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## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices, Letchworth Garden City  
on Thursday, 20th January, 2022 at 7.30 pm

**PRESENT:** Councillors: Councillor Val Bryant (Chair), Ian Albert, Amy Allen, Daniel Allen, David Barnard, Clare Billing, Judi Billing, Simon Bloxham, Ruth Brown, Sam Collins, Adam Compton, Juan Cowell, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Sarah Dingley, Faye Frost, Simon Harwood, Terry Hone, Keith Hoskins, Mike Hughson, Steve Jarvis, David Levett, Ian Mantle, Nigel Mason, Jim McNally, Gerald Morris, Michael Muir, Mike Rice, Adem Ruggiero-Cakir, Carol Stanier, Claire Strong, Mandi Tandi, Richard Thake, Tom Tyson and Michael Weeks

**IN ATTENDANCE:** Anthony Roche (Managing Director), Ian Fullstone (Service Director – Regulatory) Jeanette Thompson (Service Director – Legal and Community), Ian Couper (Service Director – Resources), Steve Crowley (Service Director – Commercial), Jo Dufficy (Service Director – Customers), Isabelle Alajooz (Legal Commercial Team Leader & Deputy Monitoring Officer) Anne Banner (Benefits Manager), Melanie Stimpson (Democratic Services Manager), William Edwards (Committee, Member and Scrutiny Manager), James Lovegrove (Committee, Member and Scrutiny Officer), Louis Mutter (Committee, Member and Scrutiny Officer)

**ALSO PRESENT:**

At the commencement of the meeting approximately 3 members of the public, including registered speakers.

#### 71 APOLOGIES FOR ABSENCE

*Audio recording – 3:50*

Apologies for absence were received from Councillors Gary Grindal, John Bishop, Jean Green, Sean Prendergast, Lisa Nash, Sam North, Terry Tyler, Ian Moody, Kate Aspinwall, Kay Tart, and Tony Hunter.

#### 72 MINUTES - 11 NOVEMBER 2021, 7 DECEMBER 2021, 7 DECEMBER 2021

*Audio Recording – 4:28*

**RESOLVED:** That the Minutes of the Meetings of the Committee held on 11 November 2021, 7 December 2021 and 7 December 2021 be approved as a true record of the proceedings and be signed by the Chair.

#### 73 NOTIFICATION OF OTHER BUSINESS

*Audio recording – 6:35*

There was no other business notified.

#### 74 CHAIR'S ANNOUNCEMENTS

Audio recording – 6:42

- (1) The Chair paid tribute to Councillor Paul Clark who passed away in December 2021. She remarked that Paul served the District Council between 1995 and 1999 and then from 2001 to 2015, and then from 2016 to the present day. He had been a Member for Hitchin Highbury throughout, becoming Deputy Leader of the Council, Executive Member for Planning and Leader of the Liberal Democratic group. Paul would be missed by many people and our thoughts were with his family and friends at this sad time.

Councillor Ruth Brown paid tribute to Councillor Clark and said she had always found Paul to be kind, thoughtful and generous hearted and will miss his support. He was very understanding of each individual members' circumstances and would often remind us that family comes first. Even in the short time since Paul's passing on she was already discovering how much was involved in his role, and realising how hard he worked on our behalf. Paul sought to lead by consensus, which was not easy with a group of liberal and independent minded colleagues and his example we will be hard to follow. She gave condolences go to him his family.

The following Members also paid tribute to Councillor Clark:

- Councillor Elizabeth Dennis-Harburg
- Councillor Claire Strong
- Councillor Ian Mantle
- Councillor David Barnard

A minutes' silence was held in memory of Councillor Paul Clark.

- (2) The Chair paid tribute to Honorary Alderman F John Smith who passed away in December 2021 and remarked he was Leader of North Hertfordshire District Council for 12 years, from 1999 to 2010, stepping down in 2010, after completing exactly 50 years' service, and in the same year he was awarded Honorary Alderman status. He was a well-respected and valued member of the community and our thoughts were with his family and friends at this sad time.

Councillor Claire Strong paid tribute to Honorary Alderman F John Smith and said when she joined the Council in 1995 John became the leader of the Conservative group, and then he took over as Leader of the Council in 1999. John had given her a great understanding of how the Council worked and was very supportive. It was a great loss and he knew what public service was about. It was a great tribute for the years that he was not only a District Councillor, but also Town Councillor, and she knew that he was very honoured when he was made an Alderman of this council when he left.

The following Members also paid tribute to Honorary Alderman F John Smith:

- Councillor Ruth Brown
- Councillor Elizabeth Dennis-Harburg
- Councillor Judi Billing

A minutes' silence was held in honour of Honorary Alderman F John Smith.

- (3) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (4) 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.

- (5) 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.
- (6) The Chair reminded Members that the usual rules in respect of debate and times to speak would apply.
- (7) The Chair advised Members that there was no longer a requirement to stand while addressing the Council.
- (8) The Chair advised that she intended to call a comfort break around 9pm at a suitable break in proceedings.
- (9) The Chair advised there would be a change to the order of business with Items 17 and 18 being taken immediately after Item 8.

## **75 PUBLIC PARTICIPATION**

*Audio recording – 23:31*

The Committee, Member and Scrutiny Manager advised that a petition had been received relating to the opening hours of Hitchin and Letchworth Outdoor Pools. The Council was satisfied that the petition complied with the requirements of the petition scheme.

The Chair invited Mrs Susan Foster to present the petition.

Mrs Susan Foster gave a presentation regarding the petition to extend the opening hours of Hitchin and Letchworth Outdoor Pools.

The following Members asked questions and made comment on the petition:

- Councillor David Levett
- Councillor Steve Jarvis
- Councillor Adam Compton
- Councillor Faye Frost
- Councillor David Barnard
- Councillor Jim McNally
- Councillor Judi Billing

The Chair thanked Mrs Susan Foster for her presentation and advised that the council's Cabinet would be finalising the draft budget proposals recommended 2022 to 2023 on 25th of January. Cabinet was the most appropriate avenue for this petition. There were a number of Cabinet members present at the meeting who have listened to the presentation and the topic would be taken up at Cabinet.

## **76 NOTICE OF MOTIONS**

*Audio recording – 43:12*

There were no motions on notice.

## **77 QUESTIONS FROM MEMBERS**

*Audio recording – 43:12*

There were no questions submitted by Members.

**78 COUNCIL SIZE SUBMISSION TO LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND ('LGBCE')**

*Audio Recording – 43:15*

The Democratic Services Manager presented the report entitled Council Size Submission to Local Government Boundary Commission for England along with the appendices:

- Appendix A – Council Size Submission
- Appendix B – Electorate Projections Methodology
- Appendix C – Electorate Projections Form

The following Members took part in debate:

- Councillor Claire Strong
- Councillor Keith Hoskins

Points raised included:

- An increase in membership by 1 would go some way to mitigate the impact on workload for members in light of the increase in residents anticipated by the electorate projections
- Large rural wards would be particularly impacted by any decrease in membership size
- With electronic communication and new ways of working an increase in number of electors per Councillor would not be onerous
- If central government has plans to significantly change the structure or approach of local government tinkering with Council size in the short term will have minimal impact, and it was better to remain the same until government plans were clear.

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

**RESOLVED:** That Council approves the document on Council Size attached as Appendix A for submission to the LGBCE, noting the deadline for submission was 21 January 2022 with a Council Size of 50.

**REASONS FOR DECISION:** A Council Size of 50 Members has been proposed following discussion amongst Group Leaders at the Project Board, given the projected growth in the Local Plan; and the nature of the district with its mix of more densely populated towns and sparsely populated large rural areas that need to be a manageable size geographically for the rural ward councillors. It is also believed that reducing the number of Members (thereby increasing workload for others) could deter or discourage individuals from standing as a Councillor, thereby further impacting on diversity of representation.

**79 ITEMS REFERRED FROM OTHER COMMITTEES**

*Audio recording – 2:06:14*

*N.B Councillors Judi Billing and Sam Collins left the meeting ahead of this item.*

**9a. Referral from Cabinet - Integrated Performance Management**

The Chair advised this referral would be taken with Item 10.

**9b. Referral from Cabinet - Second Quarter Investment Strategy (Capital and Treasury) Review 2021-22**

The Chair advised this referral would be taken with Item 11.

**9c. Referral from FAR - Appointment of External Auditors**

The Chair advised this referral would be taken with Item 12.

**9d. Referral from Cabinet - Council Tax Reduction Scheme**

The Chair advised this referral would be taken with item 13.

**9e. Referral from FAR – Updated Contract Procurement Rules for 2022/23**

Councillor Keith Hoskins presented the referral from FAR – Updated Contract Procurement Rules for 2022/23 and moved the recommendations.

Councillor Ian Albert seconded.

The following Members asked questions and took part in debate:

- Councillor Adam Compton

On the vote it was:

**RESOLVED:** That Council adopts the Updated Contract Procurement Rules for 2022/23.

**REASON FOR DECISION:** That the Contract Procurement Rules are part of the Constitution (under Section 20) and are revised and updated periodically as part of the Council's governance and procurement review processes, contributing to effective organisational internal control.

**80 INTEGRATED PERFORMANCE MANAGEMENT**

*Audio Recording – 2:09:17*

Councillor Ian Albert presented the report and entitled Integrated Performance, Project Monitoring And Risk and its associated referrals.

Councillor Ian Albert proposed, Councillor Elizabeth Dennis-Harburg seconded and on the vote it was:

**RESOLVED:** That Council approves the changes to the Constitution as detailed in section 9 of the report.

**REASON FOR DECISION:** To improve the current processes that are in place which do not seem to be well integrated with each other or the Council Plan.

**81 SECOND QUARTER INVESTMENT STRATEGY (CAPITAL AND TREASURY) REVIEW 2021/22**

*Audio Recording – 2:10:52*

Councillor Ian Albert presented the report entitled Second Quarter Investment Strategy (Capital And Treasury) Review 2021/22 and associated referral.

Councillor Ian Albert proposed, Councillor Elizabeth Dennis-Harburg seconded and on the vote it was:

**RESOLVED:** That Council notes the position of Treasury Management activity as at the end of September 2021.

**RESOLVED:** To ensure the Council's continued compliance with CIPFA's code of practice on Treasury Management and the Local Government Act 2003 and that the Council manages its exposure to interest and capital risk.

## 82 APPOINTMENT OF EXTERNAL AUDITORS FOR 2023/24 TO 2027/28

*Audio Recording – 2:13:00*

Councillor Keith Hoskins presented the report entitled Appointment of External Auditors for 2023/24 to 2027/28 along with the referral from FAR.

Councillor Keith Hoskins proposed, Councillor Ian Albert seconded and on the vote it was:

**RESOLVED:** That the Council opts-in to the appointing person arrangements made by Public Sector Audit Appointments Ltd (PSAA) for the appointment of external auditors, for a period of 5 years from the 2023/24 audit.

**REASON FOR DECISION:** The Council is required to appoint an External Auditor, and an appointment through PSAA offers the only realistically viable option.

## 83 COUNCIL TAX REDUCTION SCHEME - 2022/2023

*Audio Recording – 21:13:45*

Councillor Ian Albert presented the report entitled Council Tax Reduction Scheme – 2022/23 along with the associated referral from Cabinet.

Councillor Ian Albert proposed, Councillor Elizabeth Dennis-Harburg seconded and on the vote it was:

**RESOLVED:** That Council:

- (1) Note the CTRS position relating to this and previous financial years
- (2) Note that a full review of the CTRS had commenced and has been postponed due to the consequences on the scheme of the Covid-19 pandemic.
- (3) Agrees that the funding allocated for distribution to Parish, Town & Community Councils in relation to CTRS in 2022/2023 is unchanged from 2021/22
- (4) Agrees that no changes to the CTRS be made for 2022/2023.

**REASONS FOR DECISIONS:** To update Council on how the Scheme is working and to note that the full review planned to take place was postponed due to the impact of the COVID-9 pandemic and this remains the case. However, work is planned to start in January 2022.

## 84 REVIEW OF MEMBERS' ALLOWANCES SCHEME

*Audio Recording – 2:17:40*

The Democratic Services Manager presented the report entitled Review of Members' Allowances Scheme along with the appendices:

- Appendix A – Report and Recommendations by the IRP 2022-23
- Appendix B – Members’ Allowances Scheme 2022-23

The Service Director – Legal and Community gave advice regarding the procedural rules of debate and the legal requirement to approve a scheme of Members’ Allowances.

Councillor Claire Strong proposed the recommendations and Councillor David Levett seconded, and the motions were put to debate.

Councillor Claire Strong proposed an amendment to recommendation 2.2 to defer implementation for a year.

The Service Director – Legal and Community advised that the scheme would be up for reconsideration and approval again next year and it would not be lawful to approve a scheme with a deferred implementation timetable.

Councillor Claire Strong withdrew her amendment.

Councillor Elizabeth Dennis-Harburg proposed an amendment to recommendation 2.2 to thank the IRP for their work and note their recommendation but to continue with the amounts as per the 2021/22 Members’ Allowances Scheme unchanged for in to 2022/23.

Councillor Claire Strong seconded and on the vote this amendment was **CARRIED**.

The substantive motion as amended was discussed. On the vote it was:

**RESOLVED:** That Council:

- (1) Considers the report and recommendations of the IRP, as attached as Appendix A of the submitted report.
- (2) Agrees that the 2021/22 Members’ Allowances Scheme continue unchanged for 2022/23;
- (3) Agrees the increase to the Independent Person and Reserve Independent Persons allowances as detailed in 4.8 of Appendix A and 8.9 of this report at 1.75%
- (4) Agrees the allowance to the Independent Member on the Finance, Audit and Risk Committee as detailed in Appendix A and 8.12 of this report and should this figure not attract any suitable candidates that the Service Director in consultation with the Executive Member of Finance and IT be authorised to increase this to a maximum of £1500 per annum.

**REASONS FOR DECISION:** To ensure that the Council meets its statutory requirements of an annual review and adoption of the scheme.

## 85 ELECTORAL SERVICES - SCALE OF FEES 2022/23

*Audio Recording – 2:44:38*

*The Democratic Services Manager (as Returning Officer) and Service Director – Legal and Community (As Deputy Monitoring Officer) left the meeting for the consideration of this item.*

The Service Director – Resources presented the report entitled Electoral Services – Scale of Fees 2022/23 along with Appendix A – Election Fees 2022/23.

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

**RESOLVED:** That Council agree the Scale of Fees for 2022/23 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.

86 **APPOINTMENT OF MEMBER, SUBSTITUTE AND CHAIR TO THE PLANNING CONTROL COMMITTEE**

*Audio Recording – 2:47:15*

The Committee, Member and Scrutiny Manager presented the report entitled Appointment of Member, Substitute and Chair to the Planning Control Committee.

Councillor Elizabeth Dennis-Harburg proposed the recommendations in the report, and Councillor Ruth Brown seconded.

Councillor Claire Strong proposed an amendment as follows:

That recommendation 2.2 read “That Councillor Mike Rice be appointed as Chair of the Planning Control Committee for the remainder of the civic year 2021/22.”

Councillor Morgan Derbyshire seconded this amendment and it was put to debate.

The following Members took part in debate:

- Councillor Elizabeth Dennis-Harburg
- Councillor Adam Compton
- Councillor Simon Bloxham
- Councillor David Levett

On the vote the amendment was **CARRIED**.

The substantive motion as amended was put to a vote and it was:

**RESOLVED:**

- (1) That for the remainder of the civic year 2021/22 a Member and Substitute be appointed to the Planning Control Committee, namely:
  - Councillor Carol Stanier to become a Member of the Committee
  - Councillor Sam North to become a substitute Member of the Committee
- (2) That Councillor Mike Rice be appointed as Chair of the Planning Control Committee for the remainder of the civic year 2021/22.
- (3) That the appointment of Councillor Ruth Brown be noted as the Executive Member for Planning, and Deputy Leader for the remainder of the civic year 2021/22.

**REASON FOR DECISION:** To comply with the provisions of 4.8.1 (a) (vii), (viii) and (ix) of the Council’s Constitution following Councillor Brown resigning from the Committee/ position of Chair of Planning Control Committee as of this Council meeting, following the Executive appointments.



**87 EXCLUSION OF PRESS AND PUBLIC**

*Audio recording – 50:24*

Councillor Val Bryant proposed, Councillor Elizabeth Dennis-Harburg seconded and on the vote it was:

**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).

**88 POTENTIAL PROPERTY ACQUISITION**

Details of the debate and decisions taken on this item are restricted due to the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of Section 100A(4) of the Local Government Act 1972.

The meeting closed at 10.30 pm

Chair

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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