

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 29 JANUARY 2020, AT 7.00 PM

PRESENT: Councillor J Kaye (Chairman).
Councillors D Andrews, T Beckett, S Bell,
R Buckmaster, R Bolton, M Brady,
E Buckmaster, A Alder, S Bull, J Burmicz,
L Corpe, K Crofton, B Crystall, A Curtis,
G Cutting, B Deering, H Drake, J Dumont,
R Fernando, J Frecknall, M Goldspink,
J Goodeve, A Hall, L Haysey, A Huggins,
J Jones, I Kemp, G McAndrew, S Newton,
T Page, M Pope, J Ranger, C Redfern,
S Reed, C Rowley, P Ruffles, D Snowdon,
M Stevenson, T Stowe, N Symonds,
A Ward-Booth, G Williamson, C Wilson and
J Wyllie.

OFFICERS IN ATTENDANCE:

Rebecca Dobson	- Democratic Services Manager
Richard Cassidy	- Chief Executive
Helen Standen	- Deputy Chief Executive
Bob Palmer	- Head of Strategic Finance and Property
Andre Ferreira	- Democratic Services Officer
James Gardner	- Project Manager
Jonathan Geall	- Head of Housing

Michael Hann
and Health and
Acting Head of
Legal and
Democratic
Services
- Communications
Manager

316 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed those present for the meeting and reminded them that the meeting was being webcast.

The Chairman gave a summary of civic duties he had recently undertaken, including the event to mark International Holocaust Memorial Day.

He indicated that the item on the Millstream Business Plan would be taken at an earlier point on the agenda so as to enable it to be considered before the budget items.

317 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Boylan, I Devonshire, D Hollebon, M McMullen, C Rowley, S Rutland-Barsby and M Stevenson.

318 DECLARATIONS OF INTEREST

Councillor Bell declared a disclosable pecuniary interest in the agenda items relating to the Bishop's Stortford High School (BISH6) Masterplanning Framework and East of Manor Links (BISH9) Masterplanning Framework, as she was employed by RPS Group, which was providing archaeological advice to the developers for the sites, although she had no direct involvement herself.

Councillor McAndrew declared a non-pecuniary interest in the item on the Bishop's Stortford High School (BISH6) Masterplanning Framework, as he was a Governor of the Bishop's Stortford High School.

Councillor Page declared a non-pecuniary interest in relation to the item on the East of Manor Links (BISH9) Masterplanning Framework in that his wife was a member of the Bishop's Stortford Golf Club, which owned the land.

Councillor Symonds declared a non-pecuniary interest in relation to the same item, in that she was a member of the Golf Club.

319 APPOINTMENT OF SECTION 151 OFFICER

Members considered a report submitted by the Chief Executive seeking confirmation that Bob Palmer be confirmed as the Council's section 151 Officer.

Councillor Pope proposed, and Councillor Wyllie seconded, a motion supporting the recommendation in the report. The motion being put to the meeting,

and a vote taken, it was declared CARRIED.

RESOLVED – that Bob Palmer be confirmed as the Council’s Chief Financial and Section 151 Officer.

320 EXECUTIVE REPORT - 21 JANUARY 2020

Members considered a report submitted by the Leader of the Council, on the meeting of the Executive on 21 January 2020.

Councillor Haysey said the reports considered at that meeting were now before Members for decision, and the decision list set out the recommendations to Council which the Executive had made.

Councillor Haysey proposed and Councillor Deering seconded, a motion to support the recommendation in the report. The motion being put to the meeting, and a vote, taken, it was declared CARRIED.

RESOLVED – to receive the record of the decisions taken at the meeting of the Executive on 21 January 2020.

Councillor Redfern asked whether all the decisions taken had been in compliance with the District Plan.

Councillor Haysey said all reports which were for consideration on the agenda at tonight’s meeting were part of the Masterplanning Framework process and had been submitted in accordance with the District Plan.

Councillor Redfern moved a motion without notice that the order of business be changed, so that the Corporate Plan could be considered next, to allow the Masterplanning Framework items to be reviewed in light of its provisions. Councillor Brady seconded the motion.

The motion being put to the meeting and a vote taken, it was declared LOST.

321 BISHOP'S STORTFORD HIGH SCHOOL SITE (BISH6)
MASTERPLANNING FRAMEWORK

Members considered a report submitted by Councillor Haysey seeking approval of the Masterplan Concept document for the Bishop's Stortford High School site as a material consideration for development management purposes.

Councillor Bell left the Chamber for the consideration of this item, and the subsequent item.

Councillor Haysey highlighted aspects of the report, in particular referring to the fact that there had been a decision by Hertfordshire County Council to relocate the High School, and the need to progress a decision to avoid delay and consequently further expense to the public purse.

Councillor Haysey proposed, and Councillor Goodeve seconded, a motion to support the recommendations in the report.

Councillor Goldspink spoke against the recommendation, expressing her concern at the increase in the number of dwellings from what had originally been proposed. She said the relocation of the School would result in more car journeys for children.

Councillor Wyllie said there had been a 50% increase in the number of houses, and that he had concerns at aspects of the highways issues. He would oppose the motion.

Councillor Wilson said the developing air quality action plan should be taken into consideration.

Councillor Redfern queried the number of houses which would be at affordable rent.

Councillor Kaye said the decision as to the proportion of affordable housing would be taken at a later stage, when the matter came before the Development Management Committee.

Councillor Haysey said Councillor Wyllie had attended meetings of the Steering Group to consider this Masterplanning Framework, at which representatives of Highways had been questioned. This report was the Framework, which had to be progressed before the planning application was considered. Regarding social rents, Councillor Boylan had agreed to set up a working party.

The motion having been proposed and seconded, it

was put to the meeting. A vote being taken, it was declared CARRIED.

RESOLVED – the Masterplan Concept Document for the Bishop’s Stortford High School Site, as detailed at Appendix A to the report, be agreed as a material consideration for Development Management purposes.

322 EAST OF MANOR LINKS (BISH9) MASTERPLANNING FRAMEWORK

Members considered a report seeking approval of the Masterplanning Framework for the East of Manor Links site.

Councillor Haysey said meetings of the Steering Group for this site had been held, to which 120 residents had been invited. One aspect, the erection of a net near the driving range, was the subject of correspondence, and would be further considered at the application stage. The Masterplan document would provide a sound basis for development management. She proposed a motion supporting the recommendations in the report. Councillor E Buckmaster seconded the motion.

Councillor Corpe said he had a number of concerns. He questioned where a net could be sited; the fact that the number of consulted residents was 120 seemed to be low, in view of the number of houses proposed, and he had not received an invitation to attend the consultation which had been referred to, despite being the Ward Member. He welcomed cycle routes but was

concerned that one route was through a private road.

Councillor Wilson made a number of points in objection to the recommendations. He said there were more houses now proposed than had been in the District Plan. He was concerned that unadopted roads would be a problem.

Councillor Goldspink said she shared these concerns, and asked what powers the parking management company would have.

Councillor Redfern said a target for homes for social rent should be included, which needed to be genuinely affordable.

Councillor Goodeve said tonight's meeting was not a meeting of the Development Management Committee. She reminded Members that a consultation was shortly taking place on the affordable housing Supplementary Planning Document, to which all were welcome to respond.

The motion having been proposed and seconded, it was put to the meeting. A vote being taken, the motion was declared CARRIED.

RESOLVED – the Masterplan Document for the East of Manor Links site, as detailed at Appendix A to the report, be agreed as a material consideration for development management purposes.

323 SOUTH OF HERTFORD (HERT5) MASTERPLANNING
FRAMEWORK

Members considered a report seeking approval of the Masterplanning Framework for the Mangrove Road, Hertford site.

Councillor Goodeve presented the report, highlighting the main points, and concluding that the document would provide a sound basis for a framework against which to move forward. Further engagement would take place. She proposed, and Councillor Haysey seconded, a motion supporting the recommendation.

The motion being put to the meeting, and a vote taken, it was declared CARRIED.

RESOLVED – that the Masterplanning Framework for the Mangrove Road (HERT5) site, Hertford, as detailed at Appendix A to the report, be agreed as a material consideration for development management purposes.

Councillor Bell returned to the meeting following the decision.

324 BIRCHERLEY GREEN – HERTFORD TOWN CENTRE URBAN
DESIGN STRATEGY UPDATE

Members considered an update on the Hertford Town Centre Urban Design Strategy.

Councillor Haysey, presenting the report, explained the context in that the planning application from the site's

owner, Chase, was in the process of validation. The report before Members set out evidence in support of mixed use at this site. She proposed, and Councillor Goodeve seconded, a motion to support the recommendations in the report.

Councillor Crystall welcomed the report and asked for clarification of the remit of the working group which was to be set up. Councillor Haysey said the working group would consider both the short term and long term conditions at the site.

The motion having been proposed and seconded, it was put to the meeting. A vote being taken, it was declared CARRIED.

RESOLVED that – (A) the findings of the Hertford Town Centre Urban Design Strategy Update reports: Hertford Town Centre Retail Health Check (The Retail Group), October 2019, and Bircherley Green Property Market Report, (AspinalVerdi), October 2019, be noted;

(B) the Hertford Town Centre Urban Design Strategy Update reports: Hertford Town Centre Retail Health Check (The Retail Group), October 2019, and Bircherley Green Property Market Report, (AspinalVerdi), October 2019, be agreed as material considerations in respect of informing Development Management decisions taken regarding Bircherley Green, or other Hertford Town Centre sites, as appropriate; and

(C) the Council work in partnership with

Hertford Town Council and Hertfordshire County Council, and other key stakeholders to agree the appropriate mechanism to support the improvement of economic/retail performance and environmental conditions within Hertford Town Centre, including reviewing the membership of the HUDS Steering Group.

325 CORPORATE PLAN 2020/21

Members considered a report seeking adoption of a new Corporate Plan.

Councillor Haysey said the plan was an overarching, strategic document, against which actions would be monitored going forward. She proposed, and Councillor Williamson seconded, a motion supporting the recommendation in the report.

Councillor Goldspink proposed an amendment. She said there were many good aspects to the draft plan, but in light of the climate change motion adopted in July 2019, it should be more ambitious. She proposed two additional actions under the Sustainability Actions/Key Projects 2020/21, an additional item 1d to "Review all the Council's landholdings, parks and recreation areas and assess which could be used for extending hedges and tree coverts"; and an additional item 2d to "Ensure that new developments will include 30% of tree canopy area".

Councillor Corpe seconded the amendment.

Councillor E Buckmaster said these were worthy objectives, but did not necessarily need to be included in the Corporate Plan, as that document did not go into detail. Most of the District's open spaces included such green areas, and the strategic Masterplan for Harlow and Gilston Garden Town would look at the whole site and see where such spaces should be sited.

Councillor Haysey agreed, but said it was important that the tree canopy comprised the right type of trees in the right locations, and that the right approach was taken.

Councillor Redfern said her earlier motion without notice had aimed to ensure this item was debated before the Masterplanning Framework items on the agenda were considered. She supported the amendment.

The amendment having been proposed and seconded, it was put to the meeting. A vote being taken, the amendment was declared LOST.

The substantive motion being put to the meeting and a vote taken, it was declared CARRIED.

RESOLVED – that the new Corporate Plan as annexed to the report be adopted.

326 MILLSTREAM 30 YEAR BUSINESS PLAN 2020/21 AND COUNCIL CASHFLOWS

The Chairman reminded Members that if they wished

to debate the appendix to the report, it would be necessary first to move to exclude the press and public from such debate, as it contained commercially sensitive information.

Members considered a report jointly presented by Councillor Williamson and the Head of Housing and Health.

Councillor Williamson, introducing the report, said Millstream had completed its second year of trading and as the company's shareholder, the Council was requested to approve a revised plan each year, based on a rolling 30 year plan period. He referred to the detailed business plan and updated Members on the work of the company in generating an income stream for the Council from the sources outlined in the report. The plan was a good one and put local people in control.

The Head of Housing and Health, as a Director of the company, presented the key aspects of the plan on behalf of the company. He outlined the approach taken to rents, reflecting a balance between affordable housing and an entry level for the private rental market, and the proposals set out in the business plan for Members to consider, as the shareholder.

Councillor Williamson said the plan had been scrutinised by the Shareholder Advisory Group, which had declared itself satisfied. He proposed, and Councillor Haysey seconded, a motion supporting the recommendations. The motion being put to the meeting, and a vote taken, it was declared CARRIED.

RESOLVED – that (A) Millstream Property Investment Ltd’s 2020/21 30 Year Business Plan, including its programme of acquisitions and development, presented in the EXEMPT Appendix A, be approved;

(B) £2.75m unused loan approvals granted to Millstream by full Council on 19th December 2018 in support of the previous business plan be reassigned to support the new priorities in the 2020/21 30 Year Business Plan;

(C) up to an additional:

- £3.70m be loaned to Millstream on commercial terms or as shareholder cash loans and
- £0.65m be made available as a shareholder asset-backed loan

to combine with the existing unused loan approvals covered in recommendation (B) to enable Millstream to deliver its acquisitions and development programme for 2020/21 as detailed in the business plan, including substituting schemes if necessary; and

(D) authority be delegated to the Head of Strategic Finance and Property to determine (i) the balance of commercial and other loans relating the company’s activity and (ii) the terms and conditions attached to the finance made available.

327 BUDGET AND MEDIUM TERM FINANCIAL PLAN 2020/21

Members considered a report setting out proposals on the Medium Term Financial Plan 2020/21 – 2023/24; the 2020/21 – 2023/24 Capital Programme and the 2020/21 schedule of charges.

Councillor Williamson presented the report. He gave a summary of the general context and explained briefly the areas over which the Council any control. He referred to the funding gap of £1.037m which had been identified initially and the work done in addressing budget savings. The budget was based on the assumption that the Council would increase Council Tax by £5 for Band D properties, and referred Members to further initiatives to overcome the budget gap, in addition to income generated by Millstream, including the Financial Sustainability strategy which had been agreed, with the Financial Sustainability Committee having been set up in 2019. The Committee had acquired its first property last month and the lease was already bringing in income for the Council.

Councillor Williamson said a budget gap of £190K still remained and further savings and income generating ideas were set out in Appendix B to the report. He referred to the resilience afforded by the Council's reserves, and the investment in capital projects such as Hertford Theatre, the two leisure centres, and Old River Lane. Members would monitor these projects carefully. He thanked the Head of Strategic Finance and Property, and all services in formulating the plans

for next year and beyond. These were testing times, and it was thanks to officers that the plans were robust. He commended the budget to Members, and proposed a motion to support the recommendations as detailed.

Councillor Pope seconded the motion.

Councillor Corpe said as a Member of the Performance, Audit and Governance Oversight Committee, he had considered the report at the Committee's meeting on 14 January 2020. Whilst he considered it to be a comprehensive and prudent budget, he had raised an objection at that meeting, which he repeated now. He proposed an amendment that the saving proposals be amended by deleting the saving option relating to the "Citizens Advice Services / Community Voluntary Services (CVS) - £20k reduction over 2 years"; and at the penultimate row of the proposed savings table, which stated "Additional savings to be identified", to substitute in the column for 2020/21, a figure of (25) in place of (15), and, in the column 2021/22, to insert the figure (10).

Councillor Corpe said it would be a false economy to pursue this saving option, as it could increase use of Council services such as Housing and Benefits by those currently relying on the CAS / CVS for advice. There could also be European Union citizens applying for settled status who would need advice from these services. By phasing in the savings differently, maximum freedom to explore options would be provided.

Councillor Goldspink seconded the amendment. She requested a recorded vote.

Councillor Goldspink said this saving proposal was short-sighted, and the CAS/CVS should be permitted to focus on their primary function and not have to worry about fundraising.

Councillor Williamson said by maintaining funding in one area, pressure was increased elsewhere, for example to services which the Council provided directly. The CAB had been able to operate from Wallfields, on advantageous lease terms, which was effectively a hidden grant of greater value than the reduction being proposed.

Councillor E Buckmaster agreed the CAB was a valuable partner, and was involved in the Council's collaborative work with the County Council on preventive initiatives.

Councillor Dumont spoke in support of the amendment, as he considered the budget was cutting support for the most vulnerable.

Councillor Deering said, as a County Member, he had to direct some of his locality budget to the CAB.

Councillor Curtis said all Members supported the role of the CAB, but from his perspective as a Member who could be termed a vulnerable person due to his having Asperger's and Type 1 Diabetes, he was in favour of the savings proposal. There was no evidence that a cut in funding would lead to a reduction in the CAB's ability

to provide services.

Councillor Frecknall said in addition to his opposition to the savings cut for the CAB, he was could not support the savings reduction in relation to the Police Crime Support Officers, so would vote against the amendment.

Members continued to debate the amendment.

The Chairman then read out the amendment and said that as it was an amendment to the budget, a recorded vote was required by law.

A recorded vote was taken, the result being:

FOR

Councillors Beckett, Bell, Brady, Corpe, Dumont, Goldspink, Redfern and Wilson

AGAINST

Councillors Alder, Andrews, Bolton, E Buckmaster, R Buckmaster, Bull, Burmicz, Crystall, Curtis, Crofton, Cutting, Deering, Drake, Fernando, Frecknall, Goodeve, Hall, Haysey, Jones, Kemp, McAndrew, Newton, Page, Pope, Reed, Ruffles, Snowdon, Stowe, Symonds, Ward-Booth, Williamson and Wyllie.

ABSTENTION

Councillor Kaye.

For: 8
Against: 32
Abstention: 1

The amendment was therefore LOST.

The substantive motion, to support the recommendations in the report, being put to the meeting, a recorded vote was taken in accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the result being:

FOR

Councillors Alder, Andrews, Bolton, E Buckmaster, R Buckmaster, Bull, Burmicz, Curtis, Crofton, Cutting, Deering, Drake, Fernando, Goodeve, Hall, Haysey, Huggins, Jones, Kaye, Kemp, McAndrew, Newton, Page, Pope, Reed, Ruffles, Snowdon, Stowe, Symonds, Ward-Booth, Williamson and Wyllie.

AGAINST

Councillor Frecknall.

ABSTENTIONS

Councillors Beckett, Bell, Brady, Corpe, Crystall, Dumont, Goldspink, Kaye, Redfern and Wilson.

For: 31
Against: 1
Abstentions: 10

The substantive motion was declared CARRIED.

RESOLVED that (A) the East Herts share of Council Tax for a band D in 2020/21 be set at £174.09;

(B) the updated position on the Medium Term Financial Plan and Budget for 2020/21 including the budget pressures and risks be approved;

(C) the new savings and income generating proposals for 2020/21 onwards as shown in Appendix 'B' be approved;

(D) the Capital Programme as set out in Appendix 'C' be implemented;

(E) the schedule of charges set out in Appendix 'D' (as amended at the meeting of 3 March 2020), each with an average increase of 2.5% for 2020/21, be approved; and

(F) that authority to determine the most appropriate amendments to car parking charges to achieve the increased income included in the MTFP be delegated to the Head of Operations acting in consultation with the Head of Strategic Finance and Property and the Executive Member for Environmental Sustainability.

328 CAPITAL STRATEGY 2020 ONWARDS

Members considered a report on the Council's capital strategy.

Councillor Williamson presented the report. He said the strategy was prudent and proportionate, and that statutory duties were the focus. The strategy had been fully debated by the Performance, Audit and Governance Oversight Committee. He proposed a motion supporting the recommendations in the report.

Councillor Andrews seconded the motion.

The motion being put to the meeting, and a recorded vote taken in accordance with the statutory requirement, the results were:

FOR

Councillors Alder, Andrews, Beckett, Bell, Bolton, Brady, E Buckmaster, R Buckmaster, Bull, Burmicz, Corpe, Curtis, Crofton, Cutting, Deering, Drake, Dumont, Fernando, Goldspink, Goodeve, Hall, Haysey, Huggins, Jones, Kemp, McAndrew, Newton, Page, Pope, Reed, Ruffles, Snowdon, Stowe, Symonds, Ward-Booth, Williamson, Wilson, Wyllie.

AGAINST

None.

ABSTENTIONS

Councillors Crystall, Frecknall, Kaye, Redfern.

For: 38

Against: 0

Abstentions: 4

The motion was declared CARRIED.

RESOLVED – to approve the Capital Strategy 2020 Onwards as shown in Appendix A to the report.

329 TREASURY MANAGEMENT STRATEGY 2019/20

Members considered a report setting out the proposed Treasury Management and Annual Investment Strategy for 2020 – 21, including prudential indicators.

Councillor Williamson presented the report, referring to the importance of ensuring security, liquidity and yield were managed appropriately. He explained the main points of the report, which had been considered by the Performance, Audit and Governance Oversight Committee, which had had no objections. He commended the Strategy to Members and proposed a motion supporting the recommendation.

Councillor Andrews seconded the motion.

Councillor Goldspink asked whether the Council had investments in companies linked to fossil fuels or authoritarian regimes.

Councillor Williamson said the Council had no investments in companies, and the current investment portfolio included an investment with a Bank Green Deposit scheme. He would provide further

information in response to the question.

The motion being put to the meeting, a recorded vote was taken, in accordance with the legislative requirement, the results being:

FOR

Councillors Alder, Andrews, Beckett, Bell, Bolton, E Buckmaster, R Buckmaster, Bull, Burmicz, Corpe, Crystall, Curtis, Crofton, Cutting, Deering, Drake, Dumont, Fernando, Frecknall, Goldspink, Goodeve, Hall, Haysey, Huggins, Jones, Kemp, McAndrew, Newton, Page, Pope, Redfern, Reed, Ruffles, Snowdon, Stowe, Symonds, Ward-Booth, Williamson, Wilson, Wyllie.

AGAINST

None.

ABSTENTIONS

Councillors Brady and Kaye.

For: 40

Against: 0

Abstentions: 2

The motion was declared CARRIED.

RESOLVED – that (A) the Treasury Management Strategy 2020-21, including the prudential indicators, discussed in paragraph 3.6 of the report, be approved; and

(B) the credit and counterparty risk management and approved countries list, discussed in paragraph 3.7 of the report, be approved.

330 EXCLUSION OF PRESS AND PUBLIC

Councillor Deering proposed, and Councillor Pope seconded, a motion that the public and press be excluded from the meeting for Minute xxx Old River Lane Investment Opportunity, on the grounds that the item contained exempt information as defined by paragraph 3 of Part 1 of Schedule 21A to the Local Government Act 1972. The motion being put to the meeting, and a vote taken, it was declared CARRIED.

RESOLVED – that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of Minute XXX on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

331 OLD RIVER LANE INVESTMENT OPPORTUNITY

Members considered an exempt report, presented by Councillor Williamson.

Councillor Williamson proposed, and Councillor Curtis seconded, a motion to support the recommendations in the report. The motion being put to the meeting, and a vote taken, it was declared CARRIED.

RESOLVED – that (A) a Unit Buyback funding model be approved as the preferred route to deliver the Old River Lane scheme (excluding the Arts and Entertainment Centre which is subject to separately delivery arrangements) ensuring a maximised commercial benefit to the council; and

(B) a final business case be developed, incorporating the outcome of negotiations with the approved developer Cityheart Ltd, for presentation to Council for approval at a future date.

The meeting closed at 8.50 pm

Chairman
Date