

Council  
17 September 2020

## WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Thursday 17 September 2020 at 7.30pm via Zoom.

PRESENT: Councillors R.Trigg (Mayor)  
P.Hebden (Deputy Mayor)

D.Bell, M.Birleson, E.Boulton, J.Boulton, S.Boulton, H.Bower, L.Brandon, A.Chesterman, L.Chesterman, M.Cook, M.Cowan, J.Cragg, A.Dennis, S.Elam, B.Fitzsimon, G.Hayes, M.Holloway, T.Jackson-Mynott, C Juggins, S.Kasumu, T.Kingsbury, M.Larkins, R.Lass, S.Markiewicz, F.Marsh, G.Michaelides, T.Mitchinson, L.Musk, N.Pace, H.Quenet, J.Quinton, J.Ranshaw, D.Richardson, A Rohale, B.Sarson, P.Shah, P.Smith, K.Thorpe, S.Thusu, F.Thomson, J.Weston, S.Wrenn, P.Zukowskyj

OFFICIALS Chief Executive (R.Bridge)  
PRESENT: Corporate Director (Resources, Environment and Cultural Services) (K.Ng)  
Corporate Director (Public Protection, Planning and Governance) (N.Long)  
Corporate Director (Housing and Communities) (S.Russell)  
Monitoring Officer (M.Martinus)  
Governance Services Manager (A.Marston)  
Principal Governance Officer (J.Anthony)

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67. MINUTES

The Minutes of the meeting held on 20 July 2020 were confirmed as a correct record and noted by the Mayor.

The hard copies of minutes will be signed by the Mayor as soon as it is reasonably practicable or alternatively, electronic signatures can be arranged after a meeting.

68. APOLOGIES

Apologies for absence were received from Councillors J.Broach, J.Caliskan and J.P.Skoczylas.

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69. DECLARATIONS OF INTERESTS BY MEMBERS

Councillors S.Boulton, L.Chesterman and P.Zukowskyj declared non-pecuniary interests in items on the Agenda as appropriate as Members of Hertfordshire County Council.

70. ANNOUNCEMENTS

70.1. Mayor of Hertsmere

The Mayor announced that the Mayor of Hertsmere, Councillor Cynthia Barker, had sadly passed away. Cynthia had been suffering with brain cancer and spent her final days at home with her loved ones.

70.2. VJ Day - 75th Anniversary

To commemorate the 75th Anniversary of VJ Day, wreaths were laid in Welwyn Garden City and Hatfield on 15 August 2020. Wreaths have also been laid for the 75th Anniversary of VE Day on 8 May, D Day on 6 June and the 25th Anniversary of Srebrenica on 11 July 2020.

70.3. Remembrance Sunday

There have been no definitive guidelines issued yet for Remembrance Sunday; but plans are being drawn to meet different levels of restrictions as they are announced by the Government.

70.4. Potential Kids

The Mayor's Charity, Potential Kids held a cheque presentation on the 17 September 2020. The amount raised was £6,500. In view of the unprecedented circumstances this year and the limitations on the ability to raise funds through Mayoral events, the Mayor and Deputy Mayor will be making up the total amount to £9,000 from their allowances.

70.5. Leader's Announcement

This will be the Chief Executive's last Council meeting before moving on to his new role in Northamptonshire. The Chief Executive joined us three and a half years ago. In his time at the Council, he has worked with three Leaders, the latter part of John Dean's term, the unfortunate short term of Mandy Perkins and nearly two years with myself. We have shared some sad, interesting and challenging times. Working with him on the Cabinet, dealing with the loss of Mandy, undertaking a positive peer review, introducing the One Team culture and starting the journey in the modernisation programme for the Council. With the Chief Executive's support and guidance, we as a Council have achieved so much over the last few years, such as, opening Splashlands, become the first Council in the County to obtain £10.5M from the government accelerated construction program to redevelop our town centres, vastly improving White Lion

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Square, moving Hatfield redevelopment forward. There were huge changes due to Covid-19 all of which the Chief Executive has helped and supported on. He has been supportive to me throughout and has helped bring together discussion with the Group Leaders in our no overall control situations since May 2019. It is therefore sad that the Chief Executive is leaving, but pleased that he is progressing his career and taking on new challenges where I am confident he will do really well.

70.6. Chief Executive's Announcement

It has been a privilege to be your Chief Executive and working with you all and the great staff team we have at the Council. We have made fantastic progress and improvements over the last few years. I feel incredibly proud of what we have achieved. I will be leaving for a new challenge, but will watch with interest as you continue on your journey. The Chief Executive thanked Councillor Tony Kingsbury and his Cabinet, Group Leaders Councillor Kieran Thorpe and Councillor Malcolm Cowan whom he has worked closely with over the years. As well as Mandy and John. The Chief Executive also thanked his Corporate Management Team, as they have been fantastic and supportive throughout the three and half years. The Chief Executive wished the Council the very best for the future.

71. QUESTIONS BY MEMBER

71.1. Question to the Leader from Councillor K.Thorpe

“As we slowly head towards the end of an unprecedented year of uncertainty, does the Leader agree that planning and preparing for universal postal voting in the 2021 local elections is a sensible preparation to undertake now to ensure elections can take place safely or at all in less than 9 months’ time?”

Answer

“Thank you for your question.

The council through its Elections team plans its activities very well in advance, in order to prepare for an efficient and well-run election. This is indeed an unprecedented year but any proposed changes to the current arrangements must be made by changes in the elections regulations.

Around the middle of May 2020, the Cabinet Office set up a programme to plan for a number of Local Government and Police and Crime Commissioner elections in 2021.

This included a Minister-led steering group and a policy-led working group. When setting up the Group, authorities were asked by the Cabinet Office to provide any comments on the working group options. Some comments were made around postal voting and these included concerns about paper

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contamination, scope for 'all out' postal voting, and changing the time for postal votes to be returned from 10pm on the day of an election, to a few days before.

The Cabinet Office have just advised (15 September 2020) that based on the information currently available, polls can be delivered safely and securely, and the risk of transmission substantially reduced, if COVID-19 secure guidelines are followed closely, and that authorities should not expect any kind of elections (including by-elections) to be able to take place before May 2021.

Further, they believe that there is no necessity for significant changes such as imposing an all-postal vote or changing polling days or times. The UK Government remains of the view that all-postal voting increases fraud risks, and removes choice from voters who wish to cast their vote in person.

The Cabinet Office have stated however that they will be considering smaller change to legislation to support electors with absent voting, but have not indicated what this will be, although an update is to be provided in due course.

We will be closely monitoring the situation concerning absent voting but until we know what the government decides concerning this, our preparations can only be limited.

We are aware that postal applications are on the increase and arrangements have already been made to purchase an extra scanner in order to cope with the expected increase in postal applications. A high number are normally applied for shortly before the deadline for an election.

Current planning and preparations we can take on absent voting are limited, until we have a decision from the Cabinet Office on any detailed changes."

Councillor Thorpe in a supplementary question asked if the Leader was aware that following a trial of universal postal voting in 2003 in Stevenage and many other local authorities, the electoral commission actually recommended that this is how all elections should always be done with postal votes for everyone. If the Leader agrees if the government did decide to allow universal postal votes, it would remove the need for political parties to canvas door to door including care and sheltered housing. Something that usually starts to happen now, not next year surely this is a serious issue that requires definitive action now not something that could be left until next year.

The Leader answered that it is down to the government guidance and government rules in terms of what we do. If there are postal voters, it may be better for some people to obtain postal votes to make the process better for themselves but I think the Council should wait and see the government guidance.

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72. NOTICE OF MOTION

The Council considered the following notice of motion submitted under Procedure Rule 16:-

72.1. The following motion has been submitted by Councillor G.Hayes and was seconded by Councillor K.Thorpe:-

“This Council notes that there is a nationwide shortage of Accessible homes and homes suitable for adaption.

This Council also notes that in the recently published “Planning for the future” white paper, there is no mention of the needs of disabled people or the need to providing homes suitable for an ageing population.

In light of this this Council resolves:

- To carry out research to determine how much Accessible housing is needed in Welwyn Hatfield.
- For the Equalities Lead Officer to work with the Head of Planning and review our planning policies focusing on a need for Accessible/adaptable homes and take their recommendations to CPPP.
- And for the Leader of the Council to write to the Housing Secretary Robert Jenrick MP to remind him of the need for Accessible housing due to a nationwide shortage and that if the Government is truly committed to planning for good living environments, it must include a plan for the needs of the disabled and elderly into the "Planning for the future" paper and any other planning papers in the future..”

It was moved and seconded by Councillors G.Hayes and K.Thorpe that the motion be approved.

It was then moved and seconded by Councillors T.Kingsbury and N.Pace that the motion be amended as follows:-

“This Council notes that there is a nationwide shortage of Accessible homes and homes suitable for adaption.

This Council also notes that in the recently published “Planning for the future” white paper, there is no mention of the needs of disabled people or the need to providing homes suitable for an ageing population, [however the consultation paper ‘Raising Accessibility Standards for New Homes’ does.](#)

In light of this this Council resolves:

- [To bring a report to CPPP or CHP, as appropriate, detailing ~~carry out research to determine~~ how much Accessible housing the Council believes is needed in Welwyn Hatfield.](#)

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- For the Equalities Lead Officer to work with the Head of Planning and review our planning policies focusing on a need for Accessible/adaptable homes and take their recommendations to CPPP.
- And for the Leader of the Council to write to the Housing Secretary Robert Jenrick MP to ~~highlight to remind~~ him ~~off~~ the need for Accessible housing due to a nationwide shortage and that if the Government is truly committed to planning for good living environments, it ~~should~~ ~~must~~ include a plan for the needs of the disabled, ~~and~~ elderly and other people in need of specialist support into the "Planning for the future" paper and any other planning papers in the future."

On being put to the meeting there voted:-

**The amendment was carried UNANIMOUSLY.**

The Motion, as amended, was then put to the meeting and there voted:-

"This Council notes that there is a nationwide shortage of Accessible homes and homes suitable for adaption.

This Council also notes that in the recently published "Planning for the future" white paper, there is no mention of the needs of disabled people or the need to providing homes suitable for an ageing population, however the consultation paper 'Raising Accessibility Standards for New Homes' does.

In light of this this Council resolves:

- To bring a report to CPPP or CHP, as appropriate, detailing how much Accessible housing the Council believes is needed in Welwyn Hatfield.
- For the Equalities Lead Officer to work with the Head of Planning and review our planning policies focusing on a need for Accessible/adaptable homes and take their recommendations to CPPP.
- And for the Leader of the Council to write to the Housing Secretary Robert Jenrick MP to highlight to him the need for Accessible housing due to a nationwide shortage and that if the Government is truly committed to planning for good living environments, it should include a plan for the needs of the disabled, elderly and other people in need of specialist support into the "Planning for the future" paper and any other planning papers in the future."

**The Motion, as amended, was declared CARRIED.**

73. WELWYN HATFIELD COUNCIL RESPONSE TO COVID-19 PANDEMIC

Report of the Chief Executive detailing the Council's response to Covid-19.

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Following the report presented in July regarding the Council's response to COVID-19, the Leader of the Council presented a further update on the Council's response.

The Leader wanted to start by reiterating thanks to all staff who have continued to work hard to support our businesses and communities, as well as the ongoing work of NHS staff and key workers in the borough and across the country. The Leader also thanked the teaching staff across the borough and country who have enabled children to return to school in the last week or so.

Council have received updates at all meetings since the pandemic started and since July you will see in today's report that the Council have continued to support our communities and businesses through this pandemic, as well as delivering all our services. The Leader highlighted a few key points below:

- The Leader, along with other Hertfordshire leaders, have supported how we respond to the pandemic and is part of the Community Resilience Cell supporting all our colleagues across the County and the Local Outbreak Plan Member Engagement Board;
- The Safety Advisory Team are working with partners to ensure any potential events in the Borough have safe arrangements in place so they can go ahead;
- The Public Health and Protection team are working with colleagues across the County to support the local outbreak plan and ensure the Council can deliver any required track and trace investigations and enforcement.;
- Since the last Council meeting we have seen GLL reopen our leisure centres and pools and also High Ropes reopened last month. The Leader was also particularly pleased that the Council's new Splashlands facility successfully opened and even in these difficult times has been incredibly popular;
- Hotel accommodation continued to be provided to homeless households and multi-agency groups had been set up to ensure that both housing and support needs could be met for people who were formerly rough sleeping or at risk of rough sleeping. A funding bid has been submitted to Ministry of Housing, Communities and Local Government under their Next Steps programme;
- Across a number of our services we are dealing with backlogs created by lockdown and are ensuring we can deliver these services as quickly as possible and in a priority based way;
- The local plan enquiry process has continued and the Local Enterprise Partnership had prepared a draft economic recovery plan;
- The Business and Planning Act was quickly introduced, and our procedures, local conditions and applications were rapidly made available on our website so that businesses could apply.
- We have paid out £15.3M in business rate grants, which is 98% of our funding allocation and £800,000 was paid out to support 72 businesses from our Discretionary Business Grant scheme;

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- Our reception was reopened from 29 July and protective screens, floor markings and signage had been installed. A booking system had been introduced to enable customers to make an appointment prior to coming into the reception.
- The Council had continued to successfully run virtual committee meetings;

The Council's staff and partners have continued to work tirelessly for our communities and businesses and will continue to do so over the coming months.

This has not come without financial pressures and challenges. We are still facing significant financial in year pressures of nearly £5.3M.

In terms of the General Fund, the estimated impact amounts to £4.8M. Taking into account the government support available to date of £1.5M, plus the £400,000 Covid-19 reserve set up at the end of 2019/20, the net impact is around £2.9M. As a result of prudent financial management in the past, the Leader was happy to say that we have the reserves to absorb this and the income guarantee, along with the phased repayment of collection fund deficit over three years will help to reduce the budget impact further.

All of the grant funding announced so far had been for General Fund only, therefore the estimated budget impact on the Housing Revenue Account remained at £500,000, of which £168,000 is revenue.

The financial implications will continue to be monitored as part of the budget monitoring process and Cabinet received a report last week on the Council's medium term financial strategy and COVID impact to our plans.

We will continue to see the impact that pandemic had on our communities and businesses, as well as the Council and the whole of the country. It has been a challenging time, but the Leader has continued to be extremely proud of everything our communities, businesses, partners, staff and councillors have done and continue to do.

It was moved and seconded by Councillors T.Kingsbury and D.Bell and

**RESOLVED:  
(unanimous)**

Councillors noted the content of the report, the continued impacts of the pandemic on the Council's operations and the work undertaken to date.

#### 74. REVIEW OF HACKNEY CARRIAGE FARES

Report of the Corporate Director (Public Protection, Planning and Governance) on the consultation, steps and processes undertaken on taxi fares and tariffs, with a view to review and update the current taxi fares in Welwyn Hatfield borough.

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Welwyn Hatfield Borough Council current Hackney Carriage fares were last adopted in 2008. A consultation took place in 2016 however at this time there was not enough response from Welwyn Hatfield Borough Council (WHBC) licensed Hackney Carriage drivers to instigate a review of the fares and so they were not increased at this time.

Following on from recent requests from WHBC licenced Hackney Carriage drivers, the Hackney Carriage team started a new review of the current Hackney Carriage fares from 2008.

A consultation was undertaken and included all WHBC licensed Hackney Carriage drivers. Drivers were asked what they would believe a reasonable fare to be to enable to effectively carry out their jobs. The Hackney Carriage team received a 33.7% response on this occasion which was deemed sufficient to implement a full review of the fares.

The feedback and figures from the drivers was collated into a spreadsheet and calculations made into the average and median fare based on a 2, 5 and 10 mile journey based on drivers proposals. The Hackney Carriage team also researched and collated national and neighbouring counties fare statistics to look at the comparison.

The feedback from drivers, national statistics as well the UK Consumer Price Index, which has inflated by 34.31% since 2008, were all taken into account by the Hackney Carriage team and are reflected in the proposed new fare structure in the report.

The recommendation put forward is:

*That the revised fare structure as shown in the report for Hackney Carriage be adopted from the date of 1st December 2020.*

The implementation date takes into account the requirement that any new fare structure needs to be advertised for 14 days to the public. Within this 14 days, a person can put forward objections. If no objections are received, then the fares will then be adopted from the proposed date. If any objections are received, then a hearing will need to be held.

74.1. Proposed Additional Recommendation 1

The Monitoring Officer advised that in respect of these proposed additional recommendations, Members should deal with each one separately.

It was moved and seconded by Councillors M.Cowan and F.Marsh that a proposed new additional recommendation 1 be added to the report:-

“In the future, reviews of fares are carried out every two years”.

On being put to the meeting there voted:-

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**FOR the first Proposed Additional Recommendation – 10  
AGAINST the first Proposed Additional Recommendation – 35**

**And the first Proposed Additional Recommendation was declared LOST.**

74.2. Proposed Additional Recommendation 2

It was moved and seconded by Councillors M.Cowan and F.Marsh that a second proposed additional recommendation 2 be added to the report:-

“To take the Review of Hackney Carriage Fares to a Cross Party group to review prior to being brought back to Council”.

On being put to the meeting there voted:-

**FOR the second Proposed Additional Recommendation – 5  
AGAINST the second Proposed Additional Recommendation – 33  
ABSTENTIONS for the second Proposed Additional Recommendation - 7**

**And the second Proposed Additional Recommendation was declared LOST.**

74.3. Question from Councillor Zukowskyj

Councillor Zukowskyj asked a question for the Monitoring Officer about the Equality Impact Assessment (EQIA).

Question

“The Disabilities and Equalities Act enshrines in law the requirement that Council decisions that are policy related or service related have an EQIA undertaken and that Council decisions are made in light of the EQIA report. It seems that from the discussion earlier that an equalities assessment has been completed but is not in front of us tonight. If that report is not in front of us, can we make a decision on this? Is it legal?”

The Corporate Director (Public Protection, Planning and Governance) replied saying that in terms of the EQIA, it is fair to say that the report before you states that an EQIA has not been carried out. That is incorrect because an EQIA has, in fact, been carried out by the relevant Head of Service and the Portfolio Holder has been updated with the results of that assessment.

The Monitoring Officer further advised that in terms of what Councillor Zukowskyj has raised, it is true that when Councillors are making a decision, as Members, they must take into account all the relevant facts which include the public sector equality duty. The Council would normally do this by carrying out an EQIA and if there are any findings or implications from the EQIA, they would be written into the report so you are able to make a decision in an informed way. However, in

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her opening presentation of this report, Councillor Thomson had made clear that an EQIA had been done and has explained those findings to Councillors tonight. Councillors must take these implications into account, when reaching their decision.

Councillor Thomson then further clarified for Members the findings of the EQIA:-

“Whilst the report does not mention an EQIA, I can confirm that Officers have undertaken one. The EQIA identified that there may be a financial impact on those with a lower income due to age or on state pensions only.

With regards to disabilities, there may be an impact on those with long term disabilities who may use taxi services more regularly. There may be some of the local population that are unable to work due to disability”.

#### 74.4. Original Recommendations

It was moved and seconded by Councillors F.Thomson and T.Kingsbury and

The recommendations in the report, were then put to the meeting and it was

**RESOLVED:  
(42 voting FOR and 3 ABSTENTIONS)**

- (1) Council agreed to the proposed fare increases as set out in Appendix 4 of the report.
- (2) Council agreed that the start date for the new fares be set as the 1 December 2020.

#### 75. APPOINTMENT OF THE INTERIM CHIEF EXECUTIVE

Report of the Human Resources Manager on the appointment of the new Interim Chief Executive.

All three Corporate Directors put themselves forward for interview. The Leader thanked them for doing so. It showed what an excellent team we have at Welwyn Hatfield. The Leader thanked his Cabinet and the other Group Leaders for their help and support in this key decision for the Council.

The report seeks the Council’s ratification of the recommendation from the appointments panel convened to appoint an interim Chief Executive/Head of Paid Service from within the Council, for a period of up to twelve (12) months.

The Council’s current Chief Executive is leaving the Council to work at another authority, resulting in a vacancy for Welwyn Hatfield Borough Council.

In consultation with all three Group Leaders and Cabinet, it was agreed that the vacant post would be best filled by an interim appointment at this time.

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This is to provide stability during the current challenges and debates in Hertfordshire with regards to local government re-organisation and devolution.

The proposal is to appoint an interim Chief Executive from within the council for up to 12 months. In order to do so, an appointments panel was convened for the recruitment process. The Human Resources Manager was designated as the lead officer for this process.

Councillors Cowan and Thorpe wished the Chief Executive all the best in his new role. They also congratulated the Corporate Director (Resources, Environment and Cultural Services) on her new position.

It was moved and seconded by Councillors T.Kingsbury and D.Bell and

**RESOLVED:**  
**(unanimous)**

- (1) That the Council ratifies the recommendation of the appointments panel that Ka Ng be appointed to the position of interim Chief Executive and Head of Paid Service, following the conclusion of the appointments process.
- (2) That the appointment be confirmed and remunerated in accordance with the Council's approved salary scale for the Chief Executive.
- (3) That the Head of Resources be appointed as the interim Chief Finance Officer as defined by section 151 of the Local Government Act 1972, commensurate with the period of appointment for the interim Chief Executive.
- (4) That delegated authority be given to the Human Resources Manager, in consultation with the Leader of the Council, to finalise all the arrangements required, including the starting date for the interim Chief Executive.
- (5) That delegated authority be given to the Human Resources Manager to update the council's Pay Policy Statement accordingly and to arrange for its publication.

76. APPOINTMENT OF INDEPENDENT REMUNERATION PANEL MEMBERS

Report of the Chief Executive on the Council's agreement to appoint Independent Remuneration Panel members to the Council's panel.

By law, the Council, in making a scheme for the payment of Members' allowances, must establish and maintain an Independent Remuneration Panel (IRP).

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Following a recruitment process, Council is asked to approve appointments to the IRP.

The current IRP panel consists of three members. One panel member at the start of this year, indicated their wish to retire from the panel and a recruitment process was started for a new panel member.

The role was first advertised in February 2020 but unfortunately, there was limited interest at the time. A second round of advertising took place in July 2020 and on that occasion, Officers were pleased to receive sufficient applications.

The applicants were interviewed by a panel of senior officers consisting of the Corporate Director (Public Protection, Planning and Governance), Monitoring Officer and Governance Services Manager.

The senior officer panel recommends the appointments in this report. The quality of the applications was so high that the officer panel are recommending three appointments to the panel.

The other two existing IRP Members have indicated their wish to remain on the panel and their re-appointment to the panel is also recommended.

This would increase the panel to five members. The statutory minimum number of IRP members required to sit on a panel are three and there is no maximum limit.

It is proposed that the panel size is increased to five, with a quorum of three.

It is currently anticipated that the panel meetings will be held remotely.

It was moved and seconded by Councillors F.Thomson and T.Kingsbury and

**RESOLVED:**  
**(unanimous)**

- (1) Council agreed to the appointment of R.Atterton, K.Cole and P.Legood as members of the Council's Independent Remuneration Panel.
- (2) Council agreed to confirm the continued appointments of P.Raynsford and D.Tabraham-Palmer, as members of the Council's Independent Remuneration Panel.

## 77. APPOINTMENTS TO COMMITTEES AND GROUPS

To approve the appointments of Members to Committees and Groups as listed in the Agenda Item 13.

It was moved and seconded by Councillors T.Kingsbury and F.Thomson and

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**RESOLVED:**  
**(unanimous)**

Council approved the appointments of Members to Committees and Groups, as set out in Agenda Item 13.

Meeting ended 9.33pm  
AM