

Council
16 November 2022

WELWYN HATFIELD BOROUGH COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Wednesday 16 November 2022 at 7.30 pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors B.Fitzsimon (Mayor)
G.Ganney (Deputy Mayor)

M.Birleson, S.Bonfante, J.Boulton, S.Boulton,
L.Brandon, J.Broach, L.Chesterman, J.Cragg,
L.Crofton, A.Hellyer, M.Holloway, D.Jones, C.Juggins,
S.Kasumu, T.Kingsbury, J.Lake, R.Lass, F.Marsh,
S.McNamara, G.Michaelides, T.Mitchinson, G.Moore,
L.Musk, N.Pace, D.Panter, R.Platt, J.Quinton,
D.Richardson, T.Rowse, B.Sarson, P.Shah,
M.Siewniak, J.Skoczylas, P.Smith, C.Stanbury,
S.Thusu, F.Thomson, K.Thorpe, T.Travell, R.Trigg,
S.Tunstall, F.Wachuku, J.Weston, P.Zukowskyj

OFFICIALS Chief Executive (K. Ng)
PRESENT: Executive Director (Finance and Transformation (R. Baker)
Executive Director (Place) (C. Barnes)
Service Director (Resident and Neighbourhood) (S. McDaid)
Service Director (Property Maintenance and Climate Change)
(I. Hancock)
Assistant Director (Legal and Governance) (M. Martinus)
Governance Services Manager (A. Marston)
Information Governance & Member Support Assistant (K. Houston)

23. MINUTES

The Minutes of the meeting held on 26 July 2022 were approved as a correct record and noted by the Mayor.

24. APOLOGIES

Apologies for absence were received from Councillors J.Bond and J.Ranshaw.

25. QUESTIONS FROM THE PUBLIC

25.1. Question to the Executive Member, Housing, from Yvonne Pullens

"I would like to ask why the council isn't listening to its constituents and councillors involved in housing maintenance issues. Why they deem it

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acceptable for families to live in damp mouldy circumstances. Leading to health and mental health issues.

With the cost of living and abhorrent gas prices people will be even more scared or unable to afford heating. Making the circumstances even worse while they could be fixed but yet people are left in their situation for months or years.

Does the council not have a duty of care?"

Answer:

The question was answered by Councillor F. Thomson, Executive Member for Housing:-

"We understand that this question relates to issues raised about dampness and mould in a leasehold property within a council housing block occupied by a private tenant. The leaseholder raised concerns with the council about dampness coming into the property and mould growth on walls inside the flat. The council responded by visiting and commissioning a survey which identified that some works were needed externally to deal with a leak/dampness and that the mould was due to condensation. The works were undertaken to resolve the external dampness and to clear blocked gutters. In general, the Council is responsible for external repairs and leaseholders are responsible for repairs within their flats. Advice was given to the leaseholder regarding the management of condensation, and to consider installation of an extractor fan to assist with humidity and ventilation. If condensation or dampness persist, officers are happy to visit the private tenant and leaseholder to provide any advice and support.

We understand that people are concerned about the cost of heating their homes, which is an important means of managing condensation along with appropriate ventilation.

We have published a range of information available on our website to help residents, tenants and leaseholders with the cost of living. The specific supports available to help with energy costs and heating include:

- Energy Price Guarantee
- Energy Bill Support Scheme
- Council Tax Energy Rebate
- Home energy efficiency grant scheme

I would also like to take this opportunity to remind everyone that if repairs are needed in council housing, they can be reported via the council's website or email us at housingmaintenance@welhat.gov.uk or call us on 0800 111 4484".

25.2. Question to the Executive Member, Housing, from Sarah Hilliard

"In March, it was agreed that a consultation of tenants would take place with regard to fixed term tenancies - to date, this has yet to happen. In the current

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economic climate, a secure tenure is a must. Please can you confirm a date by which the consultation will take place and a decision made on the future of fixed term tenancies?"

Answer:

The question was answered by Councillor F. Thomson, Executive Member for Housing:-

"We are proposing a new draft tenancy agreement to coincide with any potential changes to fixed term tenancies and will consult on the two matters together, during December. Once the consultation is undertaken a report will be prepared for consideration and decision by Cabinet, which would most likely be in Spring 2023."

26. **DECLARATIONS OF INTERESTS BY MEMBERS**

Councillors S.Boulton, T.Kingsbury, F.Thomson S.Thusu and P.Zukowskyj each declared non-pecuniary interests in items on the Agenda as appropriate as Members of Hertfordshire County Council.

27. **ANNOUNCEMENTS**

The Mayor made the following announcements:-

27.1. **Ex Councillor Colin Croft**

The Mayor thanked Councillor Chesterman for passing on the sad news that ex-Councillor Colin Croft passed away last week.

He served as a councillor between:

1992 - 1995 Conservative Councillor for Hatfield West
1996 - 1998 Labour Councillor for Hatfield East
1999 - 2007 Labour Councillor for Hatfield Central
2011 - 2015 Labour Councillor for Hatfield Central

Ex-Councillor Colin Croft left Welwyn Hatfield and moved to Yorkshire.

27.2. **Girl Guides**

The Mayor had the pleasure of visiting the 11th Welwyn Garden City Guides last Wednesday to coincide with their challenge for Parliament week, and was delighted to welcome them to the full council meeting. The Mayor hoped they enjoyed the experience.

27.3. **Trans Awareness Week**

Between the 13th and 19th November 2022 marked Trans Awareness Week. This is a celebration of trans people and the community, culminating in the Transgender day of remembrance on 20th November 2022, dedicated to

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honouring the memory of the trans people whose lives were lost in acts of anti-trans violence and related suicides during the past year. Welwyn Hatfield Borough Council takes pride in supporting many groups and equalities and diversity is fundamental to our Council's ethos.

27.4. Curry Night

The Mayor thanked everybody who supported the Curry Night at the Bengal Paradise. It was a great evening, the food was excellent, and a special thank you to Raj for his generosity. We raised over £700 for the Welwyn Hatfield Women's Refuge.

27.5. Quiz Night

Tickets can be purchased online for the Quiz Night being held upstairs in Campus West on Friday on 2 December 2022. It will be a fun evening, with teams of up to 6 people, and the price includes a hot meal. The Mayor hoped many of people will be able to come along.

27.6. Civic Service

The Mayor was very pleased that her Civic Service will be held at Our Lady, Queen of Apostles Church in Welwyn Garden City and conducted by Father Norbert Fernandes on Sunday 26th February 2023 at 3.00pm.

27.7. Mayor's Annual Charity Dinner

The Mayor announced that they had secured a booking for The Oak Room at Brocket Hall for the dinner on Friday 17th March 2023 and make a note in diaries.

27.8. Chief Executive Announcement

The Chief Executive informed councillors that the council's Monitoring Officer and Assistant Director (Legal and Governance) would be leaving the council in January 2023 to take on a new job. The Chief Executive thanked her and wished her well in her new role.

28. QUESTIONS BY MEMBERS

28.1. Question to the Leader from Councillor Pankit Shah

"Please can the Leader provide us with an update on the current status of Local Plan? Almost 2 months have been elapsed since the receipt of Inspector's letter on 6th September 2022. We also noted that a CPPP meeting was also cancelled where there was an opportunity to provide an update on Local Plan."

Answer

The Leader asked Councillor S.Boulton (Executive Member, Resources and Planning), to answer:-

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“Thank you, Councillor Shah for your question.

Members will note with disappointment that the response from the Planning Inspector does not align with the decision of full Council back in July 2022. Cabinet has written to the Prime Minister and Secretary of State to seek their intervention in what is a challenging proposition put forward by the Inspector. We are currently awaiting a response to that letter, and matters will be progressed once this has been received.”

In a supplementary question, Councillor Shah stated that the residents believe that this council has clung to the words of the last two Prime Ministers in hope for change of rules to fix the mess. Can the Leader confirm whether the residents of Welwyn Hatfield are right that the council have run out of ideas quicker than the last two Prime Ministers ran out of time and wasted over 10 years and £10M on the local plan that has done nothing for the borough?

Councillor Boulton stated he knows it has taken a long time but it is a difficult decision to make, and certainly nobody here would want to rush it.

28.2. Question to the Leader from Councillor Jane Quinton

“Since June 15th 2022, Part S of building regulations has been in force. This states that electric vehicle (EV) charging points are required to be installed so that every new home with associated parking has an EV charge point.

It should therefore be part of good design practice by the council to ensure that these building regulations are adhered to in any planning application assessed by the council.

Can the council confirm that all planning applications submitted since June this year have been or will be recommended for refusal (on the basis they cannot constitute ‘high quality design’ and therefore fail to meet policy D1), or have relevant conditions imposed on them if they are not compliant with these legally binding building regulations as part of their good design practice?”

Answer

The Leader asked Councillor S.Boulton (Executive Member, Resources and Planning), to answer:-

“Thank you, Councillor Quinton for your question.

The Planning and Building Control regimes are separate but related areas of law. It would not be a sound planning reason to refuse a proposal because of how it may be considered under the Building Control regime. The Council takes a positive and proactive approach to the provision of Electric Vehicle charging points, although Councillors must remember that each planning application must be considered on its own merits, in accordance with National Planning

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Policy/Guidance, the Local Development Plan, and other relevant material planning considerations.”

In a supplementary question, Councillor Quinton asked if this council considers good practice to allow plans to be passed which they know cannot meet regulations.

Councillor Boulton reiterated that planning and Building Control regimes are separate. Hertfordshire has 504 charging points, with Welwyn Hatfield having 112. The next largest is East Hertfordshire with 73 charging points.

28.3. Question to the Leader from Councillor Larry Crofton

“I would like to ask for information regarding paper recycling trays. I have had complaints that a lot going missing due to them not being returned after being emptied, indeed some residents have had theirs replaced 4 times.

I would like to know how many of these trays are being misplaced weekly or monthly? Who is paying for the replacements? How much do each of these trays cost to replace and is there any cost to the Council?”

Answer

The Leader asked Councillor S.Kasumu (Executive Member, Environment and Climate Change), to answer:-

“Thank you Councillor Crofton for your question.

Since the start of the Urbaser contract at the end of March 2020 there have been 7400 requests for an inner paper caddy. This includes replacements for damaged or lost caddies and also requests for new properties. This equates to 54 caddies per week on average since end of March 2020. The total blue lidded bins collected since the start of the Urbaser contract is 2.574 million which gives a replacement rate of 0.105%.

The cost of the caddies has increased from £5.50 in March 2020 to a provisional price of £8.75 per caddy for an order placed now. This is mainly due to the increase in cost of raw materials and energy prices. The cost of the caddies is budgeted by the Council and this spend is fully offset by income received for paper recycling.”

28.4. Question to the Leader from Councillor Paul Zukowskyj

“At the Full Council meeting in July, WHBC promised to set up a customer services working group, which so far has met just once. What tangible steps has the council taken to speed up improving the Council's performance in relation to customer services?”

Answer

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

Thank you, Councillor Zukowskyj for your question.

Since the last Customer Service Project Board, a number of steps have been taken to progress our new approach to Customer Services. This includes undertaking consultation with the Steria Contact Centre in preparation for them to come back in-house on the 1st December.

At the first meeting with Members, they agreed the key principles of the Customer Service Strategy, which have been incorporated into the Council's new Transformation Strategy and is being presented at the Cabinet meeting on the 6th December. Members were also shown a demo of the Council's new Customer Service Management System (Jadu). Since then, the team have been bringing further services into this new system, and over 70 case types will be live by the New Year, including missed bins. This system replaces Lagan and allows residents to log cases and track the progress of their cases more easily. The Project Board will also be shortly trialing their own Member queue in the system and this will be discussed in more detail at the next meeting which will take place in December.

Phone improvements are also ongoing, including enhanced call waiting functions for some of our busier teams and it is expected this will go live by the end of November.

Significant improvements have also been made in how we communicate to our tenants regarding their repair appointments since the new contract has started, including appointment reminders through text message or email.

In a supplementary question, Councillor Zukowskyj stated he appreciated the change in contract to Morgan Sindall has improved engagement with tenants but all the things described by the Executive Member were administrative. There were no targets or practical steps to improve customer experience. Is there anything the council has actually done in that regard? In the new system councillors are no longer able to request oversight of resident's complaints and see other complaints within the area. This is a reduction in openness and transparency rather than improvement.

Councillor Mitchinson stated customer service is at the heart of everything the council do. The council has a reliable team of officers whose aim it is first and foremost to look after residents as customers and they are working well at making these improvements. It is early days and the council are only just getting started. Members of the project group were full of praise on how the council were going forward. Councillor Mitchinson knows the council will be going forward in a positive manner.

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28.5. Question to the Leader from Councillor Lynn Chesterman

“I understand that the decision as to whether the community bus scheme will be withdrawn has been deferred for cabinet consideration for a month owing to the high number of paper responses. Recent research states over 20% of over 65s do not have access to the internet in the UK. As this is something that I have argued about for years will the Leader please confirm that the whole process of consultation is reviewed and submitted to scrutiny so that those who are unable to respond will no longer be excluded or will we continue with inequality because online is cheaper?”

Answer

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

“Thank you Councillor Chesterman for your question.

A recommendation will be presented to Cabinet on the 6 December 2022 on the Community Buses service. Additional time has been required for Officers to reflect and work on the consultation feedback. As we are aware that not all residents have access to the internet, in this instance, paper copies of consultation packs were posted to the 196 registered service users. Paper copies were also provided to the Community Bus Drivers to give out during journeys as appropriate, in our sheltered accommodation and Jimmy Mac’s in Hatfield. Copies of the consultation were also posted on request.

In order to avoid duplication of work and utilising the collaborative approach to explore ways to improve our customer services, it is recommended that engagement and consultation should best be reviewed at the Cross-Party Customer Service Member Project Board. This approach was supported by the Overview and Scrutiny Committee Chair and Vice Chairs. As stated in the question above, the project board will meet again in early December 2022.”

In a supplementary question, Councillor Chesterman stated she was disappointed that paper copies only went out to 196 people. Having spoken in warden controlled schemes and been approached by people eligible to use the service, not one had received a paper copy. The council need to remember the potential users for the service in the future. Do you agree this wider group of people should have been consulted as a matter of fact?

Councillor Mitchinson stated consultation was widespread and approached in a variety of manners. A variety of different platforms were used throughout the consultation such as telephone and online. Throughout the consultation, the team did a fantastic job and should be thanked for it.

28.6. Question to the Leader from Councillor Frank Marsh

“In view of clear evidence of anti social behaviour having taken place in Hatfield’s new car park and the fact that there has been recent anti social

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behaviour at Hunters Bridge Car Park in the town centre, what measures will you put in place to control anti-social behaviours in the new Campus West car park?"

Answer

The Leader asked Councillor B.Sarson (Executive Member, Community Safety and Parking), to answer:-

"Thank you Councillor Marsh for your question.

Firstly, in relation to the challenges at Hunters Bridge Car Park, Officers from across multiple Council teams are liaising with the Police, to ensure that a series of measures are put in place to discourage anti-social behaviour.

In reference to the car park currently being constructed at Campus West, the facility will be a single deck, rather than a multi-storey car park. Given the nature of the construction, and its location next to the Campus West leisure facilities, it is considered to be a less attractive environment for anti-social behaviour, as the car park will be in regular use in the evening, whereas other car parks tend to be significantly quieter after business hours. Notwithstanding this, a number of measures are being included in the design, such as approximately 27 cameras. We will also be looking to include the ability to prevent vehicular access should it be required during periods of closure out-of-hours, although the intention at this stage is for the car park to be open 24/7. This will be reviewed when the facility has opened and usage has settled.

The Council takes all reports of anti-social behaviour seriously, and we are working hard with our partners to ensure that opportunities for anti-social behaviour are minimised wherever possible, whilst also ensuring that residents can enjoy secure access to our retail, leisure and culture amenities."

In a supplementary question, Councillor Marsh asked would the council consider barriers for the car park and reduced opening hours, 5.30am to 12midnight.

Councillor Sarson stated that officers are currently looking into controlled parking with a barrier system.

28.7. **Question to the Leader from Councillor Lucy Musk**

"With the introduction of Morgan Sindall, is there a programme set up to clear the backlog of works left by Mears?"

Answer

The Leader asked Councillor F.Thomson (Executive Member, Housing), to answer:-

"Thank you Councillor Musk for your question.

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As part of the mobilisation of the new contract we agreed a cut over plan with the outgoing contractor and the new contractor. This meant that we managed the work between the two contractors to ensure minimal disruption and a seamless service for customers. For example, repairs requested at the end of September were passed to Morgan Sindall for carrying out within published target timescales after the transfer date on 1 October 2022. Morgan Sindall had 1,121 repairs as their starting position to carry out. Really good progress has been made and today (11 Nov) 226 are to be done (which are generally larger and more complicated jobs) and we are aiming to get these done by the end of December. There were 30 voids on 1 October, 22 have been completed, 7 will be next week and the last one which needed significant work should be handed over in mid December for letting.”

28.8. Question to the Leader from Councillor Michal Siewniak

“Could the Council outline concrete steps it is taking to support the needs of asylum seekers and refugees in Welwyn Hatfield?”

Answer

“Thank you Councillor Siewniak for your question.

Welwyn Hatfield Borough Council are active supporters of the Government’s refugee resettlement schemes, and there are currently several households housed within the district. These households are Syrian families, who have fled the civil war in Syria, and Afghan families who were assisted by the UK in leaving Afghanistan.

A total of 7 households are now settled in Welwyn Hatfield. The families are supported by Refugee Council, the Council’s partner in meeting the requirements of the resettlement schemes. They have supported the families to settle into the UK and integrate to the local community and link up with relevant services including schools, GPs, education in terms of learning English.

In terms of assistance for Ukrainian families, there have been 16 approaches to the Housing Options team, and several households have required temporary accommodation. We expect these numbers to increase as host sponsors end their assistance and alternative accommodation is found.

The borough council has been assisting Hertfordshire County Council by undertaking inspections of host’s homes to ensure that they are suitable to host Ukraine families. We have undertaken 91 inspections since the Homes for Ukraine project commenced.

In terms of other practical initiatives, the Council has been supporting in a multitude of ways, including:

Gym Passes – We have been working in partnership with a local gym to provide day passes for asylum seekers in the Borough. There have been just over 500

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visits to the gym between July to November 2022, this offering will continue until at least Christmas.

Swim passes - 65 swim passes were made available for both adults and children in July, and the scheme has seen approximately 75% take-up.

Tennis equipment - Free tennis and equipment vouchers have been made available from a leisure provider, and can be used on the tennis courts which are also free to use.

During the summer we also delivered basketball and football programmes for adults, as well as opening up additional spaces at the HAPpy holiday camps.

People have also been signposted to the public facilities managed by GLL, such as Stanborough Park.

I was also pleased that we hosted a large group of Ukrainians living in Welwyn Hatfield in the Council Chamber on Monday for a lively discussion. It was encouraging to hear some positive stories of their time here but also to understand the various challenges they still face which can be helpful in signposting them to possible help.”

Councillor Siewniak thanked councillors for attending the meeting on Monday and felt encouraged that the borough will be able to support the Ukrainians.

28.9. Question to the Leader from Councillor Russ Platt

“Please can the council give a full and specific definition of the terms 'Affordable Housing' and 'Social Housing', as used in WHBC planning policies?”

Answer

The Leader asked Councillor S.Boulton (Executive Member, Resources and Planning), to answer:-

“Thank you Councillor Platt for your question.

There are many types of affordable housing tenures which have been developed over time. The national definition of Affordable Rent is as follows:

Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

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In effect, this means that in Welwyn Hatfield we consider Affordable Rent to be a rent which is 80% of market rent.

The national definition of Social Rent is as follows:

Social rent: Affordable housing that is rented at social housing rents, usually owned and managed by local authorities and private registered providers, for which target rents are determined through the national rent regime. It may also include rented housing, managed by other persons and provided under equivalent rental arrangements to the above.”

Councillor Platt requested the answer and definitions in writing.

29. MATTERS ARISING FROM THE CABINET

The Council considered a recommendation from the meeting of Cabinet on 9 August 2022:-

29.1. Disregard of War Pensions Policy

Recommendation from the meeting of the Cabinet on 9 August 2022 on the disregard of the War Pensions Policy.

This report documents existing working practices to ensure that members of the armed forces who have been disabled during service or the widows, widowers or surviving civil partners of those who died in the service of their country are not penalised by having their pensions or payments made in relation to their service, taken into account in the calculation of their housing benefit or council tax support entitlement.

It was moved and seconded by Councillors S.Boulton and T.Kingsbury and

**RESOLVED:
(unanimous)**

The recommendation from Cabinet on the Council’s disregard of war pensions procedure when calculating housing benefit and council tax support was agreed by Council.

30. NOTICES OF MOTIONS

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

30.1. The following motion has been submitted by Councillor P.Zukowskyj and was seconded by Councillor F.Marsh:-

“Councillors provide governance of this council. They are directly and democratically elected representatives of the people who fund this council, and

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as such should be able to appropriately experience and engage with all services provided by this council.

This council commits to ensuring that all councillors can freely, properly and fully engage with staff, services and customers of this council unless there is a legal bar to them doing so.”

It was moved and seconded by Councillors P.Zukowskyj and F.Marsh that the motion be approved.

Following debate, on being put to the meeting there voted:-

FOR the Motion – 21
AGAINST the Motion – 25
ABSTENTIONS for the Motion – 0

The Motion was declared LOST.

31. TIMETABLE OF MEETINGS 2023/24

Report of the Assistant Director (Legal and Governance) on the approval of the timetable of meetings for the 2023/24 Municipal Year.

Councillor N. Pace thanked officers for their hard work on preparing the timetable of meeting for 2023/24.

It was moved and seconded by Councillors N.Pace and T.Kingsbury and

RESOLVED:
(unanimous)

That the timetable setting out dates of meetings for the Municipal Year 2023/24, as attached at Appendix A was approved.

32. APPOINTMENT OF INTERIM MONITORING OFFICER

Report of the Executive Director (Finance and Transformation) seeking approval to appoint an interim Monitoring Officer as from the departure date of the current Monitoring Officer until such time as the role of Assistant Director (Legal and Governance) and Monitoring Officer is filled.

The recruitment process has started, and a paper will be returned to Council to seek the appointment of a permanent Monitoring Officer once the recruitment process has finished and a suitable candidate has been selected.

As the Assistant Director (Legal and Governance) is currently the council's appointed Monitoring Officer, a new interim appointment was required as from their departure date and until their role is filled by a new incumbent.

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It was clarified at the meeting that as there are currently two Deputy Monitoring Officers (of which the Legal Services Manager is one and Governance Services Manager the other), one Deputy Monitoring Officer would still be in place should Council agree the interim appointment.

It was moved and seconded by Councillors T.Kingsbury and S.Boulton and

RESOLVED:
(unanimous)

The Council approved that the Legal Services Manager is appointed as the Council's Monitoring Officer, as from the departure date of the current Monitoring Officer until such time as the role of Assistant Director (Legal and Governance) is filled.

Meeting ended at 8.59pm
AM