

# Public Document Pack



Chairman and Members of the  
Council

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Date: 22 October 2020

cc. All other recipients of the  
Council agenda

Dear Councillor,

Attached are the written responses by Executive Members to all Members' Questions, including those which, due to lack of time, did not receive a response at the meeting of East Hertfordshire District Council held on Wednesday 21<sup>st</sup> October 2020 at 7.00 pm.

7. Members' questions (Pages 3 – 20)

Yours faithfully

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COUNCIL – 21 OCTOBER 2020

## **MEMBERS' QUESTIONS**

### **Question 1**

#### **Cllr Peter Ruffles to ask Cllr Eric Buckmaster, Executive Member for Wellbeing:**

I'm aware that a number other agencies worked with Highways at County trying to ensure that our High Streets and Shopping Centres were able to re-open safely. Could the Executive Member for Wellbeing please explain the role of our East Herts Environmental Health team, and describe any particular challenges they may have faced?

#### **Response**

The Environmental Health team has been playing a pro-active role supporting local businesses throughout the Covid-19 pandemic. This has included contacting more than 400 local businesses to give detailed, bespoke advice including undertaking advisory visits or phoning or writing to businesses to share information about how to operate safely with regards to both staff and customers alike. This is key way in which the council has sought to ensure business owners and managers are up-to-date on the latest regulations.

Environmental Health officers have been conducting a significant amount of their duties outside of the council's normal office hours so as to reach businesses when they are operating. This is particularly the case with cafes, restaurants and pubs. When the 10pm closing time was recently introduced, the team conducted 42 joint visits with the police to local businesses operating in the night time economy on a single Saturday night.

To date the team have followed up 557 individual reports from the public, members, the police and others about businesses appearing to not be following the guidance properly. The team's stance whether in response to a report or during a proactive visit is a

supportive rather than a punitive one with a four Es approach being adopted to ensure compliance for everyone's safety; that is, engagement, explanation, encouragement and then finally enforcement, although to date this later approach has not been necessary.

Support to help local businesses stay afloat at this challenging time has also included the Licensing team speedily setting up a process to licence tables and chairs on the pavement. Being able to serve customers outside can overcome some of the restrictions applicable indoors. Any premises that sell food or drink for consumption either on or off the premises may apply. This is a temporary measure which acts as an alternative to the pavement licences that Hertfordshire County Council has the power to issue. East Herts Council's licences are time-limited and the fee is less than a third of the cost of a licence issued by the County Council because the measure is expressly about helping businesses while of course, not interfering with the safe use of pavements. To date, the council has issued two pavement licences in Hertford and one in Bishop's Stortford.

### **Supplementary from Councillor Ruffles**

What has been happening about Test and Trace?

### **Response**

It is worth noting that on top of this work, since the beginning of October, Environmental Health officers have also been involved with the local test and trace system. If neither the national tracing service nor the County Council can contact someone known to have been in close contact with a person with the virus, the Environmental Health team will pick up the case and try to find a phone number or knock on people's door if that what it takes. Since the beginning of October, the team has worked on 44 such cases.

The level of the workload and fast pace with which new national guidance is issued is challenging. This is continuing with much fresh information needing to be communicated to businesses and the

public alike. The small team of officers have worked collaboratively across the county and have re-prioritised their work, often at short notice.

## **Question 2**

### **Cllr Alastair Ward-Booth to ask Cllr Eric Buckmaster, Executive Member for Wellbeing:**

Could the Executive Member for Wellbeing give Council an update on our Social Prescribing programme. Prior to Covid the service had been referring many hundreds of residents to community activities. How and to what extent could the service operate during the months of lockdown and restricted movement?

### **Response**

I'm happy to report that East Herts Social Prescribing service has continued to operate throughout the Covid-19 pandemic, providing support over the phone. The number of clients referred to the service during April and May was lower than previously but have since steadily returned to pre-Covid levels.

In 2019, 254 clients were supported through this service, and 122 so far this year. During lockdown more than 500 residents who had used the service previously were contacted as part of the welfare checks.

Telephone support to new and existing clients has been very well received. Many of them are particularly vulnerable to Covid due to age and/or existing conditions, so the Social Prescribing service will continue to support them over the phone until further guidance suggests it is safe to return to face to face support.

To date, East Herts Social Prescribing Service has used council resources and Hertfordshire County Council funds to focus efforts on the Stort Valley area in the east of the district. However we are

currently looking at how to roll out the service more widely and/or combine its work with the county-wide Community Navigators and other similar services provided directly by the County Council and local NHS Clinical Commissioning Group. A further development of Social Prescribing is Healthy Hubs. This was launched using funding from County Public Health before lockdown as two physical locations to support people with advice and healthy lifestyle choices but unfortunately could no longer be held in that way. However I'm pleased to say that this month we have been able to start again but this time virtually or online with a number of partners to help people with their physical and mental wellbeing.

### **Supplementary from Councillor Ward-Booth**

Can you tell us more about Healthy Hubs?

### **Response**

In East Herts, this funding is being used for publicity materials and resources for participating partners to provide advice and support sessions and with the existing Social Prescribing service to act as a referral and signing posting route.

The original plan was for partner organisations, such as Mind in Mid Herts, East Herts Citizens Advice and East Herts CCG among others, to run one-to-one and group sessions at Wallfields, with a satellite offer in Bishop's Stortford.

As mentioned work has now been undertaken to move the Healthy Hub to a virtual platform. In September, the Healthy Hub was completely relaunched offering 25+ virtual sessions a month starting in October, including sessions covering mental wellbeing, healthy eating, coping with cancer, support through bereavement and becoming a 'dementia friend'.

The Healthy Hub activities are being promoted via our Social Prescribing scheme, the council's social media, and by the partners

delivering the sessions. Uptake for the first sessions has been modest, with only a handful of people signing up, however, this is to be expected given the switch in format. Officers are confident that participation will grow as the scheme becomes more established.

A rolling programme of virtual sessions, which are free to access, will continue to be delivered every month until face to face sessions are able to resume.

Finally, I must offer my deepest thanks, not only to our staff who have worked so hard, but also to our members who have demonstrated great resilience, and of course our parishes and community that has stepped up to support vulnerable residents across the District. I know from conversations I have had recently that many, such as BS Operation Community are beginning to gear up again should the need arise.

### **Question 3**

#### **Cllr David Andrews to ask Cllr Linda Haysey, Leader:**

What steps is the Council taking to lobby central Government for additional funding for local authorities, such as East Herts, to help contribute towards the financial difficulties faced by the impact of the coronavirus pandemic?

#### **Response**

Thank you for your question Councillor Andrews. Let me first of all say that up to 15 October the government has already paid £43.8 million to East Herts Council with a further £9.2 million due but not yet received. The money already received is made up of:

- £41 million for East Herts Businesses - business rates relief, government grants to businesses, discretionary business grant money and support for Bishops Stortford BID
- £0.9 million for increased Local Council Tax support claims, increased Housing Benefit claims and money for discretionary accommodation for rough sleepers

- £1.8 million in grant to compensate the Council for lost income and also for new burdens

The money to be received is made up of:

- £8.7 million for business rate relief
- £0.192 million for increased housing benefit claims
- £92k for Test and Trace
- £49k for COVID Marshalls
- £71k for discretionary accommodation for rough sleepers

The government scheme to compensate councils for the loss of income from sales fees and charges requires the Council to absorb the first 5% loss fully, after which the government will compensate 75p for every £1 lost. The rules on the compensation scheme exclude commercial rent losses and any investments but covers income which is transactional between the customer and the council so covers, for example, income from parking charges, theatre tickets, and planning applications. Claims are based on losses against the budget which helps the Council as fees and charges had been increased and thus the income budgets as part of the 2020/21 budget.

There is still a lot to do and we need a longer term financial security and settlement, but we are grateful to the government for listening to the concerns of local authorities so far.

This answer will be put on the website shortly tomorrow and there is some further detail put onto the website.

The Council continues to support the work on the Local Government Association in making the case of additional funding and we talk to our MPs to get the message through to government about funding.



**Detailed breakdown for information -  
Received as at 15/10/2020**

<b>Description</b>	<b>Amount</b>	<b>Comments</b>
Business Improvement Districts support grant	9,730	Paid in full to the Bishop's Stortford BID
COVID-19 LA support grant	1,702,811	To support additional expenditure as a result of COVID
Local Authority Discretionary Grant Fund	1,877,500	Discretionary grants paid out to local businesses
Local Authority Discretionary Grant Fund	170,000	New burdens grant funding, utilised to pay for additional Revenues and Benefits service costs
Rough Sleeping LA's	40,653	Used to pay for discretionary accomodation for rough sleepers
Business Rates COVID-19 (S31)	8,051,994	NNDR S31 to fund reliefs granted by government
Uplift to HB subsidy initial estimates	193,002	To fund increased HB costs
BEIS Business Support grant	31,124,000	Central Government grant to businesses
COVID-19 Hardship fund	665,944	Used to fund reliefs granted to Council Tax payers
<b>Received as at 15/10/2020</b>	<b>43,835,634</b>	

**Due but not yet received**

<b>Description</b>	<b>Amount</b>	<b>Comments</b>
Business Rates COVID-19 (S31)	8,752,753	NNDR S31 to fund reliefs granted by government
Uplift to HB subsidy initial estimates	192,998	To fund increased HB costs
Test and Trace support grant	91,949	£41k grant, £24.8k discretionary grant and £26.1k new burdens for admin (£500 grants)

Homelessness Next steps grant	71,474	To provide discretionary accommodation for rough sleepers
Covid marshals	49,664	to support additional compliance and enforcement activity
<b>Due but not yet received</b>	<b>9,158,838</b>	

### **Supplementary from Cllr Andrews**

Thankyou for this comprehensive answer.

What networks and opportunities has the Leader used to get the message across to government about the burdens local authorities are facing?

### **Response**

It is important we all recognise that local authorities have worked very hard in stating to Government the requirement for additional funding. The Leaders of HCC and the district and borough councils have been meeting, since March, initially once a week, and now once every two weeks, and we have conversations with the Ministerial Office every two weeks. The Local Government Association (LGA) has been very strong in lobbying the Government. The Leader of the County Council is the Chairman of the County Councils Network, and has close contacts with Ministers. I am the Chairman of the East of England LGA and we are working on a regional basis to make sure the Government is very clear what challenges they face.

## **Question 4**

### **Cllr Mione Goldspink to ask Cllr Geoffrey Williamson, Executive Member for Financial Sustainability:**

Will the Executive Member for Financial Sustainability commit to publicising the latest report on the financial viability of the Council's Capital Projects, and will he also publish the business cases for the projects and make them all easily available to members of the public?

The first part of my question has already been answered. I am disappointed in the response, so I will move straight to my supplementary question..

### **Supplemental from Cllr Goldspink**

I am disappointed you state you cannot publish these reports as unredacted documents, so when will these reports be published and when will the Members' briefing be, so that at least Councillors will be able to see the business case?

### **Response**

I understand the briefing is being arranged for next month, provisionally I believe it may be 11 November. In terms of when the reports are to be published, that would only be at such time when any sensitive information in the reports is no longer sensitive. This would only be when all contracts for the projects have been placed, so is difficult to confirm a timescale.

### **Further supplemental from Cllr Goldspink**

When will Members see the business reports, before or at the briefing?

## **Response**

I will respond to you in writing, as I will need to seek confirmation about that point.

## **Question 5**

### **Cllr Mione Goldspink to ask Cllr Jan Goodeve, the Executive Member for Planning and Growth:**

Why did the Executive Member for Planning and Growth decide to take a Non-Key Decision on this Council's response to the Consultation on the Government's White Paper on changes to the Planning System, rather than bringing it to Full Council for open, public discussion?

## **Response**

It was not possible to draft the response in time to meet the committee cycle deadlines for reporting to Full Council. This is approach has been followed in past when there have been Government consultations and the timescales haven't completely fitted with the committee cycle deadlines.

The Council's proposed response is however available for the public to view on the Council's website:

<http://democracy.eastherts.gov.uk/mgIssueHistoryHome.aspx?Id=27704&Opt=0&J=5>

As such we organised a members briefing held on 15<sup>th</sup> October to ensure Members were briefed on the Council's response and have the opportunity to ask questions.

It should also be noted that the consultation is open to everyone to respond to and the Government is keen to hear from a wide range of interested parties from across the public and private sectors, as well as from the general public.

## **Supplemental from Cllr Goldspink**

The draft responses were available over a week ago, and Members had a chance to make comments, but why could the report not be brought to full Council tonight, to debate it in the public domain? There are flaws in the document, and it would have been good to demonstrate to residents of East Herts that we are robustly responding. Do you share my disappointment that we have lost that opportunity as this was dealt with away from the public gaze as a non-key decision?

### **Response**

No, I do not. This matter has been in the public domain and has had a good deal of public attention, including from professional bodies. The document is available on the Council's website, and the response will not get submitted until later this month.

### **Question 6**

#### **Cllr Louie Corpe to ask Cllr Graham McAndrew, Executive Member for Environmental Sustainability:**

On 11th February 2020, the Executive received the recommendations of the Task and Finish Group on Parking. Among its recommendations was a suggestion to change the threshold for eligibility for Restricted Parking Zones, which would alleviate many parking issues faced by residents in our wards. I can personally say that All Saints Ward would greatly benefit from such a change in position. The Executive asked officers to bring a further report setting out cost implications. I recall that Officers stated informally that such a report would take some 6-8 weeks to produce.

We are now 8 months down the line, and no update on this item has come forward. The pandemic of course has changed priorities, but

also exacerbated parking challenges, so the changes in policy are needed now more than ever. Can the Executive Member for Environmental Sustainability please comment on when we might expect the council to adopt the recommendations of the Task and Finish Group, and change the policy on RPZ eligibility?

### **Response**

Officers have been extremely busy responding to the impact of COVID-19, however an update report will be presented at the Executive meeting on 24 November 2020. As stated in the February meeting, the recommendations will be presented in the context of financial impact which has changed significantly since the beginning of the year. Receiving the report in November will be timely in light of the medium term financial plan and preparing next year's budget.

### **Supplemental from Cllr Corpe**

The report makes a number of recommendations, some more costly than others. Changing the eligibility for RPZs would not be among the most expensive. Can you reassure me that the recommendations could be dealt with individually rather than all together, so that some could be taken forward?

### **Response**

No specific approach to the recommendations has yet been determined, the report will take such matters forward.

### **Question 7**

#### **Cllr Chris Wilson to ask Cllr Jan Goodeve, Executive Member for Planning and Growth:**

Members may be aware of the campaign called ForgottenLtd. This campaign is highlighting the difficulties that many small businesses

are experiencing in these Covid-ravaged times. Directors of small limited companies are not eligible for small business grants especially as they are often not based in commercial properties. These businesses are the lifeblood of much of our local economy, and while the council has performed admirably in quickly awarding grants to eligible businesses, directors of limited companies have not been put on an equal footing with other businesses through no fault of their own. I ask, on behalf of some of my residents who are affected by this problem, whether the Executive Member for Planning and Growth would agree to write to the treasury and ask for the discretionary grant scheme to be extended to these limited companies and for the total grant to be increased so that all covid-damaged businesses in East Herts can get the helping hand they need.

### **Written response as question not asked during the meeting**

Thankyou Councillor Wilson for the question and recognising that some good work has already been undertaken on grant giving to date however the pressures on businesses cannot be underestimated.

We gave out around £31m of grants to almost 2500 businesses in the district which has provided a much needed cash flow for those in the leisure, hospitality and retail sectors. As Councillor Wilson has noted however in order to be eligible you needed to have fixed costs which in most cases meant rent or business rates' liability on commercial space. Around half of the existing 9000 businesses registered in the district do not pay rates and are likely to be based at home and these businesses do create a lot of wealth for East Herts.

Both local government and business representative organisations have lobbied hard for support to be given to these other businesses and the Chancellor has set up a number of other schemes for those who couldn't apply for the small business grants and who have been affected by Covid-19 restrictions. This includes the Bounceback Loan

scheme which allows a business (no matter where they are based) to borrow between £2k - £50k interest free for 12 months with the government guaranteeing 100% of the loan. There is also the self-employment income support scheme which allows a business owner to claim a grant worth 70% your average monthly trading profits. There have been two rounds of this grant so far with the second round closing just a few days ago however we hope the scheme will be extended. There is also the Business Interruption Loan Scheme which allows a business owner to get a temporary loan or overdraft with the government backing 80% of the value. There is a very useful self-assessment tool on the government's website for checking what support you are entitled to and I would encourage any business owner who is unsure to look at this.

The government have also released details of a Local Lockdown Grant Scheme which allows small businesses with a rateable value of or below £15,000 can now claim £1,300 per month; medium sized businesses with a rateable value between £15,000 and £51,000 can claim £2,000 per month; and larger businesses can claim £3,000. Whilst we hope we don't go into a local lockdown it is good to know this support is available.

In terms of background information to the question the following may be of help. Not likely to come at council but the question of eligibility and equity is certainly valid. The Government provided funds for 3 grants schemes which local government were asked to administer as follows:

1. Small business grants £10,000 payable to businesses liable for business rates and in receipt of small business rates relief. A grant was payable for each premises they occupied.
2. A Retail and hospitality grant of £10,000 or £25,000 was payable dependent of rateable value of the premises. Again they had to be liable to pay business rates and grant was payable for each premises they occupied



3. Discretionary grants scheme grants were for smaller amounts. The Government suggested priority was given to small business in shared offices or other flexible working spaces, regular market traders, B and B's which pay Council Tax and Charitable businesses where they would have been eligible for Small Business relief had they not been a charity. These grants were given to businesses that were not liable for business rates and were limited to one grant per business. The scheme was also aimed at those with fixed monthly costs such as rent and rates

The Governments mandatory schemes (1 and 2) were aimed as stated above at those in receipt of Small Business relief or Retail relief. To qualify for these reliefs there were certain criteria that had to be met and this was mainly aimed at those businesses that were open to visiting members of the public, The Governments mandatory scheme did exclude certain types of businesses and we were aware that many in the hospitality sector were not included. The scheme headings suggested they did qualify, but when looking at the actual detail they were excluded and this is most unfortunate.

## **Question 8**

### **Cllr Carolyn Redfern to ask Cllr Eric Buckmaster, Executive Member for Wellbeing:**

The existing theatre is a valuable community resource for local amateur performances as well as professional theatre companies and film. It is the only resource for some of the amateur activities. Its purpose is not to compete with other services already provided locally or top class theatres in London. A major investment of 20M should only be considered if the existing theatre is really not financially viable or if it is seriously inadequate in some way. There really needs to be a compelling reason to invest 20M, especially considering the uncertainty and effects created by COVID and Brexit.

Before embarking on the programme, the council no doubt produced a report which identified why the Theatre was not felt to be viable and which essential services are inadequately provided by the existing theatre. I presume this report addressed the following aspects:

- what the impediments are to increasing profitability with the current theatre
- mitigations which were considered, including remodelling prices
- types of performance which are possible/ impossible with the existing theatre

Did the original report address these aspects, and is it still the bedrock of the decision surrounding the Theatre or is it being revisited with a fresh eye? Will you present an updated report to the council and/or Scrutiny committee that demonstrates that the existing theatre is not viable without the investment?

### **Written response as question not asked during the meeting**

It was agreed at full Council in July 2018 to invest around £20m into Hertford Theatre. Finances were not the only driver for this project, but improving access and opportunity to engage with the arts and increase participation amongst under-represented and hard to reach groups as well as adding to the Town Centre. The current provision does not allow for first release cinema and nor simultaneous live shows and film. Existing hirers have been engaged throughout the process. Five different options for development were considered by members with the growth and legacy proposal as the preferred approach.

To respond some specific points:

- Hertford Theatre is not currently financially viable – it operates with a c. £311,000 subsidy per year. This project is self-financing, it is being funded by PWLB borrowing and the

income from the new offer will pay off the loan and interest and produce a surplus and contribution to the Council of c.£110,000 from year 1 which is a reduction in net expenditure of around 422 k contributing to the Medium Term Financial Plan reduction target of £4 million in 2023/24.

- Apart from the investment made 10 years ago in the front of house area there hasn't been any investment for 40 years and significant improvements are required to the stage and back of house space as well as the roof and other areas.
- The current design does not allow for increasing capacities or increasing ticket / hire prices – it is difficult to increase ticket / hire prices without improving the quality of the offer. The works being undertaken will enable us to review our pricing to reflect the new offer so that they can be remodelled but remain competitive and will also increase capacities and therefore potential profitability.
- Accessibility is a key issue – currently there is no access at all to the stage or backstage areas for anyone with mobility issues. As a result this limits both professional and community engagement opportunities. Recent examples include having to turn down a three day Red Cross event to host their national fundraising awards, the Jess Thom production of Samuel Beckett's 'Not I' and school productions where there are young students with mobility issues.
- Currently the theatre cannot host small scale work as it doesn't have the facilities to stage anything but medium – large scale productions. The new offer will provide studio space for smaller productions enabling a more diverse offer and opening up to a much wider range of community, experimental and niche theatre groups.

A review of the business plan has taken place in the context of Brexit, inflation and COVID. In line with the recommendations of the July 2018, decisions relating to the Theatre, delegated authority was given to the Executive Member for Health and Wellbeing, that's me, with the support of a Theatre project board. In a meeting on 15<sup>th</sup>

October the board agreed to continue with the project following this review.

The original report can be found on the council's website 25 July 2018.