

Special Council
21 February 2018

WELWYN HATFIELD COUNCIL

Minutes of a special meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Wednesday 21 February 2018 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors B.Fitzsimon (Deputy Mayor)

T.Bailey, J.Beckerman, H.Beckett, D.Bell, D.Bennett, M.Birleson, S.Boulton, H.Bower, L.Brandon, J.Broach, N.Chapman, A.Chesterman, L.Chesterman, M.Cook, J.Cragg, I.Dean, J.Dean, S.Elam, J.Fitzpatrick, C.Gillett, S.Glick, G.Hayes, M.Holloway, K.Holman, T.Kingsbury, M.Larkins, T.Lyons, P.Mabbott, S.Markiewicz, G.Michaelides, T.Mitchinson, 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 PRESENT: Chief Executive (R.Bridge)
Executive Director (Resources, Environment and Cultural Services) (K.Ng)
Executive Director (Public Protection, Planning and Governance) (N.Long)
Executive Director (Housing and Communities) (S.Russell)
Legal Services Manager (F.Hussain)
Governance Services Manager (G.R.Seal)
Mayor and Members Support Officer (S.Houghton)
Communications Officer (C.Bishop)

53. LYNNE SPARKS

The Deputy Mayor said that we were all greatly shocked and saddened by the death of the Mayor, Councillor Lynne Sparks on 10 February 2018 and that our thoughts were with Lynne's husband Ian and their children at this difficult time.

The Council stood to observe a minute's silence.

The Deputy Mayor then invited Councillors to speak about Lynne, starting with the Leader and a number of Councillors paid tribute to her.

54. TONY CRUMP

The Deputy Mayor said that we also received further sad news of the death of former Councillor Tony Crump this month.

The Council stood again for a minute's silence.

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The Deputy Mayor then asked Councillors if they would like to say a few words about Tony and a number of Councillors spoke about him.

55. APOLOGIES

Apologies for absence were received from Councillors J.Boulton, H.Bromley and M.Cowan.

The Deputy Mayor understood that Councillor M.Perkins had been in hospital during the last week and said that the Council was pleased to see her back.

56. DECLARATIONS OF INTERESTS BY MEMBERS

Councillors L.Chesterman and P.Zukowskyj declared non-pecuniary interests in items on the Agenda as appropriate as Members of Hertfordshire County Council and Councillor K.Holman declared non-pecuniary interests in items on the Agenda as appropriate as a Member of Hatfield Town Council.

57. COUNCIL TAX SETTINGS 2018/19

Report of the Director (Resources, Environment and Cultural Services) on setting the Council Tax for 2018/19.

RESOLVED:
(24 voting for and 20 against)

Voting FOR: J.Beckerman, D.Bell, D.Bennett, S.Boulton, H.Bower, N.Chapman, J.Cragg, I.Dean, J.Dean, B.Fitzsimon, C.Gillett, S.Glick, K.Holman, T.Kingsbury, P.Mabbott, S.Markiewicz, G.Michaelides, T.Mitchinson, N.Pace, M.Perkins, B.Sarson, N.Taylor, F.Thomson, R.Trigg

Voting AGAINST: T.Bailey, H.Beckett, M.Birleson, L.Brandon, J.Broach, A.Chesterman, L.Chesterman, M.Cook, S.Elam, J.Fitzpatrick, G.Hayes, M.Holloway, M.Larkins, T.Lyons, H.Quenet, S.Roberts, P.Shah, K.Thorpe, J.Weston, P.Zukowskyj

- (1) That it be noted that the 2018/19 General Fund budget as approved at the Council meeting on 5 February 2018 is shown in Appendix A to the report.
- (2) That it be noted that at the Cabinet and Council meetings on 9 January and 5 February 2018 respectively, the following amounts for the year 2018/19 were agreed in accordance with regulations made under Section 31B of the Local Government Finance Act 1992, as amended (the "Act").

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- (a) The gross 2018/19 Tax base for the District is 41,612.8 equivalent Band D properties before the application of a collection rate.
- (b) 41,363.2 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (the Regulations), as its Council Tax Base for the year 2018/19; including deductions for Council Tax support and a collection rate of 99.4%.
- (c) Part of the Council's Area being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate;

	<u>100% TAXBASE</u>	<u>99.4% TAXBASE</u>
Ayot St Lawrence	70.8	70.4
Ayot St Peter	115.1	114.4
Essendon	433.2	430.6
Hatfield	11,507.7	11,438.7
North Mymms	4,367.1	4,340.9
Northaw and Cuffley	3,059.7	3,041.3
Welwyn	4,622.8	4,595.1
Welwyn Garden City	16,901.5	16,800.1
Woolmer Green	534.9	531.7

- (3) That in accordance with the statutory legislation the following amounts be calculated by the Council for the year 2018/19 in accordance with sections 31 - 36 of the Local Government Finance Act 1992.
 - (a) £147,874,789 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils.
 - (b) £137,701,013 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £10,173,776 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at (3)(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.

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- (d) £245.96 being the amount at (3)(c) above, all divided by the Council tax base at (2)(b) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
- (e) £2,200,039 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- (f) £192.77 being the amount at (3)(d) above less the result given by dividing the amount at (3)(e) by (2)(b) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.
- (g) Part of the Council's area:

Being the amounts given by adding to the amount at (3)(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (2)(c) above, calculated by the Council, in accordance with Section 34 (3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

	Band D Amount
	£
Ayot St Lawrence	204.13
Ayot St Peter	205.88
Essendon	237.88
Hatfield	271.80
North Mymms	233.60
Northaw & Cuffley	264.80
Welwyn	285.68
Welwyn Garden City	218.12
Woolmer Green	240.15

- (h) Part of the Council's Area:

Amounts given by multiplying the amounts at (3)(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular

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valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Valuation bands £

	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Ayot St Lawrence	136.09	158.77	181.45	204.13	249.49	294.85	340.22	408.26
Ayot St Peter	137.25	160.13	183.00	205.88	251.63	297.38	343.13	411.76
Essendon	158.59	185.02	211.45	237.88	290.74	343.60	396.47	475.76
Hatfield	181.20	211.40	241.60	271.80	332.20	392.60	453.00	543.60
North Mymms	155.73	181.69	207.64	233.60	285.51	337.42	389.33	467.20
Northaw & Cuffley	176.53	205.96	235.38	264.80	323.64	382.49	441.33	529.60
Welwyn	190.45	222.20	253.94	285.68	349.16	412.65	476.13	571.36
Welwyn Garden City	145.41	169.65	193.88	218.12	266.59	315.06	363.53	436.24
Woolmer Green	160.10	186.78	213.47	240.15	293.52	346.88	400.25	480.30

- (4) That it be noted that for the year 2018/19 the major precepting authorities, Hertfordshire County Council and the Police and Crime Commissioner for Hertfordshire have stated the amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Act 1992, for each of the categories of dwellings in the Council's area as indicated in the table below.

(a) Hertfordshire County Council

Hertfordshire County Council	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Ayot St Lawrence	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
Ayot St Peter	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
Essendon	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
Hatfield	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
North Mymms	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
Northaw & Cuffley	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
Welwyn	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
Welwyn Garden City	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92
Woolmer Green	880.31	1,027.02	1,173.74	1,320.46	1,613.90	1,907.33	2,200.77	2,640.92

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(b) Police and Crime Commissioner for Hertfordshire

Police and Crime Commissioner for Hertfordshire								
	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Ayot St Lawrence	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
Ayot St Peter	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
Essendon	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
Hatfield	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
North Mymms	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
Northaw & Cuffley	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
Welwyn	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
Welwyn Garden City	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00
Woolmer Green	109.33	127.56	145.78	164.00	200.44	236.89	273.33	328.00

- (5) That having calculated the aggregate in each case of the amounts at (3)(h) and (4)(a) and (b) above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2018/19 for each part of its area and for each categories of dwellings.

Part of the Council's Area								
	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Ayot St Lawrence	1,125.73	1,313.35	1,500.97	1,688.59	2,063.83	2,439.07	2,814.32	3,377.18
Ayot St Peter	1,126.89	1,314.71	1,502.52	1,690.34	2,065.97	2,441.60	2,817.23	3,380.68
Essendon	1,148.23	1,339.60	1,530.97	1,722.34	2,105.08	2,487.82	2,870.57	3,444.68
Hatfield	1,170.84	1,365.98	1,561.12	1,756.26	2,146.54	2,536.82	2,927.10	3,512.52
North Mymms	1,145.37	1,336.27	1,527.16	1,718.06	2,099.85	2,481.64	2,863.43	3,436.12
Northaw & Cuffley	1,166.17	1,360.54	1,554.90	1,749.26	2,137.98	2,526.71	2,915.43	3,498.52
Welwyn	1,180.09	1,376.78	1,573.46	1,770.14	2,163.50	2,556.87	2,950.23	3,540.28
Welwyn Garden City	1,135.05	1,324.23	1,513.40	1,702.58	2,080.93	2,459.28	2,837.63	3,405.16
Woolmer Green	1,149.74	1,341.36	1,532.99	1,724.61	2,107.86	2,491.10	2,874.35	3,449.22

58. MATTERS ARISING FROM THE CABINET

The Council considered recommendations from the meeting of the Cabinet on 6 February 2018:-

58.1. Public Space Protection Order

The Cabinet considered the outcome of the public consultation on proposals to implement a Public Space Protection Order (PSPO) designed to tackle anti-social behaviour in Hatfield Town Centre which took place between 12 and 26 November 2017.

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The Cabinet noted that Hatfield Town Centre had long standing issues with street drinking, rough sleeping and begging associated anti-social behaviour; with the people involved in such activity, urinating or defecating in public spaces. These specific behaviours caused harassment, alarm and distress to members of the public, but were particularly difficult to deal with through other legal channels due to the burden of evidence required to pursue them as a criminal act. In addition local residents affected by the behaviour were often unwilling to act as witnesses.

Rough sleeping was one of the issues of concern raised by consultees. The PSPO could be used against rough sleepers but only as a last resort, where the person persistently failed to engage with the Council. Council Officers were committed to providing support to rough sleepers and signposting them to the other specialist agencies. The Council had introduced a new initiative 'Housing First' to reduce the number of rough sleepers in Welwyn Hatfield.

It was accepted that there was a risk of raising expectations by making an Order, but the Council had an excellent working relationship with its partners, supported by the Police who wanted to be able to use the Order.

There would be signage and the operation of the Order would be monitored and could be varied if felt to be appropriate.

The formal consultation responses received on the proposed PSPO for Hatfield Town Centre were acknowledged and noted and having considered the issues of anti-social behaviours in Hatfield Town Centre and the views of consultees, the Cabinet fully supported making an Order as recommended by the Social Overview and Scrutiny Committee.

The Cabinet agreed to the implementation of a zoned PSPO for the designated areas within Hatfield, as recommended by the local Community Safety Partnership Joint Action Group.

The Cabinet recommended the Council to agree to discharge the current Public Space Protection Order (automatically created by the legislation from the current Designated Public Place Order).

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

RESOLVED:
(40 voting for, 2 against and 2 abstentions)

That the Council agrees to discharge the current Public Space Protection Order (automatically created by the legislation from the current Designated Public Place Order).

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58.2. Tenancy Policy and Flexible Tenancy Policy

The Cabinet considered the revised policy and procedure.

The Cabinet noted that the Council had been granting five year flexible term tenancies since November 2013 and the review process for these had been due to commence in November 2017. Now that this process was about to commence on current tenancies, the functional details of the review process had been identified, including reporting, and had been updated in a new, separate, procedural document to provide better guidance for staff who would be carrying out the reviews.

There were no changes in the updated policy to the grounds for refusing to renew a flexible tenancy at the end of the five year term. These were the same as already approved in April 2012.

The legally mandated procedural guidance for tenants who wished to seek a review of a decision not to renew a flexible tenancy was now also in a separate document that could be issued to tenants separately on request.

The procedure document would be brought back to the Cabinet Housing Panel for information before any amendments to the flexible tenancy review procedure legal or otherwise were put in place or implemented.

Further information on the financial assessment, including trigger points relating to income levels, savings, investments or equity would be provided to the Cabinet Housing Panel.

The Cabinet recommended the revised policy to the Council for adoption.

Following discussion, it was agreed in view of queries raised by Members about the accuracy of the Cabinet recommendation, that it be deferred and the decision clarified and confirmed by the Cabinet for report back to the Council.

59. MATTER ARISING FROM COMMITTEE

The Council considered a recommendation from the meeting of the Environment Overview and Scrutiny Committee on 30 January 2018:-

59.1. Safety Advisory Team Update

The Committee was updated on the work of the multi-agency safety advisory team which operated within the Borough and informed of the aims and objectives of the team, work which had been undertaken and work which had been completed to review the current operating procedures.

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

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RESOLVED:

That the Safety Advisory Team procedures in Appendix A to the report of the Executive Director (Public Protection, Planning and Governance) to the Environment Overview and Scrutiny Committee on 30 January 2018 be approved.

60. INTERIM REVIEW OF POLLING DISTRICTS, POLLING SPACES AND POLLING STATIONS

Report of the Chief Executive and Acting Returning Officer on interim proposals for changes to the current arrangements.

For electoral purposes, the Council was required to divide each parliamentary constituency in the area into polling districts for parliamentary elections and to designate polling places for each of those polling districts. Under the Representation of the People Act 1983, as amended by the Electoral Administration Act 2006, all Polling Districts, Places and Stations should be reviewed on a regular basis.

The Electoral Registration and Administration Act 2013 introduced a change to the timing of the review of polling arrangements and it was required that the next review must be started and completed between 1 October 2018 and 31 January 2020 (inclusive) and every five years thereafter.

The report informed the Council that one response had been received to the new interim proposals, which were detailed in the Appendix to the Chief Executive's report.

The Council wanted to highlight the changes to polling stations and the Chief Executive confirmed that these would be communicated to affected residents.

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

RESOLVED:

That the Council notes i) the one response received to the consultation; ii) that as a full review of electoral arrangements for the Borough was to be conducted from October 2018, the interim proposals detailed in the Appendix to the report be implemented and adopted until the electoral review to be started and completed between 1 October 2018 and 31 January 2020.

Meeting ended at 8.55 pm
GS