS' ALLOWANCES SCHEME

107 -

REPORT OF THE DEMOCRATIC SERVICES MANAGER

130

To agree the Members' Allowances Scheme 2021/2022 having taken into account the recommendations of the Independent Remuneration Panel.

12. ELECTORAL SERVICES - SCALE OF FEES 2021/22

131 -

REPORT OF THE SERVICE DIRECTOR – RESOURCES

138

To agree the Scale of Fees for electoral events held during 2021/22.

13. COVID LEISURE CONTRACTS RECOVERY

139 -

REPORT OF THE SERVICE DIRECTOR – PLACE

142

To consider financial assistance support for Stevenage Leisure Ltd.

14. EXCLUSION OF PRESS AND PUBLIC

To consider passing the following resolution:

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).

**15. COVID-19 LEISURE CONTRACTS RECOVERY
REPORT OF THE SERVICE DIRECTOR – PLACE**

143 -
154

To consider financial assistance support for Stevenage Leisure Ltd.

REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

A protocol regarding remote meetings has been devised as a result of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations') to provide guidance for the conduct of any remote meeting of the Council, and its various Committees and Sub-Committees, held under the provisions of the Regulations and subsequent changes to the Constitution.

The full Remote / Partly Remote Meetings Protocol has been published and is available to view on the Council's website via the following link: <https://www.north-herts.gov.uk/home/council-and-democracy/council-and-committee-meetings>

The Council's adopted Constitution will continue to apply to meetings of the Council and its various Committees and Sub-Committees. Where there is a conflict between the protocol and Constitution the Constitution takes precedence.

The protocol applies to this meeting. It outlines processes for conducting remote meetings. Some key points are highlighted here for guidance:

- Prior to the start of a meeting the Committee, Member and Scrutiny Officer/Manager ('The Officer') will confirm the meeting is being streamed live. They will confirm that they can see and hear all participating Members, Officers and/or members of the public at the start or upon reconvening a meeting.
- Any person attending the meeting remotely should join no later than 15 minutes prior to allow for technical checks. They should ensure that their name on screen appears in the agreed format, as indicated in the Protocol. They should mute their microphone when not speaking. Their background should be nondescript or virtual/blurred if possible. Headsets are recommended to reduce audio feedback.
- Remember to stay in view of the camera. While on camera everything you do is visible; please observe as far as possible the etiquette you would as if attending a meeting in person.
- Be careful to prevent exempt or confidential papers being seen within the video-feed. When a meeting is in private session there should be only those entitled to be present in the room. The live stream will continue with a holding card displayed.
- If a Member wishes to speak, they should use the raise hand function. Please wait to be invited by the Chair to address the meeting. The normal procedure rules with respect to debate and speaking times will apply as per the Constitution.
- If a Member has declared a Disclosable Pecuniary Interest and is required to leave the meeting during the consideration of an item, they will be placed in the waiting room. It is the responsibility of the Member in question to remind the Chair at the start of such item. The Officer will remind the Chair to return the Member as appropriate.
- Members will need to use the tools in the "Participants" function to vote: using a green tick to indicate 'for', a red cross to indicate 'against', or the "raise hand" tool to indicate an abstention. Where a Member has had to dial into the meeting by telephone, the Chair will ask for verbal confirmation as to how they wish to vote. Leave the vote in situ until told otherwise by either the Chair or Officer.
- The Officer will clearly state the result of the vote and the Chair will then move on.
- Details of how Members voted will not be kept or minuted unless a Recorded Vote is requested or an individual requests that their vote be recorded, although voting may be seen and/or heard on the video recording.
- If there are Part 2 (confidential) items Members will be invited to join a breakout room for these items. You must accept this invitation.
- Once Part 2 (confidential) discussions have concluded Members will need to leave the breakout room. Please do not leave the meeting.

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices,
Gernon Road, Letchworth Garden City
on Thursday, 6th February, 2020 at 7.30 pm

PRESENT: Councillors: Jean Green (Chair), Terry Tyler (Vice-Chair), Ian Albert, Daniel Allen, Clare Billing, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Ian Moody, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Val Shanley, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Kay Tart, Richard Thake and Michael Weeks

IN ATTENDANCE: David Scholes (Chief Executive), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources) and Hilary Dineen (Committee, Member and Scrutiny Manager)

ALSO PRESENT: At the commencement of the meeting approximately 2 members of the public, including registered speakers.

64 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 1 second

Apologies for absence were received from Councillors Kate Aspinwall, David Barnard, Bill Davidson, Faye Frost, Gary Grindal, Gerald Morris and Tom Tyson.

65 MINUTES - 16 JANUARY 2020

Audio Recording – 1 minute 29 seconds

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

RESOLVED: That the Minutes of the Council meeting held on 16 January 2020 be approved and signed by the Chair.

66 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 38 seconds

There was no other business notified.

67 **CHAIRMAN'S ANNOUNCEMENTS**

Audio recording – 2 minutes 45 seconds

(1) Mobile Phones

The Chair asked those present to ensure that mobile phones were turned off or the ring tone and other sounds muted.

(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 have that in mind as we carried out our various roles and tasks for the benefit of our District.

(3) Audio Recording

The Chair advised that, in accordance with Council policy this meeting was being audio recorded. Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting.

(4) 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.

(5) Standing to speak

The Chair reminded Members that, as resolved at the last meeting of Full Council, the requirement to stand when speaking was removed from the Constitution.

(6) Refreshments

The Chair invited all Councillors to refreshments after the meeting in Committee Rooms 2/3.

(7) Comfort break

The Chair advised that, If the meeting went on beyond 9pm, she would call a 5 minute comfort break. Please remain in the room prior to this to ensure you can vote.

(8) Rules of Debate

The Chair reminded Members that, in accordance with the Constitution please could Members ensure that no speech exceeded five minutes without the consent of the Chair.

She advised that she had however given prior permission to the Executive Member for Finance and IT to exceed this limit for his speech regarding the Budget.

(9) Civic Awards Ceremony

The Chair reminded Members that her Civic Dinner and Awards Ceremony was fast approaching on 28 February 2020 at Hitchin Town Hall.

All Members had received an invitation and were encouraged to reply as soon as possible.

The Chair advised that her charity this year was North Herts and Stevenage Parkinsons. Any funds raised would benefit the whole District, although a request would be made for some of the money to be allocated to the Royston Branch.

68 PUBLIC PARTICIPATION

Audio recording – 5 minutes 38 seconds

There were no public presentations.

69 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 5 minutes 43 seconds

6a Item Referred from Cabinet: 28 January 2020 – Property Acquisition and Development Strategy

The Executive Member for Enterprise and Co-operative Development presented the referral from Cabinet regarding the Property Acquisition and Development Strategy together with the following appendices:

- Report considered by Cabinet on 28 January 2020;
- Appendix A - Property Acquisition and Development Strategy;
- Appendix B - Appendix 1 of Property Acquisition and Development Strategy;
- Appendix C - Appendix 2 of Property Acquisition and Development Strategy;
- Appendix D - Appendix 3 of Property Acquisition and Development Strategy;
- Appendix E - Appendix 4 of Property Acquisition and Development Strategy.

He advised that Cabinet had recommended that:

“That the Property Acquisition & Development Strategy, including Appendices, be approved.”

It was moved by Councillor Keith Hoskins, seconded by Councillor Helen Oliver and:

RESOLVED: 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.

6b Item Referred From Cabinet: 28 January 2020 – Revenue Budget 2020-2021

RESOLVED: That the referral from Cabinet regarding the Revenue Budget 2020-2021 be taken with Item 8 (Minute 71 refers).

6c Item Referred from Cabinet: 28 January 2020 – Investment Strategy

RESOLVED: That the referral from Cabinet regarding the Investment Strategy be taken with Item 9 (Minute 72 refers).

70 PAY POLICY STATEMENT 2020/21

Audio recording – 8 minutes 31 seconds

The Leader of the Council presented the report entitled Pay Policy Statement 2020/21 together with the following appendix:

- Appendix 1 - North Herts District Council Draft Pay Policy Statement 2020/21.

He advised that Paragraph 3.11 of the Statement should be amended to read “Returning Officer/counting officer fees are paid by the parish, North Herts District Council or the Government and are payable to the Returning Officer in respect of Elections and referendums.”

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

RESOLVED:

- (1) That Paragraph 3.11 of the Pay Policy Statement 2020/21 be amended to read “Returning Officer/counting officer fees are paid by the parish, North Herts District Council or the Government and are payable to the Returning Officer in respect of Elections and referendums.”;
- (2) That, subject to the amendment in (1) above, the 2020/21 Pay Policy Statement attached at Appendix 1 be endorsed;
- (3) That revisions made in year to the Pay Policy Statement, be delegated 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.

REASON FOR DECISIONS: 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.

71 REVENUE BUDGET 2020/21

Audio recording – 12 minutes 42 seconds

The Chair advised that the recommendations in the referral from Cabinet regarding the Revenue Budget 2020/21 mirrored those in the report considered by Council.

The Leader of the Council made an introductory speech regarding the Revenue Budget 2020/21 (Attached as Appendix A to the Minutes).

The Executive Member for Finance and IT gave a detailed speech regarding the report entitled Revenue Budget 2020/21 and the following appendices (Attached as Appendix B to the Minutes), following which he called for a recorded vote.

- Appendix A - Financial Risks;
- Appendix B - Revenue Budget Savings and Investments;
- Appendix C - Budget Summary 2020-24.

Councillor Adem Ruggiero-Cakir sought advice regarding his ability to vote regarding R7 in the Revenue Budget report.

The Service Director- Legal and Community and Service Director – Resources gave advise as requested.

The following Members took part in the debate:

- Councillor Sam North;
- Councillor David Levett;
- Councillor Tony Hunter;
- Councillor Richard Thake;
- Councillor Steve Jarvis;
- Councillor Judi Billing;
- Councillor Ian Albert.

It was proposed by Councillor Ian Albert. Seconded by Councillor Sam North.

The recommendations were then put to the meeting and it was a recorded vote.

RESOLVED:

For:

Councillors: Ian Albert, Daniel Allen, 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-Handscorn, Kay Tart and Terry Tyler.

TOTAL FOR 23

Against:

Councillors: George Davies, Steve Deakin-Davies, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Ian Moody, Michael Muir, Mike Rice, Val Shanley, Claire Strong, Richard Thake and Michael Weeks.

TOTAL AGAINST 15

RESOLVED:

- That the transfers from reserves to the General Fund as detailed in 8.4.3 to 8.4.4 be approved;
- That the forecast savings target for future years be noted and the approach to balancing the budget, as detailed in paragraph 8.9.4 be confirmed;
- That the position on the Collection Fund and how it will be funded be noted;
- 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;

- That the savings and investments as detailed in Appendix B be approved;
- That a net expenditure budget of £15.124m, as detailed in Appendix C be approved;
- That a Council Tax increase of £5 for 2020/21 for a band D property, with other increases pro-rata to this (as per the Medium Term Financial Strategy) be approved.

REASONS FOR DECISIONS:

- (1) To ensure that all the relevant factors are taken in to 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.

72 INVESTMENT STRATEGY (INTEGRATED CAPITAL AND TREASURY)

Audio recording – 1 hour 10 minutes 51 seconds

The Chair advised that the recommendations in the referral from Cabinet regarding the Investment Strategy (Integrated Capital and Treasury) mirrored those in the report considered by Council.

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 2020-21;
- Appendix A2 - New Capital Schemes and 2020-21.

The following Members took part in the debate:

- Councillor David Levett;
- Councillor Sam Collins;
- Councillor Steve Jarvis;
- Councillor Martin Stears-Handscorn;
- Councillor Sam North;
- Councillor Steve Deakin-Davies
- Councillor Ian Albert.

It was proposed by Councillor Ian Albert, seconded by Councillor Sam North and:

RESOLVED:

- (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.

73 NOTICE OF MOTIONS

Audio recording – 1 hour 33 minutes 40 seconds

There were no notices of motions considered.

74 QUESTIONS FROM MEMBERS

Audio recording – 1 hour 33 minutes 43 seconds

There were no questions from Members submitted.

The meeting closed at 9.05 pm

Chair

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices,
Gernon Road, Letchworth Garden City
on Thursday, 27th February, 2020 at 7.30 pm

PRESENT: Councillors: Jean Green (Chair), Terry Tyler (Vice-Chair), Ian Albert, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, John Bishop, Ruth Brown, Val Bryant, Paul Clark, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Kay Tart, Richard Thake, Tom Tyson and Michael Weeks

IN ATTENDANCE: Michelle Kirk (East of England Local Government Association), Ian Couper (Service Director - Resources), Jeanette Thompson (Service Director - Legal and Community), Melanie Stimpson (Democratic Services Manager) and Hilary Dineen (Committee, Member and Scrutiny Manager)

75 APOLOGIES FOR ABSENCE

Audio recording – Session 1 - 1 minute 21 seconds

Apologies for absence were received from Councillors Daniel Allen, Sam Collins, Faye Frost, Sean Prendergast, Deepak Sangha and Val Shanley.

76 CHAIR'S ANNOUNCEMENTS

Audio recording – Session 1 - 2 minutes 5 seconds

(1) Mobile Phones

The Chair requested that mobile phones were turned off or the ring tone and other sounds muted.

(2) Audio Recording

The Chair advised that, in accordance with Council policy this meeting was being audio recorded and that Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting.

(3) Declarations of Interest

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

(4) Refreshments

The Chair advised that, this being an extraordinary meeting, there would be no refreshments this evening.

(5) Comfort break

The Chair advised that, if the meeting went on beyond 9pm, she would call a 5 minute comfort break. Members were asked to remain in the room prior to this to ensure that they could vote.

(6) Rules of Debate

The Chair advised that, in accordance with the Constitution please could Members ensure that no speech exceeded five minutes without the consent of the Chair.

(7) Order of Business

The Chair advised that, in respect of the items entitled Senior Management Arrangements, the Part 1 item would be considered, then the meeting would go into Part 2 to make a Part 2 decision, following which the meeting would return to Part 1 to make a Part 1 decision.

77 REFERRAL FROM EMPLOYMENT COMMITTEE

Audio Recording – Session 1 - 3 minutes 58 seconds

The Chair advised that the referral from the Employment Committee regarding the Senior Management Arrangements would be taken with the Part 2 Item of the same name.

78 SENIOR MANAGEMENT ARRANGEMENTS

Audio recording – Session 1 - 4 minutes 8 seconds and Session 2 – 11 seconds

The Leader of the Council presented the report entitled Senior Management Arrangements

At this point the meeting considered the Part 2 report (Minute 80 refers), following which, the meeting returned to Part 1.

For the benefit of the public, the Leader of the Council read out the Part 2 resolutions and asked that Members vote on them in Part 1

RESOLVED:

- (1) That Council agrees to the deletion of the post of Chief Executive (Head of Paid Service) and the post of Deputy Chief Executive and establishment of a new post of Managing Director (Head of Paid Service), subject to consultation with those affected and at a suitable date to be determined;
- (2) That Council accept the voluntary redundancy request of the Chief Executive, with an effective leaving date of 17th July 2020;
- (3) That Council approves the use of the Special Reserve to fund the potential redundancy outlined in paragraph 8.3;
- (4) That Council notes that a further report with a proposed new senior management structure will be brought to Full Council on 2 April 2020.

REASON FOR DECISIONS: To effect savings to support the Councils objective of reducing costs.

79 EXCLUSION OF PRESS AND PUBLIC

Audio Recording – 5 minutes 54 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 Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the said Act (as amended).

80 SENIOR MANAGEMENT ARRANGEMENTS

Audio recording – Not recorded as Part 2 Item

The Leader of the Council presented the report entitled Senior Management Arrangements together with the referral from the Employment Committee.

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

- Councillor Richard Thake;
- Councillor Simon Harwood;
- Councillor Claire Strong;
- Councillor Gerald Morris;
- Councillor Jim McNally;
- Councillor Michael Weeks;
- Councillor David Levett;
- Councillor John Bishop;
- Councillor Judi Billing;
- Councillor George Davies;
- Councillor Simon Harwood.

Questions were answered by:

- The Leader of the Council;
- The Service Director – Resources;
- The Representative from the East of England Local Government Association;
- The Service Director – Legal and Community.

RESOLVED:

- (1) That Council agrees to the deletion of the post of Chief Executive (Head of Paid Service) and the post of Deputy Chief Executive and establishment of a new post of Managing Director (Head of Paid Service), subject to consultation with those affected and at a suitable date to be determined;
- (2) That Council accept the voluntary redundancy request of the Chief Executive, with an effective leaving date of 17th July 2020;
- (3) That Council approves the use of the Special Reserve to fund the potential redundancy outlined in paragraph 8.3;
- (4) That Council notes that a further report with a proposed new senior management structure will be brought to Full Council on 2 April 2020.

REASON FOR DECISIONS: To effect savings to support the Councils objective of reducing costs.

The meeting closed at 8.30 pm

Chair

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council
This was a virtual meeting
on Thursday, 16th April, 2020 at 4.00 pm

PRESENT: *Councillors: Jean Green (Chair), Terry Tyler (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, Judi Billing, Sam Collins, Morgan Derbyshire, Simon Harwood, Terry Hone, Steve Jarvis, David Levett, Gerald Morris, Lisa Nash and Martin Stears-Handscomb*

IN ATTENDANCE: *Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Melanie Stimpson (Democratic Services Manager), Hilary Dineen (Committee, Member and Scrutiny Manager), Matthew Hepburn (Committee, Member and Scrutiny Officer), Howard Crompton (Service Director - Customers), Vic Godfrey (I T Manager) and Mark Robinson (IT Network and Infrastructure Manager)*

81 WELCOME AND INTRODUCTION

Audio Recording – Session 1 – 14 seconds

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

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

The Committee, Member and Scrutiny Manager advised the following:

Attendance

With the agreement of the Group Leaders, the meeting would operate with the quorate number plus one additional Member from each group being 15 Members in total.

A roll call was undertaken to confirm that the required Members were present and could hear and be heard..

If for any reason the meeting was not quorate an Officer interject the meeting and the meeting would adjourn immediately. Once the meeting was quorate the meeting would resume.

Only Members present during the entire debate for an item were entitled to vote. If a Member had been cut off during the debate for longer than a few minutes and re-joined the meeting, then they would not be able to vote on that item.

Virtual Meeting

As this was NHDC's first virtual meeting, Members were asked to be guided by officers and be patient as things may take longer than usual.

There had been a significant amount of work going on behind the scenes and given the time constraints of when the regulations were enacted to now, we must be prepared and be kind, if there are technical glitches and be mindful of each of our individual personal circumstances that we are operating in.

Noise Interference

The Committee, Member and Scrutiny Manager asked all in attendance to ensure that mobile phones were muted.

Participants should activate the mute button when not speaking, otherwise it may be difficult to hear what was being said with background noise and were reminded to unmute themselves when invited by the Chair to address Council.

If participants had activated their camera, please be mindful that they could be seen.

Participants were asked to show respect to each other and do not talk over someone who was already speaking or interject uninvited.

Participants were asked to state their name each time before they spoke.

Rules of Debate

If a Member wished to speak they should use the hand/request to speak symbol and this would alert the moderator. The moderator would inform the Chair of the names of the speakers, who should wait to be invited by the Chair to address the Council meeting.

Those wishing to speak would need to be enabled to speak by one of the moderators and would then need to accept the request to speak on their screen.

Members were reminded that the normal procedure rules in respect of debate and times to speak would apply.

No speeches may be made after the mover had 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.

Members were reminded that, in accordance with the Constitution, no speech should exceed five minutes without the consent of the Chair

If a Member had a closure motion, personal explanation or point of order, they must indicate this by sending a message in the chat facility, as there was no way for them to interject the meeting. The Chair would be notified of the request.

Officers were advised that, if they needed to address the Council at any point during proceedings, to aid discussions, they should respectfully interject and await a response before addressing the Chair or the Council.

Voting

When satisfied that there had been sufficient debate, the Chair would request that the Committee, Member and Scrutiny Manager read out the recommendation that Members would be voting upon, following which the Committee, Member and Scrutiny Manager would call out the name of each member present. When called Members would be required to clearly state either 'for', 'against' or 'abstain' to indicate their vote.

The Committee, Member and Scrutiny Manager would then clearly state the result of the vote and the Chair would then move onto the next agenda item.

Details of how Members voted would not be kept or minuted unless a Recorded Vote was requested or an individual requested that their vote be recorded, although this would be heard on the audio and video recordings of the meeting.

In the event of a tied vote the Chair would have the casting vote.

In response to a question the Service Director - Legal and Community advised that the new legislation required that Members be present for the item and that, with all discretion, two minutes would be the maximum amount of time a Member could be absent from the meeting and still retain the ability to vote.

The Chair of the Council, Councillor Jean Green started the meeting proper.

82 APOLOGIES FOR ABSENCE

Audio recording – Session 1 – 12 minutes 52 seconds

There were no apologies for absence.

83 CHAIR'S ANNOUNCEMENTS

Audio recording – Session 1 – 12 Minutes 58 seconds

(1) Audio Recording

In accordance with Council policy this meeting was being audio recorded as well as filmed. The audio and film 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) Attendance

The Chair advised that there was no public participation. However, members of the public and press could view and hear the meeting remotely regarding the Part 1 session. Members of the public and press would be removed from the meeting by passing the usual resolution under the access to information procedure rules.

(5) Rules of Debate

The Chair reminded Members that they may only speak once on a motion and once on any amendments.

(6) Order of Business

The Chair advised that she would be taking the Part 2 Item 6 - Referral from the Employment Committee after the introduction at Item 3. The meeting would then return to Part 1 Item 3 to confirm the decision. Following which Agenda Item 4 Senior Management Report would be considered.

84 REFERRAL FROM EMPLOYMENT COMMITTEE: 17 MARCH 2020 - SENIOR MANAGEMENT ARRANGEMENTS

Audio Recording – Session 1 - 14 minutes 21 seconds

The Leader of the Council introduced the referral from the Employment Committee meeting held on 17 March 2020 regarding Senior Management Arrangements.

Councillor David Levett proposed and Councillor Morgan Derbyshire seconded that:

The meeting be adjourned for up to 3 months to allow all Elected Members to take part in the decision making process and allow more clarity on the Councils position with regard to the current Coronavirus emergency and it's consequential impact on budget and organisational position.

At this point the meeting moved into Part 2 to consider the motion and Item 6 (Minute 87 refers).

Audio Recording – Session 2 – 40 seconds

Following consideration of Item 6 the meeting returned to Part 1

It was noted that Councillor David Levett had intended to propose a motion but had lost connection to the meeting. He was able to reconnect to the meeting but declared that he would be unable to take further part in this item as he believed that he had missed part of the debate.

Councillor Judi Billing proposed and Councillor Steve Jarvis seconded the recommendations contained in the Part 1 report.

Councillor Martin Stears-Handscomb proposed and Councillor Steve Jarvis seconded that the recommendations contained in the Part 2 report be confirmed.

Upon the vote it was:

RESOLVED: That Anthony Roche be appointed to the new Managing Director post, being effective on 18 July 2020.

REASON FOR DECISION: Following the decision by Council on 27th February 2020 it is necessary to consider an appointment to the post of Managing Director.

85 SENIOR MANAGEMENT REPORT

Audio Recording – Session 2 – 12 minutes 55 seconds

The Leader of the Council presented the report entitled Senior Management Report

Councillor Martin Stears-Handscomb proposed and Councillor Steve Jarvis seconded the recommendations contained in the report.

The following Members took part in the debate:

- Councillor David Levett;
- Councillor Martin Stears-Handscorn;
- Councillor Gerald Morris.

In response to questions the Leader of the Council confirmed that Group Leaders would be involved in the consultation discussions. In respect of the salary for the Deputy Managing Director, the amount paid would reflect the amount of time spent undertaking that role. In respect of redundancy payments, this would be paid from reserves and had already been budgeting for.

Upon the vote it was:

RESOLVED:

- (1) That Council agrees to the principle of one of the Service Directors being designated as the deputy to the Managing Director, and that individual will receive additional salary to compensate for the additional responsibility. This will be subject to consultation.
- (2) That Council confirms that the recruitment of a Service Director to be designated as the Deputy for the Managing Director would be made by the Head of Paid Service, in consultation with the Leader of the Council and the future Head of Paid Service.
- (3) That Council notes the forecast savings of around £124k and that this will be reflected in the budget setting process for 2021/22 onwards.
- (4) That Council instructs the Monitoring Officer to make the necessary amendments to the Constitution in respect of the roles of Managing Director and Deputy Managing Director to be reported to Council in July.
- (5) That Council instructs the Chief Finance Officer to make the necessary amendments to the Financial Regulations in respect of the roles of Managing Director and Deputy Managing Director to be reported to Council in July.
- (6) That Council agrees that the salary of the Managing Director is reviewed during 2022/23 to ensure that it is competitive against other similar roles, subject to affordability in relation to the Council's budget position.

REASONS FOR DECISIONS: To provide resilience when the Managing Director is absent. To ensure that the Constitution and Financial Regulations reflect the new senior management structure.

86 EXCLUSION OF PRESS AND PUBLIC

Audio Recording – Session 1 – 18 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 report will involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the said Act (as amended).

87 REFERRAL FROM EMPLOYMENT COMMITTEE

This item was not audio recorded due to the confidential nature of the discussions regarding the referral.

This Item was discussed following the introduction of Item 3 (Minute 84 refers), but prior to the decision for that item being made.

The motion proposed by Councillor Levett at Item 3 that the meeting be adjourned for up to 3 months to allow all Elected Members to take part in the decision making process and allow more clarity on the Councils position with regard to the current Coronavirus emergency and it's consequential impact on budget and organisational position (Minute 84 refers) was debated.

The following Members took part in the debate:

- Councillor Martin Stears-Handscomb
- Councillor Gerald Morris
- Councillor Judi Billing
- Councillor Kate Aspinwall
- Councillor Steve Jarvis
- Councillor Lisa Nash
- Councillor Terry Hone
- Councillor Ian Albert
- Councillor Daniel Allen

Councillor Allen called for a recorded vote on the proposal the result being as follows:

For:

Councillors: Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, David Levett and Gerald Morris.

Total: 6

Against:

Councillors: Ian Albert, Daniel Allen, Kate Aspinwall, Judi Billing, Sam Collins, Steve Jarvis, Lisa Nash, Martin Stears-Handscomb and Terry Tyler.

Total: 9

Therefore the motion was lost.

The Leader of the Council presented the Part 2 referral from the Employment Committee.

Councillor Martin Stears-Handscomb proposed and Councillor Judi Billing seconded the recommendations contained in the referral.

Councillor David Levett proposed and Councillor Morgan Derbyshire seconded an amendment.

The following Members took part in the debate:

- Councillor Martin Stears-Handscomb
- Councillor Steve Jarvis
- Councillor Simon Harwood
- Councillor Judi Billing

- Councillor Lisa Nash
- Councillor Gerald Morris
- Councillor Kate Aspinwall

Following debate and upon the vote the motion was lost.

Upon the vote it was:

RESOLVED: That Anthony Roche be appointed to the new Managing Director post, being effective on 18 July 2020.

REASON FOR DECISION: Following the decision by Council on 27th February 2020 it is necessary to consider an appointment to the post of Managing Director.

The meeting returned to Part 1 to confirm the decision in public (Minute 84 refers).

88 MEETING CLOSURE AND THANKS

Audio recording – Session 2 – 27 Minutes 51 seconds

The Chairman expressed appreciation to officers for the work undertaken to get to enable this virtual meeting to take place. She acknowledged that the amount of work should not be underestimated, particularly in the current circumstances.

The meeting closed at 5.52 pm

Chair

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the This will be a virtual meeting
on Thursday, 4th June, 2020 at 7.30 pm

PRESENT: Councillors: Jean Green (Chair), Terry Tyler (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, John Bishop, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Bill Davidson, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Faye Frost, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Val Shanley, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Kay Tart, Richard Thake, Tom Tyson and Michael Weeks

IN ATTENDANCE: David Scholes (Chief Executive), Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Melanie Stimpson (Democratic Services Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and Matthew Hepburn (Committee, Member and Scrutiny Officer)

1 WELCOME AND INTRODUCTION

Audio Recording - 1 minute 33 seconds

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 and advised that there was the opportunity for the public and press to listen and view proceedings.

The Committee, Member and Scrutiny Manager gave advice regarding the following:

Attendance

A roll call was undertaken to confirm that the required Members were present and could hear and be heard.:

Live Streaming

The meeting was being streamed live on the Council's You Tube channel and also recorded on Zoom. If live streaming failed the meeting would adjourn. If the live stream could not be restored within a reasonable period then the remaining business would be considered at a time and date fixed by the Chair. If the Chair did not fix a date, the remaining business would be considered at the next ordinary meeting.

Please stay in view of the camera at all times.

If for any reason the meeting was not quorate an Officer would notify attendees by interjecting the meeting. The meeting would adjourn immediately. Once the meeting was quorate the meeting would resume. If connection could not be restored within a reasonable period, then the remaining business would be considered at a time and date fixed by the Chair. If the Chair did not fix a date, the remaining business would be considered at the next ordinary meeting.

Only Members present for the entire debate and consideration of an item were entitled to vote. If technology failed for a Member during the debate and they rejoined the meeting, they would not be able to vote on that item.

Noise interference

The Committee, Member and Scrutiny Manager requested that mobile phones and other noise emitting devices be muted.

The mute button on tablets or computers should be activated when not speaking. If cameras were activated, please be mindful that others can see you.

Members would be invited to address Council by the Chair - please show respect to each other and do not talk over someone who is already speaking or interject uninvited.

Rules of Debate

If a Member wished to speak they should use the raise hand button and unmute their microphone before speaking.

Members were reminded 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 has been seconded.

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

The mover of an amendment had no right of reply.

Members were reminded that, In accordance with the Constitution, no speech should exceed five minutes without the consent of the Chair

If a Member had a closure motion, personal explanation or point of order, they should interject the meeting at an appropriate time and wait for the Chair's invitation to address the meeting.

If any of the Officers needed to address Council at any point during proceedings, to aid discussions, they should respectfully interject and await a response before addressing the Chair.

Voting

When satisfied that there has been sufficient debate the Chair would request that the Committee, Member and Scrutiny Manager read out the recommendation that Members would be voting upon.

When requested to vote, voting would be via the Green tick for "Yes", Red Cross for "No" and Blue Raise Hand for "abstain", located in the participants section at the bottom of the screen. To enable the votes to be counted, votes should not be cleared until requested to do so.

Details of how Members voted would not be kept or minuted unless a Recorded Vote was requested or an individual requested that their vote be recorded, and it would not be heard or seen on the audio and YouTube recordings of the meeting.

The Committee, Member and Scrutiny Manager would clearly state the result of the vote and the Chair would proceed to the next agenda item.

In the event of a tied vote the Chair would have the casting vote.

The Chairman of the Council, Councillor Jean Green started the meeting proper.

2 **FORMER CHAIRMAN OF THE COUNCIL ALAN MILLARD**

Audio Recording – 11 minutes 7 seconds

The Chairman of the Council, Leader of the Council and Councillors Clark, Levett and Muir paid tribute to former Chairman of the Council Alan Millard who passed away on Saturday 30 May 2020.

A Minutes silence was held in his memory.

3 **ELECTION OF CHAIR OF THE COUNCIL FOR THE CIVIC YEAR 2020/21**

Audio Recording – 19 minutes 25 seconds

It was proposed by Councillor Paul Clark and seconded by Councillor Steve Jarvis that Councillor Terry Tyler be elected Chair of North Herts District Council for the Civic Year 2020/21.

There being no other nominations it was:

RESOLVED: That Councillor Terry Tyler be elected Chair of North Herts District Council for the Civic Year 2020/21

Councillor Jean Green, outgoing Chairman of the Council, welcomed Councillor Terry Tyler and Chair of the Council.

Councillor Terry Tyler read and signed the Declaration of Acceptance of Office of Chair of the Council. He thanked the Council for electing him as Chair of the Council and announced that his Consort would be Mrs Deborah Freeman.

Councillor Terry Tyler asked Council to formerly thank Councillor Jean Green for her work as Chairman of the Council in the Civic Year 2019-2020.

Upon the vote it was

RESOLVED: That the Council places on record its sincere thanks and appreciation to Councillor Jean Green for her service as Chairman of the Council during the past year and also her consort, Mr James Graft, for giving help and support during her term of office.

Councillor Terry Tyler took the chair for the rest of the meeting.

4 **APOLOGIES FOR ABSENCE**

Audio Recording – 24 minutes 7 seconds

There were no apologies for absence

5 ELECTION OF VICE-CHAIR OF THE COUNCIL FOR THE CIVIC YEAR 2020/21

Audio Recording – 24 minutes 46 seconds

It was proposed by Councillor Martin Stears-Handscomb and seconded by Councillor Kate Aspinwall that Councillor Val Bryant be elected Vice-Chair of North Herts District Council for the Civic Year 2020/21.

It was proposed by Councillor David Levett and seconded by Councillor Tony Hunter that Councillor David Barnard be elected Vice-Chair of North Herts District Council for the Civic Year 2020/21.

Upon the vote it was

RESOLVED: That Councillor Val Bryant be elected Vice-Chair of North Herts District Council for the Civic Year 2020/21.

Councillor Val Bryant read and signed the Declaration of Acceptance of Office of Chair of the Council. She thanked the Council for electing her as Vice-Chair of the Council and announced that her Consort would be Mr Stewart Bryant.

6 CHAIR'S ANNOUNCEMENTS

Audio Recording – 29 minutes 13 seconds

(1) Audio Recording

In accordance with Council policy this meeting was being audio recorded as well as filmed. The audio and film 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 Chair reminded Members again of the rules of debate that had already been explained by the Committee, Member and Scrutiny Manager.

(5) Chair's Charity

The Chair advised that he was considering which charity to support and would announce this in due course.

7 SCHEDULE OF COUNCIL MEETINGS 2020/21

Audio Recording – 32 minutes 23 seconds

Councillor Martin Stears-Handscomb and Paul Clark thanked the Committee, Member and Scrutiny Team for their work on the Calendar of Meetings

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

RESOLVED:

- (1) That the following programme of ordinary meetings of the Council be approved for the Civic Year 2020/21:
 - Thursday, 9 July 2020 – 7.30pm
 - Thursday, 10 September 2020 – 7.30pm
 - Thursday, 12 November 2020 – 7.30pm
 - Thursday, 21 January 2021 – 7.30pm
 - Thursday, 11 February 2021 – 7.30pm
 - Thursday, 15 April 2021 - 7.30 pm
- (2) That the Calendar of Meetings for 2020/21, as attached as Appendix A to the report, be approved.

REASON FOR DECISION: To enable Members to agree a programme of ordinary meetings of the Council for 2020/21.

8 APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL, MEMBERS OF THE CABINET AND DEPUTY EXECUTIVE MEMBERS FOR 2020/21

Audio Recording – 34 minutes 38 seconds

The Leader of the Council, Councillor Martin Stears-Handscomb, thanked the Executive Members and Deputy Executive Members for their work in the past year and advised Council that:

- Councillor Paul Clark was appointed as Deputy Leader of the Council for the Civic Year 2020/21;
- That Executive Members and Deputy Executive Members were appointed as detailed in Appendix A to the report.

RESOLVED:

- (1) That it be noted that the Leader of the Council had appointed Councillor Paul Clark as the Deputy Leader of the Council for the Civic Year 2020/21;
- (2) That it be noted that the following Members be appointed as Executive Members of the Cabinet for 2020/21 responsible for the following areas:

Cabinet Member

Councillor Martin Stears-Handscomb
Councillor Paul Clark

Councillor Ian Albert
Councillor Judi Billing
Councillor Keith Hoskins
Councillor Steve Jarvis
Councillor Gary Grindal
Councillor Elizabeth Dennis-Harburg

Portfolio

Leader and Cabinet Chairman
Planning and Transport and Cabinet
Vice-Chairman
Finance and IT
Community Engagement
Enterprise and Co-Operative Development
Environment and Leisure
Housing & Environmental Health
Recycling and Waste Management

- (1) That it be noted that the following Members be appointed as Deputy Executive Members of the Cabinet for 2020/21 for the following areas:

Deputy Executive Member

Councillor Ian Mantle
Councillor Sam North
Councillor Ruth Brown
Councillor Helen Oliver
Councillor Kay Tart
Councillor Sean Prendergast
Councillor Carol Stanier

Planning and Transport
Finance and IT
Community Engagement
Enterprise and Co-Operative Development
Environment and Leisure
Housing & Environmental Health
Recycling and Waste Management

REASON FOR DECISIONS: To comply with the provisions of the Local Government Act 2000 and Sections 4.8.1 (vii), 5.2, 5.3.4 and 5.6 of the Council's Constitution

4 CHANGES TO CONSTITUTION RECOMMENDED BY CORPORATE PEER CHALLENGE & FLEXIBILITY OF MEETINGS REGULATIONS CHANGES

Audio Recording – 39 minutes 35 seconds

The Service Director – Legal and Community presented the report entitled Changes to Constitution Recommended by Corporate Peer Challenge & Flexibility of Meetings Regulations Changes together with the following appendices:

- Appendix A – Table of Potential Constitutional Changes;
- Appendix B - Revised Terms of Reference for Cabinet Panel on the Environment;
- Appendix C - Revised Terms of Reference for Cabinet Panel on Community Engagement, Enterprise and Co-operative Development;
- Appendix D - Revised Terms of Reference for Cabinet Panel on Housing, Strategic Planning and Transport.

It was proposed by Councillor Martin Stears-Handscomb and seconded by Councillor Paul Clark that the recommendations and proposed amendments to the Constitution be approved and that for clarification in respect of Paragraph 8.4.5 c (iii) the second option be approved.

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

“8.4.5(c)(iii) within three (3) weeks of the matter appearing in the weekly lists of applications a Member requests in writing the matter to be determined by the Committee detailing the reasons based upon one or more relevant material planning considerations and detailing the reasons that the matter is in the wider public interest.”

The following Members took part in the debate on the amendment:

- Councillor Martin Stears-Handscorn;
- Councillor Simon Harwood;
- Councillor Richard Thake;
- Councillor Ian Mantle;
- Councillor Gerald Morris
- Councillor Jim McNally;
- Councillor Judi Billing.

Upon the vote the motion was lost.

Councillor David Levett proposed the following amendment:

“4.8.4 (c)(ii) the request is sent via email to the proper officer by noon on the day of the meeting”

The Service Director-Legal and Community advised that in order to comply with the Local Government Act, Membership of Committees had to receive 5 clear days notice of a meeting and there was also a need to check that Members had received relevant training. This amendment would open the Council up for challenge.

She advised against the proposed amendment.

Councillor David Levett withdrew the proposed amendment.

Councillor Levett proposed and Councillor Strong seconded the following amendment:

“That the proposed amendment to Paragraph 4.8.9 (d) regarding public presentations be removed.”

The Service Director – Legal and Community advised that if the Council had presentations from members of the public prior to the meeting, they could be taken into account if that member of public were to drop out of the meeting.

The following Members took part in the debate in the amendment:

- Councillor Martin Stears-Handscorn;
- Councillor Steve Jarvis;
- Councillor Judi Billing;
- Councillor George Davies;
- Councillor Steve Jarvis;
- Councillor Gerald Morris;
- Councillor Clare Billing;
- Councillor Michael Muir;
- Councillor Claire Strong.

Councillor Daniel Allen called for a recorded vote.

Upon the vote the motion was unanimously carried with the votes recorded 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, Bill Davidson, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Faye Frost, Jean Green, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Val Shanley, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Kay Tart, Richard Thake, Terry Tyler, Tom Tyson and Michael Weeks.

TOTAL 47

Councillor David Levett proposed and Councillor Martin Stears-Handscomb seconded the following amendment:

“8.3.1 Three (3) Councillors shall be appointed to a Licensing Sub-Committee and one non-voting observer reserve Councillor.

Footnote: NB in the event that one of the voting Councillors cannot attend, has a conflict or is unable to participate for the whole of the meeting the reserve shall become a voting participating member of the Sub-Committee for quorum and decision making purposes.”

Upon the vote the motion was carried.

Members voted on the recommendations as amended by the motions above and it was:

RESOLVED: That, subject to the amendments below, the proposed amendments set out in Appendix A be approved to take effect immediately.

- That the proposed amendment to Paragraph 4.8.9 (d) regarding public presentations be removed;
- That 8.3.1 be amended to read:
Three (3) Councillors shall be appointed to a Licensing Sub-Committee and one non-voting observer reserve Councillor.

Footnote: NB in the event that one of the voting Councillors cannot attend, has a conflict or is unable to participate for the whole of the meeting the reserve shall become a voting participating member of the Sub-Committee for quorum and decision making purpose.

REASON FOR DECISION:

- (1) To ensure the Council meets its statutory obligations and continues to improve its working practices.
- (2) That the decision takes immediate effect, specifically in respect of the updated Committee membership, so that appointments can be approved at this Council meeting to reflect the revised (legally proportionate) membership.

Council adjourned at 20.58 and reconvened at 21.07.

10 APPOINTMENT OF MEMBERS OF COMMITTEES FOR 2020/21

Audio Recording – 1 hour 34 minutes 22 seconds

Councillor Martin Stears-Handscomb presented the report entitled Appointment of Committee for 2020/21 together with the associated appendices:

- Appendix A – Appointment of Committees, including those to which Section 15 of the Local Government and Housing Act 1989 applies
- Appendix B - Committee Places – REVISED

Councillor Clark advised that, in respect of Council Tax Setting Committee Substitutes, Councillor Sam Collins had been listed twice and Councillor Terry Tyler had not been included.

Councillor Martin Stears-Handscorn proposed, Councillor Paul Clark seconded and it was

RESOLVED:

- (1) That, in line with the feedback from the 2020 Peer Challenge, the membership of the Overview and Scrutiny Committee be reduced to 12 (currently 16)
- (2) That, in line with the feedback from the 2020 Peer Challenge, the membership of the Planning Control Committee be reduced to 12 (currently 15).
- (3) That, in line with the agreement of Group Leaders, the membership of the Licensing and Appeals Committee be reduced to 13 (currently 14)
- (4) That the seats allocated to each political party on the Committees to which Section 15 of the Local Government and Housing Act 1989 applied and the seats allocated to each political party on the bodies to which Section 15 of the Local Government and Housing Act 1989 did not apply be as set out in Appendix A to these Minutes.
- (5) That, Members be appointed to the various Committees and other bodies in accordance with the wishes of the individual groups, as detailed in Appendix B to these Minutes

REASON FOR DECISIONS: To comply with the provisions of Section 15 of the Local Government and Housing Act 1989.

11 APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES FOR 2020/21

Audio Recording – 1 hour 37 minutes 27 seconds

Councillor Martin Stears-Handscorn proposed, Councillor Paul Clark seconded and it was

RESOLVED: That the Chairs and Vice-Chairs of Committees for 2020/21 be appointed in accordance with the details set out in Appendix C to these Minutes.

REASON FOR DECISION: To comply with the provisions of Standing Order 4.8.1(a)(ix) of the Council's Constitution.

12 KEY DECISIONS - ANNUAL REPORT ON CASES OF SPECIAL URGENCY

Audio Recording 1 hour 39 minutes 48 seconds

The Leader of the Council, Councillor Martin Stears-Handscorn presented the report entitled Key Decisions - Annual Report on Cases of Special Urgency.

He thanked the Committee, Member and Scrutiny Team for their efforts that enabled Members to contribute to decisions during the period between the cessation of face to face meetings and the introduction of virtual meetings.

Councillor Martin Stears-Handscorn proposed, Councillor Paul Clark seconded and it was:

RESOLVED: That the report entitled Key Decisions – Annual Report on Cases of Special Urgency be noted.

REASON FOR DECISION: To comply with Regulation 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

13 NOMINATION OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS AND OTHER BODIES FOR 2020/21

Audio Recording – 1 hour 41 minutes 20 seconds

The Democratic Services Manager presented the report and addendum report entitled Nomination of Representatives on Outside Organisations and Other Bodies for 2020/21 and the associated appendix:

- Appendix A - Nominations to Outside Bodies.

Councillor Martin Stears-Handscorn proposed and Councillor Paul Clark seconded the recommendations included in the report and the addendum report.

The following Members took part in the debate:

Councillor Ruth Brown advised that there should only be one nomination to Royston Town Twinning.

Councillor Claire Strong advised that the nomination to Hertfordshire Building Preservation Trust should be Councillor Terry Tyler as Chair of the Council

RESOLVED:

- (1) That the list of nominations of representatives on Outside Organisations and Other Bodies for 2020/21, as detailed in Appendix D to the Minutes be approved;
- (2) That the Group Leaders be consulted regarding the nomination to Royston Town Twinning.
- (3) That Political Group Leaders notify the Democratic Services Manager of nominations to the remaining vacancies or any changes to the existing representatives on outside organisations.

REASON FOR DECISIONS: To comply with the provisions of Standing Order 4.8.1(b)(iv) and (v) of the Council's Constitution.

The meeting closed at 9.21 pm

Chair

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held as a Virtual Meeting
on Thursday, 9th July, 2020 at 7.30 pm

PRESENT: Councillors: Terry Tyler (Chair), Val Bryant (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Judi Billing, John Bishop, Ruth Brown, Paul Clark, Sam Collins, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Val Shanley, Martin Stears-Handscomb, Claire Strong, Kay Tart, Richard Thake, Tom Tyson and Michael Weeks

IN ATTENDANCE: David Scholes (Chief Executive), Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Melanie Stimpson (Democratic Services Manager), Isabelle Alajooz, Nurainatta Katevu (Legal Advisor) and Hilary Dineen (Committee, Member and Scrutiny Manager)

ALSO PRESENT:

At the commencement of the meeting 3 members of the public, including registered speakers.

14 WELCOME AND INTRODUCTION

Audio Recording – 15 seconds

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 and view proceedings.

The Committee, Member and Scrutiny Manager gave advise on the following:

The protocol regarding remote /partly remote meetings had been circulated via the Members' Information Sheet and was available on the Council's website and therefore the information that would be delivered would be abridged to that previously given.

Attendance

The Committee Member and Scrutiny Manager undertook a roll call of Members, Officers and members of the public to ensure that they could hear and be heard.

Live Streaming

The meeting was being streamed live on the Council's You Tube channel and also recorded via Zoom. If live streaming failed the meeting would adjourn. If the live stream could not be restored within a reasonable period then the remaining business would be considered at a later date.

Please stay in view of the camera at all times

If for any reason the meeting was not quorate an Officer would notify attendees by interjecting the meeting. The meeting would adjourn immediately. Once the meeting was quorate the meeting would resume. If connection could not be restored within a reasonable period, then the remaining business would be considered at a later date.

Only Members present for the entire debate and consideration of an item were entitled to vote. If a remote Member lost connection the Chair may adjourn the meeting for a short period to enable connection to be re-established. If the Chair did not adjourn the meeting the Member would be deemed to have left the meeting at the point of failure and be deemed to have returned at the point of re-establishment. Only Members present for the entirety of debate and consideration of an item were entitled to vote.

Mobile phones and other noise emitting devices should be muted.

The mute button on tablets or computers should be muted unless speaking.

If a Member wished to speak they should use the raise hand button (located under participants).

When satisfied that there had been sufficient debate the Chair would request that the Committee, Member and Scrutiny Manager read out the recommendation that Members will be voting upon.

When requested to vote, voting would be via the Green tick for "Yes", Red Cross for "No" and Blue Raise Hand for "abstain" functions.

Part 2 Item

There was a Part 2 paper for the meeting this evening. Once Council had resolved to move into Part 2 the host would ask Members and relevant officers to join a Break Out Room which would need to be accepted. Members and Relevant Officers would then be automatically transferred to the Break Out Room where the Part 2 discussions would be held.

Once the Part 2 discussions had concluded Members would need to move back into the public part of the meeting. Whilst the part 2 discussions were happening the live stream of the meeting would have continued live on the You Tube channel with a holding message.

The Chair, Councillor Terry Tyler started the meeting proper.

15 APOLOGIES FOR ABSENCE

Audio Recording – 8 minutes 14 seconds

Apologies for absence were received from Councillors: Bill Davidson, Faye Frost, Gary Grindal, Lisa Nash and Carol Stanier.

16 NOTIFICATION OF OTHER BUSINESS

Audio Recording – 8 minutes 46 seconds

There was no other business notified.

17 CHAIR'S ANNOUNCEMENTS

Audio Recording – 8 minutes 50 seconds

(1) Audio Recording

The 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 have that in mind as we carry 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 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 has been seconded.

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

In accordance with the Constitution please could Members ensure that no speech exceeded five minutes without the consent of the Chair

(5) Order of Business

The Chair advised that he would take Items 1-8 as per the agenda. Item 9 would be introduced and then the meeting would go into Part 2 and consider Item 13. Following which the meeting would return to Part 1 to take the vote on Item 9 and consider items 10 and 11

(6) Charities

The Chair advised that his Charities for this year would be Victoria's Promise and Citizen's Advice North Herts.

Victoria's Promise was an organisation that supported young women through their diagnosis of cancer and beyond. They had supported his daughter Anna from her diagnosis to her passing.

Citizen's Advice North Herts provided valued services for the people of North Herts he had been in receipt of their support and advice some time ago.

The Chair declared that, in relation to a potential interest, that Ed Smith was his Son in Law, who now worked for Victoria Promise as a Fund Raising Manager following his daughter's passing. He had been advised that this did not cause an issue in terms of his support for Victoria's Promise this year.

Audio recording 13 minutes 1 second

The Chair invited Fiona Eastman and Ed Smith, Victoria's Promise, to address Council

Ms Eastman, CEO of Victoria's Promise, thanked the Chair for the opportunity to address Council and informed Members that:

- Victoria's Promise supported and empowered young women from 18 to 50 years through their journey with cancer at their most vulnerable and at end of treatment;
- She had herself been diagnosed with cancer at 30 and her daughter had lost her life at 29;
- They were based in Hampshire, but had receive funding to provide a service locally, with the aim to support women nationally;
- They were launching an app called VP Affinity that will enable young women to connect with each other;
- They hold live workshops;
- They aimed to have an ambassador in each county to fund raise and hold VP affinity events;
- They had found an ambassador for Hertfordshire who will fundraise in order to introduce support services in Hertfordshire;
- Women in this age category were starting careers or had young children. They have concerns for their families but needed somewhere to offload and receive emotional support;
- The more money raised meant more services could be provided.

The Chair thanked Ms Eastman for her presentation.

Audio recording – 18 minutes 24 seconds

Mr Ed Smith, Fund Raising Manager for Victoria's Promise, thanked the Chairman for the opportunity to address Council and informed Members that:

- His wife, Anna was diagnosed in 2017 when their daughter was 6 months old;
- The family received support and Anna received support of VP Affinity;
- She met women who had an understanding and attended activities;
- She created bonds with people that she could talk to;
- Anna passed away in June 2018;
- Victoria's Promise had made a big difference to the whole family;
- He had started working as Fundraiser for Victoria's Promise in May last year;

The Chair thanked Mr Smith for his presentation.

Audio recording – 22 minutes 45 seconds

The Chair invited Rosie Waters, CEO of Citizens Advice North Herts, to address Council.

Ms Waters thanked the Chairman for the opportunity to address Council and informed Members of the following:

- North Herts Citizens Advice had closed their offices in March, due to Covid-19;
- They were currently providing services remotely with volunteers working from home;
- They had provided services to 1,500 people during lockdown;
- They had been proactive by ringing vulnerable clients to see if they need anything;
- The main enquiries currently were regarding benefits, food banks and relationships;
- All workers were volunteers;
- They would soon have a limited opening of the offices in Letchworth, but maintain the remote services;
- The Government support funding for CAB mainly went to the national body;
- They expected requests for services to increase;
- They wanted to be even more accessible;
- They were proud and grateful to have been chosen as one of the Chair's Charities.

The following Councillors commented and asked questions:

- Councillor Judi Billing;
- Councillor Paul Clark;
- Councillor Kay Tart;
- Councillor David Levett.

The Chair thanked Ms Waters for her presentation.

18 SREBRENICA COMMEMORATION

Audio recording – 32 minutes 25 seconds

Councillors Ruth Brown reminded Members that this was to remember those who had died in the Srebrenica genocide 25 years ago and read a contribution from Ned Cooper that reflected on how this event impacted young people today.

Councillor Martin Stears-Handscomb addressed Council.

The Chair asked those present to join him in a minutes silence.

19 PUBLIC PARTICIPATION

Audio recording – 40 minutes 55 seconds

There were no presentations my members of the public.

20 ITEMS REFERRED FROM OTHER COMMITTEES

a. Item referred from Cabinet 23 June 2020 – Corporate Peer Challenge Action Plan

Audio recording – 41 minutes 6 seconds

The Leader of the Council presented the referral from Cabinet regarding the Corporate Peer Challenge Action Plan.

Councillor Martin Stears-Handscomb moved the recommendations and Councillor Paul Clark seconded.

Councillor David Levett advised that a recommendation from Overview and Scrutiny Committee to Cabinet had been that Planning training be made compulsory for all Members and moved this as a motions. Councillor Claire Strong seconded the motion.

The following Members took part in the debate:

- Councillor Judi Billing;
- Councillor Richard Thake;
- Councillor Martin Stears-Handscorn;
- Councillor Terry Tyler;
- Councillor Sam Collins

The Service Director - Legal and Community advised that historically it was recognised that there was a role for mandatory training. If Members failed to undertake mandatory training it then became a code of conduct issue.

Training undertaken due to sitting on a committee was different to training global membership. It was up to Council to make the decision.

Councillor David Levett amended his motion to:

That training be a requirement for elected Members who wish to take part in the planning process.

Councillor Claire Strong seconded the amended motion.

The following Members took part in the debate:

- Councillor Helen Oliver;
- Councillor Paul Clark;
- Councillor Michael Weeks;
- Councillor Ruth Brown;
- Councillor Ian Mantle;
- Councillor Claire Strong;
- Councillor Sam Collins:

The Service Director Legal and Community reminded Members that Council was strictly speaking only considering the financial aspects of the report. She advised that the Learning and Development Champions were considering planning training and making a decision could restrict further motions within 6 months.

The debate continued with the following Members taking part:

- Councillor Ian Albert;
- Councillor Kay Tart;
- Councillor David Barnard;
- Councillor Kate Aspinwall;
- Councillor George Davies;

The Democratic Services Manager advised that, in her opinion, this should be referred to the Learning and Development Champions to consider.

RESOLVED:

- (1) That the Special Reserve be used to fund a small transformation team for a period of 18 months from October 2020, with an estimated total cost of £150k (£50k in 2020/21 and £100k in 2021/22);
- (2) That agreeing the specification for, and intended outcomes of, the transformation programme be delegated to the Leader, Deputy Leader, Executive Member for Finance and IT, Managing Director and Service Director Resources;
- (3) That training be a requirement for elected Members who wish to take part in the planning process.

REASON FOR DECISIONS: To ensure that the Council responds to the matters identified within the CPC report, ensuring that the benefits of the CPC process are realised.

b. Item referred from Cabinet 23 June 2020 – Revenue Budget Outturn

Audio recording – 1 hour 22 minutes 26 seconds

The Executive Member for Finance and IT presented the referral from Cabinet regarding Revenue Budget Outturn.

It was moved by Councillor Ian Albert, seconded by Councillor Sam North and:

RESOLVED: That the net transfer to earmarked reserves, as identified in table 8, of £2.161million be approved.

REASONS FOR DECISION:

- (1) Members are able to monitor, make adjustments within the overall budgetary framework and request appropriate action of Services who do not meet the budget targets set as part of the Corporate Business Planning process.
- (2) Changes to the Council's balances are monitored and approved.

NB: At 21.01 the meeting was adjourned for a comfort break.

The meeting reconvened at 21.06 and the Committee, Member and Scrutiny Manager undertook a roll call of Members and Officers to ensure that they could hear and be heard.

c. Item referred from Cabinet 23 June 2020 – Investment Strategy (Capital and Treasury) End of Year Review

Audio recording – 1 hour 38 minutes 12 seconds

The Executive Member for Finance and IT presented the referral from Cabinet regarding Investment Strategy (Capital and Treasury) End of Year Review.

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

- Councillor David Levett;
- Councillor Michael Weeks;
- Councillor Gerald Morris;
- Councillor Richard Thake.

In response to questions the Executive Member for Finance and IT advised:

- That investments with other Boroughs and Councils would be kept under review.

The Service Director - Resources advised:

- Investments with Councils were at zero risk as no Council had failed, but this would be kept under review.
- That the figures in the report and appendices were correct;
- That the pie chart in Appendix B – Annual Treasury Management Review showing the spread of investment balances as at 31 March 2020 would be reviewed for accuracy.

It was moved by Councillor Ian Albert, seconded by Councillor Sam North and:

RESOLVED:

- (1) That the actual 2019/20 prudential and treasury indicators be approved:
- (2) That the annual Treasury Report for 2019/20 be noted.

REASON FOR DECISIONS:

- (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.

21 ANNUAL REPORT OF THE STANDARDS COMMITTEE

Audio recording – 1 hour 54 minutes 46 seconds

Councillor Judi Billing, Chair of the Standards Committee, presented the report entitled Annual Report of the Standards Committee and drew attention to the following:

- There should be certain standards of conduct no matter what level of Local Government;
- There were a proliferation of codes of conduct, which brought confusion, Therefore welcome the opportunity to consult on a national code.;
- The Standards Committee were better when chaired by the Independent Persons;
- She thanked the Independent Persons, Monitoring Officer, Deputy Monitoring Officers and Vice-Chair of the Committee.

The following Members took part in the debate:

- Councillor David Levett.

It was moved by Councillor Judi Billing, seconded by Councillor Ruth Brown and:

RESOLVED: That the Annual Report of the Standards Committee be noted.

REASONS FOR DECISIONS: In line with recommended good governance practice to report the work of Standards Committee to the full Membership, to promote and maintain high standards of conduct and to demonstrate a strong commitment to ethical values.

22 CONSTITUTIONAL (INCLUDING FINANCIAL REGULATION) CHANGES TO FOLLOWING TIER 1 & 2 RESTRUCTURE

Audio Recording – 2 hours 2 minutes 43 seconds

The Service Director - Legal and Community & Monitoring Officer presented the report entitled Constitutional (Including Financial Regulation) Changes to Following Tier 1 & 2 Restructure.

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

RESOLVED: That the proposed amendments set out under 8.1 & 8.3 be approved. Such changes to come into effect on 18 July 2020.

REASON FOR DECISION: To ensure the Constitution reflects the new senior management structure and any necessary updated approval process.

23 VOLUNTARY REDUNDANCY

Audio recording – 2 hours 20 minutes 36 seconds

NB: This item was considered after the Part 2 item (Minute 27 refers).

The Leader of the Council presented the report entitled Voluntary Redundancy.

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

RESOLVED:

- (1) That the proposed voluntary redundancy, the details of which are presented in the Part II Report be approved;
- (2) That the use of the Special Reserves to fund the redundancy costs be approved.

REASON FOR DECISION: To meet the financial challenges to the Council in light of reducing Government support and assist in meeting the budgetary requirements in the long term.

24 QUESTIONS FROM MEMBERS

Audio recording – 2 hours 21 minutes 25 seconds

There were no questions from Members.

25 NOTICE OF MOTIONS

Audio recording – 2 hours 21 minutes 59 seconds

There were no motions considered.

26 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 Paragraphs 1 - 4 of Part 1 of Schedule 12A of the said Act (as amended).

27 VOLUNTARY REDUNDANCY

This Item was not audio recorded

NB: This item was considered prior to the Part 1 item (Minute 23 refers).

The Committee, Member and Scrutiny Manager undertook a rollcall to ensure that Members could hear and be heard.

The Leader of the Council presented the Part 2 report entitled Voluntary Redundancy.

The following Members took part in the debate:

- Councillor David Levett;
- Councillor Sam North.

The Chief Executive responded to questions asked.

RESOLVED: That the information contained in the Part 2 report entitled Voluntary Redundancy be noted.

REASON FOR DECISION: To meet the financial challenges to the Council in light of reducing Government support and assist in meeting the budgetary requirements in the long term.

28 CHIEF EXECUTIVE

Audio recording – 2 hours 22 minutes 27 seconds

The Chair informed Members that this was David Scholes, Chief Executive, last meeting as would be leaving NHDC on 18 July 2020.

He asked Members to show their appreciation and thanks to David for his time as Chief Executive with three cheers.

The meeting closed at 9.55 pm

Chair

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held as a Virtual Meeting
on Thursday, 27th August, 2020 at 7.30 pm

PRESENT: Councillors: Terry Tyler (Chair), Val Bryant (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, John Bishop, Ruth Brown, Paul Clark, Sam Collins, Bill Davidson, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Faye Frost, Jean Green, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Val Shanley, Carol Stanier, Martin Stears-Handscorn, Claire Strong, Richard Thake, Tom Tyson and Michael Weeks

IN ATTENDANCE: Howard Crompton (Service Director - Transformation), Ian Couper (Service Director - Resources), Isabelle Alajooz (Legal Commercial Team Manager), Nurainatta Katevu (Legal Regulatory Team Manager), Melanie Stimpson (Democratic Services Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and Matthew Hepburn (Committee, Member and Scrutiny Officer)

29 WELCOME AND INTRODUCTION

Audio Recording – 1 second

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 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 on the Council's You Tube channel and also recorded via Zoom. If live streaming failed the meeting would adjourn. If the live stream could not be restored within a reasonable period then the remaining business would be considered at a later date.

Please stay in view of the camera at all times.

If for any reason the meeting was not quorate an Officer would notify attendees by interjecting the meeting. The meeting would adjourn immediately. Once the meeting was quorate the meeting would resume. If connection could not be restored within a reasonable period, then the remaining business would be considered at a later date.

If a remote Member lost connection the Chair may adjourn the meeting for a short period to enable connection to be re-established. If the Chair did not adjourn the meeting the Member would be deemed to have left the meeting at the point of failure and be deemed to have returned at the point of re-establishment. Only Members present for the entirety of debate and consideration of an item were entitled to vote.

Noise emitting devices should be muted and the mute button on the tablet or computer should be activated when not speaking.

If a Member wished to speak they should use the raise hand button and microphones would need to be unmuted before speaking.

If a Member had a closure motion, personal explanation or point of order, please interject the meeting and wait for the Chair to invite you to speak.

When requested to vote, voting would be via the Green tick for "Yes", Red Cross for "No" and Blue Raise Hand for "abstain" functions. To enable the votes to be counted, votes should not be cleared until requested to do so .

The Chair of the Council, Councillor Terry Tyler started the meeting proper.

30 APOLOGIES FOR ABSENCE

Audio recording – 10 minutes 52 seconds

Apologies for absence were received from Councillor Kay Tart.

31 CHAIR'S ANNOUNCEMENTS

Audio recording – 11 minutes 2 seconds

(1) Recording

The Chair advised that, in accordance with Council policy, this meeting was being audio recorded as well as filmed. The audio recording 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 has declared a Climate Emergency. This is 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 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 had 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 should ensure that no speech exceeded five minutes without the consent of the Chair.

(5) Motions

In order to clarify matters for Members, in accordance with the Council's Constitution:

Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion had been decided.

If an amendment was not carried, other amendments to the original motion may be moved.

If an amendment was carried, the motion as amended would take the place of the original motion. This would become the substantive motion to which any further amendments are moved.

After an amendment had been carried, the Chair may, if requested, read out the amended motion before accepting any further amendments, or if there were none, put the substantive motion as amended for debate and to the vote.

32 NOTICE OF MOTIONS

Audio recording – 25 minutes 32 seconds

Prior to the Item being considered Councillor Judi Billing sought legal opinion regarding whether those who were also County Councillors should declare an interest.

The Legal Regulatory Team Manager advised that all Members would be affected by the decisions made and therefore no declarations were required.

Councillor David Levett presented the motion.

Councillor David Levett proposed and Councillor Morgan Derbyshire seconded that:

“This Council notes the forthcoming publication of the Devolution and Recovery White Paper from Government and supports the move to a single Unitary Authority for Hertfordshire.

Council instructs officers and the Leader of the Council to work with other authorities and Hertfordshire County Council to achieve this in the shortest possible time frame.”

Councillor David Levett called for a recorded vote on the motion.

Councillor Martin Stears-Handscorn proposed amendments to the motion so that it read:

“This Council notes the forthcoming publication of the Devolution and Recovery White Paper from Government. It supports the consideration of Unitary options and other alternative arrangements. However, it does not support any particular option as to do so would be premature. It awaits the publication of the White Paper before coming to any conclusions.

The Council additionally notes the public statements of the Leader and Deputy Leader as well as a number of administration group members which state opposition to a single unitary authority for Hertfordshire.

It believes that any change to the current local government structure must be carried through in the interests of the residents of North Hertfordshire.

Furthermore, to ensure adequate representation of the electorate this council believes that with any changes to the current arrangements a more representative voting system should be introduced and that, in the case of any Unitary options, properly resourced democratic bodies are planned for the unparished areas.

Council instructs officers and the Leader and Deputy Leader of the Council to work with other authorities to investigate all the options that meet these criteria and to seek the views of residents so that we are prepared to respond to the White Paper when it is published.

It notes the progress of collaborative working between all the Hertfordshire Districts and Boroughs, the County Council, the Local Enterprise Partnership and MHCLG to achieve the best possible recovery and future investment for the County and reaffirms its support for this work.”

Councillor David Levett raised a point of order in that, in his belief, the amendment was not legal as it negated the motion and therefore could not be accepted.

The Legal Commercial Team Manager advised that it was clear that an amendment should not negate a motion. This amendment added to the motion by adding additional options to the original motion.

The Chair advised that he would accept legal opinion and therefore the amendment to the motion was valid.

Councillor David Levett then sought to withdraw the motion.

Councillor Paul Clark seconded the amendment.

The Legal Commercial Team Manager advised that, as the original motion had been proposed and seconded, under Paragraph 4.8.14 (i) of the Constitution:

“A Member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting’s consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.”

Councillor Morgan Derbyshire, seconder of the motion, gave his consent for the motion to be withdrawn.

The Chair called for a vote to determine whether the meeting was in agreement with the motion being withdrawn.

Upon the vote the meeting did not give consent for the motion to be withdrawn.

The following Members took part in the debate regarding the amendment:

- Councillor Daniel Allen;
- Councillor Sam Collins;
- Councillor Terry Hone;
- Councillor George Davies;
- Councillor Ian Mantle;
- Councillor Tony Hunter;
- Councillor Ian Albert;

- Councillor Helen Oliver;
- Councillor Keith Hoskins;
- Councillor David Levett;
- Councillor Judi Billing;
- Councillor Sam North;
- Councillor Steve Jarvis;
- Councillor Claire Strong;
- Councillor Simon Harwood;
- Councillor Richard Thake.

The Chair called a comfort break at 9.20pm.

The meeting reconvened at 9.28pm.

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

The debate regarding the amendment to the motion continued with the following Member speaking:

- Councillor Jean Green.

Councillor David Levett called for a recorded vote on the amendment.

Upon the vote the amendment was carried with the votes being recorded 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, Gary Grindal, 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, Terry Tyler and Tom Tyson.

Total: 25

Against:

Councillor: David Barnard, John Bishop, George Davies, Steve Deakin-Davies, Morgan Derbyshire, Faye Frost, Jean Green, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Mike Rice, Valentine Shanley, Claire Strong, Richard Thake and Michael Weeks.

Total: 20

Abstain:

There were no abstentions.

This now being the substantive motion the following Members took part in the debate:

- Councillor David Levett.

Upon a recorded vote it was:

RESOLVED:

This Council notes the forthcoming publication of the Devolution and Recovery White Paper from Government. It supports the consideration of Unitary options and other alternative arrangements. However, it does not support any particular option as to do so would be premature. It awaits the publication of the White Paper before coming to any conclusions.

The Council additionally notes the public statements of the Leader and Deputy Leader as well as a number of administration group members which state opposition to a single unitary authority for Hertfordshire.

It believes that any change to the current local government structure must be carried through in the interests of the residents of North Hertfordshire.

Furthermore, to ensure adequate representation of the electorate this council believes that with any changes to the current arrangements a more representative voting system should be introduced and that, in the case of any Unitary options, properly resourced democratic bodies are planned for the unparished areas.

Council instructs officers and the Leader and Deputy Leader of the Council to work with other authorities to investigate all the options that meet these criteria and to seek the views of residents so that we are prepared to respond to the White Paper when it is published.

It notes the progress of collaborative working between all the Hertfordshire Districts and Boroughs, the County Council, the Local Enterprise Partnership and MHCLG to achieve the best possible recovery and future investment for the County and reaffirms its support for this work.

The recorded votes were 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, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Faye Frost, Jean Green, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, 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-Handscorn, Terry Tyler, Tom Tyson and Michael Weeks.

Total: 42

Against:

There were no votes against the motion.

Abstain:

Councillors Morgan Derbyshire, Claire Strong and Richard Thake.

Total: 3

The meeting closed at 9.52 pm

Chair

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held as a Virtual Meeting
on Thursday, 24th September, 2020 at 7.30 pm

PRESENT: Councillors: Terry Tyler (Chair), Val Bryant (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, Clare Billing, Ruth Brown, Paul Clark, Sam Collins, Bill Davidson, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Jean Green, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Richard Thake, Tom Tyson and Michael Weeks

IN ATTENDANCE: Ian Fullstone (Service Director - Regulatory), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Vaughan Watson (Service Director - Place), Nurainatta Katevu (Legal Regulatory Team Manager), Reuben Ayavoo (Policy and Community Engagement Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and William Edwards (Committee, Member and Scrutiny Officer)

ALSO PRESENT: At the commencement of the meeting Louise Symes, Aimee Jarmain and Ros Allwood.

33 WELCOME AND INTRODUCTION

Audio Recording – 20 seconds

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 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:

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Please stay in view of the camera at all times.

If for any reason the meeting was not quorate an Officer would notify attendees by interjecting the meeting. The meeting would adjourn immediately. Once the meeting was quorate the meeting would resume. If connection could not be restored within a reasonable period, then the remaining business would be considered at a later date.

If a remote Member lost connection the Chair may adjourn the meeting for a short period to enable connection to be re-established. If the Chair did not adjourn the meeting the Member would be deemed to have left the meeting at the point of failure and be deemed to have returned at the point of re-establishment. Only Members present for the entirety of debate and consideration of an item were entitled to vote.

Noise emitting devices should be muted and the mute button on the tablet or computer should be activated when not speaking.

If a Member wished to speak they should use the raise hand button and microphones would need to be unmuted before speaking.

If a Member had a closure motion, personal explanation or point of order, please interject the meeting and wait for the Chair to invite you to speak.

When requested to vote, voting would be via the Green tick for “Yes”, Red Cross for “No” and Blue Raise Hand for “abstain” functions. To enable the votes to be counted, votes should not be cleared until requested to do so .

The Chair of the Council, Councillor Terry Tyler started the meeting proper.

34 APOLOGIES FOR ABSENCE

Audio recording – 7 minutes 29 seconds

Apologies for absence were received from Councillors David Barnard, Judi Billing, John Bishop. Steve Deakin-Davies, Faye Frost, Gerald Morris, Val Shanley and Kay Tart.

Councillor Albert advised that Councillor Barnard's wife was seriously ill and asked that the Council's best wishes for a speedy recovery be placed on record.

35 NOTIFICATION OF OTHER BUSINESS

Audio recording – 8 minutes 27 seconds

There was no other business notified.

36 CHAIR'S ANNOUNCEMENTS

Audio recording – 9 minutes 49 seconds

(1) Mayor of Hertsmere – Councillor Cynthia Barker

It was with great sadness that the Chair announced that the Mayor of Hertsmere, Councillor Cynthia Barker, passed away earlier this month.

A minutes silence was held in her memory.

(2) Audio Recording

The Chair announced 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.

(3) 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.

(4) Long Service

The Chair advised that there were three acknowledgements of long Service. All of these officers were present at the meeting.

Louise Symes

Louise started with the Council as a policy planner in January 1995 having recently emigrated from Durban in South Africa where she worked as a planner for the south African Government.

Louise began as Principal Planning Officer in 2001 and took on the role of Projects Manager in 2005.

From 2000 to 2013 Louise was involved in preparing town centre strategies, and planning briefs and as well as being involved in the delivery of various town centre enhancement schemes which Members will be aware included Sun Street in Hitchin, Baldock High Street and Fish Hill Square in Royston.

Louise was instrumental in the Council winning a National Award for the Baldock High Street Project, the Horticultural Landscape and Amenity Award in 2009 under the Category Best Commercial Project. The Scheme was also awarded a certificate of Special Recognition at the 2010 National Civic Trust awards.

Louise has also been involved in the project to develop the Churchgate centre since 1999.

Louise became the Strategic Planning & Projects Manager in 2012 and has been involved in the Council's Local Plan submission.

In her current role as Strategic Infrastructure & Projects Manager, Louise took on the role of Parking – which she sees as a new and interesting challenge particularly with changes in technology.

The Chair congratulated and thanked Louise for her service to the Council.

Aimee Jarman

From humble beginnings in Leisure Services, as a support assistant for parks and gardens, Aimee then joined the Revenues & Benefits department a year later as a benefits officer. Shortly after attaining her IRRV Technical qualification, Aimee became a Senior Benefits Officer and managed a team of benefit officers responsible for front line benefit services.

In the latter part of 2003, Aimee joined the Technical Team within Revenues & Benefits department as a Senior Technical officer, responsible for monitoring and management of the benefit subsidy grant. Placing context on this, Aimee has overseen over £542 million in central government subsidies to date.

Aimee has dedicated her career to providing much needed support for others, the authority and remains a highly valued member of her team and other stakeholders.

The Chair thanked Aimee for her service and all the hard work over these years.

Ros Allwood

NHDC has been extremely fortunate to have Ros Allwood at the helm of North Herts Museum Service and for her service over the last 25 years.

In this time, her ability to develop high level personal contacts with the Lottery Fund and Arts Council, along with her talent for partnership working and creating joint projects with other museums, allowed the team to punch well above their weight as a regional museum service. This has helped the district to benefit from grant funding and donations, which without Ros, would simply not have been possible.

As a leading expert on the artist Ratcliffe, Ros unearthed and acquired long lost works of art, which were now a valued part of North Herts Museum collection. She has also frequently beaten the odds, achieving ambitious fundraising targets at extremely short notice in order to purchase items at auction which might otherwise have been lost from public view forever.

She should be extremely proud of all she has achieved so far in her career and perhaps most notably, her integral role in the creation of the new North Herts Museum. It is safe to say that without Ros' knowledge and expertise, the district would not be benefitting from such a well thought out and beautifully presented museum. The district owes her a huge debt of gratitude for all of her selfless efforts and many late nights spent working at the office to realise this project over many years.

More recently, Ros spearheaded the successful efforts to secure the internationally significant Rembrandt in Print Exhibition, which was seen by over 10,000 visitors and which really set the tone for the standard of exhibitions that our new facility now allows us to bring to the district for display.

When asked for their contributions to this presentation, her team were full of praise for her abilities and leadership, with one individual in her team surmising: 'After 29 years working in Local Government I can honestly say she is the best boss' which tells you all you need to know about the respect and fondness her team have for her as an exemplary NHDC staff member and as an individual.

Her 25 years of service at NHDC have been a huge asset to the organisation and we are very grateful for all of her work.

The Chair proposed and Vice-Chair seconded that:

That the Council place on record its sincere thanks and appreciation to Louise Symes, Aimee Jarman and Ros Allwood for their long and valuable service to Local Government.

Councillor Martin Stears-Handscomb paid tribute to Louise, Aimee and Ros. He stated that they demonstrated what a fantastic team of staff were at NHDC and the great service given to the Council.

Councillor Paul Clark congratulated Louise, Aimee and Ros and thanked them for their dedication and service to the Council. He paid tribute to the officers.

Councillor David Levett congratulated Louise, Aimee and Ros. He stated that they demonstrated the amount of valuable experience that is available to support Members and the Council.

Upon the vote it was:

RESOLVED: That the Council place on record its sincere thanks and appreciation to Louise Symes, Aimee Jarman and Ros Allwood for their long and valuable service to Local Government.

At the invitation of the Chair, Ros Allwood thanked the Council for the kind words and asked all Councillors to visit the District Museum.

(5) 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.

(6) Rules of Debate

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

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

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

In accordance with the Constitution no speech to exceed five minutes without the consent of the Chair

(7) Comfort Break

If the meeting was still in progress at 9pm, a comfort break would be called at an appropriate place.

(8) Order of Business

There were two referrals from Cabinet that included Part 2 reports - 5 b and c. These would be taken at the end of the meeting.

In addition Item 8 would be taken immediately after Item 4.

37 PUBLIC PARTICIPATION

Audio recording – 28 minutes 26 seconds

There were no presentations by members of the public.

38 ITEMS REFERRED FROM OTHER COMMITTEES

5a Item Referred from Cabinet: 21 July 2020 - Risk Management Update

Audio recording – 32 minutes 47 seconds

The Executive Member for Finance and IT presented the referral from Cabinet regarding Risk Management Update.

Councillor Ian Albert proposed, Councillor Martin Stears-Handscomb seconded and it was:

RESOLVED: That the Annual Report on Risk Management be noted.

REASON FOR DECISION: To enable Council to consider recommendations made by Cabinet.

5b Item Referred from Cabinet: 21 July 2020 - Covid-19 Financial Impacts

Audio recording – 3 hours 19 minutes 4 seconds

The Committee, Member and Scrutiny Manager undertook a roll call of Members and Officers to ensure that they could hear and be heard.

This referral was considered following consideration of the Part 2 report of the same name.

The Executive Member for Finance and IT presented the referral from Cabinet regarding Covid-19 Financial Impacts.

Councillor Ian Albert propose, Councillor Martin Stears-Handscomb seconded and it was:

RESOLVED:

- (1) That Council notes the forecast impact of Covid-19 in comparison to available reserves and confirms that these reserves will be used to fund the impact. This means that an emergency budget is not required;
- (2) That Council approves that £350k is added to the Capital Programme for the resurfacing of the top deck of the Lairage Car Park, Hitchin;
- (3) That Council approves an addition to the Investment Strategy that would allow the Council to provide a loan to Hertfordshire Building Control of £65k, if it is required.

REASON FOR DECISION: To ensure that the financial impacts of Covid-19 are recognised and make the necessary changes to allow the Council to manage its budgets.

5c Item Referred from Cabinet: 21 July 2020 - Covid-19 Leisure Contracts Recovery

Audio recording – 3 hours 24 minutes 56 seconds

This referral was considered following consideration of the Part 2 report of the same name

Prior to the item being considered Councillor Claire Strong declared a declarable interest in that she was a member of Archers, Hitchin which was operated by SLL. She advised that she would not take part in the debate or vote.

Prior to the item being considered Councillor Jim McNally declared a declarable interest in that he was a member of North Herts Leisure Centre which was operated by SLL. He advised that he would not take part in the debate or vote.

The Executive Member for Environment and Leisure presented the referral from Cabinet regarding Covid-19 Leisure Contracts Recovery.

The following Member asked questions:

- Councillor Richard Thake.

The Service Director – Legal and Community and the Leader of the Council responded to the questions asked.

Councillor Simon Harwood called for a recorded vote.

Councillor Steve Jarvis proposed, Councillor Martin Stears-Handscomb seconded and following a recorded vote it was:

RESOLVED: To provide financial support to Stevenage Leisure Limited (SLL) on an Open Book basis from 20 March 2020 up to at least 31 March 2021. The support provided would only cover losses relating to the Council's contracts, and will not cover central overheads. SLL would be required to take all reasonable actions to minimise the value of any losses. The actual value of the support required will depend on SLLs income recovery but will be capped at a maximum of £1.8m.

REASON FOR DECISION: To seek approval for the SLL recovery plan and a phased approach toward recovery allowing flexibility through delegation, to ensure business continuity for the leisure contracts and for them to survive beyond the COVID-19 pandemic.

The votes recorded were:

For:

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

Total: 24

Against:

Councillors: George Davies, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Ian Moody, Michael Muir, Mike Rice, Richard Thake and Michael Weeks.

Total: 12

Abstain:

Councillor Sam North.

Total: 1

5d Item Referred from Employment Committee: 25 August 2020 - Returning Officer/Electoral Registration Officer

Audio recording – 37 minutes 37 seconds

Prior to consideration of the item Melanie Stimpson, Democratic Services Manager, left the meeting and was not present for the duration of this item.

The Chair of the Employment Committee, Councillor Martin Stears-Handscomb, presented the referral from the Employment Committee regarding the Returning Officer/Electoral Registration Officer.

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

RESOLVED: That Melanie Stimpson be appointed to the roles of Returning Officer and Electoral Registration Officer.

REASON FOR DECISION: To appoint to the roles of Returning Officer/Electoral Registration Officer.

Melanie Stimpson re-joined the meeting.

5e Item Referred from Cabinet: 15 September 2020 - Council Plan and Objectives 2021-2026

Audio recording – 40 minutes 39 seconds

The Leader of the Council presented the referral from Cabinet regarding the Council Plan and Council Objectives 2021-2026.

He thanked the Policy and Community Engagement Manager and his team for the work they had put into this report.

Councillor Martin Stears-Handscomb proposed, Councillor Paul Clark seconded and it was

RESOLVED: That the following documents be adopted:

- Appendix A – Council Plan 2021 -2026;
- Appendix B – Proposed Actions;
- Appendix C – Achievements (including the Addendum).

REASON FOR DECISION: The Council plan is a key element of the corporate business planning process, as a highlevel strategic document it sets out the Council's priorities for the next year. As an overarching policy framework document, it guides and influences the use of Council resources; providing a focus for activities, plans and services the Council provide. The draft Council plan has reflected the amendment to the first overarching Council Objective.

5f Item Referred from Cabinet: 15 September 2020 - Medium Term Financial Strategy

Audio recording – 43 minutes 56 seconds

The Executive Member for Finance and IT presented the referral from Cabinet regarding the Medium Term Financial Strategy.

Councillor Ian Albert proposed, Councillor Martin Stears-Handscomb seconded and it was:

RESOLVED: That the Medium Term Financial Strategy 2021-26 as attached at Appendix A be adopted.

REASON FOR DECISION: Adoption of a MTFs and communication of its contents will assist in the process of forward planning the use of Council resources and in budget setting for 2021/2022 to 2025/2026, culminating in the setting of the Council Tax precept for 2020/21 in February 2021.

39 APPOINTMENT OF RESERVE INDEPENDENT PERSON (& CONFIRMATION OF EXISTING APPOINTMENTS)

Audio recording – 54 minutes 52 seconds

Councillor Ruth Brown, Vice-Chair of the Standards Committee presented the report entitled Appointment of Reserve Independent Person (& Confirmation of Existing Appointments together with the following appendix:

- Appendix A - Selection Criteria.

The following Members took part in the debate:

- Councillor Sam North;
- Councillor David Levett;
- Councillor Paul Clark;
- Councillor Michael Weeks;
- Councillor Sam Collins;
- Councillor Ruth Brown;
- Councillor Simon Harwood.

Member comments included:

- That the requirement for Independent and Reserve Independent Persons to live in the District should be relaxed in future.

The Service Director – Legal and Community and Monitoring Officer reiterated that if appointment were not confirmed, it would leave the Council with only one untrained person, which would place the Council in a difficult position.

Councillor Ruth Brown proposed the recommendations and Councillor Martin Stears-Handscorn seconded.

Councillor North asked for each recommendation to be voted upon separately.

Councillor David Levett called for recorded votes.

Following discussion it was agreed that one vote would be taken in respect of recommendations 2.1, 2.3 and 2.4, with a second vote being taken regarding recommendation 2.2.

Following recorded votes it was:

RESOLVED:

- (1) That John Richardson be appointed as Reserve Independent Person;
- (2) That the continuing appointment of Nicholas Moss as Independent Person and Peter Chapman Reserve Independent Person be confirmed;

Appointments under (1) and (2) be on the basis of a fixed term of up to 4 years (two-years, with delegation to the Monitoring Officer in consultation with the Chair/ Vice Chair of Standards Committee to extend for a further two years.

- (3) That the appointment of Stephen Bubb as Deputy Reserve Independent Person be ceased.

- (4) That it be delegated to the Monitoring Officer in consultation with the Chair/Vice Chair of Standards Committee the decision (in the event that the current Independent Person decides within term not to continue/ no longer qualifies), to appoint one of the existing Reserve Independent Persons as the Independent Person and/ or to undertake any further recruitment as may be required.

REASON FOR DECISION: To ensure that the Council's Standards processes can operate in accordance with legislative requirements in the event that one or both of the IP and ResIP are unable to advise on a matter. The recommendation on term is one that reflects the Committee on Standards in Public Life's (CSPL) recommendation. This should also allow for a degree of succession planning/ training whilst experienced persons are in place.

The recorded votes were as follows:

Resolutions (1), (3) and (4)

For:

Councillors: Ian Albert, Daniel Allen, Clare Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire. Jean Green, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Richard Thake. Terry Tyler, Tom Tyson and Michael Weeks.

Total: 37

Against:

Total: 0

Abstain:

Councillor Bill Davidson.

Total: 1

Resolution (2)

For:

Councillors: Ian Albert, Daniel Allen, Clare Billing, Ruth Brown, Val Bryant, Paul Clark, Bill Davidson, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire. Jean Green, Gary Grindal, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Michael Muir, Lisa Nash, Sue Ngwala, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Richard Thake. Terry Tyler, Tom Tyson and Michael Weeks.

Total: 36

Against:

Total: 0

Abstain:

Councillors: Sam Collins and Sam North

Total: 2

40 APPOINTMENT OF PARISH/ TOWN REPRESENTATIVES TO STANDARDS COMMITTEE

Audio Recording – 1 hour 20 minutes 14 seconds

Prior to consideration the item Councillor Richard Thake declared a declarable interest in that one on of the potential appointees was a family friend. He advised that he would not take part in the debate or vote, however would remain in the meeting.

Councillor Ruth Brown, Vice-Chair of the Standards Committee, presented the report entitled Appointment of Parish, Town Representatives to Standards Committee together with the following appendices:

- Appendix A - Recommended Appointees;
- Appendix B - Selection Criteria.

Councillor Ruth Brown proposed, Councillor Martins Stears-Handscomb seconded and it was:

RESOLVED: That the co-optee appointment(s) to the Standards Committee (set out in the appendix A be confirmed.

REASON FOR DECISION: The terms of reference for Standards Committee provide for up to four (minimum two) non-voting co-optees from Parish/ Town or Community Councils. There are currently three vacancies.

41 MEMBER AND OFFICER INDEMNITY

Audio recording – 28 minutes 32 seconds

The Executive Member for Finance and IT presented the report entitled Member and Officer Indemnity together with the following appendices:

- Member and Officer Indemnity – Addendum;
- Appendix A - Member and Officer Indemnity (with tracked changes).

Councillor Ian Albert proposed, Councillor Martin Stears-Handscomb seconded and it was:

RESOLVED:

- (1) That amendments to the adopted Officer/ Member Indemnity & Insurance Policy be authorised.
- (2) That the Returning Officer (RO) / Electoral Registration Officer (ERO) be granted an indemnity, under the provisions of the Local Authority (Indemnity for Members and Officers) Order 2004, to cover as far as the law allows, for any uninsured personal liability arising from the appointments.
- (3) That in the case of fines which exceed £100k in relation to the RO/ERO post, which are not insurable, are not subject to referral to Full Council for consideration (except for 7(1) of the Policy).

REASON FOR DECISIONS:

- (1) Under Delegated Decision on 12 October 2017, the Policy approved by Full Council on the 18th day of July 2013 was amended and approved. The Policy needed to be reviewed and amended slightly to reflect current insurance arrangements and the Council's requirements in compliance with the Data Protection Act 2018.

- (2) The Council should have an up to date Policy, in the event of legal action that arises when Officers and Members carry out official Council duties.

42 ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2019/20

NB: A comfort break was taken at 8.54 pm

The meeting resumed at 9.00pm

Audio recording – 1 hour 30 minutes 28 seconds

The Committee Member and Scrutiny Manager undertook a roll call of Members and Officers to ensure they could hear and be heard.

Councillor David Levett, Chair of the Overview and Scrutiny Committee presented the report entitled Annual Report of the Overview and Scrutiny Committee 2019/20 together with the following appendix:

- Appendix A – Annual Report of the Overview and Scrutiny Committee for 2019/20.

Councillor David Levett proposed, Councillor Kate Aspinwall seconded and it was:

RESOLVED: That the Annual Report of the Overview and Scrutiny Committee 2019 - 2020 as attached at Appendix A be noted.

REASON FOR DECISION: To enable Annual Council to consider the report of the Chair of the Overview and Scrutiny Committee regarding the work of that Committee in the 2019/20 Civic Year.

43 QUESTIONS FROM MEMBERS

Audio recording – 1 hour 43 seconds

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

(A) Direct Debit take up for Garden Waste Collection Service

Councillor David Levett to Councillor Elizabeth Dennis-Harburg (Executive Member for Recycling and Waste).

“What percentage of direct debit has been taken up by our residents for garden waste collection this year, now operational?”

The Executive Member for Recycling and Waste responded:

At the moment, because we are not at the official start date of the new subscription period, which is 1 October, the data is still quite fresh and fluctuating quite rapidly. From the data they have been able to access there have been 700 people signed up via direct debit.

The total number of people who have subscribed for the coming year was 17000. At the moment direct debit was quite a small percentage of total sign ups. We are going to do a wider exercise of digging into the data and understanding what our residents want around direct debits or to just click and pay every year as their needs dictate. Now we are in the final week before the new subscription starts we are starting to see an increase in the daily subscriber numbers, especially now we have started running the social media campaigns.

If you check back in a couple of weeks time, I will be able to give a bit more data around percentages and different customer types and which brackets they are fitting in.

Councillor David Levett asked the following supplementary question:

Bearing in mind that the direct debit number is a very small percentage, do you believe that this could be down to the problems for members of the public setting up direct debits with Urbaser, which many of us have had reports of. Also having reports of difficulty making payments and getting through. Also many people seem to have received two bin stickers which is causing some concern. Do you believe that impacts on the way that people are subscribing?

The Executive Member for Recycling and Waste Management responded:

At this point in time it is too early for us to know for certain the reason why we have seen a relatively small number of our customer base opting to go with direct debits, obviously there are going to be a number of different reasons. For example some people want to have a garden waste service, but are on a 6 or 12 month fixed term tenancy, so clearly for them, they might not want to tie themselves into a direct debit.

You referenced some problems with the web site. There was a deliberate soft launch over the summer this year in order to try to avoid the problems that we saw the first year, when the previous administration had this system up and running. Any issues seen have been some technical regulatory things to do with Barclays who are our payment service provider. There were one or two small issues with moving the web site from the previous provider to the new one and getting that all set up to offer the new customer facing portal. As each issue cropped up it was tackled and resolved by the website provider, officers and Urbaser, usually with 24 hours. Anecdotally, I don't think the website is going to be the main barrier. It could have been an issue for some people wanting to sign up for direct debits. This is a piece of work we can do post project completion, when undertaking the lessons learnt exercise, so that we can understand and make things better for subscriptions next year and for any other service that we might shift over to this kind of format.

You referenced the duplicate stickers. This was an issue with Permiserve, the company that provides the stickers. They had a problem with their system and it decided to run duplicates. This has been picked up and they are doing a rectification piece of work. I don't know how many people are affected, but have been told that it is not a large and substantial number. That is completely separate from the direct debit issue.

(B) Council Special Reserve Fund

Councillor Morgan Derbyshire to Councillor Ian Albert (Executive Member for Finance and IT).

“Huge pressures are now being placed on the Councils special reserve fund, could the Executive member advise as to the current situation?”

The Executive Member for Finance and IT responded:

As I said earlier regarding the Medium Term Financial Strategy, the real issue is the Government's failure to deliver on its promise that they would adequately fund local authorities during the pandemic, rather less than the pressure in the special reserve.

The balance on the special reserve at the beginning of the year was £1.175 million. The terms of the use of the reserve are now maintained for any special finance pressures, such as pump priming initiatives for shared services, changes in working practice, major contract renewals, unexpected contract variation, supporting and response to and reducing the impact of major incidents and other financial pressures.

So for this year the following amount are forecast: Full Council have approved the use of the reserve for costs in relation to redundancy, which will provide ongoing revenue savings and further details as in the Part 2 report from the July Council meeting. Following recommendations from the cross party grants panel just under £74,000 of grants have been allocated to community groups to help them to support our residents, this amount will have increased after the meeting yesterday. This has been welcomed by organisations and some of the presentations received from those groups have shown this support has been well received. The current forecast is that we will spend about £150,000 on grant this year, although that will depend on the applications received.

We are funding the Commercial Manager and Commercial Officer posts for this year totalling £100,000, this decision was confirmed by full Council as part of the 2020/21 budget setting process. We are funding a small Transformation team, as agreed at full Council in July and separately there is a full Council decision from 2018. That we would spend up to £130,00 on a valuation process for proposals in relation to Churchgate prior to a final decision, £43,000 has been spent to date on that.

To conclude, the current forecast is that the balance on the reserve at the end of the year will, in fact, be around £700,000. So we will still have about 2/3 of that special reserve still left and the terms of that special reserve are quite broad and in assessing our sustainability in the Medium Term Financial Strategy, as discussed earlier on in the agenda, the balance of this reserve will be considered alongside our general fund balance. The general fund has of course been hit by the impact of Covid-19 and the shortfall in funding from Government. Hope that answer has helped, more than happy to discuss this with you separately if you would like to.

(C) Splash Parks

Councillor Tony Hunter to Councillor Steve Jarvis (Executive Member for Environment and Leisure).

“Bearing in mind the delayed opening of our splash parks this year, could the Executive member advise as to whether any consideration was given to extending the closure date this season?”

The Executive Member for Environment and Leisure responded:

The simple answer is yes, but I probably need to provide you with the background. As you know the splash parks were unable to open in July and when they did open, in order to open them in a satisfactory, Covid secure way, it was necessary to do quite a lot of things that we had not done in previous years, not least that whereas there are usually two members of staff supervising four sites, this year the Baldock site we were unable to open for technical reasons relating to the operation of the equipment, we then had to put two staff on each of the sites that we did open. Those staff were all hire on fixed term contracts and there was various equipment that needed hiring fixed term as well.

Towards the end of the period we considered whether or not there was scope for extending the opening period, but it became apparent that many of the staff that had been hired were either going to or returning to university very shortly after the end of their contract and they were unwilling to extend, so it would have meant recruiting and training new staff for a short extension.

Normally the utilisation of the splash parks drops off quite considerably once schools return. Inevitably, having made the decision, the day after they closed was one of the warmest days for some considerable time, that is one of the vagaries of the English summer.

Having made the decision that we were essentially going to close them on the normal date, it really wasn't practical to extend it at short notice. That is one of those things that is regrettable, but there wasn't a viable alternative.

Councillor Tony Hunter asked the following supplementary question:

I am grateful to the Executive Member for the answer and that it is now in the public domain. I have been asked by a number of local Councillors as to whether any thought had been given to extending the period.

Obviously the weather conditions for the last few years for September and early October have been exceptionally good and I wonder of the Executive Member could review the budget and the opening times for the forthcoming seasons, hopefully with things back to normal in the forthcoming years.

The Executive Member for Environment and Leisure responded:

I think that is a very interesting suggestion. I think you are absolutely right that the weather is frequently better in September than it is in August, or it has been in the last few years. I would be quite interested in investigating that. There is a question as it usually drops off when children go back to school, but that is something I am prepared to look at to see if it is feasible for future years.

44 NOTICE OF MOTIONS

Audio recording – 1 hour 56 minutes 30 seconds

Two motions had been submitted, due notice of which had been given in accordance with Standing Order 4.8.12.

A. Protecting the public's say in the planning process

Councillor Paul Clark proposed the following motion, which was seconded by Councillor Ian Mantle:

That this Council notes:

1. The publication by Government of the White Paper, 'Planning for the Future' on 6 August 2020, which set out proposals on reforms to the planning process for the future.
2. That the vast majority of planning applications are given the go-ahead by local authority planning committees, with permission granted to around 9 out of 10 applications.
3. That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.

This Council is concerned that the proposals seek to:

1. Reduce or remove the right of residents to object to applications near them.
2. Grant automatic rights for developers to build on land identified as 'for growth'.
3. Remove section 106 payments for infrastructure and replace them with a national levy.

This Council further notes:

1. The Royal Institute for British Architects said the proposals were 'shameful and would do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes'. RIBA also said that proposals could lead to the next generation of slum housing.
2. The reforms are opposed by the all-party Local Government Association, currently led by Conservative Councillors.

This Council believes:

1. That existing planning procedures, as currently administered by our own team in North Hertfordshire, allow for local democratic control over future development, and give local people a say in planning proposals that affect them.
2. That proposals for automatic rights to build in 'growth' areas, and increased permitted development rights, risk unregulated growth and unsustainable communities.
3. That local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process.

This Council resolves to:

1. Take part in the consultation in the planning proposals, and to make representations against the proposals as outlined in this motion.
2. Write to and lobby all three of our Members of Parliament, urging them to oppose these proposals and to circulate their replies to members.
3. Highlight its concerns over these proposals with the public and local residents.

The following Councillors took part in the debate:

- Councillor David Levett.

Upon the vote it was:

RESOLVED:

That this Council notes:

1. The publication by Government of the White Paper, 'Planning for the Future' on 6 August 2020, which set out proposals on reforms to the planning process for the future.
2. That the vast majority of planning applications are given the go-ahead by local authority planning committees, with permission granted to around 9 out of 10 applications.
3. That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.

This Council is concerned that the proposals seek to:

1. Reduce or remove the right of residents to object to applications near them.
2. Grant automatic rights for developers to build on land identified as 'for growth'.
3. Remove section 106 payments for infrastructure and replace them with a national levy.

This Council further notes:

1. The Royal Institute for British Architects said the proposals were 'shameful and would do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes'. RIBA also said that proposals could lead to the next generation of slum housing.
2. The reforms are opposed by the all-party Local Government Association, currently led by Conservative Councillors.

This Council believes:

1. That existing planning procedures, as currently administered by our own team in North Hertfordshire, allow for local democratic control over future development, and give local people a say in planning proposals that affect them.
2. That proposals for automatic rights to build in 'growth' areas, and increased permitted development rights, risk unregulated growth and unsustainable communities.
3. That local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process.

This Council resolves to:

1. Take part in the consultation in the planning proposals, and to make representations against the proposals as outlined in this motion.
2. Write to and lobby all three of our Members of Parliament, urging them to oppose these proposals and to circulate their replies to members.
3. Highlight its concerns over these proposals with the public and local residents.”

B. Racial Equality

Councillor Sam Collins proposed the following motion which was seconded by Councillor Helen Oliver:

Council notes with serious concern the death of George Floyd and other black people at the hands of police in America during 2020 and the systemic racism towards black people that continues to exist around the world.

Council also notes the disproportionate impact of Covid-19 on Black, Asian and minority ethnic (BAME) people in the UK and that decisive action needs to be taken to mitigate these risks on sections of our community.

Council also welcomes the progress that has been made in North Herts over a number of years to build community cohesion and strengthen the voice of those who are marginalised, but recognises that there is much more we can and must do.

That Council resolves:

To stand in solidarity with people of ethnic minority backgrounds across the district, Britain and around the world.

To lobby government for immediate action to address the disproportionate impact of Covid-19 on ethnic minority people in the UK including here in Hertfordshire where we will continue to work with our Director of Public Health on this issue.

To lobby government and the county council on racial inequality in education, including recruiting more black and ethnic minority teachers and to lobby national government to reform the curriculum to fully reflect British history including the history of slavery empire and colonialism.

To ensure the Council’s HR and management practices fully meet the requirements for equalities, diversity and inclusion in the recruitment and career progression of all staff.

Furthermore, that mandatory racial awareness and unconscious bias training is provided for staff council staff, especially management, customer facing roles and elected members.

To establish wider dialogue with community organisations to make clear recommendations to the Council and other public bodies of further actions required to tackle discrimination and reduce inequalities across the town.

To work with neighbouring local authorities to deliver all of the above.

The following Members took part in the debate:

- Councillor Helen Oliver;
- Councillor Carol Stanier

Councillor Carol Stanier proposed that the last sentence of the motion be amended to read:

“To work with our Parish and Town Councils and neighbouring local authorities to deliver all of the above.”

Councillor Sam Collins advised that the second to last sentence of the motion should read:

“To establish wider dialogue with community organisations to make clear recommendations to the Council and other public bodies of further actions required to tackle discrimination and reduce inequalities across the District.”

Councillor Sam Collins, the proposer of the motion and Councillor Helen Oliver, the seconder of the motion accepted the proposed amendments to the motion.

Councillor David Levett proposed that the sentence regarding training be amended to read:

“Furthermore, it is a requirement that racial awareness and unconscious bias training is provided for staff council staff, especially management, customer facing roles and elected members.”

Councillor Collins, the proposer, accepted the amendment, Councillor Helen Oliver, the seconder, did not accept the amendment.

Councillor David Levett withdrew his amendment.

The following Members took part in the debate:

- Councillor Daniel Allen;
- Councillor Martin Stears-Handscorn;
- Councillor David Levett;
- Councillor Kate Aspinwall;
- Councillor Sue Ngwala.

Councillor Daniel Allen called for a recorded vote.

Following recorded vote it was:

RESOLVED:

Council notes with serious concern the death of George Floyd and other black people at the hands of police in America during 2020 and the systemic racism towards black people that continues to exist around the world.

Council also notes the disproportionate impact of Covid-19 on Black, Asian and minority ethnic (BAME) people in the UK and that decisive action needs to be taken to mitigate these risks on sections of our community.

Council also welcomes the progress that has been made in North Herts over a number of years to build community cohesion and strengthen the voice of those who are marginalised, but recognises that there is much more we can and must do.

That Council resolves:

To stand in solidarity with people of ethnic minority backgrounds across the district, Britain and around the world.

To lobby government for immediate action to address the disproportionate impact of Covid-19 on ethnic minority people in the UK including here in Hertfordshire where we will continue to work with our Director of Public Health on this issue.

To lobby government and the county council on racial inequality in education, including recruiting more black and ethnic minority teachers and to lobby national government to reform the curriculum to fully reflect British history including the history of slavery empire and colonialism.

To ensure the Council's HR and management practices fully meet the requirements for equalities, diversity and inclusion in the recruitment and career progression of all staff.

Furthermore, that mandatory racial awareness and unconscious bias training is provided for staff council staff, especially management, customer facing roles and elected members.

To establish wider dialogue with community organisations to make clear recommendations to the Council and other public bodies of further actions required to tackle discrimination and reduce inequalities across the District.
To work with our Parish and Town Councils and neighbouring local authorities to deliver all of the above.

The recorded votes were as follows:

For:

Councillors: Ian Albert, Daniel Allen, Kate Aspinwall, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Bill Davidson, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggerio-Cakir, Carol Stanier, Martin Stears-Handscorn, Claire Strong, Richard Thake, Terry Tyler, Tom Tyson and Michael Weeks.

Total: 37

45 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 2 hours 25 minutes 34 seconds

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).

46 ITEM REFERRED FROM CABINET: 21 JULY 2020 - COVID-19 FINANCIAL IMPACTS

This Item was not audio recorded or filmed.

The Committee Member and Scrutiny Manager undertook a roll call of Members and officers to ensure that they could hear and be heard.

NB: The Part 2 report was discussed prior to the Part 1 referral of the same name.

The Executive Member for Finance and IT presented the Part 2 report regarding the referral from Cabinet entitled Covid-19 Financial Impacts.

RESOLVED:

- (1) That Council notes the forecast impact of Covid-19 in comparison to available reserves and confirms that these reserves will be used to fund the impact. This means that an emergency budget is not required;
- (2) That Council approves that £350k is added to the Capital Programme for the resurfacing of the top deck of the Lairage Car Park, Hitchin;
- (3) That Council approves an addition to the Investment Strategy that would allow the Council to provide a loan to Hertfordshire Building Control of £65k, if it is required.

REASON FOR DECISION: To ensure that the financial impacts of Covid-19 are recognised and make the necessary changes to allow the Council to manage its budgets.

47 ITEM REFERRED FROM CABINET: 21 JULY 2020 - LEISURE CONTRACT RECOVERY

NB: The Part 2 report was discussed prior to the Part 1 referral of the same name.

Prior to the item being considered Councillor Claire Strong declared a declarable interest in that she was a member of Archers, Hitchin which was operated by SLL. She advised that she would not take part in the debate or vote.

Prior to the item being considered Councillor Jim McNally declared a declarable interest in that he was a member of North Herts Leisure Centre which was operated by SLL. He advised that he would not take part in the debate or vote.

The Executive Member for Environment and Leisure presented the Part 2 report regarding the referral from Cabinet about Leisure Contract Recovery together with the following document:

- Item Referred from Cabinet - 21 July 2020 - Leisure Contract Recovery - Proposed Amendment to Recommendation.

Councillor Steve Jarvis proposed and Councillor Martin Stears-Handscomb seconded the proposed amended recommendation as detailed in document attached to the report.

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

- Councillor David Levett;
- Councillor Sam Collins;
- Councillor Simon Harwood;
- Councillor Sam North;
- Councillor Martin Stears-Handscomb.

The Executive Member for Environment and Leisure and Service Director Legal and Community answered questions raised by Members.

Following a detailed debate and following a vote it was:

RESOLVED: To provide financial support to Stevenage Leisure Limited (SLL) on an Open Book basis from 20 March 2020 up to at least 31 March 2021. The support provided would only cover losses relating to the Council's contracts, and will not cover central overheads. SLL would be required to take all reasonable actions to minimise the value of any losses. The actual value of the support required will depend on SLLs income recovery but will be capped at a maximum of £1.8m.

REASON FOR DECISION: To seek approval for the SLL recovery plan and a phased approach toward recovery allowing flexibility through delegation, to ensure business continuity for the leisure contracts and for them to survive beyond the COVID-19 pandemic.

The meeting closed at 11.07 pm

Chair

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held as a Virtual Meeting
on Thursday, 8th October, 2020 at 7.30 pm

PRESENT: Councillors: Terry Tyler (Chair), Val Bryant (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, Clare Billing, Judi Billing, Ruth Brown, Paul Clark, Sam Collins, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Ian Moody, Gerald Morris, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Helen Oliver, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Richard Thake and Tom Tyson

IN ATTENDANCE: Suzanne Ormsby QC, Anthony Roche (Managing Director), Ian Fullstone (Service Director - Regulatory), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Isabelle Alajooz (Legal Commercial Team Manager), Nurainatta Katevu (Legal Regulatory Team Manager), Louise Symes (Strategic Infrastructure and Projects Manager), Nigel Smith (Strategic Planning Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and William Edwards (Committee, Member and Scrutiny Officer)

48 WELCOME AND INTRODUCTION

Audio recording – 18 seconds

The Chair welcomed everyone to this virtual Extraordinary 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 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 on the Council's You Tube channel and also recorded via Zoom. If live streaming failed the meeting would adjourn. If the live stream could not be restored within a reasonable period then the remaining business would be considered at a later date.

Please stay in view of the camera at all times.

If for any reason the meeting was not quorate an Officer would notify attendees by interjecting the meeting. The meeting would adjourn immediately. Once the meeting was quorate the meeting would resume. If connection could not be restored within a reasonable period, then the remaining business would be considered at a later date.

If a remote Member lost connection the Chair may adjourn the meeting for a short period to enable connection to be re-established. If the Chair did not adjourn the meeting the Member would be deemed to have left the meeting at the point of failure and be deemed to have returned at the point of re-establishment. Only Members present for the entirety of debate and consideration of an item were entitled to vote.

Noise emitting devices should be muted and the mute button on the tablet or computer should be activated when not speaking.

If a Member wished to speak they should use the raise hand button and microphones would need to be unmuted before speaking.

If a Member had a closure motion, personal explanation or point of order, please interject the meeting and wait for the Chair to invite you to speak.

When requested to vote, voting would be via the Green tick for "Yes", Red Cross for "No" and Blue Raise Hand for "abstain" functions. To enable the votes to be counted, votes should not be cleared until requested to do so .

The Chair of the Council, Councillor Terry Tyler started the meeting proper.

49 APOLOGIES FOR ABSENCE

Audio recording – 9 minutes 59 seconds

Apologies for absence were received from Councillors David Barnard, John Bishop, Bill Davidson, Gary Grindal, Val Shanley, Kay Tart and Michael Weeks.

Councillor David Levett informed Council that sadly Councillor Barnard's wife, Sue, had passed away on 7 October 2020 and expressed condolences on behalf of the Members.

50 CHAIR'S ANNOUNCEMENTS

Audio recording – 11 minutes 27 seconds

(1) Audio Recording

The 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) 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.

The Service Director- Legal and Community reminded Members that she had issued dispensations in respect of interests in property ownership and membership of various bodies in relation to the items on the agenda.

Councillor Muir advised that he had an interest as a Baldock County Councillor. It was expected that 3,300 houses would be built in Baldock on County Council Land, despite the dispensation, he would listen to the debate but would not be voting this evening.

(3) Rules of Debate

Members were reminded that the normal procedure rules in respect of debate and times to speak would apply.

No speeches may be made after the mover had 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 no speech should exceed five minutes without the consent of the Chair

(4) Comfort Break

The Chair advised that a comfort break would be called if the meeting was still in progress at 9pm.

(5) Order of Business

The Chair advised that, to aid discussion the order of business would be amended as follows:

- Items 3 and 4 would be considered together;
- The motion would be introduced, proposed and seconded;
- Then the Part 2 Item would be considered;
- The Part 1 report, motion and amendment would then be considered and debated as one discussion, after the Part 2 item.

51 NORTH HERTFORDSHIRE DISTRICT COUNCIL SUBMISSION LOCAL PLAN

Audio recording – 1 hour 34 minutes 10 seconds

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

The Chair reminded Members to take heed of Counsel advice given in Part 2.

The Strategic Planning Manager presented the Part 1 report entitled North Hertfordshire District Council Submission Local Plan together with the following appendices:

- Appendix A – Examination Document ED191A – NHDC Response to Inspector's letter;
- Appendix B – Examination Document ED191B – NHDC 5-year Housing Supply at 1 April 2020.

He advised that the planned hearings scheduled for October and November had been postponed pending the outcome of this meeting.

In view of the Chair's announcement that the report and motion be considered as a single debate, recommendation 2.1 in the report should be amended to read:

"That the contents of the Part 1 and Part 2 reports be noted"

In respect of recommendation 2.3, he drew attention to Paragraphs 8.15 and 8.16 of the report.

If the motion were carried clarity would need to be given regarding which combination of matters would be requested to be reassessed and on what basis.

Councillor Martin Stears-Handscomb proposed the recommendations in the report, as amended and Councillor Ian Mantle seconded.

NB: Discussion regarding this report and the resolutions regarding the recommendations are recorded in Minute 52.

52 NOTICE OF MOTIONS

Audio recording – 18 minutes 24 seconds

In accordance with the Constitution, Paragraph 4.8.3. a(iv), an extraordinary Council meeting had been called by the following Councillors: Ruth Brown, Paul Clark, Sam Collins, Keith Hoskins, Steve Jarvis, Lisa Nash, Sam North, Sean Prendergast, Carol Stanier and Tom Tyson to consider a motion regarding the Local Plan.

North Herts Local Plan

Councillor Sam Collins introduced the motion

Points of order regarding the length of speeches were raised by:

- Councillor Richard Thake;
- Councillor Ian Albert.

Councillor David Levett raised a point of order in that, in his opinion the motion should not be heard as the Local Plan was a matter identified on the Forward Plan and the motion represented a major modification.

The Service Director=Legal and Community advised that the provision with the Constitution stated that the Proper Officer may, with the consent of the Chair, refuse to accept a motion. Therefore it was a discretionary matter. The Chair had accepted the motion and therefore it could proceed.

Councillor Claire Strong raised a point of order regarding the order of business

Councillor Sam Collins proposed the following motion which was seconded by Councillor Ruth Brown.

“The council notes that the projected housing need for North Hertfordshire has reduced as a result of the latest predictions by the Office for National Statistics.

The council believes that the proposed allocation of housing sites in the Local Plan should be reduced to reflect this reduction in projected need and instructs officers to convey this to the Inspector as soon as possible and carry out any review work requested by the Inspector as a result.”

NB at this point the Part 2 and then Part 1 reports were considered.

Audio recording – 1 hour 42 minutes 52 seconds

NB the presentation of the Part 1 report and it being proposed by Councillor Martin Stears-Handscomb and seconded by Councillor Ian Mantle is detailed in Minute 51.

Councillor Tom Tyson proposed and Councillor Paul Clark seconded that the following amendment to the motion:

That an additional sentence be added to the end of the motion to read:

“The work to be conducted by the officers in consultation with the Executive Member and Deputy Executive Member for Planning and Transport.”

Councillor Sam Collins, Proposer of the motions and Councillor Ruth Brown, seconder of the motion, accepted the amendment in full.

The Service Director – Legal and Community reminded Members that before the vote, Members will need to make clear the scale and scope of modifications.

The following Members took part in the debate:

- Councillor Steve Jarvis;
- Councillor Richard Thake;
- Councillor Claire Strong;
- Councillor Martin Stears-Handscorn;
- Councillor Carol Stanier;
- Councillor David Levett;
- Councillor Elizabeth Dennis-Harburg;
- Councillor George Davies;
- Councillor Gerald Morris;
- Councillor Sean Prendergast;
- Councillor Ian Mantle;
- Councillor Tony Hunter;
- Councillor Helen Oliver;
- Councillor Simon Harwood;
- Councillor Ruth Brown;
- Councillor Mike Hughson;
- Councillor Ian Albert;
- Councillor Sam North;
- Councillor Morgan Derbyshire;
- Councillor Daniel Allen;
- Councillor Sam Collins.

RESOLVED:

- (1) That the contents of this report be noted;
- (2) That the Council's current position on the matters of objectively assessed housing need and housing supply as submitted to the Examination in August 2020 and attached as Appendices A & B respectively, be noted;
- (3) That, should Members be minded to approve the substantive motion, officers are advised of the broad scope and scale of the modification(s) being sought and the planning justification(s) for these to forward to the Inspector.

REASONS FOR DECISIONS:

- (1) To ensure Members are in possession of relevant facts in advance of debate on the substantive motion;

- (2) To date, the Examination of the emerging North Hertfordshire Local Plan 2011-2031 ('Local Plan') has been conducted in accordance with the resolutions of Full Council of 11 April 2017. Any departure from, amendment to or replacement of those resolutions requires the consent of Full Council through a new decision;
- (3) This report has been written to address the matters raised in the substantive motion only (i.e. the housing need for North Hertfordshire and the proposed allocation of housing sites in the Local Plan to address this). This report does not address any other matters in the Plan and under consideration at the Examination. This includes, but is not necessarily limited to, the settlement hierarchy, employment, retail, Gypsy & Traveller accommodation, unmet development needs from other authorities, transport, environmental matters, heritage or detailed policy criteria;
- (4) Any amendments to the motion which broaden or alter its scope to cover such matters (or any other relevant matters) could raise new implications which are not covered by this report;
- (5) Should the substantive motion be approved, officers will need to appraise the Inspector of the broad scope and scale of the modifications proposed, as well as the planning reasons, to enable the Inspector to come to a decision with regard the next steps for the Examination.

Councillor Carol Stanier had previously asked for a recorded vote on the Motion, as amended.

Upon the vote the motion, as amended was lost with the votes recorded as follows:

For:

Councillors: Daniel Allen, Ruth Brown, Paul Clark, Sam Collins, Keith Hoskins, Steve Jarvis, Ian Moody, Gerald Morris, Lisa Nash, Sam North, Sean Prendergast, Carol Stanier, Terry Tyler and Tom Tyson.

Total: 14

Against:

Councillors: Ian Albert, Kate Aspinwall, Claire Billing, Judi Billing, Val Bryant, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Mike Hughson, David Levett, Ian Mantle, Sue Ngwala, Mike Rice, Adem Ruggiero-Cakir, Martin Stears-Handscorn and Richard Thake.

Total: 19

Abstain:

Councillors: George Davies, Tony Hunter, Jim McNally, Michael Muir, Helen Oliver and Claire Strong

Total: 6

53 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 33 minutes 15 seconds

Councillor Terry Tyler proposed, Councillor Val Bryant seconded that the press and public be excluded.

Councillor Richard Thake raised a concern that discussions would be held in Part 2. Although acknowledged that he had been advised that these discussions could result in the Council being places in special measures.

Upon the vote it was:

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 5 of Part 1 of Schedule 12A of the said Act (as amended).

54 NORTH HERTFORDSHIRE DISTRICT SUBMISSION LOCAL PLAN

There is no audio recording of this Part 2 Item

NB: This item was considered following the motion being introduced, proposed and seconded, but before the debate on the Part 1 report and the motion

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

The Strategic Planning Manager presented the Part 2 report entitled North Hertfordshire District Council Submission Local Plan together with the following appendices:

Appendix A – Local Plan Advice;
Appendix B - NHDC Local Plan Advice.

A number of points of order were raised.

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

- Councillor Claire Strong;
- Councillor Val Bryant;
- Councillor Martin Stears-Handscorn;
- Councillor Steve Jarvis;
- Councillor Simon Harwood
- Councillor Sam Collins;
- Councillor Helen Oliver;
- Councillor Sue Ngwala;
- Councillor Daniel Allen;
- Councillor Kate Aspinwall;
- Councillor Tom Tyson;
- Councillor Richard Thake;
- Councillor David Levett;
- Councillor Adem Ruggiero-Cakir
- Councillor Elizabeth Dennis-Harburg;
- Councillor Ian Albert
- Councillor Terry Tyler.

In response to questions Suzanne Ormsby QC gave advice to Members.

Councillor Martin Stears-Handscorn proposed, Councillor Ian Mantle seconded and it was:

RESOLVED: That Counsels' advice, attached as Appendices A and B, be noted ahead of debate on the substantive motion.

REASON FOR DECISION: To ensure Members have the relevant external legal advice from the Council's retained Counsel for the Local Plan in advance of debate on the substantive motion.

NB: The Council took a comfort break at 20.58.

The meeting resumed at 21.04.

At this point the meeting returned to Part 1.

The meeting closed at 10.41 pm

Chair

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

**Meeting of the Council held as a Virtual Meeting
on Thursday, 12th November, 2020 at 7.30 pm**

PRESENT: Councillors: Terry Tyler (Chair), Val Bryant (Vice-Chair), Ian Albert, Kate Aspinwall, Clare Billing, Judi Billing, John Bishop, Ruth Brown, Paul Clark, Sam Collins, Bill Davidson, George Davies, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Jim McNally, Gerald Morris, Michael Muir, Lisa Nash, Sue Ngwala, Sam North, Sean Prendergast, Mike Rice, Adem Ruggiero-Cakir, Val Shanley, Carol Stanier, Martin Stears-Handscomb, Claire Strong, Richard Thake, Tom Tyson and Michael Weeks

IN ATTENDANCE: Ian Fullstone (Service Director - Regulatory), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Steve Cobb (Licensing Manager), Melanie Stimpson (Democratic Services Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and William Edwards (Committee, Member and Scrutiny Officer)

55 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

Audio Recording – 1 second

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 Chair of the Council, Councillor Terry Tyler started the meeting proper.

56 APOLOGIES FOR ABSENCE

Audio recording – 4 minutes 16 seconds

Apologies for absence were received from Councillors Daniel Allen, David Barnard, Faye Frost, Gary Grindal, Ian Moody, Helen Oliver and Kay Tart.

57 NOTIFICATION OF OTHER BUSINESS

Audio recording – 4 minutes 41 seconds

There was no other business notified.

58 CHAIR'S ANNOUNCEMENTS

Audio recording – 4 minute 48 seconds

(1) Carl Holland

It was with great sadness that the Chair announced that Carl Holland sadly passed away on 15th September 2020 after a relatively short illness. He was employed by NHDC as an Assistive Technologies Officer for the Careline team and had worked there since 1st August 2017. Carl was an incredibly happy and popular member of the team who is survived by his wife Samantha and two young daughters.

A minutes silence was held in Carl's memory.

(2) Audio Recording

The 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.

(3) Climate Emergency

The Chair advised that, since the council declared a climate emergency, he felt that it was important to continue to demonstrate the progress and commitment that the Council had made to this. Therefore all future agendas would have the following wording included:

"The Council has declared a climate emergency and is committed to achieving a target of zero carbon emissions by 2030 and helping local people and businesses to reduce their own carbon emissions.

A Cabinet Panel on the Environment has been established to engage with local people on matters relating to the climate emergency and advise the council on how to achieve these climate change objectives. A Climate Change Implementation group of councillors and council officers meets regularly to produce plans and monitor progress. Actions taken or currently underway include switching to green energy, incentives for low emission taxis, expanding tree planting and working to cut food waste.

In addition the council is a member of the Hertfordshire Climate Change and Sustainability Partnership, working with other councils across Hertfordshire to reduce the county's carbon emissions and climate impact.

The Council's dedicated webpage on Climate Change includes details of the council's climate change strategy, the work of the Cabinet Panel on the Environment and a monthly briefing on progress.

(4) Gill Hills – 25 years service

Gill worked as a Parking attendant for 25 years and since reaching this milestone had retired.

Gill would always be known as the Matron of the team with the kindness, support and friendship she had shown to everyone, her professional attitude and leading by example

She had a 'no fear' attitude towards her role and didn't suffer fools gladly.

So friendly and helpful to all members of the public, although did manage to sustain an injury to her foot (twice) after it was driven over by a member of public, that was how much determination she demonstrated to her role.

Gill featured on the front page of the Comet in January 2005 as a result of the Traffic Management Act and up to her retirement she maintained that pride.

Gill was a perfect Ambassador for Parking Services and NHDC who would be difficult to replace.

During the 25 years she served with NHDC she gained many friends in every department, saw many people come and go, and experienced many changes but every day she came to work with the same sunny nature taking all changes onboard every time.

She would be incredibly missed and we wish her well in her retirement.

Councillor Martin Stears-Handscorn, Leader of the Council, paid tribute to the service given by Gill and wished her well in her retirement.

Councillor Terry Tyler proposed, Councillor Val Bryant seconded and it was:

RESOLVED: That the Council place on record its sincere thanks and appreciation to Gill Hills for her long and valuable service to Local Government"

(5) 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.

(6) Rules of Debate

Members were reminded that the normal procedure rules in respect of debate and times to speak would apply.

(7) Comfort Break

The Chair announced that, if the meeting was still in progress at 9pm, he would call a comfort break at an appropriate place.

59 PUBLIC PARTICIPATION

Audio recording – 13 minutes 10 seconds

There were no presentations by members of the public.

60 ITEMS REFERRED FROM OTHER COMMITTEES

a Item Referred from Cabinet: 22 October 2020 - Hertfordshire Growth Board - Proposed Joint Committees

Audio recording – 13 minutes 18 seconds

Councillor Martin Stears-Handscomb, Leader of the Council, presented the referral from Cabinet regarding Hertfordshire Growth Board - Proposed Joint Committees.

In respect of the recommendations he proposed that recommendation 3 be amended to read:

“To agree the Council’s nominated representatives on the Growth Board as Councillor Martin Stears-Handscomb (as Leader of the Council), Deputy Councillor Paul Clark (as Deputy Leader of the Council) or in their absence another Executive member and Scrutiny Committee as Councillor David Levett (as Chair of the Overview and Scrutiny Committee), Deputy Councillor Kate Aspinwall (as Vice-Chair of the Overview and Scrutiny Committee) or in their absence another member of the Overview and Scrutiny Committee.”

Councillor Simon Harwood proposed that, in order to ensure the decision was future proofed, recommendation 3 also be amended to remove named Members so that it read:

“To agree the Council’s nominated representatives on the Growth Board as the Leader of the Council, Deputy as Deputy Leader of the Council, or in their absence another Executive member and Scrutiny Committee as Chair of the Overview and Scrutiny Committee, Deputy as Vice-Chair of the Overview and Scrutiny Committee or in their absence another member of the Overview and Scrutiny Committee.”

The Leader of the Council accepted the proposed amendment.

The following Member took part in the debate:

- Councillor David Levett;
- Councillor Claire Strong;
- Councillor Martin Stears-Handscomb.

Following discussion regarding Members who had either been out of view of their camera or had switched their camera off, the Chair advised that Councillors John Bishop and Michael Weeks would not be taking part in the vote.

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

RESOLVED:

- (1) To confirm the establishment of the Growth Board and Growth Board Scrutiny Joint Committees (to hold their inaugural meetings in January/February 2021 and then HGB Scrutiny aligned to confirmation of securing Government funding in 2021);
- (2) To adopt the Growth Board Integrated Governance Framework into the Councils own constitutional framework;

- (3) To agree the Council's nominated representatives on the Growth Board as the Leader of the Council, Deputy as Deputy Leader of the Council, or in their absence another Executive member and Scrutiny Committee as Chair of the Overview and Scrutiny Committee, Deputy as Vice-Chair of the Overview and Scrutiny Committee or in their absence another member of the Overview and Scrutiny Committee.

REASON FOR DECISIONS: To provide longer term joint place leadership.

b Item Referred from Licensing and Appeals Committee - 26 October 2020 - Adoption of a Statement of Licensing Policy Required by Virtue of Section 5 of the Licensing Act 2003

Audio recording – 25 minutes 37 seconds

Councillor Lisa Nash, Chair of the Licensing and Appeals Committee, presented the referral regarding Adoption of a Statement of Licensing Policy Required by Virtue of Section 5 of the Licensing Act 2003

Councillor Lisa Nash proposed, Councillor Paul Clark seconded and it was:

RESOLVED: That the Statement of Licensing Policy be adopted.

REASONS FOR DECISIONS:

- (1) Licensing authorities are required to publish a policy every five years by virtue of section 5 of the Licensing Act 2003 ("the Act").
- (2) A new policy must be published by 7 January 2021 to comply with this statutory requirement.
- (3) The proposed policy builds on the success of the previous and existing versions of the policy, whilst reflecting legislative changes and the Council's priorities.
- (4) Responses to the public consultation were limited and raised no significant opposition to any of the proposals.

61 RESOLUTION TO EXTEND THE 6 MONTH RULE - SECTION 85 LOCAL GOVERNMENT ACT 1972

Audio recording – 29 minutes 42 seconds

The Leader of the Council presented the report entitled Resolution to extend the 6 month rule – Section 85 Local Government Act 1972

He advised that recommendation 2.2 was being withdrawn as there were sufficient meetings of Council to consider any future requirement to extend the 6 month rule.

The following Member took part in the debate:

- Councillor Richard Thake.

Councillor Martin Stears-Handscorn proposed, Councillor Paul Clark seconded and it was:

RESOLVED: That Council approves an extension of the six-month rule for Councillor Kay Tart, on ill health grounds, for an additional six-month period, until 9 July 2021.

REASONS FOR DECISION:

- (1) Section 85 of the Local Government Act 1972 states that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority'. Whilst the Local Government Association has been lobbying for this to be dealt with (potentially under the Coronavirus Bill 2020), this has so far not been included.
- (2) To enable Cllr Tart to continue to serve as a District Councillor.

62 USE OF URGENCY IN RELATION TO CALL-IN FOR DECISION ON BUSINESS RATE POOLING

Audio recording – 33 minutes 22 seconds

The Service Director – Resources presented the report entitled Use of Urgency in Relation to Call-In for Decision on Business Rate Pooling.

Councillor Ian Albert proposed, Councillor Sam Collins seconded and it was:

RESOLVED: That the use of urgency provisions in relation to the Business Rate Pooling decision made by Cabinet on 22 October 2020 be noted.

REASON FOR DECISION: To ensure that Council is informed of the use of urgency provisions.

63 QUESTIONS FROM MEMBERS

Audio recording – 37 minutes 1 second

In accordance with Standing Order 4.8.11(b), the following question was submitted by Members by the deadline date for questions set out in the Council's Constitution.

(A) Policy regarding the Local Plan

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

"Following the correspondence between members of the administration in the local press, would the Leader of the Council please advise the Council as to what exactly is the coalition's policy regarding the Local Plan?"

Councillor Martin Stears-Handscorn, Leader of the Council, provided the following response:

"Our two groups do not describe our working relationship as a coalition. We have not coalesced. We remain two separate party groups on the Council.

What we have is a Joint Administration with an agreed programme, which is outlined in the Council Plan, which I must say has a measure of agreement by all parties on this Council as evidenced by the all member workshop which supported its development.

With regard to the local plan, this was of course put together and submitted for inspection under the previous administration. Successive governments have weakened the planning system and we live with the consequences. The latest white paper potentially damages it even further and we are strongly advised that we need an adopted local plan as at least some form of protection.

Our two groups have a common objective, which is to achieve the adoption of the local plan. It includes policies which among other things will ensure that better environmental standards are applied to all our housing and that a higher percentage of affordable housing can be achieved.

To refer to my letter to the Comet: Both our Groups have a common desire to ensure that only the new building that is necessary to meet housing needs is built in North Herts.

At the same time, we also intend to keep the promise in our joint administration's Council Plan to enable good quality and affordable housing. Unfortunately, the Comet editor changed the reference to "Council Plan" in my letter at this point to "local plan", but the import is the same.

Adopting the local plan has been a long drawn out process, which many councillors on the Council now, have had no influence, as the plan was submitted for examination more than three years ago.

The motion discussed at the last council meeting was moved and seconded by two of those councillors, who put forward one way to achieve our joint objective.

That approach was tested at the recent council meeting and a majority of councillors did not support that approach.

Following that decision, my colleague Cllr Paul Clark, Executive Member for Planning and Transport, taking advice from the all-party Local Plan Project Board, is continuing to respond to the questions from the Inspector to ensure that a plan can be adopted at the earliest opportunity. The Council has already made a commitment to an all-plan review at a very early date following the plan's adoption. This is consistent with Cllr Clark's response to the Comet following the extraordinary Council meeting.

I trust that clarifies the administration's united approach."

Councillor Morgan Derbyshire asked the following supplementary question:

"Green belt development is a controversial part of this Plan. What is your view and is it aligned with the Portfolio Holder?"

Councillor Martin Stears-Handscorn responded:

"I have been a long standing advocate of the Green Belt and of course the whole issue of planning and green belts etc. Letchworth had a great part in that as did the post war Labour Government.

We need to remember that the Green Belt Policy is not something that is absolutely sacrosanct in terms of the green belt area. It is a policy to ensure that any development that is progressed avoids coalition or coalescence of settlements and ensures that the best possible development is carried out within those areas where we have green belt. We rely on the metropolitan green belt.

That I know is something dear to Councillor Clark as executive Member and Councillor Ian Mantle as Deputy. It is something we are working towards, ensuring that going forward.

We already, earlier this evening, agreed to work with the Growth Board to ensure that going forward we have a much more joined up approach to working and developing going forward.

I know all of us in this Council have the same view that our green belt is very important and maintaining that policy is very important, so I would argue that we have a united view on how we develop and continue that green belt policy going forward.”

Councillor North raised a point of order that in a previous meeting the Deputy Executive Member had been given the opportunity to respond to a question posed to the Executive Member and asked the Chair to give the Deputy Executive Member the opportunity to respond.

Councillor Stears-Handscomb advised that Standing Orders were very clear and that Councillor Clark had been given sight of the response given.

The Chair stated that the Standing Orders would stand.

64 NOTICE OF MOTIONS

Audio recording – 44 minutes 11 seconds

No motions had been submitted.

The meeting closed at 8.16 pm

Chair

Agenda Item 9

Referrals from Other Committees

- 9a Referral from Cabinet: 15 December 2020 – IT Capital – Purchasing of Laptops
- 9b Referral from Cabinet: 15 December 2020 – Investment Strategy (Capital and Treasury)
Mid-Year Review 2020/21
- 9c Referral from Cabinet: 15 December 2020 – Covid-19 Leisure Contracts Recovery

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9a REFERRAL FROM CABINET: 15 DECEMBER 2020 – IT CAPITAL – PURCHASE OF LAPTOPS

RECOMMENDED TO COUNCIL:

- (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.

The Executive Member for Finance and IT presented the report entitled IT Capital – Purchasing of Laptops.

He advised that recommendation 2.1 in the report should be amended to read:

“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.”

The Executive Member for Finance and IT advised Members that:

- The content of this report would be included in the budget papers due to be considered by Council in February 2021;
- The reasons for bringing this paper ahead of the budget is:
 - That if approval is granted, the IT team can progress the purchase, build and distribution of laptops to staff in this financial year;

- The issue of laptops would meet the requirements of staff, as identified in the staff survey, to enable them to undertake remote working and participation in remote meetings more effectively;
- The move to laptops would enable staff to have one core device for use remotely and in the office which would have the added benefit of savings on licence fees.

The following Member took part in the debate:

- Councillor Judi Billing.

Councillor Ian Albert proposed, Councillor Martin Stears-Handscomb seconded and it was:

RECOMMENDED TO COUNCIL:

- (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.

NB: The report considered by Cabinet at the meeting held on 15 December 2020 can be viewed at Minute 71 here:

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=133&MId=2404&Ver=4>

9b REFERRAL FROM CABINET: 15 DECEMBER 2020 – INVESTMENT STRATEGY (CAPITAL AND TREASURY) MID-YEAR REVIEW 2020/21

RECOMMENDED TO COUNCIL:

- (1) That the position of Treasury Management activity as at the end of September 2020 be noted.

REASONS FOR DECISIONS:

- (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.

The Chair referred Members to the referral from the Finance, Audit and Risk Committee, which supported the recommendations contained in the report.

The Executive Member for Finance and IT presented the report entitled Investment Strategy (Capital and Treasury) Mid-Year Review 2020/21 together with the following appendices:

- Appendix A - Capital Programme Detail including Funding 2020/21 Onwards;
- Appendix B - Treasury Management Update.

He informed Members that:

- Paragraph 8.4, Table 2 listed the schemes in the 2020/21 Capital Programme that would start or continue in 2021/22:
- As part of the spending review, there had been an announcement relating to borrowing from the Public Works Loan Board which was the 'go-to' place for borrowing for Local Authorities;
- Rates had decreased on that borrowing although conditions had been imposed that stated that the Council were not able to borrow from the Public Works Loan Board if spending was primarily to generate income;
- Interest rates on investments had declined;
- A review was being undertaken to consider how to maximise return on investments.

Councillor Ian Albert proposed, Councillor Martin Stears-Handscomb seconded and it was:

RESOLVED:

- (1) That the forecast expenditure of £3.937million in 2020/21 on the capital programme, paragraph 8.3 refers be noted:
- (2) That the adjustments to the capital programme for 2020/21 onwards as a result of the revised timetable of schemes detailed in table 2, increasing the estimated spend in 2021/22 by £7.022million be approved;

- (3) That the position of the availability of capital resources, as detailed in table 3 paragraph 8.6 and the requirement to keep the capital programme under review for affordability be noted.

RECOMMENDED TO COUNCIL:

- (1) That the position of Treasury Management activity as at the end of September 2020 be noted.

REASONS FOR DECISIONS:

- (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.

NB: The report considered by Cabinet at the meeting held on 15 December 2020 can be viewed at Minute 74 here:

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CIId=133&MIId=2404&Ver=4>

9c REFERRAL FROM CABINET: 15 DECEMBER 2020 – COVID-19 LEISURE CONTRACTS RECOVERY

NB: To be considered with Items 13 and 15

RECOMMENDED TO COUNCIL: That the recommendations contained in Part 2 report be agreed.

REASON FOR DECISION: As detailed in the Part 2 report.

Part 1

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

The Executive Member for Leisure and Environment presented the report entitled Covid-19 Leisure Contracts Recovery

Councillor Steve Jarvis proposed, Councillor Martin Stears-Handscomb seconded and it was:

RECOMMENDED TO COUNCIL: That the recommendations contained in Part 2 report be agreed.

REASON FOR DECISION: As detailed in the Part 2 report.

Part 2

The Executive Member for Leisure and Environment presented the report entitled Covid-19 Leisure Contracts Recovery.

Councillor Ian Albert commented on the report and recommendations.

Queries raised were responded to by:

- The Service Director – Legal and Community;
- The Service Director – Resources;
- The Managing Director.

Councillor Steve Jarvis proposed, Councillor Ian Albert seconded and it was:

RECOMMENDED TO COUNCIL: That the recommendations contained in the Part 2 report be agreed.

REASON FOR DECISION: As detailed in the Part 2 report.

NB: The reports considered by Cabinet at the meeting held on 15 December 2020 can be viewed at Minutes 76 and 79 here:

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=146&MIId=2455&Ver=4>

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**COUNCIL
21 JANUARY 2021**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: COUNCIL TAX REDUCTION SCHEME 2021/2022

REPORT OF THE SERVICE DIRECTOR – CUSTOMERS

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR FINANCE & IT

COUNCIL PRIORITY: BE A MORE WELCOMING, INCLUSIVE & EFFICIENT COUNCIL

1. EXECUTIVE SUMMARY

- 1.1 To approve the Council Tax Reduction Scheme (CTRS) for North Hertfordshire for 2021/2022.

2. RECOMMENDATIONS

- 2.1 That Council notes the CTRS position relating to this and previous financial years.
- 2.2 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.
- 2.3 That Council confirm that the amounts continue to be distributed to Parish, Town & Community Councils in 2021/22.
- 2.4 That no changes to the CTRS be made for 2021/2022.

3. REASONS FOR RECOMMENDATIONS

- 3.1 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-9 pandemic.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The purpose of this report is to consider whether the Scheme as it stands meets the needs of providing support where required and is affordable. Other options can be considered as part of this process.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 For reasons which will be explained in the report, no changes are recommended to the Scheme for 2021/2022. Any changes would be the subject of consultation with Hertfordshire County Council, the Police & Crime Commissioner for Hertfordshire and the public. As no changes are being recommended, this consultation was carried out with a light touch approach by simply asking for comments if any consultee does not agree. No comments were received from Hertfordshire County Council, the Police & Crime Commissioner for Hertfordshire or the public.

6. FORWARD PLAN

6.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on the 26 June 2020.

7. BACKGROUND

7.1 At the Meeting of Cabinet on 15 September 2020, Cabinet resolved:

- a) That the CTRS position relating to this and previous financial years be noted;
- b) That that a full review of the CTRS has commenced and been postponed due to the consequences on the Scheme of the COVID-19 pandemic be noted;
- c) That the decision as to whether to continue with the amount to be distributed to Parish, Town & Community Councils and if so whether this should be maintained at £38,885 be delegated to the Service Director – Customers and the Service Director – Resources in consultation with the Executive Member for Finance & IT, taking into account the financial settlement for 2021/2022;
- d) That no changes to the CTRS be made for 2021/2022.

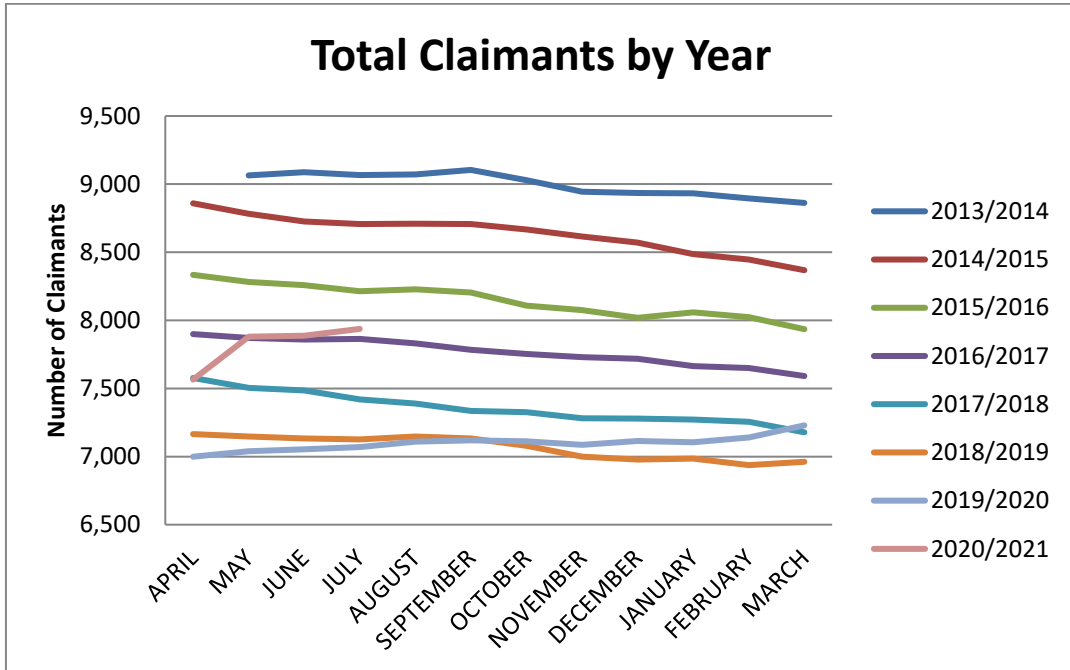
7.2 Council Tax Benefit was abolished on 1 April 2013 and was replaced by locally defined Council Tax Reduction Schemes. 2021/2022 is the ninth year of the Scheme, which is now fully embedded.

7.3 The Council's Scheme is based on the old Council Tax Benefit Scheme and is therefore means-tested with a standard percentage reduction being made to the final award. This reduction was 33.13% for the first two years of the Scheme and has been reduced to 25% for the subsequent six years. A lower reduction means that the claimant will receive more benefit and therefore pay less Council Tax.

7.4 The Scheme has been generally accepted within North Hertfordshire. The Council has received very little feedback on the Scheme and collection rates have been fairly well maintained considering the recent period of austerity and the effects of the COVID-19 pandemic.

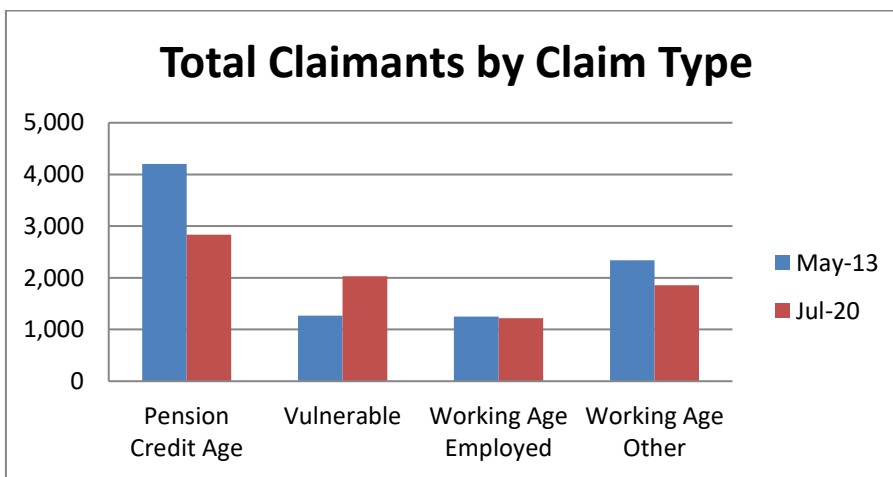
- 7.5 The Scheme had continued to cost less than originally anticipated due in the main to the reduction in the number of claimants. This had been a steady year-on-year reduction until the early part of 2018/2019, when the claimant numbers plateaued out and then fell slightly. The numbers rose steadily during 2019/2020 with a sharp rise in March 2020 followed by a significant increase in claims so far in 2020/2021 due to the COVID-19 pandemic. The steady reduction in numbers meant that the Scheme costs did not escalate even though Council Tax levels increased. With claimant numbers now increasing significantly, and the tendency for all Major Preceptors to apply the maximum increase in Council Tax without triggering a local referendum, the value of awards is increasing. Further, maximum expected increases in Council Tax for 2021/2022, eliminates any scope available to make the Scheme more generous.
- 7.6 Chart 1 below shows how claimant numbers have steadily reduced since the Scheme was introduced, until 2019/2020.

Chart 1



7.7 Chart 2 below shows the difference in number of claimants by claimant type from May 2013 (the earliest data we have) to July 2020. Members will see there has been a significant reduction in the number of Pension Credit Age claimants with 1,372 less or 32.6%. The number of Working Age claimants not working is 484 less or 20.7% and this gap has reduced significantly in the last year when the totals were 1,220 less or 52.1%. The number of Working Age claimants in work has remained fairly constant with 31 less or 2.5%, however the number of Vulnerable claimants, i.e. those in receipt of a Disability Premium has increased significantly with 759 more or 59.7%.

Chart 2



8. RELEVANT CONSIDERATIONS

Changes to Housing Benefit and should these be reflected in the CTRS?

- 8.1 In previous years, Cabinet has considered whether any changes to the Housing Benefit Regulations should be reflected within the Council's CTRS Scheme.
- 8.2 Where it has been recommended to make any changes to the Scheme, these have to be the subject of public consultation before a final recommendation is made to the Council for adoption or not into the Scheme.
- 8.3 There have been no changes to the Housing Benefit Regulations, which require adoption within the Council's CTRS for 2021/2022.

Other Considerations

- 8.4 In response to the COVID-19 pandemic, the Government announced a Council Tax Hardship Scheme which provided up to an additional £150 for every working age CTRS claimant during 2020/2021.
- 8.5 This Scheme is for one year only and is funded from a Section 31 Grant payable by the Government and does not form part of the Council's CTRS.
- 8.6 At its meeting on 17 December 2019, Cabinet resolved "*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 2020 for implementation in 2021/2022*".
- 8.7 Work commenced on this review in the autumn of 2019 and good progress was being made.
- 8.8 The intention of the review is to make the Scheme as simple as possible and to retain its fairness and financial viability.
- 8.9 One of the consequences of the COVID-19 pandemic is that it has made financial modelling of any changes to the Scheme impossible because the present very high number of claimants and high cost of the Scheme has distorted the data beyond reasonable use under "normal" circumstances.
- 8.10 It has therefore been agreed with the Executive and Deputy Executive Members for Finance & IT that the review should be delayed until more normal circumstances return.

Amount to be distributed to Parish, Town & Community Councils

- 8.11 When CTRS was introduced in 2013, the Government provided funding to each Billing Authority to compensate for the reduction in their Tax Bases as CTRS was to be treated as a Discount and was no longer reimbursed on a pound for pound basis through subsidy arrangements. Each Billing Authority was also given a sum of money to distribute amongst its Parish, Town & Community Councils to compensate for their reduction in the Tax Base. For the first year of the CTRS (2013/2014) this amount was £90,850.

- 8.12 This funding is no longer separately identifiable within the Council's financial settlement from the Government and the principle has now been adopted each year that the amount of money distributed by the Council will reduce in line with its own reduction in Government support.
- 8.13 By 2017/2018, this amount had reduced to £38,885 and it has remained at that level since then, as the Council no longer receives any Revenue Support Grant (RSG).
- 8.14 2019/2020 was the final year of a four-year settlement, which was announced in February 2016 and allowed Councils to be able to forward plan for those four years. The four-year settlement confirmed that this Council would not receive any RSG from 2018/2019 and also announced an additional tariff on Business Rates (known as negative RSG) for 2019/2020, which would have further reduced Council funding by around £1M.
- 8.15 The Government reviewed the position regarding the negative RSG and this was not imposed in 2019/2020 or 2020/2021 and consequently, the Council confirmed that the amount to be distributed to Parish, Town & Community Councils should remain at £38,885.
- 8.16 The provisional Local Government settlement details that negative RSG will continue to not be applied in 2021/22. It is very unlikely that this would change with the final settlement.
- 8.17 The Council could decide to remove this Grant; however, Members should be aware that the Government has strongly suggested that they would not expect Councils to do so.
- 8.18 It is therefore recommended that Council confirm that the amounts continue to be distributed to Parish, Town & Community Councils in 2021/22. There are administrative benefits in being able to communicate to Parishes what they will receive as a CTRS payment at this stage, so they can calculate how much they need to raise through their precept.

9. LEGAL IMPLICATIONS

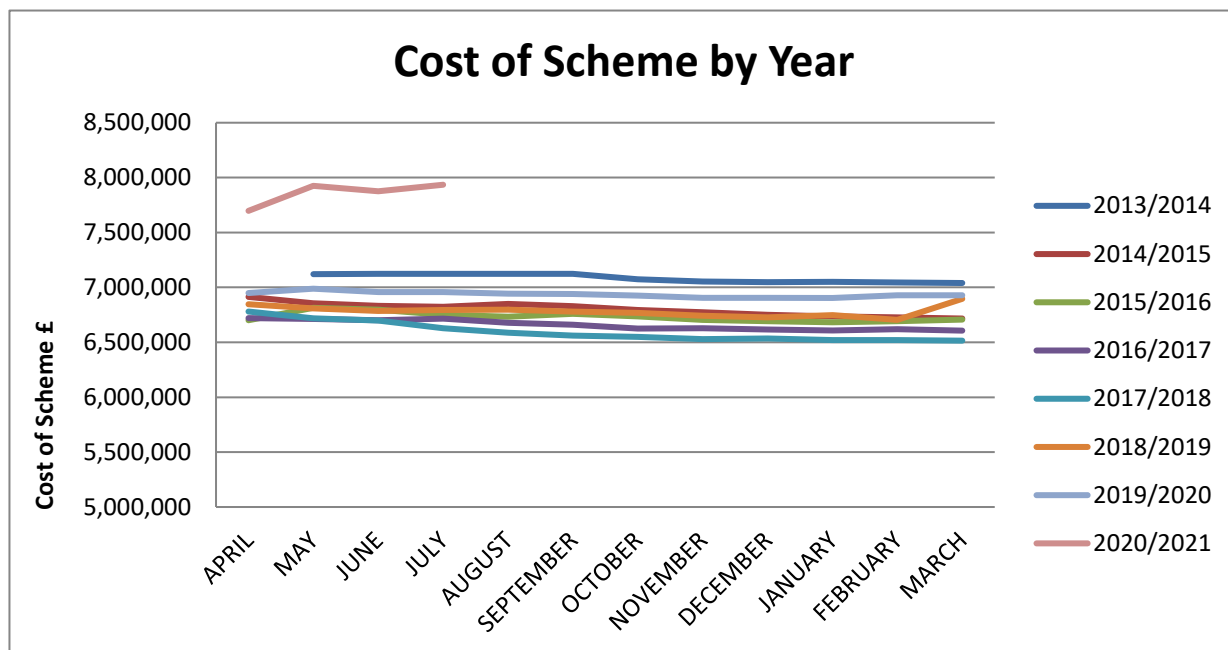
- 9.1 The Council is required to maintain and annually review its Council Tax Reduction Scheme in accordance with Section 13A and Schedule 1A of the Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012). Section 5(2) of Schedule 4 of the Local Government Finance Act 2012, which inserts Schedule 1A to the Local Government Finance Act 1992 requires the Council to set its Council Tax Reduction Scheme by 31 January preceding the start of the financial year in which it is to apply. This has been further amended by Regulation 2 of The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017 to 11 March.
- 9.2 Full Council's terms of reference include at 4.4.1 (z) "approving the Council Tax Reduction Scheme". Cabinet's terms of reference include at 5.6.44 recommending to Full Council "The Council Tax Reduction Scheme".

- 9.3 Section 3(1) of Schedule 4 of the Local Government Finance Act 2012, which inserts Schedule 1A to the Local Government Finance Act 1992 requires the Council to consult on any changes to its scheme as follows:
- Consult any Major Precepting Authority which has power to issue a precept to it
 - Publish a draft scheme in such manner as it thinks fit
 - Consult such other persons as it considers are likely to have an interest in the operation of the scheme
- 9.4 For the original scheme implemented for 2013/2014, it was necessary to carry out comprehensive consultation to ensure that the Council complied with the legal requirement to consult and did not leave itself open to challenge. Very minor changes were made to the Scheme in year two and a restricted consultation exercise was carried out inviting members of the public to comment on the Council's web site. Only minor changes have been made in subsequent years, with the resulting restricted consultation. As no changes are being recommended for 2021/2022, consultation can take the form outlined at 5.1 above
- 9.5 Cabinet should note that changes to the Scheme cannot be made later in the financial year due to the need to consult before any changes can be implemented.

10. FINANCIAL IMPLICATIONS

- 10.1 For the first six years of this Scheme, the costs reduced steadily despite increases in Council Tax levels. This was due to the gradual reduction in claimant numbers.
- 10.2 The costs of the Scheme started to increase during the fourth quarter of 2018/2019 and remained fairly constant throughout 2019/2020 at that same level.
- 10.3 However, the large increase in claimant numbers since the COVID-19 pandemic (an increase of 11%) has seen the costs of the Scheme escalate to record levels. Even though claimant numbers remain lower than when the Scheme started in 2013, the subsequent increases in Council Tax levels in the intervening period has meant that costs have reached these record levels.
- 10.4 Chart 3 shows the costs of the Scheme in terms of Council Tax Support awarded year-on-year.

Chart 3



- 10.5 The costs of the Scheme have increased by 14.5% since the start of the COVID-19 pandemic and are expected on current predictions to be £7.935M in 2020/2021 compared with £6.929M in 2019/2020. This is an increase of just over £1M.
- 10.6 Although the costs of the Scheme can be monitored through their monetary value, the Scheme is applied by the award of a Council Tax Discount, which means that there is a subsequent reduction in the Council Tax Base. The higher the value of CTRS awards, there is a subsequent reduction in the Council Tax Base. This changed in 2013 with the introduction of CTRS as the previous Council Tax Benefit Scheme was funded directly by DWP through the Council Tax Benefit Subsidy Scheme, which reimbursed Councils on a pound for pound basis for the amount of Council Tax Benefit it awarded.
- 10.7 Any reduction in the Council Tax Base inhibits the precepting authorities from raising revenue through Council Tax.
- 10.8 The current estimate is that the Council Tax Base has reduced by around 1.5%, which means that Council Tax levels would have to increase by that amount in 2021/2022, just to raise the same amount of revenue as this year.
- 10.9 Although the Council Tax Setting Committee will have set a Council Tax base for 2021/22, there is still uncertainty as to the number of CTRS claimants during the remainder of 2020/21, and in to 2021/22. Continuing COVID-19 restrictions and the subsequent ending of the furlough scheme could be triggers for further job losses and increased claimant numbers.

- 10.10 The draft budget for 2021/22 assumes a reduction of 1.17% in the Council Tax Base (in terms of number of band D equivalent properties) in 2021/22 compared with 2020/21. That is in accordance with the report to Council Tax Setting Committee. It is then assumed that the tax base in 2022/23 will return to 2020/21 levels, and remain at that level over the following three years. Previous budgets have assumed that there will be a net 1% growth and therefore this revised assumption affects the future funding of the Council.
- 10.11 The impact of increasing costs of CTRS and therefore a potential deficit on the Collection Fund are split between North Herts District Council, Hertfordshire County Council and the Police and Crime Commissioner in proportion to their rates of Council Tax. Therefore, the impact of a £1M cost would be split as follows: NHDC £127,300, HCC £765,500, PCC £107,200. As this is administered through the Collection Fund any shortfall in 2020/2021 won't have an impact until 2021/2022. However, the majority of any losses (75%) in 2020/21 will be covered by a Local Tax Income Guarantee from Central Government.
- 10.12 The provisional Local Government settlement announced that Councils would receive a Council Tax Support Grant in 2021/22 to help towards the impact of increased CTRS numbers and the impact on the tax base. The draft allocation for NHDC is £230k.

11. RISK IMPLICATIONS

- 11.1 The only way to mitigate the risk of increasing numbers of CTRS claimants is to make the Scheme less generous. This in turn will mean increases in the amount of Council Tax to be collected, which may prove counter-productive and move the problem into increased bad debts.
- 11.2 It is difficult to know when the economy can expect to see a reasonable recovery. There have been some signs of that starting to happen but has been countered by the further waves of COVID-19 and the consequences of the furlough scheme unwinding in the future.
- 11.3 On balance and taking into consideration that any decision to reduce the level of awards will disadvantage the most vulnerable of our customers, make collection of Council Tax more difficult and it is unknown what the situation will be in April 2021, it is not considered that this is an approach that the Council should take at this time.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 By conducting extensive consultation when the scheme was first implemented, the Council sought to collect information from those who may be potentially affected by these proposals. The public consultation showed broad support for the scheme. By substantially retaining the same scheme since 2013/2014, the Council continues to meet its obligations under the Equality Act. The proposed review will eventually identify any adverse impacts and an equality impact analysis may be required to capture these.

13. SOCIAL VALUE IMPLICATIONS

13.1. The Social Value Act and “go local” requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

14.1 There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1 There are no Human Resources implications in this report.

16. APPENDICES

16.1 None

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

18.1 None

**COUNCIL
21 JANUARY 2021**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: REVIEW OF MEMBERS' ALLOWANCES SCHEME

REPORT OF: DEMOCRATIC SERVICES MANAGER

EXECUTIVE MEMBER: Allowances - Non-Executive function.
(Committee Member and Scrutiny Services: COMMUNITY ENGAGEMENT)

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

1. EXECUTIVE SUMMARY

- 1.1 To agree the Member's Allowances Scheme 2021/2022 having taken into account the recommendations of the Independent Remuneration Panel ('IRP').

2. RECOMMENDATIONS

That the Council:

- 2.1. Considers the report and recommendations of the IRP, as attached as Appendix A of the submitted report.
- 2.2. Agrees the Members' Allowances Scheme for 2021/2022 as set out in Appendix B¹ of the submitted report.
- 2.3. Agrees the increase to the Independent Person and Reserve Independent Persons allowances as detailed in Appendix A and 8.9 of this report.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To ensure that the Council meets its statutory requirements of an annual review and adoption of the scheme.

¹ Amended as per the tracked changes.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. None, as the Council is required to undertake an annual review prior to the beginning of the financial year and approve a Scheme of basic and other prescribed allowances for Members. In making or amending a Scheme the Council shall have regard to the recommendations made by the Panel. The Council can amend the Scheme as per the IRP recommendations either partly or wholly or to retain the current Scheme.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The Panel invited the Leader of the Council and Group Leaders to respond to a series of questions. A summary of the responses made to the Democratic Services Manager is detailed in paragraph 3.3 of the Report and Recommendations of the IRP and the questions attached as an Annex to their report.
- 5.2. The allowance of the Independent Person (IP) and the Reserve Independent Person of the Standards Committee was not within the remit of the Local Authorities (Members' Allowances) (England) Regulations 2003. However, the allowance had not been assessed since 2012 and the role had also since expanded to include potentially sitting on a Panel to consider complaints against statutory officers. Therefore, the IRP agreed to consider this allowance.
- 5.3. The IP and the Reserve IP (one at the time of the Review), were emailed a series of questions on behalf of the IRP. A summary of the responses is detailed in paragraph 3.4 the Report and Recommendations of the IRP and the questions are attached as an Annex to their report. A meeting was held and an email response was received from the them respectively.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1. The Council is required under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) to agree on an annual basis a Scheme of Allowances payable to Members' for the following financial year. Under the Regulations, when making or amending a Scheme, the Council 'shall have regard to the recommendations' of an IRP (Regulation 19). The Regulations state that before the beginning of each year the authority shall make a Scheme for the allowances for that year. The Members Allowance Scheme is comprehensive and includes Basic Allowances ('BA'), Special Responsibility Allowances ('SRA') (for posts which carry specific responsibilities) and other allowances and expenses that may be claimed.
- 7.2. A Scheme may make provision for an annual adjustment of allowances by reference to an indexation which can be used for up to four years before another review of allowances is required.

- 7.3. The Scheme was last approved by Council in January 2020. The current IRP was appointed as notified by delegated decision on 5 February 2019. The following people formed the IRP:

Dr Hazel Bentall
Christopher Clark
Stephen Vinall

8. RELEVANT CONSIDERATIONS

IRP considerations:

- 8.1 As per paragraph 4.2 of their report, the IRP acknowledged that Members were very aware of the costs of the Scheme and that a preference to linking any inflationary rises to CPI had been made. The IRP considered that any increase in allowances for Members should not exceed that negotiated by the National Joint Council (NJC) for Local Government Services for Council Officers' pay or the annual rate of CPIH for the 12 months as measured by the rate published in October (whichever is the lowest). [As the headline CPI rate was actually CPIH (including owner occupiers housing costs), this was the preferred rate].
- 8.2 The Panel noted the Council did not accept the previous recommendation that "in addition to the Basic Allowance Councillors are paid only one Special Responsibility Allowance". The Panel have also noted the Shared Internal Audit Service report '*North Herts District Council Members' Allowances Benchmarking 2019/2020*' giving local comparators and confirming that council comparators do not pay more than one SRA. The Panel however noted the Council's preference to pay multiple SRAs and accepted that this should continue for 2021/2022. However, considered that it should be reviewed in detail the following financial year.
- 8.3 That SRAs should continue to be expressed as a multiplier of the BA for clarity and ease of calculation.
- 8.4 A basic allowance of £5,100 should be increased by the lower of either:
- the annual rate of CPIH for the 12 months as measured by the rate published in October (0.9%); or
 - the NJC for Local Government Services for Council Officers' pay
- and should be paid to each Councillor (x49) for the financial year 2021/2022.
- The BA would therefore equate to £5,146.
- 8.5 In considering the SRA the IRP considered the changes to the recommendations made by the IRP during the last review. Any justifications offered by the IRP are included in section 4 of their report.

- 8.6 For each year an SRA in the amounts indicated below shall be paid to those Councillors who hold the following special responsibilities:

Role	BA multiplier	Amount (£) (rounded to nearest pound)
Leader of the Council	BA x 2.8	14,409
Deputy Leader of the Council	BA x 0.5	2,573
Cabinet Executive Members (x7)	BA x 1.2	6,175
Chair - Area Committees (x 5)	BA x 0.2	1,029
Chair - Finance, Audit and Risk Committee	BA x 0.7	3,602
Chair - Overview and Scrutiny Committee	BA x 0.7	3,602
Chair - Planning Control Committee	BA x 1.2	6,175
Chair - Licensing and Appeals Committee	BA x 0.3	1,544
Leader of each Opposition Group	BA x 0.5	2,573* (*Subject to a minimum of 3 members)

- 8.7 **Childcare and Dependent Carers' Allowance:** This was considered during the last Review and increased in line with the London Weighted Real Living Wage to reflect the actual cost of childcare, to encourage diversity in the composition of the Council and to be more reflective of the actual costs for using a suitably qualified and competent carer.

It is recommended that this is increased in line with the London Weighted Real Living Wage 2020 to £10.75.

All other aspects in relation to this part of the Scheme remain unchanged.

- 8.8 **Chair and Vice Chair Allowances:** The allowances for the Chair and Vice Chair of Council are covered by Sections 3(5) and 5(4) of the Local Government Act 1972 and are not a matter which the IRP are obliged to make recommendations on. Historically, the Chair and Vice Chair of Council have received an allowance which is expected to recompense for the additional costs associated with these roles. It is not clear how the current allowance of £5,500 for the Chair and £1,060 for the Vice Chair was agreed. However, for transparency the allowances were incorporated into the Scheme last year as a recommendation by the IRP.

For the 2021/2022 year the IRP Panel recommends no change to these Allowances and in making its recommendation considered the Shared Internal Audit Service Report on '*North Herts District Council Members' Allowances Benchmarking 2019/2020*' which included an audit of the Chairs Allowances and also noted the number of engagements that the Chair and Vice Chair of Council attended during the last civic year.

- 8.9 **Independent Person (IP) and Reserve Independent Person:** Having met with the IP and considered both written and verbal representations regarding the role and the responsibilities, as well as noting that the payment has not been changed since 2012. The IRP recommended the allowance is increased to £2500 for the IP and £600 for the Reserve IP. [The current allowance was £2205 and £550 respectively.]

The IRP was also provided with comparative data of what neighbouring authorities paid to the IP and the Reserve IP.

- 8.10 **Frequency of Reviews and future considerations:** The IRP were informed regularly that the Council would prefer a Scheme that made provision for an annual adjustment by reference to an index. However, the IRP considered that an annual review would be needed, given the current economic climate: with the current pandemic changing Council operating procedures and meeting arrangements, and therefore the recommendations made by the IRP were only to apply to the 2021/2022 Scheme, with the need to review again for 2022/23.

The IRP were notified of comments received in regard to SRA's, as summarised below.

- The need to recognise that within the Authority there is a joint administration and with that extra time required to come to a consensus and make decisions. Therefore, multiple SRAs recognised this.
- Groups with less Members, or without a high portion of local government experience, will have Members that need to take on multiple roles.
- The issues of multiple SRAs was fully considered in the 2019 Review and subsequently debated and voted on at Full Council - there is no reason to reconsider this matter again.

However, the IRP have concluded that the matter of multiple SRAs requires a review again next year.

Other considerations:

- 8.11 **Travel and Subsistence Allowances:** The IRP acknowledged that there had been an individual request to consider amending the list of approved duties that Members may claim mileage. The IRP does not consider any amendments are required to this list. There were no recommendations made by Group Leaders and the IRP considered that there needed to be a limit to what was considered an approved duty. There is a basic allowance paid which is expected to recompense for some of the activities involved in the role of District Councillor.

9. LEGAL IMPLICATIONS

- 9.1. The Local Government and Housing Act 1989, Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003/1021 (as amended) make provisions regarding the setting of Members Allowances.
- 9.2. Regulation 10(1)-(2) provides that before the beginning of each year, an authority shall make the Scheme required for payment of basic and other allowances.

- 9.3. Regulation 19 requires that before an authority makes or amends a scheme it must have regard to the recommendations made in relation to it by the IRP.
- 9.4. The function of making any Scheme authorised or required by regulations under section 18 (Schemes for basic, attendance and special responsibility allowances for local authority members) of the Local Government and Housing Act 1989, or of amending, revoking or replacing any such Scheme, is a Full Council responsibility, by virtue of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853. This is therefore detailed as a function and reserved to Full Council under section 4.4.1(i) of the Council's Constitution *'considering recommendations from the Independent Remuneration Panel and adopting an allowances scheme or assessing, revoking or replacing the whole or part of any such scheme'*.
- 9.5. The adopted Scheme must be published in at least one or more newspapers circulating" in the District area under Regulation 16.

10. FINANCIAL IMPLICATIONS

- 10.1 Should the proposed Members' Allowances Scheme be approved, based on the amendments to the Basic Allowance and SRAs, and including the Independent/Reserve Independent Persons, the financial implications would be as follows:

	Current	Proposed	Increase
	£	£	£
Basic Allowance	249,900	252,154	2,254
SRA	82,110	82,848	738
Independent Person and Reserve Independent Persons	3,305	3,700	395
Total	335,315	338,702	3,387

The current budget of £341,100 also includes the allowance paid to three IRP Panel Members, which is outside of this scheme and provision for childcare and dependent carers' allowance. Therefore, additional budget of £3,387 is required for the proposed scheme.

- 10.2 As a result of the Covid-19 pandemic and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 to enable the conduct of remote meetings there has been a reduced demand for the childcare and dependent carers' allowance and travel and subsistence allowance.
- 10.3 The financial implication to the budget regarding this allowance is difficult to calculate as there are variables that will affect this i.e. the number of new Members elected in May who will need to make use of the allowance, number of meetings scheduled and personal circumstances as to whether it is required, also whether meetings will continue on a virtual platform, return to in person or as suspected a hybrid model.
- 10.5 There is a requirement to advertise the Scheme in one or more local papers. The cost to advertise the Scheme following the last review in both the Royston Crow and The Comet was £701.28.

- 10.6 The amounts in the Members' Allowances Scheme are currently cumulative – it is possible for Members to be entitled to more than one SRA in addition to the BA.
- 10.7 One of the savings suggested via the recent Budget Challenge exercise was £1500 per annum for three years – the honorarium received in total by the three IRP Members in a year that a review is conducted. However, this will not be achieved as the IRP have not provided for an indexation that can be used as per Regulation 10(4) & (5) for up to four years, for the reasons set out under 4.16 of the IRP report so this will again require an annual review in 2021.

11. RISK IMPLICATIONS

- 11.1. None contained within this report.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. The inclusion of the dependent carers and childcare allowance continues to aid Councillors' to fulfil their responsibilities and provide recompense to them as noted at 8.7. Although the demand for this allowance has reduced during the pandemic, there may be greater demand in the future to avoid disadvantaging those with commitments.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 Members allowances are paid by the payroll provider Liberata via the iTrent system and any changes need to be notified to the provider to ensure the correct rates are paid. As of 1 April 2020 the payroll provider changed and Members are now required to submit expenses via the self-service online portal. The Committee, Member and Scrutiny Team provide advice where needed and the Committee, Member and Scrutiny Manager reviews and approves the Councillors' allowance claims.

16. APPENDICES

- 16.1. Appendix A - Report and Recommendations by the IRP on the Members' Allowances Scheme 2021/2022.
- 16.2. Appendix B - Proposed Members' Allowances Scheme 2021/2022 with tracked changes (2020/2021 with proposed Scheme highlighted).

17. CONTACT OFFICERS

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- 17.6 Jo Keshishian, Acting HR Services Manager
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18. BACKGROUND PAPERS

- 18.1 The Local Authorities (Members' Allowances) (England) Regulations 2003
<https://www.legislation.gov.uk/uksi/2003/1021/introduction/made>
- 18.2 Councillors' Allowance Council webpage
<https://www.north-herts.gov.uk/home/council-and-democracy/councillors/councillors-allowances>
- 18.3 Delegated Decision – Appointment of IRP – 5 February 2019
<https://www.north-herts.gov.uk/home/council-and-democracy/decisions/delegated-decisions-2019>
- 18.4 Council – 16 January 2020
<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=136&MId=2338&Ver=4>

REPORT AND RECOMMENDATIONS
BY THE INDEPENDENT REMUNERATION PANEL (IRP)
ON THE
MEMBERS' ALLOWANCES SCHEME 2021/22

Dr Hazel Bentall
Christopher Clark
Stephen Vinall

December 2020



1. Introduction

- 1.1 The report presents the recommendations of the Independent Remuneration Panel (IRP) to Council for its consideration and approval.
- 1.2 The current Panel was appointed under the delegated authority of the Service Director, Legal and Community as reported as a delegated decision on 5 February 2019. This is the second review of Members' Allowances that the Panel has undertaken for the Authority.
- 1.3 The following people form the IRP:
- Dr Hazel Bentall
Christopher Clark
Stephen Vinall
- 1.4 Support was provided to the Panel by the Democratic Services Manager and PA to the Service Director – Legal and Community.
- 1.5 The Panel first convened virtually on 30 July 2020, plus communicated independently outside of the meetings.

2. Terms of Reference

- 2.1 The Panel must work within the legislative constraints of the Local Authorities (Members' Allowances) (England) Regulations 2003 and associated Government Guidance on regulation for Local Authority Allowances.
- 2.2 These Regulations/Guidance require the IRP to make recommendations on:
- The amount of Basic Allowance payable to Councillors;
 - The responsibilities and duties that lead to payment of a Special Responsibility Allowance (SRA) and the amounts of such allowances;
 - Backdating of allowances;
 - The amounts and duties for which travelling, and subsistence allowances can be paid;
 - Allowances for Co-opted Members;
 - Whether the Scheme should include an allowance for the expenses of arranging care for children and dependents and, if so, the amount of the allowance;
 - Whether annual adjustments should be made to allowance levels by means of an index and, if so, for how long such a measure should last, up to a maximum period of 4 years;
 - Whether the Basic Allowance (BA) and SRA should be pensionable and which Members should be entitled to pensions (no longer applicable as Government announced that Councillors who are not existing members of the Local Government Pension Scheme on 1 April 2014 may not join the scheme after that date).

3. Review of Members' Allowances

- 3.1 Following their recruitment in 2019 the Panel were provided with a comprehensive information pack relating to the existing allowances scheme and general information on



North Hertfordshire District Council (NHDC). This information pack also contained comparative data for the Members' Allowances Schemes of other Councils of a similar size and nature to NHDC locally.

3.2 Prior to its first meeting in July 2020 the IRP were provided with:

- Initial areas that Group Leaders had indicated that they would like the Panel to explore (namely the indexation and how long it should last, being 4 years).
- The report by the Shared Internal Audit Service '*North Herts District Council Members' Allowances Benchmarking 2019/2020*'.
- The 2020/2021 Member's Allowances Scheme.
- The link to the IRP Report to Council on 16 January 2020 and associated minutes.

The Panel also requested information of Chairs, Vice Chairs, Executive Members, Deputy Executive Members and those that received more than one SRA.

3.3 Having considered this information, Group Leaders were emailed on behalf of the IRP with a series of questions to assist the Panel in formulating the recommendations regarding any future allowances, as attached as Annex A to this report.

Although limited emails of response were received, a summary of the verbal representations made to the Democratic Services Manager are as follows:

- Need to recognise that within the Authority there is a joint administration and with that extra time required to come to a consensus and make decisions. Therefore, multiple SRAs recognise this. In addition, Groups with less Members, or without a high portion of local government experience, will have Members that need to take on multiple roles.
- The issues of multiple SRAs was fully considered in the 2019 Review and subsequently debated and voted on at Full Council - there is no reason to reconsider this matter again.
- Agreed that any increase in allowances should not exceed the Local Officer pay award and that the next review should be in four years (or prior if there was a need).
- Regarding a cap on allowances no opinion was expressed as every Councillor had different circumstances.
- No further comments to make in addition to those last year.
- Noted that Members could decide to forego all or part of the allowance.
- Regarding whether to opt for an indexation linked to CPI or RPI whichever chosen should be the lowest.

3.4 Although the allowance of the Independent Person and the Reserve Independent Person of the Standards Committee was not within the remit of the Local Authorities (Members' Allowances) (England) Regulations 2003, the allowance had not been assessed since 2012 and the role had also since expanded to include potentially sitting on a Panel to consider complaints against statutory officers. Therefore, the IRP agreed to consider this allowance.

The Independent Person (IP) (Nicholas Moss) and the Reserve Independent Person (Peter Chapman), were emailed a series of questions on behalf of the IRP, as attached as Annex B to this report.



An email of response was received from Peter Chapman and a virtual meeting was held between the IRP and Nicholas Moss, a summary of the responses are as follows:

- The IP and Reserve IP were originally Chair and Vice Chair of the Standards Committee prior to the introduction of the present system.
- Both the IP and Reserve IP provided a comprehensive account of the roles, which included:
- **IP** - involved when a complaint was received by the Monitoring Officer (MO). If the complaint was not a Code of Conduct matter the IP would assist the MO/Deputy Monitoring Officers (DMO) in compiling a response. Or if the complaint required further investigation the IP would discuss this with the MO/DMO. All correspondence sent by the MO/DMO usually referenced that the views of an IP had been sought. Involved in writing reports, consulted upon and reviewed various codes, guidance and procedures.
- **Reserve IP** - available to those involved in a complaint offering advice about procedural matters; substitute for the IP as necessary;

Both the IP and Reserve IP had regular meetings with the MO/DMO for updates on complaints and on developments in standards matters at national level, attended Standard Committee meetings; attended training courses.

- Not all complaints were dealt with as a formal complaint and some were more difficult to resolve than others, but all required careful handling. The decision needed to be clearly explained which could be complicated and time-consuming contributing to the drafting of an appropriate response.
- Reserve IP allowance seemed fair although would not be the case if there was an increase in the current level of work and involvement in cases.
- IP role required an increase given level of involvement in cases and the immense experience which was valued by the MO and DMOs.
- The IRP should consider when determining the level of honorarium, the number of Parishes within the District which tended to generate the most complaints.
- Both the IP and Reserve IP had been in post since 2012 and the honorarium had remained the same throughout this time.

Comparative data of what neighbouring authorities paid to the IP and the Reserve IP was considered by the IRP and supplied to Nicholas Moss and Peter Chapman.

In assisting to make its recommendations the IRP was also supplied with:

- The Annual Report of the Standards Committee
- The complaints handling procedure for matters relating to the Councillors' Code of Conduct, which included the role of the IP and Reserve IP.



- At the time of consulting with the IP and Reserve IP the Council had been recruiting a second Reserve IP and the link to the recruitment page on the Council's website was provided.

4. IRP Conclusions and Recommendations

- 4.1 The IRP has considered carefully a wide variety of relevant information, including last year's Panel report, contributions from Members and officers, and comparators with adjoining and similar councils.
- 4.2 It notes that North Hertfordshire District Council Members are very aware of the costs of the Scheme and that a preference to linking any inflationary rises to CPI has been made.
- 4.3 In principle, the IRP considers that any increase in allowances for Members should not exceed that negotiated by the National Joint Council (NJC) for Local Government Services for council officers' pay. It was noted that for 2020/2021 this was set at 2.75%.

The NJC for Local Government Services settlement is not normally available for the current year in time for the Council's budget setting, so the previous year's settlement will be used for calculating the current year.

- 4.4 The Panel recommends that SRAs continue to be expressed as a multiplier of Basic Allowance (BA) for clarity and ease of calculation.
- 4.5 The Panel noted the Council did not accept last year's recommendation that "in addition to the Basic Allowance Councillors are paid only one Special Responsibility Allowance". The Panel have also noted the Shared Internal Audit Service report '*North Herts District Council Members' Allowances Benchmarking 2019/2020*' giving local comparators and confirming that council comparators do not pay more than one SRA. The Panel however noted the Council's preference to pay multiple SRAs and accept that this should continue for 2021/2022 but consider it should be reviewed in detail the following financial year.
- 4.6 The Panel considered whether the level of Executive Member SRA remained appropriate and took into consideration the changes to allowances that the Council had made following last year's report and recommendations. These included reducing the Leader's allowance from the recommended 3.0 times basic allowance to 2.8 and increasing the Deputy Leader's and opposition Group leaders' allowances from 0.3 to 0.5.
- 4.7 The table below shows the amendments resolved by Council to those recommendations made by the IRP for 2020/2021 Scheme:

	As resolved by Council for the 2020/21 Scheme		As recommended by the IRP for the 2020/21 Scheme	
Leader of Council	BA x 2.8	£14,280	BA x 3	£15,300
Deputy Leader of Council	BA x 0.5	£2,550	BA x 0.3	£1,530
Leader of each Opposition Group	BA x 0.5	£2,550	BA x 0.3	£1,530



- 4.8 **Leader's SRA** – the Panel recognises the Council's decision to set the Leader's SRA at 2.8 x BA for the previous Scheme and recommends that this is applied for 2021/2022.
- 4.9 **Area Committee Chair SRA** - the Panel recommends that the Area Committee Chair SRA continues at BA x 0.2. Differing representations were previously made to the Panel regarding the importance of these roles and the Panels' view regarding the appropriate allowance has not changed. In addition, no new information was provided regarding this role. Should the responsibilities change, the Panel will review this element of the Scheme.
- 4.10 **Licensing Chair SRA** – the Panel recommends that the Licensing Chair SRA continues at BA x 0.3.
- 4.11 **Chair of Finance Audit and Risk** – this role is considered to be an equally important responsibility as Overview and Scrutiny and the recommendations reflect that.
- 4.12 **Group Leaders** – the Panel recommends a single amount payable to a Leader of an Opposition Group (subject to a group consisting of a minimum of 3 Members) of BA x 0.5.
- 4.13 **Chair and Vice Chair Allowance** - For the 2021/2022 year the Panel recommends no change.

The Panel was provided with the number of engagements that the Chair and Vice Chair of Council attended during the last civic year, being 97 events for Chair and 18 events for the Vice Chair.

The Panel also notes that the '*North Herts District Council Members' Allowances Benchmarking 2019/2020*' included an audit of the Chairs Allowances.

- 4.14 **Childcare Allowance** – this was considered during the last Review and increased in line with the London Weighted Real Living Wage to reflect the actual cost of childcare, to encourage diversity in the composition of the Council and to be more reflective of the actual costs for using a suitably qualified and competent carer.

It is recommended that this is increased in line with the London Weighted Real Living Wage 2020 to £10.75.

Childcare and dependent carers allowance is recoverable at the amount actually paid up to the limit specified.

- 4.15 **Independent Person and Reserve Independent Person**

The IRP was asked by the Council to consider the Allowance paid to both the IP and the Reserve IPs.

Having met with the Independent Person and considered both written and verbal representations regarding the role and the responsibilities, as well as noting that the payment has not been changed since 2012. The IRP recommends the allowance is



increased to £2500 for the Independent Person and £600 for the Reserve Independent Persons.

4.16 Frequency of Reviews

It is noted that the Council would prefer the IRP to set allowances for a period of 4 years. In the current economic climate and with the current pandemic changing Council operating procedures and meeting arrangements, the IRP consider that an annual review is required and therefore the recommendations in this report only apply to the 2021/2022 financial year. Also as noted in clause 4.5 we consider that the matter of multiple SRA's requires review for 2022/2023.

4.17 Basic Allowance

As of 21 March 2017, the Consumer Prices Index including owner occupiers' housing costs (CPIH) became the principal inflation index and the most comprehensive measure of inflation as it includes owner occupiers' housing costs and Council Tax, which are excluded from the CPI. Therefore, it is recommended that:

A basic allowance of £5,100 should be increased by the lower of either:

- the annual rate of CPIH for the 12 months as measured by the rate published in October; or
- the NJC Local Government Services increase for council officers' pay.

And should be paid to each Councillor (x49) for the financial year 2021/2022.

The annual rate of CPIH for the 12 months as measured by the rate published in October 2020 was 0.9%.

The Council Officers' pay award for 2020/2021 was 2.75%.

Therefore, the IRP recommends that the BA should be increased by the CPIH rate.

4.18 Special Responsibility Allowance

For each year a Special Responsibility Allowance in the amounts indicated below shall be paid to those Councillors who hold the following special responsibilities:

Role	BA multiplier	Proposal
Leader of the Council	BA x 2.8	£14,409
Deputy Leader of the Council	BA x 0.5	£2,573
Cabinet Executive Members (x7)	BA x 1.2	£6,175
Chair – Area Committees (x 5)	BA x 0.2	£1,029
Chair of Finance, Audit and Risk Committee	BA x 0.7	£3,602



Chair – Overview and Scrutiny Committee	BA x 0.7	£3,602
Chair – Planning Control Committee	BA x 1.2	£6,175
Chair of Licensing and Appeals Committee	BA x 0.3	£1,544
Leader of each Opposition Group	BA x 0.5	£2,573* (*Subject to a minimum of 3 members)

4.19 Travel and Subsistence Allowances

The IRP acknowledged that there had been an individual request to consider amending the list of approved duties that Members may claim mileage. The IRP does not consider any amendments are required to this list. There were no recommendations made by Group Leaders and the IRP considered that there needs to be a limit to what was considered an approved duty. There is a basic allowance paid which is expected to recompense for some of the activities involved in the role of District Councillor.

Questions emailed to Group Leaders on behalf of the IRP:

Indexation – At the last review the indexation used was that negotiated by the LGA for Council Officer pay – that any increase in Members’ Allowances should not exceed that. This year, having been informed that from initial feedback preference is for it to be related to CPI or RPI, the IRP are considering the indexation to be linked to CPI, but never more than the local pay award (whichever is the lesser). If this was to be recommended what are your thoughts on this?

- If the Scheme provided for an annual adjustment of allowances by reference to such an index, the next review could be in four years, if no other amendments were required. What is your view on the frequency of reviews?
- Would you agree that Members would rather keep any increase low?
- Do you think there is a ceiling where some Members might refuse an increase in allowances?

SRA’s – It’s noted that the current Scheme continues to allow multiple SRA’s and one of the recommendations last year was the removal of this. Please could you provide the rationale to this and why the Council continues to be supportive of multiple SRA’s?

- If the recommendation was made again, that only one SRA should be paid (the highest), would you be of the view that it would receive a more favourable response? If not, why?

The IRP notes the SIAS Internal Audit Report of Members Allowances Benchmarking 2019/2020 (dated April 2020) which notes of those responding Authorities North Herts is the only authority to award multiple SRAs.

Standards Independent Member and Deputy Independent Member

The IRP has been requested to consider the allowance paid to both the Independent Member and the Reserve Independent Member. Do you have any comments that you wish the IRP consider if it makes any recommendations on these allowances. (NB the IRP have approached both the Independent Member and the Reserve Independent Member with a number of questions).

Chair and Vice Chair of Council

In the absence of any historic information as to how the allowance had been established for both the Chair and Vice Chair of Council, and for transparency, the IRP included this within the Review of the Members’ Allowances Scheme last year.

There has since been the SIAS Audit of allowances paid to the Chair and Vice Chair of Council. Given the Audit and the current climate where there has been no civic engagements to attend for a number of months, is there any comments that you would like to make for the IRP to consider in regards to these allowances?



Again, the IRP notes the SIAS Internal Audit Report of Members Allowances Benchmarking 2019/2020 (dated April 2020) which notes of those responding Authorities North Hertfordshire is the Authority providing the lowest allowance to the Chair and Vice Chair of Council.

Please can you explain the roles and what the roles involve?

Approved Duties

6 a. – e. of the Members' Allowances Scheme lists the approved duties that Members may claim mileage. We understand that there has been some challenge on this and would like to know if there are any additional duties that you consider should be included? If so, what is your rationale for these suggestions?

For your information we have received the following representation regarding a request for an amendment to the additional duties that should be included within the Scheme:

'When a member is involved in casework within their ward they can claim mileage expenses. This is especially true for Rural Wards.

When a member is developing a community involvement and engagement, such as attending parish or town council meetings, visiting and building relationships with ward schools, churches and community groups. Community groups include toddlers and youth care groups, food banks and charities working with the ward. In these cases, the member can claim expenses.

I make this request to ensure low income members such as myself can afford to continue to be District councillors.

These motions/proposals are for all members, even if they are in a town ward. I should be an option where members do not wish to claim expenses that can.'

Public Health Responsibilities as a result of the Pandemic

The IRP are very aware that the pandemic may have increased pressures on the way Councillors are having to work as well as budgetary pressures for the Council. Are there any such considerations that the IRP needs to be aware of when considering its recommendations to the Scheme? If so, please explain?

Any further information

Is there anything further that you would like to add to help inform the IRP?



Questions emailed to the Independent Person and Reserve Independent Person of the Standards Committee:

- Please can you explain the role?
- Please can you explain how involved you are when dealing with a complaint and at what stage do you become involve with any complaint?
- Do you have any decision-making powers or is the role of a consultative nature with the Monitoring/Deputy Monitoring Officer (i.e. who has the final say)?
- How difficult are the complaints to resolve?
- On average how much of your time would you consider each complaint requires?
- Regarding the meetings held with the yourself and the Monitoring/Deputy Monitoring Officer are these held informally, in person, on the phone, correspondence by email etc?
- Would you consider the role is one which is difficult to recruit? If so, why?
- Is there any way in which the role could be more appealing?
- At any stage are you responsible for formulating and writing any reports? If so, please explain.
- We have received the Annual Report of the Standards Committee which was presented to Annual Council in June. We note that there were 10 formal complaints received since the last Annual Report in May 2019. All were considered by the Monitoring Officer or Deputy Monitoring Officers with an Independent Person before a decision was reached on initial assessment. Would you consider that to be an average amount of formal complaints received throughout a year?
- In addition the report refers that complaints are also made informally to the Monitoring officer by Councillors or employees – this covers situations where the individuals do not wish to pursue something formally and, as per agreement, are dealt with by raising them with the relevant Group Leader. Informal complaints are not included within the Annual Report at the request of the Standards Committee. However, since the last report there have been 5 dealt with in this way. Again, would you consider that to be an average amount of informal complaints received throughout a year?
- Do you attend the 2 Standards Committee meetings held per year which you are invited to attend in your capacity as the Independent Person/Reserve Independent Person.
- Do you have a suggested figure as to what you consider would be an acceptable allowance? If so, what is the amount and what is your rationale for this?
- Is there anything that you would like to add to help inform the IRP?

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MEMBERS' ALLOWANCES SCHEME 20210/212

1. Definitions

In this scheme:

"Council" means North Hertfordshire District Council;

"Councillor" means a Member of the Council who is a Councillor;

"year" means the 12 months ended 31 March;

2. Commencement and Duration

This scheme shall have effect for the year commencing 1 April 20210 and for subsequent years, save that the Council may amend the scheme at any time subject to the provisions of paragraph 9 hereunder.

3. Basic Allowance

Subject to paragraph 9, a basic allowance of ~~£5,100~~ 5,146 shall be paid to each Councillor (x49) for each year.

4. Special Responsibility Allowance

For each year a special responsibility allowance in the amounts indicated below shall be paid to those Councillors who hold the following special responsibilities:-

Leader of the Council	£14,280 <u>14,409</u>
Deputy Leader of the Council	£2,550 <u>2,573</u>
Cabinet Executive Members (x7)	£6,120 <u>6,175</u>
Chair - Area Committees (x 5)	£1,020 <u>1,029</u>
Chair - Finance, Audit and Risk Committee	£3,570 <u>3,602</u>
Chair – Overview and Scrutiny Committee	£3,570 <u>3,602</u>
Chair - Planning Control Committee	£6,120 <u>6,175</u>
Chair of Licensing and Appeals Committee	£1,530 <u>1,544</u>
Leader of each Opposition Group	£2,550* <u>2,573</u>

* Subject to a minimum of 3 Members.

Such allowances shall be subject to the requirements of Paragraph 9 hereunder.

5. Chair and Vice Chair of Council Allowance

Chair of Council	£5,500
Vice Chair of Council	£1,060

6. Travelling and Subsistence Allowances

Travelling and subsistence allowances are payable at the recommended HMRC approved amounts of 45 pence per mile for cars for the first 10,000 miles and 25 pence per mile thereafter, whilst undertaking duties as listed in (a) – (i), replacing the following National Joint Council recommended rates for local government staff.

Cyclists 20.0p (20.0p)

Car Sharing

An additional allowance of 5p (HMRC approved amount) per passenger per mile be paid when a Member takes other Members whilst carrying out approved duties and in the following circumstances

- (a) the Chair and Vice-Chair of the Council when engaged on official Council business;

- (b) the Chair and Vice-Chair of any Committee or Sub-Committee for attending pre-agenda and briefing meetings and opening tenders;
- (c) Cabinet Portfolio Members for attending meetings with officers in connection with their official duties as Spokes~~person~~man;
- (d) attendance by Councillors at a meeting of the Council or any Committee or Sub Committee appointed thereby in accordance with the provisions of Section 102(1)(a) and (c) of the Local Government Act 1972 (including informal meetings of such bodies which have been arranged at the behest of the appropriate Chair and to which all Members therefore have been invited to attend), of which ~~they are~~ he/she is a Member, or has been specifically requested to attend by the Chair and such is recorded in the minutes of the meeting;
- (e) attendance by Councillors at a meeting of any Working Party or Panel to which ~~they he/she has~~ have been appointed by any of the bodies referred to in (d) above and comprising representatives of more than one political group;
- (f) attendance by Councillors at Seminars and other similar meetings arranged formally for the purpose of informing and/or training to which representatives of more than one political group have been invited;
- (g) attendance at meetings of external bodies to which the Councillor claiming is the Council's appointed representative;
- (h) attendance by Councillors at conferences, courses, seminars, etc;
- (i) attendance by Councillors at Town or Parish Council meetings within their ward to explain District Council business.

(No such allowance shall be payable in respect of attendance at any conference or meeting in relation to which the Councillor is entitled to a payment in the nature of an allowance under Section 175 of the Local Government Act 1972.

No such allowance shall be payable if such a payment would be contrary to a provision made by or under any enactment.)

Subsistence Allowances

The same as those used for the payment of staff claims for meals taken away from home, to be paid at the rate set and from time to time amended by the HMRC.

Amount that can be claimed per meal	
Breakfast	5.00
Lunch	10.00
Tea	5.00
Evening meal	10.00
Subject to a maximum that is based on time away from home or usual place of work	
5 hours	5.00
10 hours	10.00
15 hours/ per day	25.00

7. Renunciation

A Councillor may by notice in writing given to the Democratic Services Manager elect to forego any part of his/her entitlement to an allowance under this scheme.

8. Childcare and dependent Carers' Allowance

A care allowance will be paid to any Member who incurs expenditure on the care of young children and or dependent relatives in order to perform their duties as a Councillor, subject to:

- (a) the duty being one for which Travelling and Subsistence Allowance is payable under this Scheme of Members' Allowances; and
- (b) that each individual claim shall not exceed the actual sum paid or £10.5575 (London Weighted Real Living Wage) per hour, whichever is the lesser.
- (c) Consideration being given to an additional allowance for specialist care for a dependent, where this is known to be more expensive.

9. Part-Year Entitlements

If during the course of the year the Council amends the amounts payable in respect of basic or special responsibility allowance, then the entitlement to such allowance shall be adjusted pro-rata to the proportion of the year that such allowance is payable.

Where a Councillor (a) is not a Councillor for the whole of the year; or (b) during the course of the year takes up or relinquishes a position in respect of which a special responsibility allowance is payable, then the entitlement to basic or special responsibility allowance shall be adjusted pro-rata to the proportion of the year during which ~~they were he/she was~~ a Councillor or held such position.

10. Claims

A claim for travelling and/or subsistence allowance under this Scheme shall:

- a) be made ~~via the iTrent self-service online portal in writing~~ within three months of the end of the month in which the meeting/activity in respect of which the entitlement to the allowances arises (or by 30 April if incurred between January and end of March);
- b) include ~~or be accompanied by,~~ a statement ~~on the online claim form confirming by~~ the Councillor claiming the allowance ~~that he or she~~ is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under the Scheme;
- c) be accompanied by receipts itemising VAT as appropriate.

Claims submitted later than three months after the relevant date, and/or one month after 31 March shall be paid only in such exceptional circumstances following approval by the Service Director: Resources in accordance with the Financial Regulations.

11. Payments

Subject to the provisions of paragraph 9 payments of basic and special responsibility allowances shall be made in monthly instalments.

Payments in respect of travelling and subsistence allowance shall be made as soon as is practicable after submission of a claim.

12. External Conferences, Seminars, etc.

Travelling and subsistence Allowance at the same rate as that applying under the Members' Allowances Scheme are payable to those Members attending conferences, seminars, courses, etc., falling within the criteria specified in Section 175 of the Local Government Act, 1972 where such attendance has been previously approved by the Council.

13. Independent Person and Reserve Independent Persons of Standards Committee

Independent Person	£2500
Reserve Independent Person	£600 per Reserve IP

**COUNCIL
21 JANUARY 2021**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: ELECTORAL SERVICES – SCALES OF FEES 2021/22

REPORT OF THE SERVICE DIRECTOR - RESOURCES

EXECUTIVE MEMBER: SCALE OF FEES - NON-EXECUTIVE FUNCTION.
(ELECTORAL SERVICES: THE LEADER OF COUNCIL)

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

1. EXECUTIVE SUMMARY

1.1 To agree the Scale of Fees for electoral events held during 2021/22.

2. RECOMMENDATIONS

2.1. That the Council be recommended to agree the Scale of Fees for 2021/22 as set out in Appendix A.

3. REASONS FOR RECOMMENDATIONS

3.1. 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.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. For the scales of fees to remain at the 2020/21 rates or to increase some areas to reflect other local rates.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1. Hertfordshire local authorities form a Hertfordshire County Group and an informal consultation exercise was recently undertaken in respect of the fees paid by each, as all neighbouring authorities are considered to be competitors when recruiting staff.

5.2. The fees paid by the four Hertfordshire authorities that directly border North Hertfordshire District Council (NHDC) are referenced in paragraph 10 (the names of the respective authorities have not been provided).

- 5.3. There being no county agreement as to the scale of fees for local elections, an informal consultation was undertaken with neighbouring local authorities prior to the agreement of the 2021/2022 Scale of Fees. The suggestion of a county agreement has been muted. However, as some authorities would need to lower or raise their fees as well as those authorities closer to London needing to pay more to compete with the London authorities (whereas NHDC doesn't need to pay the London inflation), there has been no appetite between the authorities to proceed with a county agreement.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1. Each Local Authority is required to appoint one of its officers as Returning Officer (RO). The RO is appointed in an independent capacity by the Council to organise and run elections free from the political structure of the authority. Councils must provide their RO with the resources they need to run elections. This includes the cost of recruiting and paying staff to act as Presiding Officer and Poll Clerk, along with any other ancillary staff necessary for the success of a poll.
- 7.2. For national polls the government issue a Fees and Charges schedule which identifies for each authority a "maximum recoverable amount" along with a fee which may be claimed by the appointed RO for the rendering of their services. The RO will pay their appointed staff from the monies provided by government and will account for their expenditure by way of a return to the Election Claims Unit at the Cabinet Office.
- 7.3. No such formal structure exists for local elections, which is why a local scale of election fees is required to cover staff costs associated with the administration of elections and other electoral events, e.g. Neighbourhood Planning Referendums or Town/Parish Poll.

8. RELEVANT CONSIDERATIONS

- 8.1 The RO appoints circa 300 temporary staff for local elections and will need to do so for the elections to be held in May 2021. The informal 'consultations' and research has indicated that the fees are below average when compared with neighbouring authorities, particularly in relation to polling station staff and therefore there has been a moderate increase to these roles. In previous years there has tended to be a minimal percentage increase or an increase aligned with the National Joint Council Local Government Services pay agreement. Where there is no comparable role from the research or it is felt that the fee is competitive there has been either no increase, or an increase made in line with the National Joint Council for Local Government Services pay agreement for 2020/21.

- 8.2 A greater than inflation rise has been applied to the following fees: Polling Station Inspector, Presiding Officer and Poll Clerk. Although part of the increase is because previous payments relating to travel and ballot box conveyance have been rolled into the fee. The table below shows how the proposed 2021/22 fees compare to the 2020/21 fees for neighbouring Hertfordshire Authorities. Where fees are already in line with (or above) comparator Authorities then the amount has been frozen. This applies to the Postal Vote Supervisor and assistant roles, that are also shown in the table below. It is very difficult to provide a meaningful comparison for most of the other roles, as other Authorities set them on a different basis (e.g. hourly amount versus fixed amount).

Authority	Poll Station Inspector (total)	Presiding Officer (total)	Poll Clerk (total)	Postal Votes Supervisor (per hour)	Postal Votes Assistant (per hour)
NHDC (2020/21 rate)	227.9	227.9	136.8	25	12.5
NHDC (proposed 2021/22)	250	250	150	25	12.5
Comparator A (2020/21 rate)	266	287	184	15.92	10.61
Comparator B (2020/21 rate)	300	265	165	12	10
Comparator C (2020/21 rate)	Variable	225	160	15	10
Comparator D (2020/21 rate)	Variable	251	136	20	10

9. LEGAL IMPLICATIONS

- 9.1 The Democratic Services Manager has been appointed as RO as per section 14.6. 13 of the Constitution.
- 9.2. Section 36 of The Representation of The People Act 1983 (RPA) provides that [at (4), (5), (5A)] all expenditure properly incurred by a Returning Officer in relation to the holding of a district, parish or community election be paid by that council, or parish or community council for which the election is held.
- 9.3. An RO is entitled to recover charges in respect of services rendered or expenses incurred for elections, as per section 29 RPA.
- 9.4 There is no specific delegation to set fees for elections. The RO has responsibility for elections, although setting their own fees is not recommended. An officer may under 14.6.2(e) of the Constitution “...always refer a delegated decision to the Cabinet or Council or any of their respective Committees rather than make the decision”; section 14.5.1 further provides “All those functions relating to elections” falls to the Council as an effective default.

10. FINANCIAL IMPLICATIONS

- 10.1. The fees for elections are considered in the budget setting process. In the case of Parish elections, each Parish is charged for its election.

- 10.2. To provide an indication of the financial impact of the proposals – each Polling Station requires a Presiding Officer and there are 78 Polling Stations (to cover the entire district). On the basis that we do not share a Presiding Officer over two stations (which is only done out of necessity rather than preference) this would result in an additional £1.7k being identified within the budget.
- 10.3 The Electoral Commission recommends ratios when allocating electors and staff to Polling Stations which dictates that a Presiding Officer must be accompanied by either 1, 2 or 3 Poll Clerks. To cover the entire district the RO would need to employ circa 114 Poll Clerks – this would result in an additional £1.5k being identified within the budget. This however does not account for the extra staff that are likely to be required to accommodate operating Polling Stations in Covid conditions.
- 10.4 The Electoral Commission also recommends the appointment of Polling Station Inspectors who visit and inspect Polling Stations on behalf of the RO. There are usually ten recruited which would result in an additional £221 being required within the budget.
- 10.5 In terms of the costs of elections, these are generally met by the body or bodies whose representatives have been elected. For example, the UK Government pays for UK Parliamentary elections and North Hertfordshire District Council pays for the cost of local elections to the District Council. Where elections are combined, for example, a local election and a Police Crime and Commissioner Election, the costs are shared.
- 10.6 The elections in May 2021 will ultimately cost more due to the likely need to operate in Covid-19 conditions – i.e. the Count will take longer as there will be less staff allowed within the venue to maintain social distancing, the postal opening and verification process will take longer for the same reasons, plus the anticipated increase in postal vote applications, personal protective equipment (PPE) will need to be purchased - the level of PPE required will determine the costs. The Cabinet Office have confirmed that Covid related costs can be apportioned over the number of elections each authority has – for North Hertfordshire it would be three ways as there are Police Crime and Commissioner elections, Hertfordshire County Council elections as well as local elections.

11. RISK IMPLICATIONS

- 11.1. The Council needs to ensure it complies with statutory requirements. One element of this is to ensure that it has sufficient staff required to operate an election. If the Council does not pay a competitive rate it could become increasingly difficult to staff elections based on fees.

12. EQUALITIES IMPLICATIONS

- 12.1. There are no equalities implications.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1 There are no human resource implications, other than those set out.

15.2 NHDC previously used the services of Selima for its electoral payroll system. Since the Council moved to a new payroll provider - Liberata UK Ltd provides its payroll service, the electoral services payroll has also been absorbed into this contract. Staff used to resource elections will be required to submit claims via the self-service online portal.

15.3 To make the claims process easier there have been some elements absorbed into one role i.e 'conveyance of ballot box' and 'travel expense' has been included within the Presiding Officer and Poll Clerk fees.

16. APPENDICES

16.1 Appendix A - Electoral Services Scale of Fees 2021/2022.

17. CONTACT OFFICERS

17.1 Melanie Stimpson, Democratic Services Manager (and Returning Officer/Electoral Registration Officer)
melanie.stimpson@north-herts.gov.uk,

17.2 Jeanette Thompson, Service Director: Legal and Community (and Monitoring Officer)
jeanette.thompson@north-herts.gov.uk

17.3 Ian Couper, Service Director: Resources
ian.couper@north-herts.gov.uk

17.4 Jo Keshishian, Acting Human Resources Manager
Jo.keshishian@north-herts.gov.uk

17.5 Tim Everitt, Performance and Risk Officer
Tim.everitt@north-herts.gov.uk

18. BACKGROUND PAPERS

18.1 None.

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APPENDIX A

ELECTORAL SERVICES - SCALE OF FEES		2020/21	2021/22
1 April 2021 to 31 March 2022			
Duty		Fee £	Fee (£)
1. Polling staff (set fee)			
Presiding Officer (PO)		*227.90	*250.00
Presiding Officer (covering two stations – additional payment to *)		100.00	125.00
Conveyance of Ballot Box (PO'S)		42.80	Delete
For combined polls, additional payment of (P.O.'s)		22.90	30.00
Poll Clerk (PC)		136.80	150.00
For combined polls, additional payment of (P.C.'s)		13.60	20.00
Travel Expense (PC)		5.40	Delete
Presiding Officer (Parish/Town Poll only)		76.00	95.30
Conveyance of Ballot Box (POs)		42.80	Delete
Poll Clerk (Parish/Town Poll only)		45.60	53.40
Travel Expense		5.40	Delete
2. Counting staff			
Count Manager per hour		56.30	Delete
Senior Count Supervisor per hour		42.70	43.90
Count supervisor per hour		37.50	38.50
Counting Assistant per hour		18.80	18.80
3. Postal voting staff			
Postal Vote Supervisor – per hour		25.00	25.00
Postal Votes Assistant - per hour		12.50	12.50
Postal Vote Quality Control (set fee)		227.90	227.90
Postal Vote Driver		18.80	18.80
Car Parking fees for Garden Square Multi Storey		As per parking charges	As per parking charges
4. Polling Station Inspector staff			
Senior Polling Station Inspector (set fee)		327.90	327.90
Polling Station Inspector (set fee)		227.90	250.00
5. Councillor Liaison/Reception Duty per hour			
		18.80	18.80
6. Clerical Assistance/Ballot Box Preparation			
Administration per hour		8.70	9.00
7. Returning Officer's fees			
(a)	For each contested ward/parish:		
	Up to 1000 electors	89.50	89.50
	For each additional 1000 electors or part thereof	43.70	43.70
(b)	For each un-contested ward/parish	33.30	33.30
(c)	Where polls are combined	32.30	32.30

(d)	For each additional parish	11.50	Delete
8. Training			
	Presiding Officer	26.90	29.60
	Poll Clerk	26.90	29.60
	Senior/Polling Station Inspector	26.90	29.60
9. Travel for Polling Station Inspectors/Canvassers (Returns) /Postal Vote Issue/Postal Vote Driver			
Mileage payable at the recommended HMRC approved amount of 45 pence per mile for cars for the first 10,000 miles and 25 pence per mile thereafter.			
10. Canvasser – Canvass Forms and Invitation to Register Forms (RETURNS)			
	Rural – Form Left at Property	0.75	0.75
	Rural – Form returned from property	2.00	2.00
	Urban – Form left at property	0.50	0.50
	Urban – Form returned from property	1.50	1.50
	Bonus – cumulative return rate from all rounds canvassed divided by number of rounds canvassed. Payable and varies on each individual.	£1 per 1%	Delete
11. Poll Card Delivery and Canvass Form Delivery			
	Poll Card Delivery (per card)	--	20 pence
	Canvass Form Delivery (per form)	--	20 pence

**COUNCIL
21 JANUARY 2021**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: COVID-19 LEISURE CONTRACTS RECOVERY

REPORT OF THE SERVICE DIRECTOR - PLACE

EXECUTIVE MEMBER ENVIRONMENT & LEISURE: COUNCILLOR STEVE JARVIS

COUNCIL PRIORITY: RESPOND TO CHALLENGES TO THE ENVIRONMENT

1. EXECUTIVE SUMMARY

- 1.1 The Covid-19 Leisure Contracts Recovery report was referred to full Council on 24 September 2020 from Cabinet on 21 July 2020. Council RESOLVED;

To provide financial support to Stevenage Leisure Limited (SLL) on an Open Book basis from 20 March 2020 up to at least 31 March 2021. The support provided would only cover losses relating to the Council's contracts, and will not cover central overheads. SLL would be required to take all reasonable actions to minimise the value of any losses. The actual value of the support required will depend on SLLs income recovery but will be capped at a maximum of £1.8m.

- 1.2 Covid-19 case numbers were rising rapidly across the whole of the UK and in other countries. As a result, the Government instigated new national restrictions from 5 November 2020 until 2 December 2020, which included the closure of leisure facilities.
- 1.3. Since the report was considered by Cabinet, Hertfordshire was first placed into Tier 4 restrictions on the 20 December 2020. This required the closure of Leisure Centres. Then the whole of England was placed under Tier 5 (lock-down) restrictions on 5 January 2021. This lock-down has been announced as lasting until at least mid-February. It is also now very likely that the recovery to previous income levels will stretch into 2021/22 and potentially beyond. The Part 2 referral report from Cabinet has been re-written to provide an updated forecast summary reflecting the impact on 2020/21 and 2021/22.

2. RECOMMENDATIONS

Recommendation to Full Council: -

- 2.1. That the Council supports the continued delivery of leisure facilities in the District to support the health and wellbeing of our residents.
- 2.2. Recommendation to approve the recommendation in Part 2.

3. REASONS FOR RECOMMENDATIONS

3.1. See Part 2 Report.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. As Part 2 Report.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1. Consultation was undertaken with our Executive Member Environment and Leisure, Cllr Steve Jarvis, deputy Cllr Adem Ruggiero-Cakir and Executive Member for Finance & IT, Cllr Ian Albert.

6. FORWARD PLAN

6.1. The final decision is for full Council decision and not a Key Executive decision and is not therefore referred to in the Forward Plan.

7. BACKGROUND

7.1. At full Council on 24 September 2020 it was discussed and agreed to provide financial support to SLL. The following minute details the resolution;

RESOLVED: To provide financial support to Stevenage Leisure Limited (SLL) on an Open Book basis from 20 March 2020 up to at least 31 March 2021. The support provided would only cover losses relating to the Council's contracts, and will not cover central overheads. SLL would be required to take all reasonable actions to minimise the value of any losses. The actual value of the support required will depend on SLLs income recovery but will be capped at a maximum of £1.8m.

REASON FOR DECISION: To seek approval for the SLL recovery plan and a phased approach toward recovery allowing flexibility through delegation, to ensure business continuity for the leisure contracts and for them to survive beyond the Covid-19 pandemic.

7.2. On the 25 July 2020 the leisure facilities reopened to the public in a COVID Secure environment. Usage and income levels have steadily increased with customer confidence returning. Further details are contained within Part 2 report.

7.3. In order to reduce overheads as much as possible through the second lockdown SLL have furloughed most of the operational staff across all of their contracts, leaving minimal employees to manage the North Hertfordshire District Council Contracts, ensuring the buildings are being operated in accordance with statutory regulations. In addition, SLL will look to reduce utility costs by cooling the pool and air temperature over the closure period.

7.4. Otherwise as per the Part 2 report.

8. RELEVANT CONSIDERATIONS

8.1. See Part 2 Report.

9. LEGAL IMPLICATIONS

- 9.1. The Leisure Contracts were procured via OJEU in compliance with EU Procurement Rules. Regulation 72 of The Public Contracts Regulations 2015 and Regulation 43 of the Concession Contract Regulations allows the Council to modify contracts during their terms.
- 9.2. As Part 2 Report.

10. FINANCIAL IMPLICATIONS

- 10.1. See Part 2 Report.

11. RISK IMPLICATIONS

- 11.1. As Part 2 Report.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. To continue to support the SLL facilities via the Open Book approach provides support to those potentially vulnerable staff (on low income and zero contracts). Dependent on the new way in which the facilities open, they may provide support to those vulnerable members of the community who have been shielded or isolated during this pandemic period.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and “go local” requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this recommendation of continued support. The Facilities are currently shut and remain so for the moment. The impact on the environment has been reduced in comparison to when it was fully opened. When the facilities re-open or are closed then the environmental implications may require assessment.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1. The Council has already set up a trading company for such an eventuality.
- 15.2. Otherwise, as Part 2 Report.

16. APPENDICES

- 16.1. None.

17. CONTACT OFFICERS

- 17.1. Louise Randall, Leisure Contract Manager
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- 17.4. Reuben Ayavoo, Policy and Community Engagement Manager
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- 17.5. Joanna Keshishian, HR Operations Manager
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- 17.6. Jeanette Thompson Service Director – Legal and Community Monitoring Officer
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18. BACKGROUND PAPERS

- 18.1. [CABINET: 21 JULY 2020 - COVID-19 LEISURE CONTRACTS RECOVERY REPORT](#)
- 18.2. [COUNCIL: 24 SEPTEMBER 2020 – Decision Page](#)

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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