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NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices, Gernon Road,
Letchworth
on Thursday, 19th January, 2023 at 7.30 pm

PRESENT: Councillors: Councillor Sam North (Chair), Councillor Daniel Allen (Vice-Chair), Ian Albert, Amy Allen, Clare Billing, Simon Bloxham, Ruth Brown, Val Bryant, Sam Collins, Adam Compton, George Davies, Elizabeth Dennis-Harburg, James Denselow, Morgan Derbyshire, Faye Frost, Chris Hinchliff, Terry Hone, Keith Hoskins, Tony Hunter, Steve Jarvis, David Levett, Chris Lucas, Ian Mantle, Gerald Morris, Ralph Muncer, Michael Muir, Sean Nolan, Tom Plater, Sean Prendergast, Adem Ruggiero-Cakir, Claire Strong, Mandi Tandi, Richard Thake, Tom Tyson, Phil Weeder and Alistair Willoughby

IN ATTENDANCE: Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources), Steve Crowley (Service Director - Commercial), Jo Dufficy (Service Director - Customers), Melanie Stimpson (Democratic Services Manager), James Lovegrove (Committee, Member and Scrutiny Manager), Eleanor Hopcraft (Committee, Member & Scrutiny Officer), Tom Marsh (Electoral Services Manager), Christopher Robson (Senior Estates Surveyor), Mark Scanes (Systems and Technical Manager) and Anne Banner (Benefits Manager), James Lovegrove (Committee, Member and Scrutiny Manager), David Airey (Council Tax Consultant)

ALSO PRESENT: At the commencement of the meeting there were no members of the public in attendance.

163 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 50 seconds

Apologies for absence were received from Councillors Kay Tart, Nigel Mason, Tamsin Thomas, Terry Tyler, Carol Stanier, Ian Moody, Raj Bhakar, Lisa Nash, Juan Cowell, Michael Weeks, Jean Green, David Barnard.

164 MINUTES - 22 SEPTEMBER, 8 NOVEMBER AND 19 DECEMBER 2022

Audio Recording – 2 minutes 27 seconds

RESOLVED: That the Part 1 Minutes of the Meetings of the Committee held on 22 September, 8 November and 19 December 2022 be approved as a true record of the proceedings and be signed by the Chair.

165 NOTIFICATION OF OTHER BUSINESS

Audio recording – 3 minutes 22 seconds

There was no other business notified.

166 CHAIR'S ANNOUNCEMENTS

Audio recording – 3 minutes 30 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded.
- (2) 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) 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 clarified the rules of debate for Members.
- (5) The Chair advised that a comfort break would be taken at a suitable time in the proceedings, if required.
- (6) The Chair noted that the date of this Civic Reception had been moved to Sunday 19 March 2023.

167 PUBLIC PARTICIPATION

Audio recording – 5 minutes 15 seconds

There was no public participation at this meeting.

168 QUESTIONS FROM MEMBERS

Audio recording – 5 minutes 27 seconds

(A) NHDC Providing Homeless Prevention Grant Funding to Keystage Housing

Councillor Claire Strong to Councillor Sean Prendergast (Executive Member for Housing and Environmental Health):

“I attended the last Cabinet meeting on Tuesday 13th December where Cabinet approved to award £150k of the Councils Homeless Prevention Grant to Keystone Housing (sic) to offset the department of work and pensions housing benefit subsidy loss as the council cannot recoup the full cost of the housing benefit. At the meeting Cllr Prendergast said that he would look at options to mitigate / reduce the loss. What ideas / options has Cllr Prendergast found and how much will this reduce the loss?”

Councillor Sean Prendergast gave a response as follows:

“One of the Council’s responsibilities is the management of Housing Benefit and subsidy loss. For costs that remain within the Local Authority this is a technical and financial challenge, for all Local Authorities and is widely recognised that the system is in need of government reform. Even though staff seek to maximise the amount of claim from the DWP, it is worth explaining that we as a Council already incur a subsidy loss where we have to place people in hotels. It appears this has cost the Council over £500k in the last two years, however after consultation with subsidy auditors we are able to use a higher rate, which will increase the amount reclaimable from the DWP and this is currently being reassessed. Thankfully, the overall cost has also been reduced slightly by the use of some government Homelessness Grants, but in terms of reducing this in general terms, and as you would expect from a Council that puts

homeless prevention at the forefront of its housing objectives, the Housing Team will only ever turn to hotel use as a last resort and where possible, we aim to place people in supported and stable accommodation that provides a platform for eventual resettlement into independent accommodation.

With this in mind, the subsidy loss amount for Keystage to the end of December 2022 was around £40k. Hence the proposal to cover this DWP shortfall via the use of Homeless Prevention Grant. This will increase further to the end of March 2023, however the amount is influenced by the number of residents. You will note that subsidy loss from housing benefit claims for Keystage residents is less than those placed in hotels, and of course this has the additional benefit that residents are provided with the support service they need to help get their life back on track.

We are in regular dialogue with Keystage and I can confirm that they are looking at their corporate structure, with a view to examining the possibility of obtaining the status of a private registered social housing provider and they will be reviewing this with the regulator of social housing, which may eliminate subsidy loss going forward.”

N.B. At 19.40 Councillor Morgan Derbyshire entered the Council Chamber.

Councillor Strong asked a supplementary question:

“The question was particularly aimed at the investment that had gone to Keystage. A £200k grant was given to Keystage for providing homeless accommodation and in the report to Scrutiny it did state that there was a risk to Council investments that it might not deliver on expected benefits. I would like to know that, at the point Keystage was commissioned to provide the homeless accommodation, was it known that it was likely that there would be this subsidy loss? And if so, was this possible ongoing issue addressed in papers?”

Councillor Prendergast responded:

“Firstly, it is not unusual. As alluded to in the previous answer this is a problem a lot of Local Authorities face and it is something the government needs to tackle to ensure Local Authorities do not have to rely on grants to cover this loss. At the time Keystage took on the building we were in urgent need of this type of accommodation and to be perfectly frank we still are. It is worth explaining that Keystage are a Community Interest Company, who are experienced in providing intensive support for people with complex needs and currently deliver similar schemes in Luton and Northampton. Having spoken directly to residents myself, who are now living in the accommodation, I can tell you first hand how crucial these types of schemes are, and if we have any hope of ending homelessness crisis then we need to have these schemes.

I would invite Councillor Strong to come and visit the scheme and speak with the hardworking staff and also residents who live there, it will give a great insight to the support provided to some of the most vulnerable in our society.

We have adjusted all of our hotel claims for this financial year and therefore the subsidy loss will significantly decrease, but as I've said the real key is going to be with Keystage amending their corporate structure to look at becoming a registered social provider. That would all but eliminate the subsidy loss, but you can see the benefits this type of accommodation provides to our residents, who are North Herts residents.”

(B) Local Plan Reviews

In the absence of Councillor Ian Moody, Councillor David Levett asked the following question to Councillor Ruth Brown (Executive Member for Planning and Transport).

“Now that the council has approved our local plan when does Cllr Brown expect to start the review of the plan and what is the timetable?”

Councillor Brown gave a response as follows:

“As was agreed when we adopted the Local Plan on 8 November, it commits the plan to a review by the end of this year, 2023. That does not mean the review would be completed by then, but has to start by then. There are three possible outcomes of the review; one that it remains up to date and no further action required, one that it requires a partial update and the third that it requires a comprehensive review. We’re expecting it to be the latter, but we shouldn’t prejudge the process. Detailed review and updating evidence would follow that. So there won’t be a new Plan by the end of the year, but the review will be commenced by the end of the year and we are committed to that. Officers will be scoping out the scope of that review in the second half of this year.

In the meantime our priority is to draft and adopt the Supplementary Planning Documents (SPD). You’ll notice that the Draft Developer one has gone through consultation ready for adoption and the next Cabinet on the 31 January, under Strategic Planning Matters, will be reporting on the timetable for all those SPDs.”

Councillor Levett asked a supplementary question:

“With relation to the Local Plan, there was a period where we were subject to a Judicial Review, are we now past that Review period and has there been a challenge within that period?”

Councillor Brown responded:

“Yes we have passed the Judicial Review, it was the 22 December I believe. It is not going to be Judicially Reviewed and we have had this confirmed by the Planning Inspectorate as well.”

169 NOTICE OF MOTIONS

Audio recording – 14 minutes 49 seconds

There were two motions submitted in accordance with Standing Order 4.8.12.

(A) Motion on Proportional Representation

Councillor Chris Lucas proposed the amended submitted motion as follows:

“Council notes that:

1. The electoral system used for local elections in England and Wales, First Past the Post (FPTP), is not a fair system, because it means that votes do not have equal weight and many votes are wasted.
2. The alternative to FPTP is a system of Proportional Representation (PR), where votes cast for parties translates more or less directly into seats won. There are many variants of PR. The Single Transferable Vote System (STV) variant of PR is already in use for local elections in Scotland and Northern Ireland. With this system, voters rank candidates in order of preference and those who receive the most backing (including second and subsequent choices) are elected to serve in multi-member wards.
3. The introduction of PR for local elections in Scotland has led to an increase in turn-out, which was 44.8% at the last elections held in 2022. The average turnout in the May 2022 local elections in England was 33.6% which was broadly consistent with previous comparable elections. Whilst the turnout in the May 2022 local elections in North Hertfordshire District Council was slightly higher than the national average (39%) this still falls short of the successes in Scotland and elsewhere.

4. When the Electoral Commission surveyed eligible voters who did not vote in the May 2022 local election, 9% cited the reason for not voting as “there is in point in voting because... my vote doesn’t count”. This suggests that the improved representation offered by PR encourages greater engagement in local democracy. Council believes that there should be a move to the use of a system of proportional representation for local elections as soon as is practicably possible as this would boost turnout and elect a council which is more representative of the range of political views of North Hertfordshire District Council’s residents.

Council resolves to:

1. Call upon the UK Government to commit to changing electoral law to permit the introduction of a PR system of voting in any reforms to local government presented to Parliament.
2. Instruct the Managing Director to write to North Hertfordshire District Council's three MPs to ask them to call for a change to electoral law to permit a PR system of voting and promote the matter for debate in Parliament.”

Councillor Ruth Brown seconded the motion.

The following Members took part in the debate:

- Councillor Simon Bloxham
- Councillor Elizabeth Dennis-Harburg
- Councillor Ian Albert
- Councillor Gerald Morris
- Councillor Sam Collins
- Councillor Richard Thake
- Councillor Steve Jarvis
- Councillor George Davies
- Councillor Daniel Allen
- Councillor Ralph Muncer
- Councillor Michael Muir
- Councillor Alistair Willoughby
- Councillor Ruth Brown

Councillor Chris Lucas summarised that there had been an interesting array of responses to this matter. The current system was not known and loved by people but had rather propped up Conservative governments. This was an important issue to people and because a Councillor does not see the importance, it should not be written off. Other Local Authorities had submitted motions and the letter to government had been sent by an Officer, as it was felt that it would represent the voice of the Council better than a political leader.

As part of the debate, it was suggested that the motion be amended to request the Leader of the Council write to government, not the Managing Director as submitted. This was accepted and proposed as an amendment by Councillor Lucas and seconded by Councillor Brown.

Having been proposed and seconded and, following a vote, the motion, as amended, was:

RESOLVED: That Council:

- (1) Call upon the UK Government to commit to changing electoral law to permit the introduction of a PR system of voting in any reforms to local government presented to Parliament.

- (2) Instruct the Leader of the Council to write to North Hertfordshire District Council's three MPs to ask them to call for a change to electoral law to permit a PR system of voting and promote the matter for debate in Parliament.

(B) Motion on Urgent unlocking the potential of local High Streets

N.B. At the start of this item Councillors David Levett and Simon Bloxham advised that they were business rates payers in North Herts and would therefore not vote but would remain to take part in the debate. Councillor Richard Thake advised the same also applied as he was Director of a family business that was a business rates payer.

Councillor Tom Plater proposed the motion as follows:

“This Council believes that healthy high streets are essential for employment, shopping and leisure but many shops and businesses were struggling even before the Covid pandemic: high street retail employment fell in more than three-quarters of local authorities between 2015 and 2018 according to the Office of National Statistics and more than half of all UK consumers were shopping online before the pandemic. This Council notes retail is among the sectors most affected by the coronavirus pandemic; the almost complete shutdown of non-essential shops between March and June 2020 and subsequent local and national lockdowns and ongoing restrictions has hit businesses hard, and the need for social distancing has changed the way many businesses operate reducing footfall.

The pandemic has accelerated what in many cases has been a longer trend of lower footfall and changing shopping habits: as the Portas Review a decade ago acknowledged, the form and function of many high streets needs to adapt if they are to survive.

This Council welcomes the willingness of Government to acknowledge the problems and come forward with initiatives in response to these challenges such as the furlough scheme, the Covid support business loans, and the High Street Taskforce. However, as the Treasury Select Committee stated in 2019, the current system of Business Rates places an unfair burden on “bricks and mortar” businesses compared to online retailers, and the Business Rate system needs radical overhaul.

The announcements in the Budget, though welcome, fall short of what is required: small changes to revaluation cycles and temporary discounts simply tinker around the edges, and will not deliver the support that local high streets need and deserve.

This Council resolves to:

1. Write to the Government to urge it to scrap business rates and replace them with a system which is fit for purpose and which levels the playing field between bricks and mortar businesses and online retail giants.
2. Campaign to devolve funds like the Towns Fund, Levelling Up Fund, UK Shared Prosperity Fund and other national funding pots, to give local communities, councils and regions the ultimate say in how it is spent in their area.
3. Continue to take local action to revive our high streets, including:
 - Make any data held by the council on ownership of high street properties public and in an accessible format, so that community groups seeking to buy empty shops through a community share offer have the information they need to do so.
 - Proactively contact landlords of vacant premises (and work with Chambers of Commerce, Landlord Associations and BID managers) to explore ‘meanwhile use’ options and/or encourage alternative rental models (e.g. turnover rather

than market rent) to enable new co-operatives, SMEs, social enterprises and 'community owned' businesses to open their doors on the high street."

Councillor Keith Hoskins seconded the motion.

Following the amendment to the previous motion, the Chair asked Councillor Plater to confirm who he wished to write to the government.

Councillor Plater confirmed that he would amend this to request the Leader of the Council write to government and this amendment was seconded by Councillor Hoskins.

The following Members took part in the debate:

- Councillor Chris Hinchliff
- Councillor Ralph Muncer
- Councillor Ian Albert
- Councillor David Levett
- Councillor Ruth Brown
- Councillor Elizabeth Dennis-Harburg
- Councillor Claire Strong
- Councillor Alistair Willoughby
- Councillor Adam Compton
- Councillor Keith Hoskins

In response to a point raised by Councillor Compton, the Monitoring Officer advised that there would be some difficulties in presenting ownership information, but generalised data releases could be explored. The Council publishes its own data regarding ownership of land on its own website but was unsure of the case for private information and would need to confirm.

The Chair suggested to reword the motion to 'Make any data that the Council can lawfully make public on ownership...' This was accepted by Councillor Plater, who proposed making this amendment, which was seconded by Councillor Hoskins.

Councillor Plater summarised that parking charges had been affected by decisions of central government over the past 10 years and could have been reduced were it not for these actions. Only 8 of 151 authorities in England had seen their funding increased over the last decade. A fit for purpose tax system would ensure that the burden was carried by those companies who could afford it and not local businesses. The most recent funding announcements had been late and devolving these powers would allow the Council to work with friends across Hertfordshire to provide funds to the places that need it, not just those with support in government.

Having been proposed and seconded and, following a vote, the motion, as amended, was:

RESOLVED: That Council will:

- (1) Write to the Government to urge it to scrap business rates and replace them with a system which is fit for purpose and which levels the playing field between bricks and mortar businesses and online retail giants.
- (2) Campaign to devolve funds like the Towns Fund, Levelling Up Fund, UK Shared Prosperity Fund and other national funding pots, to give local communities, councils and regions the ultimate say in how it is spent in their area.
- (3) Continue to take local action to revive our high streets, including:

- a. Make any data that the Council can lawfully make public on ownership of high street properties public and in an accessible format, so that community groups seeking to buy empty shops through a community share offer have the information they need to do so.
- b. Proactively contact landlords of vacant premises (and work with Chambers of Commerce, Landlord Associations and BID managers) to explore 'meanwhile use' options and/or encourage alternative rental models (e.g. turnover rather than market rent) to enable new co-operatives, SMEs, social enterprises and 'community owned' businesses to open their doors on the high street.

170 ITEMS REFERRED FROM OTHER COMMITTEES

Audio Recording – 80 minutes 20 seconds

8a) Referral from Finance, Audit and Risk Committee on 7 December 2022 – Annual Review of the Contract Procurement Rules

The Service Director – Resources presented the referral and advised of the following:

- The Committee had considered the changes in December and were happy to recommend to Council.
- This report detailed four sets of minor changes to the rules.
- There was expected to be a new procurement Bill later this year or into 2024, which would see major changes introduced around this time next year.
- There were no significant changes to rules or policies in this report, but were rather about making it clearer.

The following Members asked questions:

- Councillor Adam Compton
- Councillor Claire Strong

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

- Where procurement was already underway, the current rules would be followed, rather than risk losing contracts by delaying.
- There was regular overview of procurement from Officers and they would ensure that this practice was maintained.
- The Council had a "go local" policy on contracts under £100k. He could not provide current statistics, but the number of contracts to local businesses was growing.
- It was difficult with larger contracts to find suppliers or contractors locally.

Councillor Ian Albert proposed and Councillor Adam Compton seconded and, following a vote, it was:

RESOLVED: That Council considered and adopted the proposed changes to the Contract Procurement Rules.

REASON FOR DECISION: The Contract Procurement Rules (CPR's) are part of the Constitution (under Section 20) and must be regularly reviewed and updated as part of the Council's governance and procurement review processes, contributing to the Council's system of effective internal control.

8b) Referral from Cabinet on 13 December 2022 – Second Quarter Investment Strategy (Capital and Treasury) Review 2022/23

Councillor Ian Albert presented the referral from Cabinet and advised of the following:

- The referral was specifically about the treasury management work for 2022/23.
- The Council invests its surplus cash, which can come from capital funding balances, revenue general and reserve, provision balances and variations in cash.
- In first 6 months, the Council had an average balance of £59m and this was invested in line with measure set out in treasury management strategy.
- Grant funding had been received and efforts had been made to distribute these as quickly as possible, but some delays had occurred.
- In first six months the council had generated around £0.3m in interest. The average interest rate at 30 September 2022 was 2.16%, at June 2022 it was 0.77%.

Councillor Ian Albert proposed and Councillor Elizabeth Dennis-Harburg seconded and, following a vote, it was:

RESOLVED: That Council noted the position of Treasury Management activity as at the end of September 2022.

REASON FOR DECISION: 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.

8c) Referral from Cabinet on 13 December 2022 – Council Tax Reduction Scheme 2023/2024

The Chair advised that this item would be taken with Agenda Item 9.

N.B. Following this item at 21.02 there was a break in proceedings and the meeting reconvened at 21.12. Councillor Sam Collins left the meeting during the break and did not return to the meeting.

171 COUNCIL TAX REDUCTION SCHEME 2023/2024

Audio recording – 102 minutes 26 seconds

N.B. At the start of this item Councillors Amy Allen, Daniel Allen and Phil Weeder notified the Chair of conflict due to their receipt of the Council Tax Reduction Scheme and would therefore not take part in the debate and left the Chamber for the duration of the item.

Councillor Michael Muir raised a Point of Order and noted that Members who were more than two months behind on Council Tax could not take part in this debate or vote. The Monitoring Officer noted that this was the case when setting the budget. The Monitoring Officer confirmed, having sought advice from the Service Director – Resources, that Members could vote on this item, even if in Council Tax arrears. However, would not be able to vote if this was the case when setting the Council's budget.

Councillor Ian Albert presented the report and advised of the following:

- There was a requirement to approve a scheme for the year ahead annually, and previously annual updates had remained largely the same.
- A full review had now taken place and a banded scheme had been suggested, with work on this conducted over the last year supported by a consultant, David Airey.
- It would remove the burden caused by the introduction of Universal Credit.

- He thanked the consultant and Officers who had worked to produce the proposed scheme.

David Airey, a consultant working with North Herts Council on the Scheme, advised Members of the following:

- His consultancy office had supported over 250 Local Authorities with their Council Tax Reduction schemes.
- The North Herts scheme to date had served well, but the introduction of Universal Credit had made current reduction schemes unsustainable.
- These proposals would apply to working age taxpayers, the pension age scheme was run by central government.
- This proposed scheme would increase support for the lowest income bands, simplify the scheme, be fit for the future and put the process in the right direction.
- This scheme would be robust enough to last for a good number of years.

Councillor Ian Albert proposed and this was seconded by Councillor Elizabeth Dennis-Harburg.

Councillor Ruth Brown commented that she was supportive of the scheme, which had been made simpler to administer and therefore more cost effective. It was also simpler for residents to understand and targeted those most at need residents. Previously everyone had paid some Council Tax, but this scheme would mean some, means tested, residents would pay nothing. The proposed transition period would ensure that those who were to lose from the changes would be supported across to the new scheme.

Councillor George Davies noted that the figures from public consultation on the scheme detailed that 74% were not currently in receipt of Council Tax reduction, but 67% of respondents were in favour of the scheme. This could be that those in receipt do not support the scheme and it would be useful for future to see a breakdown between those respondents in receipt of the reduction scheme currently and those not.

Councillor Ian Albert summarised that this was a commendable report which would be providing discretionary support to those residents facing individual hardship and these instances would be advised on a case-by-case basis. The scheme had been consulted on with Citizens Advice and they were supportive of the scheme.

Having been proposed by Councillor Albert and seconded by Councillor Dennis-Harburg, following a vote, it was:

RESOLVED: That council:

- (1) Noted that a full review of the Council Tax Reduction Scheme had taken place and that consultation with the public and Major Precepting Authorities had taken place.
- (2) Noted the aim of the review had been to introduce a new scheme that will:
 - enable us to increase the overall level of support for the lowest income households;
 - reduce the administrative burden placed on the Council following the introduction of Universal Credit and;
 - make the scheme easier for our customers to understand and calculate entitlement.
- (3) Approved the adoption of a new banded scheme for working age applicants from 01 April 2023.
- (4) Approved the use of the Council Tax Hardship Grant to fund a discretionary scheme to provide additional transitional support where appropriate and that decisions regarding Discretionary support are delegated to the Service Director Customers in consultation with the Executive Member for Finance and IT.

- (5) Noted that the new scheme may increase the costs from those of the current scheme, any increase will be split between the Council and its Major Precepting Authorities. The Council's share is expected to be around 12.5%.

REASON FOR DECISIONS: To ensure that the Council has a fit for purpose Council Tax Reduction Scheme that:

- Provides the greatest support to the lowest income households.
- Reduces the administrative burden that has been placed on the Council since the introduction of Universal Credit (UC).
- Is simple to understand, meaning that customers will be able to calculate entitlement and assess the impact of potential changes in circumstances.

For the purposes of clarification, the Chair reminded Members that the referrals from Cabinet had been incorporated into the recommendations that had just been approved.

172 REVIEW OF MEMBERS' ALLOWANCES SCHEME

Audio recording – 114 minutes 49 seconds

The Democratic Services Manager presented the report and advised of the following:

- The report detailed the updated annual scheme to be approved for the following financial year, considering the recommendations of the Independent Remuneration Panel (IRP).
- The main recommendation was to increase the Basic Allowance by 6%.
- This increase had also been applied to the non-voting Independent Member of Finance, Audit and Risk Committee, as well as the Independent Person and Reserves of the Standards Committee.
- It had also been applied to the Chair and Vice Chair of Council.
- The IRP had advised that the Special Responsibility Allowance should be capped to one per Member.
- There had not been an increase in the Members Basic Allowance for two years and it was preferred by the IRP to make smaller, more frequent increases rather than one-off large increases.

Councillor Elizabeth Dennis-Harburg proposed and noted:

- The report was self explanatory and the Appendix A sets out the questions which were considered by the Independent Remuneration Panel in producing these proposals.
- There was a need to do everything to promote equality and get better representation of the communities in the District.
- This authority had consistently held back on raising allowances previously.

This was seconded by Councillor Ruth Brown.

Councillor Tom Tyson proposed an amendment to the motion - to remove the restriction on the Special Responsibility Allowances to only one per Member and highlighted:

- This was a solution in search of a problem, as there was no demonstrable evidence of Members hoarding responsibilities.
- Refusing to pay SRAs for the role conducted was ethically wrong and would punish Members for taking on additional responsibilities.
- It could lead to a situation where a Member was Chair of two Committees, but would effectively only be paid for one of these roles.

This amendment was seconded by Councillor Steve Jarvis, and following a vote, the amendment was agreed.

The Democratic Services Manager noted an error in the appendix and the Leader of the Council payment should be £15,137, not £154,137 as it might appear.

Having been proposed by Councillor Dennis-Harburg and seconded by Councillor Brown, following a vote, the motion, as amended, was:

RESOLVED: That Council:

- (1) Considered the report and recommendations of the IRP, as attached as Appendix A of the submitted report.
- (2) Agreed the Members' Allowances Scheme for 2023/2024 as set out in Appendix B of the submitted report, subject to the removal to restrict to only one Special Responsibility Allowance.
- (3) Agreed the increase to the Independent Person and Reserve Independent Persons allowances as detailed in 4.9 of Appendix A and 8.11 of this report.
- (4) Agreed the allowance to the Independent Non-Voting Member on the Finance, Audit and Risk Committee as detailed in 4.7 of Appendix A and 8.12 of this report.
- (5) Expressed appreciation to the IRP for their work over the last 4 years.

REASON FOR DECISIONS: To ensure that the Council meets its statutory requirements of an annual review and adoption of the scheme.

173 ELECTORAL SERVICES - SCALE OF FEES 2023/2024

Audio Recording – 128 minutes 55 seconds

N.B. The Monitoring Officer and Democratic Service Manager noted that they were unable to remain for this item due to their conflict as Deputy Returning Officer and Returning Officer respectively. They left the Chamber for the remainder of the item.

The Service Director – Resources presented the report entitled 'Electoral Services – Scale of Fees 2023/24' and highlighted:

- The Scale of Fees proposed had been influenced by those set by the Department of Levelling Up, Housing and Communities, which were not yet publicly available.
- Proposed that Poll Clerks and Presiding Officers would be paid hourly going forward, with the amounts paid to these roles increasing.
- There would be a decrease in pay to count staff.
- Changes in the way canvassing was conducted meant that the return of forms was reducing, and it was felt the proposed changes were a fairer way of reimbursing canvass staff.
- The Returning Officer fees would be based on the number of elections, rather than based on number of electors as this was more realistic. There had been a percentage increase proposed, as this role had not received an increase in a long time.

The following Members asked questions:

- Councillor Michel Muir
- Councillor Tom Plater

- Councillor Adam Compton

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

- The fees for Polling Stations were outside of the scope of this scheme, as this is part of the Electoral Services team workload. This team will source and negotiate a fair fee for Polling Station venues.
- The reduction in count staff pay was based on the recommendations from DLUHC, and this rate still represented the top of the band for this role. It was expected that most count staff would be retained, and the roles would be paid more in line with Poll Clerk roles.
- The Count Staff car parking reimbursement was for those staff working at the District Council Offices for postal vote verification and had to pay for parking during this time.

Councillor Elizabeth Dennis-Harburg proposed and Councillor Ruth Brown seconded and, following a vote, it was:

RESOLVED: That the Council agreed the Scale of Fees for 2023/2024 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. The Returning Officer and Deputy returned to the Chamber following the conclusion of this item.

174 CONSTITUTIONAL AMENDMENT REPORT

Audio Recording – 139 minutes 12 seconds

The Monitoring Officer presented the report entitled 'Constitutional Amendment Report' and highlighted:

- The proposed amendments to Standing Order 4.8.23 (a), as discussed at Council in September, were detailed in 8.1 to 8.4 of the report.
- There was an amendment proposed to the 6-month rule on revisiting decisions at Cabinet Sub-Committees, detailed at 8.5.
- Following comments received, the proposed amendments to Section 8 Planning Control Committee, as detailed at 8.6 and 8.7 of the report, were removed from this update and would be presented for consideration at a future meeting.

Councillor Elizabeth Dennis-Harburg noted that the proposed amendment to 4.8.23 (a) had previously been discussed at length and the advice included in Appendix B would be of assistance to the Chair's, as well as support wellbeing. Cllr Dennis-Harburg was also supportive of the amendment to the 6 month rule regarding the Sub-Committees and for amendments to Section 8 to be considered at a future meeting.

Councillor Elizabeth Dennis-Harburg proposed and Councillor Ruth Brown seconded and, following a vote, it was:

RESOLVED:

- (1) That Council approved the amendments detailed in Appendix A, subject to the removal of proposed changes to Section 8 of the Constitution regarding the Planning Control Committee.

- (2) That Council noted that guidance to Chairs in relation to 4.8.23(a) as attached at Appendix B. This may be amended as required by the Service Director: Legal & Community.

REASON FOR DECISION: To reflect good decision making practice and keep the Constitution up to date.

N.B. At this point in the meeting Councillor Val Bryant left the Chamber at 21.55 and did not return to the meeting.

175 PENSION POOLING WITH ORPHANED BODIES

Audio Recording – 144 minutes 47 seconds

The Service Director – Resources presented the report entitled ‘Pension Pooling with Orphaned Bodies’ and advised of the following:

- Where there were no remaining active Local Government Pension Scheme members of a body, these could be taken on by the Council.
- This report detailed three bodies who had no active members and were therefore Orphaned Employers.
- The proposals were to pool with Letchworth Garden City Town Council, Veolia ES Services team and Hitchin Market.

N.B. Councillor Terry Hone declared an interest in his capacity as a Hertfordshire County Councillor as a substitute Member of the Hertfordshire County Council Local Government Pension Scheme Local Pension Board and would not vote on this item.

Councillor Ian Albert proposed and Councillor Elizabeth Dennis-Harburg seconded and, following a vote, it was:

RESOLVED: That Council approved that North Hertfordshire District Council (as the relevant Admitted Body) be pooled with the following Orphaned Employers: Letchworth Garden City Town Council, Veolia ES Services team and Hitchin Markets.

REASONS FOR DECISION:

- (1) All of the Orphaned Employers (based on the 2019 valuation) have over 100% funding, which is better than the Council’s funding position. Therefore, it is probably in the Council’s best interest to be pooled with them.
- (2) In the case of Letchworth Garden City Town Council, Hertfordshire County Council (HCC) (as the Hertfordshire LGPS administrator) have legal advice that we are required to be pooled with LGCTC.

N.B. At this point in the meeting Councillor Faye Frost left the Chamber at 21.59 and did not return to the meeting.

176 CHURCHGATE UPDATE - PART 1

Audio Recording – 148 minutes 24 seconds

Councillor Keith Hoskins, Executive Member for Enterprise and Arts, presented the report entitled ‘Churchgate Update’ and advised:

- The Part 2 report provided operational details to date.
- There had been 1562 responses to date to the public consultation, with 197 of these signed up to receive regular updates on the project.

- There was an ongoing update provided at each meeting to the Overview and Scrutiny Committee as part of the Enterprise Update.
- Further updates would be provided to Full Council at a suitable time.

The following Members asked questions:

- Councillor David Levett
- Councillor Gerald Morris
- Councillor Adam Compton
- Councillor James Denselow

Councillor Ralph Muncer noted that there had previously been concerns raised about spending millions without a clear plan, but he welcomed the plan presented at the meeting and would await the outcome of the consultation, the long term proposals for the site and the overall cost to taxpayers.

Councillor Ian Albert noted that this had been a good discussion of the project and it was important that Churchgate work was aligned with other work going on across Hitchin. He noted that consultation with residents and business was vital to ensure the benefit was felt across the town.

In response to questions, Councillor Hoskins advised:

- The Chartered Surveyors employed had been asked to consider meanwhile use and alternative rental models as part of their appointment, as it was felt important that no consideration or idea was off limit.
- Longer term plans would depend on what came from the consultations, and nothing had been ruled in or out.
- Details of the results of the consultation would be shared in March 2023, before establishing a full advisory board and estimated completion dates would be applied to programme, which would be reported to Council and Overview and Scrutiny.

In response to questions, the Service Director – Enterprise advised:

- Appendix A detailed the key tasks to be completed but did not include dates past August 2023. By June 2023, there should be a clearer plan, with consultants on board, and further dates could be added at this stage.
- No detail had been confirmed for the town centre strategy as part of this, but would be reported back on when able to do so.

Councillor Keith Hoskins proposed and Councillor Ian Albert seconded and, following a vote, it was:

RESOLVED: That Members noted the report.

REASON FOR DECISION: To ensure Members a kept updated on the progression of Churchgate.

N.B. At this point of the meeting Councillor James Denselow left the Chamber at 22.11 and did not return to the meeting.

177 EXCLUSION OF PRESS AND PUBLIC

Audio Recording – 160 minutes 30 seconds

RESOLVED: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the

likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Section 200A(4) of the said Act (as amended).

178 CHURCHGATE UPDATE - PART 2

Councillor Keith Hoskins, Executive Member for Enterprise and Arts, presented the Part 2 report entitled 'Churchgate Update' noted that there had been an increase in operational income, but this had also seen an increase in responsibility of the Council. He advised that the Part 2 report detailed some of the issues which had arisen to date.

The following Members asked questions:

- Councillor Ralph Muncer
- Councillor Adam Compton
- Councillor Gerald Morris

In response to questions, the Senior Estates Surveyor and Service Director – Enterprise advised:

- The urgent, shorter-term tasks were covered within the service charges as a whole and had been budgeted for this year.
- Brown and Lee were to undertake several surveys to get a clearer idea of costings.
- The timescales for these surveys were still being confirmed with Brown and Lee. The risk profile assigned by BNP Paribas had identified a number of urgently required repairs, as well as those less urgent.
- It was expected the urgent work would be conducted in March or April 2023, but this would need to be clarified and reported back to Full Council.
- 8.2.13 of the report detailed the income and was so far ahead of projections.

Councillor Hoskins confirmed that, at this stage, all options remained under consideration for the Churchgate site going forward.

Councillor Keith Hoskins proposed and Councillor Ian Albert seconded and, following a vote, it was:

RESOLVED: That Members noted the report.

REASON FOR DECISION: To ensure Members are kept updated on the progression of Churchgate.

179 PART 2 MINUTES - 22 SEPTEMBER 2022

Councillor Sam North, as Chair, proposed and Councillor Daniel Allen seconded and, following a vote, it was:

RESOLVED: That the Part 2 Minutes of the Council Meeting held on 22 September 2022 be approved as a true record of proceedings and signed by the Chair.

The meeting closed at 10.22 pm

Chair