

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

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

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

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

1 WELCOME AND INTRODUCTION

Audio Recording - 1 minute 33 seconds

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

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

Attendance

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

Live Streaming

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

Please stay in view of the camera at all times.

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

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

Noise interference

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

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

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

Rules of Debate

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

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

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

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

The mover of an amendment had no right of reply.

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

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

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

Voting

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

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

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

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

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

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

2 FORMER CHAIRMAN OF THE COUNCIL ALAN MILLARD

Audio Recording – 11 minutes 7 seconds

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

A Minutes silence was held in his memory.

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

Audio Recording – 19 minutes 25 seconds

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

There being no other nominations it was:

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

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

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

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

Upon the vote it was

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

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

4 APOLOGIES FOR ABSENCE

Audio Recording – 24 minutes 7 seconds

There were no apologies for absence

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

Audio Recording – 24 minutes 46 seconds

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

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

Upon the vote it was

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

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

6 CHAIR'S ANNOUNCEMENTS

Audio Recording – 29 minutes 13 seconds

(1) Audio Recording

In accordance with Council policy this meeting was being audio recorded as well as filmed. The audio and film recordings would be available to view on Mod.gov and the film recording via the NHDC Youtube channel.

(2) Climate Emergency

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

(3) Declarations of Interest

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

(4) Rules of Debate

The Chair reminded Members again of the rules of debate that had already been explained by the Committee, Member and Scrutiny Manager.

(5) Chair's Charity

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

7 SCHEDULE OF COUNCIL MEETINGS 2020/21

Audio Recording – 32 minutes 23 seconds

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

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

RESOLVED:

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

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

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

Audio Recording – 34 minutes 38 seconds

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

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

RESOLVED:

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

Cabinet Member

Councillor Martin Stears-Handscomb
Councillor Paul Clark

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

Portfolio

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

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

Deputy Executive Member

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

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

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

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

Audio Recording – 39 minutes 35 seconds

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

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

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

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

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

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

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

Upon the vote the motion was lost.

Councillor David Levett proposed the following amendment:

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

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

She advised against the proposed amendment.

Councillor David Levett withdrew the proposed amendment.

Councillor Levett proposed and Councillor Strong seconded the following amendment:

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

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

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

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

Councillor Daniel Allen called for a recorded vote.

Upon the vote the motion was unanimously carried with the votes recorded as follows:

FOR

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

TOTAL 47

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

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

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

Upon the vote the motion was carried.

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

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

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

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

REASON FOR DECISION:

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

Council adjourned at 20.58 and reconvened at 21.07.

10 APPOINTMENT OF MEMBERS OF COMMITTEES FOR 2020/21

Audio Recording – 1 hour 34 minutes 22 seconds

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

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

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

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

RESOLVED:

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

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

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

Audio Recording – 1 hour 37 minutes 27 seconds

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

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

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

12 KEY DECISIONS - ANNUAL REPORT ON CASES OF SPECIAL URGENCY

Audio Recording 1 hour 39 minutes 48 seconds

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

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

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

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

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

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

Audio Recording – 1 hour 41 minutes 20 seconds

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

- Appendix A - Nominations to Outside Bodies.

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

The following Members took part in the debate:

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

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

RESOLVED:

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

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

The meeting closed at 9.21 pm

Chair