

Please note that by law this meeting can be filmed, audio-recorded, photographed or reported electronically by the use of social media by anyone attending. This does not apply to any part of the meeting that is held in private session. The Council will webcast the meeting.

Please ask for:
Alison Marston

8 November 2022

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL to be held on Wednesday 16 November 2022 at 7.30 pm in the Council Chamber, Campus East, Welwyn Garden City, Herts, AL8 6AE.

Yours faithfully



Governance Services Manager

AGENDA
PART 1

1. **MINUTES**

To confirm as a correct record the Minutes of the meeting held on 26 July 2022 (previously circulated).

2. **APOLOGIES**

To receive apologies for absence, if any.

3. **PETITIONS**

The Mayor will receive petitions (limited to the first three petitions presented).

4. **QUESTIONS FROM THE PUBLIC** (Pages 5 - 6)

A period of thirty minutes will be made available for questions to be put by Members of the public to Members of the Cabinet on matters for which the Council has a responsibility or which affect the Borough.

5. **DECLARATIONS OF INTERESTS BY MEMBERS**

To note declarations of Members' disclosable pecuniary interests, non-disclosable pecuniary interests and non-pecuniary interests in respect of items on the Agenda.

6. ANNOUNCEMENTS

To receive any announcements from the Mayor, Leader of the Council, Member of the Cabinet or the Head of Paid Service.

7. QUESTIONS BY MEMBERS (Pages 7 - 8)

For a period of up to thirty minutes, a Member of the Council who has given prior notice in accordance with Council Procedure Rule 15, may ask (a) the Mayor, (b) the Leader of the Council or (c) a Member of the Cabinet a question on any matter in relation to which the Council has powers or duties or which affects the Borough.

The questions received for this meeting are attached. A Member asking a question may ask, without giving notice, one supplementary question of the Member to whom the first question was asked. The supplementary question must arise directly out of the reply.

8. MATTERS ARISING FROM THE CABINET

To consider a recommendation from the meeting of the Cabinet on 9 August 2022:-

(a) Disregard of War Pensions Policy (Pages 9 - 10)

Recommendation from the meeting of the Cabinet on 9 August 2022 on the disregard of the War Pensions Policy.

9. NOTICES OF MOTIONS UNDER PROCEDURE RULE 16 (Pages 11 - 12)

To consider notices of motions submitted under Procedure Rule 16 in such order as the Mayor shall direct. The motions received for this meeting are attached.

10. TIMETABLE OF MEETINGS 2023/24 (Pages 13 - 16)

Report of the Assistant Director (Legal and Governance) on the approval of the timetable of meetings for the 2023/24 Municipal Year.

11. APPOINTMENT OF INTERIM MONITORING OFFICER (Pages 17 - 18)

Report of the Executive Director (Finance and Transformation) seeking approval to appoint an interim Monitoring Officer as from the departure date of the current Monitoring Officer until such time as the role of Assistant Director (Legal and Governance) is filled.

12. URGENT MATTERS

To consider any matters of urgency subject to the agreement of the Mayor in accordance with Procedure Rule 5.1(s).

Circulation: The Mayor and Members of the Welwyn Hatfield Borough Council
Corporate Management Team
Press and Public (except Part II Items)

If you require any further information about this Agenda please contact
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Agenda Item 4

Part I
Item No: 4

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL MEETING – 16 NOVEMBER 2022

COUNCIL PROCEDURE RULE NO. 14 QUESTIONS – QUESTIONS BY THE PUBLIC

Notice of the following questions has been received in accordance with Council Procedure Rule No 14:-

1. Question to the Executive Member, Housing, from Yvonne Pullens

“I would like to ask why the council isn’t listening to its constituents and councillors involved in housing maintenance issues. Why they deem it acceptable for families to live in damp mouldy circumstances. Leading to health and mental health issues.

With the cost of living and abhorrent gas prices people will be even more scared or unable to afford heating. Making the circumstances even worse while they could be fixed but yet people are left in their situation for months or years.

Does the council not have a duty of care?”

2. Question to the Executive Member, Housing, from Sarah Hilliard

“In March, it was agreed that a consultation of tenants would take place with regard to fixed term tenancies - to date, this has yet to happen. In the current economic climate, a secure tenure is a must. Please can you confirm a date by which the consultation will take place and a decision made on the future of fixed term tenancies?”

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Agenda Item 7

Part I
Item No: 7

WELWYN HATFIELD BOROUGH COUNCIL

COUNCIL PROCEDURE RULE NO. 15 QUESTIONS – QUESTIONS BY MEMBERS

Notice of the following questions has been received in accordance with Council Procedure Rule No 15:-

1. Question to the Leader from Councillor Pankit Shah

“Please can the Leader provide us with an update on the current status of Local Plan? Almost 2 months have been elapsed since the receipt of Inspector's letter on 6th September 2022. We also noted that a CPPP meeting was also cancelled where there was an opportunity to provide an update on Local Plan.”

2. Question to the Leader from Councillor Jane Quinton

“Since June 15th 2022, Part S of building regulations has been in force. This states that electric vehicle (EV) charging points are required to be installed so that every new home with associated parking has an EV charge point.

It should therefore be part of good design practice by the council to ensure that these building regulations are adhered to in any planning application assessed by the council.

Can the council confirm that all planning applications submitted since June this year have been or will be recommended for refusal (on the basis they cannot constitute ‘high quality design’ and therefore fail to meet policy D1), or have relevant conditions imposed on them if they are not compliant with these legally binding building regulations as part of their good design practice?”

3. Question to the Leader from Councillor Larry Crofton

“I would like to ask for information regarding paper recycling trays. I have had complaints that a lot going missing due to them not being returned after being emptied, indeed some residents have had theirs replaced 4 times.

I would like to know how many of these trays are being misplaced weekly or monthly? Who is paying for the replacements? How much do each of these trays cost to replace and is there any cost to the Council?”

4. Question to the Leader from Councillor Paul Zukowskyj

“At the Full Council meeting in July, WHBC promised to set up a customer services working group, which so far has met just once. What tangible steps has the council taken to speed up improving the Council's performance in relation to customer services?”

5. Question to the Leader from Councillor Lynn Chesterman

“I understand that the decision as to whether the community bus scheme will be withdrawn has been deferred for cabinet consideration for a month owing to the high number of paper responses. Recent research states over 20% of over 65s do not have access to the internet in the UK. As this is something that I have argued about for years will the Leader please confirm that the whole process of consultation is reviewed and submitted to scrutiny so that those who are unable to respond will no longer be excluded or will we continue with inequality because online is cheaper?”

6. Question to the Leader from Councillor Frank Marsh

“In view of clear evidence of anti social behaviour having taken place in Hatfield’s new car park and the fact that there has been recent anti social behaviour at Hunters Bridge Car Park in the town centre, what measures will you put in place to control ant-social behaviours in the new Campus West car park?”

7. Question to the Leader from Councillor Lucy Musk

“With the introduction of Morgan Sindall, is there a programme set up to clear the backlog of works left by Mears?”

8. Question to the Leader from Councillor Michal Siewniak

“Could the Council outline concrete steps it is taking to support the needs of asylum seekers and refugees in Welwyn Hatfield?”

9. Question to the Leader from Councillor Russ Platt

“Please can the council give a full and specific definition of the terms 'Affordable Housing' and 'Social Housing', as used in WHBC planning policies?”

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 16 NOVEMBER 2022

Recommendation from Cabinet on 9 August 2022:-

28.1. DISREGARD OF WAR PENSIONS POLICY (FORWARD PLAN REFERENCE FP1132)

Report of the Executive Director (Finance and Transformation) on the disregard of the War Pensions Policy.

(1) The Decision Taken

RESOLVED:
(unanimous)

The Council's disregard of war pensions procedure when calculating housing benefit and council tax support was agreed by Cabinet and recommended to Full Council.

(2) Reasons for the Decision

The purpose of the report was to document existing working practices to ensure that members of the armed forces who have been disabled during service or the widows, widowers or surviving civil partners of those who died in the service of their country should not be penalised by having their pensions or payments made in relation to their service, taken into account in the calculation of their housing benefit or council tax support entitlement.

The Council disregards in full war widows and war disablement pensions when calculating entitlement to housing benefit.

The Council Tax Support Scheme replaced council tax benefits from April 2013 and the Council's scheme for working age recipients and pensioners allows for the full disregard of war widow and war disablement pensions.

The cost of these disregards was minimal due to the fact the council receives 75% subsidy towards these costs, with a cost of less than £2,500 last year.

An equalities impact assessment had been undertaken, no negative impacts had been identified but potentially positive impacts have been identified as set out the equalities implications.

The reports of the Cabinet meeting can be viewed in full here:
<https://democracy.welhat.gov.uk/ieListDocuments.aspx?CId=151&MId=1438&Ver=4>

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WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 16 NOVEMBER 2022

NOTICE OF MOTIONS UNDER PROCEDURE RULE 16

To consider the following notice of motions submitted under Procedure Rule 16:-

1. The following motion has been submitted by Councillor Paul Zukowskyj and will be seconded by Councillor Frank Marsh:-

Councillors provide governance of this council. They are directly and democratically elected representatives of the people who fund this council, and as such should be able to appropriately experience and engage with all services provided by this council.

This council commits to ensuring that all councillors can freely, properly and fully engage with staff, services and customers of this council unless there is a legal bar to them doing so.

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Part I

Item No: tbc

Main author: Clair Francis

Not Ward Specific

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 16 NOVEMBER 2022
REPORT OF THE ASSISTANT DIRECTOR (LEGAL AND GOVERNANCE)

TIMETABLE OF MEETINGS 2023/24

1 Executive Summary

1.1 The purpose of this report is to seek approval to the timetable of meetings for the 2023/24 Municipal Year.

2 Recommendation

2.1 That the timetable setting out dates of meetings for the Municipal Year 2023/24, as attached at Appendix A be approved.

3 Explanation

3.1 At the meeting of Council on 26 September 2019, Members agreed that the timetable of meetings can be approved at any ordinary Council meeting during the Municipal Year, rather than having to wait until the Annual Council meeting in May.

3.2 This facilitates effective forward planning both for Members and Officers in the transaction of Council business and as part of the modernisation of decision-making processes and procedures.

Implications

4 Legal Implication(s)

4.1 None.

5 Financial Implication(s)

5.1 None.

6 Risk Management Implications

6.1 None

7 Security and Terrorism Implication(s)

7.1 None

8 Procurement Implication(s)

8.1 None

9 Climate Change Implication(s)

9.1 None

10 Human Resources Implication(s)

10.1 None

11 Health and Wellbeing Implication(s)

11.1 None

12 Communication and Engagement Implication(s)

12.1 None

13 Link to Corporate Priorities

13.1 The committee timetable supports the corporate priorities under “A well-run Council which puts our customers first”.

14 Equality and Diversity

14.1 An Equality Impact Assessment (EqIA) was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

Name of author	Alison Marston 01707 357444
Title	Governance Services Manager
Date	3 November 2022

Appendix A – Draft Committee Timetable 2023/24

	2023								2024				
	May	June	July	August	September	October	November	December	January	February	March	April	May
Saturday			1										
Sunday			2										
Monday	1 BANK HOLIDAY		3				1		1 BANK HOLIDAY			1 BANK HOLIDAY	
Tuesday	2		4	1			2		2			2	
Wednesday	3		5 CWCP	2			3	1 Grants	3			3	1
Thursday	4 ELECTIONS	1 OSC WORKSHOP	6	3 CHP			4 CPPP	2 CHP	4	1 CHP		4	2 ELECTIONS
Friday	5		7	4	1		5	3	5	2	1	5	3
Saturday	6	3	8	5	2	7	4	2	6	3	2	6	4
Sunday	7	4	9	6	3	8	5	3	7	4	3	7	5
Monday	8	5	10	7	4	9	6	4	8	5	Council	8	6
Tuesday	9 Induction	6 Cabinet	11 Cabinet	8 Cabinet	5 Cabinet	10 Cabinet	7 Cabinet	5 Cabinet	9 Cabinet	6 Cabinet	5 Cabinet	9	7
Wednesday	10	7	12 Climate	9	6 Climate	11 CWCP	8 Climate	6 Grants	10	7 Grants	6 Climate	10	8
Thursday	11 Induction	8 CHP	13	10	7 DMC	12 Highways	9 CPPP	7	11 DMC	8 DMC	7 DMC	11	9
Friday	12	9	14	11	8	13	10	8	12	9	8	12	10
Saturday	13	10	15	12	9	14	11	9	13	10	9	13	11
Sunday	14	11	16	13	10	15	12	10	14	11	10	14	12
Monday	15	12	17	14	11	16	13	11	15	12	11	15	13
Tuesday	16 Induction	13 MDSG	18 OSC	15	12	17	14	12	16 OSC	13	12 OSC	16	14
Wednesday	17	14 Standards	19 Council	16	13	18	15	13	17 Climate	14	13 Council	17	15
Thursday	18 Induction	15 DMC	20 CPPP	17 CPPP	14 CPPP	19 DMC	16	14	18 CPPP	15 CPPP	14 CPPP	18	16
Friday	19	16	21	18	15	20	17	15	19	16	15	19	17
Saturday	20	17	22	19	16	21	18	16	20	17	16	20	18
Sunday	21	18	23	20	17	22	19	17	21	18	17	21	19
Monday	22 ANN. COUNCIL	19	24	21	18	23	20	18	22	19 Standards	18	22	20 ANN. COUNCIL
Tuesday	23	20 Licensing	25	22	19	24	21	19	23 Special Cabinet	20	19	23	21
Wednesday	24	21 Grants	26	23	20	25	22	20	24 CWCP	21 *Special Council	20	24	22
Thursday	25 OSC WORKSHOP	22 CPPP	27 DMC	24 Licensing	21	26	23	21	25	22	21 MDSG	25	23
Friday	26	23	28	25	22	27	24	22	26	23	22	26	24
Saturday	27	24	29	26	23	28	25	23	27	24	23	27	25
Sunday	28	25	30	27	24	29	26	24	28	25	24	28	26
Monday	29 BANK HOLIDAY	26	31	28	25	30	27	25	29 BANK HOLIDAY	26	25	29	27
Tuesday	30	27		29	26	31	28	26	30	27	26	30	28
Wednesday	31	Audit		30	27	31	28	27	31	28	27	31	29
Thursday													30
Friday													31
Saturday													
Sunday													

*21 February 2024 / Special Council - This date is dependent on the HCC budget date, so is subject to change

ALCOHOL	Alcohol and Regulated Entertainment Committee	2.30pm
ANN. COUNCIL	Annual Council	7.30pm
AUDIT	Audit Committee	7.30pm
CABINET	Cabinet	5.00pm
CHP	Cabinet Housing Panel	7.30pm
CLIMATE	Climate Change Group	7.30pm
COUNCIL	Council	7.30pm
CPPP	Cabinet Planning and Parking Panel	7.30pm
CWCP	Campus West Cabinet Panel	6.00pm
DMC	Development Management Committee	7.30pm
EMAP	Estates Management Appeals Panel	7.30pm
GPB	General Procurement Board	6.30pm
GRANTS	Grants Board	6.30pm
HIGHWAYS	Highways Liaison Meeting	7.30pm
LICENSING	Licensing Committee	7.30pm
MD	Member Development Session	various
MDSG	Member Development Steering Group	7.00pm
OSC	Overview and Scrutiny Committee	7.30pm
SPEC. CABINET	Special Cabinet	5.00pm
SPEC. COUNCIL	Special Council	7.30pm
STANDARDS	Standards Committee	7.30pm

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Agenda Item 11

Part I

Main author: Richard Baker

Executive Member: Cllr Tony Kingsbury

Not Ward Specific

WELWYN HATFIELD BOROUGH COUNCIL

COUNCIL – 16 NOVEMBER 2022

REPORT OF THE EXECUTIVE DIRECTOR (FINANCE AND TRANSFORMATION)

APPOINTMENT OF INTERIM MONITORING OFFICER

1 Executive Summary

- 1.1. This report seeks the Council's approval to appoint the Legal Services Manager as interim Monitoring Officer, as from the departure date of the current Monitoring Officer until such time as the role of Assistant Director (Legal and Governance) is filled.

2 Recommendation(s)

- 2.1. That the Council approve that the Legal Services Manager is appointed as the Council's Monitoring Officer, as from the departure date of the current Monitoring Officer until such time as the role of Assistant Director (Legal and Governance) is filled.

3 Explanation

- 3.1 The council's current Assistant Director (Legal and Governance), who is appointed as the Council's Monitoring Officer, is leaving the council to work at another authority, resulting in a vacancy for Welwyn Hatfield Borough Council.
- 3.2 The recruitment process has started, and a paper will be returned to Council to seek the appointment of a permanent Monitoring Officer once the recruitment process has finished and a suitable candidate has been selected.
- 3.3 As the Assistant Director (Legal and Governance) is currently the council's appointed Monitoring Officer, a new interim appointment is required as from their departure date and until their role is filled by a new incumbent.
- 3.4 Accordingly, it is recommended that the Legal Services Manager, who is currently the Council's Deputy Monitoring Officer, is appointed to the Monitoring Officer post, for an interim period until such time as the Assistant Director (Legal and Governance) post is filled.

Implications

4 Legal Implication(s)

- 4.1 As contained within the body of this report.

5 Financial Implication(s)

- 5.1 The Legal Services Manager will receive pay in line with the councils pay structure and policy, on a pro-rata basis, for the interim period. This will be met from within existing budgets.

6 Risk Management Implications

- 6.1 There are no inherent risks in the subject matter of this report.

7 Security and Terrorism Implication(s)

7.1 There are no security and terrorism implications inherent in relation to the proposals in this report.

8 Procurement Implication(s)

8.1 There are no procurement implications inherent in relation to the proposals in this report.

9 Climate Change Implication(s)

9.1 There are no climate change implications inherent in relation to the proposals in this report.

10 Human Resources Implication(s)

10.1 The Human Resources Manager is the lead officer for this process and has acted in accordance with the council's relevant statutory and policy requirements.

11 Health and Wellbeing Implication(s)

11.1 There are no health and wellbeing implications inherent in relation to the proposals in this report.

12 Communication and Engagement Implication(s)

12.1 Subject to council approval, the appointment will be reported in accordance with the usual procedures.

13 Link to Corporate Priorities

13.1 The subject of this report is linked to the Council's Corporate Priority Our Council, and specifically to the achievement of Value for Money, and is linked to a statutory requirement under stated legislation in this report.

14 Equality and Diversity

14.1 An Equalities Impact Assessment (EqIA) was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

Name of author	Richard Baker
Title	Executive Director (Finance and Transformation)
Date	6 November 2022