

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices,
Gernon Road, Letchworth Garden City
on Thursday, 6th September, 2018 at 7.30 pm

PRESENT: Councillors John Bishop (Chairman), Jean Green (Vice-Chairman), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Julian Cunningham, Bill Davidson, Steve Deakin-Davies, Sarah Dingley, Simon Harwood, Terry Hone, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Bernard Lovewell, Ian Mantle, Jim McNally, Paul Marment, Ian Moody, Michael Muir, Lisa Nash, Lynda Needham, Sue Ngwala, Oliver, Janine Paterson, Mike Rice, Val Shanley, Harry Spencer-Smith, Martin Stears-Handscorn, Claire Strong, Richard Thake, Terry Tyler and Michael Weeks

IN ATTENDANCE: Anthony Roche (Deputy Chief Executive), Jeanette Thompson (Service Director - Legal and Community), Ian Couper (Service Director - Resources) and Hilary Dineen (Acting Committee and Member Services Manager)

ALSO PRESENT:

At the commencement of the meeting 4 members of the public.

35 AUDIO VISUAL EQUIPMENT AND VOTING SYSTEM

Audio Recording – Start of Item – 12 Seconds

The Acting Committee and Member Services Manager informed Members that new Audio Visual equipment and voting system had been installed in the Council Chamber.

She explained how the audio visual and voting systems worked and that voting would now take place using the unit in front of each Member instead of the raising of hands.

Once each vote had taken place the result, including who voted and how would appear on the screens around the Chamber.

36 APOLOGIES FOR ABSENCE

Audio Recording – Start of Item – 2 minutes 37 seconds

Apologies for absence were received from Councillors Elizabeth Dennis-Harburg, Faye Frost, Gary Grindal, Nicola Harris, Gerald Morris and Deepak Sangha.

37 MINUTES - 18 JULY 2018

Audio Recording – Start of Item – 3 minutes 19 seconds

It was moved by Councillor Lynda Needham, seconded by Councillor Julian Cunningham, and

RESOLVED: That, subject to Councillors Ruth Brown and Helen Oliver's name being corrected in the list of those present and the penultimate sentence of Minute 2 being amended to read "Councillor John Bishop then read and signed the Statutory Declaration of Acceptance of Office and the Chairman (Councillor Alan Millard) placed the chain of office upon him.", the Minutes of the meeting of the Council held on 17 May 2018 be approved as a true record and signed by the Chairman.

38 NOTIFICATION OF OTHER BUSINESS

Audio Recording – Start of Item – 4 minutes 31 seconds

No additional business was presented for consideration by the Council.

39 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start of Item – 4 minutes 34 seconds

(1) Vice Chairman Declaration of Office

The Chairman informed Members that Councillor Green had been unable to attend Annual Council and would like to declare her acceptance of the office of Vice-Chairman of the Council and introduce her Consort to Council.

Councillor Green read and signed the Declaration of Office and introduced her Consort, Mr James Graft to Council.

(2) Past Chairman Alan Millard – Presentation of Digned Resolution of Thanks

The Chairman invited Past Chairman Alan Millard to come forward to receive his copy of the signed resolution of thanks of the Council.

(3) Past Chairman Alan Millard – Presentation to Chairman's Charities

The Chairman invited Past Chairman Alan Millard to present cheques to his chosen charities.

The Chairman announced that Past Chairman Alan Millard had raised £3,100 during his year in office and cheques of £1,550 were presented to each of the chosen charities being Snappy G's and Helping Hands.

(4) Declarations of Interest

Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.

(5) Refreshments

All Councillors were invited to refreshments after the meeting in Committee Rooms 2/3.

(6) Comfort break

If the meeting goes on beyond 9pm I will call a 5 minute comfort break. Please remain in the room prior to this to ensure you can vote.

40 PUBLIC PARTICIPATION

There were no presentations by members of the public.

41 ITEM REFERRED FROM CABINET: 31 JULY 2018 - CORPORATE PLAN 2019 TO 2024 AND CORPORATE OBJECTIVES FOR 2019 TO 2024

Audio Recording – Start of Item – 11 minutes 58 seconds

The Council considered the Minute of the meeting of Cabinet held on 31 July 2018, in respect of the Corporate Plan 2019 to 2024 and Corporate Objectives 2019 to 2024.

A copy of the report considered by Cabinet, together with Appendix A to that report, was included with the agenda.

The Leader of the Council (Councillor Lynda Needham) presented the report.

She advised Members that this was a very high level strategic document which laid out the future plans of the Council.

She reminded Members that the Corporate Plan narrated the opportunities and risks facing the District and identified the actions that the Council would take to ensure that the Corporate Plan was delivered. Budgets were then allocated to enable achievement, otherwise known as policy led budgeting.

The Corporate Plan included both statutory and discretionary services, however it should be noted that the ongoing financial constraints made it increasingly likely that the future emphasis would be on day to day service delivery.

The three objectives inform the Council's budget setting for 2019 to 2024 and these objectives remained largely the same as the previous year, with slight amendments to Objectives 1 and 2.

The additional detail of Objective 2 reflected the growth aspirations of neighbouring authorities and the impact of these on NHDC.

The Service Delivery Plans provided the detail of how the Corporate Plan would be delivered and separate strategies and policies gave substance to the other matters, such as air quality.

The Overview and Scrutiny Committee had expressed a view regarding the layout of the Plan and to address these concerns she had asked officers to look at other authorities' Corporate Plans, a Member workshop would be held and the views of other agencies and partners were being sought.

It was moved by Councillor Needham and seconded by Councillor Cunningham that the recommendations contained in the report be approved.

Following debate, and upon being put to the vote, it was

RESOLVED:

- (1) That the Corporate Objectives (as amended below) be continued for 2019 to 2024
 1. To work with our partners to provide an attractive and safe environment for our residents, where diversity is welcomed and disadvantaged people are supported;
 2. To promote sustainable growth both within and where it affects our district to ensure economic and social opportunities exist for our communities, whilst remaining mindful of our cultural and physical heritage;
 3. To ensure that the Council delivers cost effective and necessary services to our residents that are responsive to developing need and financial constraints.
- (2) That the Corporate Plan 2019 to 2024, as attached as Appendix A to the report, be adopted.

REASONS FOR RECOMMENDATIONS: The Council is required to have a suitable, high level strategic policy document to inform its corporate business planning process, and is required to approve the final Corporate Plan document as the formal overarching policy framework for the authority.

42 ITEM REFERRED FROM CABINET: 31 JULY 2018 - MEDIUM TERM FINANCIAL STRATEGY 2019 TO 2024

Audio Recording – Start of Item – 31 minutes 20 seconds

The Council considered the Minute of the meeting of Cabinet held on 31 July 2018, in respect of the Medium Term Financial Strategy.

A copy of the report considered by Cabinet, together with Appendix A to that report, was included with the agenda.

The Executive Member for Finance and IT (Councillor Julian Cunningham) presented the report.

He advised Members that this was one of two fundamental documents that Council were asked to agree each year as part of the Corporate Business Planning process.

The Medium Term Financial Strategy was a high level document which laid out the factors and assumptions made when considering the Budget.

He drew attention to the table at Paragraph 2.12 of the Strategy regarding expenditure and income over the next four years and stressed the importance of the information contained in this table.

There were a number of uncertainties, mainly around income streams including:

- Concerns regarding the New Homes Bonus and the extent to which it would continue, if it did continue at all;
- A Fair Funding Review being undertaken;
- There were further concerns regarding Business Rate Retention.

Until these issues had been decided the uncertainties would remain, therefore the Council needed to continue to be conservative.

The current financial position was relatively healthy.

Consultation was being undertaken regarding the Negative Revenue Support Grant. It was Councillor Cunningham's view that it was wrong that the Business and Council Tax payers of North Hertfordshire should be making a contribution to other Councils. The consultation suggested that the Government may remove the negative RSG implications for the forthcoming year and if this happened, NHDC could be £1 million better off for one year.

It was moved by Councillor Cunningham, seconded by Councillor Needham that the recommendations contained in the report be approved.

Upon being put to the vote, it was

RESOLVED: That the Medium Term Financial Strategy 2019-24 as attached at Appendix A be adopted.

REASON FOR DECISION: Adoption of a MTFs and communication of its contents will assist in the process of forward planning the use of Council resources and in budget setting for 2019/2020 to 2023/2024, culminating in the setting of the Council Tax precept for 2019/20 in February 2019.

43 REVIEW OF ALLOCATION OF SEATS AND APPOINTMENT OF MEMBERS TO COMMITTEES FOR REMAINDER OF 2018/2019 CIVIC YEAR

Audio Recording – Start of Item – 37 minutes 58 seconds

The Council considered the report of the Service Director - Legal and Community in respect of the Review of Allocation of Seats and Appointment of Members to Committees for Remainder of 2018/2019 Civic Year

The following appendices were submitted with the report:

Appendix A - Proportionality
Appendix B - Committee Places

The Service Director – Legal and Community introduced the report.

It was moved by Councillor Lynda Needham, seconded by Councillor Julian Cunningham that the recommendations contained in the report be approved.

Upon being put to the vote, it was

RESOLVED:

- (1) That the details of the political balance following the review for the remainder of the 2018/19 civic year and the allocated seats as set out in Appendix A be noted;
- (2) That, for the remainder of the 2018/19 civic year, 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 the report.

REASON FOR DECISION: To comply with the provisions of Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990 (1990 Regulations).

44 NOMINATION OF REPRESENTATIVES ON HITCHIN BID AND HITCHIN INITIATIVE 2018/19

Audio Recording – Start of Item – 41 minutes 16 seconds

The Council considered the report of the Acting Committee and Member Services Manager in respect of the Nomination of Representatives on Hitchin Bid and Hitchin Initiative 2018/19.

The Leader of the Council (Councillor Lynda Needham) introduced the report.

She reminded Members that at Annual Council there had been some confusion as to whether these organisations were one and the same or separate and it had been:

RESOLVED: That a decision on the Council's nominated representative on the Hitchin Initiative be deferred, pending clarification of the roles of the Hitchin Initiative and the Hitchin Business Improvement District (BID).

It had now been clarified that Hitchin BID and Hitchin Initiative were two separate organisations.

It was moved by Councillor Lynda Needham and seconded by Councillor Martin Stears-Handscomb that Council nominate a District Councillor to both Hitchin Initiative and Hitchin BID and

That Councillor Ian Albert, as Chairman of Hitchin Committee, be nominated to Hitchin Initiative; and Councillor Nicola Harris be nominated to Hitchin BID

Upon being put to the vote, it was

RESOLVED:

- (1) That a District Councillor be nominated to both Hitchin Initiative and Hitchin BID;
- (2) That Councillor Ian Albert, as Chairman of Hitchin Committee, be nominated to Hitchin Initiative; and Councillor Nicola Harris be nominated to Hitchin

REASON FOR DECISION: To consider the deferred nominations issue following Full Council's resolution of 17 May 2018.

45 INQUORATE GRAVELEY PARISH COUNCIL - SECTION 91 LOCAL GOVERNMENT ACT 1972 ORDER

Audio Recording – Start of Item – 45 minutes 1 second

The Council considered the report of the Service Director – Legal and Community in respect of Inquorate Graveley Parish Council - Section 91 Local Government Act 1972 Order.

The following appendix was submitted with the report:

Appendix A - Draft Order Graveley Parish Council.

The Service Director – Legal and Community introduced the report.

She advised that, at present, Graveley Parish Council was inquorate and it was recommended that the Council delegate authority as set out under Paragraph 2.1 of the report.

It was moved by Councillor Lynda Needham and seconded by Councillor Julian Cunningham that the recommendations contained in the report be approved.

Upon being put to the vote, it was

RESOLVED: That Council delegates authority to the Service Director Legal and Community to make an Order under section 91 LGA 1972 in respect of Gravely Parish Council, in consultation with the Group Leaders (in the form of the draft order Appendix A).

REASON FOR DECISION: Section 91 of the Local Government Act 1972 allows the District Council to appoint a sufficient number of Parish Councillors on a temporary basis, to enable the work of the Parish Council to continue until it has sufficient Councillors to be quorate.

46 QUESTIONS FROM MEMBERS

Audio Recording – Start of Item – 47 minutes 7 seconds

(A) Charges for the use of Council Land

In accordance with Standing Order 4.8.11(b), the following question had been submitted by Councillor Judi Billing to Councillor David Barnard (Executive Member for Leisure and Green Issues):

"Given the Council's need to maximise income opportunities, make hard commercial decisions and demonstrate a competent degree of entrepreneurialism in order to provide basic public services, please will the Portfolio Holder for Leisure explain to Council when the budget decisions of February 2016/7 and February 2017/8 to charge for the use of council land by commercial organisations are expected to be fully implemented?"

Councillor Barnard replied that Officers were currently developing the proposed charges for agreement and the decision notice was expected to be published in Members Information Service in October 2018.

The estimated annual additional income was in the region of £10,000, however as additional administrative support was required to manage this work, other service priorities had resulted in the delay. This included the Authority's legal position in regards to imposing charges on common land and seeking the Sub-Committee's approval regarding King George V Recreation Ground.

It was important to note that many larger commercial activities such as fairs and circuses were already paying to use open spaces, as per the existing agreed Fees and Charges Policy.

The main reason for implementing additional charges was to cover the cost of ensuring that organisations using our land have adequate insurances and procedures in place and to ensure there were no conflicting use and maintaining the condition of the facilities for other users.

We continue to look for appropriate opportunities to generate income and will work with the new Commercial Team to explore such opportunities that come forward.

Certain charities would be exempt from charges.

It was the Council's policy to encourage exercise and healthy pursuits and we would not want to introduce charges to small groups or individuals, which would discourage their participation, but organised, profit making organisations, using the facilities on a weekly or regular basis would be charged.

As a supplementary question, Councillor Billing asked:

“As the delay had been for administrative reasons, was Councillor Barnard not shocked to discover that a cash strapped Council, that needs every penny of income that it can legitimately and sensibly gain, has after two years, not implemented a policy decision that was made as part of the budget round?”

Councillor Barnard replied that he was not shocked, but understood that there were always complications when considering legalities and other procedures.

He agreed that it may have taken a little longer than he would have hoped, but hoped that Councillor Billing would take solace in the fact that this was reaching fruition and he would expect to be able to make an announcement next month.

47 NOTICE OF MOTIONS

Audio Recording – Start of Item – 52 minutes 42 seconds

(A) Waste Contract

Due notice having been given in accordance with Standing Order 4.8.12, it was moved by Councillor Steve Jarvis and seconded by Councillor Lisa Nash:

“Council notes the performance of the waste and recycling service continues to be unsatisfactory, with many failures to empty residents’ bins for extended periods. It also notes the difficulty that many residents have experienced when attempting to report such failures.

It believes that these problems have now persisted for an unacceptable length of time and therefore instructs the Executive Member for Waste Management, recycling and Environment and the Leader of the Council to:

- a) Meet with senior management of Urbaser to secure an early resolution of these problems;
- b) Prepare a contingency plan to secure alternative arrangements for the collection of waste and recycling if Urbaser continue to be unable to provide a satisfactory service.”

Following detailed debate and upon being put to the vote, the motion was lost.

(B) Fire and Rescue Service

In accordance with Standing Order 4.8.12, Councillor Paul Clark had submitted the following motion:

“This Council believes that the Fire and Rescue Service should remain under the control and democratic accountability of Hertfordshire County Council, rather than being taken over by the Police and Crime Commissioner.

Council therefore fully supports the view taken by Hertfordshire County Council in this regard, and its Leader’s submission to the Home Office.

Furthermore this Council requests the Leader of this Council to write to the Home Office in a similar vein.

Council also notes the proposal to close Hitchin police station and objects to that proposal.”

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Councillor Clark advised that he had intended to put this motion to Council, however there had been a decision today by the Police and Crime Commissioner that the take over of the Fire Service had been abandoned.

He was therefore withdrawing the motion

The meeting closed at 8.52 pm

Chairman