

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

**Meeting of the Council held as a Virtual Meeting
on Thursday, 12th November, 2020 at 7.30 pm**

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

IN ATTENDANCE: Ian Fullstone (Service Director - Regulatory), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Steve Cobb (Licensing Manager), Melanie Stimpson (Democratic Services Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and William Edwards (Committee, Member and Scrutiny Officer)

55 WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

Audio Recording – 1 second

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

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

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

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

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

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

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

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

56 APOLOGIES FOR ABSENCE

Audio recording – 4 minutes 16 seconds

Apologies for absence were received from Councillors Daniel Allen, David Barnard, Faye Frost, Gary Grindal, Ian Moody, Helen Oliver and Kay Tart.

57 NOTIFICATION OF OTHER BUSINESS

Audio recording – 4 minutes 41 seconds

There was no other business notified.

58 CHAIR'S ANNOUNCEMENTS

Audio recording – 4 minute 48 seconds

(1) Carl Holland

It was with great sadness that the Chair announced that Carl Holland sadly passed away on 15th September 2020 after a relatively short illness. He was employed by NHDC as an Assistive Technologies Officer for the Careline team and had worked there since 1st August 2017. Carl was an incredibly happy and popular member of the team who is survived by his wife Samantha and two young daughters.

A minutes silence was held in Carl's memory.

(2) Audio Recording

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) Climate Emergency

The Chair advised that, since the council declared a climate emergency, he felt that it was important to continue to demonstrate the progress and commitment that the Council had made to this. Therefore all future agendas would have the following wording included:

"The Council has declared a climate emergency and is committed to achieving a target of zero carbon emissions by 2030 and helping local people and businesses to reduce their own carbon emissions.

A Cabinet Panel on the Environment has been established to engage with local people on matters relating to the climate emergency and advise the council on how to achieve these climate change objectives. A Climate Change Implementation group of councillors and council officers meets regularly to produce plans and monitor progress. Actions taken or currently underway include switching to green energy, incentives for low emission taxis, expanding tree planting and working to cut food waste.

In addition the council is a member of the Hertfordshire Climate Change and Sustainability Partnership, working with other councils across Hertfordshire to reduce the county's carbon emissions and climate impact.

The Council's dedicated webpage on Climate Change includes details of the council's climate change strategy, the work of the Cabinet Panel on the Environment and a monthly briefing on progress.

(4) Gill Hills – 25 years service

Gill worked as a Parking attendant for 25 years and since reaching this milestone had retired.

Gill would always be known as the Matron of the team with the kindness, support and friendship she had shown to everyone, her professional attitude and leading by example

She had a 'no fear' attitude towards her role and didn't suffer fools gladly.

So friendly and helpful to all members of the public, although did manage to sustain an injury to her foot (twice) after it was driven over by a member of public, that was how much determination she demonstrated to her role.

Gill featured on the front page of the Comet in January 2005 as a result of the Traffic Management Act and up to her retirement she maintained that pride.

Gill was a perfect Ambassador for Parking Services and NHDC who would be difficult to replace.

During the 25 years she served with NHDC she gained many friends in every department, saw many people come and go, and experienced many changes but every day she came to work with the same sunny nature taking all changes onboard every time.

She would be incredibly missed and we wish her well in her retirement.

Councillor Martin Stears-Handscorn, Leader of the Council, paid tribute to the service given by Gill and wished her well in her retirement.

Councillor Terry Tyler proposed, Councillor Val Bryant seconded and it was:

RESOLVED: That the Council place on record its sincere thanks and appreciation to Gill Hills for her long and valuable service to Local Government"

(5) 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.

(6) Rules of Debate

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

(7) Comfort Break

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

59 PUBLIC PARTICIPATION

Audio recording – 13 minutes 10 seconds

There were no presentations by members of the public.

60 ITEMS REFERRED FROM OTHER COMMITTEES

a Item Referred from Cabinet: 22 October 2020 - Hertfordshire Growth Board - Proposed Joint Committees

Audio recording – 13 minutes 18 seconds

Councillor Martin Stears-Handscomb, Leader of the Council, presented the referral from Cabinet regarding Hertfordshire Growth Board - Proposed Joint Committees.

In respect of the recommendations he proposed that recommendation 3 be amended to read:

“To agree the Council’s nominated representatives on the Growth Board as Councillor Martin Stears-Handscomb (as Leader of the Council), Deputy Councillor Paul Clark (as Deputy Leader of the Council) or in their absence another Executive member and Scrutiny Committee as Councillor David Levett (as Chair of the Overview and Scrutiny Committee), Deputy Councillor Kate Aspinwall (as Vice-Chair of the Overview and Scrutiny Committee) or in their absence another member of the Overview and Scrutiny Committee.”

Councillor Simon Harwood proposed that, in order to ensure the decision was future proofed, recommendation 3 also be amended to remove named Members so that it read:

“To agree the Council’s nominated representatives on the Growth Board as the Leader of the Council, Deputy as Deputy Leader of the Council, or in their absence another Executive member and Scrutiny Committee as Chair of the Overview and Scrutiny Committee, Deputy as Vice-Chair of the Overview and Scrutiny Committee or in their absence another member of the Overview and Scrutiny Committee.”

The Leader of the Council accepted the proposed amendment.

The following Member took part in the debate:

- Councillor David Levett;
- Councillor Claire Strong;
- Councillor Martin Stears-Handscomb.

Following discussion regarding Members who had either been out of view of their camera or had switched their camera off, the Chair advised that Councillors John Bishop and Michael Weeks would not be taking part in the vote.

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

RESOLVED:

- (1) To confirm the establishment of the Growth Board and Growth Board Scrutiny Joint Committees (to hold their inaugural meetings in January/February 2021 and then HGB Scrutiny aligned to confirmation of securing Government funding in 2021);
- (2) To adopt the Growth Board Integrated Governance Framework into the Councils own constitutional framework;

- (3) To agree the Council's nominated representatives on the Growth Board as the Leader of the Council, Deputy as Deputy Leader of the Council, or in their absence another Executive member and Scrutiny Committee as Chair of the Overview and Scrutiny Committee, Deputy as Vice-Chair of the Overview and Scrutiny Committee or in their absence another member of the Overview and Scrutiny Committee.

REASON FOR DECISIONS: To provide longer term joint place leadership.

b Item Referred from Licensing and Appeals Committee - 26 October 2020 - Adoption of a Statement of Licensing Policy Required by Virtue of Section 5 of the Licensing Act 2003

Audio recording – 25 minutes 37 seconds

Councillor Lisa Nash, Chair of the Licensing and Appeals Committee, presented the referral regarding Adoption of a Statement of Licensing Policy Required by Virtue of Section 5 of the Licensing Act 2003

Councillor Lisa Nash proposed, Councillor Paul Clark seconded and it was:

RESOLVED: That the Statement of Licensing Policy be adopted.

REASONS FOR DECISIONS:

- (1) Licensing authorities are required to publish a policy every five years by virtue of section 5 of the Licensing Act 2003 ("the Act").
- (2) A new policy must be published by 7 January 2021 to comply with this statutory requirement.
- (3) The proposed policy builds on the success of the previous and existing versions of the policy, whilst reflecting legislative changes and the Council's priorities.
- (4) Responses to the public consultation were limited and raised no significant opposition to any of the proposals.

61 RESOLUTION TO EXTEND THE 6 MONTH RULE - SECTION 85 LOCAL GOVERNMENT ACT 1972

Audio recording – 29 minutes 42 seconds

The Leader of the Council presented the report entitled Resolution to extend the 6 month rule – Section 85 Local Government Act 1972

He advised that recommendation 2.2 was being withdrawn as there were sufficient meetings of Council to consider any future requirement to extend the 6 month rule.

The following Member took part in the debate:

- Councillor Richard Thake.

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

RESOLVED: That Council approves an extension of the six-month rule for Councillor Kay Tart, on ill health grounds, for an additional six-month period, until 9 July 2021.

REASONS FOR DECISION:

- (1) Section 85 of the Local Government Act 1972 states that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority'. Whilst the Local Government Association has been lobbying for this to be dealt with (potentially under the Coronavirus Bill 2020), this has so far not been included.
- (2) To enable Cllr Tart to continue to serve as a District Councillor.

62 USE OF URGENCY IN RELATION TO CALL-IN FOR DECISION ON BUSINESS RATE POOLING

Audio recording – 33 minutes 22 seconds

The Service Director – Resources presented the report entitled Use of Urgency in Relation to Call-In for Decision on Business Rate Pooling.

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

RESOLVED: That the use of urgency provisions in relation to the Business Rate Pooling decision made by Cabinet on 22 October 2020 be noted.

REASON FOR DECISION: To ensure that Council is informed of the use of urgency provisions.

63 QUESTIONS FROM MEMBERS

Audio recording – 37 minutes 1 second

In accordance with Standing Order 4.8.11(b), the following question was submitted by Members by the deadline date for questions set out in the Council's Constitution.

(A) Policy regarding the Local Plan

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

"Following the correspondence between members of the administration in the local press, would the Leader of the Council please advise the Council as to what exactly is the coalition's policy regarding the Local Plan?"

Councillor Martin Stears-Handscorn, Leader of the Council, provided the following response:

"Our two groups do not describe our working relationship as a coalition. We have not coalesced. We remain two separate party groups on the Council.

What we have is a Joint Administration with an agreed programme, which is outlined in the Council Plan, which I must say has a measure of agreement by all parties on this Council as evidenced by the all member workshop which supported its development.

With regard to the local plan, this was of course put together and submitted for inspection under the previous administration. Successive governments have weakened the planning system and we live with the consequences. The latest white paper potentially damages it even further and we are strongly advised that we need an adopted local plan as at least some form of protection.

Our two groups have a common objective, which is to achieve the adoption of the local plan. It includes policies which among other things will ensure that better environmental standards are applied to all our housing and that a higher percentage of affordable housing can be achieved.

To refer to my letter to the Comet: Both our Groups have a common desire to ensure that only the new building that is necessary to meet housing needs is built in North Herts.

At the same time, we also intend to keep the promise in our joint administration's Council Plan to enable good quality and affordable housing. Unfortunately, the Comet editor changed the reference to "Council Plan" in my letter at this point to "local plan", but the import is the same.

Adopting the local plan has been a long drawn out process, which many councillors on the Council now, have had no influence, as the plan was submitted for examination more than three years ago.

The motion discussed at the last council meeting was moved and seconded by two of those councillors, who put forward one way to achieve our joint objective.

That approach was tested at the recent council meeting and a majority of councillors did not support that approach.

Following that decision, my colleague Cllr Paul Clark, Executive Member for Planning and Transport, taking advice from the all-party Local Plan Project Board, is continuing to respond to the questions from the Inspector to ensure that a plan can be adopted at the earliest opportunity. The Council has already made a commitment to an all-plan review at a very early date following the plan's adoption. This is consistent with Cllr Clark's response to the Comet following the extraordinary Council meeting.

I trust that clarifies the administration's united approach."

Councillor Morgan Derbyshire asked the following supplementary question:

"Green belt development is a controversial part of this Plan. What is your view and is it aligned with the Portfolio Holder?"

Councillor Martin Stears-Handscorn responded:

"I have been a long standing advocate of the Green Belt and of course the whole issue of planning and green belts etc. Letchworth had a great part in that as did the post war Labour Government.

We need to remember that the Green Belt Policy is not something that is absolutely sacrosanct in terms of the green belt area. It is a policy to ensure that any development that is progressed avoids coalition or coalescence of settlements and ensures that the best possible development is carried out within those areas where we have green belt. We rely on the metropolitan green belt.

That I know is something dear to Councillor Clark as executive Member and Councillor Ian Mantle as Deputy. It is something we are working towards, ensuring that going forward.

We already, earlier this evening, agreed to work with the Growth Board to ensure that going forward we have a much more joined up approach to working and developing going forward.

I know all of us in this Council have the same view that our green belt is very important and maintaining that policy is very important, so I would argue that we have a united view on how we develop and continue that green belt policy going forward.”

Councillor North raised a point of order that in a previous meeting the Deputy Executive Member had been given the opportunity to respond to a question posed to the Executive Member and asked the Chair to give the Deputy Executive Member the opportunity to respond.

Councillor Stears-Handscomb advised that Standing Orders were very clear and that Councillor Clark had been given sight of the response given.

The Chair stated that the Standing Orders would stand.

64 NOTICE OF MOTIONS

Audio recording – 44 minutes 11 seconds

No motions had been submitted.

The meeting closed at 8.16 pm

Chair