

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices, Gernon Road, Letchworth,
Herts, SG6 3JF
on Wednesday, 15th January, 2025 at 7.30 pm

PRESENT: Councillors: Clare Billing (Chair), Ian Albert, Daniel Allen, Amy Allen, David Barnard, Matt Barnes, Sadie Billing, Ruth Brown, Val Bryant, David Chalmers, Jon Clayden, Ruth Clifton, Mick Debenham, Elizabeth Dennis, Emma Fernandes, Joe Graziano, Dominic Griffiths, Keith Hoskins, Tim Johnson, Chris Lucas, Sarah Lucas, Ian Mantle, Nigel Mason, Bryony May, Caroline McDonnell, Ralph Muncer, Sean Nolan, Steven Patmore, Louise Peace, Vijaiya Poopalasingham, Sean Prendergast, Martin Prescott, Emma Rowe, Claire Strong, Tamsin Thomas, Tom Tyson, Paul Ward, Laura Williams, Alistair Willoughby, Stewart Willoughby, Claire Winchester, Dave Winstanley, Donna Wright and Daniel Wright-Mason.

IN ATTENDANCE: Anne Banner (Benefits Manager), Ian Couper (Service Director - Resources), Jo Dufficy (Service Director - Customers), Ian Fullstone (Service Director - Regulatory), Geraldine Goodwin (Revenues Manager and Data Protection Officer), Sarah Kingsley (Service Director - Place), James Lovegrove (Committee, Member and Scrutiny Manager), Anthony Roche (Managing Director), Nigel Smith (Strategic Planning Manager), Melanie Stimpson (Democratic Services Manager) and Jeanette Thompson (Service Director - Legal and Community), Julian Pye (Associate Director – Hyas Associates).

ALSO PRESENT:

At the commencement of the meeting approximately 35 members of the public, including registered speakers.

64 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 43 seconds

Apologies for absence were received from Councillors Michael Muir, Tina Bhartwas, Cathy Brownjohn, Caroline McDonnell, Vijaiya Poopalasingham, Rhona Cameron, Steve Jarvis, Sam Collins and Lisa Nash.

65 NOTIFICATION OF OTHER BUSINESS

Audio recording – 2 minutes 15 seconds

There was no other business notified.

66 CHAIR'S ANNOUNCEMENTS

Audio recording – 2 minutes 21 seconds

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

- (2) The Chair reminded Members that the Council had declared both a Climate Emergency and an Ecological Emergency. These are serious decisions, and mean 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 advised that the normal procedure rules in respect of debate and times to speak will apply.
- (5) The Chair advised that 4.8.23(a) of the Constitution did apply to the strategic planning matters at this meeting (Referral 5A and Item 6). This did not apply to other items on the agenda. A comfort break would be held at an appropriate time, should proceedings continue at length.
- (6) The Chair advised of a change to the order of the Agenda and the Public Participation would be taken directly ahead of Agenda Item 6. The Chair also advised that referrals had been received from Cabinet. There was an additional Referral 5B regarding Decarbonisation of Leisure Centres, which would be considered as the last item of business.
- (7) The Chair advised that Agenda Item 7 had been deferred to the Council meeting on 23 January 2025.
- (8) The Chair advised that tickets were now available to purchase for her Civic Event and Awards 2025, being held on Friday 28 February 2025.
- (9) The Chair announced that Geraldine Goodwin, Revenues Manager, had been working at North Hertfordshire for 30 years, and extended her gratitude to Geri for her services to the Council.

The following Members paid tribute:

- Councillor Ian Albert
- Councillor Keith Hoskins
- Councillor Daniel Allen

Councillor Clare Billing, as Chair, proposed and Councillor Val Bryant seconded and, following a vote, it was:

RESOLVED: That the Council placed on record its sincere thanks and appreciation to Geraldine Goodwin for her long and valuable service to Local Government.

67 PUBLIC PARTICIPATION

Audio recording – 10 minutes 56 seconds

The Chair invited Ms Karen Jay to speak on Agenda Item 6 – East of Luton Strategic Masterplan Framework. Ms Jay thanked the Chair for the opportunity and provided Council with a verbal presentation, including that:

- Developers had encroached the greenbelt.
- The plan had been presented as a done deal with no scrutiny of the content.

- The open space plans were flawed as up to 10,000 people could live on the site. The Masterplan outlines that there would not be enough open space for 5,000 people, therefore developers would land grab for extra space.
- Woodland on the site had been included as multifunctional open space.
- If the housing mix was known at this stage, then there would be a better idea of the expected population.
- 1,950 homes on this site were to meet the unmet needs of Luton.
- Affordable housing was a NHDC policy, but Officers had advised that this could not be included until the planning stage.
- There needed to be confidence that the developers would deliver homes and not claim unviability.
- Luton Borough Council had built 1,100 homes of which only 7 were affordable.
- The final Masterplan would set a design framework for future applications, but this is not the right version and would lead to over population, cramped houses, lack of open space and three storey buildings.
- Developers cannot build until the Masterplan had been adopted, therefore Members should either defer or reject this Masterplan.
- Data from Luton Borough Council showed this was not required for their needs and therefore a scrutiny review of the process should be undertaken.

There were no points of clarification from Members.

The Chair thanked Ms Jay for her presentation and invited Mr David Dorman to speak on Agenda Item 6 – East of Luton Strategic Masterplan Framework. Mr Dorman thanked the Chair for the opportunity and provided Council with a verbal presentation, including that:

- The Masterplan outlined that building heights on the site would be predominantly 2 to 2.5 storeys to reflect the surrounding area. However, a 3 storey building would tower over the edge of Luton.
- The school proposed at Chalk Hill would be 3 storeys and would be a blot on the landscape from the east.
- There were no improvements planned to Chalk Hill, which was currently a single track road. However, as schools would provide for the villages west of Hitchin, this would be a key access point to the school and needed rethinking.
- Space had been allocated for a GP surgery. However, this was subject to input from the relevant providers and there was no guarantee this would be provided on site. There were concerns raised that existing GP surgeries would not be able to cope with the additional demand.
- There was no employment provided on site and limited public transport, therefore people would have to use cars to travel and the road provision was inadequate.
- The plans propose lifestyle engineering, rather than good housing and infrastructure which supports the reality.
- Pedestrians would be prioritised under the Masterplan with schemes put in place to assist this, such as 20mph zones, reduced road width and reduced parking spaces.
- There were concerns for parking of visitors and emergency vehicles and more road safety measures would be needed.
- There remained questions as to why there was only one access point to the part of the site owned by the Crown Estate.
- Following an FOI request to Luton Borough Council, it had been confirmed that these houses were not required to meet the unmet needs of Luton, and this had been published on their website.

There were no points of clarification from Members.

The Chair thanked Mr Dorman for his presentation and invited Ms Carolyn Cottier to speak on Agenda Item 6 – East of Luton Strategic Masterplan Framework. Ms Cottier thanked the Chair for the opportunity and provided Council with a verbal presentation, including that:

- She had shared plans and maps with Members ahead of the meeting.
- There were several areas which potentially had historical significance, such as a medieval site, a blacksmith, neolithic and bronze age artifacts and ancient enclosures and woodlands.
- She had provided LIDAR images which highlighted burrows in a corner of the site where the primary school was proposed.

In response to a question from Councillor Val Bryant, Ms Cottier advised that some areas of the site were not in the direct historic record, and this needed to be updated. The study of Brick Hill did not cover all the site, and one remaining field would need to be looked at. This needed to be done at the Masterplan stage to avoid any risk of challenge due to non-consideration of the historic environment.

The Chair thanked Ms Cottier for her presentation and invited her to speak again on Agenda Item 6 – East of Luton Strategic Masterplan Framework. Ms Cottier thanked the Chair for the opportunity and provided Council with a verbal presentation, including that:

- The Luton Airport enterprise zone, which had additional rights granted by Luton Borough Council, overlapped part of the site and was highlighted in maps provided to Members.
- The housing site overlapped into Luton Airport Development Consent Order (DCO) area, which was currently being examined by the Secretary of State.
- Phase 1B, which included a school and roundabout, was part of the DCO site.
- Wigmore Valley Park also had an enterprise zone decision which was in place and was required for part of the development.
- Due diligence had not been completed for the Masterplan to be adopted.

There were no points of clarification from Members.

The Chair thanked Ms Cottier for her presentation and invited Mr Sunny Sahadevan, of Luton Borough Council, to speak on Agenda Item 6 – East of Luton Strategic Masterplan Framework. Mr Sahadevan thanked the Chair for the opportunity and provided Council with a verbal presentation, including that:

- He was the interim Service Director at Luton Borough Council responsible for this area.
- Luton Borough Council supported the assessments in the Masterplan and consider it beneficial to both Luton Borough Council and NHDC.
- It was a well thought out plan and the applicants had included Luton Borough Council Officers in discussions.
- The official position was that Luton does not have a 5 year land supply and when the NHDC Local Plan was adopted, the land supply position was better. When the Plan was considered by the Inspector, it was on the basis that some land would be to support the unmet need of Luton Borough Council.
- A recent assessment in October 2024 highlighted that Luton had only a 3.36 5-year land supply.
- The NPPF was amended in December 2024 and Luton had not yet outlined the official position, but there was not likely to be much change.
- Luton Borough Council had been reviewing their adopted Local Plan and were in the process of examination of a new Local Plan, which was out for consultation.
- If there were concerns from government regarding this arrangement, these would have been raised by this point in the process.

The following Members asked questions:

- Councillor Ralph Muncer
- Councillor David Barnard
- Councillor Jon Clayden
- Councillor Joe Graziano
- Councillor Martin Prescott

In response to questions, Mr Sahadevan advised that:

- Both historically and currently Luton required family housing units, as there was an oversupply of 1-bedroom and studios. This was down to historic Class O approvals which meant the market was flooded with smaller units.
- The oversupply of smaller units was the case when the NHDC Local Plan was examined and was why Luton was considered to have an unmet need.
- The benefits of the development to NHDC would have been considered at the examination stages and considered through the NHDC adoption process.
- He was confident that during the production of the plan, the Luton Enterprise Zone would have been considered by Officers.
- There was a national shortage of affordable housing and Luton was no different. There had been a struggle to ensure affordable housing was included in new developments and, whilst some has been achieved, it was not enough.
- It was for NHDC and the developers to consider the appropriate level of affordable housing on site. Luton Borough Council would support as much as could be delivered and this would be agreed at application stage.
- The official Luton Borough Council position was that the needs could not be met within the borough, and other figures may be available, but he could not comment on the calculation process of these.
- There was a question mark over the future of the Vauxhall site in Luton, but this was not finalised.
- The new Luton Local Plan was being consulted on and comments were being received, including from neighbouring authorities. The expected adoption of this was 2029, so there was a need to deal with the current situation before this.
- Luton Borough Council had not been required to appear before Members as part of this Masterplan process, but they had responded to letters from MPs, pressure groups and Parish Councils when approached.
- The Inspector had concluded that the NHDC Local Plan was sound before adoption, with the East of Luton site included. The Luton Borough Council position had not improved since this adoption and therefore it would appear that the inclusion of this site is justified.
- The market housing on site would be available to all residents, with the affordable housing being used to help meet the unmet needs of Luton.
- Any potential unmet need of NHDC would be more reason to support this site being progressed.

The Chair thanked Mr Sahadevan for his presentation and invited Mr Jonathan Dixon, Ms Silvia Lazzerini, Mr David Joseph and Mr Thomas Parfitt to speak on Agenda Item 6 – East of Luton Strategic Masterplan Framework. They thanked the Chair for the opportunity and provided Council with a verbal presentation, including that:

- They represented the landowner and developer team.
- They had worked with Officers from NHDC, Luton Borough Council, Herts County Council and various other stakeholders, including schools, Parishes and residents, to develop the Masterplan.
- The Statement of Community Involvement, which detailed 3 years of discussions, was published alongside the Masterplan.

- Whilst some still objected, there was an agreement to differ on opinion, but to collaborate on the Masterplan.
- They wanted to acknowledge the input from all parties which had helped to develop a greater understanding of the site and the proposals.
- Subject to approval of the Masterplan, they would continue to work with the community to keep conversations going as the details were further outlined in the planning process.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Paul Ward
- Councillor Ralph Muncer
- Councillor Dominic Griffiths
- Councillor Matt Barnes
- Councillor Joe Graziano
- Councillor David Barnard

In response to questions, Mr Dixon, Ms Lazzerini, Mr Joseph and Mr Parfitt advised that:

- Some plans were confusing over land allocation, with some red lines around field parcels which made it difficult to establish what was included. There was some trespass, with minor incursions into hedges.
- There was an agreed position with Luton Rising to allow access and agree the process for doing this, which had been included on the NHDC website.
- There were proposed sports pitches to the northern side of the allocation, which was outside of the allocation, but was not incompatible with greenbelt use. They had considered the best place for the playing fields and this area was agreed. It would be controlled by Luton Borough Council on North Herts land, but Sport England felt this was a good provision.
- The site had two principal points of access and relied on Chalk Hill as a third minor access point, as the gravity of the traffic demand would be towards Luton.
- There was expected to be a degree of self-containment of the school, with most students coming from the site itself. There would be some mitigations to Chalk Hill which would make it suitable for access.
- The strategic Masterplan had been developed from the original application submission. Cultural Heritage was covered on pages 42 and 43 of the Masterplan and had been explored in the same detail as all other considerations within the Masterplan.
- The entire site had been subject to desktop, geophysical, human walkover and trial trenching assessments as required and this had summarised that no evidence of remains would preclude development.
- One side of the site was on the urban edge of Luton and the other rural Hertfordshire. There were two lanes into the rural Hertfordshire area, but the main arterial road out of Luton would be the primary points of access. This had been reviewed and considered as part of the development of the Masterplan.
- The Masterplan outlined that active travel would be prioritised on site and whilst existing infrastructure in Luton did not encourage this, improvements would be made to existing cycling and walking routes.
- There was a new bus service proposed from the site to key locations in Luton and all residents on site would be within 400m of a bus stop.
- The developer was continuing to work with the relevant authorities to get a firm commitment on health provision on site and this would be delivered as soon as possible. The space and site of a surgery had been allocated within the Masterplan.
- Consideration of building height on site was difficult, as it could be measured in stories or height from ground. It was not planned to have 3 storey buildings across the site, but should an innovative design solution be presented then this could be considered at the planning stage.

- The average number of people per home had been established considering figures from both North Herts and Luton and there was roughly twice as much greenspace provision for this number than required by planning policies.
- They had held discussions with Officers at Herts County Council Highways regarding the road access.
- They were aware of some flooding issues on the roads towards North Herts and engineers had planned mitigations for this.
- Access to local services had been raised during engagement session as residents were split across North Herts residents and Luton residents. This consideration was not relevant to the Masterplan stage, but discussion were ongoing and would be confirmed as part of the planning process.
- The primary change to the Masterplan made from the consultation was with regard to the principle of integration of the development with existing areas. The original plan did not contain a green corridor between the site and villages, and this was raised by the Parish Council and had been address by including a 45m green corridor between the two sites. Other changes to schools and roads following the consultation were made and outlined in the report.

The Chair thanked Mr Jonathan Dixon, Ms Silvia Lazzerini, Mr David Joseph and Mr Thomas Parfitt for their presentation.

N.B. During this item Councillor Elizabeth Dennis left the Chamber and returned at 20.48 and Councillor Dominic Griffiths left the Chamber and returned at 20.52

N.B. Following the conclusion of this item, there was a break in proceedings and the meeting reconvened at 21.10.

69 EAST OF LUTON STRATEGIC MASTERPLAN FRAMEWORK

Audio recording – 1 hour 40 minutes 08 seconds

Councillor Daniel Allen, as Interim Executive Member for Planning and Transport, presented referral 5A from Extraordinary Cabinet and the report entitled 'East of Luton Strategic Masterplan Framework' and advised that:

- This report sought support for the East of Luton Masterplan to be a consideration in the planning process.
- The site was allocated for approximately 2,100 homes and infrastructure, including schools and a local centre.
- Council Officers and consultants had worked with the developers to produce the plans, with key plans and extracts from the Masterplan included in the report and a summary provided.
- There had been a thorough process in the preparation of this Masterplan and a number of changes had been made which were outlined in the report and summary.
- The Masterplan outlines how the Sustainability SPD requirements would be met, with 7 out of 8 areas set to achieve the silver rating and 1 gold rating.
- The site had primarily been identified to meet the housing needs of Luton Borough Council.
- A Masterplan was one stage of the planning and delivery of the site. It was a high level framework against which any schemes on the site can be considered.
- The request to approve the Masterplan sat between the adoption of the Local Plan, which had happened, and the planning applications, which were yet to happen.
- There were no new decisions to be made on the principle of development or wider matters which may be considered in the future.
- All Members had been invited to a briefing by Council Officers on the Masterplan.

The Strategic Planning Manager provided a visual presentation of site plans and advised that:

- The Masterplan had been produced in collaboration with the developers who had spoken at this meeting and with support from Herts County Council Officers on highways and education.
- The site was included in the adopted Local Plan.
- Consideration of whether an unmet housing need existing in Luton was not for the Masterplan stage.
- Housing provided for Luton would be included in the North Herts supply total.
- The Masterplan would provide a framework for different applications to be brought forward by different developers at different times, whilst maintaining consistency across the site.

The Associate Director of Hyas Associates provided a visual presentation of site plans and advised that:

- Hyas had worked with Officers for 3 years on the project and had a huge amount of knowledge and experience of supporting Councils with projects like this on a national level.
- There were two key landowners of the site, Bloor Homes, which owned 66%, and the Crown Estate, which owned 25%. The remaining 9% was owned by ATO Holdings.
- Previous applications which had been submitted were considered but had been revised and updated in the Masterplan process.
- The Masterplan established an appropriate framework for the site, which pulled together landowners and allowed for a holistic approach to the wider site.
- Over a number of years, several parties may be involved in this development and this document would be a material consideration for all applications received for the site, if adopted.
- Not all planning considerations were covered within the Masterplan, as this was not required, but it provided a starting point for the scheme.
- A bespoke design review panel, including national experts, had provided challenge to the scheme, roughly 18 months ago.
- There were primary schools, a secondary school, a local centre and a neighbourhood centre provided in the plans.
- It was important to consider the pattern of movement and provide people with the opportunity to walk to places and ensuring the structure of the development supported this.
- Site typography and characteristics had been considered.
- There had been a focus on how existing landscape could be used within the development of housing around it.
- The playing fields would sit next to Wandon Park and was considered suitable use for greenbelt land and access to this would be open to all residents.
- The primary movement and arterial routes into the site were outlined in the Masterplan.
- Multimodal access to the site had been considered and it was important the foot and cycle paths were located correctly to provide residents the opportunity to walk. In previous developments this had not been considered and therefore the infrastructure was not provided to support this.
- There were at least 6 points of connectivity to Luton and it was important to ensure new footpaths accorded with existing footpaths and accessed the existing facilities residents may need.
- Phase 1A and 1B would provide the main access to the site and 2A would be the first development, including the primary school and local centre. For facilities to be viable on site, people needed to live there to use them.
- There would be further opportunities for consideration of and revisions to the Masterplan, should suitable plans not be brought forward.

N.B. Councillor Dominic Griffiths left the Chamber at 21.44 and did not return.

The following Members asked questions:

- Councillor Ruth Brown
- Councillor Tom Tyson
- Councillor Sean Nolan
- Councillor Jon Clayden
- Councillor Ralph Muncer
- Councillor Claire Strong

In response to questions, the Strategic Planning Manager and the Associate Director advised that:

- The principal access to and from the site were included on the plans.
- Given the nature and size of the site, and that it would be developed by different parties, it was not relevant to provide a housing mix at this stage, but it did set out assumption of what is appropriate mix and density, and what this might mean in terms of delivery.
- Existing cycling and walking infrastructure into North Herts had been considered and mapped out through the process, and detail was provided on where rights of way ran through the site and where possible enhancements could be made to these.
- The housing numbers would contribute to North Herts overall housing delivery and the Inspector had agreed this was sufficient to meet demand.
- A 4-form entry school was advised by Herts County Council as being appropriate for this site alone and admission rules were location specific. The residents on this site, and in existing villages, would have access to the school before any residents further away.
- The Masterplan provided the opportunity for character to be established for the whole site. It analysed existing villages and aspects of form, but the detail would be confirmed during the application process.
- The Masterplan considered character areas, however it was incumbent on the planning authority to manage the quality of the outcome.

Councillor Daniel Allen proposed and Councillor Val Bryant seconded to approve the recommendation.

Councillor Steven Patmore advised that he was a Parish Councillor at Offley and Cockernhoe Parish Council, however had taken no part in discussions on this item as part of the Parish Council business. He had sought advice from the Monitoring Officer, who had advised that he could participate in the debate and vote on this item.

N.B. Councillor Emma Rowe entered the Chamber at 21.59.

The following Members took part in the Debate:

- Councillor David Barnard
- Councillor Laura Williams
- Councillor Ruth Brown
- Councillor Ralph Muncer
- Councillor Joe Graziano
- Councillor Alistair Willoughby
- Councillor Sadie Billing
- Councillor Claire Strong
- Councillor Daniel Wright-Mason

Points raised during the Debate included that:

- There was evidence that there was not an unmet housing need from Luton Borough Council, which was the primary reason for the site. Therefore the greenbelt would be decimated unnecessarily.
- The small roads into North Herts would not be suitable to deal with the traffic coming from the site, with issues around size and flooding.
- It was easy to visit recent developments and spot the ones without a Masterplan in place.
- This decision was not about planning permission, but a strategic overview to collaborate with developers and set in place guidelines for development.
- A vote against the Masterplan would not prevent houses being built but would remove the protections provided in the Masterplan.
- There was a vast amount of public feeling against the development of these sites. However, this decision was not about the principle of development due to the site allocation within the adopted Local Plan.
- Adoption of this Masterplan would ensure the best possible outcomes can be achieved.
- With three separate landowners, applications could come forward in different stages, and the Council had previous experience of developments without a Masterplan in place.
- The sustainability standards proposed as part of the Masterplan were excellent.
- There were concerns over some aspects, such as the small, rural lanes, but overall it was better to have a Masterplan in place.
- Councillors were required to do what was best for North Herts residents, not those in other districts or boroughs.
- The question of the unmet need in Luton still remained unanswered. Contributions tonight said that there was an over supply of 1 and 2-bed dwellings, but 50% of plans for this site were for 1 and 2-bed dwellings, so these would not meet the needs of Luton.
- There was a need for further engagement with Luton Borough Council and other stakeholders and adoption of the Masterplan should await the Local Plan review and until Luton could provide further information.
- The development would end up being isolated by looking to Luton, but being within North Herts.
- Chalk Hill was not suitable for the number of vehicles expected, especially with any airport expansion, and a connection to the A505 was required.
- There was no commitment provided from the developer or NHS to provide healthcare on site.
- There was only a rural bus service currently, which was not suitable to provide for the needs of the new residents.
- Serious questions needed to be addressed, some could be dealt with at planning application stage, but need further clarification was needed for some points raised.
- Some existing North Herts residents may want to move into this site to remain in Hertfordshire, where otherwise they may be forced to move out of the county.
- There was a need for homes everywhere and it could not be about our needs against others needs.
- The adopted Local Plan had been developed by the Conservative administration.
- Any applications for development would be brought to the Planning Control Committee. This vote was not about stopping development, but about shaping it to ensure it aligns with the vision and community of North Herts.
- Without a Masterplan the Council would lose the ability to guide the process and developers would take charge. Supporting it would ensure the Council had protection and representation in the process.
- One of the most important developments from the Masterplan process was the introduction of a buffer zone between this site and the existing villages, which would provide protection and had been requested by the Parish Council.
- Concerns around height and look would be dealt with at the application stage.
- The Masterplan provided enhancements to existing woodland and the connectivity of green corridors.

- There was a large amount of objection to development at all, but this was not for consideration at this stage.
- If built, a robust Masterplan must be in place to provide the framework to ensure the development was the best it could be and without one the good aspects, such as the buffer zone, may be lost.
- The secondary school would be small, but is for the development and it was not expected to serve the wider area, with existing villages west of Hitchin already accessing Hitchin schools.
- A Masterplan would not stop a planning application, the applications would come anyway.
- It was disappointing to hear some comments on the 'housing need' which was a national issue.

In response to points raised in the Debate, Councillor Daniel Allen responded that:

- This Masterplan would ensure the best future for the development.
- Without the Masterplan, the development would likely still go ahead but the good aspects included within it would be lost.
- Planning Control Committee would determine final detailed aspects of the development, not the Masterplan.
- It was important for the Council to adopt the Masterplan to ensure to adopted Local Plan was implemented in the right way.

Having been proposed and seconded and, following a vote, the result was as follows:

YES: 31
ABSTAIN: 1
NO: 6
TOTAL: 38

The individual results were as follows:

Cllr Ian Albert	YES
Cllr Amy Allen	YES
Cllr Daniel Allen	YES
Cllr David Barnard	NO
Cllr Matt Barnes	YES
Cllr Clare Billing	YES
Cllr Sadie Billing	YES
Cllr Ruth Brown	YES
Cllr Val Bryant	YES
Cllr David Chalmers	YES
Cllr Jon Clayden	YES
Cllr Ruth Clifton	YES
Cllr Mick Debenham	YES
Cllr Elizabeth Dennis	YES
Cllr Emma Fernandes	YES
Cllr Joe Graziano	NO
Cllr Sarah Lucas	YES
Cllr Keith Hoskins	
Cllr Tim Johnson	
Cllr Chris Lucas	NO
Cllr Ian Mantle	YES
Cllr Nigel Mason	YES
Cllr Bryony May	YES
Cllr Ralph Muncer	NO
Cllr Sean Nolan	YES
Cllr Steven Patmore	NO

Cllr Louise Peace	YES
Cllr Sean Prendergast	YES
Cllr Martin Prescott	NO
Cllr Emma Rowe	
Cllr Claire Strong	ABSTAIN
Cllr Tamsin Thomas	YES
Cllr Tom Tyson	YES
Cllr Paul Ward	YES
Cllr Laura Williams	YES
Cllr Alistair Willoughby	YES
Cllr Stewart Willoughby	YES
Cllr Claire Winchester	YES
Cllr Dave Winstanley	YES
Cllr Donna Wright	YES
Cllr Daniel Wright-Mason	YES

As such it was:

RESOLVED: That the Strategic Masterplan Framework for the land East of Luton (Local Plan sites EL1, 2 & 3), attached at Appendix A, is approved and adopted as a material planning consideration for relevant planning decisions relating to the site.

REASONS FOR DECISION:

- (1) To set an agreed design framework for the delivery of a strategic site within the Council's adopted Local Plan.
- (2) To accord with policy requirements of the Local Plan.

N.B. Following the conclusion of this item, Councillor Ruth Clifton left the Chamber and did not return.

N.B. Following the conclusion of this item, Councillor Ralph Muncer and Councillor David Barnard left the Chamber and returned at 22.24.

70 CONSTITUTIONAL AND GOVERNANCE REVIEW - Deferred from 28 November 2024

Audio recording – 2 hours 50 minutes 22 seconds

The Chair advised this item had been deferred to the meeting of Full Council on 23 January 2025.

71 APPOINTMENT OF REPLACEMENT RESERVE INDEPENDENT PERSON

Audio recording – 2 hours 52 minutes 21 seconds

Councillor Alistair Willoughby, as Chair of the Standards Committee, presented the report entitled 'Appointment of Replacement Reserve independent Person' and advised that:

- Council was required to have at least one additional Independent Person, and ideally more than one, as this was required where the Independent Person was unavailable or could not consider a matter due to personal interests.
- The previous Reserve had been appointed at Council in September 2024 but resigned shortly after this appointment.
- The proposed appointee met the requirements of the role and would be appointed for 2 years, with the potential to extend this by a further 2 years.

As part of the Debate, Councillor Ruth Brown endorsed the recommendation to approve this Reserve Independent Person and although regrettable someone resigned, Ms Hui would bring a different experience and background to the role to strengthen the team.

Councillor Alistair Willoughby proposed and Councillor Ian Albert seconded and, following a vote, it was:

RESOLVED: That Council:

(1) Appointed Ms Wai Bing Hui as Reserve Independent Person.

N.B. such appointments/ confirmation of continuing appointments under 2.1 be for a fixed term of up to 4 years from 16 January 2025, based on 2-years, with delegation to the Monitoring Officer, in consultation with the Chair and Vice Chair of Standards Committee to extend for a further 2-years.

(2) Delegated to the Monitoring Officer in consultation with the Chair and Vice Chair of Standards Committee, the decision (if the current Independent Person decides within term to resign/unable to act/no longer qualifies), to appoint one of the existing Reserve Independent Persons as the Independent Person and/or to undertake any further recruitment, as may be required.

REASON FOR DECISION: To ensure that the Council's Standards processes can operate in accordance with legislative requirements if one or both IP and Reserve IPs are unable to advise on a matter. This should also allow for a degree of succession planning/ training whilst experienced persons are in place.

72 ELECTORAL SCALE OF FEES

Audio recording – 2 hours 56 minutes 16 seconds

N.B. The Democratic Services Manager and Monitoring Officer left the Chamber for the duration of this item, due to their roles as Returning Officer and Deputy Returning Officer respectively.

The Service Director – Resources presented the report entitled 'Electoral Scale of Fees' and advised that:

- The reasons for the proposed increase in fees were detailed at Section 8 of the report.
- The focus had been on the lower paid roles and ensuring that the National Living Wage was maintained.
- Presiding Officers were required to run Polling Stations and the fees needed to reflect the value of this role, as well as take into account fees paid by neighbouring authorities.

Councillor Ian Albert proposed and Councillor Daniel Allen seconded and, following a vote, it was:

RESOLVED: That the Council agreed the Scale of Fees for 2025/26 as set out in Appendix A.

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.

N.B. Following the conclusion of this item, the Democratic Services Manager and Monitoring Officer returned to the Chamber.

73 NOMINATION OF A REPRESENTATIVE ON PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL) ADJUDICATION JOINT COMMITTEE

Audio recording – 2 hours 59 minutes 34 seconds

The Democratic Services Manager presented the report entitled 'Nomination of a Representative on Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee' and advised that the Council was required to reappoint a nominee for this Outside Organisation, following the resignation of the former appointee, Chris Hinchliff.

Councillor Val Bryant proposed and Councillor Ian Albert seconded and it was:

RESOLVED: That Council nominated Councillor Daniel Allen to the outside organisation the Parking and Traffic Regulations Outside London Adjudication Joint Committee (PATROL).

REASONS FOR DECISION: To comply with the provision of Standing Order 4.8.2(j) of the Council's Constitution.

74 NOTICE OF MOTIONS - Deferred from 28 November 2024

Audio recording – 3 hours 1 minute 23 seconds

There was one motion submitted in accordance with Standing Order 4.8.12, which had been deferred from the meeting on 28 November 2024.

(D) Impact of Family Farm Tax on Rural Communities in North Hertfordshire

Councillor Ralph Muncer proposed the motion as follows:

In the Autumn Budget, the Chancellor of the Exchequer announced reforms to Agricultural Property Relief (APR) and Business Property Relief (BPR) from inheritance tax.

Currently, APR and BPR are available at a rate of 100% or 50% (based on eligibility criteria) with no cap to the total amount of relief. However, from April 2026 as a result of the Labour Government's policy, inheritance tax relief for business and for agricultural assets will be capped at £1 million, with a tax rate of 20% being charged above that.

HM Treasury has said that 73% of APR claims are below £1 million and so would be unaffected by this policy however, the National Farmers Union have highlighted figures from the Department for Environment, Food and Rural Affairs indicating that the true percentage of farms affected by the APR changes will be 66%.

North Hertfordshire is a rural district with 76% of land classed as agricultural, and with farming providing jobs for more than 2,500 people in Hertfordshire and contributing more than £160m to the economy of Hertfordshire and Bedfordshire, this policy will undoubtedly have a significant negative impact on the economy of rural communities across the district.

Not only does this policy present an existential threat to the families who have farmed the land in our communities for generations, and who had hoped to pass on their farm to the next generation, but with about 54% of food on the plates of people in North Hertfordshire being produced in the UK, this decision will significantly increase the cost of producing food, leading to higher food prices, as well as reduce British Food Security.

Therefore, Council resolves:

1. That the Leader of the Council writes to the Secretary of State for Environment, Food and Rural Affairs to outline the Council's dismay at this decision and calls on the Government to stop the Family Farm Tax.

2. That the Leader of the Council writes to the Member of Parliament for Hitchin, the Member of Parliament for North East Hertfordshire and the Member of Parliament for Stevenage, urging them support farmers and rural communities in North Hertfordshire by calling on the Government to reverse the Family Farm Tax.
3. That the Executive Member for Community and Partnerships engages with local farmers and representatives from rural communities on what Council can do to support them.
4. To instruct Officers who are writing the North Hertfordshire Economic Development Strategy to work to identify potential opportunities to strengthen and grow the economies of rural communities in North Hertfordshire.

Councillor David Barnard seconded the motion.

Councillor Ruth Brown proposed an amendment to the motion, as outlined in the reports pack, and advised that:

- She was broadly supportive of the motion, but it failed to recognise the challenging situation farmers found themselves in.
- Farmers were under the impression that Brexit would provide a better deal than within the EU. The Conservative government failed to manage the change, and the Labour government was making it worse.
- The primary role of farms was for food production and the payments offered fail to recognise this.
- Farming was an investment, which often meant farmers were asset rich and cash poor.
- £1m would buy on average 100acres, however this was short of the 300acres required for a viable commercial farm.
- Wealthy landowners should be targeted, but these proposals failed to address the issue.
- Good land management was required to provide sustainable food security for the country.

The amendment was seconded by Councillor Matt Barnes.

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

- Councillor Ralph Muncer
- Councillor Martin Prescott
- Councillor Matt Barnes

Points raised during the Debate included that:

- The amendment highlighted the cost of these changes to family farms and provided context around the economic challenge faced by farmers.
- The administration costs of this would outweigh the expected returns.
- The Liberal Democrats had been in government with the Conservatives during some of the last 14 years, during which farmers were supported with more helpful and valuable subsidies.
- The threshold was wrong and did not target the people expected.
- The 7 year rule on Inheritance Tax may have kicked in before farmers could take any action.
- The policy would create too many losers, with the number of farms affected could be 5 times higher than HMRC estimates.
- These proposals would hit a lot of farmers in Northern Herts, with farm land in this area costing roughly £10k per acre, before the costs of stock, machinery and maintenance.
- Margins for farms was low, usually around 1%, and even over 10 years no business can afford a tax level above its income, whilst maintaining its viability.
- The policy would ultimately lead to the splitting of farms and larger estates owned by rich landowners.

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- The amendment would address the repeated blows to farming communities in recent years.
- The government cannot on one hand claim this policy is required for economic benefits, whilst also saying only a small number of farms would be affected.

Having been proposed and seconded and, following a vote, the amendment was **LOST**.

The following Members took part in the Debate on the original motion:

- Councillor Donna Wright
- Councillor Daniel Wright-Mason
- Councillor Emma Fernandes
- Councillor Alistair Willoughby
- Councillor Martin Prescott
- Councillor David Chalmers
- Councillor Nigel Mason
- Councillor Paul Ward
- Councillor Matt Barnes
- Councillor David Barnard
- Councillor Ralph Muncer

N.B. Councillor Sadie Billing left the Chamber during the debate and returned at 23.07.

Points raised during the Debate included that:

- There was farm relief of £1m, in addition to the £500k offered to others. Therefore, if a couple owned a farm, they would receive £3m in relief.
- Reforms would allow beneficiaries to continue to live in the house and pay instalments over 10 years.
- These changes would support the transition into a more productive and sustainable system.
- Agricultural land purchases were dominated by wealthy people, which was pushing out farmers and driving up prices. More than 50% of agricultural land bought was by non-farmers, with the tax relief on agricultural land being used more and more by wealthy people to avoid tax. It was not fair that a small pool of wealthy people could claim a significant amount of tax relief when others struggle.
- These changes would deter private investors from purchasing agricultural land.
- There were many ways in which farmers could be helped, but maintaining the current system was not appropriate.
- These changes closed a long criticised tax loophole and would be directly spent on public services.
- There was a need to fill the £22bn black hole and support hardworking families who had suffered over 14 years. This change was needed to pay into the system to rebuild public services.
- Farming was being abused by some who were cheating legitimate farmers out of potentially good land.
- Other support had been put in place for farmers, including £5bn to support sustainable food production.
- The deal with the EU and deals with countries around the world had harmed farmers and farming in the UK.
- It was not good for the wealthy to purchase land, and the law needed to catch up to ensure large landowners pay as much as everyone else. However, the numbers used by the Chancellor were wrong and not all landowners should be considered the same. This will end up targeting the small, hardworking, family farmers as the thresholds are too low.
- This was expected to raise £115m, less than 1% of all tax rises announced in the budget.

- North Herts was a rural community which relied on farmers who had suffered greatly, and Brexit deals had been detrimental to farmers.
- 1 in 25 farms closed last year and farm income was lower last year than ever before. The Basic Payment Scheme will be reduced by 76% next year. With all this, something needed to be done to support farmers and there were other ways in which tax could be increased. Cuts needed to be thought through, if the government was going to support farmers to sustainability feed the country.
- The motion focussed on family farms, but large portions of farmland were owned by wealthy people, with some 10k acres of farmland in south North Herts being owned by one organisation.
- The money could be used to support rural bus services, provide affordable housing to rural areas and improve health and education services.
- The selection of targets for this policy was wrong and patches have been put in place to mitigate against this bad solution.
- There was a desire for wealth landowners to pay more tax, but this policy went too far and was not targeted enough. There was a need for reconsideration.
- There had not been consideration given to tenant farmers, who won't be directly impacted by this tax, but will feel the knock on effect of the landowner.
- Partnerships with farmers was needed, but instead of encouraging investing in rural areas, farmers will be saving to pay the inheritance tax bill. The government needed to set out positive vision for farming.
- Farming and food production was vital to rural economies, as it provided employment opportunities.
- Farmers who cannot afford this change will not be able to pass their farm onto their families and the land will be bought by mega-landowners, who will create monopolies and higher food prices.
- Farmers were vital for food security, and everyone needed a farmer at least 3 times a day.
- Some wealthy landowners had exploited the system, but this was not a reason to penalise family farmers.
- This would not mean more money for public services, as it was estimated to cost £1bn more than it would raise.

Having been proposed and seconded and, following a vote, the motion was **LOST**.

68 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 3 hours 42 minutes 50 seconds

The Chair advised that the referral 5A from Cabinet would be taken with the respective item on the agenda.

5B) DECARBONISATION OF LEISURE CENTRES PROJECT

Councillor Mick Debenham, as Executive Member for Leisure, Environment and Green Spaces, presented the referral from Cabinet and advised that:

- The project to decarbonise the three leisure centres in the district was now at detailed design stage and had been made possible because of a £7.74m government grant, alongside the capital contribution from the Council.
- Issues had been identified with the efficiency and running costs of the heat pumps required for the project.
- There were larger and more efficient heat pumps available, but these were bespoke and required a longer lead time.
- Initially it was thought that the larger pumps could not be purchased, but following confirmation from Salix who provided the grant, these could be ordered and still meeting the requirements of the funding.

- The design process would need to be completed before final cost implications could be provided.
- Cabinet considered all options and considered Option 4a as best, as detailed in paragraph 8.9 of the report.

The following Members asked questions:

- Councillor Ralph Muncer
- Councillor Matt Barnes
- Councillor Jon Clayden
- Councillor Paul Ward

In response to questions, the Service Director – Place advised that:

- The cost implications of Option 4 were between a £37k and £117k increase in running costs compared to current prices. The quantity surveyor was mildly optimistic this could be brought down further throughout the design process.
- Some of this increase was not due to heat pumps, but with the solar PV, as not as many solar PV panels could be installed on the roofs as had been anticipated.
- Wilmott Dixon were looking at two types of larger air source heat pumps and the capital implications of these would be £225k rise for one option or up to £585k for the other. There was also a redesign fee of £86k.
- In total, there would be between a £311k and £688k rise in capital costs, based on current assumptions.
- An external lawyer was looking at the contract to ensure the Council was protected in case of any insolvency of the provider.
- Up to date capital forecasts had been provided and there were no further increases expected. Risks were being managed by the project board.
- The learner pool at North Herts Leisure Centre used a gas boiler for heating which was too new to include in this round of funding. The boilers at Hitchin outdoor pool were almost new and therefore could also not be included.

In response to questions, the Service Director – Resources advised that:

- The table on page 8 of the report highlighted the additional electricity that would be required to be purchased, net of any on site generation by the solar PV.
- The implications would be factored in as part of the budget proposals for 2025/26 onwards.
- The report presented in summer set out the additional cost of investment, and this update added more costs, which would be roughly a net zero position in terms of revenue and capital. An additional range of options was presented now to combine the costs of these.

The following Members took part in the Debate:

- Councillor Ralph Muncer
- Councillor Ruth Brown
- Councillor Daniel Allen
- Councillor Amy Allen
- Councillor Ian Albert
- Councillor Sean Nolan
- Councillor Martin Prescott
- Councillor Mick Debenham

Points raised during the Debate included that:

- Concerns that costs had risen on this project yet again and that ongoing revenue costs could be substantial.
- This may be an item for the Overview and Scrutiny Committee to explore in further detail as to where slippage has come from and how the process has evolved.
- There was a risk of continuing with the project, but there was also a serious reputational risk to the Council by not proceeding.
- Smaller heat pumps would not be appropriate, and larger ones would be better in the long term.
- The risks needed to be monitored, but the reputational risk of not doing this also needed to be considered.
- If the Council did not proceed, the grant funding would be lost and when the gas boilers failed, these would need replacing either with gas boilers or heat pumps, at significant costs to the Council.
- This was a key opportunity to do something about emissions in the district following the declaration of a Climate Emergency and should be proceeded with, especially with funding available.
- The Council should not proceed with projects solely because it may look bad for the Council to not proceed. Unnecessary risks should not be taken, even if it was detrimental to the Council reputationally.
- It was a difficult choice, but the boilers in Hitchin and Letchworth could fail which would lead to a cost to the Council to replace and would remove the opportunity of further grant funding in the future.
- If the Council could not afford the increased costs, then it should not proceed, but this can be achieved.
- Finance, Audit and Risk Committee could consider and monitor the risk and financial aspects of this project.
- It was important Members did not overpromise, but this was a transformative amount of grant funding and would have a big impact on reducing emissions.
- All big projects have some cost slippage.
- Had this been presented with these costs on day 1, the decision to proceed may have been different, but the reality of the situation means the Council will need to proceed, but the project needed monitoring.

In response to points raised during the Debate, the Executive Member for Environment, Leisure and Green Spaces advised that:

- He took on board, and agreed with, most points raised.
- It was not an ideal situation, but even with cost increases there was still £7.7m in funding provided and a major project to reduce emissions could be delivered.
- The boilers at Hitchin and Letchworth were at the end of life and would need replacing.
- The Council had declared a Climate Emergency, and this administration promised a greener North Herts, and this provided an opportunity to act on this.

Councillor Mick Debenham proposed and Councillor Amy Allen seconded and, following a vote, it was:

RESOLVED: That Council proceed with Option 4a and approve the additional forecast capital and ongoing revenue costs (including revenue costs of capital) and note the ongoing project risks.

REASONS FOR DECISIONS:

- (1) To identify the most appropriate way forward for the leisure centre decarbonisation project, taking into account both the environmental benefits of the project and the impact on the Council's wider financial position.

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- (2) Council has the responsibility to make decisions about any matter in the discharge of an executive function where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget.
- (3) To enable the Council and contractors to continue to meet the delivery time table for the project

The meeting closed at 11.37 pm

Chair