

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices, Letchworth Garden City
on Thursday, 26th May, 2022 at 7.30 pm

PRESENT: Councillors: Councillor Val Bryant (Chair), Councillor Terry Tyler (Vice-Chair), Ian Albert, Amy Allen, Daniel Allen, Raj Bhakar, Judi Billing, Simon Bloxham, Ruth Brown, Sam Collins, Adam Compton, Juan Cowell, George Davies, Elizabeth Dennis-Harburg, James Denselow, Morgan Derbyshire, Faye Frost, Jean Green, Chris Hinchliff, Terry Hone, Keith Hoskins, Tony Hunter, Steve Jarvis, David Levett, Chris Lucas, Ian Mantle, Nigel Mason, Ian Moody, Gerald Morris, Ralph Muncer, Michael Muir, Lisa Nash, Sam North, Tom Plater, Sean Prendergast, Adem Ruggiero-Cakir, Carol Stanier, Claire Strong, Mandi Tandi, Kay Tart, Richard Thake, Thomas, Tom Tyson, Phil Weeder, Michael Weeks and Alistair Willoughby

IN ATTENDANCE: Anthony Roche (Managing Director), Jeanette Thompson (Monitoring Officer), Melanie Stimpson (Democratic Services Manager), William Edwards (Committee, Member and Scrutiny Manager), James Lovegrove (CMSO), Louis Mutter (CMSO)

At the commencement of the meeting approximately 1 member of the public was present.

114 ELECTION OF A CHAIR OF COUNCIL FOR THE CIVIC YEAR 2022/23

Audio recording – 1:29

The Chair of Council called for nominations for the position of Chair of Council for the civic year 2022/23

Councillor Ruth Brown proposed, Councillor Elizabeth Dennis-Harburg seconded and on the vote it was:

RESOLVED: That Councillor Sam North be elected as Chair of the Council for the Civic Year 2022/23

Councillor Sam North took the Chair then read and signed the Statutory Declaration of Acceptance of Office and took possession of the chain of office. Councillor North thanked the Council for his election as Chair and advised that his Consort for the year would be Councillor Raj Bhakar.

Councillor Sam North proposed, Councillor Elizabeth Dennis-Harburg seconded and on the vote it was:

RESOLVED: That the Council places on record its sincere thanks and appreciation to Councillor Val Bryant for her services as Chair of the Council during the past year and to her consort, Dr Stuart Bryant for his help and support during her term of office.

115 APOLOGIES FOR ABSENCE

Audio recording – 6:43

Apologies for absence were received from Councillors Clare Billing, Sean Nolan, and David Barnard.

At the start of the meeting Councillors Adam Compton and Kay Tart were not present.

116 ELECTION OF A VICE-CHAIR OF COUNCIL FOR THE CIVIC YEAR 2022/23

Audio recording – 7:11

The Chair of Council called for nominations for the position of Vice Chair of the Council for the civic year 2022/23.

Councillor Elizabeth Dennis-Harburg nominated Councillor Daniel Allen. Councillor Ruth Brown seconded.

Councillor Claire Strong nominated Councillor Simon Bloxham. Councillor Morgan Derbyshire seconded.

Councillor Claire Strong noted that she had nominated Councillor Simon Bloxham last year and that he had been a member of the Council previously, as well as that his father had previously been Chair of Council.

On the vote it was:

RESOLVED: That Councillor Daniel Allen be elected as Vice Chair of the Council for the civic year 2022/23.

Councillor Daniel Allen then read and signed the Statutory Declaration of Acceptance of Office and took possession of the Chain of office. Councillor Allen thanked the Council for his election as Vice-Chair and advised that his Consort for the year would be Councillor Amy Allen.

The Chair of Council expressed his sincere thanks to Councillor Terry Tyler for his service as Vice-Chair in the previous civic year.

117 MINUTES - 23 MARCH 2022

Audio Recording – 13:41

The Chair advised that the minutes of the previous meeting can be moved and seconded by members who were not present at that meeting, although it is preferable that those who were not present should abstain from voting and commenting on the motion.

The Chair proposed, Councillor Elizabeth Dennis-Harburg seconded and it was:

RESOLVED: That the Minutes of the Meeting of the Council held on 23 March 2022 be approved as a true record of the proceedings and be signed by the Chair.

118 CHAIR'S ANNOUNCEMENTS

Audio recording – 14:42

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;

- (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) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (4) The Chair welcomed and congratulated the newly elected Members following the elections on 5 May: Councillors James Denselow, Christopher Hinchliff, Christopher Lucas, Ralph Muncer, Lisa Nash, Sean Nolan, Thomas Plater, Tamsin Thomas, Phillip Weeder and Alistair Willoughby.
- (5) The Chair congratulated those Councillors successfully re-elected; Councillors Daniel Allen, Clare Billing, Ruth Brown, Val Bryant, Sam Collins, Adam Compton, Faye Frost, and Ian Moody.
- (6) The Chair thanked former Councillors Kate Aspinwall, Gary Grindal, Simon Harwood, Mike Hughson, Jim McNally and Mike Rice who did not stand for re-election.
- (7) The Chair thanked former Councillors John Bishop and Sarah Dingley who were unsuccessful in being re-elected.
- (8) The Chair reminded Members to complete their Register of Interest forms online by 3 June 2022.
- (9) The Chair advised that the normal procedure rules in respect of debate and times to speak applied.
- (10) The Chair advised Members that the Members' Room on Floor 1 had been furnished with maps of Letchworth, Hitchin and Royston and that Members were invited to mark on those maps any natural community boundaries or locations for consideration by the Boundary Review working group to assist the Council's submission to the LG BCE review. Members were also reminded that an all-Members briefing had been scheduled for 16 June regarding this review.
- (11) The Chair invited former Chair of Council, Councillor Val Bryant, to offer her thanks to Penny Copestake, Chair's Secretary, and announce that a gift of flowers had been arranged in recognition of her support and hard work.

119 DISTRICT COUNCIL ELECTION RESULTS (INCLUDING ALL POLLS) - 5 MAY 2022

Audio Recording – 20:23

The Returning Officer presented the report regarding the results of the District Council elections, Town Council elections and the Knebworth Neighbourhood Planning Referendum.

On the vote it was:

RESOLVED: That the report of the Returning Officer regarding the results of the District Council elections, Town Council elections and the Knebworth Neighbourhood Planning Referendum be noted.

REASON FOR DECISION: To inform Members of the results of the District Council elections, Town Council elections and the Knebworth Neighbourhood Planning Referendum.

N.B Councillor Adam Compton joined the meeting after this item at around 19:51

120 APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL, MEMBERS OF THE CABINET AND DEPUTY EXECUTIVE MEMBERS FOR 2022/23

Audio Recording – 21:31

The Chair advised, for the purposes of clarification, that the Council was not electing a Leader of the Council at this meeting as Councillor Dennis-Harburg was elected the Leader of Council at the last annual council meeting for a four year term.

The Chair invited the Leader of the Council, Councillor Elizabeth Dennis-Harburg, to present her report.

Councillor Ruth Brown proposed an amendment to the report.

The Monitoring Officer advised that appointments were a matter for the Leader of Council and that the report was presented to Council for noting only.

Councillor Elizabeth Dennis-Harburg proposed, Councillor Ruth Brown seconded and on the vote it was:

RESOLVED:

- 1) That the appointment of Councillor Ruth Brown as Deputy Leader of the Council for the Civic Year 2022/23 be noted.
- 2) That the Members to be appointed as Executive Members of the Cabinet for 2022/23 and the areas for which they will be responsible as detailed in Appendix A be noted.
- 3) That the Members to be appointed as Deputy Executive Members for 2022/23 and the areas for which they will act as Deputy Executive Member as detailed at Appendix A be noted.

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

121 APPOINTMENT OF MEMBERS OF COMMITTEES, JOINT COMMITTEES AND PANELS FOR 2022/23

Audio Recording – 24:11

The Leader of the Council presented the report in respect of the appointment of Members of Committees, Joint Committees and Panels for 2022/23 along with the Appendices A and B.

Councillor Ruth Brown proposed an amendment to Appendix B to the effect that Cllr Raj Bhakar be removed from the appointments to Planning Control Committee, Councillor Sean Prendergast become a member of the Standards Committee and Councillor Ruth Brown become a substitute member of the Cabinet Panel on the Environment.

The Leader of the Council accepted this amendment.

The Leader of the Council advised that appointments were not being made to the Cabinet Panels on Place and Community as it was felt that those Cabinet Panels could be more useful to our communities with reframed Terms of Reference.

Councillor Elizabeth Dennis-Harburg proposed, Councillor Ruth Brown seconded and on the vote it was:

RESOLVED:

- 1) That, for 2022/23, the seats allocated to each political party on the Committees to which Section 15 of the Local Government and Housing Act 1989 applies and the seats allocated to each party on the bodies to which Section 15 of the Local Government and Housing Act 1989 does not apply, as set out in Appendix A to this report, be noted.
- 2) That, for 2022/23, Members be appointed to the various Committees and other bodies in accordance with the wishes of the individual political groups as detailed in Appendix B to this report, with the following amendments: Cllr Raj Bhakar to be removed from the appointments to Planning Control Committee, Councillor Sean Prendergast to become a member of the Standards Committee, Councillor Ruth Brown to become a substitute member of the Cabinet Panel on the Environment, and Councillor David Levett to be appointed to the Hertfordshire Growth Board Scrutiny Committee.

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

122 APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES FOR 2022/23

Audio Recording – 27:27

N.B Councillor Kay Tart joined the meeting during this item at 19:58.

The Leader of the Council presented the report in respect of Appointment of Chairs and Vice-Chairs of Committees for 2022/23 along with Appendix A and proposed the recommendations in the report.

Councillor Ruth Brown seconded and on the vote it was:

RESOLVED: that the Chairs and Vice-Chairs of Committees (except Area Committees) for 2022/23 be appointed in accordance with the details set out in Appendix A to the report.

123 ADJOURNMENT

Audio Recording – 28:26

The meeting of Full Council was adjourned at 19:59 to allow meetings of each Area Committee to convene to elect the Chairs and Vice Chairs for the civic year.

The meeting of Full Council reconvened at 20:08.

124 KEY DECISIONS - LEADER'S ANNUAL REPORT ON CASES OF SPECIAL URGENCY

Audio Recording – 39:15

The Leader of the Council presented the Annual Report on Cases of Special Urgency and drew attention to points including:

- There was one decision taken under the Special Urgency procedures this year relating to the provision of government grant funding for homelessness support in a project managed by Keystage Housing at the former Lord Lister Hotel.
- The former Lord Lister Hotel was now the subject of two planning applications and Members were advised to be cautious not to prejudice the planning process.
- It was her view that a review of the way the Council took decisions under this procedure was apt and that the Overview and Scrutiny Committee may wish to

undertake a review of the process to ensure effective community and Member engagement was achieved.

The following Members asked questions and took part in debate:

- Councillor Claire Strong
- Councillor David Levett
- Councillor Richard Thake
- Councillor Ian Albert
- Councillor Ralph Muncer
- Councillor Sam Collins

Points raised included:

- Members felt that this was the first time the content of this decision was made available to them;
- The specifics of this decision as well as the broader decision-making process for urgent decisions should be reviewed by the Overview & Scrutiny Committee;
- A lot of public interest had been generated around this decision and the future of the Keystage Housing project;
- The Overview and Scrutiny had a range of powers under the Constitution to request that members and officers give an account to explain the decisions made and process followed;
- The Overview and Scrutiny Committee was not able to comment on planning or licensing decisions;
- Overview and Scrutiny working groups and Task and Finish Groups had produced successful reviews in the past;
- The urgent decision notice was published publicly and the Chair of Overview and Scrutiny was consulted prior to the decision being made to secure his agreement that it be made urgently;
- The involvement of the Chair of Overview and Scrutiny is limited to determining whether the decision meets the requirements of urgency and does not extend to a review of the decision to be taken at the time;
- This represented an opportunity to develop a positive approach to community engagement and consultation in the decision-making processes of the Council.

Councillor Elizabeth Dennis-Harburg proposed, Councillor Ruth Brown seconded and on the vote it was:

RESOLVED: that the Leader's Annual Report on Cases of Special Urgency be noted.

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

125 SCHEDULE OF COUNCIL MEETINGS 2022/23

Audio Recording – 51:56

The Chair advised that due to lack of business the meeting of the Planning Control Committee on 9 June 2022 had been cancelled, and that there was an error in the recommendations and that the meeting on 30 March 2023 was a Thursday, not a Wednesday.

The Leader of the Council presented the report in respect of the Schedule of Council Meetings 2022/23 along with Appendix A and moved the recommendations in the report. Councillor Ruth Brown seconded.

Councillor Claire Strong advised that a special meeting of Council was due to be called in December and questioned whether it should be included in the calendar or schedule of Council meetings.

The Democratic Services Manager advised that as the proposed December meeting was a special meeting of Council it was outside the scope of this report and that Group Leaders had been consulted on the date and Members would be advised in due course.

On the vote it was:

RESOLVED:

- 1) That the following programme of ordinary meetings of the Council be approved for the Civic Year 2022/23:

Thursday 7 July 2022 – 7:30PM
Thursday 22 September 2022 – 7:30PM
Thursday 10 November 2022 – 7:30PM
Thursday 19 January 2022 – 7:30PM
Thursday 23 February 2023 – 7:30PM
Thursday 30 March 2023 – 7:30PM

- 2) That the Calendar of Meetings for 2022/23, as attached at Appendix A to the report, be approved.

REASON FOR DECISIONS:

- 1) To enable Members to agree a programme of ordinary meetings of the Council for 2022/23.
- 2) To enable Members to agree the Calendar of meetings for 2022/23.

126 NOMINATION OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS AND OTHER BODIES FOR 2022/23

Audio Recording – 54:46

The Leader of the Council presented the report in respect of Nomination of Representatives on Outside Organisations or Other Bodies for 2022/23 along with Appendix A.

Councillor Ruth Brown proposed an amendment to Appendix A to the effect of removing the nomination of Councillor Phil Weeder to the Letchworth Civic Trust and the Letchworth Sustainability Forum, and substituting the nomination of Councillor Sam Collins for Councillor Ruth Brown to the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee. This amendment was accepted.

Councillor Claire Strong advised on an error in the Appendix where Councillor Jean Green was incorrectly labelled as a Liberal Democrat.

Councillor Elizabeth Dennis-Harburg proposed that the uncontested nominations as in Appendix A be approved. Councillor Ruth Brown seconded and on the vote that motion was carried.

Votes were subsequently conducted on each contested nomination as highlighted in Appendix A of the report, with results recorded as per that listed in the 'Resolved' below.

There were additional comments and debate on the following bodies:

Regarding the King George V Playing Fields User Group

There were 4 nominations proposed for the 3 seats on this Group. In response to the request that all 4 be appointed the decision on appointments was deferred to allow an investigation of the Terms of Reference to determine whether the number of positions available could be expanded.

Regarding the Letchworth Civic Trust

Councillor Morgan Derbyshire advised that there were two positions available contrary to Appendix A which stated there was only one.

As one of those nominated had been withdrawn it was explained that there was no requirement to vote on this body.

The following Members took part in debate:

- Councillor Ruth Brown
- Councillor Daniel Allen
- Councillor Sam Collins
- Councillor Adam Compton
- Councillor Ian Albert
- Councillor Alistair Willoughby
- Councillor Michael Muir
- Councillor Simon Bloxham
- Councillor Elizabeth Dennis-Harburg
- Councillor David Levett

The Monitoring Officer provided advice regarding the decision that had already been taken – thereby treating the Letchworth Civic Trust as an uncontested appointment following the withdrawal of Councillor Phil Weeder.

In response it was stated that the withdrawal had been made based on the inaccurate advice provided, and if the two positions available had been properly notified, the withdrawal of Cllr Weeder would not have been made.

Having listened to the advice of the Monitoring Officer and the debate by Members, the Chair of Council called for a vote to determine whether the decision to treat the Letchworth Civic trust as an uncontested appointment was correct or incorrect.

Councillor David Levett raised a point of order regarding the 6 month rule – where a decision made at a meeting of Council within the past six months cannot be revisited.

The Monitoring Officer gave advice to the effect that the proposal put forward by the Chair of Council was different to the one previously voted on and as such the 6-month rule did not apply.

On the vote it was resolved that Letchworth Civic Trust be considered as having two appointments to be made and that the original nomination of Councillor Phil Weeder should stand.

Regarding the Royston Community Association

Councillor Gerald Morris withdrew his nomination.

Following all votes and debate it was:

RESOLVED:

- 1) That the list of representatives on Outside Organisations and Other Bodies for 2022/23 as set out in Appendix A to the report be approved, with confirmation that:

- a) The Council's representative to the Baldock Community Forum Community Interest Company be Councillor Alistair Willoughby;
 - b) The Council's representatives to the Baldock Youth and Community Association be Councillors Juan Cowell, Michael Weeks and Alistair Willoughby;
 - c) The Council's representative to the Hertfordshire Health Scrutiny Committee be Councillor Val Bryant;
 - d) That the Council's representatives to the Letchworth Civic Trust be Councillors Daniel Allen and Phil Weeder;
 - e) The Council's representative to the Letchworth Garden City Heritage Foundation be Councillor Ian Mantle;
 - f) The Council's representative to Letchworth Sustainability Forum be Councillor Amy Allen;
 - g) The Council's representative to the London Luton Airport Consultative Committee be Councillor Sam Collins;
 - h) The Council's representative to the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee be Councillor Ruth Brown;
 - i) And that the Council's representatives to the Royston Community Association be Councillors Adam Compton, Carol Stanier, and Chris Hinchliff.
- 2) That the decision on appointing the Council's representative to the King George V Playing Fields User Group be deferred to allow a review of the terms of reference of that organisation to determine whether the number of positions available could be expanded;
 - 3) That Political Group Leaders notify the Democratic Services Manager of nominations to the remaining vacancies or any changes to the existing representatives on outside organisations.

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

The meeting closed at 9.00 pm

Chair