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Please ask for:
Alison Marston

12 December 2022

Dear Councillor

You are requested to attend a special meeting of the WELWYN HATFIELD BOROUGH COUNCIL to be held on Tuesday 20 December 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 16 November 2022 (previously circulated).

2. **APOLOGIES**

To receive apologies for absence, if any.

3. **QUESTIONS FROM THE PUBLIC (Pages 3 - 4)**

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.

4. **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.

5. **MATTERS ARISING FROM THE CABINET**

To consider recommendations from the meetings of the Cabinet on 6 December 2022 and 16 December 2022:-

- (a) Localised Council Tax Support Scheme 2023/24 (Forward Plan Reference FP1137) (Pages 5 - 6)

Recommendation from the meeting of the Cabinet on 6 December 2022 on the Localised Council Tax Support Scheme 2023/24.

- (b) Local Plan - Inspector's Letter and Proposed Modifications to the Plan (Pages 7 - 10)

Recommendation from the meeting of the Special Cabinet on 16 December 2022 on the Local Plan (Inspector's letter and proposed modifications to the Plan).

The report considered by the Special Cabinet Planning and Parking Panel on 15 December 2022 can be found at <https://democracy.welhat.gov.uk/ieListDocuments.aspx?CId=266&MIId=1568&Ver=4>

6. APPOINTMENT OF MONITORING OFFICER (Pages 11 - 12)

Report of the Executive Director (Finance and Transformation) seeking approval of the appointment of a new Monitoring Officer.

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

If you require any further information about this agenda, please contact Alison Marston, Governance Services 01707 357444 or democracy@welhat.gov.uk

Agenda Item 3

Part I
Item No: 4

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL MEETING – 20 DECEMBER 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 Deputy Leader and Executive Member, Planning and Resources, from Karen Winbow

“Following the discussions had by the CPPP and the Cabinet concerning the future of the Local Plan, will the Council ensure that its elected members are given sufficient opportunity to discuss the proposed way forward with their residents in order that a full debate on this important matter can take place - even if this means deferring this item today? This is a really important decision with far reaching consequences that cannot be taken lightly and it is fair that residents’ views are represented by members. It is undemocratic to expect members to vote on something that has only been recommended by Cabinet on Friday evening without the opportunity to consult residents. I request that this matter be deferred for a month to allow consultation with residents to take place.”

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WELWYN HATFIELD BOROUGH COUNCIL
SPECIAL COUNCIL – 20 DECEMBER 2022

Recommendation from Cabinet on 6 December 2022:-

61.2 Localised Council Tax Support Scheme 2023/24 (Forward Plan Reference FP1137)

Report of the Executive Director (Finance and Transformation) recommending that our localised council tax support scheme continues.

(1) The Decision Taken

RESOLVED:
(unanimous)

Cabinet recommended to Council that the localised council tax support scheme continues in 2023/24 to help people on low/no income to receive a reduction on their council tax.

(2) Reasons for the Decision

The report presented the proposal to retain the localised council tax support scheme in its current format, for 2023/24.

The scheme was implemented in 2013 and has had no changes since this time. Hertfordshire County Council and the Police have been consulted and had no comments to raise.

The reports of the Cabinet meeting can be viewed in full here:

<https://democracy.welhat.gov.uk/ieListDocuments.aspx?CId=151&MId=1442&Ver=4>

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Public Document Pack Agenda Item 5b

- 1 -

Special Cabinet
16 December 2022

WELWYN HATFIELD BOROUGH COUNCIL

Minutes of a special meeting of the WELWYN HATFIELD COUNCIL CABINET held on Friday 16 December 2022 at 3.00 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors T. Kingsbury (Leader of the Council) (Chairman)
S. Boulton (Deputy Leader and Executive Member, Resources and Planning)

N. Pace (Executive Member, Governance, Public Health and IT)
B. Sarson (Executive Member, Community Safety and Parking)
F. Thomson (Executive Member, Housing)

OFFICIALS Chief Executive (K. Ng)
PRESENT: Executive Director (Place) (C. Barnes)
Service Director (Resident & Neighbourhood) (S. McDaid)
Assistant Director (Legal and Governance) (M. Martinus)
Assistant Director (Planning) (C. Carter)
Planning & Policy Implementation Manager (M. Wilson)
Governance Services Manager (A. Marston)
Communications & Marketing Manager (M. Sherry)

66. APOLOGIES

Apologies for absence had been received from Councillors S. Kasumu (Executive Member, Environment and Climate Change) and T. Mitchinson (Executive Member, Leisure and Community).

67. DECLARATIONS OF INTERESTS BY MEMBERS

Councillors S. Boulton, T. Kingsbury and F. Thomson each declared a non-pecuniary interest in items on the Agenda as Members of Hertfordshire County Council.

68. RECOMMENDATION FROM CABINET PANEL

A recommendation from the meeting of the Cabinet Planning and Parking Panel on 15 December 2022 was considered:-

68.1. Local Plan - Inspector's Letter and Proposed Modifications to the Plan

Recommendation from the meeting of the Cabinet Planning and Parking Panel on the 15 December 2022 on the Local Plan, Inspector's Letter and Proposed Modifications to the Plan.

Special Cabinet
16 December 2022

The Planning Policy and Implementation Manager provided a presentation which covered the current position of the Local Plan, the context and considerations.

It was noted that at the meeting of Council on the 26 July 2022, the council put forward to the planning inspector, 12,775 dwellings over the plan period and a commitment to a review with a 10 year housing supply of 8,517 dwellings.

Members noted that the Council were nearing the end of the preparation of the local plan and one of the final stages is to go out to consultation on the Inspector's main modifications. The consultation was not a backwards step but is part of the process as the council nears the end of the Local Plan process.

It was noted that the number of houses, now for a 10 year plan, were significantly less than the inspector's requirement for 15,200 for the 15 year plan. If the council were to withdraw the plan, the Council might have to find a higher number of housing sites in the future. Also the Council could be open to a greater likelihood of speculative applications on sites which are not included in the plan. If the Council were to withdraw the plan and issue a new call for sites, it would be extremely likely that the same sites would come forward to be considered again and it would be disingenuous to suggest that present sites would fall away in a new plan.

It was noted that the Council can withdraw the plan at a later date depending on the outcome of the consultation and any further assistance from legislation. It also gives the Council a certain amount of time to consider any new legislation and consider the results of the consultation.

It was noted that the Council were being compelled to consider consulting on a Local Plan which included three sites the Inspector has found sound and insists the council includes, against the Council's wishes as expressed in recent years and recent decisions.

Members want a Local Plan that protects the Green Belt, includes the right infrastructure, preserves the local heritage, but also recognises the need for new homes.

Members were happy that the Council were going to consult all residents across the whole of the borough and asked the public to take this opportunity to respond so that their responses can inform any future decisions.

Members noted that it is good that the Council have the opportunity to go out to public consultation. It was noted that the progression to consultation does not prejudice a future decision on the adoption of the plan as there were concerns that going out to consultation, including the three sites, automatically includes these within the local plan.

Special Cabinet
16 December 2022

Cabinet welcomed the recent statements from the Secretary of State and will consider the implications when these are finalised and the impact assessed.

Members asked what was meant by a technical consultation in the context of the recent announcements regarding the National Planning Policy Framework (NPPF), and if this was different to the Council's consultation. Officers stated that the consultation on the Main modifications would be organised by the Borough Council and would be open to all of the Borough, the residents, the communities and consultees. The consultation will be an electronic consultation but paper copies will be available and in accordance with a document called "statement of community involvement". In regards to the "technical consultation", references were referring to the government consultation regarding NPPF. Cabinet therefore agreed that it was appropriate in all the circumstances to recommend to Council that the relevant public consultation be undertaken at the earliest opportunity.

**RESOLVED:
(unanimous)**

Cabinet recommended to Council that a Main modifications consultation based on the housing supply of 13,392 dwellings with a 10 years supply of 9,209 dwellings be undertaken and that the public consultation takes place on main modifications to the local plan at the earliest opportunity once the Inspector has confirmed the content of the Main modifications required to make the plan sound.

(Note: The Chairman of the Overview and Scrutiny Committee has been given notice and has agreed that it was impracticable to comply with the requirement that at least twenty eight days notice must be given of the intention to make a key decision not in the Forward Plan in accordance with Regulations 5 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 because it was urgent and could not reasonably be deferred for the reason specified).

The reason for this item is because following receipt of a letter from the Planning Inspector dated 18 November 2022 seeking a timely response on the revised timetable for the adoption of the Local Plan, the council need to schedule relevant meetings to consider the current options.

Meeting ended at 3.24pm
AM

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Agenda Item 6

Part I

Main author: Richard Baker

Executive Member: Cllr Tony Kingsbury
All Wards

WELWYN HATFIELD BOROUGH COUNCIL
SPECIAL COUNCIL – 20 DECEMBER 2022
REPORT OF THE EXECUTIVE DIRECTOR (FINANCE AND TRANSFORMATION)

APPOINTMENT OF MONITORING OFFICER

1 Executive Summary

- 1.1 This report seeks approval of the appointment of the Council's Monitoring Officer, as the current Monitoring Officer is due to leave the council in mid-January to work at another authority.

2 Recommendation(s)

- 2.1 That the Council approves that Saleem Chughtai be appointed to the statutory post of Monitoring Officer.
- 2.2 That delegated responsibility be given to the Human Resources Manager, in consultation with the Executive Director (Finance and Transformation), to finalise the arrangements for this appointment.

3 Explanation

- 3.1 Under section 5 of the Local Government and Housing Act 1989, Council is required to appoint one of its officers as its monitoring officer. The role of the monitoring officer includes such responsibilities as ensuring the lawfulness and fairness of the council's decision making; promoting and maintaining high standards of conduct; reporting to Council on any instances of maladministration; and reviewing the councils' Constitution on an ongoing basis.
- 3.2 The Monitoring Officer role is carried out by the postholder of Assistant Director (Legal and Governance).
- 3.3 Following the resignation of the current Monitoring Officer, an external recruitment campaign for the AD (Legal and Governance) post attracted twelve applications.
- 3.4 After a rigorous selection process, which included a technical assessment and interview, which the Leader of the Council also took part, the Panel gave full consideration to all the candidates and unanimously agreed to recommend that Saleem Chughtai be appointed to the role.

Implications

4 Legal Implication(s)

- 4.1 Under section 5 of the Local Government and Housing Act 1989, Council is required to appoint one of its officers as its monitoring officer.

5 Financial Implication(s)

- 5.1 There are no additional costs arising from the appointments process.

6 Risk Management Implications

6.1 There are no inherent risks in this report.

7 Security and Terrorism Implication(s)

7.1 There are no security and terrorism implications inherent in this report.

8 Procurement Implication(s)

8.1 There are no procurement implications in this report.

9 Climate Change Implication(s)

9.1 There are no climate change implications in this report.

10 Human Resources Implication(s)

10.1 The Human Resource implications are contained in the body of this report.

11 Health and Wellbeing Implication(s)

11.1 There are no health & wellbeing implications associated with this report.

12 Communication and Engagement Implication(s)

12.1 The appointment will be formally communicated after this meeting.

13 Link to Corporate Priorities

13.1 The subject of this report is linked to the Council's Corporate Priority of a 'Well-run Council which puts our customers first'.

14 Equality and Diversity

14.1 An Equality Impact Assessment 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)