

Council
23 November 2020

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD BOROUGH COUNCIL held on Monday 23 November 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, J.Caliskan, A.Chesterman, L.Chesterman, M.Cook, M.Cowan, J.Cragg, A.Dennis, S.Elam, B.Fitzsimon, G.Hayes, M.Holloway, T.Jackson-Mynott, 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.P.Skoczylas, P.Smith, K.Thorpe, S.Thusu, F.Thomson, J.Weston, S.Wrenn, P.Zukowskyj

OFFICIALS Chief Executive (K.Ng)
PRESENT: 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)
Principal Governance Officer (J.Anthony)

78. MINUTES

The Minutes of the meeting held on 17 September 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.

79. QUESTIONS FROM THE PUBLIC

79.1. Question from Mike Moult, Moult Walker

“Concerning Welwyn Village, Fulling Mill Lane: Local Plan References Wel1, Wel2, Wel15.

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These contiguous sites were recommended for allocation by Officers to CPPP in January 2020. In aggregate they can house 230 homes including 35% affordable. There are no objections to the proposal from Statutory, or 'wildlife bodies'. The houses will be provided within the first five years of the Plan. The scheme includes improved facilities for the Cemetery; improvement to Singlers Marsh; and a safer road layout than exists now.

The Inspector has specifically stated in paragraph 104 of his Preliminary Conclusions that disparity in distribution of sites to Villages, mentioning Welwyn, 'is likely to be found unsound'. That distribution has not changed.

The recommendations before you is that the OAN be 13,800; and that sites to be allocated add up to 13,277 homes. This leaves a gap of 523 dwellings. In addition, Cabinet recommend that a site PB1 be 'safeguarded' for future development. However PB1 is untested; is long term and therefore will make no contribution to the 5 year housing land supply; and is certainly not a Village site.

To reduce the chances of the Inspector finding the Plan unsound leading to another 3 year delay and duplication of very substantial costs, would Council allocate Wel1, Wel2, and Wel15 as Village sites for Welwyn where only 69 new dwellings are being otherwise allocated in one of the most sustainable Villages in the Borough?

These will be within the 13,800 OAN and would not affect PB1 as a long term allocation.”

Answer

The question was answered by Councillor S.Boulton (Executive Member, Environment and Planning) :-

“Site WEL1, WEL2 and WEL15 were in the submitted local plan and were not selected by Councillors for proposed changes or consultation at the start of this year because they did not want to include any new moderate high harm sites in the plan.

Full Council are about to debate the recommendations before them and I cannot pre-empt their response. Members will, no doubt, consider the points raised on the suitability of these sites and their potential to contribute to meeting of the OAN.”

79.2. **Question from Neil Bedford**

“Pursuant to the Cabinet meeting this evening Thursday 19, the Full Council have been recommended to agree 13,800 homes be the chosen number for the Inspector to consider sound. This is after many warnings from the Inspector that the Council are not meeting its OAN. He has also stated many times that sites near stations should be chosen ahead of sites that are not. He has said "there is land within walking distance of at least three, possibly four stations, within the

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Borough that should be considered for release, in the context of paragraph 138 of the National Planning Policy Framework, before land that is not well served by public transport."

In terms of how harm to the Green Belt is assessed the Inspector considered that "it should not be ignored that land in close proximity to railway stations should be prioritised but that also sites assessed as high harm sites should not be excluded."

The CPPP were asked on Tuesday why Sites BrP6, 9 & 10 at Brookmans Park within close walking distance of the station have not been chosen or even proposed to be safeguarded. The answer given by Chairman Boulton stated "BrP6, 9 & 10 would also result in high harm to the Green Belt and are further away from the shops than HS22/BrP4 and site BrP1 is closer to the secondary school."

This only confirms the political interference in site selection by stating irrelevant reasons as an answer and ignoring the Inspector's advice about site selection. Therefore as the Cabinet did not question the housing figure given by the CPPP or the justification for next to no new houses at Brookmans Park, are the Full Council prepared to cross their fingers and hope the inspector will accept the site selection is sound, or reconsider and save the plan from being rejected by the inspector?"

Answer

The question was answered by Councillor S.Boulton (Executive Member, Environment and Planning) :-

"The inference in the question is that harm to the Green Belt is irrelevant and that BrP6, 9 and 10 should be selected ahead of a site which results in the same level of harm to the Green Belt but is more sustainable. There would be no planning justification for such a course of action. Instead CPPP and Cabinet are recommending to Full Council a strategy which focuses on maximising opportunities on brownfield sites and sites which result in no more than moderate harm to the Green Belt in settlements with railway stations. Such a strategy is entirely consistent with the NPPF."

79.3. Question from Maurice Gammell, Bell Lane Action Group

"My name is Maurice Gammell and I am addressing you on behalf of the Bell Lane Action Group – BLAG, which represents local residents who oppose the inclusion of site BrP1 in the Proposed Local Plan to be submitted to the inspector.

BLAG has continually made representations to the Council officers not to include the agricultural and green belt site opposite Bell Lane, known as BrP1, because it believes it to be totally unsustainable for the following reasons:

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1. It is agricultural land and is an integral part of the “openness” between Brookmans Park and Bell Bar.
2. Bell Bar is a small hamlet with a history of many centuries and is a totally separate entity from the village of Brookman’s Park, which was built around 1930. The two are not interconnected by any network of roads.
3. A housing development on that site, of the size and magnitude considered, would coalesce those two disparate settlements.
4. It would create a negative impact on the local character and distinctiveness of Bell Lane which supports several Grade II listed properties.
5. Bell Lane is a narrow country lane, used by walkers, joggers, cyclists and horse riders. The charm and tranquillity of this lane would be destroyed and lost forever if this development takes place.
6. There are only 39 houses along Bell Lane. To add a further 104 dwellings would treble the housing density, which is a gross and disproportionate expansion of a small rural community
7. The current infrastructure would not cope with the additional housing.
8. The 200 extra cars which would arise out of this proposed housing development would have to emerge onto A1000, causing massive congestion on this already busy arterial road. Air and noise pollution would also increase substantially.
9. The site is far from any train stations, shops, schools, or health centres, all of which are over half an hour’s walk from it. It is not served by any regular form of public transport.
10. A development without local facilities and amenities is a crime generator.
11. Changing the boundaries of the Green Belt, as suggested, in order to accommodate this development would allow excessive, and cumulative scale of growth of the existing houses.

Welwyn and Hatfield Council had originally considered introducing BrP1 in the Local Plan but correctly rejected it on many grounds.

However, in its search to meet an illusory OAN (which we vehemently dispute), it commissioned LUC to produce a report in 2019 to determine which greenfield sites could be “sacrificed”. This was based on whether the loss of a site was “Moderately Harmful” or “Moderately to High”.

LUC changed the status of BrP1 from “Moderate to High” to “Moderate”, thus allowing the Council to introduce it again in their latest iteration of the Plan.

The LUC report was a very poorly researched and inaccurate paper. It was clear that its author had never visited the site or the area – hence the inadequate reporting and incorrect assumptions. The report suggested distances to shops and railway stations which were totally incorrect, evidence of transport links that were not available, the existence of amenities that were not there. BLAG strongly disputed these findings and contested this spurious and erroneous information. But those were ignored by the Council in its search to make up the numbers. There were many more sustainable sites than BrP1 that the CPPP could have included (and which had been favoured by the Inspector) such as HS22 and BrP4 to name but a few, but they were dismissed.

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So, before you make a decision which will have a major, grave, and long-term impact on the residents of a small hamlet. Could you please explain:

Why did the representations of 60 people who opposed the inclusion of BrP1 in the Plan, and the veracity of the misrepresented facts in the LUC report, not checked sufficiently, reviewed, and addressed?"

Answer

The question was answered by Councillor S.Boulton (Executive Member, Environment and Planning) :-

"The detailed points and issues raised by respondents have all been reviewed by officers. A summary of the key issues and a proposed response is set out in Appendix and B of the CPPP report. The Green Belt Review produced by LUC was commissioned in 2018 on the instructions of the Inspector and has already been considered at a hearing session in November 2018. This version was updated on the instructions of the Inspector to address consistency issues raised by objectors and was published in 2019. The harm rating of Parcel 72 within which BrP1 falls did not change as a consequence. The Inspector has concluded that the LUC evidence along with the two other Green Belt studies is a useful starting point when assessing the harm to the Green Belt that would result if a site is released.

Comments on the Sustainability Appraisal were considered carefully, including those relating to access to education and public transport. The information and score for public transport access was updated to reflect those comments. The County Council as Highway Authority do not consider that there would be a severe impact on the Highway Network if this site were to come forward."

79.4. **Question from Rory Connor**

"The Turley report stated the minimum housing need should be 14,300 yet the Cabinet have asked this Council to inform the Inspector there are only suitable sites for 13,277.

This is 1000 less than the Turley minimum.

Tonight you must ask yourselves WHY ?

Why are we being asked to agree 13,277 and risk the Inspector throwing out our Local Plan, ten years in the making, just to protect Brookmans Park. Our Draft Local Plan includes two sites at Brookmans Park, BrP6 & BrP12 that are described as suitable alternative sites and sites BrP9 & BrP10 are the other side of Bluebridge Road from BrP6. They are all within a few minutes walk of the station and together they could provide over 600 new homes and probably save the Local Plan from rejection. This number 600 has been recommended by Councillor Duncan Bell for Brookmans Park in his consultation response, and the Hatfield Town Council have recommended Brookmans Park should be taking a

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further 1,400 to relieve the pressure on Hatfield itself and provide a more proportionate distribution.

Apart from protecting the NIMBY enclave of Brookmans Park, why are these highly sustainable sites that meet the Inspector's criteria not included to help meet the Assessed Need?"

Answer

The question was answered by Councillor S.Boulton (Executive Member, Environment and Planning) :-

"Responses to consultation on options for sites have consistently raised concern about the coalescence of settlements and harm to the Green Belt. It is only right that the Council should take these issues into account when deciding which sites to allocate. The Inspector has not suggested that additional sites need to be found in Brookmans Park."

79.5. Question from Nigel Matthews, North Mymms District Green Belt Society

"The North Mymms District Green Belt Society is disappointed that the recommendations before the Council fail to take the real opportunity to provide for the needs of the Borough without causing irreparable damage to our community and the Green Belt.

Councillors have all been given copies of several analyses by independent professionals which show that under the guidance for establishing the OAN the latest ONS household projection figures give a starting point of 319 dwellings a year; this is less than half the 690 dwellings per year in the recommendation now before the Council. The difference between these two numbers represents a huge uplift between, on the one hand local needs and on the other hand, aspirations for the growth of the Borough that ignore current economic circumstances and can only be met by use of yet more Green Belt land.

Before making their decision will councillors please look carefully at the unusual methods used to support this recommendation and satisfy themselves on the evidence that it is right to pass up the opportunity to agree a lower OAN that would genuinely reflect the local need whilst reducing the damage to the local Green Belt."

Answer

The question was answered by Councillor S.Boulton (Executive Member, Environment and Planning) :-

"The calculation of the OAN is based on a methodology already found sound by the Inspector. The Inspector has made it clear in his Interim Report that a fundamentally lower figure would not be found sound."

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79.6. Question from Alan W D Perkins FRICS

“At the CPPP meeting on 17th November and the Cabinet Meeting on 19th November 2020, Members discussed a site called PB1 in Potters Bar for “allocation for safeguarding” for between 600 and 700 homes on the basis that the proposed dwellings on PB1 would be counted towards the Council’s Objectively Assessed Housing Need at 13,800.

Paragraphs 19 and 34 of the Planning and Compulsory Purchase Act 2004 require the Council to have regard to national policies and advice contained in guidance issued by the Secretary of State. For the purposes of the WHBC Local Plan, the prime source of that guidance and advice is in the National Planning Policy Framework 2012.

Paragraph 85 of the NPPF states: “Where necessary, identify areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs well beyond the plan period.” and “Make clear that safeguarded land is not allocated for development at the present time...”

There has been no public consultation for 600-700 dwellings on PB1 and no assessment whatsoever by the Council Officers for that number of dwellings on PB1. In fact, the Officer Report to CPPP on 23rd and 29th January 2020 stated: “For Potters Bar, no sites passed Stages 1 and 2 of the site selection process and therefore no sites have been considered further...”

In view of the fact that (1) PB1 cannot be counted towards the delivery of the Objectively Assessed Need, (2) there has been no assessment by the Council of PB1 for 600 or more dwellings and (3) there has been no public consultation or recommendation from the planning officers, it would be unlawful for WHBC to allocate PB1 as contributing any dwellings, at all, to the present Objectively Assessed Housing Need.

Subject to the necessary due diligence, detailed assessment and future public consultation, WHBC is at liberty to ask the Inspector to reserve PB1 as ‘safeguarded land’, but it is not permitted to count 600 or 700 homes on PB1 towards its Objectively Assessed Housing Need.

The Inspector has made clear that he requires the Council to allocate sufficient housing sites to meet the FOAHN in full and also to meet its five-year land supply.

The lawful duty upon this Council is to meet its FOAHN by allocating suitable and sustainable sites which are distributed fairly and objectively in the most sustainable locations throughout the borough.

Would the Chairman please confirm whether, or not, the Council intends to allocate PB1 as safeguarded land for 600 – 700 dwellings as part of the Council’s FOAHN or does it accept that PB1 cannot be counted towards its FOAHN?”

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Answer

The question was answered by Councillor S.Boulton (Executive Member, Environment and Planning) :-

“The purpose of safeguarded land is to make provision for longer term needs. The recommendation of CPPP and Cabinet is that it should be identified as safeguarded land for longer term needs. Should it be needed before the end of the plan period it could be identified for early release as part of a review of the plan. It has not been included in the 13,277 homes figure identified by CPPP and Cabinet as comprising completions commitments, windfall development and allocations.”

80. **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.

81. **ANNOUNCEMENTS**

81.1. **Mayor of Hertsmere**

At the Hertsmere Full Council Meeting on Wednesday 18 November 2020, Councillor Alan Plancey was elected as the Mayor of Hertsmere. Councillor Plancey will be taking over the role after the sad passing of Councillor Cynthia Barker. Councillor Plancey was Mayor of Hertsmere last year, the Mayoress will be Mrs Miriam Plancey and the Deputy Mayor remains as Councillor Anne Swerling.

81.2. **Remembering at Home**

On 8 November 2020, Remembrance Sunday, Remembering at Home went live on the Council website and Facebook, with the start timed for the 11.00am 2 minutes silence. There were 2,500 views and excellent feedback had been received from the public, organisations, Corporate Management Team and Councillors.

81.3. **Civic Awards**

The Council had received sponsorship for the Civic Awards 2021 from Mears and had received confirmation from the University of Hertfordshire that they would like to sponsor the Young Person Award again in 2021, so the Council will be inviting nominations soon.

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81.4. Agenda order

The Mayor proposed a change in the order of business slightly. After item 8 (Cabinet business), the Mayor took item 11 (Review of the Council's Constitution). This was to facilitate the debate on the first motion at item 9.

81.5. Cabinet Members' Announcement - Councillor F.Thomson

The Climate Change Member Panel had been meeting on a regular basis to discuss the emergency situation.

The Panel had identified that the Council and its partners already do a significant amount to tackle climate change.

The Panel has agreed a draft strategy for public consultation that was now available on the website for comment until 29 January 2021. This will enable the final strategy and action plan to be adopted in March 2021.

The Panel will continue to meet to identify actions that can be implemented to tackle climate change. This will include education and awareness raising for all Councillors and staff as part of their day-to-day duties; and ensuring that all committee reports contain a full analysis of their climate change implications.

Members and Officers will continue to attend the Hertfordshire Climate Change and Sustainability Group to identify actions that can be implemented at a countywide level.

In light of the prime Minister's recent announcement of his 10 point plan for 'green industrial revolution', which included developing the first town heated by hydrogen by the end of this decade, I have asked officers through the Climate change group and partners to explore the practicality and feasibility of these proposals.

82. QUESTIONS BY MEMBERS

82.1. Question to the Leader from Councillor L.Chesterman

“Can the Leader confirm that this Council has in place a plan to ensure that this winter, through lockdown and the early months of 2021, that no-one shall be left homeless on the Streets of Welwyn Hatfield?”

Answer

The Leader asked Councillor N.Pace (Executive Member, Housing and Community), to answer:-

“Thank you for your question.

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Members will be aware that on the 26 March this year, the government, in response to the Pandemic, asked every local housing authority to bring 'everyone in', referring to anyone who was rough sleeping or at risk of rough sleeping.

Our team did an amazing job of securing accommodation on that first weekend for more than twenty individuals; over the course of the next few months, the council housed more than sixty people who were at risk of rough sleeping and needed to be protected from the pandemic.

I am pleased to report that we have been working to find suitable long term solutions for all of the individuals helped during this time, other than people who disengaged or found their own accommodation, and the majority of people have now been successfully resettled.

As a result of the second lockdown, government has announced funding for specific areas, where rough sleeping is still very prevalent. They have also asked that local authorities do what they can to protect anyone who is rough sleeping or at risk of rough sleeping.

I am pleased to say that the housing team were successful in a bid to the Ministry of Housing under their Next Steps Accommodation Programme and have been awarded more than £300,000. This will be used for a number of projects, all of which will help support people who are or who are at risk of rough sleeping. We have secured some additional money to ensure that hotel accommodation, which is where the majority of people were placed initially during Lockdown One, is available where this is needed. We will also be expanding our Housing First project and providing alternative emergency accommodation, in place of Hatfield Night Shelter, which is currently shut.

In the meantime, we are working with our partners Resolve to provide emergency accommodation for lockdown and the Winter months at one of the council's temporary accommodation sites. The accommodation will be designated for people who have been or who are at risk of rough sleeping and the team will provide support on site and to facilitate successful move on.

As part of the council's Severe Weather Emergency Provision, we are also working in partnership with the YMCA to make sure that additional rooms are available for this client group.

Finally, we have worked extremely closely with colleagues in health, adult services, and social care, during this time. Where needed, hot food will be provided to people who don't have facilities and the team will work with partners to ensure that other support needs are also met and that sustainable housing solutions are secured.

Councillor L.Chesterman in a supplementary question asked that the Council had a great response to keeping the homeless safe during the first lockdown and that we had not received the funding to help the homeless stay off the streets

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and have had to rely on an application for finance to enable us to use our own funding. Do you agree with me that the Government had a responsibility to reintroduce helping the homeless be safe during the pandemic?

Councillor Pace stated he was disappointed that it did not come through straight away. However, I am pleased the team have made the subsequent applications and used all their power within its resources to get the money through.

82.2. Question to the Leader from Councillor M.Cowan

“I am reliably told that adding in the sites being applied for in Peartree, most of which appear to have got the nod, will bring the total built since 2010 to over 4000. This is more than all the existing homes in Cuffley, Northaw, Brookmans Park and Little Heath put together. All in just a few streets. No new schools have been built, although one is planned, no additional GP facilities have been provided and no public amenity space. Is it not time for a masterplan for the area?”

Answer

The Leader asked Councillor S.Boulton (Executive Member, Environment and Planning), to answer:-

Councillor Cowan is correct that there has been a notable amount of development in the Peartree and Broadwater Road area of the town.

Some of these dwellings have been allowed as office to residential conversions under permitted development rights that do not allow the Council to secure contributions for education, healthcare, open spaces, etc.

Some of these dwellings have been approved via planning applications (often with the fallback position that the applicant could secure permitted development in any case) that have been considered by statutory bodies such as Herts highway, Herts CC as education authority, NHS bodies, the Council's communities team and others. They have been determined in accordance with national and local policies, which support development in sustainable urban locations, and included appropriate planning contributions. For example, the Wheat Quarter scheme for 1,400 homes included a substantial contribution to primary school provision, expected to be in the form of a redeveloped Peartree School.

Some of these dwellings are allocated in the emerging Local Plan and will be subject to future planning applications that will be considered by statutory bodies, determined in accordance with national and local policies and subject to appropriate planning contribution requests. There is an existing SPD for the Broadwater Road area and an updated policy in the Submitted Local Plan.

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The Policy Team is currently focused on progressing the Local Plan. There is no spare capacity to prepare a masterplan for the Peartree area. A Supplementary Planning Document (SPD) would require evidence, sustainability appraisal, public consultation and formal adoption.

Councillor Cowan in a supplementary question asked that the Master Plan for the area could set policy and guidance for things like maximum height of buildings, provision of play areas and provision of infrastructure. In a town founded on the principles of good planning, is this not a worthwhile aspiration?

Councillor S.Boulton responded that the policy team are currently working on progressing the Local Plan and once that has been completed, they can look into other areas.

82.3. Question to the Leader from Councillor M.Birleson

“WHBC, along with East Herts, HCC, St Albans and Stevenage, are members of the Community Reassurance Cell. Taxi drivers have been encouraged to attend online ‘Travel With Confidence’ training earning them accreditation that they can advertise plus they can claim £100 towards the cost of fitting the Perspex screen between passengers and the driver.

Can you please confirm how many drivers licensed with this Council have completed this training and further, how this opportunity was advertised to our drivers?”

Answer

The Leader asked Councillor Thomson (Executive Member, Governance, Public Health and Climate Change), to answer:-

Welwyn Hatfield Council, along with all other councils, the emergency services, health and other agencies is a member of the statutory Local Resilience Forum partnership. As part of the response to the covid19 pandemic, a formal response structure has been implemented to coordinate the response to and recovery from the covid19 pandemic. This includes a community reassurance cell, of which this council’s leader is a member and as well as a countywide multi-agency communications cell. This ensures consistent messages are sent throughout the county including the message outlined in this question about the “travel with confidence scheme”.

As a Council we are keen to support this initiative, the safety of both drivers and the travelling public are of the utmost importance to us and we are working hard to ensure all the necessary processes are in place to enable us to deliver this scheme to our licensed drivers and the travelling public.

Once these are in place, we will be advertising the scheme using the County wide communications toolkit that has been developed.

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In the meantime, the team will continue to provide support and advice to drivers during the pandemic.

Councillor Birleson in a supplementary question asked that as this was important safety of drivers and public with the current pandemic, I would like Members to have a further report to Council to see how many drivers have taken the initiative up. Has this been advertised yet? I want to know when this will happen.

Councillor Thomson informed Members that this is a County wide initiative. Watford and East Herts are the two main Councils leading on this and to date they are the only two who have actually undertaken the scheme. It is important that we get the processes right and that is what the team will be doing. They will be contacting all the taxi drivers asking if they would like to join the scheme and explaining what would be involved including the benefits. Just for Members information, it is a two hour online scheme whereby the drivers will work through a series of questions and then there is an accreditation process following some questions to answer. We will absolutely be getting drivers on to the scheme and encourage them to. For Members awareness you will recall that the Hackney Carriage fares are due to increase on the 1 December 2020 so the team had been busy ensuring that all the taxi meters in the cars had been changed to ensure that this can go about on the date.

82.4. Question to the Leader from Councillor L.Musk

“At a recent Hertfordshire County Council scrutiny on the Covid 19 response countywide the CEOs of a number of voluntary organisations bemoaned the fact that their essential services are not included at the start of any emergency plan but have to fill gaps left by the statutory services.

Can you please confirm that WHBC does indeed have an emergency plan and that our vital voluntary sector is part of that plan from day one?”

Answer

The Leader asked Councillor Thomson (Executive Member, Governance, Public Health and Climate Change), to answer:-

The council is a category 1 responder under the Civil Contingencies Act 2004 and has a duty to plan for emergencies and this duty is undertaken in conjunction with the Local Resilience Forum. The duty placed on the Council also includes a requirement to have regard to the activities of voluntary organisations.

In answer to your question, I can confirm that the council does have an emergency plan and at present has many officers (and members) who are involved in work responding to and recovering from the covid19 pandemic. A volunteer people and assistance cell is working across the county to coordinate volunteers to help with covid 19.

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It is a hallmark of modern emergency planning that the contributions of the voluntary sector are built into all emergency plans, along with mutual aid. Therefore, the use of volunteers and other organisations, working in partnership to respond to and recover from an emergency is a valued part of the council's emergency planning process.

In fact, our Risk and Resilience Manager chairs a county wide working group, which included organisations such as the Red Cross, to develop a framework for the use of spontaneous volunteers in an emergency and a representative from the voluntary sector has a permanent seat at county wide strategic coordination group set up in response to the covid 19 pandemic.

Other examples of the inclusion of volunteers within our plan are:

- The Red Cross and Salvation Army are built into our reception centre planning, as are specialist organisations, for example the RSPCA and Cruse Bereavement Care
- We have radio system within the offices, that can be used by the Radio Amateurs Emergency Network (RAYNET) in the event of telecommunication outage during an emergency
- The four by four response group to help move people and supplies in severe weather

Councillor Musk in a supplementary question asked that it seems that all of our voluntary sectors are based County wide which are not working effectively as Welwyn Hatfield Borough Council would be. Have we got our local voluntary sector included in our plan and not County?

Councillor Thomson commented that it is important to remember the scale of the pandemic and what we are facing and it is absolutely right to have a County wide coordinated effect because otherwise you run the risk of each individual District and Borough doing their own thing. This could end up with vulnerable communities being missed. If there are specific organisations who feel they are not being represented or not involved then I would be happy to discuss that with you. There is a representative from most voluntary groups at every area of the LRF.

83. MATTERS ARISING FROM THE CABINET

The Council considered recommendations from the meetings of the Cabinet on 3 November and 19 November 2020:-

83.1. Hertfordshire Growth Board

Hertfordshire Growth Board (HGB) has been operating since late 2018 as a non-constituted partnership of the 11 Local authorities and Local Enterprise Partnership in Hertfordshire.

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The purpose of the Growth Board is to take a longer term place leadership approach to our place ambitions, growth pressures and economic performance. It has also promoted effective joint working.

All the authorities have jointly signed the Memorandum of Understanding (MOU) in 2019/20. We have signalled to the Treasury and MHCLG our joint commitment to the Growth Board programmes across Hertfordshire and to pursue a Growth Deal for our area. Bids for the Single Housing Infrastructure Funding will need to be submitted in 2020/2021 and will need to be supported by evidence of an appropriate governance model, to give it a legal identity and statutory weight.

Moving to establish a statutory joint committee will bring the work of the Growth Board within a legally prescribed process and the details are set out in the report.

Subject to all partners agreeing to establish the joint committees, the first Growth Board joint committee could take place in early 2021. The implementation of the Growth Board Scrutiny Committee should be aligned to the confirmation of a successful bid, later in 2021.

Cabinet met on 3 November and agreed to make 4 recommendations to Council as set out in the report. With regards to recommendation 3, I would like to nominate the Chairman of the Overview and Scrutiny Committee as the council's representative to the Growth Board Scrutiny Committee and that any substitution will be nominated in accordance with the Council's Constitution.

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

**RESOLVED:
(unanimous)**

- (1) That it agreed to the establishment of the Growth Board and Growth Board Scrutiny Joint Committees (to hold their inaugural meetings in January/February 2021 and then HGB Scrutiny aligned to confirmation of securing Government funding in 2021) for the Hertfordshire Growth Board and that the Council becomes a member of both.
- (2) That the Council adopted the Growth Board Integrated Governance Framework into its own constitutional framework.
- (3) That it nominated the Chairman of Overview and Scrutiny Committee as its representative to the HGB Scrutiny Committee and a substitute, if required, would be nominated in accordance with the Council's standing orders.
- (4) That it noted that the Leader is nominated as the Council's representative on the Growth Board and that the Leader has

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delegated authority to nominate a substitute representative as required.

83.2. Council Tax Support Scheme

To recommend the continuation of our localised Council Tax Support Scheme into 2021/22.

The scheme fully protects pensioners, families with children under 5, as well as certain other vulnerable claimants. For others, the assessed entitlement is calculated on 75% of the Council Tax bill.

Consultation has taken place with Hertfordshire County Council and the Hertfordshire Police and Crime Commissioner on our intention to continue with the same scheme. Both bodies have responded in agreement.

The cost of the scheme is met through the collection fund, through a reduction of the Tax Base. Based upon the latest information, the cost of the scheme for 2020/21 is likely to be £7.4M across all preceptors, an increase of £0.4M from 2019/20, largely because of the impact of the pandemic. Because this cost is met through the collection fund, the impact upon the General Fund will be spread over the following 3 years.

The likely adverse impact of Covid upon WHBC's share of the cost of this scheme for 2020/21 has been included within our estimated loss of Council Tax collections.

The likely cost for 2021/22, which will impact the General Fund in 2022/23 and beyond, will be estimated as part of the budget setting process.

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

**RESOLVED:
(unanimous)**

That the localised Council Tax support scheme continued in 2021/22 to help people on low/no income to receive a reduction on their council tax.

83.3. Local Plan

To consider the recommendations from the special Cabinet meeting on 19 November 2020 on the results of the public consultation, the content of the inspector's interim report and other updated evidence in order to agree a precise figure for the objective assessment of housing need (OAN) over the plan period and to confirm which sites should be proposed for inclusion in the Local Plan to meet the OAN.

The Head of Planning gave a presentation to Members on the Local Plan.

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Members may recall that the Local Plan was submitted for examination in 2017 with a target of 12,000 homes.

The inspector has since advised through the examination process, that it does not meet the Council's objective need. Members debated additional site at the Cabinet Planning and Parking meetings in January 2020 and Officers presented options to achieve the objective need at that time of 16,000 and Members chose to consult on a collection of sites totalling 14,011 homes for public consultation.

The consultation took place between 19 February and 1 May 2020. The Council received around 770 comments to document and the Sustainability Appraisal from 387 different respondents. 62% of the comments were from organisations, bodies, groups, developers and landowners.

The Council received the inspector's interim report in October 2020. It is a summary of the submitted plan based on the learning sessions.

The inspector asked the Council which additional housing sites are most sustainable to meet the OAN. In the report the inspector assumed the OAN was 16,000 but acknowledged that it may go down because of the latest 2018 bases household projections, but commented that a target lower than the OAN may not support the national housing crisis or tackle the affordability issues in the Borough.

Number of comments on particular sites-

Birchall Garden Suburb South harms openness of Green Belt

Marshmoor should be considered for housing if Council cannot meet the OAN

Symondshyde may be selectable if OAN cannot be met from village sites

The inspector identified two options for the Council –

- 1.) Propose additional housing sites to meet the OAN
- 2.) Withdraw the plan from the examination

The inspector identified a list of deadlines that they would like the Council to achieve or the inspector will confirm the plan as unsound if the Council cannot achieve the deadlines.

Recommendation 1:-That the new objective assessment housing need (OAN) is 690 per year equivalent to 13,800 over the plan period of 2016-2036 based on the ten year projection identified.

Recommendation 2:-That a strategy is put forward for 13,277 dwellings plus allocation of site PB1 for safeguarding – this would be protected for longer term development needs and is not included in the 13,277 figure but could potentially be an additional source of supply beyond the plan period or possibility even in the plan period.

Executive Member (Environment and Planning) stated that it has been a hard and long task. You have heard, in the questions the views of only a tiny number

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of people. But we have had responses from over 1,000 people over the period of the plan. They reflect the feelings of the general public who responded to the consultation. Firstly, we have developers and land owners who wish to develop their sites as part of their business. On the other hand, we have heard from people who wish to preserve the nature of the green belt and prevent urban sprawl and coalition of the towns and villages and additionally we have heard from residents of towns who do not want overdevelopment in the urban areas. However there is a need for housing in the Borough and these proposals provide a reasoned approach to the numbers.

Following discussion, it was moved and seconded by Councillors S.Boulton and T.Kingsbury and

RESOLVED:

(23 voting FOR, 12 AGAINST AND 13 ABSTENTIONS)

- (1) That the new objective assessment housing need (OAN) is 690 per year equivalent to 13,800 over the plan period of 2016-2036 based on the ten year projection identified.
- (2) That a strategy is put forward for 13,277 dwellings plus allocation of site PB1 for safeguarding.

84. MEMBERS' ALLOWANCE SCHEME

The Independent Remuneration Panel had met to consider the annual review of members' allowances for 2020/21.

The Panel recommended that allowances be increased by 2.75% with effect from 1 July 2020 in line with this year's local government employee pay award and in accordance with the approach previously taken by the Council. The only exceptions being the allowances payable to the Opposition Group Leaders and Chair of the Audit Committee.

The Panel recommends that the methodology agreed in 2019/20 for calculating Opposition Group Leaders allowances is again used and this includes the supplement 10% of the basic allowance to Opposition Group Leaders to reflect the additional work currently undertaken with the Council in no overall control. The Panel noted an anomaly with the allowance awarded to the Chair of the Audit Committee. They recommend a slightly higher percentage increase to bring this special responsibility allowance (SRA) in line with the other comparable Committee Chairs.

The current and proposed rates are set out at Appendix B to the report.

The additional cost of these recommended increases is estimated to be £9,863 and can be met from within the existing budget.

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Members will recall that back in January, the Council agreed to undertake a more comprehensive review of the members' Allowance Scheme. The work is now underway by the Panel and engagement with members will start in the coming months. Their recommendations will be presented to a future council meeting.

After discussion, it was moved and seconded by Councillors T.Kingsbury and F.Thomson and

Members agreed to vote on the three recommendations individually.

84.1. Recommendation 1

The first recommendation is:-

- (1) That Council agrees the recommendation of the Independent Remuneration Panel and approves the proposed level of Members' Basic and Special Responsibility Allowances (SRAs) as set out in Appendix B, retrospectively payable with effect from 1 July 2020.

FOR the first recommendation – 16

AGAINST the first recommendation – 13

ABSTENTIONS for the first recommendation – 19

And the first recommendation was declared CARRIED.

84.2. Recommendation 2

The second recommendation is:-

- (2) That Council agrees the recommendation of the Independent Remuneration Panel and approves the proposed increase to the Care Allowance Payments.

FOR the second recommendation – 47

AGAINST the second recommendation – 0

ABSTENTIONS for the second recommendation – 1

And the second recommendation was declared CARRIED.

84.3. Recommendation 3

The third recommendation is:-

- (3) That Council notes a full review of the Members' Allowance Scheme by the Independent Remuneration Panel is now underway, with its recommendations aimed to be presented to a future Council meeting, and if agreed, be applied to 2021/2022 and subsequent years.

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FOR the third recommendation – 48
AGAINST the third recommendation – 0
ABSTENTION for the third recommendation – 0

And the third recommendation was declared CARRIED.

85. REVIEW OF THE COUNCIL'S CONSTITUTION

The report seeks Council's approval to make further changes to the Constitution as part of the ongoing review and modernisation of the Council's governance processes, as recommended by the peer review.

The reason for moving the agenda item forward this evening was to enable proper debate on the motions we had received tonight. One of the recommendations within the report is for changes to the council procedure rules regarding motions with financial implications. Without this change agreed before we reach the motions, one of the motions tonight would have to be adjourned without further discussion.

The cross-party Constitution Review Group continued to meet regularly and has recently reviewed further sections of the Constitution which Members were asked to agree.

The Policy Framework has been refined and revised Licensing Functions are proposed which will aid in modernising and streamlining decision-making.

The Contract Procedure Rules have been updated following the Commercial and Supplier modernisation review. These reflect the current position as regards changes brought about by EU Transition and Exit.

Further minor changes are as detailed in the report.

For clarification: the intention is for the changes to the Licensing committee structures to take effect from the beginning of the new Municipal year, with the other recommendations having immediate effect.

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

RESOLVED:
(unanimous)

- (1) That Council notes and agrees CRG's recommendations of the 23 July 2020 as set out in Appendix 1 to this report.
- (2) That Council notes and agrees CRG's recommendations of the 26 October 2020 as set out in Appendix 2 to this report.
- (3) That Council approves the revised sections of the Constitution as set out in the relevant appendices to this report as below:

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- Article 4 The Council (Appendix 3)
- Responsibility for Functions: Council and Council Committees (Appendix 4)
- Contract Procedure Rules (Appendix 5)

(4) That Council notes and agrees CRG's recommendation of the 4th November 2019 regarding motions with a financial implication (Appendix 6).

(5) That Council notes that consequential changes have been made to the Constitution to reflect changes in officer arrangements following the appointment of the interim Chief Executive.

86. NOTICES OF MOTIONS

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

86.1. The following motion has been submitted by Councillor M.Holloway and was seconded by Councillor K.Thorpe:-

"This Council notes that confirmed cases of coronavirus are increasing across the Country.

This Council notes there is uncertainty among residents about what may happen next year when it comes to the elections.

This Council notes the importance of holding safe elections next year and the importance of everyone with the democratic right to vote being able to do so.

This Council notes that the Electoral Commission has published no evidence establishing any concerns in fraud related to postal voting.

To safeguard democracy in Welwyn Hatfield, this Council resolves:

- To write, by the end of February 2021, to every eligible elector in the constituency not already registered as a postal voter, encouraging them to return a completed postal vote application.
- To include a postal vote form and addressed return envelope for each eligible elector with this letter."

After discussion, it was moved and seconded by Councillors M.Holloway and K.Thorpe and

On being put to the meeting there voted:-

FOR the Motion – 22

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AGAINST the Motion – 26

And the Motion was declared LOST.

86.2. The following motion has been submitted by Councillor G.Hayes and was seconded by Councillor K.Thorpe:-

“This Council notes the difficulties experienced by commonwealth veterans in securing their leave to remain in the UK following their service in our armed forces.

This Council further notes that following their service, commonwealth veterans can be left with steep financial costs to remain in the UK.

Whilst their applications are ongoing, commonwealth veterans are unable to seek employment or claim social security, with many facing NHS bills of tens of thousands of pounds for life saving treatment following service that placed their own lives at risk for the benefit of us all

This Council resolves that the leader of the Council will write to:

- The Prime Minister
- The Minister of State for Immigration
- The Minister of State for Veterans

Outlining this councils support for all commonwealth veterans who have served a minimum of 4 years to be granted automatic and free of charge right to remain in the UK.

And that any veteran who completes 12 years of service to be automatically given British Citizenship without charge.

Finally, this Council resolves to write to Grant Shapps MP on behalf of all members of this Council, to ask that he supports a change in the legislation that affects those that have served diligently and honourably for this Country but face these financial barriers in remaining in the Country that they have served.”

After discussion, it was moved and seconded by Councillors G.Hayes and K.Thorpe and

On being put to the meeting there voted:-

The Motion was carried UNANIMOUSLY

And was declared CARRIED.

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87. TIMETABLE OF MEETINGS 2021/22

Report of the Corporate Director (Public Protection, Planning and Governance) on the approval of the timetable of meetings for the 2021/22 Municipal Year.

At the meeting of Full Council on 26 September 2019, Council agreed that the calendar of meetings could be approved at any ordinary meeting of council throughout the year. Approving the calendar early last year helped both Members and Officers plan their diaries well in advance, and therefore it is considered beneficial to do the same again this year.

Council was asked to note one minor change to the calendar in the agenda pack: this follows the recent announcement from the Culture Secretary regarding Her Majesty The Queen's Platinum Jubilee in June 2022.

The May Bank Holiday on Monday 30 May 2022 will move to Thursday 2 June 2022 (with an additional Bank Holiday on Friday 3 June, to see a four-day weekend to celebrate).

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

RESOLVED:
(unanimous)

That the timetable setting out dates of meetings for the Municipal Year 2021/22 at Appendix A be approved.

Meeting ended 11.05pm
AM