

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

MEETING HELD AS A VIRTUAL MEETING ON TUESDAY, 21ST JULY, 2020 AT 7.30 PM

MINUTES

Present: *Councillors: Martin Stears-Handscomb (Chair), Paul Clark (Vice-Chair), Ian Albert, Judi Billing, Elizabeth Dennis-Harburg, Gary Grindal, Keith Hoskins, Steve Jarvis, Ian Mantle and Helen Oliver*

In Attendance: *Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Ian Fullstone (Service Director - Regulatory), Vaughan Watson (Service Director - Place), Nigel Smith (Strategic Planning Manager), Sam Dicocco (Planning Officer), Louise Randall (Leisure Contracts Manager), Rebecca Coates (Community Protection Manager), Reuben Ayavoo (Policy and Community Engagement Manager), Chloe Gray (Commercial Manager) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

22 WELCOME AND INTRODUCTION

Audio recording – 55 seconds

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

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

Attendance

A roll call of Members and Officers was undertaken to ensure that they could hear and be heard.

Live Streaming

The meeting was being streamed live on the Council's You Tube channel. If live streaming failed the meeting would adjourn. If the live stream was unable to be restored within a reasonable period then the remaining business would be considered at later date.

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

Only Members present for the entire debate and consideration of an item were entitled to vote.

If technology failed for a Member during the debate and they rejoined the meeting, they would not be able to vote on that item.

If a Member dropped out of the meeting and was unable to connect an email had been sent to each Member with telephone options.

Noise interference

Electronic devices should be muted and all present should have the mute button on their tablet or computer activated when not speaking.

Rules of Debate

The raise hand button (located under participants) should be used to alert the Chair that you wish to speak. Please wait for the Chair to invite you to speak before doing so.

Voting

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

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

Part 2 Items

There were Part 2 papers on the agenda. When the Committee had resolved to move into Part 2 the host would ask the Committee Members and relevant officers to join a Break Out Room where the Part 2 discussions would be held.

Once the Part 2 discussions had concluded Members would need to move back into the public part of the meeting.

Whilst the part 2 discussions were taking place the live stream of the meeting would not cease. The YouTube channel would remain live with a holding message.

The Chair, Councillor Martin Stears-Handscorn started the meeting proper.

23 APOLOGIES FOR ABSENCE

Audio recording – 5 minutes 33 seconds

Apologies for absence were received from Councillor Carol Stanier and Sean Prendergast (Deputy Executive Members).

Councillor Kate Aspinwall, Chair Finance, Audit and Risk Committee offered her apologies for absence.

24 NOTIFICATION OF OTHER BUSINESS

Audio recording – 6 minutes 6 seconds

There was no other business notified.

25 CHAIR'S ANNOUNCEMENTS

Audio recording – 6 minutes 10 seconds

- (1) The Chair welcomed everyone to this meeting of Cabinet;
- (2) The Chair advised that, in accordance with Council policy, this meeting was being audio recorded as well as filmed. The audio recordings would be available to view on Mod.gov and the film recording via the NHDC Youtube channel;
- (3) Members were reminded that this Council had declared a Climate Emergency. This was a serious decision and meant that, as this was an emergency, all of us, officers and Members had that in mind as we carried out our various roles and tasks for the benefit of our District;
- (4) Members were reminded to make declarations of interest before an item, the detailed reminder about this and speaking rights was set out under Chair's Announcements on the agenda;
- (5) The Chair referred to statements made by Councillor David Williams, Leader Hertfordshire County Council in respect of potential Local Government reorganisation.

The Chair believed that all efforts should be put into supporting communities and businesses to recover from Covid-19.

It was disappointing to see the announcement by David Williams as all Districts had worked well with the County Council, Local Enterprise Partnership and Growth Board.

They had taken part on the basis that all future developments in North Herts would be decided locally for the benefit of residents.

Given the situation they would now work with the 9 Districts and Boroughs to consider and compare what is best, including the status quo.

They were not against change but any change must remain local and democratic.

The following Members took part in a short debate:

- Councillor Judi Billing;
- Councillor Martin Stears-Handscorn;
- Councillor Paul Clark
- Councillor David Levett.

- (6) The Chair advised that he would take the agenda in the order published up to and including item 12. The Part 2 items would then be considered following which the meeting would return to Part 1 to take Part 1 decisions on Item 13 at the end of the meeting.

26 PUBLIC PARTICIPATION

Audio recording – 13 minutes 36 seconds

There were no presentations by members of the public.

27 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 13 minutes 40 seconds

5a Item Referred from Finance, Audit and Risk Committee: 20 July 2020 – Risk Management Update

The Service Director – Resources introduced the referral from the Finance, Audit and Risk Committee and drew attention to the recommendation:

That the Annual Report on Risk Management be noted and then referred to Full Council.

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

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

RECOMMENDED TO COUNCIL: That the Annual Report on Risk Management be noted.

REASONS FOR DECISIONS:

- (1) The responsibility for ensuring the management of risks is that of Cabinet;
- (2) This Committee has responsibility to monitor the effective development and operation of Risk Management.

Audio recording – 15 minutes 56 seconds

5b Item referred from Finance, Audit and Risk Committee: 20 July 2020 – Financial Impacts of Covid-19

RESOLVED: That the referral from Finance, Audit and Risk Committee regarding Financial Impacts of Covid-19 be taken with Item 13

28 STRATEGIC PLANNING MATTERS

Audio recording – 16 minutes 11 seconds

The Executive Member for Planning and Transport presented the report entitled Strategic Planning Matters together with the following appendices:

- Appendix A – Response to MHCLG on Article 4 Direction (excluding appendices);
- Appendix B – Letter to Councillor Clark regarding the NHDC Local Plan Examination;
- Appendix C – Letter from the Planning Inspectorate regarding Household Projections.

He drew attention to the following:

- Provisional dates had been set for the Local Plan Examination Hearings to recommence via a virtual platform on 14, 21 and 28 September 2020;
- New housing figures had been released by the Office of National Statistics on 29 June 2020 and work was being undertaken regarding this information;

- Work was being undertaken in light of the reduction in housing numbers for Luton and the Council's Duty to Cooperate;
- Consultation regarding the Ashwell Neighbourhood Plan had now commenced;
- Luton Airport have announced their aim to become the most environmentally friendly airport.

The Strategic Planning Manager advised that:

- Article 4 directions had been issued to prevent offices and industrial buildings being changed to residential, however the Government had announced that office building could be demolished and replaced with residential without full permission.

Councillor Stears-Handscomb expressed concern at the announcement and proposed, Councillor Paul Clark seconded:

"That the Executive Member for Planning and Transport be requested to write to the Government minister to express concern, on behalf of the residents of North Herts District Council, at the turn of events regarding the proposed changes to planning legislation that will adversely affect employment areas."

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

RESOLVED:

- (1) That the report on strategic planning matters be noted;
- (2) That the submission in Appendix A of the report be noted and endorsed;
- (3) That the Executive Member for Planning and Transport be requested to write to the Government minister to express concern, on behalf of the residents of North Herts District Council, at the turn of events regarding the proposed changes to planning legislation that will adversely affect employment areas.

REASON FOR DECISIONS: To keep Cabinet informed of recent developments on strategic planning matters and progress on the North Hertfordshire Local Plan.

29 DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Audio recording – 24 minutes 42 seconds

The Executive Member for Planning and Transport presented the report entitled Developer Contributions Supplementary Planning Document (SPD) together with the following appendices:

- Appendix A – Draft Developer Contributions SPD;
- Appendix B – Regulation 12 Statement of Consultation.

He advised that:

- A report regarding CIL (Community Infrastructure Levy) would be presented to Cabinet in December 2020.

The following Members asked a questions:

- Councillor Steve Jarvis.

In response Councillor Paul Clark advised:

- That the Developer Contributions SPD would need to be revised if the Local Plan was not adopted or if CIL was adopted.

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

RESOLVED:

- (1) That the Developer Contributions SPD, attached as Appendix A to this report be adopted, subject to the adoption of the new Local Plan within 12 months of the date of this Cabinet meeting;
- (2) That, in the interim, the proposed adoption version of the Developer Contributions SPD, be published and used as a material consideration in the determination of relevant schemes.
- (3) That authority to make minor amendments to the Developer Contributions SPD prior to its formal adoption be delegated to the Service Director - Regulatory in consultation with the Executive Member for Planning and Transport as and when any further updates to the new Local Plan require alterations.

REASON FOR DECISIONS: To allow the Developer Contributions SPD to be progressed so that it may be:

- (i) adopted at the same time as, or shortly after, any future decision to adopt the new Local Plan and
- (ii) taken into account in relevant planning decisions.

30 STATEMENT OF COMMUNITY INVOLVEMENT

Audio recording – 26 minutes 50 seconds

The Executive Member for Planning and Transport presented the report entitled Statement of Community involvement together with the following appendix:

- Appendix A - Statement of Community Involvement – amended June 2020.

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

RESOLVED:

- (1) That the consultation response be noted;
- (2) That the changes to the draft Statement of Community Involvement (SCI) be approved and that the Statement of Community Involvement, attached as Appendix A be adopted.

REASON FOR DECISIONS: The Statement of Community Involvement sets out how the Council consults with the local community in preparing the Local Plan, other local planning documents, and in determining planning applications. It also sets out guidelines for those communities involved in neighbourhood planning.

31 COUNCIL PLAN 2021 - 2026 AND COUNCIL OBJECTIVES FOR 2021-2026

Audio recording – 27 minutes 40 seconds

The Leader of the Council presented the report entitled Council Plan 2021-2026 and Council Objectives 2021-2026 and drew attention to the following:

- That the Policy and Community Engagement Manager and Trainee Policy Officer were to be thanked for their work;
- There would be an all party workshop in August 2020 regarding the Plan and objectives;
- A detailed report would be presented to Cabinet followed by Council in September 2020;

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

RESOLVED:

- (1) That Cabinet confirms its intention to recommend the retention of its five Objectives, other than a slight amendment to the first overarching Council Objective:
 - Continue to be a welcoming, inclusive, and efficient council,
 - Build thriving and resilient communities,
 - Respond to challenges to the environment,
 - Enable an enterprising and co-operative economy,
 - Support the delivery of good quality and affordable homes.
- (2) That the intention to finalise a draft of the complete Council Plan for Cabinet to consider in September, for referral on to Full Council for approval be noted. This will follow consideration with the leadership team and further engagement with all Members.

REASON FOR DECISIONS: The Council plan is a key element of the corporate business planning process, as a high level strategic document it sets out the Council's priorities for the next year. As an overarching policy framework document, it guides and influences the use of Council resources; providing a focus for activities, plans and services the Council provide. Confirming the intention to amend the first overarching Council Objective will allow a full draft to be developed that reflects this.

32 MODERN SLAVERY CHARTER UPDATE

Audio recording – 30 minutes 24 seconds

The Executive Member for Community Engagement presented the report entitled Modern Slavery Charter Update together with the following appendices:

- Appendix A – Previous Action Plan 2018-21 presented to Cabinet in June 2019;
- Appendix B – Modern Slavery & Human Trafficking Action Plan 2020-21;
- Appendix C – SHIVA review June 2020.

She informed Members that:

- The report detailed the work that had been undertaken;
- Although Hertfordshire had a low incidence of modern slavery, it was important to maintain awareness and ensure that procedures were up to date;
- 6 recommendations had already been completed.

It was moved by Councillor Judi Billing, seconded by Councillor Martin Stears-Handscorn and:

RESOLVED: That the actions to date [and proposed actions in the plan Appendix B], and that further updates will be provided as part of the Annual Safeguarding Report to Overview & Scrutiny be noted.

REASON FOR DECISION: To ensure that Cabinet is updated regarding the actions regarding Modern Day Slavery.

33 HITCHIN MARKET CONTRACT EXTENSION

Audio recording – 35 minutes 11 seconds

The Executive Members for Enterprise and Co-operative Development presented the report entitled Hitchin Market Contract Extension.

He advised Members that Hitchin Market had suffered over the last few months and more time was needed to consider their requirements.

The following Members took part in the debate:

- Councillor Ian Albert.

It was moved by Councillor Keith Hoskins, seconded by Ian Albert and:

RESOLVED: That the entering into a contract extension with Hitchin Market Limited for a further eight months up to 31 March 2021 be noted

REASONS FOR DECISION:

- (1) To seek approval of the proposed contract extension and to update Cabinet Members on the current position regarding Hitchin Markets Limited.
- (2) To ensure that Hitchin Market continues to operate.
- (3) To allow the Council more time to evaluate its options such as undertaking a tendering/procurement exercise.

34 COVID-19 LEISURE CONTRACTS RECOVERY

Audio recording – 37 minutes 35 seconds

NB This report was introduced prior to consideration of the Part 2 report of the same name. The decision was taken following consideration of the Part 2 report of the same name.

The Executive Member for Environment and Leisure presented the report entitled Covid-19 Leisure Contracts Recovery and drew attention to the following:

- The Leisure Centre had been closed since the middle of March 2020;
- Stevenage Leisure Ltd had furloughed many of their staff;
- They had made significant reductions in the services available;
- It was clear that the outdoor pools would be unable to open this year;

- The indoor pool was opening on 25 July 2020 with safety measure in place;
- It was expected that some customers would not return for some time;
- Stevenage Leisure had produced a plan detailing the level of services that could be provided.

The meeting moved into Part 2 at this point.

Audio recording – 1 hour 10 minutes 24 seconds

When the meeting returned to Part 1 the Committee, Member and Scrutiny Manager undertook a roll call to ensure that Members could hear and be heard.

It was moved by Councillor Steve Jarvis, seconded by Councillor Ian Albert and:

RESOLVED:

- (1) That Cabinet note and agree the approach set out in SLL's recovery plan and support SLL using the Open Book approach as recommended in the PPN 02/20, and further support included within LGA Options for councils in supporting leisure providers through Covid-19 Guidance from service closure;
- (2) That Cabinet note and agree that Officers will continue to work with SLL to agree ways in which income can be maximised and costs minimised whilst ensuring that operations continue to meet COVID-19 and other safety requirements.

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

35 COVID-19 FINANCIAL IMPACTS

Audio recording – 1 hour 13 minutes 29 seconds

NB This report was considered after the Part 2 report of the same name.

The Executive Members for Finance and IT presented the report entitled Covid-19 Financial Impacts and drew attention to the following:

- Services were continuing to operate as normally as possible;
- The Government was supporting with part funding;
- Clarity was needed regarding future funding;
- Council Tax would have to increase by the maximum allowed without a referendum;
- The Council had sufficient reserves to avoid the requirement for an emergency budget.

The Executive Member for Finance and IT referred to the referral from Finance, Audit and Risk Committee including an additional recommendation that:

“a letter be sent to the relevant Government Minister and/or Prime Minister asking that the £200k forecasted spend on housing the Homeless for the entirety of the coronavirus pandemic be covered by the Government.”

The Strategic Director – Resources advised:

- The starting point was that the Council should absorb the first 5 percent of budgeted income;
- The areas of finance that would and would not be recoverable were outlined.

The following Members took part in the debate:

- Councillor Martin Stears-Handscomb;
- Councillor Paul Clark;
- Councillor Steve Jarvis;
- Councillor Judi Billing.

It was moved by Councillor Ian Albert, seconded by Councillor Martin Stears-Handscomb and:

RESOLVED:

- (1) That the forecast financial impact of Covid-19, but that this could be subject to significant change be noted. The budgets will be formally adjusted as part of the Quarter 1 revenue budget monitor;
- (2) That the delay of the capital spend of £2,809k to 2021/22 onwards, as detailed in table 6 be approved;
- (3) That a letter be sent to the relevant Government Minister and/or Prime Minister asking that the £200k forecasted spend on housing the Homeless for the entirety of the coronavirus pandemic be covered by the Government.

RECOMMENDED TO COUNCIL:

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

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

36 EXCLUSION OF PRESS AND PUBLIC

Audio recording – 44 minutes 59 seconds

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

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).

37 COVID-19 LEISURE CONTRACTS RECOVERY – PART 2

No audio recording was made regarding this Part 2 Item

NB This report was considered prior to the decision being taken on the Part 1 report of the same name.

The Executive Member for Environment and Leisure presented the Part 2 report entitled Covid-19 Leisure Contracts Recovery.

The Managing Director gave Members further details.

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

- Councillor David Levett (Chair of Overview and Scrutiny Committee).

The Service Director-Place responded to the questions asked.

It was moved by Councillor Steve Jarvis, seconded by Councillor Martin Stears-Handscomb and:

RESOLVED: That the recommendations contained in the Part 2 report entitled Covid-19 Leisure Contracts Recovery be agreed.

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

38 COVID-19 FINANCIAL IMPACTS - PART 2

No audio recording was made of this Part 2 Item.

NB This report was considered prior to consideration of the Part 1 report of the same name.

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

RESOLVED: That the Part 2 report entitled Covid-19 Financial Impacts be noted.

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

At this point the meeting returned to Part 1.

The meeting closed at 9.05 pm

Chair