

NORTH HERTFORDSHIRE DISTRICT COUNCIL



01 April 2021

Our Ref Council – 15.04.2021
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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, 15 APRIL 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 - 21 JANUARY 2021 - 11 FEBRUARY 2021 To take as read and approve as a true record the minutes of the meeting of the Committee held on the following dates: <ul style="list-style-type: none">• 21 January 2021 and• 11 February 2021.	7 - 44
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> 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.

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. ITEMS REFERRED FROM OTHER COMMITTEES

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

45 - 62

8. QUESTIONS FROM MEMBERS

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

9. NOTICE OF MOTIONS

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

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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 as a virtual meeting
on Thursday, 21st January, 2021 at 7.30 pm

PRESENT: Councillors: Councillor Val Bryant (Vice-Chair), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, John Bishop, Ruth Brown, Paul Clark, Sam Collins, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Faye Frost, Jean Green, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, 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 and Tom Tyson

IN ATTENDANCE: Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Vaughan Watson (Service Director - Place), Jo Dufficy (Service Director - Customers), Vic Godfrey (I T Manager), Melanie Stimpson (Democratic Services Manager), Anne Banner (Benefits Manager), Louise Randall (Leisure Contracts Manager) and Hilary Dineen (Committee, Member and Scrutiny Manager)

ALSO PRESENT: At the commencement of the meeting one registered speaker.

65 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

Audio recording – 8 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 to and view proceedings.

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

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

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

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

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

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

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

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

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

66 APOLOGIES FOR ABSENCE

Audio recording – 6 minutes 26 seconds

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

67 MINUTES - 6 FEBRUARY 2020 TO 12 NOVEMBER 2020

Audio Recording – 6 minutes 43 seconds

The Vice-Chair advised that since the beginning of March, when NHDC started to hold meetings remotely, it had not been possible to approve Minutes of meetings. Minutes could now be approved with the electronic signature of the Chair of the meeting being applied following approval.

There were 9 sets of Minutes to agree:

- 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.

Some Members commented that it was difficult to recall what happened February 2020.

Councillor Val Bryant proposed, Councillor Martin Stears-Handscorn seconded and it was:

RESOLVED:

- (1) That the Minutes of the meetings of Cabinet held on 6 February 2020, 27 February 2020, 16 April 2020, 4 June 2020, 9 July 2020, 27 August 2020, 24 September 2020, 8 October 2020 and 12 November 2020 be approved as a true record of the proceedings;
- (2) That, with the authorisation of the Vice-Chair, her electronic signature and initials be attached to the Minutes approved in (1) above.

68 NOTIFICATION OF OTHER BUSINESS

Audio recording – 11 minutes 55 seconds

There was no other business notified.

69 CHAIR'S ANNOUNCEMENTS

Audio recording – 12 minutes 3 seconds

(1) Audio Recording

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

(2) Climate Emergency

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

(3) Declarations of Interest

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

(4) Rules of Debate

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

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

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

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

(5) Comfort Break

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

(6) Order of Business

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

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

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

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

70 PUBLIC PARTICIPATION

Audio recording – 14 minutes 42 seconds

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

- They had just completed first year of a three year financial agreement with NHDC;
- Last year NHDC agreed a one year uplift of £50,000
- They need the uplift again this year
- Covid-19 had resulted in a reduction in the number of clients but the demand was for more complex issues;
- Issues included, lack of money, use of foodbanks, domestic violence and loss of jobs to mention just a few;
- They had signposted many people to one of the many voluntary organisations such as those delivering food and medicine;
- Since March 2020 they had support 4,433 clients with almost 9,000 issues and had achieved financial outcomes for clients of £1.1 million;
- Clients were 92 percent likely to recommend their services and feedback included that they felt better after talking to CAB;
- The uplift received last year had mainly been spent on increasing supervisor capacity, which allowed them to seamlessly transfer to 100 percent homeworking;
- They had run some very successful “pop up” sessions and would be extending this once restrictions were lifted;
- An uplift of funding was required for the next year to enable them to continue with their work, which helped reduce the number of people contacting the Council;
- Existing funding was stretched by using highly experienced volunteers and this funding was used to leverage other funding streams;
- Covid had taught them a lot and has accelerated plans including increased use of digital channels;
- They hoped to extend their physical presence to more places across the district as soon as restrictions allowed;
- The work was more intensive so there was a need to recruit and train more volunteers as well as upskill existing volunteers.

The following Members asked questions:

- Councillor Judi Billing
- Councillor Ian Albert
- Councillor David Levett

In response to questions Ms Waters advised:

- If did not receive the £50,000 uplift in 2021/22:
 - they would not be able to open for as many hours, probably resulting in closing for a day and half a week
 - Would have to make a choice about limiting channels that were available to access services.
- Last year's uplift was used:
 - Initially to fund a new support worker to visit clients
 - Subsequently for supervision
- They did support clients from just outside the area, such as Fairfield Park
- They had a reciprocal arrangement with Mid Beds which meant that they gave initial advice to people from Bedfordshire, but if they needed more then they were referred to Mid Beds.

The Vice-Chair thanked Ms Waters for her presentation.

71 QUESTIONS FROM MEMBERS

Audio recording – 24 minutes 43 seconds

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

(A) Unlawfully Parked Vehicles

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

"Members were advised, via the MIS of 18 December 2020, that the minimum set period for observing vehicles unlawfully parked on yellow lines was to be reduced from 5 minutes to 2 minutes. The record of the decision taken under delegated authority states at paragraph 6.1 that 'The Executive Member for Planning & Transport & Deputy as well as other ward councillors have been informed and are supportive of the decision taken'. Can the Executive Member inform Council which ward councillors were informed and when?"

Councillor Paul Clark responded as follows:

"We are aware of concerns raised around the District raised by residents concerning anti-social parking, one area being anti-social parking particularly outside take aways and other areas such as post offices and ATMs within the town centres and also within neighbourhood centres.

Examples include:

In Baldock:

Bell Row

Issue previously raised by Cllr Muir and local residents with vehicles parking in the street and across entrance ways picking up takeaways.

In Hitchin:

Bancroft

With the Chicken George Takeaway
Takeaways in Nightingale Road

This has been an on-going issue and has increased during the pandemic with issues raised by residents
Pizza Kebab and Curry Houses on the corner of Bearton Road and Brampton Park Road
Issue previously raised by Councillor Judi Billing and local residents
Highbury Road Post Office
On-going issues and previously raised by local ward Councillors.

In Royston:

Takeaways in Melbourne Street near the pedestrian crossing
Issue raised by parking services team

On a general point our Parking Enforcement officers continually encounter issues with vehicles parking on double yellow lines, which has increased during the pandemic, particularly with click and collect and more restaurants offering takeaways

This is not to adversely affect businesses only to encourage those using these businesses to park responsibly on street;

We are aware of cars not moving on when a Civil Enforcement Officer asks, as they are aware of the 5 minute period;

It is not deemed appropriate to have a zero time period in terms of loading and unloading, Civil Enforcement Officers (CEO's) do need an observation period;

Ward Councillors were made aware of the option on one particular situation where relationships between those parking illegally and anti-socially and the residents is causing concern, this is in relation to the correspondence over the Chicken George (Councillors that officers liaised with were Councillors Keith Hoskins, Judi Billing, Ian Albert, Sam Collins, County Councillor Derrick Ashley, Councillors Ian Mantle and Paul Clark);

Other Ward Councillors were made aware in MIS dated 18 December 2020, regarding the Delegated decision notice issued, no comments were received in respect of this delegated report from any Councillor.

It was also included in the Shadow Portfolio Holder briefing slides on page 17."

Councillor Jim McNally asked the following supplementary question.

"I note that you mentioned various towns in North Herts and informing other ward Councillors, as stated in the decision sheet, but it did not include any Councillors in the town of Baldock. The observation period only seems to have been changed with regard to single and double yellow lines with no regard taken in to account regarding unlawful parking in residents' parking bays, which is a particular problem in the towns. That is likely to lead to inconsistency with the application of parking restrictions Consultations seems to have been taken along strict party lines no Conservative Members were informed despite all four towns having elected Conservative Councillors. Why was consultations, or informing ward Councillors in this instance seemingly high handed and autocratic?"

Councillor Paul Clark responded:

"I will disagree with my colleague. As I said at the end, the Shadow Portfolio Holder for Parking and Transport was informed in the slides of the Shadow briefing in November and that was Councillor McNally. County Councillor Ashley, a Conservative was also mentioned. I don't keep a diary of everyone I have spoken to on every single matter. There would have been other general discussions as we went round. Councillors Mantle and Stears-Hanscomb were aware as were other Councillors."

(B) Progress of Work on the New Settlement

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

"Could the Executive Member update us on the progress of work on the New Settlement for which the previous administration secured substantial funding from central government?"

Councillor Paul Clark advised:

"When this was your portfolio Councillor Levett, but things have moved on with the Growth Board. Councillor Martin Stears-Handscomb (Leader of the Council) is going to answer this as he is the representative on the Growth Board"

Councillor Martin Stears-Handscomb responded that:

"New settlement work has been carried out for some time under previous administrations with all-party support. I am assuming that New Settlement MHCLG grant work referred to in the question is the application led by NHDC on behalf of ourselves, East Herts, Welwyn-Hatfield and Stevenage. This award was approximately £250k. The projects agreed to be funded within this award, which included forecasting population and economic growth through to 2050 and the typologies of settlements, are complete and there is a small amount of money left.

A further MHCLG grant application under the previous administration to continue this work and bring Broxbourne into the project was unsuccessful.

This administration fully intends to continue this work as we are able, working with the same partners with the addition of Broxbourne. I am chairing and Anthony is leading a Growth Locations/New Settlement/ Infrastructure work stream as part of the North East and Central Herts Strategic Planning Group which is part of the Herts Growth Board. We are using the remaining grant, circa £30k, to map out the next steps on this work.

In summary, the work undertaken so far is being rolled forward into the Growth Board work, specifically the NEC group (which meets the joint working criteria of the award) and the workstream led by Anthony with the support of Ian Fullstone and planning colleagues on growth and new settlements."

Councillor David Levett asked the following supplementary question:

"Do you think that it is important that new settlement work is progressed as we are hopefully looking to get a Local Plan agreed soon. As mentioned at previous meetings, a new settlement could be a viable alternative to further growth around our towns?"

Councillor Martin Stears-Handscomb responded as follows:

"Yes we do feel it is important that the new settlement work goes forward. As you know the time horizon for a new settlement is a very long one, therefore, much as we all wish that the work was done earlier and was an alternative to our current Local Plan, the reality is we are talking about the next Local Plan. So in answer to your question, yes it is important and hopefully will avoid any future incursion around our existing towns."

(C) Local Election Safeguards

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

"Would the Leader of the Council please outline the safeguards that have been put in place to protect poll workers and voters if the local elections are to go ahead this May?"

Councillor Martin Stears-Handscomb gave the following response:

“I should first make it clear that making arrangements for elections is the responsibility of the Returning Officer and is not within my remit or any other executive member. Having said that, in order to reassure Members and our voters I have consulted the Returning Officer who is happy for the following information to be provided.

Given that there is continued uncertainty that the elections in May will take place, we must continue to plan that the elections will indeed happen in May – and under these ‘unprecedented’ conditions.

The Electoral Commission has published various key consideration documents for the delivery of the May 2021 Poll – one in particular with regards to Polling Stations. These documents have been developed in consultation with the Association of Electoral Administrators, Solace and the Cabinet Office.

The general public health principles, to help to mitigate the risk of the spread of the virus, are expected to be followed by both the electorate and polling station staff:

- Maintain social distancing
- Clean hands regularly
- Avoid touching face
- Limit the number of contacts
- Wear a face covering, where necessary
- Self-isolate and get a test, where necessary

There will be regular cleaning throughout the day of touchpoints such as doors, polling booths and any writing implements, although voters will be encouraged to bring their own pen or pencil to the polling station.

Additional staff will be employed to stand at the entrance of the busier polling stations to manage entry to the station for social distancing purposes, as well as to encourage voters and other stakeholders attending the polling station to abide by the public health measures in place, such as the wearing of face coverings, sanitising hands on entry and exit, and to answer any questions about what to expect inside the venue.

Polling station staff will be encouraged to take regular breaks, wherever possible, to allow a rest from wearing face coverings.

There will be additional signage to remind voters of the need to follow public health guidelines such as social distancing, the wearing of face-coverings and only entering if symptom-free.

Hand sanitiser will be available at the polling station, with voters encouraged to clean their hands on entry and exit.

The use of face-coverings will be required for all individuals in a polling station (unless they are subject to an exemption or are a member of staff working behind an individual screen) in line with government regulations. Spare masks will be available to those who have not brought their own face covering.

Where stations allow, a one-way system will be adopted to ensure that social distancing can be maintained.

The Polling Stations are being assessed to consider the most appropriate layout of desks and polling booths, to help maintain distance between the polling staff, and between polling staff and voters.

The UK Government have currently confirmed that there will be no test and trace requirement to record the contact details of those entering a polling station for the purposes of voting, even where the polling station is located in a building where it would usually be required.

There will be some documents and papers that will be shared and staff will be reminded that they should only be present if they are well, avoid touching their faces, and regularly and frequently wash their hands.

There are many other electoral processes which need safeguards in place and this just a sample of the measures that can be expected at Polling Stations. This is under review on an ongoing basis through the Council's Elections Project Board and meetings that the Returning Officer has held with her Herts counterparts. The safety of everyone is of paramount importance and I encourage you to contact the Returning Officer should an Member have any other queries or concerns."

Councillor Morgan Derbyshire asked the following supplementary question:

"Would you agree with me that it is dangerous for any political party asking its candidates and volunteers to hand deliver campaign literature while the District is in the highest tier and the Government's message is still Stay Home, Stay Safe"

Councillor Martin Stears-Handscorn responded:

"Yes I agree and thank you for a simple supplementary to answer"

72 NOTICE OF MOTIONS

Audio recording – 40 minutes 18 seconds

No motions had been submitted.

73 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 40 minutes 24 seconds

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

The Executive Member for Finance and IT presented the referral from Cabinet regarding IT Capital – Purchase of Laptops, which was considered at the meeting held on 15 December 2020.

He advised that:

- This was regarding the reprofiling of the IT budget to purchase equipment;
- The Council had been working remotely for approximately 10 months and some staff were not equipped to take part in virtual meetings as current desktop equipment did not have cameras, microphones etc.
- It was important that staff and councillors were adequately equipped;
- The issuing of laptops instead of desktop equipment would enable more mobile working and would result in savings in license fees, which have to be purchased for each set of equipment.

Cabinet 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.

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

RESOLVED:

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

REASONS FOR DECISIONS:

- (1) To enable a continued agile way of working which has been brought about by the Coronavirus pandemic, increasing flexibility and business continuity resilience and ensuring a future proofed approach;
- (2) To avoid additional capital costs associated with a requirement to increase Microsoft licences where users have a personal computer in the office and an NHDC provided device at home;
- (3) To respond to feedback from the staff survey regarding the need for staff to be provided with equipment that have cameras and microphones to enable council wide participation in meetings and similar activities;
- (4) To enable the procurement, build and distribution of laptops to take place ahead of the new financial year, considering supplier lead in times and scheduling of resources in the IT team.

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

The Executive Member for Finance and IT presented the referral from Cabinet regarding Investment Strategy (Capital and Treasury) Mid-Year Review 2020-21, which was considered at the meeting held on 15 December 2020.

He advised that:

- Table 2 detailed the capital spend, including the amounts in relation to property investment, which had been deferred due to the current economic conditions;
- Table 3 showed that the Capital programme would be funded from S106 receipt, grants and contributions from capital reserves and there would be no requirement to borrow;
- There had been changes to borrowing from the Public Works Loan Board with the lower interest rates being accompanied by restrictions on borrowing meaning that borrowing could not take place if the project was being undertaken purely for yield;
- Paragraph 8.10 detailed the impact of Covid-19 and the economic downturn on cash investment rates
- Paragraph 8.12 detailed all the current investments held by the Council as at 30 September 2020.

Cabinet recommended to Council:

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

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

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

REASONS FOR DECISION:

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

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

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

74 COUNCIL TAX REDUCTION SCHEME

Audio recording – 54 minutes 16 seconds

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

He advised that:

- The Service Director – Customers and her team should be thanked for the work undertaken regarding the Council Tax Reduction Scheme;
- There had been an almost 16 percent increase in those claiming
- It had been the intention to carry out a full review of the scheme this year, but this had not been possible due to the pandemic and the impact on claimants;
- It was hoped to undertake a full review in the next year, but this was dependent on the pandemic situation;
- The additional support payment was proposed to continue at the current levels for 2021/22.

The following Member took part in the debate:

- Councillor Sam North.

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

RESOLVED:

- (1) That Council notes the CTRS position relating to this and previous financial years.
- (2) That Council notes that a full review of the CTRS has commenced and been postponed due to the consequences on the Scheme of the COVID-19 pandemic.
- (3) That Council confirm that the amounts continue to be distributed to Parish, Town & Community Councils in 2021/22.

(4) That no changes to the CTRS be made for 2021/2022.

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

75 REVIEW OF MEMBERS' ALLOWANCES SCHEME

Audio recording – 1 hour 1 minute 50 seconds

The Democratic Services Manager presented the report entitled Review of Members' Allowances Scheme together with the following appendices:

- Appendix A - Report and Recommendations by the IRP on the Members' Allowances Scheme 2021/2022;
- Appendix B - Proposed Members' Allowances Scheme 2021/2022 with tracked changes (2020/2021 with proposed Scheme highlighted).

She advised that there was a correction to Paragraph 10.1 of the report in that, following further analysis of the finances, the recommended increases could be provided within the current budget, so no increase in budget was required.

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

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

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

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

Councillor David Levett proposed and Councillor Simon Harwood seconded that the cost of living rise not be taken.

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

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

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

Councillor Levett asked for separate votes for each recommendation.

The following Members took part in the debate:

- Councillor Sam Collins;
- Councillor Ruth Brown;
- Councillor Helen Oliver;
- Councillor Claire Strong;
- Councillor Daniel Allen;
- Councillor Richard Thake;
- Councillor Simon Harwood;
- Councillor David Barnard;
- Councillor Jean Green;
- Councillor David Levett;
- Councillor Judi Billing;
- Councillor Sam North;
- Councillor Martin Stears-Handscomb.

The Committee, Member and Scrutiny Manager clarified with relevant Members that a recorded vote would be taken regarding recommendation 2.2, Recommendations 2.1,2.3 and 2.4 would be taken together and voted on by raise of hands.

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

For:

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

Total For: 17

Against:

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

Total Against: 22

Abstain:

Councillors: John Bishop and George Davies.

Total Abstain: 2

Therefore the motion was lost.

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

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

Upon the vote it was:

RESOLVED:

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

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

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

76 ELECTORAL SERVICES - SCALE OF FEES 2021/22

Audio recording – 1 hour 55 minutes 37 seconds

NB: The meeting resumed at 9.25pm

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

The Democratic Services Manager recused herself from being present during the item due to her responsibilities as Returning Officer and was placed in a breakout room for the duration of the item.

The Service Director- Resources presented the report entitled Electoral Services – Scale of Fees 2021/22 together with the following appendix:

- Appendix A - Electoral Services Scale of Fees 2021/2022.

He advised that:

- The fees for the Returning Officer remain unchanged from last year;
- The fees for other positions had been compared to the rates paid by other Councils;
- It was proposed that these be set at a level where we can attract people to take on the roles;
- Some fees had been simplified.

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

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

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

The Democratic Services Manager returned to the meeting.

77 COVID LEISURE CONTRACTS RECOVERY

Audio recording – 2 hours 52 minutes 5 seconds

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

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

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

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

The Executive Member for Environment and Leisure presented the report entitled Covid Leisure Contracts Recovery and the referral from the Cabinet meeting held on 15 December 2020 (9c)

He advised that:

- That a further lockdown had changed expectations in respect of leisure facilities;
- It was currently expected that the leisure facilities would be closed until the end of March 2021;
- This meant that the level of losses would exceed the £1.8 million previously agreed by Council;
- If this Council wished to continue to provide the valued leisure facilities then the only option was for the Council to underwrite losses.

Councillor Steve Jarvis proposed and Councillor Ian Albert seconded the recommendations contained in both the Part 1 and Part 2 reports.

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

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

- Councillor Gerald Morris;
- Councillor Steve Jarvis;
- Councillor Ian Albert;
- Councillor David Levett.

In response to questions the Service Director – Resources advised that in the event that SLL went into administration any money paid would be lost.

Following recorded votes as detailed below it was:

RESOLVED:

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

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

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

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

For:

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

Total For: 39

Total Against: Nil

Total Abstain: Nil

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

For:

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

Total For: 23

Against:

Councillors: John Bishop, Gerald Morris and Michael Muir.

Total Against: 3

Abstain:

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

Total Abstain: 13

78 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 2 hours 3 minutes 8 seconds

Councillor Val Bryant proposed, Councillor Martin Stears-Handscomb seconded and 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 3 of Part 1 of Schedule 12A of the said Act (as amended).

79 COVID-19 LEISURE CONTRACTS RECOVERY

NB: This item was not audio recorded or filmed

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

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

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

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

The Executive Member for Environment and Leisure presented the Part 2 report entitled Covid Leisure Contracts Recovery and the Part 2 referral from the Cabinet meeting held on 15 December 2020 (9c)

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

- Councillor Simon Harwood;
- Councillor John Bishop;
- Councillor Sam North;
- Councillor Martin Stears-Handscomb;
- Councillor Sam Collins;
- Councillor Helen Oliver;
- Councillor Judi Billing;
- Councillor David Levett;
- Councillor Ian Albert;
- Councillor Steve Jarvis.

Questions were responded to by the Service Director – Legal and Community

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

RESOLVED:

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

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

The meeting closed at 10.56 pm

Chair

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held as a Virtual Meeting
on Thursday, 11th February, 2021 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, George Davies, Steve Deakin-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, 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, Tom Tyson and Michael Weeks

IN ATTENDANCE: Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Melanie Stimpson (Democratic Services Manager), Peter Lapham (Interim Property Consultant) and Hilary Dineen (Committee, Member and Scrutiny Manager)

80 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

Audio recording – 41 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 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:
- Voting and
- Part 2 Items

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

The Committee, Member and Scrutiny Manager reminded Members that, due to a software update by Zoom, our usual voting procedure had been disrupted and would no longer work as required, therefore all voting would take place using raise hand function.

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

81 APOLOGIES FOR ABSENCE

Audio recording – 5 minutes 43 seconds

Apologies for absence were received from Councillors Faye Frost, Ian Moody, Val Shanley and Kay Tart.

Councillor George Davies had apologised that he would be arriving late for the meeting.

82 NOTIFICATION OF OTHER BUSINESS

Audio recording – 6 minutes 16 seconds

There was no other business notified.

83 CHAIR'S ANNOUNCEMENTS

Audio recording – 6 minutes 20 seconds

(1) 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) 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) 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) 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 can Members ensure that no speech exceeds five minutes without the consent of the Chair.

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

(6) The Chair informed Members that he would be taking Items 12 and 13 prior to Item 9.

84 PUBLIC PARTICIPATION

Audio recording – 9 minutes 15 seconds

There were no presentations by members of the public.

85 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 9 minutes 20 seconds

6a - Referral from Cabinet - 26.01.21 - Revenue Budget 2021-22

The Chair advised that Referral 6a would be considered with Item 8 (Minute 87 refers).

6b - Referral from Cabinet - 26.01.21 - Investment Strategy (Capital and Treasury)

NB: The Chair advised that he would be taking Referral 6b after Item 8 (Minute 87 refers).

Audio recording – 2 hours 39 minutes 22 seconds

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

The following Members took part in the debate:

- Councillor Tony Hunter;
- Councillor David Levett.

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

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 8.12 to 8.17) 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.

86 PAY POLICY STATEMENT 2021/22

Audio recording – 9 minutes 50 seconds

The Leader of the Council presented the report entitled Pay Policy Statement 2021/22 together with the following appendix:

- Appendix 1 - North Herts District Council Draft Pay Policy Statement 2021/22.

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

RESOLVED:

- (1) That the 2021/22 Pay Policy Statement attached at Appendix 1 be endorsed;

- (2) That revisions made in year to the Pay Policy Statement be delegated to the Service Director - Resources, in consultation with the Leader of the Council. 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.

87 REVENUE BUDGET 2021/22

Audio recording – 14 Minutes 40 seconds

The Chair advised that he would be inviting Councillor Stears-Handscomb (Leader of the Council) to speak, following which Councillor Ian Albert (Executive Member for Finance and IT) would present the report. He had agreed that Councillor Albert may speak for more than 5 minutes regarding the Budget.

The Chair stated that, Members were aware that this would be a recorded vote and that he proposed taking all of the recommendations as one, unless he heard to the contrary.

The Leader of the Council made an introductory speech regarding the Revenue Budget 2021/22 (Attached as Appendix A to the Minutes).

The Executive Member for Finance and IT gave a detailed speech regarding the report entitled Revenue Budget 2021/22 and the following appendices (Attached as Appendix B to the Minutes), he also directed Members attention to the referral from Cabinet (6a).

- Appendix A – Financial Risks 2021/22;
- Appendix B – Revenue Budget Savings and Investments;
- Appendix C – Budget Summary 2021–2026;
- Appendix D – Budget Summary 2021–2026 (£10 Council Tax increase 2021/22).

The Executive Member for Finance and IT advised that the following recommendations contained in the report should be amended as follows:

Recommendation 2.5 to read:

Approves a net expenditure budget of £18.441m, as detailed in Appendix C.

Recommendation 2.6 to read:

Approves a Council Tax increase by the maximum allowed without the need for a local referendum in 2021/22(as per the Medium Term Financial Strategy). This is likely to be an amount of £5 for a band D property, with other increases pro-rata to this.

He then called for a recorded vote.

Councillor Ian Albert proposed, and Councillor Sam North seconded the recommendations contained in the report, as amended.

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

- Councillor Michael Weeks;
- Councillor Gerald Morris;
- Councillor Terry Hone;
- Councillor Tony Hunter;
- Councillor Paul Clark'

- Councillor Carol Stanier;
- Councillor Sam North;
- Councillor Elizabeth Dennis-Harburg;
- Councillor Michael Muir.

The Executive Member for Finance and IT, Service Director – Resources and Managing Director responded to questions.

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

“That, in consultation with Officers, fellow councillors and Herts & Middlesex Wildlife Trust, a 3 year pilot programme be created to look at the creation of a rewilding scheme, to introduce ‘nature highways’ and / or ‘bee and wildflower corridors’ through North Hertfordshire. This pilot will focus / look at particularly community engagement - getting schools, groups and other members of the community directly involved in the project. This approach from elsewhere has been shown as key to success for generating long-lasting momentum and building a strong sense of community ownership.

That £150k, over three years, be added to the budget for this purpose. This funding will allow us, subject to agreement, to assign a dedicated person (part-time) to coordinate action, engage local communities and to manage the project and to undertake the purchase of the necessary material.”

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

- Councillor Steve Jarvis;
- Councillor Ian Albert;
- Councillor David Levett;
- Councillor Gerald Morris;
- Councillor Michael Muir;
- Councillor Martin Stears-Handscomb;
- Councillor Sam Collins;
- Councillor Helen Oliver;
- Councillor Simon Harwood;
- Councillor Daniel Allen.

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

The result of the recorded vote on the proposed amendment was:

For: Councillors: David Barnard, John Bishop, George Davies, Steve Deakin-Davies, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Jim McNally, Gerald Morris, Michael Muir, Mike Rice, Claire Strong, Richard Thake, Terry Tyler and Michael Weeks.

Total: 18

Against: Councillors: Ian Albert, 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, Helen Oliver, Sean Prendergast, Adem Ruggiero-Cakir, Carol Stanier, Martin Stears-Handscomb and Tom Tyson.

Total: 22

Abstain:

Councillors: Daniel Allen and Sam North.

Total: 2

Therefore the motion was lost.

NB: The Chair announced a comfort break at 9.14 pm.

NB: The meeting resumed at 9.26pm

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

Councillor David Levett proposed, and Councillor Richard Thake seconded the following amendment:

“That an allocation of £100k is made to SADA to assist with providing safe havens for those suffering from domestic abuse by providing longer term security against homelessness.”

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

- Councillor Sam North;
- Councillor Judi Billing;
- Councillor Gary Grindal;
- Councillor Ian Albert.

Councillor David Levett, with the agreement of Councillor Richard Thake, agreed to withdraw the proposed amendment, providing it remained on the table.

The following Members took part in the debate regarding the recommendations contained in the report:

- Councillor David Levett;
- Councillor George Davies;
- Councillor Ian Albert.

The Executive Member for Finance and IT advised that the recommendation contained in the referral from Cabinet regarding an additional £50k payable to Citizens Advice North Herts had been included at line R12 of Appendix B and Recommendation 2.5 of the report.

The Chair advised that a recorded vote would be taken on recommendations 2.2, 2.3, 2.4 and 2.5 contained in the report and separate recorded vote would be taken on recommendation 2.6 contained in the report. The results of these recorded votes were as follows:

Recorded Vote regarding recommendations 2.2, 2.3, 2.4 and 2.5 contained in the report:

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-Handscorn, Terry Tyler and Tom Tyson.

Total: 25

Against:

Councillors: David Barnard, John Bishop, George Davies, Steve Deakin-Davies, Morgan Derbyshire, Jean Green, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Jim McNally, Gerald Morris, Michael Muir, Claire Strong, Richard Thake and Michael Weeks.

Total: 16

Abstain:

Councillor Mike Rice.

Total: 1

Recorded Vote regarding recommendation 2.6 contained in the report:

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:

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

Total: 17

Abstain:

Total: Nil

Therefore it was:

RESOLVED:

- (1) That the Collection Fund and how it will be funded be noted;
- (2) That the position relating to the General Fund balance and that due to the risks identified a minimum balance of £3.85 million is recommended be noted;
- (3) That the savings and investments as detailed in Appendix B be approved;
- (4) That a net expenditure budget of £18.441m, as detailed in Appendix C be approved
- (5) That a Council Tax increase by the maximum allowed without the need for a local referendum in 2021/22(as per the Medium Term Financial Strategy) be approved. This is likely to be an amount of £5 for a band D property, with other increases pro-rata to this.

REASONS FOR DECISIONS:

- (1) To ensure that all relevant factors are considered in arriving at a proposed budget and Council Tax level for 2021/22, to be considered by Full Council on 11 February 2021.
- (2) To ensure that Cabinet recommends a balanced budget to Full Council on 11 February 2021.

88 LAND AT TEMPLARS LANE, PRESTON

Audio recording – 3 hours 24 minutes 5 seconds

NB This Item was considered following the Part 2 Item of the same name (Minute 92 refers)

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

Councillor Sean Prendergast declared a Disclosable Pecuniary Interest in that he worked for one of the housing associations being discussed. He advised that he would take no part in the debate or vote and, on the advice of the Service Director – Legal and Community, left the meeting.

The Executive Member for Enterprise and Co-operative Development presented the report entitled Land at Templars Way, Preston together with the following appendices:

- Appendix A - Site Plan;
- Appendix B - Marketing Brochure and Estates Gazette Advertisement.

Councillor Keith Hoskins proposed, Councillor Paul Clark seconded, and it was:

RESOLVED: That the terms for the sale of this land be approved.

REASONS FOR DECISION:

- (1) To release surplus property to provide a financial receipt to help fund the capital programme;
- (2) To enable the development of new homes in North Hertfordshire.

89 NOTICE OF MOTIONS

Audio recording – 3 hours 29 minutes 10 seconds

No motions had been submitted.

90 QUESTIONS FROM MEMBERS

Audio recording – 3 hours 29 minutes 17 seconds

No questions had been submitted by Members.

91 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 2 hours 47 minutes 23 seconds

Councillor Terry Tyler proposed, Councillor Keith Hoskins seconded, and 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 3 of Part 1 of Schedule 12A of the said Act (as amended).

92 LAND AT TEMPLARS LANE, PRESTON

NB: This item was not audio recorded or filmed.

NB This Item was considered prior to the Part 1 Item of the same name (Minute 88 refers)

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

The Executive Member for Enterprise and Co-operative Development presented the report entitled Land at Templars Lane, Preston together with the following appendices:

- Appendix C - Summary of all Offers;
- Appendix D - Analysis of Final Offers.

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

- Councillor David Levett;
- Councillor Martin Stears-Handscomb;
- Councillor Gary Grindal;
- Councillor Claire Strong;
- Councillor Michael Muir;
- Councillor Richard Thake.

In response to queries from Councillor Michael Muir and Sean Prendergast the Service Director – Legal and Community gave advice regarding declarations of Interest.

Councillor Sean Prendergast declared a Disclosable Pecuniary Interest in that he worked for one of the housing associations being discussed and left the breakout room.

The debate continued.

Questions were answered by the Executive Member for Enterprise and Co-operative Development, the Managing Director, the Service Director Legal and Community and the Interim Property Consultant.

Councillor Keith Hoskins proposed, Councillor Paul Clark seconded, and it was:

RESOLVED: That the terms for the sale of this land be approved.

REASONS FOR DECISION:

- (1) To release surplus property to provide a financial receipt to help fund the capital programme;
- (2) To enable the development of new homes in North Hertfordshire.

The meeting closed at 11.02 pm

Chair

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APPENDIX A

BUDGET SPEECH BY THE LEADER OF THE COUNCIL

This time last year we were seated in the Council Chamber for the annual budget council meeting. We could not have imagined then that within the next year we would have changed the way we worked so drastically, worked with the NHS and other agencies to keep our residents safe, ensured that the finance to protect our businesses and our residents was delivered speedily and effectively; and adapted in so many other ways to the pandemic that has afflicted us all.

I am extremely pleased and honoured to have led the Council over this last year as we have, officers and councillors stepped up to the plate. In particular I want to place on record our thanks to our fantastic staff for the way they have responded to the challenge. We in local government have provided the boots on the ground, without which protecting our communities would not have been achieved.

Indeed, when the siren voices of two of our MPs were demanding we eased our restrictions just before Christmas, we said no - and we were right. Our administration has done everything humanly possible to keep North Herts safe!

We have done everything the Government asked of us and more.

The Government promised that if we did that, they would provide the finance to do the work and to cover our losses. The fact that the Government has left us short has consequences.

This evening the Council has the duty to set a budget for the forthcoming year. We have to set a balanced budget. Unlike the Government, we cannot borrow to finance day to day spending. While we will do our best to work more efficiently to make up the shortfall, there are some savings, some cuts that we are not prepared to make, because it would mean closing services vital to our residents.

And we do want to look forward with hope, with a determination to ensure that as we come out of the pandemic we build back better. But building back better will be an empty slogan unless it means that we use the opportunity to bank the gains we have made and to work with greater determination in responding to the climate emergency. And unless it means that we do all we can to support those who are most vulnerable, those most affected by the pandemic and ensure that they are not left behind, which is why had we been able to raise that little extra from a larger council tax rise, we would have set it aside for that purpose.

In many ways, I am pleased that we don't have the option to increase the District Council portion of Council Tax any more than we will be recommending later. As Cllr Albert will confirm later, we don't have the option of the higher increase in Council Tax that the Conservative led District Councils Network were lobbying for and any increase for our residents at this time is regrettable.

Indeed, the fact that the government has left us short forces us to raise Council tax more than we would like – effectively a Conservative government stealth tax. Yes, it's only a £5 a year or 10p a week increase. But the point is that our residents are paying more for this Council to have less to provide the services they rely on! I will come back to that point later.

It would be great if we could look forward to a year when Covid-19 doesn't dominate everything that we talk about. Unfortunately, we can't set a budget for next year without mentioning it quite a few times.

Cllr Albert will describe in more detail the impacts of increased spend and reduced income in this year, and how that has affected our reserves. And also, the financial risks we face moving forward in to 2021/22.

Whilst we understand the reasons that the new funding mechanisms for Local Government have been delayed again, and welcome that negative Revenue Support Grant won't face us for at least another year, we are forced again into setting a short-term budget. It is looking likely that there still won't be any certainty over our funding next year, so we may be in the same place when we are setting a budget for 2022/23!

We are therefore working on the assumption that we will need to be able to deliver £2m of savings per year by 2025/26. They could come from efficiencies, service transformation, income generation or service changes. Unfortunately, years of Conservative government austerity mean that opportunities for efficiencies are pretty much gone. We are committed to a service transformation programme that we hope will improve the way people interact with us and also save some money. We remain committed to developing income from acting more commercially, although we have to be realistic about what can be achieved given the economic effects of Covid-19. We therefore have to plan on the basis that we might need to deliver a significant amount of savings through service changes. Cllr Albert will describe in more detail how we have set up a Challenge Board process.

We would have liked to have funded more of our aspirations, but we have to be realistic about what we have the capacity to deliver and can afford to do. We remain committed to delivering on our priorities as we set out in the Council Plan of:

- Continuing to be a welcoming, inclusive and efficient Council
- Building thriving and resilient communities
- Supporting the delivery of good quality and affordable homes
- Responding to challenges to the environment
- Enabling an enterprising and co-operative economy

In proposing the Council Tax level for next year we have to consider:

- medium term forecasts over funding levels
- the financial impact of Covid-19 to date and the potential impacts next year, and (as I have already emphasised)
- the Government assumption that we will put Council Tax up by the maximum amount allowed when determining how much funding we need.

So we must propose that the Council Tax element for North Hertfordshire is increased by the maximum amount allowed without the need for a local referendum, in line with the Medium Term Financial Strategy. That is a £5 increase on a band D property, with the increases on other bands pro-rata to that. A £5 increase is 2.1%.

We shared our draft budget proposals with all Members in the budget workshops in November. We also asked for contributions of ideas for ways that the Council can save money, either through spending less, delivering more or generating income. I hope that this level of participation will assist the agreement of our budget tonight, which I believe is a reasonable balance between a short and medium term focus.

I will now ask Councillor Albert to expand on our proposed budget.

APPENDIX B

BUDGET SPEECH BY THE EXECUTIVE MEMBER FOR FINANCE AND IT

Thank you Chair for allowing me some additional time to speak this evening on this agenda item. I will try and not overstay your indulgence.

And I am glad to see that you are recovered from your recent illness and back with us this evening.

I would like to start with some thanks, in case I forget later!

Firstly, I would like to thank my Deputy in our Labour and Liberal Democrat joint administration, Councillor Sam North for his support and advice. Sam was one of the first to raise in January last year whether we had an emergency plan in place for a pandemic.

Sam and I have the fortune in our portfolio to deal with two excellent Senior Officers and their teams.

Firstly, Ian Couper and all the Finance and other teams that report to him. Our auditors, EY (Ernst and Young) commended our staff for the work they had done in managing our budgets and quickly and effectively preparing our accounts for audit.

And then I would like to thank Jo Dufficy (previously Howard Crompton until his partial retirement last autumn) and all her staff. Their successful management of customer facing issues including Council Tax, Business Rates and Council Tax Reduction Scheme has enhanced the reputation of the Council amongst our residents.

In addition, working with Keith Hoskins, Helen Oliver Sam North and me, Jo's team have designed and implemented both our statutory and local discretionary business grant schemes.

So far around £34m in grants to local businesses have been paid by North Herts Council through the various Government Schemes that we are running. The prompt payments, particularly in recent weeks have been welcomed across the District by businesses and our Business Improvement Districts.

When I spoke at our budget setting meeting in February 2020, we had just begun to see the spread of this virus. No one could really imagine the extent that it would dominate our lives since then. Our thoughts are with those who have lost loved ones not been able to see their family and friends or who have lost their employment.

The Joint Administration has sought to ensure that the resources of the Council, particularly our staff, have been diverted where we can to new work arising from the pandemic. Our staff have been overwhelmingly versatile and amazing. But as we know the day job workload has expanded in many areas like Environmental Health.

But despite these challenges, we have maintained the drive to deliver our ambitious programme of work:

I touched on my portfolio area earlier. But in other areas, Labour and Liberal Democrat colleagues working together;

Judi Billing and Ruth Brown on Community Engagement:

- Establishment of the Food Provision Network
- Holocaust Memorial Day event
- Working in support of local community groups and key partners like the police to reintroduce regular public forums and engagement

Gary Grindal and Sean Prendergast on Housing and Environmental Health

- Providing more accommodation for the growing numbers of homeless across the District
- Supported the expansion of Survivors against Domestic Abuse across the District
- Reduced taxi licensing fees for use of electric and hybrid vehicles

Brilliant to see you back with us Gary

Paul Clark and Ian Mantle on Planning and Transport

- Developed Planning Guidance to address Climate Change, encouraging appropriate insulation and renewable energy
- Added new sections to the Local Plan ensuring that major developments will be preceded by a Master Plan, allowing consultation and preparation for good infrastructure and facilities
- Challenged Luton Airport Expansion

Elizabeth Dennis-Harburg and Carol Stanier on Recycling and Waste Management

- Returned the waste service to something resembling 'business as usual' taking the steps necessary to protect the service through the pandemic
- Implemented a concessionary rate and direct debits for garden waste collections.
- Recruited a Waste Awareness officer to support residents improve their recycling habits and support our environmental objectives.

Steve Jarvis, Kay Tart and Adem Ruggiero-Cakir on Environment and Leisure

- Updating and making more challenging our Climate Change Strategy drawing upon what we have learned from the Cabinet Panel for the Environment and our carbon footprint assessments.
- As the lead authority for Biodiversity on the Hertfordshire Climate Change and Sustainability Partnership, improving biodiversity through piloting rewilding and an ambitious tree planting programme
- Eliminated single use plastic in our leisure centres and swimming pools.

Keith Hoskins, Helen Oliver on Enterprise and Co-Operative Development

- Made sure that our more Commercial focus moves forward to real action and that this action will be for the benefit of our local communities.
- Working with local partners, including the Local Enterprise Partnership, the Business Improvement Districts (BIDs), to protect the local economy and local businesses, during the pandemic.
- Continued and strengthened our partnership with the Black Squirrel Credit Union.

There's so much more. But I must now turn to the present.

This evening the Council is required to set a budget for 2021/22, and in doing this must be mindful of the impact of any decisions it makes on the ability to set a balanced budget over the medium term.

You don't need me to tell you, that the world is a very different place compared to when we set the budget last year.

I was struck by the comments from Baroness Louise Casey, a former adviser to this Government, who said earlier this week that Local Government has had reduced funding of £16 billion over recent years.

Now our share in North Herts is not quite that big!

But to provide some context, I will start with a summary of the impact of the pandemic on the Council's finances.

Our current forecast is that the cost to the Council over this year (2020/21) will be almost £2.2m in additional costs and £3.6m in lost income.

Government made some clear promises to Local Authorities about meeting our lost revenue which have not been fully kept.

In practice, so far Government has provided £1.65m of funding to meet cost pressures. We are expecting around £1.68m through the sales, fees and charges compensation scheme. And we are hoping that we will get £230k from the leisure recovery fund.

But this still leaves the Council funding a shortfall of over £2.2m in this year.

Some examples of the forecast impact, which is partly covered by the Government's income guarantee scheme:

- Lost parking income of over £1.2m – we get back around two thirds of this
- Almost £200k of net income lost from the Town Hall and Museum – we get back around 70% of this
- Over £150k reduction in planning income
- Over £100k reduction in demand for trade waste collections – we get back around 40% of this

Here are just some examples of forecast impacts which are not covered by the income guarantee, because they are additional expenditure or are not sales, fees or charges where demand has reduced:

- Over £180k compensation from the need to suspend garden waste collection services
- Almost £240k lost income from court summonses
- Up to £500k from reduced recycling material income
- Over £100k less income from Treasury investments
- Around £240k to provide accommodation for rough sleepers

Due to falling prices, it's worth noting that this reduction to recycled material income is potentially a longer-term detriment to our finances, not just for this financial year.

Looking forward, we have committed to support our leisure facilities as they recover.

I am not going to rerun the debate we had last month. But I do want to emphasise that this joint administration set out a clear desire to sustain our leisure services post pandemic. It was welcome that there was full cross-party support.

Some of you may have heard Olympic swimmer, Duncan Goodhew earlier this week. He set out very tellingly how people, especially young people, are suffering both physically and mentally with swimming pools closed and no lessons taking place. If our pools in North Herts didn't reopen, there is limited alternative provision. And most private gyms don't have pools. We have a responsibility to our next generation and all the citizens of our District who can't afford private gyms. That's the importance of what we decided.

But only this joint administration set out a plan on how we could maintain our leisure services and do this affordably within our resources.

You can't just hope for something, you have to plan for it. To paraphrase, failing to plan, is planning to fail. And we just won't do that.

This is why we also set out very clearly how we would manage and report progress on the leisure plan back to this Council and residents.

We are hopeful that there will be a quick recovery and the £2m forecast will be more than sufficient.

But we have to consider that the impacts of this pandemic could lengthen that recovery and the costs involved.

Of that £2m forecast cost, we are expecting that £140k will be funded through the income compensation scheme that has been extended until the end of June.

We will also apply the whole of the expenditure grant of £558k. That leaves us still funding around £1.3m from our reserves.

There is so much uncertainty over next year in terms of when restrictions will end and when things will recover, that we haven't put in many specific forecasts.

Instead, the proposal is that the minimum General Fund balance is increased to provide an additional cushion against the unknown impacts.

As the whole of the expenditure support grant has been absorbed by leisure, the only remaining off-setting compensation from Government will be income support up to the end of June where it meets several conditions.

Alongside the impact on our spend and income, there is also the impact on our funding. The economic impact of the pandemic has significantly increased the number of households eligible for Council Tax Support.

This impacts on our Council Tax base, the number of weighted number of properties that pay Council Tax. This time last year we were forecasting an increase of 1%, instead we are faced with a **decrease** of over 1%.

Last year we calculated based on 7,141 properties in receipt of CTRS, this year it is based on 7,821 properties. An increase of 9.5%.

I will also point out that the Government's funding calculations assume that we will receive £12.12m from Council Tax in 2021/22, due to the impact of CTRS we are estimating that it will be around £260k less than that. That is due to a blanket forecast by Government around growth in tax base.

Unfortunately, we have to consider that this might be a longer-term impact, and, therefore, we are forecasting that whilst the base will recover to pre-Covid levels in 2022/23, it will then stay at that level, rather than increasing by 1% each year.

This is just a forecast and we hope that reducing need for Council Tax support and property growth will mean that there is actually some growth, but can't count on it at this stage.

But, while I try and set out the facts of the impact of the pandemic on Council Tax, we must never forget that behind these numbers, are people and families faced with tough choices on low incomes. This is why the way that this Council engages and supports our communities faced with financial problems is so important and can make such a difference.

As our focus has been on Covid-19 over the last year, so has that of the Ministry for Housing, Community and Local Government.

That has meant that the planned changes to Local Government funding have not happened, and will be delayed by at least another year, and probably longer.

On the one hand, that means that negative Revenue Support Grant will not be applied next year, and we will not lose another £1m of the Business Rates that we collect.

On the other hand, it means that uncertainty over our future funding continues. Government just cannot expect Local Authorities to properly plan medium or long terms like this.

As a result, we are making the prudent assumption that there will be a need to deliver savings in the future, but don't know how much or when.

The budget assumes that a further £2m of further savings will need to be identified and delivered by 2025/26.

We hope that a good proportion of those can be delivered through income generation and the transformation programme, but we can't plan on hope.

So as a joint administration we have put in place a Challenge Board process.

We are using that to get a full understanding of the services that the Council delivers, what determines how much is spent and where savings or efficiencies can be made.

Unfortunately, after all these years of austerity, there are hardly any genuine efficiencies left. So, it is likely we will be faced with decisions over which services we should change.

But we are committed, when the time comes, to carrying out a public consultation on those services that are most valued, and therefore, those where changes can be made.

Turning to the budget process itself. All Councillors were invited to be part of the budget workshop process, which gave you a chance to hear the proposals being put forward as part of this year's budget, and to provide comments on them.

Councillors will know that there was unanimity cross-party that diverse services we provide now like some toilets in town centres and Christmas trees provided for town centres and Garden House Hospice should be maintained.

Following the presentation from Citizens Advice North Herts at the last Council meeting, I proposed to Cabinet and now to Full Council that exceptionally we add an additional grant of £50k to them for next year, to allow them to carry out the great work that they do in these very difficult times. This work has been recognised in the Council Chairman's Awards.

Unfortunately, we have to be clear that whilst we have been able to fund them an additional £50k for some years now, we may well not be able to do this next year. If Council agrees the award, I will ask Officers to sit down with our partner organisations to review the affordability of additional funding. This does not impact on the core funding which is in place through agreements until the end of 22/23.

You will be pleased to know that I am not going to go through the report in front of you in detail. But I will pick out a few key points.

Recommendations 2.5 and 2.6 were there to reflect that it might be possible for the Council to increase Council Tax by £10 without the need for a referendum. It would have been a difficult decision as to whether to go for a £10 increase rather than £5 as Councillor Stears-Handscomb has pointed out.

Whilst it would have created pressure for some households, this would have been balanced against the need to protect our services and also that our element of the Council Tax bill would remain a small proportion of the overall total.

Government has now confirmed that £5 will be the maximum increase allowed for a band D property, without the need for a local referendum. Other bands will be pro-rate to this.

Council should note that a £5 increase is equivalent to just over 2.1%.

We will use this increase prudently and wisely to benefit our residents. But while recognising even if Government is not helping local authorities to plan ahead, we will need to do so to manage our resources in future years.

With this increase and the other increases expected by the County Council (including Social Care Precept) and the Police and Crime Commissioner, excluding Parish Precepts, our District Council element of the bill drops from 12.7% in 2020/21 to 12.5% in 2021/22.

I am, therefore, proposing now that recommendations 2.5 and 2.6 are changed as follows:

The second sentence in 2.5 to be deleted so that it reads: "Approves a net expenditure budget of £18.441m, as detailed in Appendix C." This covers the increased funding proposal to CA.

2.6 amended to read "Approves a Council Tax increase by the maximum allowed without the need for a local referendum in 2021/22(as per the Medium-Term Financial Strategy), which is £5 for a band D property, with other increases pro-rata to this."

Paragraph 5.2 refers to the need to carry out consultation with Business Ratepayers. This was carried out via e-mail and a page on the website. The e-mail was sent to businesses and business groups, such as BIDs and Chamber of Commerce, who have engaged in the process in the past. No comments have been received.

I have already mentioned the impact of Covid-19 on the eligibility for Council Tax Reduction Support. The second bullet point in paragraph 8.8 details the Council Tax support grant, which is essentially compensation from Government for increased levels of CTRS. Given that the impact on funding has already been reflected, this grant will be applied to the General Fund to off-set that impact.

As I mentioned at the last Council meeting, we are hoping to do a full review of the CTRS scheme next summer. This may still prove impractical.

For the record, I also covered at the last meeting about the additional support offered to Parish, Town and Community Councils since the scheme was introduced in 2013.

I said in the Budget last year, that we would keep this under review. I can confirm that I propose that the amount of £38k should continue again in 21/22. I hope this is welcome.

Paragraph 8.18 refers to the Pool application for 2021/22. Following some technical advice, it has been decided by all the Authorities involved to proceed with the Pool. This comes with some risk, but it is considered that the potential gain is more likely than the potential risk. Any downside is limited by the Pool still having a safety net.

In table 3 in paragraph 8.20 you will see that it is recommended to release the Special Reserve and £2.5m on the MHCLG reserve in to the General Fund reserve.

This will help to maintain the General Fund reserve balance over the next few years. The MHCLG reserve balance will be kept under review and it may be possible to release more of this balance in future years. All of the other reserves in that table are set aside for a very specific purpose, and would not be available to support general expenditure.

Paragraphs 8.22 through to 8.24 details the method for setting a minimum General Fund balance. The Chief Finance Officer (Service Director - Resources) is required to recommend a balance, and the medium-term budget should be planned on the basis of not going below this amount.

The increase in the recommended minimum balance reflects the uncertainty in relation to Covid-19 recovery that I described previously, and also the potential Brexit impact- particularly on the price of goods and services.

Paragraphs 8.30 to 8.33 provide a commentary from the Chief Finance Officer about the reliability of estimates. You will note that these statements are more caveated than usual, which as you will appreciate reflects the uncertain times that we are facing.

I believe that despite the huge challenges, this Budget matches the ambitions of this joint administration, alongside the need for prudence in these uncertain times for local Government finances.

As a joint administration our Build Back Better will include:

- Thoroughly reviewing every area of expenditure to ensure that they meet the priorities we have set out in our Council Plan.
- Carrying out a public consultation on those services that are most valued by residents.
- Ensuring we value our most vital resource, our staff, and work with them to ensure we get value for every pound we raise in Council Tax.
- Seeking to use the skills and expertise of all Councillors and draw too on the undoubted expertise in our community, in contrast to the previous administration, which far too often took the “we know best” approach and didn’t listen.
- Setting out new initiatives we will take in support of key priorities like Climate Change Emergency, greener transport, effective Town Centre Strategies to keep our towns vibrant and better engage our community.
- Continuing to look for areas where we can work with other councils through the Co-operative Councils’ Network, the Growth Board and other collaborations, which achieve our aims through sharing resources or external funding.

- Strengthening co-operation with Parish and Town Councils, County Council and neighbouring Districts to encourage well-co-ordinated local services, in line with our collaborative approach.
- Ensuring the technology is fit-for-purpose, as public services are becoming increasingly online so that residents can conveniently access the information they need, and decisions can be made democratically.
- Ensuring that charges for services are affordable and make sure that all our services are accessible to all by introducing where we can concessions for services as we have for garden waste collection.
- Continuing to find ways to support vital community organisations across our District like Citizens Advice.
- Look to create new community and business grant funds and support our vital arts and culture sector.

Finally, Chair can I move the following recommendations from Cabinet to Council:

2.2 Notes the position on the Collection Fund and how it will be funded.

2.3 Notes the position relating to the General Fund balance and that due to the risks identified a minimum balance of £3.85 million is recommended.

2.4 Approves the savings and investments as detailed in Appendix B.

2.5 (as amended) Approves a net expenditure budget of £18.441m, as detailed in Appendix C.

2.6 (as amended) Approves a Council Tax increase by the maximum allowed without the need for a local referendum in 2021/22 (as per the Medium-Term Financial Strategy), which is £5 for a band D property, with other increases pro-rata to this.

In accordance with legislation, when we vote on this decision, I call for a recorded vote.

Referrals from Other Committees

- a. Referral from Standards Committee: 3 March 2020 – Local Government Association ('LGA') Model Code of Conduct.

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REFERRAL FROM STANDARDS COMMITTEE: 3 MARCH 2021 - LOCAL GOVERNMENT ASSOCIATION ('LGA') MODEL CODE OF CONDUCT

RECOMMENDED TO COUNCIL:

- (1) That the LGA Model Code of Conduct be adopted with the following amendments:
 - (i) Appendix B to include the replacement Table 1, which includes the NHDC definition of DPs and links to guidance/ statutory instrument;
 - (ii) Replacement of the Appendix C good practice recommendations with Appendix C grounds for a Dispensation;
 - (iii) Definition of 'room' to include a footnote explanation that this includes 'virtual meeting' room and typographical changes to use the words: 'Registrable' and 'behaviours';
- (2) That the Code take effect from the day after the election poll in 2021 (7 May) or such day if the election is postponed, as the case may be;
- (3) That training on the new code be compulsory for all District Councillors during the 2021- 2022 municipal year.

REASON FOR DECISIONS: To ensure good governance within the Council, which is reflective of a national governance model.

***NB THE VERSION OF THE CODE APPENDED (I) TO THIS REFERRAL IS THE ONE RECOMMENDED BY STANDARDS COMMITTEE (guidance now in blue).
Previous version can be found on the following page:***

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=154&MId=2381&Ver=4>

The Service Director – Legal and Community/Monitoring Officer presented the report entitled Local Government Association Model Code of Conduct together with the following appendices:

- Appendix 1 – LGA model code 19 January 2021;
- Appendix 2 – suggested replacement Appendix B Table 1, which includes the NHDC definition of DPs and links to guidance/ statutory instrument (and some typographical changes);
- Appendix 3 – suggested replacement Appendix C, which includes the NHDC Appendix C on Dispensations.

She advised that:

- This was not a perfect Code, but on balance as a package with LGA guidance and support it should be considered, but it was for this Committee to consider whether to recommend adoption to Council;
- The Model Code had received a mixed reaction across the Country, which was for a variety of reasons: from style of code/ what it covered/ elections about to take place to the fact that there were no effective sanctions – so why bother;
- Locally, however, there had been in-principle support for local councils to adopt (24 of the 27 in the District had indicated they were interested in taking this forward)
- If the Model Code was not adopted, the current NHDC Code and guidance would require review with associated resources;

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

- Councillor Richard Thake;
- Councillor Ruth Brown;
- Councillor David Levett;
- Independent Person Nicholas Moss;
- Councillor Clare Billing;
- Councillor Claire Strong;
- Councillor Judi Billing;
- Parish Councillor Martin Griffin;
- Councillor Martin Stears-Handscorn;
- Reserve Independent Person John Richardson;
- Reserve Independent Person Peter Chapman.

In response to questions the Service Director Legal and Community/Monitoring Officer advised:

- That if the Model Code were adopted and it was reviewed by the LGA, a report would be brought to this Committee to consider (and whether to recommend adopting the revised version);
- Any amendments to the current version would need to be considered and adopted by Council;
- If the best practice list was included, Member could not be held accountable for anything in this list and it did not particularly add to that Code;
- It was suggested that Appendix B of the Code - Table 1 be replaced with Appendix B and Appendix C of the Code – List of Best Practices be replaced with Appendix C;
- If training is deemed as mandatory then options and methods of training would be considered – although a pragmatic and proactive approach would be undertaken by officers.

Members considered that the best practice list and new Appendix C should be included with the Model Code.

RECOMMENDED TO COUNCIL:

- (1) That the LGA Model Code of Conduct be adopted with the following amendments:
 - (i) Appendix B to include the replacement Table 1, which includes the NHDC definition of DPs and links to guidance/ statutory instrument;
 - (ii) Replacement of the Appendix C good practice recommendations with Appendix C grounds for a Dispensation;
 - (iii) Definition of 'room' to include a footnote explanation that this includes 'virtual meeting' room and typographical changes to use the words: 'Registrable' and 'behaviours';
- (2) That the Code take effect from the day after the election poll in 2021 (7 May) or such day if the election is postponed, as the case may be;
- (3) That training on the new code be compulsory for all District Councillors during the 2021-2022 municipal year.

REASON FOR DECISIONS: To ensure good governance within the Council, which is reflective of a national governance model.

NB: The report considered by the Standards Committee at the meeting held on 3 March 2021 can be viewed at Minute 14 here:

<https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=154&MId=2381&Ver=4>

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**NORTH HERTS DISTRICT COUNCIL CODE OF CONDUCT
FOR COUNCILLORS (AND VOTING / NON-VOTING CO-OPTees)
BASED ON THE LOCAL GOVERNMENT ASSOCIATION MODEL CODE¹**

Joint statement

The role of Councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as Councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual Councillor affects the reputation of all Councillors. We want the role of Councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become Councillors.

As Councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a Councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

[NB LGA introduction moved to footnote.]

Definitions

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority; or
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes County Councils, District Councils, London Borough Councils, Parish Councils, Town Councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

¹ LGA Model dated 19.1.21, (as amended by recommendation of Standards Committee) Introduction -The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments. All councils are required to have a local Councillor Code of Conduct. The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and Councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils

General principles of Councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of Councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance² is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a Councillor:

- 1.1 I treat other Councillors and members of the public with respect.
- 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Councillor-officer protocol.

2. Bullying, harassment and discrimination As a Councillor:

- 2.1 I do not bully any person.
- 2.2 I do not harass any person.
- 2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

² In italics & blue

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the Council

As a Councillor:

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a Councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its release.

- 4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

- 4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a Councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute. You are able to hold the local authority and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a Councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a Councillor:

7.1 I do not misuse Council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor. Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have

breached the Code of Conduct.

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a Councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a Register of interests³ of members of the authority .

You need to register your interests so that the public, local authority employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The Register is a public document that can be consulted when (or before) an issue arises. The Register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

*You should note that failure to register or disclose a Disclosable Pecuniary Interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.*

***Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.*

10. Gifts and hospitality

As a Councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality

which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, do contact your Monitoring Officer for guidance.

APPENDICES A-C

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register⁴ with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registrable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your Register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify

⁴ On your Register of Interest [modern.gov]

the Monitoring Officer.

2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public Register.

Non participation in case of Disclosable Pecuniary Interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room⁵ unless you have been granted a dispensation⁶. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registrable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registrable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter⁷ [only if members of the public are also allowed to speak at the meeting] but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registrable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

⁵ Where this includes virtual meeting, that includes the virtual meeting room.

⁶ Subject to any dispensation granted by the Monitoring Officer – see Appendix C

⁷ Subject to any Speaking Rights you may have under the Standing Orders

9. Where a matter **affects** your financial interest or well-being:
- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This sets out the explanation of Disclosable Pecuniary Interests. The statutory provisions can be found in [The Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#) .

Description of Disclosable Pecuniary Interests (from *DCLG Guide for Councillors "Openness and Transparency on Personal Interests" March 2013*⁸).

If you have any of the following pecuniary interests, they are your **Disclosable Pecuniary Interests** under the national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Other payments received

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your Disclosable Pecuniary Interests following your election or re-election, or when you became aware you had a Disclosable Pecuniary Interest relating to a matter on which you were acting alone.

Contracts

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority:

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Land

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Licences

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
<p>Corporate tenancies</p> <p>Any tenancy where (to your knowledge) –</p> <ul style="list-style-type: none"> • the landlord is your council or authority; and • the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
<p>Securities⁹</p> <p>Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where –</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and</p> <p>(b) either –</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <p>a) any body of which you are in general control or management and to which you are nominated or appointed by your authority</p> <p>b) any body</p> <p>(i) exercising functions of a public nature</p> <p>(ii) any body directed to charitable purposes or</p> <p>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) .</p>

Appendix C - Dispensations

Reference to ‘dispensation’ in the code means under section 33 of the Localism Act 2011

If a you would like the authority to consider granting you a dispensation where you have a DPI or other Interest, you must make a prior written request to the Monitoring Officer. The grounds under which such an application will be considered are detailed below:

Dispensation grounds¹⁰

A dispensation may be granted only if, after having had regard to all relevant circumstances, the Monitoring Officer considers that—

- a. without the dispensation the number of Councillors prohibited from participating in any particular business, would be so great a proportion of the body transacting the business, as to impede the transaction of the business;
- b. without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;

⁹ Means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the [Financial Services and Markets Act 2000](#) and other securities of any description, other than money deposited with a building society.

¹⁰ The full wording for the statutory grounds for a DPI dispensation can be found under section 33 Localism Act 2011

- c. granting the dispensation is in the interests of persons living in the authority's area;
- d. without the dispensation each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or
- e. considers that it is otherwise appropriate to grant a dispensation.

A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.

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