

Council
15 March 2023

WELWYN HATFIELD BOROUGH COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Wednesday 15 March 2023 at 7.30 pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors B.Fitzsimon (Chairman)

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

OFFICIALS PRESENT: Chief Executive (K. Ng)
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)
Acting Assistant Director - Legal and Governance (S. Saunders)
Senior Democratic Services Officer (C. Francis)

52. UPDATE FROM THE CHIEF EXECUTIVE

The Chief Executive explained that a motion without notice had been received from the Liberal Democrat and Labour groups. With the agreement of the Mayor, it was explained that items 1 to 7 of the agenda would proceed first, and then the meeting would be adjourned for a short period, to allow an explanation of the process to be given, before debating this motion.

53. MINUTES

The minutes of the meeting held on 1 February 2023 and the Special meeting held on 22 February 2023 were approved as a correct record.

54. APOLOGIES

Apologies for absence were received from Councillors L. Brandon, G. Ganney, J. Lake, S. Tunstall, and F. Wachuku.

Council
15 March 2023

55. QUESTIONS FROM THE PUBLIC

55.1. Question to the Leader, from Deborah Ronchetti

This question was withdrawn.

55.2. Question to the Leader, from Marco Ronchetti (read by an officer)

“How do the Allotment plot rental charges at the Longcroft Allotment Association allotments compare with the new charges being imposed on Council managed plots across the Borough, and what are the new charges for the Longcroft Allotment Association allotments for the period 2023/2024?”

Answer:

The Leader asked Councillor Samuel Kasumu, Executive Member, Environment and Climate Change to answer:

“Thank you for your question.

The Longcroft Allotment Association have a 10-year lease with the Council to operate allotments at Digswell Nursery and Broadwater Crescent allotment sites.

The Longcroft Allotment Association manage these allotment sites on a day-to-day basis, for example letting and management of plots and general maintenance/upkeep, and as such they retain a proportion of the allotment rents and pay the other proportion to the council as rent under the lease. The Council pays for water and larger repairs and maintenance such as for buildings and fencing.

The charges (rent) are set by the Longcroft Allotment Association.

We do not know what the Longcroft Allotment Association will set as their charges for 2023/24.”

55.3. Question to Councillor Stephen Boulton, Deputy Leader and Executive Member Planning and Resources, from Gillian Rose

“Within the Budget setting 2023-2024 you referred to cost recovery for discretionary services and higher than inflationary proposed increases to mitigate the impact of inflation and to protect the impact on front line services.

The Medium-Term Financial Strategy & Financial Governance Framework 2021/22 – 2022/23 stresses the importance of raising income to recover costs of services through fees and charges. It also states that fees & charges will increase with inflation unless there is a clear reason for an alternative approach. (Annex B8).

Allotment charges within this budget (2023/24) are set to increase by 200%. (Well above inflation) As stated by the Allotments Act 1950 increases should be “reasonable and fair”. Given the significant welfare benefits of allotments and

Council
15 March 2023

having regard to the Allotments Act 1950 can you explain how this is reasonable and fair?"

Answer:

Councillor Stephen Boulton, Deputy Leader and Executive Member Planning and Resources, answered:

"Thank you for your question.

As I explained in my introduction to the budget setting for 2023/24 at the Council meeting on 1 February this year, it has been an extremely challenging year. A number of factors have impacted our financial position, such as inflation on contracts, supplies and utilities. The position in September 2022 showed an increased budget gap for 2023/24 of just under £4.5m. This required close examination of budgets.

Along with many councils, Welwyn Hatfield's Borough Council's expenditure on allotments exceeds the income. We have also experienced significant cost increases particularly during the last year.

The water usage, especially last summer, has been much higher due to the drier weather and this has significantly increased our costs. Maintenance costs at allotments has also increased in line with our contractor's costs.

Given the budget position, it was necessary to increase the allotment fees to continue to deliver this valuable service on a financially sustainable basis. Clearly a larger than usual increase is not to be welcomed and it was not an easy decision, but a necessary one. However, we have maintained the significant 50% discount to provide lower fees for those on income support and those over 65. We are only one of five Hertfordshire Councils to provide a discount.

We do not charge any additional fees on top for items such as new allotment tenancy set ups or replacement keys; unlike many other councils in Hertfordshire.

The fees were set with regards to the Allotment Act 1950 which states that "an allotment shall be let at such rent as a tenant may reasonably be expected to pay for the land". Case law has found that relevant factors in setting the rent include matters such as land value and the cost of operating the service. We also took into account other factors, such as the demand for allotments and the comparison of our allotment fees with other Hertfordshire Councils."

55.4. Question to Councillor Nick Pace, Executive Member Governance, Public Health and IT, from Helen Turner (read by an officer)

"The council recognises and promotes the mental and physical wellbeing benefits of owning an allotment. These benefits obviously represent a saving for the council. How do the savings from these benefits compare to the costs of running the allotments and wellbeing services?"

Council
15 March 2023

Answer:

Nick Pace, Executive Member Governance, Public Health and IT, answered:

“Thank you for your question.

It is recognised that allotments provide a number of benefits, including the promotion of health and mental wellbeing. Indeed, we are very fortunate in this borough to also have so many parks, open spaces, and woodlands for our residents to use and enjoy. We saw this during the pandemic.

No doubt there is cost avoidance for the health authorities and the social care system in the County if our residents are in good physical and mental health. We do not provide these services and do not have such monetary values as to any cost avoidance or savings.”

55.5. **Question to Councillor Terry Mitchinson, Executive Member Leisure and Community, from Salv La Monica**

“Section 10(1) of The Allotments Act 1950, states “Land let by a council under the Allotments Acts, 1908 to 1931, for use as an allotment shall be let at such rent as a tenant may reasonably be expected to pay for the land if let for such use”. According to the Facebook group “WelHat Allotment Community”, 137 tenants believe the rate rise is unreasonable and none of us have been presented with clear and factual evidence to detail why such an increase is justified or reasonable, apart from anecdotal, inconsistent, and unreferenced responses from council staff. Please can the council justify clearly and with evidence why the council believe a 200% increase (without consultation) is reasonable in order to cover the exact running costs of the borough’s allotments which, the act also states, should not be run at a profit and should also be charged and subsidised in line with other leisure services.”

Answer:

Councillor Terry Mitchinson, Executive Member Leisure and Community, answered:

“Thank you for your question.

As explained in the response to the question to Cllr Boulton, the fees were set with regards to the Allotment Act 150 and relevant considerations established in case law.

The Council’s allotment budget is not operating at a profit and is in fact running in deficit. The budget comprises expenditure for maintenance (for example repairs for fences, buildings, water tanks etc), water (piped and water harvesters) and staff resource. These combined costs exceed the amount of income, and this gap has increased further over the last year for the reasons explained in the responses to previous questions.

Case law has established that allotments are not required to be subsidised.

Council
15 March 2023

We have also retained the 50% discount for those over 65 and those on income support; one of only five Hertfordshire Councils to provide a discounted rate.”

55.6. Question to the Leader, from Martyn Imlach (read by an officer)

“Is the proposed 200% increase in allotment rents compliant with the Allotment Act 1950 in light of the following legal precedents:

Howard v Reigate and Banstead BC (13 November 1981) Judgment, Counsel’s interpretation was that a Local Authority will be in error if, in setting Allotment rents, the Local Authority decides to increase rents by a percentage which is disproportionately greater than the percentage by which the Local Authority has increased, or proposes to increase, charges for other recreational activities.”

Answer:

Leader, Councillor Tony Kingsbury, answered:

“Thank you for your question.

The Howard v Reigate Borough Council case found that the council should have regard to the charges made for allotments and those made for other recreational activities provided by the council. This is not as relevant a consideration for Welwyn Hatfield Borough Council as our leisure centres are operated by a contractor who set the fees.

However, this is not the only relevant consideration in setting allotment fees. The 2014 case of Regina (Woods) v Leeds City Council established that councils are not required to subsidise allotments and the cost of providing the service was also relevant factor. These were relevant factors taken into account when our allotment fees were set for 2023/24.”

56. DECLARATIONS OF INTERESTS BY MEMBERS

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

57. ANNOUNCEMENTS

The mayor made the following announcements:

57.1. Mayor's Civic Service - 26 February 2023

Thank you so much to everybody who attended my Civic Service conducted by Canon Norbert Fernandes at Our Lady, Queen of Apostles Church in Welwyn Garden City. I think everybody would agree it was such a gentle, welcoming, uplifting service with wonderful music and lovely refreshments. Thank you to everyone involved who helped make it a very special afternoon, as well as raising £475 for the Welwyn Hatfield Women’s Refuge.

Council
15 March 2023

57.2. Mayor's Charity Fundraising Dinner - 17 March 2023

Thank you to all those who have booked for the dinner this coming Friday, I really appreciate the support from all parties and very much looking forward to seeing you there. And also, to those who have made donations of raffle or auction prizes for the evening, thank you, your help is invaluable in raising funds for the Welwyn Hatfield Women's Refuge.

57.3. Elections

As this is the final Full Council meeting before the elections, I would like to thank all those councillors who are standing down for their contributions, and also to wish everybody who is re-standing good luck for the elections. I will also be standing down due to health reasons and would like to take this opportunity to thank all of you for your support, wisdom, company and friendship over the last seven years. I will miss being a councillor greatly and feel honoured to have represented Welwyn Hatfield as Mayor twice during that time.

58. QUESTIONS BY MEMBERS

58.1. Question to Councillor Samuel Kasumu, Executive Member Environment and Climate Change from Councillor Stanley Tunstall (read by an officer)

"I recently attended a meeting with many allotment holders in my ward of Panshanger at Moneyhole park, where concerns were raised about the increase in allotment fees.

Recognising these are tough economic times for councils across the country. And bearing in mind no alternative budget was proposed by any of the opposition councillors at earlier budget meetings or the full council where the budget was voted on – with the Lib Dem leader saying his "party had ideas but did not want to share them".

I would like to ask the portfolio holder for the rationale behind the increase in allotment fees."

Answer

Councillor Samuel Kasumu, Executive Member Environment and Climate Change, answered:

"Thank you for the question.

As we have heard from Councillor Boulton, the council has had a challenging time in balancing the budget this year, for the reasons he explained. The council was experiencing significant increases in costs in supplies, utilities and contracts. Similar challenges are being felt by councils across the country and by households alike.

I'm sure we are all also aware of the demands in the public sector for wage increases, whatever your thoughts on the merits of this the costs have to be found within the resources available. As many will know Welwyn Hatfield

Council
15 March 2023

Borough Council has regularly operated at a budget surplus whilst being able to simultaneously keep our council tax precepts as low as possible, this is not something that all councils have been able to do. However, we found ourselves in a position this year where we were facing a budget shortfall of up to £4m and had to take decisive action in order to fulfil our legal duty to provide a balanced budget.

There were no easy choices, we had to consider all 120,000 residents, difficult as it may be. I fully appreciate why our allotment holders, or many of our allotment holders, are concerned by the increases in allotment fees. I would like to personally apologise for any distress that has been caused in recent weeks. Though we have been in regular communication with officers and have had to deal with a number of challenges to achieve a balanced budget there was no doubt in my mind that we could have engaged better with allotment holders during this process.

I would like to offer to meet with allotment holders to discuss the situation and available options. I am happy to share the rationale behind the fee increase, but before I do, let me be absolutely clear, this budget went through multiple stages of scrutiny through various cross-party panels, at no point did any Member of the opposition either raise an objection to the fee increases and/or propose alternative ways for us to fulfil our legal duty to present a balanced budget. I am very disappointed to see how they have chosen to play politics with this situation, despite being fully aware of the context that we are operating within. The allotment budget has operated in deficit for some time, and this has been exacerbated forever by an increase in our costs last year. To give further context we have 443 allotment plots rented by 381 of our 120,000 residents, we know that allotments are really valued for health and wellbeing benefits, as well as for growing food, they are very much in demand as there is a waiting list of over 220 residents.

The majority of the allotments are with water provided and sized between 25m² and 125m². Almost 95% of these allotment holders will be paying up to a maximum of £187.50 per year, or £93.75 at the discounted rate. The most common sized plot is 75m², and so almost 50% of all allotment holders will pay £112.50 per year or £56.25 per year at the discounted rate. We do not charge any additional fees to our allotment holders as many other boroughs do, such as the set-up of allotment tenancy agreements offer replacing keys clearly the fee increases likely to be difficult for some, especially for those with lower income, but over a third of those who have allotments access are 50% discount. We are one of only five boroughs in the county that offer this discount and our discount is more generous than many of those five.

If allotment holders are concerned, we are encouraging them to contact our allotment teams so they can discuss options such as whether they are eligible for the discount, if they are not already accessing it, or possibly whether reducing the size of the plot will make the situation more conducive. Once again, I recognise this situation has been distressing for many allotment holders, but I must also stress that this decision was not taken lightly, and we have tried to

Council
15 March 2023

strike the balance between offering support for those on low incomes and protecting important services for all 120,000 residents.”

58.2. Question to Councillor Fiona Thomson, Executive Member Housing, from Councillor Teresa Travell

“Councils across the country are being criticised for not building enough social housing. Can the Housing Portfolio Holder explain what Welwyn Hatfield Council is doing to address the need for social housing?”

Answer

Councillor Fiona Thomson, Executive Member Housing, answered:

“Thank you for your question, Cllr Travell.

The provision of social housing is an important area which this Council has continued to prioritise and deliver on. We are proud to have an active affordable housing programme, with this Council building new social housing across the Borough, something which many District Councils do not. In the past few weeks, I have visited completed developments at Ludwick Way and The Commons, where ten families will be able to begin a new chapter in their lives due to the decisions this Council has made. Works are also progressing at pace at One Town Centre and Minster House, both of which will provide facilities and amenities suited to their locations. In total, we have over three-hundred properties either on site, in procurement, or part of the budgeted pipeline of sites, which this Council should be hugely proud of.

Furthermore, our planning and housing teams work closely with developers and registered providers in the Borough on new build schemes to ensure what is being built meets the demand. This also includes providing support to help residents overcome barriers to accessing other types of affordable or private rented accommodation, such as support with rental deposits or guarantees.

Finally, we have also seen an increase in the need for larger family homes in recent years. In order to try to ease this pressure, the decision was taken to extend some existing properties within our stock, to ensure that we can continue to meet the needs of our residents.”

58.3. Question to the Leader from Councillor Sandreni Bonfante

“We have seen a rise in LGBT hate crimes both nationally and locally. What is the Council doing to make sure vulnerable members of our community are safe?”

Answer

The Leader asked Councillor Bernard Sarson, Executive Member, Community Safety and Parking, to answer:

Council
15 March 2023

“Thank you for your question, Cllr Bonfante.

As a Community Safety Partnership, we are committed to ensuring our residents feel safe, protected, and listened to in Welwyn Hatfield and particularly those who are from the LGBTQ+ community.

In Welwyn Hatfield we have third party hate crime reporting centres where members of the public can go to report a hate crime or concern. These are at the University of Hertfordshire and our council offices. Within the organisation we also have hate crime champions who are trained on how to respond to reports. We also have specialist trained Hate Crime Officers at Hertfordshire Police who are available to support victims and those who may feel at risk.

We remain connected to our LGBTQ+ community via engagement in the community at regular events and our youth council who regularly campaign for LGBTQ+ and attend local Pride events to offer advice and raise awareness of support services locally.”

In a supplementary question, Councillor Bonfante asked:

“Does the Leader agree that language used by the Conservative Party is detrimental to the actions that you're committing today?”

Answer

Councillor Sarson answered:

“I think I answered the question in the first part of what I was talking about. I did ask local police in Welwyn Hatfield about hate crimes and sex agenda crimes and how many we have had since 2021. [The answer was] One.”

58.4. Question to the Leader from Councillor Gemma Moore

“Can the Leader of the Council give examples of how Welwyn Hatfield Borough Council encourages greater participation in democratic and civic processes of residents from minority backgrounds?”

Answer

The Leader, Councillor Tony Kingsbury, answered:

“Thank you for your question, Cllr Moore.

The Council is always keen to hear from our communities to help us shape our services. Equalities Impact Assessments are undertaken and reported as part of decision making, and where any impacts are identified on particular groups, any communication, consultation or engagement would be targeted at those groups to ensure they were involved in the democratic process. A recent example of where we have worked with older residents and residents with a disability is through the review of the Community Bus Service. We ran a successful consultation and listened to feedback that has allowed us to identify an option to

Council
15 March 2023

keep this service running whilst offering further service enhancements through a new partnership with charity Communities 1st.

We are in the process of updating our equalities plan for next year and as part of this, we will be identifying where we can improve opportunities for participation for residents from minority backgrounds. This will complement the work overseen by the Council's Community & Stakeholder Engagement group who will be identifying events to celebrate our diverse communities, such as Black History Month, religious holidays and festivals, as well as remembering those who have lost their lives in genocides in the Holocaust Memorial Day Civic Commemoration Service, which we hold in partnership with Welwyn Hatfield Interfaith Group and local secondary schools.

Building on the work of the vaccination programme, which included partnership working with Communities 1st to engage directly with local faith leaders, local community groups, minority-owned businesses, and other residents from minority groups, we will be analysing the success of different communication methods with our communities and build on this to tailor future communication and engagement. This will also inform our review of our approach to non-statutory consultation as part of the work being overseen by the Cross-Party Customer Services Project Board.

We are committed to ensuring our tenants are represented and we have recently launched our Tenant Satisfaction Measures and will be using this to further understand participation of tenants from minority backgrounds. This will then allow us to develop more targeted communications to support our tenants.

We are committed to improving our customer service and communication offering to residents. Our website is in the top 10 in the country for accessibility and other factors, ensuring that those with specific needs can use standard accessibility software or web translation. We use translation services, have a contract with sign video to support interpretation services for users of sign language and can provide information in various formats as required."

In a supplementary question, Councillor Moore asked:

"You mentioned the equalities action plan will be reviewed next year. Will that look at things like encouraging voting and how to engage in terms of how the council functions, as part of that process?"

Answer

The Leader, Councillor Kingsbury answered:

"I think it's important that it does so that's why we look at all sorts of things for the equality plan. So yes, thank you for your question and I'm glad to have answered it with all the good work we have been doing."

Council
15 March 2023

58.5. Question to the Leader from Councillor Russ Platt

"I note that in the Welwyn Hatfield Council 'Principles of Good Governance', Principle D, entitled 'Determining the Interventions Necessary to Optimise the Achievement of the Intended Outcomes', states that the council demonstrates this by (and I quote), ensuring the achievement of social value through service planning and commissioning.

This is in line with the Public Service (Social Value) Act 2012, that enables local authorities to seek contributions, separately to S106, with regard to economic, social and environmental well-being in connection with public services contracts and planning approval.

I was subsequently unable to determine or locate a Welhat Social Value policy document, and upon enquiring about this was informed that to the best of their knowledge this was not in existence.

Could the leader of the council confirm if the council does have a social value policy and if it does not, how does it ensure the achievement of social value through service planning and commissioning, as clearly stated in the Principles of Good Governance?"

Answer

The Leader asked Councillor Nick Pace, Executive Member, Governance, Public Health, and IT to answer:

"Thank you for your question, Cllr Platt.

Whilst the council does not have a social value policy, it has embedded the requirements and principles of the Public Service (Social Value) Act 2012 directly into its policies and procedures.

The Contract Procedure Rules, part of the Councils constitution, include aspects on the importance of ensuring social value requirements are delivered, including when social value criteria should be applied and how much of the overall score should be allocated to social value factors.

The council's Procurement and Commercial Improvement Strategy 2021 to 2025, sets out more detailed aims and objectives around the driving social value from service planning and procurement activities.

When procurements are undertaken, consideration is given to the types of social value that could be driven from contracts, and these will form the basis of the social value questions and evaluation criteria that are included in the tender process. The criteria then forms part of the overall evaluated score for each bid.

By embedding these aims, objectives and criteria into our standard policies and procedures, rather than a standalone policy, it ensures that social value is

Council
15 March 2023

carefully considered as part of the process and forms part of business as usual activities rather than being seen as something separate to the process.”

In a supplementary question, Councillor Platt asked:

“Will Welwyn Hatfield Council be able to supply and publish figures of what tangible benefits we've had from social value, perhaps in the last three years from the procurement process, whether that be a financial value?”

Answer

Councillor Pace answered:

“As mentioned, the council's procurement and commercial improvement strategy sets out the detailed aims to answer the first part of the question, to answer the second part about the actual values, I obviously haven't got those figures to hand but can look into them and get a written answer to you.”

58.6. Question to the Leader from Councillor Paul Zukowskyj

“This council consists of members from more than just the current governing party, yet the publicity photos produced by the council almost invariably exclude opposition councillors, a recent example being the Council organized careers fair at the Fielder Centre. A reader could be forgiven for believing the ‘council’ was actually exclusively ‘Conservatives’, a situation not helped when, as the leader of the opposition, I was not even invited to the event, let alone joining in the photo which was subsequently published.

In the likely scenario of the current administration not surviving the upcoming local election, will the current leader be content to be similarly excluded from ‘council’ events?”

Answer

The Leader, Councillor Tony Kingsbury, answered:

“Thank you for your question, Cllr Zukowskyj.

This is probably one of the most bizarre questions I have been asked, it being in effect a request to have a photo taken. There is a lot more to being a councillor than having a photo taken, especially for myself and Cabinet who as the administration drive the many projects that we have pictures taken for.

Of course, this council consists of other parties and other group Leaders. You may recall that we've ensured you were involved in more wider events – the death of the monarch and standing in solidarity for Ukraine as a couple of examples. And members from all parties were included when we were in no overall control.

On events in general these are often communicated in various forms such as the website, social media or internally. Indeed, for the careers fair I know that some

Council
15 March 2023

members from both opposition parties were involved in discussions about it back in November. I attended as Leader but also covering my portfolio along with the Mayor and another Cabinet member. We were pleased to have our local MP and Secretary of State there. It was a really positive event and I hope it was useful for the businesses and young people looking forward to their careers.

I have heard a similar question about photos was raised at a local council of different political control and the answer was that if the opposition wanted to decide who is in photos, then they need to win elections and form the administration. A point I am happy to echo.

Which brings me to your last point. I would say that 'likely scenario' smacks of wishful thinking. A previous national labour leader celebrated a premature win and then lost the election, but May will tell. In terms of me being content, if there is a period of no overall control, I would expect the same as happened a few years ago, should a different administration be formed, I'll accept my place away from the camera with dignity."

58.7. Question to the Leader from Councillor Michal Siewniak

"Some years ago, WHBC decided to remove the community chest funding, a scheme which enabled councillors to support a wide range of activities across the district. In spite of current financial constraints and challenges, does the Leader agree that re-introducing this programme, even as a pilot, could help councillors to be even better connected with groups and communities in Welwyn Hatfield which they represent?"

Answer

The Leader asked Councillor Terry Mitchinson, Executive Member, Leisure and Community, to answer:

"Thank you for your question, Cllr Siewniak.

The Community Chest scheme was only originally funded to run for the three financial years from 2008/09 to 2010/11. A smaller scheme was also run between 2013/14 and 2014/15.

Since this time, despite the ending of the main scheme coinciding with the start of the government's austerity measures, we have invested around one and a half million pounds in a number of grant schemes to support local groups and communities. These have included including the provision of annual community grants, small community grants, and a community fund.

Alongside these annual schemes, additional ad-hoc grant funding schemes have been provided for groups and communities to provide themed activities and schemes such as jubilee events, the WGC Centenary, responding to the covid pandemic, and the Hatfield sports fund.

Council
15 March 2023

All of these funds have been overseen by the cross-party grants board, and this approach has ensured that a fair and consistent approach is taken to the evaluation of applications for funding, and that bids for funding have supported in the delivery of the council's priorities.

We are in the process of setting up a community lottery which we hope will both reduce reliance on the council for funding in the future, but also increase the overall quantum of funding available for good causes in the medium term. This scheme will also be overseen by the grants board.

The council has a finite amount of resources available to it and must deliver a sustainable budget for the medium term, with substantial savings of around £5.7 million to find over the next three years. In light of this, any decisions around the reintroduction of a scheme such as the community chest, would need to be carefully considered against existing support schemes and weighed up against the wider priorities and financial position of the council."

59. MATTERS ARISING FROM THE CABINET

The Council considered a recommendation from the meeting of Cabinet on 7 March 2023:

59.1. Northaw and Cuffley Neighbourhood Plan

Following the conclusion of the consultation on the submitted Northaw and Cuffley Neighbourhood Plan in September 2022, an Independent Examiner was appointed by Welwyn Hatfield Borough Council with the consent of Northaw and Cuffley Parish Council to conduct an examination of the plan.

The Examiner submitted his report to Welwyn Hatfield Borough Council on the 27 January 2023. The Examiner has recommended modifications and, subject to these modifications, recommends the plan to proceed to referendum.

The plan will require a majority vote, so at least 50% in favour of the plan to be able to move forward to be made by Welwyn Hatfield Borough Council. There is no minimum or maximum turnout required and if the plan is made it will form part of the statutory development plan for the borough and will be used in the determination of planning applications.

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

RESOLVED:

(Unanimous)

- (1) That subject to the modifications recommended in the examiner's report being agreed, the Northaw and Cuffley Neighbourhood Plan should proceed to referendum; and,

Council
15 March 2023

- (2) Should the Northaw and Cuffley Neighbourhood Plan receive a majority vote in favour at referendum, Welwyn Hatfield Borough Council formally 'makes' the Northaw and Cuffley Plan, to enable it to form part of the Development Plan for the borough.

60. ADJOURNMENT

Officers requested an adjournment to the meeting to explain the procedure which will apply to the motion received without notice.

The rules within the constitution are quite detailed in how these are dealt with, hence the proposal to adjourn. It was suggested that Council propose, second, and then vote to agree to adjourn, in order to allow time to explain the procedure which will apply.

It was therefore proposed by Councillor M. Siewniak and seconded by Councillor L. Musk to adjourn the meeting.

RESOLVED:

(23 voting FOR, 13 AGAINST and 7 ABSTENTIONS)

----- *The meeting was adjourned for a short period* -----

Following the resumption of the meeting the Chief Executive and the Assistant Director – Legal and Governance explained how the motions and the amendments to the original motion would be dealt with.

61. NOTICES OF MOTIONS UNDER PROCEDURE RULE 16 AND 19

- 61.1. The following motion has been submitted by Councillor J. Quinton and was seconded by Councillor L. Chesterman

Welwyn Hatfield Borough Council manage 31 allotment sites across the Borough providing enormous benefits to the allotment holders. However, allotment holders are facing a tripling of their rent in the recent council budget for 2023/4, an increase disproportionate to other increases. This increase is discriminatory and will see many allotment holders question whether they can still afford to continue.

Provision of allotments is a statutory requirement as well as a recreational service provided by the Council and increases in costs should be treated accordingly. Working on these allotments provides invaluable physical and mental health benefits as well as creating a community. In a cost of living crisis and with increasing instances of food insecurity in this country, growing your own fruit and vegetables also puts fresh, cheap food on the table for many who cannot stretch to supermarket prices.

Council
15 March 2023

The Liberal Democrat and Labour groups therefore call upon the Council to:

- 1. Set up a cross party panel group as soon as possible to review the impact of the price increase with a view to informing the 2024/25 budget.*
- 2. Set up an allotment users' panel with the council to steer the ongoing management of the allotments under the Council's control.*

It was moved by Councillor J. Quinton and seconded by Councillor L. Chesterman that the motion be approved.

61.2. The following motion without notice has been submitted by Councillor P. Zukowskyj and was seconded by Councillor L. Chesterman

Under the constitutional council procedure rule 19.1.(m), a motion without notice is proposed to suspend, for the period of the full council meeting on Wednesday 15th March, rules 16.5.(d) and 17.1 to allow the council to properly and appropriately debate the allotment amendment at point 2, before the decision is implemented and to allow residents who are impacted by the change who are in attendance to see their democratically elected representatives properly debate the issue.

On being put to the meeting there voted:

FOR the Motion – 22

AGAINST the Motion – 21

The Motion was CARRIED.

61.3. ADJOURNMENT

The Leader suggested a short break. It was therefore proposed by Councillor S. Kasumu and seconded by Councillor T. Kingsbury to adjourn for a break.

RESOLVED:

(33 voting FOR and 10 AGAINST)

----- **The meeting was adjourned for a short break** -----

61.4. The following amendment to the motion (minute 61.1 refers) was submitted by Councillor S. Kasumu and was seconded by Councillor T. Kingsbury

[This council recognises that these are unprecedented economic conditions for local authorities everywhere. Whilst many councils have taken the decision to reduce services, including reducing the frequency of bin collections, this council has delivered a balanced budget that protects services.](#)

Council
15 March 2023

During the last year this budget was subject to cross-party scrutiny via various cross-party groups, Overview and Scrutiny Committee, Budget Task & Finish and Full Council where no members of the opposition raised ANY objections to the proposed increase to allotment fees. In fact, to date no member of the opposition has proposed any meaningful ideas or alternatives to the 2023/24 budget, and the leader of the Lib Dem group made it clear at Full Council that he and his group were refusing to engage with the budget process.

Welwyn Hatfield Borough Council manage 31 allotment sites across the Borough providing enormous benefits to the allotment holders. However, allotment holders are facing a large percentage increase to tripling-of their rent in the recent council budget for 2023/4, a ~~n~~ percentage increase higher than disproportionate to most other increases. ~~This increase is discriminatory and will see many allotment holders' question whether they can still afford to continue.~~

Provision of allotments is a statutory requirement as well as a recreational service provided by the Council and increases in costs should be considered treated accordingly. Working on these allotments provides invaluable physical and mental health benefits as well as creating a community. In a cost-of-living crisis and with increasing instances of food insecurity in this country, growing your own fruit and vegetables also puts fresh, cheap food on the table for many who cannot stretch to supermarket prices.

~~The Liberal Democrat and Labour groups~~ therefore this call upon the Council will to:

1. Set up a cross party panel group as soon as possible to review the impact of the price increase with a view to informing the 2024/25 budget.
2. Set up a Task and Finish group to consider wider engagement with residents and service users to inform the whole 2024/25 budget. ~~Set up an allotment users' panel with the council to steer the ongoing management of the allotments under the Council's control.~~

61.5. The following motion without notice has been submitted by Councillor P. Zukowskyj and was seconded by Councillor L. Chesterman

Amendment to motion on the order paper at 8.1, amending the text after the statement 'The Liberal Democrat and Labour groups therefore call upon the Council to:' from:

1. *Set up a cross party panel group as soon as possible to review the impact of the price increase with a view to informing the 2024/25 budget.*

To read instead:

1. *Reverse the disproportionate increase in Allotment rents in the 2023/24 budget and instead replace it with an increase in line with inflation.*

Council
15 March 2023

The rest of the motion to remain unchanged.

61.6. The council's Section 151 Officer was asked to explain the financial implications, and this is set out below:

The setting of the allotment fees and charges formed part of the overall Council decision on the budget. Specifically, the fees and charges which was recommendation 2.4.3 of the budget report. Other items agreed as part of the same report, which included the financial implications of these list of fees and charges, which would therefore also be impacted include:

- Recommendation 2.4.1 The General Fund Budget as summarised in Appendix A and detailed in Appendix B of the report;
- Recommendation 2.4.2. The inclusion of the savings into the budget as detailed in Appendices C of the report; and

As allotments are part of the special expenses scheme:

- Recommendation 2.4.6. The Special Expenses detailed in Appendix M of the report which were approved for inclusion in the Council Tax Calculations for 2023/24.

Dependant on how the change is proposed to be funded, it may also change:

- Recommendation 2.7.1 The Medium-Term Financial Strategy and Financial Governance Framework.

As the change to the budget would impact on the special expense's calculation, the following items of the council tax report would be impacted and would require recalculation:

- The table of charges for part of the council's area, as set out in recommendation 2c of the report.
- The table of charges for part of the council's area as set out in recommendation 2h of the report.
- The table of aggregate charges as set out in recommendation 2.6 of the report.
- The table of year-on-year comparators by area as set out in section 8.1 of the report.

Dependant on how the debated change is funded, it may also impact on:

- The statutory calculation set out in the recommendations 2a, and 2b, of the report.

To summarise, this change, regardless of how funded, would lead to a change to a number of decisions taken on the budget and council tax. Whilst the overall amount of council tax collected would remain the same, the components for

Council
15 March 2023

individual areas would change due to the change in special expenses. Some areas would increase, and some would decrease. These are specific elements of the council tax calculations, which would therefore require the council tax to be recalculated and approved for all areas and would require the rebilling of council tax for all properties in the borough.

Members asked about the cost of rebilling for Council Tax. Officers estimated this to be in the region of £50k-£60k. Officers also advised that the changes may impact on the council's cash flow, as we would be unable to collect the usual April Direct Debit payments as we wouldn't have given the required notice to do so.

Following discussion, the motion was put to the meeting and there voted:

FOR the Motion – 23
AGAINST the Motion – 19
ABSTENTIONS - 1

The Motion was CARRIED.

61.7. The following substantive motion (as amended) was then considered

This council recognises that these are unprecedented economic conditions for local authorities everywhere. Whilst many councils have taken the decision to reduce services, including reducing the frequency of bin collections, this council has delivered a balanced budget that protects services.

During the last year this budget was subject to cross-party scrutiny via various cross-party groups, Overview and Scrutiny Committee, Budget Task & Finish and Full Council where no members of the opposition raised ANY objections to the proposed increase to allotment fees. In fact, to date no member of the opposition has proposed any meaningful ideas or alternatives to the 2023/24 budget, and the leader of the Lib Dem group made it clear at Full Council that he and his group were refusing to engage with the budget process.

Welwyn Hatfield Borough Council manage 31 allotment sites across the Borough providing enormous benefits to the allotment holders. However, allotment holders are facing a large percentage increase to their rent in the recent council budget for 2023/4, a percentage increase higher than most other increases.

Provision of allotments is a statutory requirement as well as a recreational service provided by the Council and increases in costs should be considered accordingly. Working on these allotments provides invaluable physical and mental health benefits as well as creating a community. In a cost-of-living crisis and with increasing instances of food insecurity in this country, growing your own fruit and vegetables also puts fresh, cheap food on the table for many who cannot stretch to supermarket prices.

Therefore, this Council will:

Council
15 March 2023

1. *Reverse the disproportionate increase in Allotment rents in the 2023/24 budget and instead replace it with an increase in line with inflation.*
2. *Set up a Task and Finish group to consider wider engagement with residents and service users to inform the whole 2024/25 budget.*

On being put to the meeting there voted:

FOR the Motion – 22

AGAINST the Motion – 21

The Substantive Motion as Amended was CARRIED.

62. COUNCIL TAX SETTING 2023/24

This item was withdrawn.

63. CIPFA POSITION STATEMENT AND AUDIT COMMITTEE GUIDANCE 2022

The report presents proposed changes to the roles and responsibilities of the Audit Committee and recommends that the council seek at least one independent person to sit on the committee.

In early 2022 CIPFA issued a position statement on audit committees in local government, this replaced the previous version from 2018. Following this, in October 2022, CIPFA published detailed guidance on the roles and responsibilities of audit committees and for members of the committee.

The latest position statement and guidance has been developed by CIPFA to respond to matters that have arisen in recent years, including the Redmond review on audit matters and the challenging financial position some council found themselves in following high levels of commercial investment.

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

RESOLVED:

(Unanimous)

1. That the Council approve the amendment of the roles and responsibilities of the Audit Committee, to align to the CIPFA position statement and guidance on the roles and responsibilities of the Audit Committee, for adoption in time for the 2023/24 municipal year.
2. That Council approves that:
 - an independent member be appointed to the Audit Committee;
 - Officers proceed to advertise and seek applications for independent members of the committee to be appointed by an officer panel; and

Council
15 March 2023

- The Executive Director (Finance and Transformation) be authorised to determine the payments to be made to the independent person taking account of the payment indicated in the financial implications of the report.

Meeting ended at 11:30pm
CF