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17 March 2021

## WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Wednesday 17 March 2021 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, J.Broach, J.Caliskan,  
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,  
J.P.Skoczylas, P.Smith, K.Thorpe, S.Thusu,  
F.Thomson, J.Weston, S.Wrenn, P.Zukowskyj

OFFICIALS Chief Executive (K.Ng)  
PRESENT: 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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### 103. MINUTES

The Minutes of the special meeting held on 23 February 2021 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.

### 104. 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.

Councillor P.Hebden declared a non-pecuniary interest in item 9 – Motion 3 on the Agenda as his wife works for the National Health Service.

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Councillor S.Thusu declared a non-pecuniary interest in item 9 – Motion 3 on the Agenda as he works for the National Health Service.

Councillor F.Thomson declared a non-pecuniary interest in item 9 – Motion 3 on the Agenda as a relative works in a vaccination centre.

Councillor S.Kasumu declared a non-pecuniary interest in item 9 – Motion 3 on the Agenda as he is a Government Advisor.

105. ANNOUNCEMENTS

105.1. Commonwealth Day

Commonwealth Day was marked on Monday 8 March 2021. A Commonwealth affirmation and a speech were read out and the Commonwealth flag was raised at the Council officers.

105.2. Rotary Clubs

The Rotary Clubs of Welwyn Garden City and Hatfield had held an annual charity walk each spring for more than 20 years, raising over £400,000 for charitable causes. Last year, the walk was intended to be the launch of the Centennial Walk route around Welwyn Garden City, but unfortunately the event had to be cancelled. For various reasons, the committee had decided that 2019 would be the last walk and they would like to thank everyone who had supported them in the past.

105.3. Isabel Hospice Fire Walk

Deputy Mayor Councillor P.Hebden has volunteered for the Isabel Hospice Fire Walk which will be taking place on 29 October 2021 and there is a Just Giving page set up. A link will be circulated to all Councillors where you can donate if you would like to support the fundraising event. All donations will be gratefully received by Isabel Hospice.

105.4. Thank you

The Mayor thanked all Councillors for their forbearance over the past year, as the Council have got to grips with virtual meetings.

106. QUESTIONS BY MEMBERS

106.1. Question to the Executive Member (Leisure, Culture and Communications), Councillor T.Mitchinson from Councillor S.Thusu

“Bearing in mind how successful the opening of our terrific new Splashlands at Stanborough Park was last summer and the gradual easing of restrictions over the coming months, could the portfolio holder confirm that Splashlands will open in time for the Spring and Summer holiday period.”

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**Answer**

The Leader asked Councillor T.Mitchinson (Executive Member, Leisure, Culture and Communications), to answer:-

“Thank you for your question Councillor Thusu.

I am pleased to confirm our very popular Splashlands wet adventure play park will open for the Spring and Summer period this year. It has, of course, remained open over the winter months for dry adventure play and many families have visited during the national lockdown periods as our outdoor play areas have been open.

We have reviewed the government’s recovery roadmap published last month which sets out four steps to ease COVID restrictions. In accordance with the government guidance, the earliest date that the wet play at Splashlands could reopen is 12 April 2021.

Our sport and leisure operator, GLL, who manage Splashlands on our behalf are preparing to reopen from that date onwards. Weather permitting, Splashlands will be open from 10.00am to 6.00pm daily and entry will remain free to all.

I am sure all members will agree the reopening of Splashlands this year will be welcomed by many families who have endured a tough winter with successive lockdown restrictions in place. We look forward to their visit to Stanborough Park to enjoy this excellent local leisure attraction.

There are more details of the openings of other leisure facilities on the Council website and hopefully all facilities will be able to open in accordance with government guidelines.”

106.2. Question to the Leader from Councillor G.Hayes

Councillor G.Hayes withdrew his question due to the Government recently republishing and rewording their disability survey and recognizing the errors it had contained.

106.3. Question to the Leader from Councillor F.Marsh

“In my ward of Sherrards, Monks Rise, outside St John’s Church is in a very poor state of repair with massive potholes, clearly a public highway hazard, both to people and vehicles. Through enquiries made it was established that Welwyn Borough Council own part of this land, but I have been informed the Council feels it is under no obligation to maintain its part of the road in question, they will only do so if residents meet the cost, which they are unwilling to do.

Will you agree that in hindsight and despite their original decisions not to do anything, Monks Rise needs to be urgently repaired to eliminate all hazards and

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risk to residents and drivers, thus protecting this authority from any negligence claims?”

**Answer**

The Leader asked Councillor D.Bell (Executive Member, Resources), to answer:-

“Thank you for your question, Councillor Marsh.

As officers have previously explained to Cllr Marsh, the Council has sought legal advice on this matter and whilst the Council owns part of the road, it is not adopted highway, and as such the Council has no responsibility for repairs to this road. However, if the Council was to carry out repairs, it would create an on-going liability to repair any future damage.

This is not the only road of this type in the borough and this is in fact a common occurrence throughout the country. The cost of repairs could be significant, and the Council could hardly make an exception for this location alone. As we know, the COVID pandemic will continue to put the Council's finances under considerable strain, and it would be irresponsible for us to commit to carrying out repairs of this type knowing that a recurring financial commitment would then arise.

I can understand residents' frustration with the situation. Hertfordshire County Council receive funding for road maintenance, but they are not currently prepared to adopt the road. Welwyn Hatfield Borough Council inherited the road from the New Towns Commission, but we receive no funding for roads.

Ideally, all roads in the borough would be the responsibility of either the County Council, or Highways England, or be unequivocally private. I will write to the Secretary of State for Transport to ask him if any funding solution exists for roads such as this small section of Monks Rise, which seem to have fallen between the cracks.”

Councillor Marsh in a supplementary question asked: “Would the Council ask Council tenants to contribute to major repairs to their own properties or allow their homes to deteriorate in dis-repair? The residents in Monks Rise pay council tax and should have their own properties repaired and maintained like others in the Borough. I appreciate that it is not owned by Hertfordshire County Council but we do need to find a solution to the problem.”

Councillor Bell answered that he will write to the Transport Secretary. Where Council tenants pay rent, that is to cover the maintenance costs of their homes. Where residents pay council tax that is to cover the cost of various services the Council provide but as a Borough Council we are not responsible for highways. There is a complicated process for allocating funding for highways that comes out of business rate retention exercises plus various other formulae. Councillor Bell agreed that it was a real problem and thought that it would be sensible for the Council to assume the liability when we receive no funding.

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106.4. Question to the Leader from Councillor L.Musk

“Does the leader agree with me, that irrespective of the task and finish group findings, 8 weeks is simply too long for residents to be left without adequate repairs or support when reporting issues to the council?”

**Answer**

The Leader asked Councillor N.Pace (Executive Member, Housing and Community), to answer:-

“Thank you for your question.

For any repairs required to council homes, there is a clear process in place in respect of reporting a repair, diagnosing the work required and arranging for the work to be carried out. There are clear priorities for different categories of repairs (ie 24 hours, 5 working days, 25 working days and 60 working days (please note however that officers have a statutory requirement to consult with leaseholders on any non-emergency repairs. In these situations, the works will not be carried out within 60 days). These priorities were agreed with the Tenants Panel in 2020. On occasions – particularly where the scope of work is larger than anticipated or where specialist materials are required - the work may take longer to complete, but in these circumstances, tenants should be kept updated and where residents require support this should also be provided wherever possible.

Without details of this specific repair, I am unable to comment whether the appropriate timescale was applied in this case and whether the appropriate level of support was provided. I would recommend that if you are referring to a specific complaint, you contact the Head of Property Services, so that he can investigate your concerns and respond accordingly.

As I am sure Councillor Musk is aware, there is a cross party Overview and Scrutiny Committee Task and Finish group looking at the repairs service, and processes and procedures are constantly being improved in respect of service delivery, with a focus on improving the experience of our tenants. Among these improvements is the new MCM Live app, which enables residents to make direct contact with the repairs operative.”

Councillor Musk in a supplementary question said: “There is a particular case and it has been raised. I have been contacted by residents and increasingly seeing more cases that the council are currently aware of and yet these residents are still not being kept informed. Can we go through and review and keep informing the residents that the complaints have been registered and the repairs will be dealt with?”

Councillor N.Pace said to send him any specific cases that need to be looked at urgently.

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106.5. Question to the Leader from Councillor K.Thorpe

“Does the leader share my concern that despite interest from several local service providers, his Cabinet appear to be prepared to allow Friendship House to remain empty and unused, at a time of increased need in the community while it considers options around how to maximise revenue from an important community asset?”

**Answer**

The Leader asked Councillor D.Bell (Executive Member, Resources), to answer:-

“Thank you Councillor Thorpe for your question.

Hatfield and District Age Concern have made a difficult decision to close Friendship House. I agree with Councillor Thorpe that this is an important community facility and this is why Cabinet has made a commitment to retain a community facility under any of the options considered.

I disagree with Councillor Thorpe's statement implying that we are trying to maximise revenue from this asset. This is far from the truth, if we were to do that, we would have agreed to sell off the site and not have committed to the retention of a community facility.

All we are trying to do is to take some time to carry out an options appraisal to ensure that the asset is used in a way that secures the greatest benefit for the residents of the borough as a whole and this includes social benefit. This is particularly important as the building is over 50 years old, and consideration needs to be given to the sustainability of the building in the future.

Due to the current COVID pandemic, Friendship House will remain empty and unused for a period of time anyway and as agreed Cabinet will be considering a report in the summer to agree the outcome of the options appraisal. This is the fairest and most transparent way to decide the future of the site. I must stress that one of the options to be considered will include agreeing a new lease for any charity or local service providers.

But I do not believe that agreeing to an assignment of the existing lease, which has 76 years to run, and carries significant lessee obligations, is in the best interests of either the borough, or potential lessees.”

Councillor Thorpe in a supplementary question asked: “Does Councillor Bell agree with me that it is accurate to say that the Council does not currently have ownership of the lease or the building and this is slightly presumptuous of the Council to talk to the media about the options it is going to be looking at in the future and talking about repairs that may need to be made in 2098 given that this was not an issue when his party cut funding for Friendship House in 2012 and 2014?”

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Councillor Bell said that the Council is the lessor and up to now Age Concern have been the lessee. We have to give permission if someone wants to sign the lease and we have decided it is not in our interest to do so. Any lessee taking on the existing lease will have to take on the repair obligations, which up to now Age Concern have met. It will be quite onerous to take on. It is not just about what will happen in 76 years' time, it is also about what will happen every year from now. As I have said, we have not excluded granting a new lease. The Council may not own the building as such but it is like any leasehold situation.

107. MATTERS ARISING FROM THE CABINET

The Council considered a recommendation from the meeting of the Cabinet on 9 March 2020:-

107.1. Corporate Plan 2021-2024

The Cabinet considered the Corporate Plan for 2021 to 2024.

The Corporate Plan sets out the Council's priorities for the next three years, our commitments to our communities, and how we propose to fulfil them.

These priorities have been shaped by the views of over 1,600 residents and businesses who told us what was important to them, what they liked about Welwyn Hatfield, and how they would like to see the Borough evolve.

They also reflect conversations with over 40 stakeholders and partners at the Alliance Conference towards the end of last year.

The Leader thanked Members of the cross-party task and finish group for overseeing the development of the corporate priorities. Also officers of the council who have carried out such successful engagement with our communities, and who will, subject to approval, will finalise the full corporate plan for 2021 to 2024.

The Council has never before been able to say confidently that our priorities reflect those of the people who live, work and spend their leisure time here.

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

**RESOLVED:  
(unanimous)**

- (1) Council approved the Corporate Plan for adoption.
- (2) Council approved delegated authority to be given to the Corporate Management Team, in consultation with their respective Executive Members, to prepare an action plan and Key Performance Indicators (KPIs) for 2021/22.

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108. NOTICES OF MOTIONS

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

108.1. The following motion has been submitted by Councillor H.Quenet and was seconded by Councillor M.Cowan:-

“Our long-awaited Local Plan is now coming closer to adoption. Whilst it does seek to address climate change and biodiversity, it was too far advanced in preparation to incorporate some of the actions and directions required by our Climate Emergency Declaration.

It is therefore proposed that once the Local Plan is adopted, Council agrees that an immediate Local Plan review is conducted by planning and climate change officers to ensure that this vital aspect of the plan is consistent with and progresses our zero carbon and biodiversity aspirations and goals.

The review will include the mitigation and adaption measures necessary to address the climate emergency, following good practice guidelines such as those outlined by the UK Green Building Council.”

It was moved and seconded by Councillors H.Quenet and M.Cowan that the motion be approved.

It was then moved and seconded by Councillors G.Hayes and K.Thorpe that the motion be amended as follows:-

“Our long-awaited Local Plan is now coming closer to adoption. Whilst it does seek to address climate change and biodiversity, it was too far advanced in preparation to incorporate some of the actions and directions required by our Climate Emergency Declaration.

It is therefore proposed that once the Local Plan is adopted, Council agrees that ~~an immediate Local Plan review is conducted~~ **Supplementary Planning Documents are immediately prepared** by planning and climate change officers ~~to ensure that this vital aspect of the plan is~~ **ensuring they** are consistent with and progresses our zero carbon and biodiversity aspirations and goals.

~~The review will~~ **They should** include the mitigation and adaption measures necessary to address the climate emergency, following good practice guidelines such as those outlined by the UK Green Building Council.”

On being put to the meeting there voted:-

**FOR the Amendment – 36**

**AGAINST the Amendment – 11**

**ABSTENTIONS for the Amendment – 1**

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**The amendment was CARRIED.**

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

“Our long-awaited Local Plan is now coming closer to adoption. Whilst it does seek to address climate change and biodiversity, it was too far advanced in preparation to incorporate some of the actions and directions required by our Climate Emergency Declaration.

It is therefore proposed that once the Local Plan is adopted, Council agrees that Supplementary Planning Documents are immediately prepared by planning and climate change officers ensuring they are consistent with and progresses our zero carbon and biodiversity aspirations and goals.

They should include the mitigation and adaption measures necessary to address the climate emergency, following good practice guidelines such as those outlined by the UK Green Building Council.”

On being put to the meeting there voted:-

**FOR the amended Motion – 36**  
**AGAINST the amended Motion – 0**  
**ABSTENTIONS for the amended Motion – 12**

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

108.2. The following motion has been submitted by Councillor M.Cowan and was seconded by Councillor S.Elam:-

“The growth of home delivery during the pandemic has accentuated the trend towards larger amounts of cardboard being disposed of.

The frequent sight of overflowing ‘bring’ paper and cardboard skips, often accompanied by excess amounts being left around the skips, suggests the current arrangements need urgent revision, either by more skips, more frequent emptying, or other measures. Accordingly, this council asks officers to investigate and report back with recommendations as a matter of urgency.”

It was moved and seconded by Councillors M.Cowan and S.Elam that the motion be approved.

It was then moved and seconded by Councillors G.Hayes and K.Thorpe that the motion be amended as follows:-

“The growth of home delivery during the pandemic has accentuated the trend towards larger amounts of cardboard being disposed of.

The frequent sight of overflowing ‘bring’ paper and cardboard skips, often accompanied by excess amounts being left around the skips, suggests the

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current arrangements need urgent revision, either by more skips, more frequent emptying, or other measures. Accordingly, this council asks officers to investigate and report back ~~with recommendations to~~ OSC as a matter of urgency.”

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:-

“The growth of home delivery during the pandemic has accentuated the trend towards larger amounts of cardboard being disposed of.

The frequent sight of overflowing ‘bring’ paper and cardboard skips, often accompanied by excess amounts being left around the skips, suggests the current arrangements need urgent revision, either by more skips, more frequent emptying, or other measures. Accordingly, this council asks officers to investigate and report back to OSC as a matter of urgency.”

On being put to the meeting there voted:-

**The Motion, as amended, was declared carried UNANIMOUSLY.**

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

An alteration to the motion was shared with Councillors in advance of the meeting, amending the wording in the final sentence.

“This Council notes

- The incredibly hard work undertaken by workers in the health and care sector during the Covid-19 Pandemic.
- That the government has recently announced a recommendation that a payrise of 1% should be considered by the independent advisory panel.
- That a below inflationary pay rise equates to a real terms pay cut.

This Council resolves

- To write to the Chancellor, and the MP for Welwyn Hatfield to state in the strongest terms this Councils view that even in the current economic situation, this is ~~an appalling~~ a disappointing way to treat these workers after an unprecedented year, and that an urgent review of the current recommendation should take place as soon as possible.”

After discussion, it was moved and seconded by Councillors K.Thorpe and G.Hayes and

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On being put to the meeting there voted:-

**FOR the altered Motion– 47**

**AGAINST the altered Motion – 0**

**ABSTENTIONS for the altered Motion – 1**

**And the Motion was declared CARRIED.**

**(Note:** Councillors P.Hebden, S.Kasumu, F.Thomson and S.Thusu declared an interest in this item – Minute 104 refers).

109. REVIEW OF OPERATION OF SCRUTINY ARRANGEMENTS AND ADOPTION OF LGA MODEL CODE OF CONDUCT

Report of the Monitoring Officer on the operation of new scrutiny arrangements and adoption of the Local Government Association (LGA) Model Code of Conduct.

Council agreed to trial new scrutiny arrangements in May last year, it requested that a report be brought back to Council, to update on how the new arrangements have been working.

The Constitution Review Group (CRG) members have had a very ‘hands-on’ involvement in all these activities. Whilst CRG clearly accepts that after such a short space of time, there is further developmental work to be done, particularly with the Members’ Information Hub and members’ training, it considers that the new arrangements have worked very well.

CRG agreed that in response to the peer review recommendations, the council’s governance processes have now been substantially modernised to facilitate a speedier, effective, and more efficient decision-making process.

In addition, over this period, the Local Government Association (LGA)’s Model Code of Conduct for Councillors was published and recommended for voluntary adoption by all councils nationally.

Both CRG and our Standards Committee considered the details within the new code and recommend it to Council for adoption, subject to local amendments relating to the retention of the ‘One Team ethos’ and adherence to the council’s Social Media Protocols.

Further to ensure that the Code is kept up to date, the LGA have also proposed regular continuous reviews of the Code, which will come through to Council for future consideration.

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

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

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- (1) Council noted the content of the report.
- (2) Council agreed CRG's recommendations of 14 December 2020 (Appendix A) and Standards Committee's recommendations of 8 February 2021 (Appendix B) to adopt the LGA Model Code of Conduct for Members to include local amendments (Appendix C).
- (3) Council agreed CRG's recommendations of 24 February 2021 (Appendix D) to continue with the scrutiny arrangements trialled since May 2020.
- (4) Council authorised the Monitoring Officer to make any required consequential amendments to the Constitution.

Meeting ended 9.13pm  
AM