

Council
20 November 2017

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Monday 20 November 2017 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors L.Sparks (Mayor)
B.Fitzsimon (Deputy Mayor)

T.Bailey, J.Beckerman, H.Beckett, D.Bell, D.Bennett,
M.Birleson, J.Boulton, S.Boulton, H.Bower, L.Brandon,
J.Broach, H.Bromley, N.Chapman, A.Chesterman,
L.Chesterman, M.Cook, M.Cowan, J.Cragg, I.Dean,
J.Dean, J.Fitzpatrick, C.Gillett, S.Glick, M.Holloway,
K.Holman, T.Kingsbury, M.Larkins, T.Lyons,
P.Mabbott, S.Markiewicz, G.Michaelides, N.Pace,
M.Perkins, H.Quenet, S.Roberts, B.Sarson, P.Shah,
N.Taylor, F.Thomson, K.Thorpe, R.Trigg, J.Weston,
P.Zukowskyj

OFFICIALS Chief Executive (R.Bridge)
PRESENT: Executive Director (Public Protection, Planning and Governance) (N.Long)
Executive Director (Resources, Environment and Cultural Services) (K.Ng)
Head of Law and Administration (M.Martinus)
Governance Services Manager (G.R.Seal)
Governance Services Officer (G.Paddan)
Communications Officer (C.Bishop)

33. APOLOGIES

Apologies for absence were received from Councillor G.Hayes and T.Mitchinson.

34. MINUTES

The Minutes of the meeting held on 11 September 2017 were confirmed as a correct record and signed by the Mayor.

35. 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.

36. QUESTIONS BY MEMBERS

Notice of the following questions by Members had been received:-

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36.1. Question to the Leader from Councillor J.Cragg

“At Environment Overview and Scrutiny Committee we discussed a change of allowing food waste to be presented in the brown bin.

I am sure that we all agree that this is a sensible way forward. We were also told how the total amount of collected waste has reduced. Can the Leader tell us how this Council will continue to encourage waste reduction in our Borough?”

Answer

The question was answered by Councillor J.Dean (Leader of the Council):-

“Following feedback from residents since the introduction of charging for garden waste in April 2017 we have reviewed the position in relation to what residents can put in the garden waste bin, and want to do all we can to help them in their aim of keeping food waste diverted from landfill. We have seen over 23,000 households sign up to the service and I am sure they are pleased to know that they can also put food waste in the brown bin, which is sent for composting.

It is also pleasing to note that the overall waste managed by the Council has been reduced and we will continue to promote waste reduction by using communications, such as our calendar cards, Life magazine, alongside working with residents at Town Centre events, such as the Food and Health Festivals”.

36.2. Question to the Leader from Councillor P.Zukowskyj

“The Council has been put on notice that the Examination in Public Inspector believes a proper green belt review is needed, that he believes the Council is planning to build too many houses, that it may not have co-operated properly with neighbours over Symondshyde and may not have properly considered the potential for a garden city in Hertfordshire. The inspector has stated he may find the plan unsound, leaving us at the mercy of planning by appeal. Will the Council now commit to reconsidering their submitted Local Plan to reduce the loss of green spaces across our Borough and, as part of that reconsideration, commit to properly discussing a new garden city in Hertfordshire with our neighbours?”

Answer

The question was answered by Councillor M.Perkins (Deputy Leader of the Council):-

“The Inspector has advised the Council that the submitted local plan has passed the legal tests, which includes successful co-operation with St Albans Council in respect of Symondshyde.

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He believes however that modifications are needed to make the plan sound, particularly in respect of seeking to meet our objective need for 16,000 homes to 2033. He has judged that there are exceptional circumstances to consider green belt releases and certainly not indicated that the Council is planning to build too many houses.

He has also made no direct comments in respect of a new garden city somewhere in Hertfordshire. He acknowledged that this matter has been discussed with adjoining authorities, but that nothing has been identified as feasible to date within the plan period.

It is now intended that Officers will carry out additional work in respect of urban capacity assumptions, green belt evidence and employment policies, that will ultimately be submitted to the Inspector as proposed modifications and subject to further public consultation.”

36.3. Question to the Leader from Councillor H.Bower

“Can the Leader tell us what has been the uptake of brown bin subscriptions to date and to what percentage of householders does this equate?”

Answer

The question was answered by Councillor J.Dean (Leader of the Council):-

“We have just over 23,000 households which have paid for our Garden Waste service. Taking into account that some of the homes in the Borough may only have small or no gardens, it is estimated that the uptake of our brown bin subscription is around 60% of households with a garden.”

36.4. Question to the Leader from Councillor F.Thomson

“Fly tipping continues to be regularly discussed by the national media.

Can the Leader tell us how we are currently combatting this in Welwyn Hatfield and if and how we are working with other agencies?”

Answer

The question was answered by Councillor J.Dean (Leader of the Council):-

“The Council is pleased that the number of fly tipping incidents is 10% lower in the last six months than the corresponding period last year. A leaflet explaining what was considered a fly tip, was delivered to every household, with the recycling calendar cards earlier in the year.

Further to the communication campaign the Council provided extra resources to help clear most fly-tipped household rubbish within a few days. This Council is working with other Hertfordshire authorities as part of a fly tipping group as a

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way of sharing best practice. The Council has also worked with “Keep Britain Tidy” to identify the behaviours of fly tipping in the area. This work has supported a successful bid for funding from the Police and Crime Commissioner for Hertfordshire to install recycling bank sensors which will assist in the future management and emptying schedules, of the recycling centres.”

36.5. Question to the Leader from Councillor H.Quenet

“I recently made a freedom of information request for the postcode data on rat extermination treatments in the past calendar year (Sept 2016 -Sept 2017).

After mapping this data it is evident that virtually every area in Welwyn Hatfield has had some rat treatments carried out, however, there are clear hotspots within the borough. What is happening to tackle these areas?”

Answer

The question was answered by Councillor B.Sarson (Executive Member, Business, Partnerships and Public Health):-

“Everybody has a responsibility to keep their land and property free from infestations of rats and in order to assist with this, the Council provides a subsidised service by a pest control company. However, residents, businesses and landowners can, if they so wish, use other companies to carry out pest control treatment.

It is important to remember that this mapping exercise only relates to the treatments carried out by our contractor and therefore does not provide an accurate reflection of the whole picture across the Borough.

However, in respect of the hotspots identified by the Freedom of Information request, visits would have been carried out by our contractors and an assessment made on the level of infestation in order that the correct treatment plan could be actioned.

If in the opinion of the contractor further action is required to eliminate the infestation then the Council will be contacted in order that a more detailed investigation could take place.

Ultimately, if it is appropriate and proportionate to do so, formal enforcement action may be taken to remedy the situation.

Furthermore a Scrutiny Sub-Committee has just been set up called for by I believe your colleague Councillor M.Cowan with the aim being to consider the prevalence of rats in the Borough and the methods of eradicating them.”

Councillor Quenet said that the Council’s data was indicative, but inaccurate due to under reporting and people using private contractors and that the

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Council was not working with multi-partners as it should be. Councillor Sarson said that the Council was working with Hertfordshire County Council and others.

37. MATTERS ARISING FROM THE CABINET

The Council considered recommendations from the Cabinet meetings on 3 October and 7 November 2017:-

37.1. Remote Network Access

The Cabinet considered a request for capital funding for upgrading the Council's secure remote log on connection.

The software provider, Pulse was no longer developing the current version of this software and the facility would soon be unsupported which was resulting in connectivity problems with some suppliers being unable to connect to the Council's network remotely.

It was moved by Councillor D.Bell, seconded by Councillor J.Dean and

RESOLVED:

That a supplementary capital estimate of £30,000 for the purchase of the latest version of the Pulse Secure Virtual Private Network appliance be approved and that the budget be released with immediate effect.

37.2. Housing Allocation Policy Review

The Cabinet considered a recommendation from the meeting of the Cabinet Housing Panel on 18 September 2017 on the approval of proposed changes to the policy following consultation.

Following a review of the Council's Housing Allocation Policy, the Cabinet Housing Panel agreed that Officers could consult on a number of proposed changes.

A twelve week consultation commenced on 8 May 2017 and the majority of respondents were in favour of the proposed changes which aimed to achieve greater fairness and transparency in the way priority for social housing was agreed.

The Cabinet Housing Panel considered the outcome of the consultation and recommended that the Cabinet approve the proposed changes to the Policy for adoption by the Council.

It was moved by Councillor M.Perkins, seconded by Councillor J.Dean and

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RESOLVED:

(24 voting For and 18 voting Against with 2 Abstentions)

That the proposed changes to the Housing Allocation Policy be adopted.

37.3. Hatfield Town Centre Regeneration - Support from Hertfordshire Local Enterprise Partnership

The Cabinet agreed in April 2017 to submit a £6M funding bid to the Hertfordshire Local Enterprise Partnership (LEP) to support further regeneration projects in Hatfield Town Centre. The funding bid submitted comprised two elements, namely £1.2M for Public Realm Improvement in White Lion Square and £4.8M for the construction of a multi-storey car park to free up some of the existing car parking sites for housing development. The Cabinet was now informed of the outcome of the LEP bid and the next stage of Hatfield Town Centre regeneration projects.

The Cabinet was pleased to note that the Council had been successful in securing a £6M funding package from the LEP for Hatfield Town Centre regeneration.

The construction of the multi-storey car park on The Common car park site was pivotal to unlocking further housing development in Hatfield Town Centre. In order to minimise the disruption to businesses, shoppers, visitors and local workers during the construction of the multi-storey car park it would be necessary to provide an additional deck in the Lemsford Road car park which would give about 100 parking spaces and would significantly reduce the displacement of vehicles to residential roads. It was noted that the single deck could be relocated to other parts of the Borough once the multi-storey car park was built. The regeneration of Hatfield Town Centre would also have a major impact on parking in and around the town centre and a series of public consultation would need to be carried out by the Council's parking team. It would be necessary to bring additional resources into the parking team to manage this.

The Cabinet noted that the multi-storey car park would be funded by £4.8M from the LEP and the remainder would be funded by the Council's own capital resources.

The Cabinet agreed to expand the remit of the Member Procurement Panel for 1 and 3-9 Hatfield Town Centre to oversee the procurement process for the public realm, multi-storey car park and single deck at Lemsford Road car park as well as the Link Drive development.

The Cabinet authorised Officers to prepare and submit planning applications for the Hatfield town centre regeneration projects.

The Cabinet agreed that a revenue budget growth of £12,000 would be required in 2017/18 in order to support the work needed for Hatfield Town

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Centre parking changes. The budget implication in future years would be considered as part of the 2018/19 budget setting process.

It was moved by Councillor R.Trigg, seconded by Councillor J.Dean and

RESOLVED:

- (1) That £6M be added to the capital programme for the construction of a multi-storey car park on The Common car park site in order to release land for housing development and that £1M be released immediately, with £5M to be added to the 2018/19 capital budget.
- (2) That £1.3M be added to the capital programme for a single deck to be built on Lemsford Road car park to relieve the parking pressure in the town centre during the construction of the multi-storey car park with the split of funding being £0.3M for the current year to be released immediately and the remaining £1M to be added to the 2018/19 capital budget.

37.4. Localised Council Tax Support Scheme

The Cabinet considered the continuation of the localised Council Tax Support Scheme into 2018/19.

The scheme was introduced in 2013 and a number of changes made for the 2017/18 financial year to bring the scheme into line with the housing benefit regulations.

The scheme fully protected pensioners and families with children under five, as well as certain other vulnerable claimants. For others, the assessed entitlement was calculated on 75% of the Council Tax bill.

Consultation had taken place with Hertfordshire County Council and the Hertfordshire Police and Crime Commissioner on the intention to continue with the same scheme and the County Council had responded in agreement.

It was moved by Councillor D.Bell, seconded by Councillor J.Dean and

RESOLVED:

That the localised Council Tax support scheme continue in 2018/19 to help people on low/no income to receive a reduction on their Council Tax.

37.5. Food Hygiene Rating Scheme - Cost Recovery

The Council participated in the delivery of the national Food Hygiene Rating scheme which encouraged businesses to improve hygiene standards and assisted consumers in making informed choices about where to eat.

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Businesses could display their score, a 0-5 rating, but scores were also found on the Food Standards Agency website.

Once a rating had been awarded, food businesses had the opportunity to request a re-visit where they had scored any score below the maximum rating of 5 (very good).

Local Authorities were now able to introduce fees on a cost recovery basis only for re-inspections/re-visits in accordance with the Food Hygiene Rating Scheme.

The Cabinet on 6 June (Minute 5.2 refers) agreed the recommendation from the Environment Overview and Scrutiny Committee on 5 April 2017 (Minute 56 refers) that a full cost recovery fee for Food Hygiene Rating Scheme re-inspections/ re-visits be introduced.

Delegated authority was given to the Head of Public Health and Protection and Executive Director (Public Protection, Planning and Governance), in consultation with the Executive Member (Business, Partnerships and Public Protection), for a suitable fee to be determined having regard to the Food Standards Agency's guidance and in consultation with the Council's Finance team. A fee of £180 per visit had been determined.

It was moved by Councillor B.Sarson, seconded by Councillor J.Dean and

RESOLVED:

That the Council agrees that a fee of £180 be introduced for a re-inspection/ visit in response to a request by a food business in accordance with the Food Hygiene Rating Scheme.

38. MATTER ARISING FROM COMMITTEE

The Council considered a recommendation from the meeting of the Standards Committee on 4 September 2017:-

38.1. Review of Protocol and Member/Officer Relations

The Committee considered a revised Protocol on Member/Officer Relations for discussion by Members with suggested changes to the Protocol arising from feedback and comments received from Heads of Service representing their respective service areas.

Arising from consideration of Section 2 of the Appendix – 'The Role of Members', clarification was sought on whether there was any guidance available on 'official capacity' with regard to the role of a Member as a Ward Councillor. The Head of Law and Administration referred to the Council's adopted Code of Conduct for Members which applied to both the taking of

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decisions as a Ward Councillor and the discharge of functions as a Ward Councillor.

Reference was then made to the section of the Appendix relating to close personal familiarity between Officers and Members. The protocol stated that if such a familiarity existed then it should be declared, but it did not go on to say to whom the declaration should be made. It having been confirmed that the declaration should be made to the Monitoring Officer, Members asked that this be made clear in the document.

Subject to the addition of the further clarification relating to the declaration of close personal familiarity as outlined above, the Committee approved the suggested changes to the protocol.

It was moved by Councillor J.Dean, seconded by Councillor R.Trigg and

RESOLVED:

That the revised Protocol on Member/Officer Relations be adopted.

39. SIX MONTH COUNCILLOR ATTENDANCE RULE - WAIVER AND EXTENSION OF TIME LIMIT

Report of the Executive Director (Public Protection, Planning and Governance) asking the Council to consider a formal request from the Leader of the main Opposition Party, Councillor K.Thorpe for a waiver of the six month attendance rule and extension of the time limit for Councillor G.Hayes who was currently being treated in hospital for multiple serious injuries following a motorcycle accident.

It was moved by Councillor R.Trigg, seconded by Councillor J.Dean and

RESOLVED:

That the request for Councillor Glyn Hayes' absence from attendance at meetings of the authority for a period exceeding six months for the reason of his long-term treatment in hospital after his accident be approved in accordance with Section 85(1) of the Local Government Act 1972 and that the extension of the time limit be for a further six month period from 13 January to 13 July 2018.

40. APPOINTMENTS TO COMMITTEES

40.1. Environment Overview and Scrutiny Committee

It was moved by Councillor J.Dean, seconded by Councillor M.Perkins and

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RESOLVED:

That Councillor H.Bower be appointed as a Member of the Environment Overview and Scrutiny Committee in place of Councillor J.Beckerman.

40.2. Standards Committee

It was moved by Councillor J.Dean, seconded by Councillor M.Perkins and

RESOLVED:

That Welwyn Parish Councillor B.Morris who had been nominated as the representative of the Welwyn Hatfield Association of Local Councils as the non-voting co-opted member of the Standards Committee be appointed in place of Welwyn Parish Councillor J.Blackburn.

41. APPOINTMENT OF REPRESENTATIVE TO OUTSIDE BODY

41.1. Holwell Primary School Governing Body

It was moved by Councillor K.Thorpe, seconded by Councillor J.Fitzpatrick and

RESOLVED:

That Councillor H.Beckett be appointed as Council representative to the Holwell Primary School Governing Body following the Council being unable to make an appointment at the last meeting (Minute 31(2) refers).

42. NOTICES OF MOTIONS UNDER PROCEDURE RULE 50

42.1. The following motion was submitted by Councillor M.Cowan and seconded by Councillor H.Quenet

“This Council is gravely disappointed about the low numbers of staff in the Safer Neighbourhood teams compared with the planned complement, as announced at the recent police priority-setting meetings with councillors, and believes this is having and will have a detrimental effect on public confidence and police effectiveness. It therefore resolves to protest in the strongest terms, in particular to the Police and Crime Commissioner who has repeatedly stated he would retain SNT numbers as a priority.”

On being put to the meeting there voted:-

FOR approval of the Motion – 19
AGAINST approval of the Motion – 24
ABSTENTION - 1 and the Motion was declared lost.

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42.2. The following motion was submitted by Councillor M.Cowan and seconded by Councillor H.Quenet

“Given the large windfall in income received by the council from the brown bin charge and the lack of help to those on low incomes, the council resolves to exempt from payment anyone in receipt of council tax benefit, and to reimburse to those people all amounts paid by them this year.”

On being put to the meeting there voted:-

FOR approval of the Motion – 19
AGAINST approval of the Motion – 24
ABSTENTION -1 and the Motion was declared lost.

42.3. The following motion was submitted by Councillor K.Thorpe and seconded by Councillor J.Fitzpatrick

“This Council recognises that Parking problems are consistently a high priority issue for local residents and that the introduction of parking permit schemes in the current fashion, one ward at a time, can cause the issue to simply migrate to another area, in many cases increasing existing problems severely.

This Council notes that while many areas of the borough do experience parking problems, this is acutely felt in areas with high densities of HMOs combined with narrow roads, and near to other areas with existing parking permit schemes.

This Council agrees to put in place a solution that will see the entirety of Hatfield dealt with simultaneously through a parking permit scheme, **subject to necessary consultations and acceptance from residents**, to ensure that residents in areas currently deemed less of a priority, do not have to endure further delays before problem parking is addressed.”

On being put to the meeting there voted:-

FOR approval of the Motion – 15
AGAINST approval of the Motion – 28
ABSTENTION -1 and the Motion was declared lost.

Meeting ended at 9.20 pm
GS