

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the CABINET held on Tuesday 9 February 2021 at 5.00pm.

This Cabinet meeting was held remotely in line with new regulations passed under the Coronavirus Act 2020, using the Zoom application.

These regulations have been passed under to ensure Local Authorities can conduct any necessary business under the current public health emergency.

PRESENT:           Councillors           T.Kingsbury (Leader of the Council) (Chairman)  
D.Bell (Deputy Leader and Executive Member, Resources)  
  
S.Boulton (Executive Member, Environment and Planning)  
T.Mitchinson (Executive Member, Leisure, Culture and  
Communications)  
N.Pace (Executive Member, Housing and Community)  
B.Sarson (Executive Member, Regeneration, Economic  
Development and Partnerships)  
F.Thomson (Executive Member, Governance, Public  
Health and Climate Change)

OFFICIALS PRESENT: Chief Executive (K.Ng)  
Corporate Director (Housing and Communities) (S.Russell)  
Head of Law and Administration (M.Martinus)  
Governance Services Manager (A.Marston)  
Communications Officer (A.Wildey)

219. MINUTES

The Minutes of the meetings held on 5 January 2021 was approved as a correct record and noted by the Chairman.

## 220. PUBLIC QUESTION TIME AND PETITIONS

220.1. Question 1: Russell Haggar Vice Chair, Welwyn Planning and Amenity Group

In the Cabinet Planning and Parking Panel session held on 23 January last year, there was discussion about whether or not sites Wel1, Wel2, Wel6 and Wel15 should be included in the WHBC Local Plan. They were up for discussion as a result of having passed the site selection process during 2019, despite no consideration having been taken during that process of the consequences of building the external road infrastructure required to service and access these development sites.

Cabinet  
9 February 2021

As a consequence of this, much of that Cabinet Planning and Parking Panel discussion related to how the infrastructure necessary to support those sites would affect amenities throughout Welwyn, particularly in regard to the area of Singlers Marsh. Singlers Marsh is formally recognised for its wildlife, natural environment and archaeological status, including playing host to a fragile and rare river system.

The earlier 2019 Call for Sites consultation had focussed on environmental issues relating only to development work at each individual site. That consultation made no effort to seek opinions about the environmental or other consequences of any consequent development work away from the sites themselves. In particular, the 2019 Call for Sites consultation made no mention of any possibility of building on Singlers Marsh itself as part of the Wel1/Wel2/Wel6/Wel15 proposals, and hence no opinions about this were solicited from either the public or any of the usual interested voluntary/statutory organisations.

In discussion with one of the councillors during that January 2020 Cabinet Planning and Parking Panel session, a council officer seemed to say that – in proposing those four sites at that time for inclusion in the Local Plan – there had already been a consultation about the possibility of building on part of the Singlers Marsh land, with no adverse responses. Following that Cabinet Planning and Parking Panel session, Welwyn Planning and Amenity Group submitted a Freedom of Information request to ascertain what consultations, if any, had actually been made about developing on Singlers Marsh itself. The FOI response demonstrated that there had been no such consultations; no opinions had been sought, nor had any been received unsolicited. There had only ever been consultations (as part of the Call for Sites process) about the effects on Singlers Marsh of development at each individual site. No consultation has ever been disclosed about development of Singlers Marsh itself, and we believe that no such consultation has ever been undertaken.

Since last January, comprehensive plans for expanding the road network surrounding these four sites have emerged, drawn up by their development advocates and submitted to Welwyn Hatfield Borough Council and Hertfordshire County Council for consideration. These plans propose the remodelling of Codicote Road (south of the roundabout), substantially upgrading the Link Road/Fulling Mill Lane/Codicote Road junction, creating an extra bridge across the river (at the expense of Singlers Marsh land) and widening Fulling Mill Lane (also at the expense of Singlers Marsh land). These plans were prepared in readiness for adding these four sites to the Local Plan, but were not disclosed publicly as part of the Call for Sites consultation. It is clear that a lot of effort went into planning for the necessary infrastructure expansion to support development at these sites. None of this was included in the Call for Sites consultation. Can the council now confirm, unequivocally and unambiguously, whether or not any consultation ever actually took place about any development on Singlers Marsh land itself? If it did, please indicate where such information can be found. If it did not, please update the official

Cabinet  
9 February 2021

public record to indicate this. Furthermore, if indeed it did not, can WHBC confirm that no development of any of the land at Singlers Marsh would ever be proposed, let alone occur, without a meaningful and comprehensive public consultation, to include informed contributions regarding its standing and official designations as to its wildlife, natural environment and archaeological heritage status?

### Response

Councillor S.Boulton (Executive Member, Environment and Planning) answered the question.

“Consultation has taken place with a number of statutory consultees relating to the assessment of the suitability, availability and achievability of sites for allocation. This includes sites Wel1, Wel2, Wel6 and Wel15.

When considering the deliverability of these sites it has been established that delivery is dependent upon significant highway upgrades; as the current access via Singlers Bridge is inadequate to accommodate additional vehicular/pedestrian access. The promoter of the site provided indicative drawings to the Council which were then made available to statutory consultees as part of the consultation on the HELAA.

The FOI response from the Council has forwarded the responses received on these sites. This includes a response from Herts Ecology in 2016 regarding the potential impact of highway upgrades around Singlers Bridge and Fulling Mill Lane road involving the loss of a small section of land at Singlers Marsh.

There are no proposals which result in the loss of Singlers Marsh as a nature reserve, as an archaeological site, as a wildlife site or its ability to continue function as all of these things. The Council has not proposed these sites for inclusion in the Local Plan.

However, it seems likely that the Inspector will examine the potential of these sites to contribute to meeting the need for housing, any potential impact on biodiversity and whether or not this could be mitigated. He may consider their allocation is required to make the plan sound and if that is the case there would need to be consultation on modifications to the Plan. Local Plans do not however contain detailed proposals for accessing sites which are detailed matters considered at the planning application stage and which would be subject to consultation at that point.”

## 221. ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meeting on 5 January 2021 in the report of the Corporate Director (Public Protection, Planning and Governance) was noted.

Cabinet  
9 February 2021

222. QUARTER 3 REVENUE BUDGET MONITORING REPORT 2020-21

Report of the Chief Executive on the forecast revenue outturn position as at 31 December 2020 (Quarter 3) for the financial year 2020-21.

As noted in the report, there is an adverse variance on the General Fund net cost of services of £3.24M, a slight overall improvement on the situation 3 months ago.

The adverse variance to the original budget is, as before, explained by the impact of Covid.

As noted in the report, Covid impacts amount to £3.97M. Foremost amongst these are the loss of Campus West income of £1.1M, loss of parking income of £722k, loss of commercial rental income of £450k, additional support payments to GLL of £380k, and the additional cost of supporting the homeless of £430k.

At the net cost of services level, the adverse Covid impact has been partly offset by favourable variances of £730k, spread across various services.

Fortunately, we have received government support to significantly offset the Covid impacts, and the level of support for 2020/21 has now risen to £2.9M, an increase of £800k since the second quarter.

This increase in the level of government support, together with other positive variances, means that it is now felt unnecessary to use all of the £405k Earmarked reserve initially set aside to offset the impact of Covid. Accordingly, £128k of this Earmarked Reserve will be held back and carried forward to 2021/22 to bolster the £610k to be provided for in the 2021/22 budget.

This is certain to be needed in 2021/22, as the level of government support for next year, beyond the £610k already announced, is uncertain. Furthermore, it is very likely that loss of commercial rental income will carry on into 2021/22, and this element is not covered by government support.

As noted in the report, debtors continue to rise. The most difficult area here is, unsurprisingly, the difficulties that a number of our commercial tenants face as a result of Covid restrictions. We have estimated a loss of £450k of commercial rental income, and this still looks reasonable for 2020/21. This problem will almost certainly persist into 2021/22. We continue to manage debtors closely, and, where applicable, we are encouraging tenants to agree payment plans with us.

There are no substantial variances in the HRA, as rent collection continues to hold up. The announcement that Right to Buy receipts can be held onto for somewhat longer has relieved some of the previously estimated Covid related

Cabinet  
9 February 2021

pressure on the HRA, and the latest projection indicates that there is no imminent need to remit such receipts to the government.

Considerable Covid related uncertainties remain, and these will persist into the next financial year. But the Council can be pleased that, for the current financial year, thanks to proactive financial management, previously accumulated reserves, and government support, we have not had to cut frontline services.

RESOLVED:

- (1) Cabinet noted the revenue forecast outturn position as at Quarter 3.
- (2) Cabinet noted the position on debts set out in section 5 of this report.

223. QUARTER 3 CAPITAL BUDGET MONITORING REPORT 2020-21

Report of the Chief Executive on the capital expenditure and associated capital funding as at the end of Quarter 3.

Whilst the impact of Covid led to some unavoidable delays on certain projects earlier in the year, these now continue to make progress. The Council have not had to make any budgetary cuts to the capital programme to date as a result of Covid.

Progress on individual schemes is set out in the report.

Within the Affordable Housing Programme, the Council have increased the Quarter 4 forecast for Open Market Purchases, by bringing forward some of the 2021/22 capital budget for this item, whilst remaining within the boundaries of the 30-year Business Plan. This approach gives us the flexibility to maintain the absorption of Right to Buy receipts, and avoid having to remit amounts to HM Treasury, should we face unforeseen delays to some of our larger Affordable Housing projects.

RESOLVED:

- (1) Cabinet noted the capital forecast outturn position as at Quarter 3 as shown in Table 1.
- (2) Cabinet noted the forecast position as at 31 December 2020 for funding of the capital programme and reserve balances as reflected in Table 2.

Cabinet  
9 February 2021

224. RECOMMENDATION FROM CABINET PANEL

The following recommendation from the meeting of the Cabinet Planning and Parking Panel on 14 January 2021 was considered:-

224.1. Local Plan - Annual Monitoring Report

Recommendation from the meeting of the Cabinet Planning and Parking Panel on 14 January 2021 on the Annual Monitoring Report (AMR).

The Annual Monitoring Report reports on a number of indicators. Some of the report relates specifically to policies in Draft Local Plan and some are contextual on how Borough's population and places are performing.

The AMR 2019/20 reports on progress for 1 April 2019 to 31 March 2020.

Some of the key indicators in the AMR are:

The Office for National Statistics 2019 mid-year population estimates show population growth of 0.2% for Welwyn Hatfield to just over 123,000 people.

There were 673 housing units completed in 2019-2020, including 69 affordable houses.

94% were flats, including new blocks along Broadwater Road and 272 self-contained studio student flats in Hatfield.

The Borough has 2.58 years of housing land supply, based on Government standard method which sets target for 875 homes per year.

Housing Land Supply situation will be reviewed once Local Plan progresses.

Over the year Net loss of 6,000 sqm of employment floorspace.

Out-of-work claimant rate has increase from 1.7% in March 2019 to 4.5% by Oct 2020, due to impacts of Covid-19.

Ministry of Housing, Communities and Local Government (MHCLG) Index of Multiple Deprivation 2019 showed no lower super output areas in most deprived 10% in country. Hatfield Central is in bottom 20% due to poor crime performance and issues in education, skills/training, barriers to housing and services. Officers will look at ways to improve this situation.

Welwyn Garden City town centre vacant frontage length has increased from 4.1% to 8.6%.

Hatfield town centre vacant frontage length has increased from 13.8% to 16.5% but has gained new centrally located library.

Cabinet  
9 February 2021

RESOLVED:

That the Annual Monitoring Report be approved for publication.

225. COUNCIL ACHIEVEMENTS LIST - OCTOBER TO DECEMBER 2020

Report of the Chief Executive on the Council's key achievements and service improvements for Quarter 3 of 2020-21.

Some of the achievements, Cabinet were asked to note over this Quarter were:

- October – A ground breaking event for the start of the High View Regeneration project in Hatfield was held, the formal opening of the HatTech Business Centre took place, there was a new Article 4 Direction to remove permitted development rights, and the coronation fountain turned pink again to mark breast cancer awareness month.
- November – A virtual Remembrance Sunday Commemoration was held online and was viewed by around 2,500 people, A new homes proposal was agreed for the Local Plan submission, the 'Your Welwyn Hatfield Survey' was launched which received over 1,600 responses, and there was a Mayoral presentation of funds for the Mayor's charity, Potential Kids.
- December – A ground breaking event for the redevelopment of the Minster Close site in Hatfield took place, A new business restrictions grant was introduced, New online Covid training for taxi drivers on 'travel with confidence' started, and a new warmer homes scheme for local people was launched.

RESOLVED:

Cabinet noted the report and contents of the Achievements List.

226. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for Agenda items 13 and 14 (Minutes 227 and 228 refer) on the grounds that they involved the likely disclosure of confidential or exempt information as defined in Section 100A(3) and paragraph 3 (private financial or business information) of Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Cabinet  
9 February 2021

227. ITEM OF AN EXEMPT NATURE REQUIRING KEY DECISION

The following item of an exempt nature for decision was considered:-

227.1. Mill Green Mill - Trust Lease (Forward Plan Reference FP1029)

Exempt report of the Chief Executive on the existing Lease for the Council's water mill at Mill Green in favour of the Trustees of the Mill Green Water Mill Restoration Fund.

(1) The Decision Taken

**RESOLVED:  
(unanimous)**

Cabinet noted the contents of the report and instructed officers to arrange for the voluntary surrender of the lease with the Trust, subject to the implications set out in the report and that such surrender is consistent with the Heads of Terms of Surrender shown in Appendix A.

(2) Reasons for the Decision

Successive leases between the Council and the Trust date back to 1979 which served a purpose when the Mill was being restored and in raising funds for it. The current lease commenced in December 2000 with a term of 21 years, so it expires in December 2021.

The terms of the lease, which gave responsibility for the operation of the Mill Green Mill to the Trust, has not been observed for many years. The Trust does not have any active involvement in the operation of the Mill at all.

Since site admission charges were first introduced in 2011, no donations have been collected on behalf of the Mill Trust to financially support its operation. All costs have been met directly by the Council.

The Mill Trust had asked to be relieved of its responsibilities under the lease and the legal, financial and risk implications to the Council in agreeing to the request have been set out in the report. Proposed heads of terms for the surrender were also appended here.

In arranging for current members of the trust to surrender their interest and responsibility for the Mill, it will not be necessary to establish the full status and whereabouts of those individuals who signed the current lease twenty years ago.



Cabinet  
9 February 2021

While the lease does expire in December 2021, a surrender will ensure there is both clarity and a clean break for both parties. Officers will be able to progress the subject to Cabinet approval.

228. SURRENDER OF LEASE

Exempt report of the Chief Executive provides an update on Friendship House, Hatfield.

Friendship House is a Council-owned property, currently leased to Hatfield and District Age Concern until 2098 at a fixed rent of £130 per annum.

Age Concern had taken the decision to close their facility at Friendship House, having struggled financially in recent years. Their decision is unrelated to the level of rent.

Initially they asked the Council if it would be possible to assign the lease to another organisation. But with an assignment, there is no opportunity to review the rental, which is well below current market levels, even if the site were restricted to community use.

We have a duty to make the best use of Council-owned assets for the benefit of all residents. Accordingly, the request to reassign was declined.

As noted in the report, negotiations are currently underway with the lessee for a surrender of the lease.

To ensure that the Council optimise the use of the asset once lease surrender is completed, it is therefore sensible to undertake an options appraisal for the site before any decision is taken to lease or market it. This is to avoid us being "locked in" to a solution that is not in the best long-term interests of the Council or residents.

**RESOLVED:  
(unanimous)**

- (1) Cabinet noted the proposals regarding negotiations on the surrender of the lease.
- (2) Cabinet approved that an options appraisal be undertaken for the site and that the site is not leased out or marketed (both short and long term) until this has been completed. A report will be returned to Cabinet in June 2021 on the options recommended.

Meeting ended 5.45pm  
AM