

Special Council  
20 December 2022

## WELWYN HATFIELD COUNCIL

Minutes of a special meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Tuesday 20 December 2022 at 7.30 pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors B. Fitzsimon (Mayor)

J.Bond, S.Bonfante, S.Boulton, 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, P.Shah, M.Siewniak, P.Smith, C.Stanbury, S.Thusu, F.Thomson, T.Travell, R.Trigg, S.Tunstall, F.Wachuku, J.Weston, 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)  
Assistant Director (Legal and Governance) (M. Martinus)  
Assistant Director (Planning) (C. Carter)  
Planning & Policy Implementation Manager (M. Wilson)  
Governance Services Manager (A. Marston)

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### 33. MINUTES

The Minutes of the meeting held on 16 November 2022 were approved as a correct record and noted by the Mayor.

### 34. APOLOGIES

Apologies for absence were received from Councillors M. Birleson, J. Boulton, L. Brandon, J. Broach, G. Ganney, J. Lake, J.P. Skoczylas and K. Thorpe.

### 35. QUESTIONS FROM THE PUBLIC

#### 35.1. Question to the Executive Member, Planning, from Karen Winbow

“Following the discussions had by the CPPP and the Cabinet concerning the future of the Local Plan, will the Council ensure that its elected members are given sufficient opportunity to discuss the proposed way forward with their residents in order that a full debate on this important matter can take place -

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even if this means deferring this item today? This is a really important decision with far reaching consequences that cannot be taken lightly and it is fair that residents' views are represented by members. It is undemocratic to expect members to vote on something that has only been recommended by Cabinet on Friday evening without the opportunity to consult residents. I request that this matter be deferred for a month to allow consultation with residents to take place."

**Answer:**

The question was answered by Councillor S. Boulton, Deputy Leader and Executive Member for Resources and Planning:-

The papers published for the Cabinet Planning and Parking Panel set out the reasons why a decision is required now in relation to whether to proceed with the main modifications consultation. The Borough-wide statutory consultation would allow a six-week period for all residents and stakeholders to submit their views based on the Inspector's main modifications. This does not prejudice any future decision of the Council in relation to whether or not to adopt the plan, and I do not consider there to be any benefit in delaying the main modifications consultation; doing so would have significant implications, as set out in the report.

36. **DECLARATIONS OF INTERESTS BY MEMBERS**

Councillors J. Bond, 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.

37. **MATTERS ARISING FROM THE CABINET**

The Council considered recommendations from the meetings of Cabinet on 6 December and 16 December 2022:-

37.1. **Localised Council Tax Support Scheme 2023/24 (Forward Plan Reference FP1137)**

Recommendation from the meeting of the Cabinet on 6 December 2022 on the Localised Council Tax Support Scheme 2023/24.

The portfolio holder proposed that the cabinet recommendations that the localised council tax support scheme continues in 2023/24 to help people on low/no income to receive a reduction on their council tax were agreed.

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

**RESOLVED:  
(unanimous)**

Council agreed that the localised council tax support scheme continues in 2023/24 to help people on low/no income to receive a reduction on their council tax.

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37.2. Local Plan - Inspector's Letter and Proposed Modifications to the Plan

Recommendation from the meeting of the Special Cabinet on 16 December 2022 on the Local Plan (Inspector's letter and proposed modifications to the Plan).

The Planning Policy and Implementation Manager provided a presentation detailing the history of the examination of the new Local Plan and the key considerations since the meeting of Council in July. This included a summary of the letters received from the Inspector and the proposed consultation on changes to the planning system which were released by the Secretary of State and progress to Main Modifications.

It was noted that the Council were nearing the end of the preparation of the Council's Local Plan. Consulting on the Main Modifications is not starting again but is a final consultation, after modifications considered necessary by the Inspector to make the Plan sound.

The number of houses, now for a 10 year plan, were significantly less than the inspector's requirement for 15,200 for the 15 year plan. If the Council were to withdraw the Plan, the Council might have to find a higher number of housing sites in the future and could be open to a greater likelihood of speculative applications on sites which are not included in the Plan. If the Council were to withdraw the Plan and issue a new call for sites, it would be extremely likely that the same sites would come forward to be considered again and it would be disingenuous to suggest that present sites would fall away.

The Council can withdraw the plan at a later date depending on the outcome of the consultation and any further assistance from legislation. It also gives the Council a certain amount of time to consider any new legislation and consider the results of the consultation.

Members raised concerns that there was little mention of schools in the areas. It was confirmed that schools are included in the plan on a site by site basis. The Portfolio holder explained that S106 money is used to fund infrastructure, schools, GP surgeries etc but that this money is not available until after the homes are built as the funding comes from housing profit.

Members wanted an increased number of social and affordable housing within the Borough and suggested adding something in the policy. It was noted that the Portfolio Holder had recently written to officers and had said when the Council carry out some of these large developments, wanted to see the Council's full requirement for affordable housing.

Members commented that current rate of development in the borough is short of the amount required to keep up with net immigration to the UK, with that factor only being one component of population growth.

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Members raised concerns over the accuracy of the minutes from the Cabinet Meeting on 16 December which state that the Council is “being compelled to consider consulting on a Local Plan which included three sites the Inspector has found sound and insists the council includes, against the Council’s wishes as expressed in recent years and recent decisions”. By way of clarification, it was noted that this was in reference to the Inspector’s letter to the Council in June 2021 following the stage 9 hearing sessions (EX 271). Paragraph 5 of the letter states: “There are circumstances whereby I could find the plan unsound if I consider there to be potentially sound sites that have not been submitted but are clearly more sustainable than ones that have and/or are likely overall to be less harmful to the green belt. I will make that judgement when I receive details of additional sites from the Council and have read the accompanying justification for the basket of sites that have been selected”. The Inspector required the Council to submit those sites which are both sustainable and less harm to green belt in preference to the High Harm sites. The Inspector has not made any judgment in advance of those sites being submitted.

Members were concerned at the damage that would be caused by developments in areas that have been deemed as high harm or where it is clear that there will be substantial and possibly irreversible damage to natural ecosystems and existing green space. Members wanted to protect the green belt and the heritage of the Borough.

Clarification was sought regarding the scope of the consultation and whether a decision specifically around the development of HS22, HS29 and HS30 would be included. Officers confirmed that the consultation would cover all the main modifications which the Inspector considers are required to make the Plan sound. The sites in question have been in the plan from the start, and with these modifications to the whole Local Plan, the community and stakeholders can now have their say. Following the consultation the inspector will take all views into account when writing their report for the council to consider.

It was confirmed that the consultation is proposed to run over a six week period from 4 January to 15 February 2023. People will be encouraged to use the consultation portal but paper copies will be available in libraries and other usual deposit points. Press releases, information in the local paper and social media will all be utilised to ensure residents and stakeholders are aware of the consultation. Members were encouraged to assist with getting residents engaged in the consultation and to highlight to officers any concerns about hard-to-reach groups.

It was noted again that the progression to consultation does not prejudice a future decision on the adoption of the plan as there were concerns that going out to consultation, including the three sites, automatically includes these within the local plan.

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

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**RESOLVED:  
(28 FOR, 6 AGAINST and 6 ABSTENTIONS)**

That a Main modifications consultation based on the housing supply of 13,392 dwellings with a 10 years supply of 9,209 dwellings be undertaken and that the public consultation takes place on the Main modifications to the Local Plan at the earliest opportunity once the Inspector has confirmed the content of the Main modifications required to make the Plan sound.

38. APPOINTMENT OF MONITORING OFFICER

Report of the Executive Director (Finance and Transformation) seeking approval of the appointment of a new Monitoring Officer.

Councils are required under Section 5 of the Local Government and Housing Act 1989 to appoint one of its officers as its Monitoring Officer. For Welwyn Hatfield, the Monitoring Officer role is carried out by the postholder of Assistant Director (Legal and Governance).

After a rigorous selection process, which included a technical assessment and interview, which the Leader of the Council also took part, the Panel gave full consideration to all the candidates and unanimously agreed to recommend that Saleem Chughtai be appointed to the role.

The Leader and Opposition Group Leaders wished the current Monitoring Officer best of luck in their new role.

Members stated that given that the Council was asked to approve the role, members would have liked to have some information on their background and would have liked the Group Leaders to have been engaged with the process.

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

**RESOLVED:  
(unanimous)**

- (1) The Council approved that Saleem Chughtai be appointed to the statutory post of Monitoring Officer.
- (2) That delegated responsibility be given to the Human Resources Manager, in consultation with the Executive Director (Finance and Transformation), to finalise the arrangements for this appointment.

Meeting ended at 9.14pm  
AM