

Council
20 July 2020

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Monday 20 July 2020 at 7.30pm via Zoom.

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.Cook, M.Cowan, J.Cragg, A.Dennis, S.Elam, B.Fitzsimon, G.Hayes, M.Holloway, C.Juggins, S.Kasumu, T.Kingsbury, M.Larkins, R.Lass, 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 (Public Protection, Planning and Governance) (N.Long)
Corporate Director (Housing and Communities) (S.Russell)
Monitoring Officer (M.Martinus)
Governance Services Manager (A.Marston)

58. MINUTES

The Minutes of the special meeting held on 6 May 2020 were confirmed as a correct record and noted by the Mayor.

The hard copies of minutes will be signed by the Mayor as soon as it is reasonably practicable or alternatively, electronic signatures can be arranged after a meeting.

59. APOLOGIES

Apologies for absence were received from Councillors J.Caliskan and T.Jackson-Mynott.

60. QUESTION FROM THE PUBLIC

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60.1. Question from Richard Bunday

“The Council has continued to pursue the standardisation of livery of Hackney Carriages and now the standardisation of vehicle type without proper consultation with the drivers.

We appreciate that there is a need for more WCAVs within the borough but believe it is neither necessary nor advantageous to anyone to insist that all vehicles accommodate wheelchairs. Many wheelchair-bound customers prefer to transfer into the more secure seat of the taxi and find it both uncomfortable and frightening travelling strapped into their chair, especially when facing backwards.

The disability spectrum is vast and not all disabled customers are in wheelchairs, this is just a small proportion. By limiting the scope of the vehicles provided within the fleet, you potentially create problems for customers with other disabilities and alienate other customers who require alternatives such as an executive car or 6, 7 or 8-seater.

The Council has not made available to us its survey regarding the public’s almost unanimous agreement that all taxis should be WCAVs and we dispute it’s findings which are the exact opposite to the survey carried out by our drivers, which is available to the Council on request. We acknowledge that it’s possible that 98% of the public would think that WCAVs are a good idea and should be provided, but not that that the whole fleet should be wheelchair accessible.

If the Council continue on this route, many Hackney carriage and private hire/chauffeur cars will choose to be licensed by another district or change careers altogether. The loss of revenue to the council already exceeds £10,000.00 and there will be more to follow. The Council will end up without a taxi service at all.

Some drivers’ vehicles are near the 8 year age limit or have to replace their vehicles owing to mechanical problems or accidental damage. It is wholly unreasonable for the council to expect these drivers to find the thousands of pounds extra immediately or in the next few weeks or months.

My question is, if the Council feels there are not enough WCAVs within the borough, and the need is not fulfilled by the Private Sector, why doesn’t the Council invest in vehicles and drivers themselves, or just insist that all new drivers coming into the trade provide a wheelchair-accessible vehicle, thereby, in time, replacing the whole fleet, rather than expect existing drivers to outlay thousands of pounds which, in the current economic climate, which has already put their livelihoods in jeopardy, is not financially viable?”

Answer

Councillor F.Thomson, Executive Member, (Governance, Public Health and Climate Change), answered:-

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“Thank you, Mr Bunday, for your question.

As part of the lengthy consultation process that has taken place in respect to the introduction of Wheelchair Accessible Vehicles to the Welwyn Hatfield Hackney Carriage fleet, a cross party member subgroup was established. This group had oversight on the consultation process and provided the forum for issues and queries to be discussed before a final set of terms and conditions were recommended to the Environment Overview and scrutiny Committee in January 2020.

This Council is aware of the concerns raised by drivers during the consultation process and have tried to address these issues at our subgroup meetings. In respect of your questions regarding the Council investing in vehicles and drivers, I can confirm that this was raised at a subgroup meeting but this option was not considered to be an appropriate function for the Council to undertake.

The members of the working group also considered various options regarding the implementation of the wheelchair accessible vehicles and the most reasonable and fair way of introducing these new terms and conditions. The recommendation the working group put forward was to apply these conditions to all vehicles, when they are due to be renewed, or when new applications are received. We have recently looked at the intake of new hackney carriage drivers and over a 2 year period there have only been 4 new drivers coming into Welwyn Hatfield and this number would not provide a suitable number to be able to accommodate WAVs for the public.

Whilst we do appreciate the financial burdens on our taxi drivers, the Council currently do not have any wheelchair accessible vehicles in our licensed fleet and this is not acceptable for the travelling public.”

61. 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.

62. ANNOUNCEMENTS

62.1. Laying Wreaths

There have been two occasions where the Mayor had laid wreaths on behalf of the Council to mark anniversaries of significant events, most recently to commemorate the 25th Anniversary of the Srebrenica genocide on 11 July and VE day on 8 May 2020.

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62.2. Potential Kids

All fundraising events are currently on hold for the moment but the Mayor thanked the Councillors for their support last year. The amount raised for the Potential Kids charity was £6,000.

62.3. Councillor T.Kingsbury

Given the recent reports of local government reorganisation from government ministers and following potential changes raised by County Councillor T.Kingsbury thought he should make a statement at Council.

Firstly the statement which has been published:-

'I stand firm with my fellow Borough and District leaders in voicing our opposition to a single unitary authority for Hertfordshire.

My priority is to ensure we serve in the best interests of our communities and businesses in Welwyn Hatfield, and I am immensely proud of our track record in delivering positive change for the betterment of our borough.

Across the County, we all want to see local government working as effectively as possible and that will continue to be at the heart of our discussions as we look to the future.'

You will see a full statement from the 10 councils online.

The key points being:-

We will be working together on a proposal and are opposed to a single unitary council, being too large and remote.

We are keen to work with key partners and take account of residents' views. We have worked well over the COVID crisis with our local knowledge being important.

The timing of this distraction is poor when we are focussing resources on Covid-19.

We have worked closely on the Countywide growth board as a group of 11 Councils and would like to continue to do so.

In addition to those statements I would like to thank staff once again for their hard work during the crisis and I am sorry that these discussions raise uncertainties, unwelcome at any time, but particularly at the moment.

This Council will now work with the other 9 District and Borough Councils to investigate options for the future, which will include the status quo. Some of this

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work will have a small cost and some officer time, which will be funded from the chief executive's corporate projects budget.

Members will be updated as the work progresses.

63. QUESTIONS BY MEMBERS

63.1. Question to the Leader from Councillor K.Thorpe

"In respect of the recent demonstrations in support of "Black Lives Matter" that took place in Welwyn Garden City and Hatfield, does the Leader of the Council agree with me that these and passionate, peaceful and responsibly distanced calls for equality show Welwyn Hatfield at its very best?"

Answer

"Thank you for your question, which I am pleased to be able to answer, both as Leader and Equalities Lead. The Council is committed to equality and fairness. The Council has a published Equality Scheme, setting out its objectives, which include promoting equality and taking active steps to eliminate discrimination, with a vision to 'To work actively towards eliminating barriers that prevent equality within the borough, and to address equality of opportunity and individual needs for all council employees, residents and service users'.

I was pleased we lit the Council clock tower purple in response to the events in the United States and the death of George Floyd, not just as a symbol but to highlight the real issues still faced by some, even in this area.

I issued a statement along with other Herts Leaders standing united against every form of discrimination, racism and injustice.

We also supported the right for peaceful protest, but did highlight the need to stay safe and maintain social distancing to stop the spread of the virus.

I know the recent demonstrations were certainly passionate and am pleased people can and have demonstrated their feelings. I know the demonstrations have been peaceful and socially distanced here in Welwyn Hatfield, and we can all be proud of this.

Many things bring out the best of Welwyn Hatfield, but I agree this is one of them."

Councillor Thorpe in a supplementary question asked if the Leader can confirm that the commitment to zero tolerance on discrimination includes members of the LGBTQ+ and Gypsy, Roma and Traveler communities too?

Councillor T.Kingsbury answered that it does and the Council has an equalities group which will look at some of these issues should they come up, there is a full commitment to equality.

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63.2. Question to the Leader from Councillor P.Zukowskyj

“National media highlighted the expected outcome of the reopening of pubs on the 4 July, lots of drunken and rowdy crowds not maintaining social distancing. Given the entirely predictable outcome, it seems rather unfortunate that the council’s noise nuisance service, operation reprise, remains suspended. Residents in my ward, disturbed by the actions of the owners, operators and customers of the Hope and Anchor Public House, who are clearly breaching their licence conditions, found there were no agencies willing to do anything at all about their young children being kept awake by loud music and shouted obscenities until very late at night. The owners/operators of the pub, perhaps also aware there is zero enforcement, are continuing to make my residents lives miserable with impunity on a variety of dates since the 4 July.

Will the leader apologise to my residents for letting them down like this and commit to reinstating operation reprise with immediate effect?”

Answer

Councillor F.Thomson (Executive Member, Governance, Public Health and Climate Change) answered:-

“Thank you for your question.

I am sure all members will agree with me that we have nothing but praise and admiration for the way all our staff have continued to provide essential services in the context of a global pandemic.

Our Licensing, Environmental Health and Community Safety teams were obviously aware of the 4 July reopening date for pubs and restaurants and the teams worked hard with our neighbourhood police teams to ensure a reopening plan was in place. As we were aware that this could be a potentially challenging weekend, officers from the Environmental Health team were asked to work out of hours to monitor the situation in a number of commercial premises, including pubs, across the borough. This proactive work, to support the wider “recovery and easing of lockdown”, is vital to help restart our economy and provide support to local businesses and communities.

This is completely separate work to “operation reprise”, which is our out of hours noise service on a Friday and Saturday night. This reactive service enables staff to respond to complaints by visiting domestic properties in order to hear the noise as it is happening and well as visiting the premises causing the noise disturbance. As this service requires officers to visit people’s homes between the hours 10pm and 3am, the officers may encounter residents who are vulnerable and are shielding or perhaps even those who are self isolating. It is also not possible to ensure social distancing at all times during the shift and therefore our risk assessments suggest that this work should remain suspended for staff and public safety.

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I would add that whilst the council has a duty to investigate complaints of noise nuisance, and has systems in place to do so, it does not have a duty to provide an out of hours noise service. The council has, however, taken a decision to fund and provide such a service to support residents, and I am pleased to remind members that we are one of the few authorities in the county to provide such a service. We are, of course, keeping the situation under review to see when it is appropriate to once again send our staff out to domestic properties, outside of office hours to investigate noise nuisance as part of the Operation Reprise service.

In respect of the Hope and Anchor Public House, the team were made aware of noise issues and as such have commenced an investigation into this matter. This investigation is still ongoing and therefore it is not appropriate for me to comment further in a public meeting. However, I am pleased to reassure the council that when necessary and appropriate to do so, enforcement action will be taken.”

Councillor Zukowskyj in a supplementary question said that he was quite intrigued by the response because there is clear evidence that multiple residents around the Hope and Anchor pub attempted on the evening of the 4 July to report the noise to somebody and the Police told them to go to the Council, the Council informed them that the Council has no structure, no facility in place so clearly there is miscommunication going on, perhaps in the preparation side of things that the residents likely to be impacted were not informed of what they needed to do. We need to look at that and see what happens and make sure that it gets sorted out. Subsequently the Hope and Anchor pub have been under investigation and there has been cessation of some activities that was seen on the 4 July immediately afterwards. Can we get some reassurance that this will be looked into and look at what went wrong in terms of communication?

Councillor F.Thomson responded that there were 4 complaints made relating to noise nuisance in relation to 4 July, as I mentioned earlier Officers did respond but obviously ‘operation reprise’ where Officer would go out to visit homes had been suspended during Covid-19 to protect staff and the public. However, as I mentioned earlier Officers have followed up the complaints and have been liaising with the proprietor and will take enforcement action in any case if required and I hope I have been able to provide reassurance to residents and Members that noise nuisance is taken seriously and when necessary will be followed up.

63.3. Question to the Leader from Councillor G.Hayes

"On the 16 March this year, the Communities Secretary Robert Jenrick MP told 300 Council leaders that the Government would do “whatever is necessary” to support local councils like Welwyn Hatfield to help the most vulnerable in society and support their local economy. Does the Leader of the Council or the Executive Member for Finance believe Welwyn Hatfield will receive whatever assistance is necessary?"

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Answer

Councillor D.Bell (Executive Member, Resources) answered :-

“Thank you for your question, Councillor Hayes.

We have already received a considerable amount of central government support, financial and otherwise, to help this Council provide support to residents and the local economy in response to the Covid pandemic.

I will not dwell in detail in this response on the various ways in which the Council is helping the vulnerable and supporting the local economy. This is far better explained in the report presented under agenda Item 8 for discussion later tonight, and I prefer to avoid duplication.

Whilst elements of the response set out in that report has to be funded from our own resources, it is worth highlighting where government funding has helped support the efforts detailed in the report.

- We have administered 100% business rate relief for the 2020/21 financial year to businesses in the retail, leisure, and hospitality sector, funded by government.
- We have distributed £14.9 million of government funded grants to 1,101 businesses in the borough, and we are currently disbursing further sums through the government-funded discretionary grants scheme.
- We have received £1.48 million of non-ring fenced General Fund support from the government. Further funding has been announced to compensate councils for lost income, but details of the allocation are not yet available.
- Government support has been provided to increase the amount of council tax discount that can be claimed by existing claimants.
- We have received government funding to help us house all homeless in the borough. As noted in the report for agenda item 8, further housing funding has been announced, although details are still awaited.
- We have been granted an extension on the requirement to remit unspent Right-to-Buy receipts until 31 December, 2020. This should take some pressure off the HRA.
- As members will be aware, on top of schemes administered by the Council, the government is providing considerable direct monetary support to the economy. Perhaps one of the most significant elements of this is the Job Retention Scheme, which has been supporting the wages of 9 million furloughed employees across the UK, and 2.7 million of the self-employed. Further funding has recently been announced for Arts and Culture, although the details of the amount relevant to WHBC are not yet known.

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As set out in the report for agenda item 8, we continue to carefully monitor the financial impact on this Council. An initial paper on the estimated financial impact has already been distributed to members, and provided to Cabinet in May. An update will be provided to members in August 2020, at which point we will have been able to assess the 1st quarter financial outturn.

The budget process for the 2021/22 financial year, which will get underway later this year, will be more than usually challenging. However, as things stand, I believe this Council has the reserves and financial strength to see this crisis through.

Councillor Hayes asks me if I believe that the government will provide all necessary assistance to Welwyn Hatfield Council. I prefer to answer this honestly, in that I believe the government will provide all that it realistically can.

Unfortunately, the scale of the financial impact of this pandemic, which will be long-lasting, is such that no government anywhere in the world can promise to indemnify all individuals, businesses, public authorities, or other organisations against all loss. Councils will undoubtedly have to bear some of the financial burden themselves. But as I have said, as things stand, I believe we have the financial strength and reserves to do so.”

Councillor Hayes in a supplementary question asked can you actually say what the figure is that we believe is necessary to help the most vulnerable in our society and support our local economy and whether or not you honestly think half of that figure will be met to support Welwyn Hatfield by the government?

Councillor Bell answered as the estimates circulated in May showed there will be significant impact but we do have the reserves to absorb it, we are expecting more support in the form of income compensation but we do not know when. But even without taking that into account our reserves remain intact, we are not facing bankruptcy or a Section 114 notice, furthermore we are not planning as part of next year’s budget process that the Council will have to cut services or capital projects so we can continue to help the most vulnerable in the way we are doing now. The issue is we will have to start rebuilding our reserves to an extent but that depends on what the details of the latest government statement amount to. The Council had been through an analysis of the impact of the pandemic so far. Based on what has happened so far, based on estimates on how long it will take businesses and the Council’s finances to recover, at the moment we can absorb this, we don’t have to cut our front line services or capital projects, some of our services have been disrupted by the lockdown, some of our capital projects have been delayed but not for financial reasons.

63.4. Question to the Executive Member, Housing and Community from Councillor F.Marsh

“Recently there has been a lot of anti-social behaviour across the Borough and in particular in my ward of Sherrards.

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Given the circumstances, why is it that the Council's anti-social behaviour (ASB) unit has no-one who can respond on a Thursday evening for example or indeed any time outside council office hours, when much of the ASB is being committed outside those hours, ie in the evenings and weekends.

Surely a quick response ASB unit will certainly compliment and assist the Police who reportedly only have 4 officers on duty for the whole Borough at night. Will the Council seek to remedy and address the situation by providing more funds and ensure the welfare of its residents, given the current circumstances.

Will the executive member lobby the Police and Crime Commissioner to provide more officers in Welwyn Hatfield in the evenings and overnight?"

Answer

Councillor B.Sarson (Executive Member, Economic Development and Partnership) answered:-

"Thank you for your question Councillor Marsh.

Firstly, it should be noted that the issues raised are not just a local issue, but consistent with what is happening across Hertfordshire. The Council's ASB team and the Police have recently received an increase in reports of ASB since lockdown in Sherrards area and more specifically in Oakdale and Summerdale. The reports show a gradual increase in gatherings of youths and young adults between the ages of 15-20 and at various times of the day and night.

The reports received are varied and include swearing, shouting, loud music, littering, drinking, drug use and vehicle nuisance. The Council does not in any way condone this behaviour and are committed to tackling it, working with the Police and other partner agencies to take appropriate enforcement action against the perpetrators where possible.

Our ASB Officer has regularly been liaising with Ward Councillors and residents in relation to these issues and has responded back to all concerned with regards to our actions, a summary of which I can confirm:

- The Council have increased Street Warden patrols to spot littering and report back on gatherings.
- The Police have increased patrols by Police Community Support Officers and Safer Neighbourhood Teams to engage and disperse as necessary.
- Council Officers and the Police are frequently sharing information and intelligence to try to identify who may be responsible.
- Regular updates have been provided to local residents
- Social media from Police around large gatherings and expected behaviours

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The Council's Community Safety Partnership are co-ordinating the management of the issues so all relevant agencies can work effectively to tackle this behaviour.

Residents are encouraged to continue to report their concerns directly to the Council to ensure that we get timely updates and to also contact the Police as and when the issues are occurring and this, I am pleased to advise has been happening.

The lockdown restrictions during the pandemic have meant that the usual diversionary activities that would ordinarily be available to this age group, are currently not operating. This is under constant review and where possible, these activities will be re-introduced only when it is safe to do so.

The Council's ASB team operates largely within normal working hours and is not a first response service and there are no plans to change how this team operates. In addition, the ASB team do not have any powers of dispersal to tackle this types of issues; that is the remit of the Police.

The Council works extremely closely with the Police and they have provided the following information with regards to police resources across the borough - During covid there has been a clear change in the types of demand on policing. Where certain crime levels dropped others increased as well as demand to meet the needs of the public during lockdown increasing. In response to the Police bolstered their resources during the evenings particularly for the shift working between 3pm – 12am to engage, explain and encourage the public, and where necessary to enforce during the lockdown period. The police also bolstered their resources during the opening of licensed premises and shops under Operation Out. Once more there was a greater emphasis on afternoon / evening resources during this time.

As Executive Member for Regeneration Economic Development & Partnership, as much as I understand the concerns raised, I do not feel it is appropriate or necessary to lobby the Police and Crime Commissioner to provide more officers in Welwyn Hatfield in the evenings and overnight. I do however note the comments and concerns raised and trust I have provided the reassurance that these issues are being managed as robustly as possible through the effective Community Safety Partnership."

Councillor Marsh in a supplementary question asked if there are no plans to increase the hours of the Council's ASB unit or have more police in the Borough, surely that is not going to solve the problem. I appreciate that the youth that are committing these offences are not going to youth clubs or not having things to do because of the Covid-19 pandemic, however, to deal with the immediate problem, I do recommend and ask that the Executive do lobby the Police and Crime Commissioner as one way of increasing the number of Officers out of hours especially if the ASB department is not going to change.

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Councillor Sarson answered that he does meet with the Police and Crime Commissioner on a fortnightly basis and said that the problem is a County problem. Our Police force is stretched to the limit and as crime not ASB is increasing, where do you want the police to go? Do you want them to look after the residents in the case of burglary and other crime or do you just want them to stop young people making a nuisance by swearing, loud music, littering, drinking and drug use etc.

(Note: Due to connectivity issues Councillor M.Larkins dropped out the meeting and was unable to re-join so was not present for the remainder of the meeting).

63.5. Question to the Executive Member, Environment and Planning from Councillor J.Quinton

“Future travel plans for the County include a strong emphasis on both conventional and electric bikes and recent Covid recovery plans also emphasise the use of bicycles.

However the general public won't adopt cycling if their bikes are likely to be stolen. With the high rate of bicycle theft in Welwyn Hatfield and without secure bike facilities, cyclists are understandably reluctant to leave their bikes chained up in the town centres.

Will the Council make it a priority to provide secure and protected cycle parking particularly in Welwyn Garden City town centre, which will encourage greater use of bicycles for shopping trips and commuting?”

Answer

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

“Thank you for your question Councillor Quinton.

I wholeheartedly agree with the promotion on the use of bicycles, not only is this in line with the government advice during the COVID recovery phase and Hertfordshire County Council's latest transport plan, it is also supporting the Climate Change Declaration that the council has signed up to.

As you will appreciate, the Borough council does not own all the land in the town centre and cannot simply put cycle parking where we see fit. However, we have been working closely with Hertfordshire County Council and have been invited to submit bidding proposals to them in order to improve and increase cycle parking provision in High Street and Town Centre locations on the land that we own.

We have included a number of locations in Welwyn Garden City town centre areas to increase cycle parking provision, including specific areas in Hunters Bridge car park, Campus East and Campus West. The bid was submitted to the County Council on 16 July and if successful, all works will be installed by 21 August.

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We are also working closely with our Community Safety Partnership who run a number of bike security campaigns a year.

With all these initiatives, we continue to work proactively with our partners in order to provide practical solutions and means to encourage and promote the use of bicycles.”

Councillor Quinton in a supplementary question asked whether the provision is for secured parking facilities for bikes not just hoops but actual ones where bicycles can be left for a long period of time, for instance for people travelling to London or other places by train. Also what is the timeframe on this? We have a unique opportunity now to make our travel plan greener without the facilities we may fall back to car usage again.

Councillor Boulton answered the bid submitted to County Council on the 16 July if successful all the works will be installed by the 21 August and that is fairly quickly. One the question about security- When the facilities have been installed, we will undertake the best security measures that the Council thinks are appropriate.

64. WELWYN HATFIELD COUNCIL RESPONSE TO COVID-19 PANDEMIC

Report of the Chief Executive detailing the Council’s response to Covid-19.

The Leader wanted to start by thanking and paying tribute to all NHS staff and key workers in the Borough and across the country and also thanked all staff who have continued to work hard to support our businesses and communities.

Since the last report we have seen continued changes to our way of life. As a Council we have continued to support our communities and businesses through this pandemic, as well as continuing to deliver all services. The Leader highlighted a few of these below.

- The Leader continued with other leaders in how we respond to the pandemic and is part of the Community Resilience Cell supporting all our colleagues across the County and carrying out a Community Impact Assessment;
- Cabinet have continued to meet regularly for updates and input to key decisions and issues and have used the start of a more streamlined governance process, through the use of Executive Member decision notices;
- The Chief Executive continues to chair the countywide recovery group and is lead chief executive for the strategic coordinating group;
- Plans have been developed as shielding comes to an end and as a County it is replaced with a community support network;
- The Council offices have been signed off as COVID secure;
- Through our CSP and Environmental Health teams, supported the reopening of pubs and restaurants;

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- Are working with GLL as they prepare for reopening our leisure facilities from the 25 July;
- Campus West reopened on the 4 July, but had to make the sad decision to cancel this year's pantomime;
- Hotel accommodation continues to be provided to homeless households and the government has recently announced additional funding for local authorities to maintain housing provision for this group. The Council is awaiting more information from government on how the funding will be allocated;
- Preparing for the approval of the new Business and Planning Bill
- The Council have now paid out £14.9 in business rate grants, which is 96% of out funding allocation;
- The Council has also launched the Discretionary Business Grant scheme, targeting small and micro businesses that were not eligible for the small business grant scheme;
- Continued to successfully run a virtual committee meetings;

This has not come without financial pressures and challenges. We are still facing significant financial in year pressures of nearly £7M. We previously had been allocated £1.28M of the £3.2bn allocated to local government and of the new £500M that was recently announced, our share is £194,000. That brings a total funding package to the council of £1.48M. We are still awaiting the detail on the proposed income guarantee that was also announced which should provide us further contributions to our in year pressures. In August, Cabinet will receive a more detailed report on this and quarter 1 forecasts and all of this will be considered as we start the budget process for next year..

Everyday we continue to see the impact this pandemic has on our communities and businesses, as well as the council. It has been a challenging time, but the Leader continues to be extremely proud of everything our communities, businesses, partners, staff and Councillors have done and continue to do.

It was moved and seconded by Councillors T.Kingsbury and D.Bell and

RESOLVED:
(unanimous)

- (1) Councillors noted the content of the report, the continued impacts of the pandemic on the Council's operations and the work undertaken to date.
- (2) Council thanked staff, communities, residents and businesses for their support in working together in this unprecedented time.

65. MATTERS ARISING FROM COMMITTEE

The Council considered recommendations from the meetings of Constitution Review Group on 27 May and Environment Overview and Scrutiny Committee on 27 January 2020:-

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65.1. Overview and Scrutiny Committee Vice-Chairman Appointment

Recommendation from the Constitution Review Group on the 27 May 2020.

Following Council's agreement to trial new scrutiny arrangements this year, the Constitution Review Group was delegated the authority to finalise the operational arrangements for the new committee.

At their meeting on 27 May 2020, discussions took place on the appointments of vice chairmen for the new Overview and Scrutiny Committee.

Members agreed that having two vice chairmen, one from each of the opposition groups was prudent within the new arrangements.

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

**RESOLVED:
(unanimous)**

Council agreed for Councillors L.Chesterman and J.Caliskan to be appointed as Vice-Chairmen of the new Overview and Scrutiny Committee as recommended at the Constitution Review Group on 27 May 2020.

65.2. Review of the Standard Conditions for the Licensing of Hackney Carriage Vehicles

Recommendation from the Environment Overview and Scrutiny Committee on the 27 January 2020.

Welwyn Hatfield Borough Council currently have no licensed Wheelchair Accessible Vehicles available for hire as a hackney carriage in their fleet. For disabled users, particularly those with mobility impairment, availability of public transport is crucial in daily life. Under the Equality Act 2010 the Council must be seen to promote access and eliminate barriers in relation to discrimination. If the Council is seen to be discriminating to disabled users there is a risk of legal action under the Equality Act 2010.

The Taxi and Private Hire Vehicle Statistics 2019 England show that Welwyn and Hatfield are the only authority across all of Hertfordshire and Bedfordshire to not have any licensed WAV's. Resident population in Welwyn Hatfield in mid-2017 totalled 122,300. Of those 15,908 stated long term health and disability including mobility.

The consultation into this issue identified 750 agencies and individuals, including the taxi trade, all of which were consulted with by way of individual surveys and public meetings over the period of 2018 and 2019 which showed a clear need for wheelchair accessible vehicles in the borough. New Hackney Carriage vehicle

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standard conditions have been approved by sub-group committee members. At the Environment and Overview Scrutiny Committee in January 2020 it was agreed that the proposed standard conditions be put forward to Full Council for agreement and adoption with the Equality Act 2010 in mind. Unfortunately, the Coronavirus pandemic prevented this matter being brought before an earlier Council meeting.

It is possible that drivers may challenge the introduction of these standard conditions but also we need to remind ourselves that failure to adopt these conditions could result in challenge by disability groups and individuals, especially as we are the only authority in Hertfordshire not to have a wheelchair accessible fleet.

These issues were discussed at both the working group and the subsequent EOSC meeting and the recommendations have therefore been put forward.

The second recommendation relates to the adoption date of the new standard conditions and it is worth noting that the original EOSC report stated that the new standard conditions be adopted from 1 April 2020. As we were unable to bring this to an earlier Council meeting, the date of adoption now needs to be decided

Following receipt of a letter, dated 7 July 2020, from Mr Richard Bunday and receipt of an email, on 17 July, from the office of the Rt Hon Grant Shapps, an late addendum to the report has been submitted. The Addendum report addresses the points raised by Mr Bunday in his letter and brings to the attention of Members the concern which has been communicated by a resident hackney carriage driver to the office of the Rt Hon Grant Shapps.

Members will note the further Officer Recommendation which is contained in the Addendum report, seeking approval for implementation of the revised standard conditions with effect from 1 October 2020.

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

RESOLVED:
(unanimous)

- (1) That the revised Standard Conditions for the Licensing of Hackney Carriage Vehicles be adopted.
- (2) That the proposed implementation date of 1 October 2020 for the revised Standard Conditions for the Licensing of Hackney Carriage Vehicles was agreed.

66. NOTICE OF MOTION

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

Council
20 July 2020

66.1. The following motion has been submitted by Councillor M.Cowan and was seconded by Councillor P.Zukowskyj:-

“Despite the government’s reported plan to allow conversion of shops to residential without the need for planning permission, this council still wishes to retain town centre and local shopping parades looking as much like retailing opportunities as possible, whilst allowing changes that improve the locations. It therefore looks to establishing Article 4 directions in these areas if there is material risk or evidence of these areas being significantly adversely impacted, so that this council can retain control over usages rather than having them dictated by the market.”

It was moved and seconded by Councillors M.Cowan and P.Zukowskyj that the motion be approved.

It was then moved and seconded by Councillors G.Hayes and K.Thorpe that the motion be amended as follows:-

“**Given** the government’s reported plan to allow conversion of shops to residential without the need for planning permission **and in light of the uncertainty to our ever changing high streets and shopping areas, once the forthcoming changes to Permitted Development Rights have been published by the Government, the** ~~this~~ council **agrees that the Head of Planning will assess the possible impact on all areas within the borough and produce a report to suggest how** ~~still wishes to retain town centre and local shopping parades looking as much like retailing opportunities as possible, whilst allowing changes that improve the locations. It therefore looks to establishing Article 4 directions in these areas if there is material risk or evidence of these areas~~ **could best be protected from harm. The Head of Planning will then refer this to CPPP for councillors to make a decision** ~~being significantly adversely impacted, so that this council can retain control over usages rather than having them dictated by the market.”~~

On being put to the meeting there voted:-

The amendment was carried UNANIMOUSLY.

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

Given the government’s reported plan to allow conversion of shops to residential without the need for planning permission and in light of the uncertainty to our ever changing high streets and shopping areas, once the forthcoming changes to Permitted Development Rights have been published by the Government, the Council agrees that the Head of Planning will assess the possible impact on all areas within the borough and produce a report to suggest how these areas could best be protected from harm. The Head of planning will then refer this to CPPP for councillors to make a decision.

The Motion, as amended, was declared CARRIED.

Meeting ended 9.10pm
AM