

Council
22 July 2019

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Monday 22 July 2019 at 7.30 pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors R.Trigg (Mayor)
P.Hebden (Deputy Mayor)

D.Bell, M.Birleson, E.Boulton, J.Boulton, S.Boulton, H.Bower, L.Brandon, J.Broach, A.Chesterman, L.Chesterman, M.Cowan, J.Cragg, A.Dennis, S.Elam, B.Fitzsimon, G.Hayes, M.Holloway, T.Jackson-Mynott, S.Kasumu, T.Kingsbury, M.Larkins, S.Markiewicz, F.Marsh, G.Michaelides, T.Mitchinson, L.Musk, N.Pace, H.Quenet, J.Quinton, J.Ranshaw, D.Richardson, A.Rohale, B.Sarson, P.Shah, J.Skoczylas, P.Smith, K.Thorpe, S.Thusu, F.Thomson, J.Weston, S.Wrenn, P.Zukowskyj

OFFICIALS Chief Executive (R.Bridge)
PRESENT: Corporate Director (Resources, Environment and Cultural Services) (K.Ng)
Corporate Director (Housing and Communities) (S.Russell)
Monitoring Officer (M.Martinus)
Governance Services Manager (G.R.Seal)
Principal Governance Officer (A.Marston)
Communications Officer (C.Trussell)

14. APOLOGIES

Apologies for absence were received from Councillors J.Caliskan, M.Cook, C.Juggins and R.Lass.

15. MINUTES

The Minutes of the annual Council meeting held on 20 May and the extraordinary meeting held on 19 June 2019 were confirmed as correct records and signed by the Mayor.

16. 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.

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17. ANNOUNCEMENTS

17.1. Executive Member Portfolio - Climate Change

The Leader, Councillor T.Kingsbury announced that he was amending Councillor F.Thomson's title to include Climate Change to become Executive Member (Governance, Public Health and Climate Change) as an action to reflect the importance attached to this following the declaration of a climate emergency at the Extraordinary Council meeting on 19 June 2019.

17.2. Mayor's Charity

The Mayor confirmed that he had chosen "Potential Kids" as his charity for the year, a small community organisation supporting young people with special education needs and disabilities and their families.

He asked Members to please save the following dates for fund raising events in aid of his charity with further information to follow:-

- Afternoon Tea at Mill Green Museum and Mill on Saturday 7 September at 3.00pm.
- Curry Night at the Red Indian Restaurant on Tuesday 22 October at 7.00pm.
- Quiz Night at Campus West on Friday 6 December at 7.00pm.
- Banquet and Ball at the Old Palace, Hatfield House on Saturday 1 February next year at 6.00pm.
- Also his Civic Service would be at St. Mary's Church, Welwyn on Sunday 13 October at 3.00pm.

18. QUESTIONS BY MEMBERS

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

18.1. Question to the Leader from Councillor K.Thorpe

"Does the leader agree with me that it was disappointing that the County Council's community safety committee recently voted to reduce crews on Fire Engines in Hertfordshire, despite this Council's repeated calls that this would put residents and firefighters alike at risk?"

Answer

"Thank you for your question.

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We have over the last twelve months discussed the importance of the fire service in the county a few times and agreed cross party that no merger should happen with the PCC, which we were successful in helping prevent. We also wrote to the Leader of the county council expressing opposition to any reduction in the fire service in Welwyn Hatfield. However, I said the last time that we discussed this as a motion that came to council in November, that although we did not support a merger with the PCC, we did want an efficient and value for money fire service and believe that decisions made by the county council are on the basis of efficiency without affecting the level of service. This decision is one of these and so I cannot agree with the main sentiment of your question.”

Councillor Thorpe in a supplementary question asked if the Leader was concerned that some Members voted against a resolution to stop fire cuts and protect our fire service?

Councillor Kingsbury replied that he believed the issue was efficiency and he agreed with the sentiment, but it was about making the fire service efficient and to meet targets.

18.2. Question to the Leader from Councillor A.Dennis

“The recent application for change of use of the Debenhams building from retail to part residential contained an accompanying marketing report from Brasier Freeth.

This report sets out in the clearest terms the striking lack of interest there is by a long list of established retailers in locating a branch in the Debenhams building, or even in Welwyn Garden City itself, and the market reasons for this. It paints a very worrying picture for the future of the town centre.

In the light of this report, and the need to follow a strategy which will give us the best balance of the right kind of retail, are the Council seriously prioritising a proactive approach (as similar authorities around the country have done), to planning decisions in the town centre, including the proposed Town Centre North plan, which will reflect this harsh reality?

Does Welwyn Garden City need a 'Town Centre Tsar'?”

Answer

“Thank you for your question Councillor Dennis.

Like you, we were all concerned when we heard the news regarding the Debenhams store in Welwyn Garden City and the impact this could have on the high street. We also recognise that the nature of town centres are changing, but it is important that they are thriving for our communities and creating and maintaining jobs. This year we have been successful in being awarded £6.1m of Accelerated Construction funding from Homes England for town centre north,

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and the council has also acquired other key parts of the town centre to ensure that we can contribute to keeping our town centre thriving.

To assist with the delivery of this, I have recently discussed with the Chief Executive the need to set up a partnership board for the town, as we are successfully doing in Hatfield. This partnership would include and engage with key stakeholders, including the WGC BID, the LEP, John Lewis, the Howard Centre and Oaklands College to look at wider strategic issues covering health care, skills, employment and transport infrastructure associated with our regeneration plan. Building on the success of the Cross Party Hatfield Regeneration Member Board, I would also wish to set up a Cross Party Welwyn Garden City Town Centre Regeneration Board, to take forward all of the regeneration plans and the procurement of a developer and ensure our strategy and regeneration of the town is appropriate for everyone. So we do have a plan, we do have funding and we will now be taking steps to set up the partnership and a Cross Party Board as soon as possible, these are effectively our town centre tsars.”

18.3. Question to Councillor N.Pace from Councillor D.Richardson

“Could the executive member for housing and community provide an update on the number of households that are being housed in hotels and B&Bs?”

Answer

Councillor N.Pace (Executive Member, Housing and Community) answered:-

“Thank you for your question.

The current number of households in hotel accommodation is three, all single adults. Arrangements have been made for all 3 households to move out of hotel accommodation in the next 10 days.

The team have worked hard to secure these households suitable alternative accommodation as quickly as possible.

To further add, there are no families in hotel or bed and breakfast accommodation, this is in the main due being able to place households in Inspira House and Minster House. The last time any family with children resided in hotel or bed and breakfast accommodation was 31 May 2019.”

18.4. Question to Councillor S.Boulton from Councillor L.Musk

“Given that when asked, only 38% of residents living within the area of Welwyn Garden City covered by the Estate Management Scheme voted to support its continuation, can the Cabinet member for Executive Member, Environment and Planning explain how not only retaining the EMS but adding fees too - serves the view of the 62% of people who did not vote to keep the EMS?”

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Answer

Councillor S.Boulton (Executive Member, Environment and Planning) answered:-

“Thank you for your question.

Section 3 of the report to Cabinet on 7 November 2017 set out the results of the EMS consultation which took place in late 2016. It advised that 1,700 responses were received. It advised that 81% of respondents who live in the EMS area and 80% of respondents who live outside the EMS area think that the context and history of WGC justifies additional rules and controls.

The table in paragraph 3.7 set out what people said in response to particular options. The highest level of support was for maintaining the status quo, which was supported by 38% of EMS residents who responded and 33% of non-EMS residents who responded. This does not mean that the status quo option was actively opposed by 62% of respondents however. It means that their preference was for another option. The table shows that only 8% of EMS residents who responded and only 5% of non-EMS residents who responded favoured the termination of the Scheme without any alternative controls.

Paragraph 3.12 concludes by stating that “It is clear from the responses received to the consultation that residents of the town value the EMS in terms of the protection that it provides to the special character of Welwyn Garden City as the World’s second Garden City. The responses to the question regarding how the Scheme should be administered in future are also clear, but only insofar as they do not comprehensively identify one single option as being preferred. As a result of this ambiguity, Officers have continued to consider the available options.”

The report goes on to consider the available options in more detail. Paragraph 3.17 accepts that application fees were not fully supported by residents but argues that fees are common to most other towns where such Scheme exist. Paragraph 3.14 observes that without application fees the Scheme would continue to be funded by a combination of planning application fees and council tax. The report therefore ultimately recommends the principle of creating an EMS team and the principle of establishing fees for EMS applications.

Cabinet accepted these recommendations as being the best way of protecting the context and history of the garden city in a fair and equitable way.”

In a supplementary question Councillor Musk asked if this should be looked at further now residents had concerns at the choices?

Councillor Boulton replied that he would await the results of the consultation.

19. **MATTERS ARISING FROM THE CABINET**

The Council considered recommendations from the meetings of the Cabinet on 4 June and 9 July 2019:-

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4 June 2019

19.1. Food Safety Service Plan 2019/20

The Cabinet had considered a recommendation from the meeting of the Environment Overview and Scrutiny Committee on 12 March 2019 on the adoption of the Plan for the Borough as required by the Food Standards Agency.

The Food Standards Agency had overall responsibility for the official control of food law enforcement in England which involved co-ordinating, monitoring, setting standards and auditing local authority food law enforcement activities and included a requirement that all local authorities produce a food safety service plan which had been agreed by Members.

Local authorities were expected to not just merely undertake “routine hygiene inspections” but to operate a risk based enforcement system that valued educational initiatives together with formal legal enforcement tools and “non-inspection interventions”, for example, targeted sampling and imported food controls.

It was moved and seconded by Councillors F.Thomson and T.Kingsbury and

RESOLVED:

That the Food Safety Service Plan 2019/20 be adopted.

19.2. Health and Safety Service Plan 2019/20

The Cabinet had considered a recommendation from the meeting of the Environment Overview and Scrutiny Committee on 12 March 2019 on the adoption of the Plan for enforcement of health and safety law.

The Health and Safety at Work etc Act 1974 placed a duty on the Health and Safety Executive and Local Authorities to make arrangements for the enforcement of health and safety law and to ensure public and employee health and safety protection.

There were no significant changes to how the health and safety service would be delivered, however, interventions planned for 2019/20 by Officers were more proactive and ranged from the provision of advice through to formal enforcement notices and prosecutions in order to meet both national and local priorities.

It was moved and seconded by Councillors F.Thomson and T.Kingsbury and

RESOLVED:

That the Health and Safety Service Plan 2019/20 be adopted.

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9 July 2019

19.3. Animal Activities Licensing Fees

The Cabinet had considered a recommendation from the meeting of the Environment Overview and Scrutiny Committee on 10 June 2019 on proposed fees for animal activities licensing.

The Cabinet noted that full cost recovery when licensing certain animal activities was allowed by Regulations.

This was intended to promote the welfare of animals, via a new licensing system, and would be applied to persons selling animals as pets, providing for or arranging for the provision of boarding for cats or dogs, day care for dogs, hiring out horses, dog breeding and keeping or training animals for exhibition.

The Regulations did not cover all of those animals protected under the animal welfare act.

Frequency of inspection was the same if it was deemed there was low or high risk as per the statutory requirements. However more inspections could be carried out if there was a high risk.

The fees would be reviewed on a three year basis to ensure that any profits or deficits were adjusted accordingly.

The Committee had clarified that “the minimum requirement of animal welfare” meant the “basic legal requirements”.

It was moved and seconded by Councillors F.Thomson and T.Kingsbury and

RESOLVED:

That the fees and charges, as listed in Appendix A to the report of the Corporate Director (Public Protection, Planning and Governance) to the meeting of the Environment Overview and Scrutiny Committee on 10 June 2019 for licensing certain animal activities as recommended by the Committee and approved by the Cabinet, be adopted so that the budget book could be adjusted accordingly.

19.4. Housing and Homelessness Strategy 2019-2024

The Mayor advised the Council that this item had been withdrawn from the Agenda for this meeting for further consideration by the Cabinet Housing Panel and report back.

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20. NOTICES OF MOTIONS

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

20.1. The following Motion had been submitted by Councillor F.Thomson and was seconded by Councillor T.Kingsbury:-

“Council notes that:

- a) The East and North Herts Clinical Commissioning Group (CCG) is running a public engagement on closing the QEII urgent care centre overnight which will impact Welwyn Hatfield residents.
- b) Residents will need to travel to the Lister hospital in Stevenage further adding to the already high demand at the Lister.
- c) Transfers to the Lister will cause additional financial hardship to residents.
- d) Additional transfer to the Lister will put further pressure on the ambulance service.
- e) The Local Plan will significantly increase the Borough population, increasing future demand on the service.

In light of the above, and the fact that this proposal seriously impacts our residents, the Council therefore agrees:

1. That the Leader writes to the East and North Herts CCG to request that:
 - a) they withdraw their proposal to close the QEII urgent centre overnight;
 - b) they investigate why the current facility is not better used;
 - c) they consider a wider offer to encourage better use of the facility and support local residents;
 - d) representatives of the CCG attend a meeting open to all Councillors to present their case;
2. Given the timing of the next Social Overview and Scrutiny Committee meeting in relation to the closing date of the CCG engagement, Cabinet to agree a formal response in consultation with the other group leaders.”

20.2. It was then moved and seconded by Councillors M.Cowan and H.Quenet:-

“That in addition to ‘council notes that:

f.) The underlying problem is the NHS being underfunded by central government and

in addition to ‘this council therefore agrees...’

3.) To write to the incoming Prime Minister and our local MP to demand essential public services are properly funded before tax cuts for the already better off.”

On being put to the meeting there voted:-

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**FOR the Amendment – 23
AGAINST the Amendment – 21
And the Amendment was declared CARRIED**

20.3. The Motion, as amended, was then put to the meeting and there voted:-

FOR the Motion, as amended – 23
AGAINST the Motion, as amended – 21
The Motion, as amended, was declared CARRIED and it was

RESOLVED:

“Council notes that:

- a) The East and North Herts Clinical Commissioning Group (CCG) is running a public engagement on closing the QEII urgent care centre overnight which will impact Welwyn Hatfield residents.
- b) Residents will need to travel to the Lister hospital in Stevenage further adding to the already high demand at the Lister.
- c) Transfers to the Lister will cause additional financial hardship to residents.
- d) Additional transfer to the Lister will put further pressure on the ambulance service.
- e) The Local Plan will significantly increase the Borough population, increasing future demand on the service.
- f) The underlying problem is the NHS being underfunded by central government.

In light of the above, and the fact that this proposal seriously impacts our residents, the Council therefore agrees:

1. That the Leader writes to the East and North Herts CCG to request that:
 - a) they withdraw their proposal to close the QEII urgent centre overnight;
 - b) they investigate why the current facility is not better used;
 - c) they consider a wider offer to encourage better use of the facility and support local residents;
 - d) representatives of the CCG attend a meeting open to all Councillors to present their case;
2. Given the timing of the next Social Overview and Scrutiny Committee meeting in relation to the closing date of the CCG engagement, Cabinet to agree a formal response in consultation with the other group leaders.”
3. To write to the incoming Prime Minister and our local MP to demand essential public services are properly funded before tax cuts for the already better off.”

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20.4. The following Motion had been submitted by Councillor M.Cowan and was seconded by Councillor S.Elam:-

“This Council recognises the need to retain and expand the borough’s opportunities for sport and activity as essential components to health.

Accordingly, this council requests officers and members reviewing the local plan to seriously consider what a backward step it would be to use the ski slope site for housing, and to revisit this allocation as part of the current local plan process to be presented to council in September.

Further, to work with GLL to develop use of the facility by the local community.”

On being put to the meeting there voted:-

FOR the Motion – 23

ABSTENTIONS – 21

And the Motion was declared CARRIED.

21. WELWYN HATFIELD BOROUGH COUNCIL CORPORATE PEER CHALLENGE

Report of the Chief Executive attaching the Feedback Report and Action Plan following the Local Government Association Corporate Peer Challenge undertaken at the Council between 21 - 24 January 2019.

As part of the Local Government Association’s sector led improvement offer, Councils could agree to undertake a ‘Corporate Peer Challenge’. This consisted of a team of Councillors and Senior Officers from different Councils spending a number of days gathering information, speaking to Councillors, staff, stakeholders and customers, to form a view on how the Council was performing.

The feedback at Appendix 1 was a helpful and honest assessment of the Council and included seven recommendations for further improvement. It was recognised that the Council had undergone significant change in the last two years at a senior level which had focused ambition and the Council was very much now a partner of choice.

Following the report, an action plan had been developed at Appendix 2 which set out the actions the Council would now take to implement the recommendations. To assist with the delivery of the action plan, the Chief Executive was discussing support from the East of England Local Government Association.

RESOLVED:

- (1) That the Council notes the Corporate Peer Challenge feedback report and recommendations at Appendix 1 to the report.

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- (2) That the Council notes and agrees the Corporate Peer Challenge Action Plan at Appendix 2 to the report.

Meeting ended 10.40pm
GS